

**SOUTH OXFORDSHIRE  
COMMUNITY INFRASTRUCTURE LEVY (CIL)  
DRAFT CHARGING SCHEDULE**

**STATEMENT OF REPRESENTATIONS  
APPENDIX 2 – SCHEDULE OF CONSULTATION RESPONSES**

Respondent	Document	Para or Section	Representation Summary	Council's Response	Modification to Charging Schedule
Sport England	Draft Charging Schedule	Table 1 & Figure 1	<p>This gives a very clear picture of where, and at what level, CIL would be applied to a development. However, some worked examples showing how it would be applied would add clarity to the document. This would help small builders and architects/professionals coming into the area calculate the CIL requirements for their scheme. This could be in the document and/or on the Council's CIL web page.</p> <p>An example might be: 2 dwellings in Zone 2 - one has an internal footprint of 120 sq m and the other 160 sq m. House A would have a CIL requirement of 120 x 215 x inflation measure = X. House B would have a CIL requirement of 160 x 215 x inflation measure = Y. Then X + Y = Total CIL Payable.</p>	<p>The Council's website provides this detail.  <a href="https://www.southoxon.gov.uk/south-oxfordshire-district-council/community-support/infrastructure-to-support-communities/community-infrastructure-levy-or-cil-header-page/community-infrastructure-levy-cil-payments-and-procedures">https://www.southoxon.gov.uk/south-oxfordshire-district-council/community-support/infrastructure-to-support-communities/community-infrastructure-levy-or-cil-header-page/community-infrastructure-levy-cil-payments-and-procedures</a> (including a CIL summary, FAQs and links to the Government's website with advice on CIL).</p>	None required.
Sport England	Draft Charging Schedule	Para 8.1	<p>Where can the 'inflation measure' be found? Perhaps it could be set out in the CIL form or published on the council's CIL webpage?</p>	<p>The inflation measure used in the calculation of CIL is the national RICS Community Infrastructure Levy (CIL) Index published by the Royal Institution of Chartered Surveyors (RICS) in November each year and applied from 1 January of the following year.</p> <p>This is already published on our website  <a href="https://www.southoxon.gov.uk/south-oxfordshire-district-council/community-support/infrastructure-to-support-communities/community-infrastructure-levy-or-cil-header-page/community-infrastructure-levy-cil-payments-and-procedures">https://www.southoxon.gov.uk/south-oxfordshire-district-council/community-support/infrastructure-to-support-communities/community-infrastructure-levy-or-cil-header-page/community-infrastructure-levy-cil-payments-and-procedures</a></p> <p>The detail can be found within our CIL Rate Summary Document, which has a statutory requirement to be updated each year with the following year's inflationary rise and all those preceding.</p>	None required.

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Sport England	Draft Charging Schedule		<p>The documents are very clear to follow.</p> <p>I do think commercial leisure facilities should have CIL applied, whereas 'not for profit' centres should not. Also, when it comes to infrastructure supporting playing fields, unless the clubs are professional, there should be no CIL charges applicable. Not every sports club is registered as a Community Amateur Sports Club (CASC). Perhaps there could be a link on the CIL page to <a href="https://www.gov.uk/government/publications/community-amateur-sports-clubs-detailed-guidance-notes">https://www.gov.uk/government/publications/community-amateur-sports-clubs-detailed-guidance-notes</a> and to Oxford Active Partnership who can advise clubs on this <a href="https://www.activeoxfordshire.org/">https://www.activeoxfordshire.org/</a></p>	<p>Introducing a CIL rate for leisure facilities would be too complex to apply when balanced against the low number of indoor leisure facilities that would be likely to come forward in the district, particularly given existing provision in neighbouring districts and the general downturn in demand for such facilities post Covid.</p>	None required.
Andrew Burns	General comment	N/A	<p>Initially I thought - 'charge as much as you can, no one wants the developments on green space when there is so much old industrial and similar land to build on, that if the developers/landowners want to get rich quick by ruining countryside - charge councillors as well, if they want to line their pockets ruining our towns and villages'. Then I realized this is the price we as residents have to pay for this gross misuse of countryside and councillors' powers. After calming down.....I just got depressed. Can I opt out of council tax? I can't even believe you have funding to create this questionnaire.</p>	<p>The Charging Schedule sets out the CIL rates that will be charged in relation to certain types of new development in the district. However, it does not determine how much development will take place or where. This is the role of the Local Plan. All new development proposals must be considered by the council through the planning application process.</p>	None required.
Alan Streets	General comment	N/A	<p>The raising of money through the 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.</p> <p>Too much investment is going to Didcot and not to other towns and villages.</p>	<p>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.</p> <p>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.</p>	None required.

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Jennings of Garsington Ltd	Draft Charging Schedule	Para 5.7	The CIL Viability Report 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.	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.	None required.
Jennings of Garsington Ltd	Draft Charging Schedule	General	<p>It is important that CIL rates are set at a level that does not hinder new development coming forward. Need to strike a balance between additional investment to support development and the potential effect on the viability of developments.</p> <p>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.</p>	<p>We agree that it is important to strike an appropriate balance between the need to fund the infrastructure required to support development and the potential effects that imposing CIL rates may have on the economic viability of development across our area.</p> <p>On page 10 of the Draft Charging Schedule, we explain that the CIL Regulations include a list of developments which are exempt from paying CIL. These include:</p> <ul style="list-style-type: none"> <li>• Dwellings built by 'self-builders'</li> <li>• 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</li> <li>• First Homes (as part of affordable housing provision) as defined by Government regulations</li> <li>• Development by charities for charitable purposes</li> </ul>	None required.
John Roberts	Infrastructure Funding Gap Statement	General	<p>Could you not do better in presenting the information in a more digestible and readily understandable form..or is that the intention?</p> <p>The serious extent of the potential shortfall in infrastructure funding (with hints that it could well be higher) shows up the fundamental error of the plan. The effect will be a) to destroy the pleasant rural character of so many villages; b) to create desperate deficiencies in the local infrastructure (all categories: education, transport, health); and c) magnify existing financial shortfalls existentially.</p> <p>You should call a halt and go back to the drawing board. I realise that these remarks are not in themselves helpful, but it's your mess and you should have to courage to take the big decision to think again. We ordinary inhabitants are having to live with the consequences.</p>	<p>We appreciate that much of the viability evidence that supports the review of our CIL rates is complex in nature. However, we have provided introductory text on our website and in our consultation material, which explains the background to our CIL review in simpler language.</p> <p>This current consultation relates to our Draft Charging Schedule and how the council collects CIL to help contribute towards the provision of necessary infrastructure across the district. It is the South Oxfordshire Local Plan that determines how much and what types of development (e.g. residential, employment, education etc) are needed and where it should be located between now and 2035. The Local Plan is reviewed every five years and South Oxfordshire and Vale of White Horse have begun work on a Joint Local Plan, on which we will seek the public's views through engagement and consultation.</p>	None required.

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Swyncombe Parish Council	Draft Charging Schedule	Page 5, para 2.4	Self Build exemptions should be discontinued, without exception.	The CIL Regulations 2010 (as amended) include 'dwellings built by self builders' in a list of development types which are exempt from paying CIL.	None required.
Stoke Row Parish Council	Draft Charging Schedule	Page 6	In the 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. We feel CIL should be payable at the full rate whether a property is to be rented or not.	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.	None required.
Highways England	General comment	General	Highways England has reviewed the consultation documents and has no comments. However, please continue to consult us on matters relating to the Joint Local Plans for South Oxfordshire and Vale of White Horse.	Noted.	None required.
Buckinghamshire Council	General comment	General	Buckinghamshire Council has no comments to make on this consultation.	Noted.	None required.
Chris McGuire	Draft Charging Schedule	General	<p>The budget for green transport infrastructure needs to be separate from general infrastructure, so that its funding is protected.</p> <p>Food growing land needs to be protected to prevent further losses. In the 1950s to 1980s, Britain produced 80% of its food needs, but today 75% is imported which is dangerous for us all (CO<sup>2</sup> emissions, personal health, control by other countries in times of instability). A solar farm is not as good use of land as food production. Research by Sussex University (2017-20) showed that an allotment produced 30 times more produce by weight per sq hectare than modern farmland because of continuous planting &amp; cropping. Funding of allotments through CIL would support a modern approach to tackling CO<sup>2</sup> emissions, as it would encourage people to be outside, travel by cycle &amp; pick food in a sustainable way. In Athens, free allotments are provided for those on benefits, which help as an educational source.</p>	This current consultation relates to our Draft Charging Schedule and how the council collects CIL to help contribute towards the provision of necessary infrastructure across the district. It is the South Oxfordshire Local Plan that determines how much and what types of development/land uses (e.g. residential, employment, education, green spaces etc) are needed and where they should be located. The spending of CIL is undertaken in accordance with the CIL Regulations and the Council's CIL Spending Strategy, which is reviewed annually in line with Council priorities. 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. The need for more allotments is usually considered by town and parish councils and they can allocate CIL receipts towards allotment provision where specific need has been identified.	None required.

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Chris McGuire	Infrastructure Funding Gap Statement	General	<p>Green transport networks (cycle routes) are always poorly funded projects and it is these that provide the connecting nature corridors for biodiversity under massive decline in our lifetime. Costly - £100 per sq m of surface track, plus hedgerow/shrubs, lighting, gates at path junctions, maintenance. Benefits of safe cycle routes are that they promote low carbon travel and better health.</p>	<p>We agree that green transport networks have numerous benefits but can be costly to provide.</p> <p>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. Following the allocation of the neighbourhood and administrative proportions, the Spending Strategy (2021) allocates 50% of CIL to Oxfordshire County Council and 20% to the Oxfordshire Clinical Commissioning Group. The District Council allocates the remaining 30% towards provision of new infrastructure as identified in its latest Infrastructure Delivery Plan and/or towards corporate infrastructure priorities and enhancement of existing infrastructure, provided that this supports development.</p> <p>Green transport corridors/networks are infrastructure that can potentially be funded by CIL (either from the County or District's proportion).</p>	None required
Cheryl Davis	Draft Charging Schedule	Page 11	<p>CIL money should be spent on providing the infrastructure within a short time of receipt and not held back. You know 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 services as the buildings are being constructed or immediately after, not many years later. The two are not currently aligned.</p>	<p>Our current CIL Review relates to the Draft Charging Schedule and how CIL money is collected. The Council publishes its non-statutory CIL Spending Strategy every year 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.</p> <p>If a development requires specific infrastructure to mitigate against its impact, developer contributions would be captured through a S106 agreement as part of the planning permission, rather than through CIL.</p>	None required.

