

# South Oxfordshire

## COMMUNITY INFRASTRUCTURE LEVY (CIL) DRAFT CHARGING SCHEDULE STATEMENT OF MODIFICATIONS



## 1. Introduction

- 1.1 This Statement sets out a number of modifications that South Oxfordshire District Council has made to its Draft Community Infrastructure Levy (CIL) Charging Schedule, in response to representations received during the period of public consultation, which ran from 15 February to 22 March 2022.
- 1.2 Table 1 below comprises a schedule of all the modifications, with deleted text shown as strike through and additional text shown in red and highlighted in bold. The table also includes a brief justification for each modification, as well as the name of the respondent to whose consultation comments the modification relates.
- 1.3 The Statement of Modifications is being published in accordance with Regulation 19(1)(d) of the Community Infrastructure Levy Regulations 2010 (as amended) and has been made available to the appointed Examiner, who will conduct the independent Examination into the Draft CIL Charging Schedule.

## 2. Right to be heard by the Examiner

- 2.1 Any person may request to be heard by the Examiner in relation to any of the modifications set out in this Statement of Modifications.
- 2.2 Requests to be heard by the Examiner in relation to the modifications set out in this Statement of Modifications can be made during the 4-week period following the formal submission date of the Draft CIL Charging Schedule i.e. from **10 June 2022 to 11.59pm on 8 July 2022** and these can be submitted:
  - via email to: [planning.policy@southandvale.gov.uk](mailto:planning.policy@southandvale.gov.uk) (with 'South CIL Modifications' in the subject line); or
  - via post to: 'Freepost SOUTH AND VALE CONSULTATIONS' (no other address information or stamp is needed).
- 2.3 Requests must include details of the modifications on which you wish to be heard. Please also detail whether you support or oppose the modification and why.
- 2.4 At this stage we are not accepting new comments on the February-March 2022 consultation documents and your new right to be heard applies only to the Modifications. The Council will submit a copy of each request it receives to the Examiner via the Programme Officer. If you have already submitted representations during the public consultation period ending on 22 March 2022 and requested to be heard, the Programme Officer will be in touch closer to the Hearing Session. If you want to make further representations on the Modifications as well, for example to confirm whether the changes have addressed your objection or not, please do so.
- 2.5 For your request to be considered by the Examiner, we will need to share your name (and organisation, where relevant) with the appointed Examiner

and Programme Officer and an email or postal address, which we will share with the Programme Officer only. In line with the Community Infrastructure Levy Regulations 2010, you may be contacted by the Programme Officer (or where necessary the Council) with relevant updates regarding the Examination or other aspects of our CIL review.

- 2.6 Copies of any requests received on the Statement of Modifications will be published on the Council's website, alongside your name (and business/organisation where relevant). No other contact details will be published.
- 2.7 To find out how your personal data is used as part of our CIL review and for information on how the council holds, uses and stores your personal data, please refer to our planning consultations **Privacy Policy**.
- 2.8 A request to be heard on the Modifications may be withdrawn at any time prior to the start of the Examination, by giving notice in writing to the Council.

**Table 1: Modifications to the Draft Community Infrastructure Levy (CIL) Charging Schedule**

<b>Mod Ref</b>	<b>Respondent(s)</b>	<b>Document Reference</b>	<b>Modification</b>	<b>Reason for Modification</b>
Mod 01	Churchill & McCarthy Stone  Beechcroft  Homes England	Table 1 (CIL Charges)	<p>Add a new development type to Table 1 as follows:</p> <p><b>Flats/apartments of 3 storeys and above in Zone 2, including elderly persons accommodation<sup>4</sup> – CIL Rate (£ per square metre) - £103</b></p> <p>New footnote 4 to provide further explanation:</p> <p><b><sup>4</sup>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>	<p>The Council agrees that the original cost and value assumptions for flatted development and 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> <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>A new footnote 4 also explains how CIL will be levied on mixed developments with both houses and flats/apartments proposed.</p>
Mod 02	Oxfordshire County Council	Para 6.2	<p>Amend paragraph 6.2 to read:</p> <p>'The CIL rates, shown below in Table 1, are based on the recommendations from the CIL Viability Report. The</p>	<p>OCC advised that the wording of para 6.2 could be improved to make it clear that the identified strategic sites were zero rated for CIL because it had been assessed that the infrastructure</p>

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			strategic sites are zero rated and not subject to CIL charges, <del>as t.</del> <b>They</b> will contribute towards infrastructure solely through S106 agreements...'	<p>requirements for these sites to be funded via S106 were so considerable that they could not support further infrastructure funding via CIL.</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>
Mod 3	Oxfordshire County Council	Para 5.8	<p>Bracket needs adding as follows:</p> <p>'The viability of non-residential development in the District has also been assessed. Business uses (including offices and industrial developments) have been found unable to support a CIL charge. The viability assessment has shown that supermarkets and retail warehousing can support a CIL rate.'</p>	Punctuation amendment.

Please note: We have also made some minor formatting changes and included updated information in the Draft Charging Schedule and have shown this in red text in the Submission Version of the document.

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