

South Oxfordshire

COMMUNITY INFRASTRUCTURE LEVY (CIL) DRAFT CHARGING SCHEDULE STATEMENT OF REPRESENTATIONS



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1. Introduction

What is the Community Infrastructure Levy?

- 1.1 The Community Infrastructure Levy (CIL) came into force in April 2010 and is a levy that local authorities can choose to charge on new development, in order to fund a wide range of infrastructure to support planned growth in their area.
- 1.2 South Oxfordshire District Council, as the local planning authority, is classed as a charging authority and may therefore charge CIL in respect of development that takes place in the District. CIL is a fixed, transparent charge which means developers have more certainty from the start of the development process regarding the financial contributions they are required to make.
- 1.3 Under the Community Infrastructure Levy Regulations (2010) (as amended), every charging authority must produce a CIL Charging Schedule, which sets out the rates of CIL to be paid for different development typologies across their administrative area.
- 1.4 The current CIL Charging Schedule covering South Oxfordshire District came into effect in April 2016.

Review of our CIL Charging Schedule

- 1.5 The Council has decided to review its current CIL Charging Schedule to reflect the adoption of the South Oxfordshire Local Plan 2035 in December 2020 and the changes to the CIL Regulations in September 2019.
- 1.6 This review must be carried out in accordance with the CIL Regulations, which include the requirement for the draft Charging Schedule to be supported by evidence on development viability across the district and a broad understanding of the area's infrastructure needs and the funding currently available to deliver the necessary infrastructure to support planned growth in South Oxfordshire.

2. Summary of the consultation process

- 2.1 The CIL Regulations require the Council to carry out public consultation on its draft CIL Charging Schedule, before it can submit the draft document for independent Examination.
- 2.2 Public consultation was conducted from 15 February to 22 March 2022. During this consultation period, comments were welcomed on the following documents:
- A **Draft CIL Charging Schedule** (setting out revised levy rates for different development typologies across three defined zones in the district)
 - The Council's **CIL Viability Assessment, December 2021** (providing the development viability evidence on which the proposed CIL rates are based) and an accompanying **Appendices Pack**.
 - An **Infrastructure Funding Gap Statement** (The CIL Regulations require that, in order to justify charging CIL, the Council must demonstrate that there is a 'gap' between the infrastructure needs of the district and the funding that is available, including anticipated CIL income).
- 2.3 The Council made all consultation documentation available on its website and in hard copy at its offices¹ and at all the public libraries in South Oxfordshire. A notification email or letter was sent to 3685 consultees on the Council's planning consultation database, which incorporates all the consultation bodies set out in Regulations 16(1A) and 16(2) of the CIL Regulations 2010 (as amended). This email/letter provided background to the CIL consultation and explained where people could view the documents and the various ways in which they could provide comments.
- 2.4 The Council also used its social media platforms to advertise the consultation and circulated a poster via email for each of the town and parish councils to display, where appropriate.
- 2.5 In total there were **41 respondents** to the consultation, including landowners, developers, community groups, parish and town councils, statutory consultees and individuals. The respondents were asked to specify to which document(s) their comments related and the breakdown is shown in Table 1 overleaf:

¹ Due to COVID restrictions, the Council offices were closed to the public. Respondents were asked to contact the Council if they wished to view hard copies, so appropriate options could be discussed.

Table 1		
Document	No. of respondents	No. of individual comments on the document
Draft CIL Charging Schedule	27	39
CIL Viability Assessment (December 2021)	7	44
CIL Viability Assessment Appendices Pack	1	4
Infrastructure Funding Gap Statement	6	6
General response	16	20

- 2.6 Of the **41** respondents, 10 were landowners or representatives from the development industry (including agents), 7 were town or parish councils, 14 were statutory consultees or local community groups/organisations and 10 were individuals. A full list of respondents can be found in Appendix 1.

Developer Engagement

- 2.7 Government's Planning Practice Guidance (PPG) advises charging authorities to engage with developers in preparing their draft CIL Charging Schedules. The Council did this through a presentation and workshop session with our viability consultants (Aspinall Verdi) to explore the assumptions that were used in their viability assessments. This event took place on 20 September 2021. Just over 100 agents/developers were invited to participate in the event, with 14 representatives attending.

