



**Vale
of White Horse**
District Council



Help us Shape the Future

Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule Consultation Report

Your Vale - Your Future

February 2015

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1. Introduction

What is the Community Infrastructure Levy?

- 1.1 The Community Infrastructure Levy (CIL) is a new levy that local authorities can choose to charge on new developments in their area. The money can be used to support development by helping to fund strategic local infrastructure that the council, local community and neighbourhoods want.
- 1.2 CIL is a fixed, transparent charge which means developers have more certainty regarding what they have to contribute from the very start of the development process. Because the purpose of CIL is to support growth rather than mitigate impacts of specific developments, it can be used more strategically than s106 contributions.
- 1.3 Under the Community Infrastructure Levy Regulations (2010) (as amended), the amount of CIL to be paid has to be explained in a formal document called a Charging Schedule. The Charging Schedule needs to be examined by an independent inspector to ensure we have met the legal requirements. Once the Council have adopted the Charging Schedule, it will sit alongside the New Local Plan 2031 Part 1, and help us deliver our development objectives.
- 1.4 The process of developing and preparing the Charging Schedule needs to meet the statutory consultation requirements. In preparing the CIL Charging Schedule we need to prepare two iterations, and undertake two rounds of public consultation on these documents. The Charging Schedule must be supported by evidence, which includes the economic viability of new development and the area's infrastructure needs.
- 1.5 We have consulted on our Preliminary Draft CIL Charging Schedule and are now consulting on the Draft Charging Schedule.

What is this consultation report?

- 1.6 The purpose of this consultation report is to summarise the consultation that has taken place, the comments that have been submitted, our responses to these comments, and overall, the ways in which we have met the requirements set out in the CIL Regulations.
- 1.7 Appendix 2 sets out our comments on all of the responses we received at the Preliminary Draft stage stating whether we have made changes to reflect the response, and our reasoning for why we have/have not made amendments.

How to find your way around this document?

- 1.8 Within this consultation report we set out the following:
 - Section 1: Introduction to the CIL Charging Schedule and this consultation report.
 - Section 2: The stages of consultation we have carried out so far and what happens next
 - Section 3: The consultation we carried out on the Preliminary Draft CIL Charging schedule and a summary of comments we received.
 - Appendices: We set out a copy of consultation material including our consultation leaflet, and all the responses and our officer comments received on the Preliminary Draft Charging Schedule. [to be added]

Where to get more information

- 1.9 The revised Draft CIL Charging Schedule and all the documents that support the proposed charging schedule can be viewed on our website:

www.whitehorsedc.gov.uk/cil

Copies are also available by contacting the planning policy team at:

Email: planning.policy@whitehorsedc.gov.uk or telephone (to be confirmed)

2. Stages of consultation

What are the stages of consultation?

STAGE OF CONSULTATION	DATES
Consultation on the Preliminary Draft CIL Charging Schedule	7 November 2014 – 19 December 2014
Consultation on the Draft CIL Charging Schedule	23 February 2015 – 23 March 2015

What was consulted on at the Preliminary Draft Charging Schedule stage?

- 2.1 Draft CIL Charging Schedule: To charge CIL the Council must prepare, consult and adopt a Charging Schedule setting out the levy rates.
- 2.2 The CIL Viability Study (October 2014): Explains the development viability evidence on which the CIL rates are based.
- 2.3 The Infrastructure Funding Assessment (2014): Provides a list of the projects or types of infrastructure that are needed to support the growth which is planned over the emerging Local Plan 2031 Part 1 plan period. The total indicative cost of these projects, where known, has then been compared with the funds that are known or are expected to be available from other sources including the Local Enterprise Partnership (LEP) funding. The Funding Assessment reveals a funding gap which CIL could make a significant contribution towards. The Funding Assessment is required to demonstrate the need to levy CIL.
- 2.4 The CIL Charging Schedule background document: Provides background to the Draft CIL charging schedule explaining the general principles of CIL, the evidence base and the methods used to arrive at the proposed rates.

What happens next?

