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New Road  
Oxford  
OX1 1ND**

Planning Policy  
Vale of White Horse District Council

**8 February 2021**

By email:  
[Planning.Policy@whitehorsedc.gov.uk](mailto:Planning.Policy@whitehorsedc.gov.uk)

Dear Planning Policy

**CIL Charging Schedule  
Consultation closing 8<sup>th</sup> February 2021**

Please find attached Oxfordshire County Council's response on the current Vale of White Horse District Council consultation in respect of the: Community Infrastructure Levy (CIL) Draft Charging Schedule.

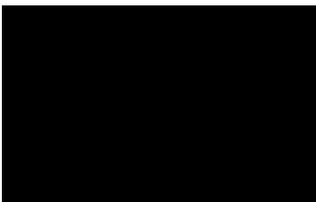
As invited, we have also taken the opportunity to comment on the published supporting document: Infrastructure Funding Gap Statement, January 2021.

We have no comments on the following documents. The viability assessment reports provide clear justification of the varying CIL rates, including the higher rates on the eastern side of the District.

- CIL Viability Assessment, April 2019
- CIL Viability Assessment Addendum, August 2020
- CIL Viability Assessment Executive Summary, October 2020

We understand that comments on the CIL Draft Charging Schedule will be considered by an independent Examiner and there may be a hearing. We have marked the box indicating we do not wish to be heard, but the County Council would be willing to attend a hearing if the Examiner considers that necessary.

Yours faithfully



Assistant Director Strategic Infrastructure and Planning

Email:   
[www.oxfordshire.gov.uk](http://www.oxfordshire.gov.uk)

## COMMENTS ATTACHMENTS

1. Community Infrastructure Levy (CIL) Draft Charging Schedule
2. Infrastructure Funding Gap Statement, January 2021

1.

Oxfordshire County Council comments on

Community Infrastructure Levy (CIL) Draft Charging Schedule

Reference	Officer Team	Comment
1.4 first bullet point	Strategic Planning And Infrastructure Funding	<p>The Draft Charging Schedule is supported by two different Infrastructure Delivery Plans (IDPs) which were developed sequentially and date from 2016 and 2018. The latter IDP contains some information which is more up to date than the first. The two IDPs can be found at the covering page: <a href="https://www.southoxon.gov.uk/south-oxfordshire-district-council/community-support/infrastructure-to-support-communities/">https://www.southoxon.gov.uk/south-oxfordshire-district-council/community-support/infrastructure-to-support-communities/</a> or individually: <a href="https://www.whitehorsedc.gov.uk/wp-content/uploads/sites/3/2020/12/Updated-Infrastructure-Delivery-Plan-IDP-2016-VOWH-Part-1.pdf">https://www.whitehorsedc.gov.uk/wp-content/uploads/sites/3/2020/12/Updated-Infrastructure-Delivery-Plan-IDP-2016-VOWH-Part-1.pdf</a> and <a href="https://www.whitehorsedc.gov.uk/wp-content/uploads/sites/3/2020/10/CSD10-VoWH-Infrastructure-Delivery-Plan-IDP-of-the-VoWH-LPP2-Submission-Version.pdf">https://www.whitehorsedc.gov.uk/wp-content/uploads/sites/3/2020/10/CSD10-VoWH-Infrastructure-Delivery-Plan-IDP-of-the-VoWH-LPP2-Submission-Version.pdf</a></p> <p>Ideally, there would be one IDP which is up to date. We appreciate that it has not been possible for VOWHDC to prepare a new IDP at this stage but consider that regular updates should be timetabled.</p> <p>Add to the bullet point the following underlined text:  ‘Two Infrastructure Delivery Plans (IDPs), which set out infrastructure requirements to support the delivery of planned development within the VOWH Local Plan 2031 <u>based on information available at the time they are compiled</u>;</p>
2.2	Infrastructure Funding	<p>Change text to correctly identify that the Regulation 123 list did not state infrastructure projects that would be funded by CIL, but instead was intended to identify infrastructure that S106 could not be secured for. Therefore, amend the text as follows:  ‘i.e. a list of infrastructure projects <del>to be funded by CIL as opposed to S106</del> <u>that CIL funding might be spent on.</u></p>
4.1	Infrastructure Funding	<p>Change text to correctly identify that Section 106 agreements and Section 278 highways agreements are not used only to secure ‘site-specific’ mitigation. Agreements will be made to secure necessary mitigation, which may include contributing to mitigating cumulative impacts. Therefore, delete the strikethrough text:  ‘Section 106 agreements and Section 278 Highways Agreements will continue to be used to secure <del>site-specific</del> mitigation and affordable housing following the CIL review.’</p>
4.1	Infrastructure Funding	<p>Change text which incorrectly implies that CIL and S106 funding could not previously be secured towards the same piece of infrastructure. Therefore, amend the text as follows:  ‘<del>As t</del>The amended CIL regulations no longer contain a restriction on the pooling of monies from more than five S106 obligations to fund a single infrastructure project. <del>both</del> CIL and S106 funding can now be secured towards the same piece of infrastructure <u>without the limitation of pooling.</u>’</p>
5.5 and 5.6 and Table 1 footnote 5	Strategic Planning	<p>We consider that it is appropriate that the allocated sites at East of Kingston Bagpuize, Dalton Barracks and North West Grove be zero rated for CIL due to the reasons set out i.e. the infrastructure</p>