3. Main issues raised during consultation

- 3.1 This section provides a summary of the main issues raised by respondents to the consultation and details the Council's response on each of these issues, including an indication of whether we have made minor modifications to the Draft CIL Charging Schedule as a result of the comments made.
- 3.2 A detailed schedule of all comments received during the public consultation period, including summaries, the Council's responses and any modifications to the draft Charging Schedule is attached as Appendix 2.

Proposed CIL Rates for Retirement/Older Persons Housing

- 3.3 Several agents acting on behalf of retirement/older persons housing providers have expressed concerns over the proposed increase in CIL charge for this development typology from the current NIL position (in the adopted 2016 Charging Schedule) to between £200 and £325 per sqm (dependent on charging zone). Reasons given are varied and include the following:
- that the introduction of these new CIL rates will hinder the delivery of retirement/ older persons housing schemes across the District, which are much needed and which both the Local Plan and NPPF support and encourage;
 - that the new rates will prevent more elderly people from downsizing, which frees up larger homes for families;
 - that the Draft Charging Schedule fails to recognise that retirement housing typologies may have constrained viability in comparison to non-age restricted housing and cannot, therefore, sustain the same CIL rates; and
 - that most local authorities either continue to exempt this typology from CIL or assign a bespoke lower rate in recognition of constrained viability.
- 3.4 Representations (including from agents on behalf of Churchill Retirement Living, McCarthy Stone and Beechcroft Developments) challenge a number of the assumptions made by the Council's viability consultants as they relate to retirement/older persons housing development schemes and respondents have requested that the Council re-runs its viability appraisals, to ensure they reflect more realistic values and likely development costs associated with these particular development typologies and that any necessary amendments are made to the Draft Charging Schedule and proposed CIL rates, taking into account a more accurate picture of development viability.
- 3.5 Overall, based on the proposed CIL rates, Churchill and McCarthy Stone's own assessment has concluded that a CIL charge for older person's housing in the lower value zone of Didcot remains unviable and that only a much lower rate would be achievable within the higher value zone (i.e. Henley).

Council's response

- 3.6 Even older persons housing has an impact on the local infrastructure and, therefore, it is appropriate that retirement/older persons housing typologies contribute to CIL if they can afford to do so. Our viability assessment has tested the viability of a range of development typologies on brownfield and greenfield sites in different parts of the district and demonstrates that all remain viable, including retirement/older persons housing schemes, when the proposed CIL rates are applied.

- 3.7 It is worth noting that for this development typology, Section 106 costs will be substantially lower, as contributions towards education are not sought and this was factored into the appraisals. It should also be noted that our viability assessment was undertaken specifically to determine development viability across South Oxfordshire, so the proposed rates have been set in accordance with the evidence for this district only.
- 3.8 Notwithstanding the above, we have noted the comments made in relation to some of our assumed costs and values for retirement/older persons housing and have re-run the viability appraisals for the retirement/older persons typologies, based on the following revised assumptions:
- Unit sizes - Sheltered Housing (1 bed 55 sqm & 2 bed 75 sqm) and Extra Care Housing (1 bed 65 sqm & 2 bed 80 sqm).
 - Updated BCIS costs and values based on the most recent publicly available data.
 - Revised sales rate assumption of 1 per month.
 - Increased net to gross floorspace ratio for sheltered housing to 27% (although the ratio for extra care housing remains at 35%).
 - Inclusion of an allowance for Empty Property Costs (EPC) based on the average sales period.
 - Sales and marketing costs increased to 5%.
 - Revised scheme sizes - 50 units for sheltered apartments and 40 units for extra care housing.
 - Updated affordable housing mix (with redistribution of the First Homes element into Shared Ownership tenure).
 - Reduced density assumptions (100 dph for sheltered apartments and 80 dph for extra care).
- 3.9 In light of the findings relating to the overall viability of flatted development schemes (including retirement/older persons housing) within Zone 2 (Built up areas of Didcot & Berinsfield), we have made a modification to Table 1 of the Charging Schedule, which clarifies that the existing CIL rate in our adopted Charging Schedule (i.e. £103) will remain applicable to development comprising flats/apartments of 3 storeys and above within Zone 2, including elderly persons accommodation. Notwithstanding this modification, the revised viability appraisals still demonstrate development viability in all three zones for all other types of development within Table 1 of the Charging Schedule and also demonstrate viability for flatted development (including retirement/older persons housing) in Zones 1 and 3, at the proposed CIL rates.