- 2.5 We are now consulting on the Draft CIL Charging Schedule. Once we have finished consulting we will collate all the responses we receive and see whether we need to make any further modifications to the Draft Charging Schedule. Where any modifications are proposed, the CIL Regulations (19) and (21) (as amended) requires us to produce a 'Statement of Modifications' and allow a period of four weeks for consultees to submit a request to be heard by the examiner in relation to those modifications, beginning on the day which the Draft Charging Schedule is submitted to the Examiner.
- 2.6 We will submit the revised Draft CIL Charging Schedule to the CIL Examiner along with a consultation statement, which will set out our officer comments on all the responses we received at each successive stage of consultation, and our evidence base.
- 2.7 The Draft CIL Charging Schedule will then be examined by an independent inspector, at a public hearing, and this person will determine whether the Charging Schedule has met the requirements of the CIL Regulations (2010) (as amended).
- 2.8 The format for the CIL examination hearings will be similar to those for development plan documents and the independent inspector may determine the examination procedures and set time limits for those wishing to be heard to ensure that the examination is conducted in an efficient and effective manner.

STAGE	WHEN WILL IT OCCUR?
Consultation on the revised Draft CIL Charging Schedule	23 February 2015 to 23 March 2015
Submit to the Planning Inspectorate	March 2015

Pre-hearing meeting if required	Tbc
Examination in Public	Provisionally July/August 2015
Receive Inspector's report	October 2015
Adoption	December 2015

How many comments were received on the Preliminary Draft CIL Charging Schedule?

- 2.9 We received 55 responses to the consultation from landowners / developers / groups and individuals. The responses focused on a range of issues including the Draft Charging Schedule, Infrastructure Delivery Plan, CIL Viability Study and general comments. A full list of respondents can be found in Appendix 1.
- 2.10 Of the 55 responses 16 were from local residents, 14 from the development industry, 13 from town and parish council and 12 from other consultees such as Oxfordshire County Council.

3. Summary of responses

- 3.1 The responses we received on the Preliminary Draft Charging Schedule are set out in full with our officer comments in Appendix 2. The comments received have informed the preparation of the Draft Charging Schedule. We have set out a summary of the responses received and our officer response to the issues raised below.

Infrastructure

- 3.2 With regard to the supporting Infrastructure Delivery Plan (IDP) document and Infrastructure Funding Assessment, some respondents highlighted concerns about the absence of certain infrastructure requirements within these documents including infrastructure requirements for health and funding arrangements for items such as health facilities.
- 3.3 A number residents were concerned by an apparent lack of comprehensive funding details for certain infrastructure required towards the end of the plan period. Concerns were raised by some residents and parishes that there was a 'funding gap' and the council should provide additional details on the other funding sources.
- 3.4 A number of responses including English Heritage, Natural England and Wantage Deanery suggested items for inclusion on the Regulation 123 list.
- 3.5 Harwell Parish Council noted that the Regulation 123 list should include named infrastructure projects, citing that at present projects were mentioned as exclusions to be covered by S106 only.
- 3.6 It was also suggested that the rates should directly relate to the infrastructure needed. In this regard, reference to Faringdon was made as an area seeing significant growth but with a lower CIL rate for residential development than elsewhere in the district.
- 3.7 Others commented on the draft Regulation 123 list and raised concern over the appropriateness of infrastructure items included, namely the New Thames River Crossing as part of the Science Vale Transport Package.

Comments

- 3.8 In determining the size of our total or aggregate infrastructure funding gap, we have considered known and expected infrastructure costs and the other sources of possible funding available to meet those costs. This process has identified a CIL infrastructure funding target. This target has been informed by a selection of infrastructure projects or types (drawn from our infrastructure planning of the district) which have been identified as necessary to enable the delivery of planned growth within the district, and which could be funded through CIL in whole or in part. The Government has recognised that there will be uncertainty in pinpointing other infrastructure funding sources, particularly beyond the short-term. The focus should be on providing evidence of an aggregate funding gap that demonstrates the need to levy the Community Infrastructure Levy. It is stated in the IDP that when further certainty on funding sources is known the infrastructure funding gap will reduce. The IDP will be updated in response to the Preliminary Draft Charging Schedule consultation and the pre-submission consultation on the Local Plan 2031 Part 1. The IDP will include additional items, and review some of the indicative cost assumptions.
- 3.9 A charging authority is required to use an area-based approach, involving a broad test of viability across their area, as the evidence base to underpin their CIL charges. Unlike Section 106 agreements, the CIL Regulations require CIL rates to be set within the context of development viability as opposed to infrastructure need. It would therefore not be within the scope of the CIL Regulations to pro-rotate the total cost of infrastructure across all development.
- 3.10 CIL Regulation 123 requires charging authorities to set out a list of projects or types of infrastructure that it intends to fund through CIL, and therefore many of the infrastructure costs for which cover had been sought through Section 106 planning obligations will be paid through CIL. Section 106 planning

obligation requirements will be scaled back to those matters directly related to a specific site, and these infrastructure areas have been clearly excluded from the Regulation 123 list. Additional information on the council's approach to the use of S106 following the adoption of CIL has been included within this document and the council will produce a Planning Obligations Supplementary Planning Document (SPD) in due course.