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Ashley Goodall	General comment	General	We don't want any more of your development at all and the countryside wrecked with pig pen housing everywhere. Oxford is a jewel in the country's crown, that you are doing your best to trash with horrendous development on Green Belt and the City Council trashing the shops to make them tourist eateries. So no to your development, full stop.	This current consultation relates to our Draft Charging Schedule and how the council collects CIL to help contribute towards the provision of necessary infrastructure across the district. It is the South Oxfordshire Local Plan that determines how much and what types of development/land uses (e.g residential, employment, education, green spaces etc) are needed and where they should be located. However, Oxford itself does not lie within South Oxfordshire District and its future development needs are planned for by Oxford City Council.	None required.
Ashley Goodall	Draft Charging Schedule	General	<p>If you are to develop the countryside, you should levy the maximum charges to anyone who develops housing on Green Belt. Much better to build and repurpose on the horrendous old stock of Cowley, Kidlington and various other hideous housing estates you built in the 50/60s and are now falling apart. Build more densely, more green and nicer all round on existing land.</p> <p>The plans you have laid out are so complex and hard to understand that you obviously have written them so that no normal mortal can understand them. You really are despicable.</p>	<p>The proposed CIL rates are based on detailed viability evidence drawn from across the district, so that we can strike an appropriate balance between increasing our CIL income and not setting rates which would render development unviable. The housing areas referred to lie with Oxford City rather than South Oxfordshire District. The South Oxfordshire Local Plan 2035 places strong emphasis on maximising opportunities for brownfield development, including achieving higher densities in some built up areas of the district.</p> <p>We appreciate that much of the viability evidence that supports the review of our CIL rates is complex in nature. However, we have provided introductory text on our website and in our consultation material, which explains the background to our CIL review in simpler language.</p>	None required.
Earth Trust	Draft Charging Schedule	Para 5.7	If major developments (that include affordable housing) attract lower rates of CIL, this imbalances the benefits of CIL to being directed towards communities where the benefits are most needed (i.e. for people in affordable housing). Or, if the CIL spend is targeted towards those communities where there is more affordable housing, regardless of where the CIL has come from – this would negate this point.	All CIL collected from developers goes into a district-wide 'pot' which is then distributed in accordance with the Council's agreed CIL Spending Strategy, therefore, spending is not necessarily directed to those parts of the district where the development took place.	None required.
Earth Trust	Draft Charging Schedule	Para 7.2	The funds must be spent on infrastructure - is the explanation and definition of this explicit enough to include all 'green' infrastructure, along with an evidence base behind the benefits of different types? – i.e. issuing neighbourhood funds should come with a recommendation/evidence base for the benefits of different options, relating to greenspaces, (an open 'green'/playing field with poor planning will return far less benefits than a multi-use, nature-based green space, for example).	The Draft Charging Schedule relates specifically to how CIL is collected rather than how it is spent. 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.	None required.

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Earth Trust	Infrastructure Funding Gap Statement	Paras 1.5, 3.5 & Table 2	<p>This paper should account for the green space standards (Natural England) that are recommended for all local authorities, and which currently are not funded from any other source. Does the assessment (para 1.5) account for the costs associated with the provision of existing greenspace infrastructure? A lot of this is provided for residents by other organisations/landowners, but at a cost to them. Is this 'external' cost taken into account as part of the gap assessment? It shouldn't be assumed that this hidden cost will always be provided by others (this is possibly addressed at 3.1).</p> <p>In Table 2 (para 3.5) it is not clear where greenspace/natural capital infrastructure is included and accounted for (e.g. under health or leisure)? A lack of definition and how it is accounted for risks underestimating the value and the impacts and returns the right levels of greenspace provide.</p>	<p>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. In para 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).</p> <p>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 regarding green infrastructure this would serve to widen the funding gap and strengthen the argument for implementing higher CIL rates.</p>	None required.
Earth Trust	General comment	General	<p>The funding gap is significant - the risks of there being no specific mention or value assessment of greenspaces demonstrates a potential missed understanding/appreciation of the economic climate and social importance of greenspaces and the funding required to provide and deliver their benefits.</p> <p>Greenspace infrastructure (GI) needs to be identified as a separate entity, with allocated specific investment and plans, in line with emerging GI strategy from Natural England. The vital importance of GI underpins all other outcomes for health, leisure, equity and climate impacts. At the moment, this assessment risks missing the rapidly emerging true financial values of 'nature' and greenspaces, which are significantly higher than the current evidence base suggests.</p>	<p>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. In para 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).</p> <p>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 regarding green infrastructure this would serve to widen the funding gap and strengthen the argument for implementing higher CIL rates. 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.</p>	None required.

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Earth Trust	Draft Charging Schedule	Para 9.1	There appears to be no distinction between charging for structures that contribute towards 'green energy'; i.e. it makes sense for no charges to structures that contribute to renewables (e.g wind turbines), but there arguably should be CIL charges for structures that do not contribute to renewables, or have a negative climate impact (e.g. utilities buildings, buildings for use that generate profit from non-renewables, and others).	Paragraph: 005 Reference ID: 25-005-20201116 of Government's Planning Practice Guidance (PPG) on CIL confirms that structures which are not buildings, such as pylons or wind turbines are exempt from paying CIL. This guidance also states that, under Regulation 6(2) of the CIL Regulations 2010, buildings into which people go only intermittently for the purpose of inspecting or maintaining fixed plant or machinery are also CIL exempt.	None required.
Canal and River Trust	General comment	General	Based on the information available, the Trust has no comments to make.	Noted.	None required.
Watlington Parish Council	Draft Charging Schedule	Page 6, para 6.2	The Parish Council does not accept the division of the Zone 1 Southern Parishes from the rest of the district as appropriate. Apart from the immediate area around Henley, house prices across much of the district are similar. Watlington has seen a rapid rise in prices since the Pandemic, with London residents moving to the town which is well served by motorway links. We believe Watlington should be included in the same zone as the other 'Southern Parishes' and benefit from the higher CIL rates proposed.	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. 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.	None required.
Lewknor Parish Council	Draft Charging Schedule	Page 6	Bearing in mind how much profit developers make, these rates should be higher. These developments have such a huge impact on villages, during construction and forever afterwards.	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.  CIL payments are index linked from the year that CIL was introduced to the year that planning permissions are granted, to allow for changes in building costs over time. We use the national All-in Tender Price Index published by the Build Cost Information Service (BCIS).	None required.

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Ryan McCarthy	Draft Charging Schedule	General	<p>The proposed rates are too low and do not adequately take into account the following:</p> <ol style="list-style-type: none"> <li>1. The economic environment has changed considerably in recent months. After years of low and stable inflation, the UK is now suffering from very high rates of inflation with RPI currently at 7.8% which is the highest level recorded in 30 years. Projections from the International Monetary Fund are that the UK will continue to endure high inflation for many years. The CIL rates should reflect this and forward price inflationary expectations, as the cost of providing infrastructure is inevitably set to increase significantly over the duration of these proposals.</li> <li>2. The level of residential development proposed in South Oxfordshire far exceeds the average level of development proposed in the UK. Consequently, much greater investment in infrastructure is required than is currently planned, to ensure that existing infrastructure/services are not over-stretched and that there is adequate investment in public and private transport infrastructure so that congestion and pollution does not become endemic. The level of infrastructure investment proposed is not commensurate with the level of population growth that will ensue from the vast residential development proposed. The CIL needs to be much higher to ensure that adequate new infrastructure is properly funded which is not currently the case.</li> <li>3. The CIL rate should not be lower for larger scale residential development (greater than 10 homes). Higher concentrations of development put more pressure on local services than smaller developments, as the demands of the new residents cannot be absorbed by existing facilities (schools, healthcare facilities, leisure facilities, etc). The CIL rate for larger developments should be increased to the same rate as for smaller developments.</li> </ol>	<p>We agree that the economic climate has changed considerably over recent months and that the IFGS 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.</p> <p>CIL payments are index linked from the year that CIL was introduced to the year that planning permissions are granted, to allow for changes in building costs over time. We use the national All-in Tender Price Index published by the Build Cost Information Service (BCIS).</p> <p>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 and they would not be viable at a higher CIL rate.</p>	None required.

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South East Locality Forum (Patient Group)	General comment	General	<p>The introduction to the Charging Schedule includes 'health and social care' in a list of types of infrastructure that are supported by CIL payments, but these are not included in a similar list in the Developers Contributions SPD. Why is there this discrepancy?</p> <p>Would a surgery building leased by the partners from a private company be eligible for CIL support if local housing developments required the building to be extended? What are the criteria for providing CIL support to health and social care infrastructure projects?</p>	<p>The lists are not exhaustive, although we would be happy to include reference to 'health and social care' in the SPD.</p> <p>The Council's non-statutory CIL Spending Strategy (2021) allocates 20% of CIL receipts to spend on health care infrastructure projects supported by the Clinical Commissioning Group (CCG). Requests to access funding from the health care allocation must come via the CCG and demonstrate the need and how the proposed scheme will help to meet this. Projects could include those delivered by private organisations such as GP surgeries, but the infrastructure funded must be for public health services.</p>	None required (although proposed additional text to the SPD).
Rotherfield Greys Parish Council	Draft Charging Schedule	Page 10	We would like to see all new developments contribute to infrastructure. Self builds should not be exempt and neither should residential homes for the elderly if being built for profit by a profit generating organisation.	<p>The CIL Regulations 2010 (as amended) include 'dwellings built by self builders' in a list of development types which are exempt from paying CIL.</p> <p>Our revised Draft CIL Charging Schedule does include a CIL rate for 'Elderly Person's Accommodation', which includes extra care, sheltered housing, assisted living and age restricted housing. However, institutional homes where there is no element of independent living, e.g. care homes and nursing homes are not liable for CIL.</p>	None required.
Susan Stoodley	CIL Viability Assessment Appendices Pack	Unclear	Can S106 planning agreements and S278 Highways agreements be overruled or overturned by a higher authority without consultation?	Legal agreements are signed between parties to secure infrastructure necessary to mitigate the impact of development. They can be subject to changes from time to time where new evidence is presented or issues arise, subject to agreement of all parties.	None required.
Susan Stoodley	CIL Viability Assessment Appendices Pack	Unclear	Section 5 Viability Review by Aspinall Verdi. Was this produced independently by Aspinall Verdi or in conjunction with all levels of councillors and council officers?	The Viability Assessment was prepared on behalf of the Council, in consultation with council officers from the CIL Project Team. Drafts were discussed with the Cabinet Member for Planning and a number of other councillors and Cabinet agreed a series of documents (including the Viability Assessment and its appendices pack) for public consultation in December 2021.	None required.

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Susan Stoodley	CIL Viability Assessment Appendices Pack	Unclear	<p>Section 5.7 - Creating niche exclusive developments:</p> <p>Is there a need for these at all?  Is there a finite number of them allowed per authority?  Is there a minimum or maximum size for these?  Are they permitted within Strategic Sites allocations?  What percentage of such developments is social housing?  What percentage is designed for housing association shared rental occupation?  What percentage is designed for family ownership?  What percentage is shared ownership?  What percentage is designed for bought to let shared rental occupation?  Will there be agreements in place that prevent private landlords letting out space to too many occupants per property?  How is the relevant infrastructure calculated? per niche development? or as part of a larger plan, e.g district?</p>	Officers are not clear which part of the appendices pack is being referred to or what is understood to be a 'niche exclusive development'. Section 5.7 of the CIL Viability Assessment Appendices Pack refers to the assessment of viability in relation to 'paddock land'. The Assessment confirms it has had regard to market listings, agent consultations and previous viability assessments.	None required.
Susan Stoodley	CIL Viability Assessment Appendices Pack	Unclear	<p>Stadhampton includes Zero rated Strategic Sites Allocations - Given the unforeseen changes that have occurred over the past 2 and a half years there is good reason to reconsider the value of these. We continue to need housing, employment, safe water supply, insulation, development in home food production, and to lower carbon emissions. We need to slow down in our demands for instant gratification. We need to know how to cope with a war situation.</p>	Officers are not clear what is being referred to within the CIL Viability Assessment Appendices Pack. Where sites are zero rated for CIL purposes for viability reasons, it is intended to secure necessary infrastructure contributions through legal agreements (Section 106 planning obligations).	None required.
Susan Stoodley	General comment	General	<p>We need much better education for children and throughout our lifetime, this should help to deal positively, more interactively with our criminals, homelessness, physical and mental health problems.</p>	Comments noted. Responsibility for the provision of education facilities lies with Oxfordshire County Council.	None required.