Other Viability Issues

- 3.10 Several landowners/agents made comments regarding other assumptions underpinning the viability work undertaken by the Council's consultants, expressing concern that these were not reflective of market inputs or industry standards and could result in the viability evidence being unreliable to inform the new CIL Charging Schedule.
- 3.11 Hallam Land Management considered that the viability appraisals under-estimated Section 106 costs and failed to take account of site opening/ infrastructure costs for major development sites (over c100 dwellings). They acknowledged that the very substantial costs of bringing forward strategic sites were recognised in a nil CIL rate, but considered that the costs of smaller, but still significant, sites seemed to have been overlooked. They also commented that the appraisals omitted any costs associated with meeting 10% net biodiversity gain and meeting Government's commitment to Future Homes Standards.

- 3.12 Savills felt that a wider range of larger residential typologies should be modelled (e.g. larger typologies on brownfield land in the lower value zone/ sites over 210 units on greenfield land in the medium value zone/ larger typologies that are outside the Henley market area, but still within the higher value zone). They also commented on how the ongoing Covid-19 pandemic had resulted in significant market uncertainty in respect of values and build costs for planned development across the district and that supply chain interferences, material cost increases and labour shortages were also creating difficulties for the development industry and would be further fuelled by Brexit. All of which they thought should be considered alongside the implications of introducing a potentially increased financial burden upon development through higher CIL rates.
- 3.13 Homes England have made representations relating to development proposals for the Didcot Gateway site and raise concerns that the cost and revenue assumptions in the viability appraisals are not representative of their scheme (i.e. they are too low), meaning that when CIL liability is also taken into account at the proposed new rate, overall viability for their development proposals is threatened.

Council's response

- 3.14 Taking each of these points in turn, our response is as follows:

- We can confirm that we have included site specific S106 costs (£0 - £25,839 per dwelling for residential (median £20,839 per unit)), in the appraisals.
- The above costs include off-site transport improvements, but we consider that any other site-specific opening up costs for major development sites (which are not Strategic Sites) should be costed and deducted from the price of the land as part of due diligence.
- Biodiversity Net Gain and Carbon / Energy Reduction policy costs have explicitly been included in the appraisals:

Net Biodiversity Costs (BNG) - £1027 per unit for greenfield sites and £244 per unit for brownfield sites - DEFRA Biodiversity Net Gain and Local Nature Recovery Strategies Impact Assessment (15/10/2019) (Reference No: RPC-4277(1)-DEFRA-EA).

Carbon / Energy Reduction - £7,500 per unit - From Local Plan viability.

- We appreciate that build costs and values can change over time and that our original appraisals were based on costs and values that were applicable in December 2021 (the published date of our Viability Assessment). Consequently, we have re-run our viability appraisals using more relevant/updated build costs that reflect comments received from the development industry in response to the public consultation on our draft Charging Schedule and its associated viability evidence. We have also taken into account of most recently available data on market values. As a general observation, it is clear that whilst build costs may have risen over the last few months, there has been an even higher uplift in house prices in South Oxfordshire.
- We consider that the number/range of typologies appraised is proportionate. These typologies are based on the Local Plan site allocations and are the same as those used for the Local Plan viability assessment, which was found 'sound'.
- We have undertaken a market review of both values and build costs, to take into account impacts on the development industry caused by the recent pandemic. In doing so, we have noted that during the pandemic, the economy and housing market has been supported through mechanisms such as furlough and the stamp duty holiday. We

have also noted the rising costs caused by Brexit and now the inflationary pressures due to the Ukraine invasion.

- 3.15 We have updated the viability assessment to include new generic flatted typologies to better reflect higher density, apartment-led schemes such as the one proposed by Homes England at Didcot Gateway. These new typologies have been viability tested with appropriate buffers and cost/value assumptions. In light of the findings relating to the overall viability of flatted development schemes within Zone 2 (Built up areas of Didcot & Berinsfield), we have made a modification to Table 1 of the Charging Schedule, which clarifies that the existing CIL rate in our adopted Charging Schedule (i.e. £103) will remain applicable to development comprising flats/apartments of 3 storeys and above within Zone 2. An additional footnote 4 also clarifies that, where both houses and flats/apartments are proposed in a development scheme, the development needs to be phased into separate parcels so that differential rates can be levied. If a parcel has a mix of houses and flats, CIL will be charged at the higher rate.