Viability assumptions

- 3.11 A series of specific responses were made with regard to the various assumptions used in the viability modelling. These comments were mainly, although not exclusively made by the development industry.
- 3.12 In its response Asda Stores Ltd stated that the proposed retail CIL rates would discourage larger retail development and would put at risk the range, variety and choice of retailing. They also stated that the Viability Study contains retail development assumptions that may not make sufficient allowances for the costs involved in obtaining planning permission for a development scheme. If allowances applied for Section 278 and Section 106 were set too low then the CIL rates would be artificially inflated.
- 3.13 There was a suggestion by some residents and parishes that the level of developer profit of 20% was excessive and not a true representation of development within Vale. It was also suggested that a reduced developer profit would allow for a greater CIL receipt. Conversely, a series of developers suggested that the level of developer profit is insufficient and does not reflect the costs of development within Vale.
- 3.14 In its response the Harwell Campus Partnership cited the National Planning Policy Guidance in that *"Different types of residential development, such as those wanting to build their own homes and private rented sector housing, are funded and delivered in different ways. This should be reflected in viability assessments."* The response went on to state that Private Rented Sector (PRS) housing development was not considered or tested in isolation from other residential tenures. In considering residential development, the assessment differentiates only between market and affordable. PRS should not support the levels of CIL proposed.
- 3.15 The marketing, disposal costs, interest rate and contingency costs were cited as being too low (Home Builders Consortium, Gladman Development). Gladman Development commented that the increase in build costs since the viability work was carried out should be factored into the appraisal.
- 3.16 Gladman Development stated that landowners would require an land value uplift of 30% as opposed to 20% to bring forward sites for development.
- 3.17 Details on the modelling assumptions for Retirement/Sheltered Housing were required by McCarthy & Stone and Blue Cedar Homes.
- 3.18 Two developers queried the assumed level of Section 106 contributions following the adoption of CIL, citing an example site where Section 106 contributions are currently being negotiated at a higher level than that assumed in the IDP and CIOL viability study.

Comments

- 3.19 The CIL Viability Assessment is a broad assessment on viability across the district informed by realistic cost assumptions, including developer profit. The National Planning Policy Framework states that viability should consider "competitive returns to a willing landowner and willing developer to enable the development to be deliverable." The NPPF recognised that this return will vary significantly between projects to reflect the size and risk profile of the development and the risks to the project. A developer profit of 20% is an appropriate balance across the district for the assessment of CIL viability, rather than that of any individual scheme. The council, within the Regulations and the broad terms of the assessments required, has sought to maximise levy returns to support the delivery of infrastructure whilst also ensuring that the rate set does not jeopardise development.
- 3.20 The council does not have evidence which points to differential values for rental and for-sale sectors. The council considers that the viability of the private rental sector is adequately covered through assessment of the viability of market housing.

- 3.21 The viability assumptions are the result of a combination of local evidence, agreement with developers at a developer workshop and professional judgement. The assumptions used including the level of land value uplift necessary to bring forward sites for development are considered appropriate on balance across the district for the assessment of CIL viability, rather than that of any individual scheme.
- 3.22 The council recognises that development costs vary over time, the CIL rates as consulted upon within the Preliminary Draft Charging Schedule were based on the best available evidence at the time of preparation, and the key assumptions were also sensitivity tested. Prior to submission or examination the council may seek to refresh development scenarios within the viability study. The council is aware of the increase in build costs, any future refresh of specific elements of the viability study prior to submission or examination will take into consideration revised build costs and other costs and values which may have also varied as a result. In setting the CIL rates the council has taken account of the CIL Regulations and guidance and has not set rates on the margins of viability.
- 3.23 Following the adoption of CIL, the use of Section 106 will be scaled back in accordance with the Regulation 123 list. Further information on the proposed relationship between CIL and Section 106 is provided in the CIL Draft Charing Schedule Background Document. Current Section 106 negotiations seek contributions towards infrastructure which will in future be funded through CIL, and are therefore higher than the amount of Section 106 that would be sought post-CIL adoption on the same site.