		<p>requirements to bring forward these sites are considerable. There have been planning applications on two of the sites:  East of Kingston Bagpuize - P18/V2791/O  North West Grove – P20/V3113/O</p> <p>It is understood that the developer may seek to apply for planning permission on an area of land greater than the allocation size at Dalton Barracks. We recognise that the proposal in this consultation is to exclude only the area allocated from paying CIL. It appears that there is no evidence to support a wider area being identified at the present time.</p>
5.7 and Table 1 footnote 5.	Strategic Planning	<p>We support the carrying forward of the current zero rates for CIL for the following allocated sites due to their infrastructure requirements being considerable:</p> <ul style="list-style-type: none"> <li>Crab Hill (Wantage)</li> <li>Didcot Power Station</li> <li>East of Coxwell Road (Faringdon)</li> <li>Grove Airfield</li> <li>Land South of Park Road (Faringdon)</li> <li>Monks Farm (Grove)</li> <li>North of Shrivenham</li> <li>South of Faringdon</li> <li>Valley Park (Didcot)</li> <li>North-West Valley Park (Didcot)</li> </ul>
10.1	Infrastructure Funding	<p>It may be worth noting that Oxfordshire County Council will also report on our use of CIL in our Infrastructure Funding Statement. Our 2019/20 Infrastructure Funding Statement is available online <a href="https://www.oxfordshire.gov.uk/residents/environment-and-planning/planning/planning-policy/developer-contributions">https://www.oxfordshire.gov.uk/residents/environment-and-planning/planning/planning-policy/developer-contributions</a> and reports that we did not have any CIL funds that year, but that will change going forward.</p> <p>Therefore, add the text underlined:  ‘In addition, the Council will produce an Infrastructure Funding Statement which will be published annually by 31 December. The Infrastructure Funding Statement reports on all funds secured, received and spent in the previous financial year for CIL and S106. <u>Oxfordshire County Council will also produce its own Infrastructure Funding Statement annually in the same way.</u>’</p>
Table 1 and Figure 1	Strategic Planning	<p>We have no objection to the CIL rates as proposed on the basis that they are supported by appropriate evidence.</p> <p>The District Council’s CIL Spending Strategy provides for some of the funding being allocated to the County Council to spend on appropriate projects. The increase in CIL funding anticipated by the new rates, will help to achieve the provision of additional infrastructure to benefit the community.</p>

2.