Applying Differential CIL Rates and Defining Zones

- 3.16 Lewknor Parish Council and several local residents considered that the proposed CIL rates were too low, particularly given the current economic climate (high inflation, rising house prices etc), the scale of residential development planned in the district, the profit developers make and the significant impact that such development has on villages, open countryside and the Green Belt.
- 3.17 Watlington Parish Council felt that the division of the Zone 1 Southern Parishes from the rest of the district was inappropriate given that, apart from the immediate area around Henley, house prices across much of the district were similar. In particular, Watlington had seen a rapid rise in prices since the pandemic, with London residents moving to the town which is well served by motorway links. Consequently, the Parish Council believes that Watlington should be included in the same zone as the other 'Southern Parishes' and benefit from the higher CIL rates proposed.
- 3.18 Other views expressed were that:
- CIL rates should not be lower for larger scale residential development (greater than 10 homes) as it puts more pressure on local services, with the needs of new residents not easily met by existing facilities (schools, healthcare facilities, leisure facilities, etc). The CIL rate for larger developments should, therefore, be increased to the same rate as for smaller developments.
 - The CIL Viability Assessment found that minor development (fewer than 10 dwellings) could support a higher CIL rate than major development, as it does not have to provide affordable housing. However, minor development of fewer than 10 dwellings will not benefit from economies of scale, so may not necessarily be able to support a higher CIL rate.
 - The new CIL charges will discourage small developments in Berinsfield and Didcot, whilst encouraging developments in the rest of the district, particularly larger developments where the increase in CIL rate (compared with the currently adopted CIL rates) is only 24%.
 - In its current format, CIL encourages the development of larger houses as this is a major way that developers get their 30% margin. Setting £150 CIL rate for properties that will be rented for two years encourages developers to rent and then sell as soon as

the two years are completed. CIL should be payable at the full rate whether a property is to be rented or not.

- 3.19 The Council also received representations from several landowners who raised specific concerns about the new CIL rates applicable to sites in their ownership, generally saying that these were too high and would threaten delivery of development proposals or that they considered their site should be CIL exempt.

Council's response

- 3.20 We agree that the economic climate has changed considerably over recent months and that the Infrastructure Funding Gap Statement demonstrates a large shortfall in infrastructure funding, even taking into account CIL receipts. However, a careful balance needs to be struck between the need to fund the infrastructure required to support development and the potential effects that imposing CIL rates which are too high may have on development viability. The proposed CIL rates and charging zones are based on a detailed assessment of viability across the district for different sizes and types of development on both greenfield and brownfield land.
- 3.21 The CIL Viability Assessment details the assumptions made for a wide range of development typologies in various locations across the district, including land values. The Assessment indicates that Watlington does not fall within the average value range considered appropriate for it to be included within the Southern Parishes Zone. As explained above, the revised Draft Charging Schedule strikes a suitable balance between setting rates at levels which can be sustained by development without rendering them unviable and keeping the number of charging zones to a minimum, in the interests of clarity and simplicity of administration.
- 3.22 The reason that lower CIL rates in each charging zone are proposed for larger scale residential development (greater than 10 dwellings) is that these schemes are also required to make significant developer contributions via Section 106 agreements (including affordable housing contributions) and they would not be viable at a higher CIL rate. Our CIL Viability Assessment included appraisals of various different development typologies/sizes across the district, including residential sites of fewer than 10 dwellings and it concluded that minor development would still be viable, taking into account the differential CIL rates proposed.
- 3.23 Our proposed CIL rates are set purely in relation to development viability and do not serve to encourage development in certain parts of the district over others. The percentage increases from those in our adopted Charging Schedule vary according to the findings of detailed viability evidence drawn from across the district.
- 3.24 The CIL Viability Assessment provides details of the costs and assumptions made with respect to Build to Rent proposals, which are a specific development product. It is expected that these will be found within or close to major cities or significant student areas. With the exception of affordable housing, builders may bring their development proposals to market as appropriate, which falls outside the remit of the planning process.
- 3.25 When carrying out our CIL Review, we have considered general viability across the district for a range of development typologies, based on a series of cost assumptions. However, it would not be appropriate to consider the viability of individual sites when determining the level of CIL rates to apply in each charging zone. As said before, the rates in the Draft Charging Schedule seek to strike a balance between funding necessary infrastructure to mitigate the impact of new development, whilst ensuring that development proposals coming forward remain viable.