Section 106 and CIL

- 3.24 Several respondents highlighted concern that CIL was less financially onerous on developers than Section 106 agreements, and that CIL will not meet the infrastructure demands of the new development within the emerging Local Plan.
- 3.25 A number of respondents noted that the current use of Section 106 agreements provides adequate provision for the infrastructure required. Specific reference was made to Section 106 being the most suitable means of securing education contributions.
- 3.26 It was stated in one representation that further information on the relationship between CIL and S106 was required.
- 3.27 One response (Blue Cedar Homes) cited the during the consultation period the Government has issued guidance set out in the National Planning Policy Guidance (NPPG) document, dated 28 November 2014, and that as such, this very recent guidance should be taken into account in the Council's CIL Charging Schedule and be added to the list of 'Exemptions'.

Comments

- 3.28 CIL is a fixed non-negotiable cost of development where as S106 agreements are often subject to viability assessments. The NPPF (para. 2051) requires that where an applicant is able to demonstrate to the satisfaction of the local planning authority that the planning obligation would cause the development to be unviable, the local planning authority should be flexible in seeking planning obligations. With consideration to the National Policy and Guidance the council has considered the most appropriate mechanisms available for securing developer contribution. Further details on the infrastructure delivery can be found within the Delivering Infrastructure Strategy.
- 3.29 Nationally from April 2015, the regulations restrict the use of pooled section 106 contributions towards items that may be funded via the levy. At that point, no more may be collected in respect of a specific infrastructure project or a type of infrastructure through a section 106 agreement, if five or more obligations for that project or type of infrastructure have already been entered into since 6 April 2010, and it is a type of infrastructure that is capable of being funded by the levy. The approach to CIL/S106

¹ National Planning Policy Framework (2012) 205. http://planningguidance.planningportal.gov.uk/blog/policy/achieving-sustainable-development/decision-taking/#paragraph_205

has been informed by an assessment of the most suitable mechanisms for securing developer contributions, further details of this assessment can be found in the Delivering Infrastructure Strategy².

- 3.30 The CIL Draft Charging Schedule will be examined alongside the Local Plan 2031 Part 1. The NPPG supports this approach and recognises that relevant local policy changes should be implemented at the same time that the charging schedule is introduced, and integrated as soon as practical into the relevant Local Plan.
- 3.31 For residential schemes, the application of CIL at the rates proposed is unlikely to be an overriding factor in determining whether or not a scheme is viable. When considered in context of total scheme costs, the proposed rates of CIL will account for a very modest proportion of costs (typically less than 5% of total development costs, ie no more than a developer's contingency). Some schemes would be unviable even if a zero CIL were adopted.
- 3.32 The council is aware of the Government issued guidance set out in the National Planning Policy Guidance (NPPG) document, dated 28 November 2014, with regard to affordable housing and pooled s106 thresholds. Further details on the implications of the change for CIL is outlined in the Draft Charging Schedule Background document.

Level of CIL rates

- 3.33 With regard to the proposed residential £85 CIL rate for Wantage, Grove and Faringdon, there was a view by a few respondents that the rate in these locations should be higher. It was suggested in one response that the rates should be increased to £100 in Wantage, Grove and Faringdon and to £140 for the rest of the district.
- 3.34 In their response Chilton Parish Council identified that by not levying a CIL on industrial/commercial/office development this unfairly reduces the funding towards necessary infrastructure and equates to a subsidy from residential development for infrastructure.
- 3.35 Several respondents highlighted concerns that CIL was less financially onerous on developers than Section 106 agreements, and that CIL will not meet the infrastructure demands of the new development within the emerging Local Plan.
- 3.36 It was suggested by one developer that a nil/zero rate should be applied to all strategic sites, an approach similar to other districts. Several other developers have queried the level of CIL that will be sought on sites where significant infrastructure is being delivered through Section 106.
- 3.37 It was suggested by Oxfordshire County Council and Blue Cedar Homes that Retirement/Sheltered accommodation within use Class C3 should be exempt from CIL

² Delivering Infrastructure Strategy, accessed as: www.whitehorsedc.gov.uk/localplan