Oxfordshire County Council comments on

Infrastructure Funding Gap Statement, January 2021

Reference	Officer Team	Comment
Overall	Strategic Planning	<p>We generally support the evidence contained in the Funding Gap Statement, which establishes that there is indeed a funding gap. Table 4 indicates that the gap is approximately £250m.</p> <p>We have not been able to determine whether updated figures have been used where available. We note that some of the figures in the 2016 and 2018 Infrastructure Delivery Plans will now be out of date, but given that the figures will have likely increased, using them would only result in showing a larger funding gap.</p>
Table 2, Page 6	Strategic Planning and Property	<p>We have not considered the figures in this table in detail. We would be willing to provide advice on costs that the County Council is responsible for, if needed.</p> <p>As a general point, we think that the first two lines which indicate that all the Education costs for all the Local Plan allocations and all the Transport costs for those allocations (apart from Strategic Highways and Rail Infrastructure) will come from other sources is overly optimistic and there may instead be a funding gap. This is further explained as follows:</p> <p>Education:</p> <p>Whilst many house builds will be covered by planning obligations secured under section 106 which cover mitigation of the pupil places generated – many smaller scale developments (including some on allocated sites) may not. Basic need funding from central government is predominantly passed to us fulfil our duty to make sure there are enough school places for children arising from demographic change rather than growth, therefore there is likely to be a funding gap.</p> <p>In addition, whilst Section 106 does enable us to seek contributions, such contributions must be pre-assessed. Where new school builds are necessary the accuracy of cost projections is relatively good (although things may change when higher standards are applied at a later date before the project is built). Where extensions to existing schools are necessary, projections can only be formulaic as it is not possible to fully assess costs of expansion at that point and the project costs can vary considerably based upon the complexity of the solution. As growth continues at the rate Oxfordshire is facing, the opportunities to deliver simple expansion solutions diminish and as a consequence the cost per pupil place will frequently exceed the formulaic projection. Consequently, it must be recognised that unfunded costs will arise, given that Section 106 funding may not cover the full costs of all projects.</p> <p>Non-Education Property:</p> <p>The delivery of non-educational county council services is undergoing significant change in order to react to budget pressures as well as ongoing growth. This will result in material changes to public sector infrastructure which in turn must be funded. Some of this cost will be met through corporate funding particularly in light of capital raised through</p>

		release of existing assets but the council will look toward developer contributions where requirements can be justified. Given that there is likely to be a lag in the time between identifying the need and setting the S106 requirement, there will be pressures coming forward that do not get captured, leading to a funding gap.



## Part B – Your comments

### Comments on the Community Infrastructure Levy (CIL) Draft Charging Schedule and its associated Evidence Documents

<p><b>Please indicate which of the following documents you wish to comment on by ticking one box below.</b> (If you wish to comment on more than one document and/or on more than one part of a document, please complete a separate form for each response.)</p>	
Draft Charging Schedule, January 2021	✓
CIL Viability Assessment, April 2019	
CIL Viability Assessment Addendum, August 2020	
CIL Viability Assessment Executive Summary, October 2020	
Infrastructure Funding Gap Statement, January 2021	✓
Page/Paragraph Number (please specify where relevant)	See attached
<p>3. <b>YOUR COMMENTS</b> (If you would like to see a document amended in any way, it would be helpful if you could explain what changes you are seeking):</p> <p>See Attached</p>	

You may also submit any supporting documents alongside your comments - please attach to this comment form.

## Participation at the Independent Examination of the Community Infrastructure Levy (CIL) Draft Charging Schedule

4. In accordance with Regulation 21 of the Community Infrastructure Levy Regulations 2010, please indicate (by ticking the box below) whether you wish to be heard by the independent Examiner at the Examination of the Council's Draft Charging Schedule.

- No, I do not wish to be heard by the independent Examiner at the Examination but will attend if the Examiner considers it necessary.

## Further Notification on Progress with the Examination of the Community Infrastructure Levy (CIL) Draft Charging Schedule

5. In accordance with Regulation 16 of the Community Infrastructure Levy Regulations 2010, please indicate (by ticking the relevant box below) whether you wish to be notified by the Council that:

- The Draft Charging Schedule has been submitted to the Examiner
- The recommendations of the Examiner (and the reasons for those recommendations) have been published
- The Charging Schedule has been approved by the Vale of White Horse District Council

**THANK YOU FOR YOUR RESPONSE.**

### How to submit your comments:

Please return this form to us, either by:

- email to [planning.policy@whitehorsedc.gov.uk](mailto:planning.policy@whitehorsedc.gov.uk) (with Vale CIL Consultation in the subject line); or
- by post to 'Freepost SOUTH AND VALE CONSULTATIONS' (no other address information or stamp is needed).

Please note the deadline for submission of comments is **midnight on Monday 8 February 2021.**