3.26 In relation to the new Zone 2 (Didcot and Berinsfield), the evidence indicates that brownfield sites are the ones that are less likely to be viable so cannot sustain higher CIL rates, hence why the boundaries for Zone 2 have been drawn tightly round the built up areas of these settlements. However, our viability evidence demonstrates that greenfield sites in Zone 3 (Rest of District) remain viable at the higher CIL rate.

Distribution of CIL Receipts

3.27 A number of the representations commented on how, when and on what types of infrastructure CIL is spent and how CIL receipts are distributed. For example:

- CIL money should be spent on providing the infrastructure within a short time of receipt and not held back. The Council knows in advance what is actually needed and it should be incorporated into the planning permission so that CIL is being spent wisely and used to provide infrastructure as the buildings are being constructed or immediately after, not many years later. The two are not currently aligned.
- Raising money through CIL is critical to investing in the infrastructure of the area that the house building is taking place. A minimum of 70% should be spent in the town or village that the building is taking place. It should not all go into a central fund and be spread across South Oxfordshire. Too much investment is going to Didcot and not to other towns and villages.
- If major developments with affordable housing attract lower rates of CIL, this imbalances the benefits of CIL being directed towards communities where the benefits are most needed (i.e. for people in affordable housing). Consequently, CIL spend should be targeted towards those communities where there is more affordable housing, regardless of where the CIL has come from.
- There needs to be a clearer explanation of what constitutes 'green' infrastructure, along with an evidence base behind the benefits of different types. Issuing neighbourhood funds should come with a recommendation/evidence base for the benefits of different options, relating to greenspaces (e.g. an open 'green'/playing field with poor planning will return far less benefits than a multi-use, nature-based green space).

Council's response

3.28 The expenditure of CIL is not determined through the CIL Charging Schedule. CIL spending is undertaken in accordance with the CIL Regulations and the District Council's non-statutory CIL Spending Strategy.

3.29 Our CIL Spending Strategy is reviewed annually in line with Council priorities and we must always consider the best use of CIL funds. Consequently, in some cases it may be necessary to accrue sufficient funds over a period of time to deliver key infrastructure. Whilst the CIL Regulations do allow some flexibility in how funds are spent, committing to short term spending of all CIL income could mean that larger infrastructure schemes are not be able to come forward.

3.30 The CIL Regulations require the Council to pass on a proportion of the revenues from gross CIL receipts to the towns and parishes within which the chargeable development took place. Parishes with a Neighbourhood Plan receive 25% of the CIL revenue from new development within their neighbourhood plan area. Parishes without a Neighbourhood Plan

receive 15% of the CIL revenue, subject to a cap of £100 per existing council tax dwelling per year.

- 3.31 All CIL collected from developers goes into a district-wide 'pot' which is then distributed in accordance with our Spending Strategy, therefore, spending is not necessarily directed to those parts of the district where the development took place.
- 3.32 Neighbourhood funds can be spent on 'green infrastructure' but it is for the respective town or parish councils to determine the infrastructure priorities in their local area and allocate CIL funding accordingly. It is agreed though that some green spaces have greater overall benefits than others, and this requires careful consideration at the planning stage.

Exemptions from CIL Liability

- 3.33 Jennings of Garsington say there needs to be a degree of flexibility and discretionary powers in applying the CIL, as less commercial schemes are very different, so should be assessed separately. If a scheme is attempting to provide affordable solutions and has little impact on local infrastructure, then the CIL needs to be waived or reduced, rather than affecting viability.
- 3.34 A number of respondents (including Swyncombe Parish Council, Rotherfield Greys Parish Council and the Chiltern Society) considered that self build development/ schemes should not be CIL exempt.
- 3.35 There was also a call for the Council to revise its exemptions policy through its revised Charging Schedule, so that Discretionary Charitable Relief and Exceptional Circumstances Relief were available, where appropriate.