Comments

- 3.38 The viability assessment has identified that there is evidence to support differentiated residential CIL rate based on geography. Sites in and adjacent to Faringdon, Grove, Wantage could support a CIL of between £85/m² and £100/m² with all other areas could support a CIL between £120/m² and £140/m². All strategic sites have been subject to individual viability assessments taking into account the Section 106 obligations that will be sought on site, and the viability assessment supports the rates proposed.
- 3.39 While the CIL Regulations and Guidance advise of the importance of not setting the CIL rates up to the margin of viability there is no prescribed discount or viability cushion that should be applied to CIL rates. However, as more authorities progress to CIL examination, Examiner's Reports provide additional insight. Of particular interest is the Examiner's Report³ for the Greater Norwich Development Partnership which highlights: "The need for a substantial 'cushion' is particularly important on Greenfield sites where, as the Harman advice notes⁴, prospective sellers are often making a once in a lifetime decision and are rarely distressed or forced sellers. Although there are no defined 'tests' to demonstrate the suitability of a viability cushion, CIL Examinations including the Greater Norwich Examination examined by Keith Holland, have identified guidance and good practice. The Greater Norwich Examination provides guidance that CIL rates which are less than 25% of residual value are an indication of the appropriateness of the rates. Additionally, it has been advised by our viability consultant that CIL rates which are less than 3% of Gross Development Value (GDV) are another indication of appropriateness.
- 3.40 Opportunities to maximise CIL income has been explored, including as suggested by a respondent, a district wide rate of £140 and Farringdon, Grove and Wantage rate of £100. While this option would result in the higher CIL income there are risks associated with setting rates with a reduced viability cushion and challenges demonstrating that the rates will put the delivery of the plan at risk. The higher rates would achieve approximately £91m over the plan period to 2031 as opposed to £78m with the rates as proposed. However, at the higher rates some sites would exceed the best practice upper limits of 25% of residual value and 3% of Gross Development Value (GDV).
- 3.41 In addition to a residential viability assessment, separate assessments of the viability of and non-residential development in the District have been undertaken, using different models that take into account different uses. In the current market business uses (including offices, industrial and distribution) were found not to be able to support a CIL in the short or medium term, this is not uncommon with many other charging authorities. Where appropriate such uses will contribute towards infrastructure through S106. There are many other types of uses which may get developed over the plan period, including agriculture, community use, surgeries, day nurseries, hospitals, cinemas, leisure centres, petrol stations etc. For the most part such uses do not in produce revenue which outweighs the costs at a level which would enable a CIL to be included whilst the schemes remain viable, this is because they are often not built to generate profit, but to facilitate a service. Such uses may warrant further analysis in a later CIL charging review.
- 3.42 The viability assessment has tested the extra-care and retirement sectors separately and found that extra-care housing (use class C2/C2A) cannot support a CIL charge. However, sheltered housing, which falls within the C3 category, was found to be viable with the current CIL rates. The Council has excluded extra-care housing from the levy.

Instalments Policy, Exemptions and Exceptional Relief

- 3.43 The majority of respondents submitting representations in relation to the draft Instalment Policy supported and welcomed its inclusion with most respondents claiming this to be a critical factor in terms of viability of development when CIL is imposed. One respondent raised concerns that the trigger points were too extended, and favourable to developers at the expense of the local community. Conversely, it was reported by some developers that the instalment trigger points do not account for

³ Planning Inspectorate report to the Greater Norwich Development Partnership – for Broadland District Council, Norwich City Council and South Norfolk Council.

⁴ Viability Testing Local Plans Advice for planning practitioners, Local Housing Delivery Group
Chaired by Sir John Harman

phased development and will result negatively on development and should be extended (Gladman Development, Ptarmigan Land).

- 3.44 Alternative instalment policies were suggested by both developers (Gladman Development, Ptarmigan Land) and by Wantage and Grove Campaign Group.
- 3.45 The application of an exceptional relief policy was considered to be appropriate by several respondents, including the NFU for agricultural residential development, English Heritage and Asda Ltd.

Comments

- 3.46 The CIL Regulations 2014 treat each phase of a phased planning permission as a separate chargeable development. The Instalment Policy has been updated to clarify how passing will be dealt with, and provide greater clarity for developers. The proposed Instalment Policy is considered appropriate. The council will monitor the effectiveness of the instalment policy and we will review this over time, as set out in the CIL Regulations revisions to the instalment policy will be subject to consultation.
- 3.47 In proposing the CIL rates, we have had regard to the CIL Viability Study, which has examined the potential to set a CIL rate whilst still delivering site specific mitigation measures (under section 106 and section 278), and meeting Local Plan requirements for affordable housing. This evidence, together with the limitations for CIL relief set out in the CIL regulations, has led to the conclusion that it is not necessary to introduce an exceptional circumstances relief policy at this time, however the impact of the introduction of CIL and the potential benefits or otherwise of introducing an Exceptional Circumstances Relief Policy should be kept under review.