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C & H Peers and Sons	General comment	General	<p>It is beyond my ability to take in all the council has written on this subject, but I applaud the work that has been put into producing this document. I feel that some form of CIL must be enforced on developers and the Council parameters are a good benchmark. However, we cannot allow further development without the enforcement of CIL.</p> <p>My farming experience is on the River Thame, where development has made it just a drainage ditch and we are experiencing ever increasing flooding, which renders about 17 acres of good pasture land redundant, accruing little or no income, but worst still not producing valuable food and killing wildlife. I can only assume this is due to development upstream (e.g. at Thame and Aylesbury) without proper flood mitigation imposed. The Council should be able to use CIL to pay towards flood mitigation measures and obtaining technical advice on flood prevention. CIL should also contribute to the improvement of sewage treatment plants and local roads. Our area is becoming over-populated and its effects are very worrying. Our land does not have the capacity to cope with development of this scale and a major pollution incident is becoming more likely.</p> <p>I feel very strongly that the local health authority and surgeries should be consulted for their opinion on new developments too.</p> <p>Developer contributions (CIL) must be agreed before planning permission is granted, to avoid any party just stating that it is not affordable to carry out the agreed works.</p>	<p>Support welcomed.</p> <p>The Environment Agency and Oxfordshire County Council are responsible for flood risk management. If mitigation is necessary, this will be secured through planning permission. Thames Water is responsible for sewage treatment. CIL can be used as contributions towards both these infrastructure items (as detailed in the South Oxfordshire Infrastructure Delivery Plan 2020).</p> <p>Oxfordshire County Council is responsible for the provision of highways infrastructure and currently receives 50% of the District's CIL receipts. OCC can choose how they wish spend their share of CIL monies, which can include expenditure on local road improvements.</p> <p>The Council liaises with the relevant Clinical Commissioning Group, GP practices, town and parish councils and local councillors in respect of new facilities funded through S106 and obtains latest financial information from the CCG for calculating contributions towards health facilities from specific developments. The CCG also receives 20% of the district's CIL receipts to spend on health care infrastructure.</p> <p>At the point of the planning application being registered, the amount of CIL payable is calculated and a form is required from the developer to agree the site measurements that we have based our CIL calculations on. A Liability Notice is issued confirming this amount and it is sent with the planning permission. These are all regulations stipulated by Government. Every CIL case is enforced if payment is not received on time and a case is put before the Magistrates' Court for a Court Order to enforce payment.</p>	None required.

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C & H Peers and Sons Farming Partnership	CIL Viability Assessment	Para 5.9	<p>The charging rate should be determined by the needs of each specific area, as these are infinitely variable and CIL payments should be made upfront or at an agreed stage, so developers cannot back track from agreements.</p>	<p>The proposed CIL rates are based on detailed viability evidence drawn from across the district, so that we can strike an appropriate balance between increasing our CIL income and not setting rates which would render development unviable. The Council's CIL Spending Strategy then sets out how we intend to allocate CIL funds over the coming year, based on local priorities and infrastructure needs.</p> <p>All CIL payments are due at commencement of development and, if over a certain amount, the Council's adopted Instalment Policy can be applied to aid cash flow and encourage development. CIL is a non-negotiable charge, which is also registered as a Land Charge and non-payment is enforced via the Magistrates' Court.</p>	None required.
Bloor Homes (Southern)	Draft Charging Schedule	Para 5.6	<p>Savills is appointed by Bloor Homes (Southern) in respect of its land interest at Ladygrove East, Didcot - a historic allocation that has been carried forward into the South Oxfordshire Local Plan 2035, under Policy H2a. The current approved CIL Charging Schedule (April 2016) identifies Ladygrove East as a 'zero rated' site and therefore a CIL charge does not apply. Ladygrove East is subject to outline application P19/S0720/O which proposes delivery of up to 750 dwellings, public open space and supporting infrastructure. Substantial Heads of Terms have been agreed, based on the site's zero rated CIL status. Following Planning Committee determination on 16th March 2022, the application is now subject to a resolution to grant planning consent.</p> <p>We support paragraph 5.6 of the Draft Charging Schedule which confirms that the CIL exemption for Ladygrove East is to be carried forward. Table 3.9 of the CIL Viability Assessment Appendix Pack correctly confirms that charging CIL would result in 'double dipping' with the site-specific Section 106 contributions. The continued 'zero-rated' approach for the Ladygrove East site remains critical to the viability of the proposal and enabling the site to come forward for development (subject to achieving the relevant consents).</p>	Support welcomed.	None required.

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Chiltern Society	Draft Charging Schedule	Page 10, para 9.1	The Chilterns AONB is largely made up of small parishes where it is unlikely that there would be developments of any significant size, so neither S106 planning obligations or S278 Agreements would be likely to apply. CIL, however, is relevant to small developments in the AONB and the Society approves of the principle and is satisfied with the proposed new rates, particularly the contributions proposed to Parish Councils for local infrastructure. However, many of the homes built in rural parishes are self-build and there is no logical reason why these should be exempt from CIL contributions. If payments were required from these developments, real improvements could be made at a local level. The self-build exemption criteria need to be tightened, otherwise parishes are likely to have to absorb development without any local infrastructure benefits.	The CIL Regulations 2010 (as amended) include 'dwellings built by self builders' in a list of development types which are exempt from paying CIL.	None required.
Chiltern Society	Draft Charging Schedule	Page 3, para 4.1	The Charging Schedule should clarify how CIL will operate in conjunction with Biodiversity Net Gain, in situations where S106 contributions are made and where they are not. Is there scope for CIL to be used for biodiversity enhancements / nature recovery in rural areas?	How CIL receipts are allocated district-wide is set out in the Council's CIL Spending Strategy.  Where required, biodiversity net gain can be secured through a variety of mechanisms, including planning condition or legal agreement. This would achieve biodiversity mitigation and enhancement, including off-site mitigation and enhancement measures for both the direct and indirect impacts of a development scheme. It can also include financial contributions.	None required.
Homes England	Draft Charging Schedule	Paras 5.4, 5.8 & 6.2	We understand that the strategic allocations in the Local Plan 2035 have been tested as part of the viability assessments and these sites will deliver their infrastructure requirements fully through S106/S278 agreements and therefore are not liable to CIL and we support the principle that all development in a strategic site is exempt from CIL. However, it is not clear whether non-residential floorspace within a strategic site is subject to CIL charges and only residential development in a strategic site is exempt from CIL. Paragraph 5.8 states that business uses (including offices and industrial developments) have been found unable to support a CIL charge, but that the viability assessment has shown that supermarkets and retail warehousing can support a CIL rate. Table 1 sets out the CIL rates for supermarkets and retail warehousing. It should be clarified what is meant by 'retail warehousing' to support the claim at para 5.8 that business uses are unable to support a CIL charge.	Retail warehousing is classified as stores that exceed 280sqm and are classified as 'larger stores' under the Sunday Trading Act 1994.  Yes, supermarkets and retail warehousing over 280sqm located within Strategic Sites are CIL liable. Such development is delivered by the supermarket companies themselves, so the developer will sell the land to them and any CIL cost can be captured through the land sale.	None required.

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Homes England	Draft Charging Schedule	Para 5.4 & Section 6 (Table 1)	<p>Homes England owns land at Didcot Gateway (Land at Station Road, Didcot). This 1.5 ha site is part of the Didcot Gateway allocated housing site (Policy H2f of the Local Plan) and is identified to provide up to 300 homes. The masterplan for the site sets out a high density, apartment-led development and our recently submitted outline planning application (P/22/S0491/O) seek permission for up to 114 apartments on a gross site area of 1.03 ha. We have reviewed the draft Charging Schedule within this context and note that CIL will not apply to large strategic sites. However, Didcot Gateway is not defined as a 'large strategic site' and the proposed CIL rate would be double the current rate for all residential sites in Didcot (i.e. from £102 sqm to £200 sqm – see Section 6, Table 1). We do not think this has been properly assessed in terms of its potential impact on the delivery of Didcot Gateway and suggest that Didcot Gateway should be treated as a strategic development site and be exempt from CIL.</p>	<p>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.</p> <p>In light of the findings relating to the overall viability of flatted development schemes 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.</p> <p>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.</p>	<p>Amend Table 1 of the Draft Charging Schedule to include:</p> <p><b>Flats/apartments of 3 storeys and above in Zone 2, including elderly persons accommodation – CIL rate £103 per sqm</b></p> <p>New footnote 4:</p> <p><b>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.</b></p>
Homes England	CIL Viability Assessment	Pages 185 to 199 (and overall document)	<p>The £200/sq m CIL rate is supported by generic appraisals for 3 sites in Didcot ranging from 0.4 ha to 6ha in size and accommodating 20-300 homes. These appraisals are all for schemes of 45 dwellings per hectare i.e. traditional, two storey residential type sites. However, the assumed cost base will not reflect our Didcot Gateway development as the appraisals adopt lower quartile BCIS costs reflective of 2 storey, volume housebuilder developments. This is not reflective of the costs associated with a high density, 3 to 7 storey residential development. The generic appraisals also exclude other cost factors that will be required on our site (e.g. piled foundations, site remediation, drainage attenuation, potential green roofs).</p> <p>With respect to revenue, the viability appraisals for Didcot are derived from 45 dph standard homes with values of £450 - £500/ sq ft and with a mix including 3,4 and 5 bed homes. Didcot Gateway will not have that mix, given that it will be high density apartments (with 1 and 2 bed apartments forming over 70% of the mix) and therefore these values are not appropriate.</p>	<p>Comments noted.</p> <p>See above.</p>	As above

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Homes England	Draft Charging Schedule	Table 1	<p>The CIL consultation does not provide any Instalments Policy. This is significant, as it does not allow development to be commenced without paying the CIL charge in full. The Didcot Gateway development will be multi-phased and payment of the CIL charge upfront would have a significant impact on the cash flow and viability of the development, that will last 3 years or more. It is common practice for CIL to be charged on a proportional basis over the duration of project, in circumstances where paying all CIL costs upfront would significantly impact the developer's cashflow and render the development unviable. This is particularly the case for high density apartment developments where income is only derived once an apartment block is fully complete.</p> <p>In the context of regeneration sites and large multi-phased projects, it would also be appropriate for CIL to be subject to discretionary viability exemptions or clauses, to allow bespoke charging rates to be applied if schemes became unviable as a result of the proposed new rates.</p>	<p>The Council already has an adopted CIL Instalments Policy, which is available on our website and we are not currently proposing to make any changes to it.</p> <p>Paragraph 9.4 of the Draft Charging Schedule explains that, under CIL Regulation 55, a council can choose to offer exceptional circumstances relief if charging CIL would have an unacceptable impact on the economic viability of a particular development. Exemptions can also be made for charitable institutions where this would constitute State Aid (under CIL Regulation 45). However, 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.</p> <p>Notwithstanding the above position, if questions of development viability arise when a planning application is being considered, it would be possible for the applicant to seek to negotiate on the terms of the S106 agreement.</p>	None required.
Churchill Retirement Living and McCarthy Stone	CIL Viability Assessment		<p>We have conducted our own appraisal of the viability evidence produced by Aspinall Verdi, which underpins the CIL Charging Schedule and is used to support a proposed increase in CIL charge for older person's housing from the current NIL position to between £200 and £325 per sqm. Our assessment (see separate report submitted) is based on our own evidence of site-specific negotiations undertaken throughout the country for proposals of this nature.</p> <p>In reviewing the evidence base, it is apparent that there is an underestimate of certain costs (e.g. finance, marketing and empty property costs) and an overestimate of likely sales values, resulting in a presentation of viability which is overly ambitious and unreflective of viability inputs commonly agreed on a site by site basis. Overall, our testing concludes 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).</p> <p>We therefore request that the Council reassesses the viability assumptions behind its revised CIL rates, to ensure they reflect achievable values and likely development costs associated with this housing typology.</p>	<p>Comments noted.</p> <p>See our responses to specific points raised below.</p>	See below.