Council's response

- 3.36 It is not evident that there are sufficient examples to introduce a policy for exceptional circumstances relief where it would be beneficial in bringing forward development. It would add complication and delay when one of the strengths of CIL is its universality and certainty. We do, however, recognise that brownfield sites may have grounds for site specific viability assessments and compromises may need to be found in respect of affordable housing / S106 contributions.
- 3.37 On page 10 of the Draft Charging Schedule, we explain that the CIL Regulations 2010 (as amended) include a list of developments which are exempt from paying CIL. These include:
- Dwellings built by 'self-builders';
 - Affordable housing (defined as social rented, affordable rented, or other routes to home ownership) provided through a local housing authority, registered provider or charitable body;
 - First Homes (as part of affordable housing provision) as defined by Government regulations; and
 - Development by charities for charitable purposes.
- 3.38 It is at the Council's discretion as to whether we offer anything over and above the mandatory social housing and charitable relief, as set out in the CIL Regulations. In South Oxfordshire District, neither discretionary charity relief nor exceptional circumstances relief are currently available and the Council does not propose to revise its exemptions policy.

‘Double-dipping’ of Developer Contributions from CIL/Section 106

- 3.39 Oxford Brookes University acknowledged that the Council’s revised draft Developer Contributions Supplementary Planning Document (SPD) made reference to various items of infrastructure (previously funded through CIL) now being funded by Section 106 obligations. However, it was considered that, as the Council had not yet set out the type of projects and infrastructure to be funded in whole or part by CIL, it was impossible to conclude whether the Council’s approach to collecting developer contributions would result in ‘double dipping’ on specific sites (i.e. collecting financial contributions via both CIL and S106 towards the same infrastructure items), contrary to paragraph 57 of the National Planning Policy Framework (NPPF).

Council’s response

- 3.40 The spending of CIL is undertaken in accordance with the CIL Regulations and the District Council’s non-statutory CIL Spending Strategy, which is reviewed annually in line with Council priorities. CIL liability does not relate to the mitigation of impacts from a development in the way that Section 106 contributions do, therefore, there would be no ‘double dipping’ where both CIL and Section 106 contributions are sought.

CIL Rates for Commercial Leisure Facilities

- 3.41 Sport England considered that commercial leisure facilities should have CIL applied, whereas ‘not for profit’ sports centres should not.

Council’s response

- 3.42 Introducing a CIL rate for leisure facilities would be too complex to apply when balanced against the low number of commercial indoor leisure facilities that are likely to come forward in the district, particularly in light of the challenges faced by these businesses following the recent pandemic.

The Infrastructure Funding Gap Statement

- 3.43 Several respondents expressed concern that specific infrastructure costs (for example, green infrastructure) had not been included in the Infrastructure Funding Gap Statement (IFGS). Others felt that insufficient detail had been provided in the IFGS to explain how the costs had been assessed or how funding available from other sources had been calculated. It was, therefore, difficult to confirm whether the Council’s calculation of the scale of the infrastructure ‘gap’ identified in its evidence was accurate and robust.
- 3.44 Beckley and Stowood Parish Council were particularly concerned about the lack of detail in the IFGS on likely costs and funding sources for necessary transport infrastructure. This was because a profound gap in transport infrastructure funding had already been identified for the Strategic Site (Land North of Bayswater Brook) and, when considered alongside the requirements for other Strategic Sites (namely Grenoble Road and Northfield), it was likely that there would be a much more significant gap in transport funding than shown in the IFGS.

Council’s Response

- 3.45 The various costs included in the IFGS are taken from the Infrastructure Delivery Plan which formed part of the evidence base for the South Oxfordshire Local Plan 2035. If costs for the infrastructure identified in the IDP had subsequently been updated, we used these updated costings where they had been provided. In paragraph 3.2 it is explained that,

inevitably, there will be a number of gaps where infrastructure costs are either unknown or uncertain. The CIL guidance recognises that there will be uncertainty in confirming funding sources for the provision of infrastructure, particularly beyond the short-term and it says that the focus should be on utilising appropriate, publicly available evidence (i.e. the IDP).

- 3.46 The overall aim of the IFGS is to demonstrate that there is a funding gap in the provision of infrastructure required to support new development in the district. Consequently, if there are gaps in the current IDP with regard to green infrastructure this would serve to widen the overall funding gap and strengthen the argument for implementing higher CIL rates.
- 3.47 A new Infrastructure Delivery Plan will be prepared as supporting evidence for the Joint Local Plan 2041. Here, the Councils will be able to identify infrastructure needs according to their own corporate priorities, including responding to the Climate Emergency and improving the health and wellbeing of each district's residents.
- 3.48 Whilst no amendments have been made to the Infrastructure Funding Gap Statement itself post public consultation, it is worth noting that the estimated CIL income referred to in the IFGS could be less, if the modified version of the Charging Schedule (i.e. with a lower CIL rate for flatted development of 3 storeys and above in Zone 2 (Built up areas of Didcot & Berinsfield)) is adopted and implemented by the Council. This would be another scenario where the overall funding gap was actually wider than estimated, again strengthening the argument for higher CIL rates across the district.