Other issues

- 3.48 In their response Chilton Parish Council stated that they do agree with the council's interpretation of the CIL regulations that use it as lever to force on parishes a Neighbourhood Plan through increasing its "meaningful proportion" from 15% to 25%. They believe that all parishes should receive the same 25% share of revenue. For the same reason, the £100/dwelling cap was considered unacceptable.
- 3.49 Asda Stores Ltd in its response raises concerns that there will be EU State Aid issues arising out of the setting of differential rates for different types of commercial entity within the same use class. Specifically that introducing such differential rates confers a selective economic advantage on certain retailers depending on the size of shop they operate out of, or their type of business.
- 3.50 It was suggested by two respondents that the council should adopt a flat levy rate for comparable sectors of the economy/use classes. One of the respondents stated that the total cost of infrastructure should be taken and applied across all development in the form of a rate.
- 3.51 One respondent suggested that further definitions, in particular of self-building, residential annexes and lawful use, should be included in the charging schedule.
- 3.52 It was suggested by Abingdon Town Council that the neighbourhood/localised proportion of CIL should go to the town or parish council where there will be pressures on services and facilities not the parish where development occurs.
- 3.53 Abingdon Town Council request a parish boundary review prior to development and it was noted by Stevenson Parish Council that the material was not easily understood.

Comments

- 3.54 The council will administer CIL in accordance with the CIL Regulations 2010 (as amended) and will use the definitions as set out within, or in future revisions. The allocation of CIL to Town and Parishes councils, as outlined in the note prepared for the November 2014 Town and Parish Forum, is in accordance with the CIL Regulations 2010 (as amended 2013) 59A – Duty to Pass CIL to Local

Councils⁵. The council is not using CIL as a means of encouraging or dissuading the preparation of a neighbourhood plan.

- 3.55 The CIL Regulations are clear that where there are viability differences, differential rates can be applied. There are no state aid implications for charging different retail uses at different rates, or for charging different rates in different zones, as long as the differences are based on robust and credible viability evidence in line with the requirements of the CIL regulations.
- 3.56 The Charging Authority is required by the CIL Regulations to derive rates based on viability evidence, it is therefore considered that a flat rate applied across all uses would not be in accordance with the CIL Regulations.

⁵ CIL Regulations 2010 (as amended 2013) Regulation 59A Duty to pass CIL to local councils, accessed at: <http://www.legislation.gov.uk/uksi/2013/982/regulation/8/made>

Appendix 1: List of respondents

#	Respondent	Comment ID
1	Ms Gene Webb (Consultee ID: 729356)	CILP8
2	Mrs Vivienne Illingworth (Consultee ID: 868096)	CILP9
3	Mrs Morris Chilton Parish Council (Consultee ID: 730242)	CILP10
4	Ms Amanda Jacobs Oxfordshire County Council (Consultee ID: 729057)	CILP12
5	ASDA stores Ltd (Consultee ID: 865740) c/o Mr Rory Bennett Thomas Eggar LLP (Consultee ID: 865745)	CILP13
6	Mr Chris Henderson (Consultee ID: 872084)	CILP14
7	Dr David Illingworth (Consultee ID: 821371)	CILP18
8	Mrs Angela Einon Steventon Parish Council (Consultee ID: 730283)	CILP19
9	Mrs Elizabeth Jenkins Letcombe Regis Parish Council (Consultee ID: 730266)	CILP25
10	Ellie Henderson Woodland Trust (Consultee ID: 725048)	CILP26
11	Mr Tom Ormesher NFU South East (Consultee ID: 850741)	CILP27
12	Mr Robert Gaskell Gladman Developments (Consultee ID: 841391) c/o Mr Richard Heathcote GL Hearn Ltd (Consultee ID: 873714)	CILP35
13	Mr John Attree (Consultee ID: 823359)	CILP34
14	Mr Craig Neilson Ptarmigan Land (Consultee ID: 856306) c/o Mr Robin Shepherd (Consultee ID: 873607)	CILP33
15	Ms Tina Brock Cumnor Parish Council (Consultee ID: 730245)	CILP32