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Churchill Retirement Living and McCarthy Stone	CIL Viability Assessment		To charge CIL at the same rate for older persons housing as for general needs housing is illogical and likely to result in housing for older people not coming forward within the district due to viability constraints and inability to secure land for development. It is acknowledged within the Viability Assessment that older person's housing has substantially less saleable area than non-age restricted housing. As such, to charge CIL at the same rate as non-age restricted housing will effectively tax older person's housing providers out of the land market in South Oxfordshire. The Council acknowledges there is a significant demand for housing for older people across the district and we believe it would be counterintuitive to seek to create a viability issue, which would mean that identified housing need would go unmet.	<p>We have acknowledged the different scheme economics, hence why specific older persons housing typologies have been appraised as part of our viability assessment. Given the strong viability for all housing (including retirement/older persons housing) in South Oxfordshire the Draft Charging Schedule includes the same CIL rates for older persons and general needs housing, for simplicity and ease of implementation. This is in line with advice from Government's Planning Practice Guidance (PPG) on CIL.</p> <p>We agree, however, that the original cost and value assumptions for this residential typology required review and we have re-run our viability appraisals using more relevant/updated costs and values that reflect comments received from the development industry in response to the public consultation on our draft Charging Schedule and its associated viability evidence.</p> <p>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, including elderly persons accommodation.</p> <p>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.</p>	<p>Amend Table 1 of the Draft Charging Schedule to include:</p> <p><b>Flats/apartments of 3 storeys and above in Zone 2, including elderly persons accommodation – CIL rate £103 per sqm</b></p> <p>New footnote 4:</p> <p><b>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.</b></p>
Churchill Retirement Living and McCarthy Stone	Draft Charging Schedule		The draft Charging Schedule now proposes that retirement housing proposals are charged the same rate as that proposed for general needs housing ranging from £200 per sqm in Didcot to £325 per sqm in the highest value locations. There is no recognition that retirement housing typologies may have constrained viability in comparison to non-age restricted housing which is a significant change in position. This is clearly incorrect given that most local authorities either continue to exempt this typology from CIL or assign a bespoke lower rate in recognition of constrained viability.	As above.	As above

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Churchill Retirement Living and McCarthy Stone	CIL Viability Assessment		Recommended unit sizes are: Sheltered (1 Bed 55 sqm & 2 Bed 75 sqm) and Extra Care (1 Bed 65 sqm & 2 Bed 80 sqm).	Our viability assessment has been updated to reflect these recommended floor areas for sheltered and extra care accommodation.	As above
Churchill Retirement Living and McCarthy Stone	CIL Viability Assessment		<p>Our opinion is that the proposed sales values are too high and are not representative of the lowest charging zone i.e. Didcot. The McCarthy Stone Scheme at William's Place referenced within the Viability Assessment is an Extra Care scheme (i.e. enhanced on-site services and amenity). Land Registry entries for the scheme show 11 transactions in 2018 with 1 beds achieving between £198,000 - £289,000 (£3,337 sqm - £5,557 sqm) and 2 beds securing £255,000 - £375,000 (£3,311 sqm - £5,127 sqm). Lower rates are shown for some of the units which are discounted as required.</p> <p>The Land Registry shows 34 new build flatted transactions in Didcot since 2020 achieving average values of circa £3,200 sqm. It is acknowledged that retirement living will attract a premium over non age restricted housing in most cases, but this is never generally above 15%.</p> <p>In respect of Extra Care proposals in lower values zones, the logically solution is to apply the direct comparable of William's Place i.e. £330,000 (£5,500 sqm) to £410,000 (£5,100 sqm) i.e. the higher end of the rate achieved.</p>	Our viability assessment has been updated to reflect most recently available data on market values.	As above
Churchill Retirement Living and McCarthy Stone	CIL Viability Assessment		We agree with the use of BICS Median for Supported Housing.	Noted. We have updated the BCIS rate to reflect the current costs and values in the updated viability appraisals.	As above
Churchill Retirement Living and McCarthy Stone	CIL Viability Assessment		William's Place in Didcot has not yet fully sold out despite commencing sales in September 2017. The rate of sales there is around 0.9 sales per month overall. Albert Place in Henley has achieved a sales rate of 0.5 per month since sales commenced in March 2018. Churchill Retirement Living's scheme in Thame commenced sales in December 2020 achieving a rate of sale of 0.53 per month. The Viability Assessment assumes a sales rate of 4 sales per month which is not realistic and will underestimate typical scheme finance costs.	Noted. We have updated our viability assessment to include a revised sales rate of 1 per month.	As above

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Churchill Retirement Living and McCarthy Stone	CIL Viability Assessment		Empty property costs are a function of council tax payable on finished unsold and empty property as well as the service charge, which must be paid due to longer than average sales periods for this type of proposal. Typical Service Charges are: Sheltered (1 Bed £48.93 per week/2 Bed £138.27 per week) and Extra Care (1 Bed £73.36 per week/2 Bed £184.31 per week).	Noted. We have included an allowance for EPC costs in the updated appraisals based on the average sales period (see above).	As above
Churchill Retirement Living and McCarthy Stone	CIL Viability Assessment		The Retirement Housing Group (RHG) briefing note stipulates a range of communal floorspace between 20-30% of Gross Internal Area (GIA) for Sheltered Housing and 35-40% of GIA for Extra Care Housing. The Viability Assessment assumes communal space extending to 25% of the GIA for sheltered housing proposals – the mid-point of the range suggested by the RHG. The Consortium have frequently disputed the figures suggested by the RHG on this matter, contesting that a communal floorspace provision of under 25% is not representative of the sector. Our experience is that this percentage should be more than 25% of the proposed total area to cater for communal lounges, lodge manager's office and guest rooms.  For Extra Care accommodation we would suggest that a minimum of 35% of GIA is allowed for non-saleable communal floorspace.	Noted. We have increased the net to gross ratio for sheltered housing to 27%. However, we have kept the net to gross ratio for extra care housing at 35%.	As above
Churchill Retirement Living and McCarthy Stone	CIL Viability Assessment		The Retirement Housing Group Briefing Note advises that <i>'Marketing costs are typically 6% of revenue compared with 3% of revenue for general needs houses and flats.'</i> This has been supported by a recent appeal decision in Redditch (Appeal Ref: 3166677) where a rate of 5.3% combined was accepted by the Inspector.	We have increased the sales and marketing costs to 5%. [This increase and the lower sales rate has to be acknowledged in the overall context of the sales values assumed. It is assumed that many purchasers are downsizing with equity from family houses in South Oxfordshire, hence the premium values achieved.]	As above
Churchill Retirement Living and McCarthy Stone	CIL Viability Assessment		We recommend a 60:40 split for 1 bed and 2 bed flats in the older persons housing category.	Noted. No change required to our viability assessment.	None required.
Churchill Retirement Living and McCarthy Stone	CIL Viability Assessment		A 10% allowance for external works is commonly appropriate in our experience.	We have applied this percentage within our original appraisals.	None required.

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Churchill Retirement Living and McCarthy Stone	CIL Viability Assessment		A 5% contingency added to build cost is common on brownfield typologies.	We have applied this percentage within our original appraisals.	None required.
Churchill Retirement Living and McCarthy Stone	CIL Viability Assessment		Our experience is that further costs in respect of piling, contamination remediation and S278 works are likely (although we have not allowed for such costs within our own testing).	These are site specific costs and should be discovered during site due diligence and deducted from the price of the land.	None required.
Churchill Retirement Living and McCarthy Stone	CIL Viability Assessment		As a catch-all tariff, the CIL rates proposed by the Council would most likely be further restrained on sites where existing residential uses are considered.	Noted. However, no comments have been made on the Benchmark Land Value (BLV), so no change proposed.	None required.
Churchill Retirement Living and McCarthy Stone	CIL Viability Assessment		We agree that allowances of 20% profit on GDV and 6% for affordable tenures are acceptable for the purposes of this study.	Noted.	None required.
Churchill Retirement Living and McCarthy Stone	CIL Viability Assessment		No further additional costs have been allowed in respect of accessibility standards. In our experience, achieving M4(3) accessibility will often necessitate enlargement of aspects of the communal space within the building with larger individual unit size.	Noted. We have taken the same approach.	None required.
Countryside Properties (Lichfields)	Draft Charging Schedule	All	<p>Countryside Properties and the landowners (Corpus Christi College Oxford and S J Farrant &amp; Sons Land Holding Ltd) are promoting 'Land North of Berinsfield' as a Garden Village, accommodating approximately 2,000 new homes and a range of other land uses/facilities. Currently, this site is subject to a CIL rate of £102.93 per sq m (as indexed) as it falls within the tightly defined Residential Development Zone 2 (Didcot &amp; Berinsfield). This is much lower than the CIL rate for Residential Development Zone 1 (much of the Rest of the District) which is £181.64 per sq m (indexed). However, the draft CIL Charging Schedule identifies that 'Land North of Berinsfield', is now proposed to fall within the 'Rest of District' Zone rather than the lower rated Zone 2 (i.e. the built-up area of Didcot and Berinsfield), with a new CIL rate of £225/sq m for major residential schemes, which is more than double the current rate.</p> <p>We have concerns about the methodology underpinning the Viability Assessment, which has resulted in such a substantial increase in CIL rates applicable to their site. Berinsfield is identified as one of two 'low value zones'</p>	<p>The Berinsfield Strategic Site is CIL exempt, with development viability having been tested through the Examination in Public for the South Oxfordshire Local Plan in 2020. However, the site referred to in these representations ('land north of Berinsfield') is not CIL exempt and falls within the proposed new CIL Charging Zone 3 (Rest of District).</p> <p>We note your comments about the proposed increase in CIL rates applicable to this site, however our viability evidence demonstrates that greenfield sites in Zone 3 (Rest of District) remain viable at the higher CIL rate. The evidence also 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 the new Zone 2 (Didcot and Berinsfield) have been drawn tightly round the built up areas of these settlements.</p> <p>We consider that there have been material changes in the policy and market context within which our viability assessment has been undertaken and which fully justify the review of our current CIL rates. From a policy</p>	None required.

Respondent	Document	Para or Section	Representation Summary	Council's Response	Modification to Charging Schedule
			<p>within the Aspinall Verdi report. However, AV recommend drawing boundaries tightly around settlements within Zone 2. This is based on their assertion that proposed large scale / new build greenfield developments have the potential to create their own property markets and that, therefore, land adjoining (but outside of) the existing settlement of Berinsfield should be considered alongside much of the rest of the district, which also includes a number of higher value locations. We consider this approach is too broad brush and does not provide sufficient evidence to justify an increase in CIL liability on our clients' site of more than 100%, particularly given no material change in either the policy or market context. Consequently, we suggest that the viability assumptions underpinning the draft Charging Schedule require revisiting.</p> <p>Whilst our client's site does not currently form a Strategic Site, they support the recognition in the Charging Schedule that the infrastructure requirements to bring forward these strategic sites are considerable and that these sites will deliver their infrastructure requirements fully through S106/S278 requirements. We note that AV have not tested the viability of the strategic sites as part of the Council's CIL review, as these sites are zero rated for CIL in the current charging schedule and it is proposed that this approach continues. However, we are also aware that following adoption of the Local Plan in December 2020, the process of exempting the strategic sites from CIL is only commencing now and we would therefore like to see a more timely review of CIL viability and developer contributions, as both the Oxfordshire Plan 2050 and Joint Local Plan 2041 progress.</p>	<p>perspective, the South Oxfordshire Local Plan was adopted in December 2020, which includes new Strategic Site allocations with their own infrastructure requirements. There were also changes to the CIL Regulations, which have been taken into account in our review and market conditions have changed considerably since our current Charging Schedule was adopted - in particular, we have seen a significant uplift in house prices across South Oxfordshire.</p> <p>Site viability for any proposed new Strategic Sites will be tested through the Joint Local Plan process and, once the Plan is adopted, we will also review our CIL Charging Schedule again.</p>	
Peter Willis-Fleming	Draft Charging Schedule	Page 6, Section 6 & Page 10, Section 10	<p>I approve of the principle and have no issue with the proposed new rates. As I live in a small parish, there are unlikely to be any developments of any size within the parish, so S106 planning obligations and S278 Agreements are of little consequence here. However, Section 10 of the Charging Schedule (Exemptions) could potentially have a direct bearing on developments within the parish, whether new build or extensions. In particular, the availability of self-build exemptions could prevent the council from raising funds towards the provision of infrastructure. It discriminates, therefore, against any small parish and it is imperative that the self-build criteria be tightened accordingly.</p>	<p>Support for the proposed CIL rates welcomed.</p> <p>The CIL Regulations 2010 (as amended) include 'dwellings built by self builders' in a list of development types which are exempt from paying CIL.</p>	None required.