4. Modifications to the Draft CIL Charging Schedule

- 4.1 In response to comments made by the development industry (primarily retirement and older persons housing providers), we have re-run our viability appraisals using more relevant/updated costs and value assumptions. In light of the findings relating to the overall viability of flatted development schemes (including retirement/older persons accommodation) within Zone 2 (Built-up areas of Didcot and Berinsfield), we have made a modification to Table 1 of the Charging Schedule, which clarifies that the existing CIL rate in our adopted Charging Schedule (i.e. £103) will remain applicable to development comprising flats/apartments of 3 storeys and above within Zone 2, rather than the higher rate that we consulted upon earlier in 2022.
- 4.2 We have also made some minor modifications in response to comments from Oxfordshire County Council and have made some formatting changes to the document, for example to ensure that Table 1 and its associated footnotes can be viewed on a single page.
- 4.3 A Statement of Modifications has been prepared, which includes commentary explaining how the changes relate to the comments made and who made them.
- 4.4 Under Regulation 19 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended), the Council is required to send a copy of its Statement of Modifications to everyone who was previously invited to make representations during public consultation on our Draft Charging Schedule and its associated evidence documents. We will also publish this Statement on our website.
- 4.5 Anyone can request to be heard by the Examiner (who is responsible for carrying out the independent Examination of the draft Charging Schedule) in relation to any of the modifications. To do so, your request must be submitted to the Council within four weeks from the date on which we formally submit all our documentation to the Examiner. Your request must include details of the modification(s) on which you wish to be heard.

5. Next Steps

5.1 Now that we have consulted on our Draft Charging Schedule and produced this Statement of Representations (together with a full schedule of all the comments received and the Council's response to each – see Appendix 2), we are now ready to submit the Draft Charging Schedule for independent examination.

5.2 Key milestones for the review of our CIL Charging Schedule are set out in Table 2 below:

Table 2	
Milestone	Anticipated Date
Public consultation on the Draft CIL Charging Schedule	15 February to 22 March 2022 (completed)
Submission of Draft CIL Charging Schedule to the appointed Examiner	10 June 2022
Examination – either by virtual hearing session/s or by consideration of written representations	Provisionally August 2022
Receive Examiner's report	Early Autumn 2022
Adoption by the Council	Autumn 2022

5.3 Once the Council has adopted the Charging Schedule, it will sit alongside the Adopted South Oxfordshire Local Plan 2035 and will help us deliver our development objectives.

Where to get more information

5.4 The Draft CIL Charging Schedule and all the supporting evidence documents can be viewed on the Council's website at: southoxon.gov.uk/cilchargingschedule

5.5 If you have difficulty accessing the documents please contact the planning policy team:

By Email: planning.policy@southandvale.gov.uk

By Telephone: call 01235 422600

Appendix 1: List of respondents

	Respondent
1	Beckley and Stowood Parish Council
2	Beechcroft Developments
3	Bioabundance CIC
4	Bloor Homes
5	Blue Cedar Homes
6	Buckinghamshire Council
7	Burns, Andrew
8	C & H Peers and Sons Farming Partnership
9	C & H Peers and Sons
10	Canal and River Trust
11	Chiltern Society
12	Churchill Retirement Living and McCarthy Stone
13	Countryside Properties
14	Davis, Cheryl
15	Didcot Town Council
16	Earth Trust
17	Goodhall, Ashley
18	Hallam Land Management
19	Highways England
20	Homes England
21	Jennings of Garsington Ltd
22	Lewknor Parish Council
23	Maiden Erlegh Trust
24	Marine Management Organisation
25	McCarthy, Ryan
26	McGuire, Chris
27	Natural England
28	Oxford Brookes University
29	Oxfordshire County Council
30	Rayner, Tony
31	Roberts, John
32	Rotherfield Greys Parish Council
33	Savills (on behalf of anonymous land promoter)
34	South East Locality Forum (Patient Group)
35	Sport England
36	Stoke Row Parish Council
37	Stoodley, Susan
38	Streets, Alan
39	Swyncombe Parish Council
40	Watlington Parish Council
41	Willis-Fleming, Peter