16	Mr Simon Tofts Blue Cedar Homes (Consultee ID: 783140)	CILP31
17	Mrs Taylor Harwell Parish Council (Consultee ID: 730260)	CILP43
18	Berks, Bucks and Oxon Wildlife Trust (BBOWT) (Consultee ID: 725023)	CILP44
19	John Martin (Consultee ID: 758920)	CILP45
20	Ms Julia Evans East Challow Parish Council (Consultee ID: 756629)	CILP30
21	HallamLand Management (Didcot) (Consultee ID: 757670) c/o Mr Nick Laister RPS Planning (Consultee ID: 724475)	CILP47
22	Mr Hugh Rees Wantage Deanery (Oxford Diocese) (Consultee ID: 782835)	CILP29
23	McCarthy and Stone Retirement Lifestyles Ltd (Consultee ID: 751493) c/o Mr Ziyad Thomas The Planning Bureau Ltd (Consultee ID: 751488)	CILP28
24	Mr Clive Manvell (Consultee ID: 829424)	CILP24
25	Mrs Philippa Manvell (Consultee ID: 829463)	CILP23
26	Mr Nigel Warner Abingdon Town Council (Consultee ID: 730229)	CILP22
27	Marcham Parish Council Clerk Marcham Parish Council (Consultee ID: 769602)	CILP21
28	Mr Ross Anthony Planning Adviser The Theatres Trust (Consultee ID: 856633)	CILP20
29	Radley Parish Council (Consultee ID: 872105) c/o Mrs Jane Dymock Parish Clerk Radley Parish Council (Consultee ID: 872103)	CILP17
30	Keith and Margaret Eddey (Consultee ID: 831878)	CILP16
31	Harwell Oxford Campus Partnership (Consultee ID: 872225) c/o Ms Charlotte Mitchell Planner Quod (Consultee ID: 872215)	CILP15
32	Mr Alistair Buckley (Consultee ID: 756490)	CILP7
33	Mrs Desiree Correia (Consultee ID: 869840)	CILP6

34	Mr Martin Small Historic Environment Planning English Heritage (Consultee ID: 634166)	CILP5
35	Piotr Behnke Natural England (Consultee ID: 864657)	CILP4
36	Maria Dopazo Cherwell District Council (Consultee ID: 869662)	CILP3
37	Mr A Greatbanks (Consultee ID: 826276)	CILP1
38	Graftongate and ClowesDevelopmentsLtd (Consultee ID: 831547) c/o Mr Gary Lees Pegasus Group (Consultee ID: 831550)	CILP39
39	Commercial Estates Group (CEG) (Consultee ID: 852837) c/o Mr Gillespie Carter Jonas LLP (Consultee ID: 724293)	CILP38
40	Radley College (Consultee ID: 741313) c/o Mr Gillespie Carter Jonas LLP (Consultee ID: 724293)	CILP37
41	Julie Mabberley Campaign Manager Wantage and Grove Campaign Group (Consultee ID: 827932)	CILP36
42	David Wilson Homes Southern (Consultee ID: 741327) c/o Ms Donna Palmer Boyer Planning Ltd (Consultee ID: 873720)	CILP40
43	Ms Julie Evans East Hendred Parish Council (Consultee ID: 730250)	CILP41
44	Councillor Judy Roberts Councillor Vale of White Horse District Council (Consultee ID: 730216)	CILP42
45	National Housebuilder and Landowner Consortium (Consultee ID: 866553) c/o Ms Elizabeth Foulkes Savills (Consultee ID: 866557)	CILP46
46	Mr Jack Moeran Envrionment Agency (Consultee ID: 725115)	CILP50
47	Macktaggart and Mickel and Mr and Mrs Carlisle (Consultee IDs: 829895 & 831681) c/o Mr Nathan McLoughlin McLoughlin Planning (Consultee ID: 737353)	CILP51
48	Mr Peter Evens Hinton Waldrict Parish Council	CILP52

	(Consultee ID: 755329)	
49	Welbeck Strategic Land (Consultee ID: 737200) c/o Mr Nathan McLoughlin (Consultee ID: 737353)	CILP55
50	Daniel Scharf MA MRTPI (Consultee ID: 756808)	CILP57
51	Paul Appleby (Consultee ID: 758000)	CILP58
52	Fraser Old (Consultee ID: 749047)	CILP60
53	Faringdon Town Council (Consultee ID: 730252)	CILP61
54	GC Millar (Consultee ID: 874034)	CILP53
55	Mr Peter Anderson Shrivenham Parish Council (Consultee ID: 730278)	CILP56

Appendix 2: Consultation responses

Appendix 2: Summary and Analysis of Representations on the Preliminary Draft Charging Schedule

CIL Preliminary Draft Charging Schedule Public Consultation Questions

1. Do you feel that the proposed rates are suitably informed by the viability evidence provided in the emerging Local Plan and Community Infrastructure Levy Viability Study (October 2014) produced by HDH Planning & Development?
2. Do you believe the evidence on viability is correct?
3. Do you think the rates proposed strike an appropriate balance between helping to fund infrastructure through CIL and the potential effects of imposing CIL on the viability of development needed to deliver the aspirations of the emerging Local Plan 2031 Part1?
4. Do you agree that the draft Regulation 123 list consists of relevant infrastructure projects/types and do you agree with the council's approach?
5. A draft Instalment Policy has been prepared, do you agree with the triggers and stages for payment as outlined within the draft instalment policy?
6. Do you have any other comments on the preliminary draft schedule or supporting evidence?