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Oxford Brookes University (Avison Young)	Infrastructure Funding Gap Statement	General	<p>The Infrastructure Funding Gap Statement considers the total cost of infrastructure across the District during the Plan period to 2035, based on the Infrastructure Delivery Plan (2020). However, no detail is provided to explain how the costs have been assessed or how it has calculated the funding available from other sources. It is, therefore, difficult to confirm whether SODC's calculation of the scale of the infrastructure 'gap' identified in its evidence is accurate and robust.</p>	<p>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. Section 3 of the document explains how the council has gathered information on funding available from other sources and paragraph 3.2 explains 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).</p> <p>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, this would serve to widen the funding gap and strengthen the argument for implementing higher CIL rates.</p>	None required.
Oxford Brookes University (Avison Young)	Draft Charging Schedule	Para 5	<p>Oxford Brookes University's interest relates to the redevelopment of its Wheatley Campus (allocated under Policy STRAT14 of the adopted Local Plan 2035 for up to 500 dwellings). The CIL Viability Assessment (Page 17, table 2.2) states that Aspinall Verdi have not tested Strategic Sites as part of this commission as they are zero rated for CIL in the current CIL Charging Schedule and it is proposed that this continues for the current Strategic Sites. However, para 5 of the draft CIL Charging Schedule states:</p> <p><i>'The strategic site at Wheatley (Policy STRAT14: Land at Wheatley Campus, Oxford Brookes University) was granted planning permission 23 April 2020. The development is CIL liable and is supported by a S106 agreement. The site is therefore not CIL exempt under the Charging Schedule.'</i></p> <p>On this basis, SODC's approach to the Wheatley Campus site directly contradicts the approach to Strategic Sites set out in its viability evidence and suggests that SODC's evidence has not considered the viability implications of charging increased rates of CIL at Wheatley.</p>	<p>Planning permission was secured for the Wheatley Campus strategic site before the South Oxfordshire Local Plan was adopted, so the planned development is viable at the current CIL rate.</p> <p>CIL liability is determined at the point when outline planning permission is granted. Consequently, it will be the current rate that is applied to this site and only uplifts in the amount of new floorspace proposed would be subject to the proposed higher CIL rate.</p>	None required.

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Oxford Brookes University (Avison Young)	Draft Charging Schedule	General	<p>The draft Developer Contributions SPD states that various items of infrastructure (previously funded through CIL) will now be funded by Section 106 obligations. However, SODC has not yet set out the type of projects and infrastructure that are to be funded in whole or part by CIL, so it is impossible to conclude whether the Council's approach would result in 'double dipping' of contributions on sites such as Wheatley (contrary to para 57 of the NPPF).</p>	<p>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.</p>	None required.
Hallam Land Management (David Lock Associates)	Draft Charging Schedule	Page 6, Table 1	<p>Hallam Land Management objects to the draft charging rates, particularly the £225 rate to be applied to residential development in the 'Rest of the District' zone. We also raise objections to the application of the residential rate to elderly persons accommodation.</p> <p>The draft Charging Schedule does not strike an appropriate balance between the desirability of funding infrastructure from the levy and the potential effects of the imposition of CIL on the economic viability and delivery of adopted Local Plan development strategy for residential or elderly persons accommodation. The proposed rates will also undermine the delivery of affordable housing.</p> <p>It is our view that the CIL rates in South Oxfordshire are not supported by the evidence base and need to be substantially moderated from that proposed in the Draft Charging Schedule. The proposed CIL rate for major schemes within Zone 3 (£225) represents a 24% increase from the indexed rate applicable in 2021 (£181.64). Such a scale of increase appears untenable, particularly given that removal of Section 106 pooling restrictions from the CIL Regulations now subjects development proposals to substantially increased Section 106 contributions over and above the CIL charges (Section 106 costs for major development in Zone 3 are now assumed to fall within the range of £20,839 and £25,339 per dwelling).</p> <p>The residential CIL rates also appear unsustainable when compared to the CIL rates for neighbouring authorities (see page 40 of the CIL Viability Assessment). The development economics in the neighbouring districts are unlikely to vary significantly from those in South Oxfordshire making the unparalleled rates proposed here even more implausible.</p>	<p>The comments are noted, but the respondent has not provided any new evidence to support their view that the proposed increases in CIL rates are 'untenable'.</p> <p>Even older persons housing has an impact on the local infrastructure and therefore it is appropriate that these typologies contribute to CIL if they can afford to do so. The viability assessment tests viability of a range of development typologies on brownfield and greenfield sites in different parts of the district and demonstrates that all remain viable when the proposed CIL rates are applied.</p> <p>For older persons housing, Section 106 costs will be substantially lower, as contributions towards education are not sought. This has already been factored into the appraisals.</p> <p>The 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.</p>	None required.

Respondent	Document	Para or Section	Representation Summary	Council's Response	Modification to Charging Schedule
Hallam Land Management (David Lock Associates)	CIL Viability Assessment	General	We consider that the Section 106 and development costs factored into the CIL Viability Assessment are underestimated. It appears that only those policy commitments in the adopted development plan have been factored in and no account is taken of significant additional costs (e.g. meeting 10% net biodiversity gain or Government's commitment to Future Homes Standards).	<p>Biodiversity Net Gain and Carbon / Energy Reduction policy costs have explicitly been included in the appraisals:</p> <ul style="list-style-type: none"> <li>- 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).</li> <li>- Carbon / Energy Reduction - £7,500 per unit - From Local Plan viability.</li> </ul>	None required.
Hallam Land Management (David Lock Associates)	CIL Viability Assessment		The recent dramatic increases in build costs (and the volatility of abnormal costs) are unlikely to have been reflected in the Viability Assessment, so extra caution is needed in setting CIL rates.	<p>We appreciate that build costs (and values) can change over time and that our original appraisals were based on appropriate costs and values at a point in time (i.e. the date of our report).</p> <p>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.</p> <p>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.</p>	None required.
Hallam Land Management (David Lock Associates)	CIL Viability Assessment		It is noted that site infrastructure or development costs have not been included within the appraisals in the Viability Assessment. Whilst this might be true for minor development sites, for major development sites (especially those over c100 dwellings) there will be very significant site opening and infrastructure costs. The very substantial costs of bringing forward strategic sites are recognised in a nil CIL rate, however, the costs of smaller but still significant sites seem to be entirely overlooked.	We have included site specific S106 costs of £0 - £25,839 per dwelling for residential (median £20,839 per unit) which is intended to include off-site transport improvements etc. 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. For example, a site with suitable access is more valuable than a site with inadequate access.	None required.

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Hallam Land Management (David Lock Associates)	CIL Viability Assessment		We believe that the assumed density of 45 dwellings per hectare is unlikely to be achieved across the district.	This is based on Policy STRAT 5 of the adopted South Oxfordshire Local Plan 2035.	None required.
Marine Management Organisation	General comment	General	No comments on this specific consultation.	Noted.	None required.
Tony Rayner	General comment	General	In my opinion, the most glaring omission from all the housing developments is the lack of provision for the motor car. The result is a huge increase in on-street parking, making it a nightmare to drive around our village and to stop briefly to visit our shops. Parking near the railway station and village school is a particular problem. The church parking area is daily being taken over by parents collecting their children from school - this is clearly not satisfactory. If all this were not enough, on-pavement parking has become commonplace. It is not acceptable for the elderly and mothers with prams being forced to go into the road in order to pass by.	Comments noted. The Council will consider parking provision and appropriate district-wide standards for all new development in the Joint Local Plan 2041, which is currently in the early stages of preparation.	None required.
Didcot Town Council	General comment	General	Our Planning and Development Committee met last night and discussed the Community Infrastructure and Developer Contribution consultations. It was resolved to support the documents.	Support welcomed.	None required.
Beckley and Stowood Parish Council	Infrastructure Funding Gap Statement	General	The document does not show the details of the finances. In our parish the strategic site - Land North of Bayswater Brook has a profound gap in transport infrastructure funding. Along with the other former Green Belt sites of Grenoble Road and Northfields, there will be the need for significant transport infrastructure funding. As the details of the transport infrastructure requirements and how to address them have yet to be decided, there is likely to be a much more significant gap in transport than shown. The gap could easily double.	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. In para 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). 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 for transport infrastructure this widens the funding gap and strengthen the argument for implementing higher CIL rates.	None required.

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Beckley and Stowood Parish Council	Draft Charging Schedule	Page 6, Table 1	<p>It would be helpful to set out the current CIL rates and percentage change when recommending new ones. One has to refer to the lengthy Viability Assessment to make a comparison and the proposed changes in charging rates are not made clear. There is obviously something to hide.</p> <p>The current Charging Schedule just has 2 zones - Zone 1 (all the district minus Didcot and Berinsfield) and Zone 2 (Didcot and Berinsfield. However, the new proposals add another zone (confusingly also called Zone 1), but in fact a new CIL zone covering the south of the district (Henley etc) with much higher CIL charges. Zone 2 remains as is for Didcot and Berinsfield and Zone 3 is now the old Zone 1 (minus the southern part).</p> <p>The proposed increases in CIL rates are exceedingly high (see spreadsheet). They vary from 109% in Berinsfield and Didcot for smaller developments to 24% in the Rest of the District zone, thus trying to encourage development there. These increases are considerably higher for small developments &lt;10 than large ones 10+ and so encourage larger developments which have greater infrastructure requirements and require more funding. It would appear that the new CIL Charges are meant to discourage small developments in Berinsfield and Didcot and to a slightly less extent larger ones as well, whilst encouraging developments in the rest of the district, particularly larger developments where the increase in CIL rate is only 24%.</p>	<p>We appreciate that much of the viability evidence that supports the review of our CIL rates is complex in nature. However, we have provided introductory text on our website and in our consultation material, which explains the background to our CIL review in simpler language. We take on board your comment about presenting the current CIL rates alongside the proposed ones and highlighting the percentage changes for each - we will make sure we do this for future consultations.</p> <p>The percentage increases in CIL rate for the different charging zones vary according to the findings of detailed viability evidence drawn from across the district. The Infrastructure Funding Gap Statement (IFGS) identifies a significant shortfall in infrastructure funding across the district and we need to strike an appropriate balance between the need to fund the infrastructure required to support development and the potential effects that imposing higher CIL rates may have on the economic viability of development across our area.</p> <p>The 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. Similarly, the CIL rates for smaller development schemes (less than 10 dwellings) are higher than for larger developments, because these sites do not have to provide affordable housing and their Section 106 contributions are consequently lower.</p>	None required.
Natural England	General comment	General	<p>Natural England does not consider that this Draft Charging Schedule or its supporting documents pose any likely risk or opportunity in relation to our statutory purpose and so does not wish to comment on this consultation.</p>	Noted.	None required.

<p>Beechcroft Developments (Ridge and Partners LLP)</p>	<p>Draft Charging Schedule</p>	<p>Page 6, Table 1</p>	<p>The current CIL Charging Schedule (2016) has a NIL rate for C2 and C3 older persons housing schemes. However, the draft CIL Charging Schedule (February 2022) now includes older persons housing in the standard CIL rate for residential development, without any explanation to support the change in policy, except a reference in the Viability Assessment that residential development across the district (including elderly persons accommodation) is viable with the proposed CIL rates. We believe that an increase in costs to deliver older persons housing in the district arising from CIL liability may conflict with the objectives of the Local Plan 2035 and the need to address the shortage of older persons housing, both locally and nationally. Our research indicates that since April 2016, there has been an undersupply of older persons accommodation delivered across the district, alongside the Council currently failing to demonstrate a 5 year housing land supply.</p> <p>Policy H13(i) of the Local Plan encourages developments which include the delivery of specialist housing for older people in locations with good access to public transport and local facilities. Inevitably, such sites will often be brownfield in the built-up areas of the defined Towns and Larger Villages, with high existing use values and competing alternative use values. Policy H1(3ii) does permit the development of sites for older persons housing, outside the built-up areas of Towns and Larger Villages, where these sites have good access to public transport and local facilities, but these sites will be more rural and, by definition, less sustainable.</p> <p>This type of development also has greater build costs than a comparable new build apartment scheme. Older persons housing is typically delivered as 1 and 2 bed apartments, with common parts often including an owner's lounge, guest suite and managers office. Schemes will have wider corridors and more circulation space within apartments, all of which results in larger than average units, with a higher land take.</p> <p>A further cost is associated with the requirement for both C2 and C3 development schemes to deliver 40% affordable housing on sites with a net gain of 10 or more units, subject to viability. In the case of C2 schemes there is no minimum site area. The requirement for C2 schemes to provide affordable housing is a change in policy and further impacts on the potential delivery of older persons housing.</p>	<p>Even older persons housing has an impact on the local infrastructure and therefore it is appropriate that these typologies contribute to CIL if they can afford to do so.</p> <p>We have tested the viability of older persons housing on both greenfield and brownfield sites and in the different housing value zones.</p> <p>We have explicitly allowed for the larger net to gross assumptions for circulation space.</p> <p>We have allowed for affordable housing within our appraisals (the Council will determine whether this is to be on-site or a commuted sum (e.g. Inspired Villages, Sonning)).</p> <p>We agree, however, that the original cost and value assumptions for this residential typology required review and we have re-run our viability appraisals using more relevant/updated costs and values that reflect comments received from the development industry in response to the public consultation on our draft Charging Schedule and its associated viability evidence.</p> <p>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, including elderly persons accommodation.</p> <p>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.</p>	<p>Amend Table 1 of the Draft Charging Schedule to include:</p> <p><b>Flats/apartments of 3 storeys and above in Zone 2, including elderly persons accommodation – CIL rate £103 per sqm</b></p> <p>New footnote 4:</p> <p><b>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.</b></p>
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			<p>On the supply side, the Oxfordshire SHMA (2014) indicates that South Oxfordshire has seen a notable ageing of its population (p4.9) with growth in all age groups over 60. National policy (NPPF p62) is to significantly boost the supply of older persons housing to support the health, wellbeing and quality of life of the older population.</p> <p>We recommend that the Council reconsiders introducing a CIL rate for older persons housing, on the basis that it should be encouraging the delivery of more of this development type, in line with local need. Whilst there is a perception amongst members that there have been a lot of older persons housing schemes recently, this is clearly not the case.</p>		
Beechcroft Developments (Ridge and Partners LLP)	CIL Viability Assessment		<p>The cost and financing assumptions for older persons housing and market housing both assume a sales/build rate of 4/month. However, the first occupations cannot take place until all of the communal areas have been completed, which in the case of a block of apartments means the whole block. Our experience of sales rates on older persons housing are that they are about half the rate of market housing at 1.5/month (a figure recently accepted as part of the viability negotiations with the Council on application P21/S1415/FUL).</p>	<p>We agree that apartment sales should not commence until the block has been completed and have amended our appraisals based on a revised sales rate of 1 per month.</p>	As above
Beechcroft Developments (Ridge and Partners LLP)	CIL Viability Assessment		<p>The modelling is based on large schemes of 55 units for sheltered housing and 60 units for assisted living. These are big schemes. In practice, age restricted/sheltered housing schemes can be smaller (for example 24 units in relation to P21/S1415/FUL).</p>	<p>Evidence from Retirement Housing Group suggests that typical schemes are:</p> <p>Sheltered - 50-60 units @ 100 -120 dph Extra care - 40-50 units @ 80 -100 dph</p> <p>We therefore consider that 24 units would be on the lower end of the size range, but we have adjusted our scheme sites/typologies to 50 units for sheltered housing and 40 units for extra care.</p>	As above

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Beechcroft Developments (Ridge and Partners LLP)	CIL Viability Assessment		The viability appraisals for older persons housing appear to include an allowance for First Homes. The NPPF and the relevant Ministerial Statement when read together make it clear that retirement housing is not expected to provide First Homes.	We have updated the affordable housing mix (redistributing the First Homes element into Shared Ownership tenure).	As above.
Beechcroft Developments (Ridge and Partners LLP)	CIL Viability Assessment		In the Viability Assessment, older persons housing is modelled at 125dph against market housing at 45dph. Furthermore, it is acknowledged that there is a 25% premium for communal areas, which means an even higher effective density. The only site in our research that reaches this threshold is the Churchill scheme in Thame (Yeats Lodge - 128dph). This application was approved at appeal in August 2018, despite the Council's original reasons for refusal on a lack of car parking (0.34 spaces/unit) and insufficient amenity space. Amenity space and parking standards being imposed by the Council on current applications require significantly higher levels of parking and open space. Taking account of the lack of need for children's play space, there is the potential for higher densities when compared to market housing but only in the order of 60dph.	<p>The densities applied to older persons housing in our Viability Assessment assume flatted development schemes. These densities have traditionally been applied to CIL viability appraisals, without objection and are based on evidence from RHG Retirement Housing Group, Retirement Housing Viability Base Data (April 2013) / Briefing Paper for CIL Practitioners Retirement Housing and the Community Infrastructure Levy (June 2013) by Churchill Retirement Living and McCarthy Stone.</p> <p>However, having reviewed recent planning applications for this typology, we have reduced our density assumptions to 100 dph for sheltered apartments and 80 dph for extra care. This is at the lower end of the range provided by RHG and seeks to balance the Beechcroft model against other developers in this sector.</p>	As above.
Beechcroft Developments (Ridge and Partners LLP)	CIL Viability Assessment		Existing use values have been modelled as a mix of brownfield and greenfield, whereas older persons housing, particularly retirement or sheltered housing, tends to be on more expensive brownfield land close to shops and other facilities.	Noted. However, the respondent has not provided any additional brownfield land market evidence.	None required.
Beechcroft Developments (Ridge and Partners LLP)	CIL Viability Assessment		The premium on sales values is c14% for sheltered housing when compared with market housing (medium values). 1 bed assisted living values are on a par with 1 bedroom sheltered housing, but 2 bedroom assisted living values are at a further 19% premium to sheltered housing values. We would normally expect a c10% premium in values for sheltered housing schemes and a greater premium for 1 bed assisted living values as opposed to 2 beds on the basis that assisted living units tend to be occupied by single older people.	Sales value assumptions are set out in the Residential Market Report (included in the Viability Assessment Appendices Pack). We note the point about a higher premium for 1 bed extra care units. However, evidence from Retirement Housing Group does not differentiate this. We suggest that the differentiation comes through in the unit mix, which is skewed 60:40 towards 1 bed units.	None required.

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Beechcroft Developments (Ridge and Partners LLP)	CIL Viability Assessment		Overall, we recommend that the Aspinall Verdi Viability Assessment is updated to include more realistic development inputs.	We agree that the original cost and value assumptions for older persons housing typologies required review and we have re-run our viability appraisals using more relevant/updated costs and values that reflect comments received from the development industry in response to the public consultation on our draft Charging Schedule and its associated viability evidence.	<p>Amend Table 1 of the Draft Charging Schedule to include:</p> <p><b>Flats/apartments of 3 storeys and above in Zone 2, including elderly persons accommodation – CIL rate £103 per sqm</b></p> <p>New footnote 4:</p> <p><b>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.</b></p>

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Maiden Erlegh Trust (Savills)	Draft Charging Schedule	Page 6, Table 1 & para 5.9	<p>Land at Maiden Erlegh Chiltern Edge (MECE) School was allocated in the made Sonning Common Neighbourhood Plan (2016) for residential development (37 homes) on the basis that the sale of the land would fund urgently needed infrastructure and facilities improvements to the school.</p> <p>The current CIL rate for residential development within Zone 1 (which includes Sonning Common and land at MECE School) is £150/sqm (index linked for 2022 - £181.09/sqm). However, the draft Charging Schedule is proposing a rate of £325/sqm for major schemes of 10 dwellings or more within Zone 1 (Southern Parishes). It is acknowledged that Section 106 contributions and CIL will be required as a consequence of developing our site. However, the proposed increase in the CIL rate would significantly impact upon the funding available to the school to invest in improving its facilities and to meet the purposes of the NDP allocation.</p> <p>Paragraph 5.9 acknowledges that an appropriate balance needs to be struck between the need to fund the infrastructure required to support development and the potential effects that imposing CIL rates may have on development viability. However, the Viability Assessment (December 2021) only had regard to the overall impact of CIL on the policies and allocations of the Local Plan (2020) and did not consider the implications on Neighbourhood Plan allocations. We consider that the proposed increase in CIL rate for Zone 1 does not achieve an 'appropriate balance' as it will significantly impact upon MECE School's reinvestment plans and ability to fund urgent improvements to the school's facilities.</p> <p>As Sonning Common Parish Council has a made Neighbourhood Plan, it receives 25% of the CIL revenue received from new development within the neighbourhood area to spend on local infrastructure. However, given the unique purpose of our allocation, the draft NDP Review (submission version, January 2022) does not specifically identify MECE School as a recipient of CIL money to fund improvement of its facilities. It is therefore important that the CIL rate itself is set at an appropriate level, so as not to restrict the school's ability to invest in its own infrastructure.</p>	<p>Our CIL Viability Assessment looks at general viability across the district for a range of development typologies, based on a series of cost assumptions. It cannot, however, consider the viability of specific sites. Consequently, the proposed CIL 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.</p> <p>Payment of CIL is non-negotiable (unless any of the exemptions cited Part 6 of the CIL Regulations 2010, as amended apply) and CIL costs should have been factored into the purchase price of the land at point of sale. However, if questions of development viability arise when a planning application is being considered, which could potentially threaten delivery of the necessary infrastructure and facilities improvements for the school, it would be possible for the applicant to seek to negotiate on the terms of the S106 agreement.</p>	None required.

Respondent	Document	Para or Section	Representation Summary	Council's Response	Modification to Charging Schedule
Maiden Erlegh Trust (Savills)	Draft Charging Schedule	Section 9, para 9.4	<p>Paragraph 9.4 notes that exemptions can be made for charitable institutions under Regulations 43-45 of the CIL Regulations 2010, where the development is to be used wholly or mainly for a charitable purpose. It is understood that MECE School would not be eligible for charitable relief, based on the CIL Regulations 2010, as the proceeds of the sale of the land, rather than the residential development itself, will be used for charitable purposes. However, in line with the general provisions of the CIL Regulations 2010 towards charitable institutions, it is important that a fair and reasonable approach is taken towards setting CIL rates which directly affect charitable institutions such as the Maiden Erlegh Trust.</p>	<p>Paragraph 9.4 of the Draft Charging Schedule explains that, under CIL Regulation 55, a council can choose to offer exceptional circumstances relief, if charging CIL would have an unacceptable impact on the economic viability of a particular development. Exemptions can also be made for charitable institutions where this would constitute State Aid (under CIL Regulation 45). However, 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.</p> <p>Our CIL Viability Assessment looks at general viability across the district for a range of development typologies, based on a series of cost assumptions. It cannot, however, consider the viability of specific sites. Consequently, the proposed CIL 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.</p> <p>Payment of CIL is non-negotiable (unless any of the exemptions cited in Part 6 of the CIL Regulations 2010, as amended apply) and CIL costs should have been factored into the purchase price of the land at point of sale. However, if questions of development viability arise when a planning application is being considered, which could potentially threaten delivery of the necessary infrastructure and facilities improvements for the school, it would be possible for the applicant to seek to negotiate on the terms of the S106 agreement.</p>	None required.
Blue Cedar Homes	Draft Charging Schedule	Page 6, Table 1	<p>The current CIL Charging Schedule (2016) includes a nil rate for C3 sheltered/retirement housing. We strongly believe that this should continue and be applied to the latest CIL document. Is a cost now being applied to elderly persons accommodation? If so, it will hinder the delivery of retirement housing across the district which is much needed and indeed which both the Local Plan and NPPF support and encourage. It will also prevent more elderly people from downsizing, which frees up larger homes for families. Why has the approach changed? The district-wide nil rate set for C2 extra care (incorporating independent living) should also be applied to C3 sheltered/retirement housing.</p>	<p>Even older persons housing has an impact on the local infrastructure and therefore it is appropriate that these typologies contribute to CIL if they can afford to do so.</p>	None required.

Respondent	Document	Para or Section	Representation Summary	Council's Response	Modification to Charging Schedule
Savills (on behalf of an anonymous land promoter)	Draft Charging Schedule	General	Since the base date of the Local Plan was established (2011), only 82% of the required housing has been delivered to the current year date, with supply now over a year behind that intended. Furthermore, the delivery of affordable housing has only been provided at approximately 75% of the level required by adopted planning policy. It is considered likely that the application of CIL at its current rates may have contributed to reducing the supply of housing overall and therefore affordable housing. If South Oxfordshire's housing needs are to be met, there needs to be a significant uplift in the delivery of housing, especially affordable delivery and increasing the rate of CIL is unlikely to enable that to be achieved. Indeed, it is considered that the revised Charging Schedule could serve to restrict growth and prevent wider economic benefit.	<p>The purpose of the CIL review is to ensure that CIL funding is available to deliver infrastructure which will facilitate the supply of housing, whilst not setting this at a level which is too high so as to stymie development.</p> <p>We note in Savills' Table 2 (Housing Completions) that delivery rates have been increasing year on year between 2013 - 2020, with only a drop in 2020/21 (presumably due to the Covid Pandemic).</p> <p>Savills' Table 3 also appears to show that 40% affordable housing has been delivered between 2011 - 2021, therefore the policy and CIL are in balance. The Council recognises the need to deliver both affordable housing and infrastructure.</p>	None required.
Savills (on behalf of an anonymous land promoter)	CIL Viability Assessment	General	<p>We are supportive of the principle that new homes help to deliver infrastructure and we do not wish to oppose the implementation of a revised CIL within the District, but simply want to ensure reasonable rates are adopted, which help deliver infrastructure, but do not put the delivery of development at risk.</p> <p>We are concerned though that some of the proposed assumptions in the Viability Assessment are not reflective of market inputs or industry standards and may result in the viability evidence being unreliable to inform the new CIL Charging Schedule.</p>	<p>Noted. This is the appropriate balance that we are seeking to strike.</p> <p>We have responded to your concerns regarding some of the viability assumptions below.</p>	None required.
Savills (on behalf of an anonymous land promoter)	CIL Viability Assessment	General	In our representations, Table 4 includes extracts from the CIL Planning Practice Guidance (PPG) and their implications for the Council.	Government's PPG guidance has been observed in all respects, as set out in section 2 of our Viability Assessment.	None required.
Savills (on behalf of an anonymous land promoter)	CIL Viability Assessment	General	We recommend that a wider range of larger residential typologies are modelled including: larger typologies on brownfield land in the lower value zone; sites over 210 units on greenfield land in the medium value zone; and larger typologies that are outside the Henley market area, but still within the higher value zone.	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'.	None required.

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Savills (on behalf of an anonymous land promoter)	CIL Viability Assessment	General	Site coverage assumptions have been made in respect of the typologies (75% for greenfield schemes and 100% for brownfield schemes). We consider these to be unrealistic, particularly taking account of wider policy implications (e.g. Biodiversity Net Gain) which will impact on net developable areas. Over-estimating site coverage will disproportionately improve the typology's viability and thereby indicate additional headroom for an increased CIL rate. We, therefore, recommend that these assumptions are reviewed, to ensure that they reflect market facing and deliverable schemes coming forward across the district.	<p>The gross to net site coverage ratios used in the Viability Assessment were the same ratios assumed in the Viability Assessment for the South Oxfordshire Local Plan 2035 and were not challenged.</p> <p>BNG is factored in through a £ per unit payment based on the Government's Impact Assessment.</p>	None required.
Savills (on behalf of an anonymous land promoter)	CIL Viability Assessment	General	The viability modelling is based upon a profit of 20% on Gross Development Value (GDV) for private and 6% on GDV for affordable, which reflects a blended rate of 14.4% on GDV based on the 40% affordable housing policy provision. Based on Savills experience, the minimum profit margin that the lending institutions are currently prepared to accept, on residential development, is a blended 20% on GDV. We, therefore, have serious concerns that this profit margin is not reflective of current market expectations, especially in light of future uncertainty surrounding the on-going Pandemic and BREXIT (Several appeal decisions cited to support this view). We suggest that the Council undertakes additional modelling to understand the implications of an increased blended profit rate of at least 20% on GDV.	<p>The suggested profit margins in the PPG are based on a range of 15-20% profit on market housing and we have already adopted the top end of the range at 20%. We note the comments about Brexit, the Pandemic and inflationary risks. However, Oxfordshire is a high demand area and we have not been provided with any evidence that schemes are not viable at 20%. This should be kept under review through future economic cycles.</p>	None required.
Savills (on behalf of an anonymous land promoter)	CIL Viability Assessment	General	Build costs have increased significantly over the past twelve months with the COVID-19 pandemic contributing to supply chain issues, labour and material shortages. It is anticipated that BREXIT will exacerbate these issues and costs will continue to rise. We note that within only four months, BCIS demonstrates significant increases in costs (between 9 and 13%) across South Oxfordshire. It is essential that the base build costs being modelled are correct to reflect the true costs of development. A number of the other assumptions proposed (e.g. contingency, externals and professional fees) are also based upon the base build costs, so the Viability Assessment overall could be vastly under-estimating the true costs of delivery. This is an area where the Regulations are expected to further tighten and, as such, consideration should be given to regular reviews of the Charging Schedule and indexation.	<p>We appreciate that build costs (and values) can change over time and that our original appraisals were based on appropriate costs and values at a point in time (i.e. the date of our report).</p> <p>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.</p> <p>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.</p>	None required.

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Savills (on behalf of an anonymous land promoter)	CIL Viability Assessment	General	It is imperative that contributions sought by way of S106 (e.g. the provision of affordable housing and site-specific mitigation), are modelled as development costs within the viability appraisals to allow for an accurate cashflow. We welcome Section 106 and S278 allowances being broken down in the Viability Study appendices, highlighting that a range has been modelled from £20,839 to £25,339 per dwelling on typologies tested over 10 units. However, we would encourage these allowances to be reviewed to ensure they remain accurate for schemes coming forward across the district.	We consider that the S106 cost assumptions used in the viability appraisals are still current and do not require amendment.	None required.
Savills (on behalf of an anonymous land promoter)	CIL Viability Assessment	General	The viability assessment makes no allowance for any abnormal development costs (such as archaeological investigation, water diversion, ground remodelling and stabilisation and pumping stations), which may be required on both brownfield and greenfield sites.	Abnormal development costs should be deducted from the price of the land. One cannot pay the same price for land with abnormal costs than for land without abnormal costs.	None required.
Savills (on behalf of an anonymous land promoter)	CIL Viability Assessment	General	The methodology for using the results from the viability testing to calculate the proposed revised CIL rates is unclear. The viability testing results suggest that a number of the typologies in the lower value area are unviable or at the margins of viability. Given that build costs have risen sharply in recent months and other costs may be under-estimated, we would recommend that the viability results are more clearly analysed and interpreted to justify the proposed increased rates across South Oxfordshire.	The viability methodology is clearly explained in the report. All the lower value zones (both greenfield and brownfield typologies) are viable at the current CIL rate. Typology A – Didcot Small 20 unit scheme (brownfield) – has a calculated maximum CIL rate of £105 psm. This is similar to the current CIL charging rate which is £102.93 psm for 2021. The Didcot Small 20 unit scheme (Typology A) has no viability buffer at this level. However, we draw your attention to the sensitivity tables attached to the appraisal which show that this typology would be viable with 17-18% profit (which is still within the PPG range) or if the BLV were to be reduced to between £600,000 - £800,000 per acre (still a very healthy land value). It should also be noted that there are very few sites of this size still left to be developed in Didcot. (see para 11.11 of the Viability Assessment).	None required.
Savills (on behalf of an anonymous land promoter)	CIL Viability Assessment	General	We note that higher differential rates are proposed for schemes of less than 10 dwellings, which will put an increased financial burden on their delivery.	The CIL rates for smaller development schemes (less than 10 dwellings) are higher than for larger developments, because these sites do not have to provide affordable housing and their Section 106 contributions are consequently lower.	None required.

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Savills (on behalf of an anonymous land promoter)	CIL Viability Assessment	General	We would like the Council to revise its exemptions policy through the revised Charging Schedule, so that Discretionary Charitable Relief and Exceptional Circumstances Relief are available, where appropriate. We do not consider there to be any detriment arising from the Council making available such reliefs, as there are strict tests surrounding their availability and applicability, which must be adhered to.	<p>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.</p> <p>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.</p>	None required.
Savills (on behalf of an anonymous land promoter)	CIL Viability Assessment	General	In order to derive Housing Market Zones, the viability assessment takes into account new build and second hand achieved values, together with the Index of Multiple Deprivation (IMD). Based on Aspinall Verdi's experience <i>'higher values tend to be found in areas of least deprivation and values are lower in areas where there is greatest deprivation'</i> . However, it is not clear how much reliance has been placed on the IMD data and we question the assumption that has been made in respect of translating this data into the Housing Market Zones.	<p>The IMD is indicative only. As set out at para 5.15 of the Residential Market Paper we have had regard to:</p> <ul style="list-style-type: none"> <li>• the existing evidence base and particularly the heat maps and choropleth maps contained in previous market research</li> <li>• the current CIL Charging Schedule Map</li> <li>• current new-build achieved values</li> <li>• second-hand achieved values</li> <li>• the Index of Multiple Deprivation.</li> </ul> <p>Whilst taken into consideration, the IMD map is not overly helpful in the context of South Oxfordshire due to the rural nature of the district.</p>	None required.
Savills (on behalf of an anonymous land promoter)	CIL Viability Assessment	General	We have compared the proposed CIL Charing Zones to our Land Registry House Price heat map. Given the proposed charging zones do not mirror the current charging zones, there is likely to be significant cost increases for schemes coming forward within certain areas, especially to the south of the district. We are particularly concerned that a number of low values areas on our Heat Map fall within Zone 1, the highest CIL rate zone, which entirely contradicts the purpose of adopting a differential rate based on market value areas. This risks rendering sites that fall within these areas unviable and threatens the supply of housing across South Oxfordshire.	The SODC Value Zone Map reflects the current body of evidence and research and is consistent with the Local Plan viability which has been subject to an Examination in Public. We note from the Savills mapping that there may be scope for higher values to the west and north of the Henley high value area, which would provide additional buffer. However, it is not clear whether the Savills mapping is on an overall values basis or a value £ psm basis.	None required.

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Savills (on behalf of an anonymous land promoter)	CIL Viability Assessment	General	It is not clear whether consideration has been given to a minimum viability 'buffer' when interpreting the viability evidence and proposing the rates. Viability buffers are recommended within the CIL Regulations, to mitigate against fluctuations within the market and ensure that the rates are not set at the margins of viability. In times of political and economic uncertainty, changing market assumptions and expectations, alongside the historic under delivery of housing (including affordable tenure), it is fundamental that additional leverage is allowed for within the proposed CIL rates. We therefore strongly recommend that a <b>minimum</b> viability cushion of <b>40%</b> be adopted when considering all of the development typologies.	The viability buffers are shown clearly in the bottom row of Tables 11.1 to 11.6. These are generally above 40% suggested by Savills and the majority have a buffer of circa 70%.	None required.
Savills (on behalf of an anonymous land promoter)	General comment	General	In 2020, the Government undertook consultation on reforms to the planning system with a proposal to abolish Section 106 and CIL and replace them with a national Infrastructure Levy. In light of this uncertainty, it is not clear whether CIL will remain applicable.	Whilst it is acknowledged that CIL may be replaced by a national Infrastructure Levy, Government has not yet confirmed whether this element of the planning reforms is still going ahead and, if so, what the timescales for implementation will look like. In the interim, it is important that the Council continues with its CIL review, so that an appropriate balance can be found between increasing the funds available to spend on necessary infrastructure to support planned development in the district and ensuring that any revised CIL rates do not have an adverse impact on development viability.	None required.
Savills (on behalf of an anonymous land promoter)	General comment	General	The ongoing Pandemic gives rise to significant market uncertainty in respect of values and build costs for planned development across the district. The supply chain interferences, material cost increases and labour shortages are also creating difficulties for the development industry and will be further fuelled by Brexit. The Council should consider this alongside the implications of introducing a potentially increased financial burden upon development through its CIL rates.	These factors have been considered in the market review of both values and costs. We note that during the Pandemic, the economy and housing market has been supported through mechanisms such as Furlough and the Stamp Duty holiday. We also note the rising costs caused by Brexit and now the inflationary pressures due to the Ukraine invasion. We have reviewed both the values and costs to ensure that they are current.	None required.
Savills (on behalf of an anonymous land promoter)	General comment	General	It is not clear whether the Community Infrastructure Levy (Coronavirus) (Amendment) (England) Regulations 2020 have been taken into account within the evidence base and proposed revised rates.	This has not been taken into consideration - it makes provision for deferral of CIL due to the Covid-19 Pandemic. The working assumption for the current CIL viability assessment is that CIL is paid as normal (subject to local instalment provisions).	None required.
Oxfordshire County Council	General comment	General	OCC supports the proposed update to the CIL Charging Schedule and welcomes the changes that have been incorporated following our comments on earlier drafts.	Support welcomed.	None required.
Oxfordshire County Council	Draft Charging Schedule	Para 5.8	Bracket missing.	Noted.	<b>Add missing bracket to para 5.8.</b>

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Oxfordshire County Council	Draft Charging Schedule	Para 6.2	<p>The wording can be improved to make it clear that it is viability alone that means the identified strategic sites do not have to pay CIL.</p> <p>Suggest the second sentence of para 6.2 is amended to read: '<i>... The strategic sites are zero rated and not subject to CIL charges as <del>they will contribute towards infrastructure solely through S106 agreements</del> <b>it has been assessed that their infrastructure requirements to be funded via S106 are so considerable that they cannot support further infrastructure funding via CIL.</b></i>'</p>	<p>We agree that the paragraph should be amended to clarify that Strategic Sites are not simply zero rated from CIL because they contribute towards infrastructure through S106. However, we have not made further amendments to the text, because there are other factors to consider when determining whether the Strategic Sites can support CIL (i.e. the background context to their overall viability, based on how these sites make their way through the development process and are built out, plus the business model of the development industry). It is a complex set of issues discussed in our CIL Viability Assessment.</p>	<p>Amend paragraph 6.2 to read:</p> <p><i>'The CIL rates, shown below in Table 1, are based on the recommendations from the CIL Viability Report. The strategic sites are zero rated and not subject to CIL charges as, They will contribute towards infrastructure solely through S106 agreements...'</i></p>
Oxfordshire County Council	Draft Charging Schedule	General	<p>From a landowner perspective, continuing with a zero rating of CIL payments for strategic site allocations is supported for viability reasons.</p> <p>As stated in the Draft Charging Schedule, these sites will deliver their infrastructure requirements fully through S106/S278 agreements. However, if there is a shortfall in funding of an item of infrastructure for whatever reason, CIL may be used to fill all or part of the funding gap.</p>	<p>Support welcomed.</p> <p>Comments on shortfalls are noted - however, our current CIL review relates to how CIL is collected rather than how it is spent.</p>	None required.
Oxfordshire County Council	Infrastructure Funding Gap Statement	Page 7, Table 2	<p>The IFGS makes clear that the aim is for education infrastructure (to meet the needs of housing growth) to be fully funded from Section 106 contributions, leaving no funding gap for the purposes of evidencing the need for CIL (p7, Table 2). It is also made clear in the footnotes to Table 2 that this does not mean there will be no funding gap in reality as, in many cases, the actual costs will be uncertain or unknown at this stage and education infrastructure costs may come forward which require funding from CIL. Further, the table only includes allocated sites without planning permission. It should be noted that Section 106 education contributions are typically only secured from developments of 10 houses or more and a concentration of windfall sites in an area could cumulatively require additional education infrastructure to be provided, which could need to be funded from CIL. CIL may also be required for educational purposes due to development viability or funding shortfalls as a result of historical restrictions on the securing of S106 contributions.</p>	<p>Support welcomed.</p> <p>Comments on education contributions are noted - however, our current CIL review relates to how CIL is collected rather than how it is spent. Our Draft Developer Contributions SPD also explains that there may be circumstances where education infrastructure is funded via CIL instead of, or as well as, from S106.</p>	None required.

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Bioabundance CIC	Draft Charging Schedule	General	We are calling for a more comprehensive review and consultation on the CIL Charging Schedule, due to the likelihood that CIL revenue will be a significantly larger proportion of funding for strategy infrastructure than projected. The larger CIL income is because of the very high housing target in the Local Plan and the high likelihood that the 5 year land supply will not be met- so there will be more housing built outside the strategic sites, which will subject to CIL. As a result, significantly more revenue will be raised by housing outside the Strategic Sites and a higher percentage of infrastructure funding will come from CIL.	<p>The Draft CIL Charging Schedule (Feb 2022) has been subject to extensive public consultation, with all consultation material available to read on our website, as well as hard copies placed at our Council offices and in all the public libraries across South Oxfordshire. Email (or postal) notification was sent out all those organisations and individuals on our planning consultation database (plus all district councillors, town and parish councils and statutory consultees), informing them that the consultation period had begun and providing details on how they could participate and make comments.</p> <p>The Infrastructure Funding Gap Statement explains at paragraph 3.3 that the Infrastructure Delivery Plan (2020) <i>'does not calculate anticipated costs for all district-wide infrastructure or infrastructure associated with windfall developments that is likely to be required. Due to the nature of these developments, there is not sufficient evidence available to accurately estimate infrastructure costs at this stage. As a result, there are infrastructure items missing from the calculations that will contribute towards the funding gap.'</i></p> <p>Whilst it is correct to say that there will be more CIL revenue from unallocated housing sites than is currently accounted for as a funding source in the IFGS, the purpose of this document is solely to demonstrate that there is an infrastructure funding gap which justifies the setting of CIL rates and this is clearly the case, even if additional funding sources were identifiable.</p>	None required.
Bioabundance CIC	General comment	General	We would like councillors and the general public to review and see the evidence for the unstated assumption that a lower CIL is required to ensure housing comes forward to meet the five year land supply. Councillors may decide that it is more important for developers to pay their fair share of costs to mitigate the impact of new development on existing residents. These changes would result in more funding to support vital strategic needs that CIL is designed to meet (e.g. a mass-transit network (bus and rail) capable of replacing longer car journeys, particularly commuting and the strategic district-wide Nature Recovery Networks).	The Draft Charging Schedule includes proposed new CIL rates across three defined zones in the district. These proposed rates are based on detailed viability evidence drawn from across the district, so that we can strike an appropriate balance between increasing our CIL income to help fund the necessary infrastructure to support planned development and not setting rates which would render development unviable.	None required.

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Bioabundance CIC	Infrastructure Delivery Plan (IDP) and CIL Spending Strategy.	General	<p>Bioabundance is calling for review and consultation on the Infrastructure Development (<i>sic</i>) Plan and CIL Spending Strategy before the CIL Charging Schedule is set and consulted on. We believe that the councillors and general public are being denied involvement in key decisions because of out-of-date documents that have not been consulted upon and assumptions that underlie the CIL Charging Schedule, in particular, the IDP (updated in April 2020) and the CIL Spending Strategy (updated in 2018). The IDP fails to allocate any money to biodiversity and green infrastructure despite the CIL Spending Strategy allocating 5% of CIL receipts to them. Also, the IDP does not reflect the major change in direction by the County Council in their Local Transport and Connectivity Plan and the new focus of the Oxfordshire Plan 2050 on Carbon Zero and the nature emergency. The IDP does not include CIL money going to strategic responses to Climate Change, nature emergency and Carbon Zero, despite Central Government and both South and Vale District Councils declaring climate emergencies. In addition, the IDP does not allocate any funding to rail despite it being a key part of the future mass-transit system needed to reach zero-carbon.</p>	<p>Our Charging Schedule (which the subject of this current review) only relates to how CIL is collected and not how it is spent. It provides defined rates per square metre of floorspace for specific development typologies.</p> <p>In the context of this CIL Review, the Infrastructure Delivery Plan is used as a publicly available source of estimated infrastructure costs to inform preparation of the Infrastructure Funding Gap Statement. The IDP (2020) was produced as evidence to support the Examination in Public of the South Oxfordshire Local Plan 2035. A revised IDP will be prepared alongside the Joint Local Plan 2041 and will need to address both Council's future infrastructure priorities (including climate mitigation measures, sustainable transport and green infrastructure).</p> <p>The Council's non-statutory CIL Spending Strategy sets out how funds are allocated over the coming year, based on Council priorities. Our original CIL Spending Strategy was subject to full public consultation in 2018. An updated version was then consulted upon internally and with the existing recipients of funding. Further public consultation was not undertaken, as it was considered that the previous consultation feedback in 2018 was still relevant and the changes recommended were not a significant alteration to the original Strategy. The current South Oxfordshire CIL Spending Strategy was reviewed in 2020 and approved by Cabinet, before coming into effect on 1 April 2021. One of the reasons for updating the Strategy was recognition that the CIL Regulations allow for a degree of flexibility to be able to meet changing demands. Consequently, the updated Strategy allows for use of funds both to support projects identified in the IDP and also projects that deliver the Council's corporate priorities, provided that use of CIL remains in accordance with the CIL spending regulations.</p>	None required.

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Bioabundance CIC	CIL Viability Assessment	General	<p>We ask that you conduct a review and consultation on the CIL Viability Assessment and the risk assessment behind its base assumption on the need for viability buffers. The Viability Assessment says that a large margin of safety (through setting the CIL lower) is needed to avoid the possibility of higher building costs and lower house prices enabling developers to reduce their compliance to Local Plan policies, especially Affordable Housing. Where is the research supporting this view? Is it valid or just current best practice for councils seeking large growth in housing? Please publish this information and consult on it.</p>	<p>The Draft Charging Schedule strikes a balance between funding necessary infrastructure to mitigate the impact of new development whilst ensuring proposals are viable, supported by viability evidence. It is standard practice to include 'buffers' in viability assessments so that unforeseen factors (e.g. higher development costs, fluctuating house prices etc) can be taken into account and development remains viable once CIL is applied. We engaged with developers and agents at a workshop in September 2021 and sought views on all the different assumptions that underpinned the Viability Assessment, including whether the 'viability buffers' had been set at an appropriate level.</p> <p>Full details on the level of 'buffer' assumed for different development typologies, including values and costs, are provided in the CIL Viability Assessment and its Appendices Pack, which were made available for public comment alongside the Draft Charging Schedule and Infrastructure Funding Gap Statement.</p>	None required.