Response matrix

#	Respondent	Question					
		1	2	3	4	5	6
1	Ms Gene Webb	✓		✓	✓	✓	✓
2	Mrs Vivienne Illingworth			✓			
3	Chilton Parish Council	✓	✓	✓	✓	✓	✓
4	Oxfordshire County Council	✓			✓	✓	✓
5	ASDA stores Ltd	✓	✓			✓	✓
6	Mr Chris Henderson	✓		✓			
7	Dr David Illingworth	✓	✓		✓		
8	Steventon Parish Council	✓	✓		✓	✓	✓
9	Letcombe Regis Parish Council						✓
10	Woodland Trust				✓		
11	Environment and Land Use Adviser NFU South East						✓
12	Gladman Developments		✓			✓	
13	Mr John Attree						✓
14	Ptarmigan Land						✓
15	Cumnor Parish Council				✓		✓
16	Blue Cedar Homes	✓	✓				✓
17	Harwell Parish Council				✓		
18	Berks, Bucks and Oxon Wildlife Trust (BBOWT)				✓		
19	John Martin	✓		✓		✓	✓
20	Clerk East Challow Parish Council						✓
21	HallamLand Management (Didcot)						✓
22	Wantage Deanery (Oxford Diocese)				✓		✓
23	McCarthy and Stone Retirement Lifestyles Ltd						
24	Mr Clive Manvell					✓	
25	Mrs Philippa Manvell				✓	✓	✓
26	Abingdon Town Council						✓
27	Marcham Parish Council						✓
28	The Theatres Trust			✓			
29	Radley Parish Council			✓			
30	Keith and Margaret Eddey						✓
31	Harwell Oxford Campus Partnership						✓
32	Mr Alistair Buckley	✓	✓	✓	✓		
33	Mrs Desiree Correia			✓	✓	✓	
34	Historic Environment Planning English Heritage			✓	✓		✓
35	Natural England						
36	Cherwell District Council						✓
37	Mr A Greatbanks	✓		✓	✓		✓
38	GraftongateandClowesDevelopmentsLtd						✓
39	Commercial Estates Group (CEG)		✓	✓			✓
40	Radley College			✓			✓
41	Wantage and Grove Campaign Group			✓			✓
42	David Wilson Homes Southern	✓		✓	✓	✓	✓
43	East Hendred Parish Council						✓
44	Councillor Judy Roberts						✓
45	National Housebuilder and Landowner Consortium		✓		✓	✓	
46	Envrionment Agency				✓		
47	Macktaggart and Mickel and Mr and Mrs Carlisle						✓
48	Hinton Waldrict Parish Council						✓
49	Welbeck Land						✓
50	Mr Daniel Scharf MA MRTPI			✓	✓	✓	✓
51	Mr Paul Appleby		✓				
52	Mr Fraser Old						✓
53	Faringdon Town Council			✓			

54	GC Millar			✓			
55	Shrivenham Parish Council			✓			

1. Do you feel that the proposed rates are suitably informed by the viability evidence provided in the emerging Local Plan and Community Infrastructure Levy Viability Study (October 2014) produced by HDH Planning & Development?

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
Mr A Greatbanks	This is yet a further tax to be imposed by the District Council on, in particular, house providers and clearly does not take into account the Councils own housing need report and affordability. The District Council is not responsible for infrastructure improvements and therefore presumably this is money being collected on behalf of the County Council with its attendant on costs.	The proposed CIL rates have been informed by an assessment of viability and are based on the development requirements as set out in the emerging Local Plan 2031 Part 1. The CIL Regulations 2010 (as amended) ⁶ identifies the District council as the charging authority therefore the council sets, collects and allocates CIL.	None.
Mr Alistair Buckley	The CCG has not been able to answer any of the Vale's questions regarding infrastructure requirements. How can the charging schedule be accurate with such an omission?	As required by the CIL Regulations the proposed CIL rates are based on viability evidence (what a typical scheme can afford without becoming unviable). Available evidence has been used to determine the level of site-specific infrastructure matters for which Section 106 contributions may continue to be sought. Health facilities have been identified within the draft Regulation 123 list as types of infrastructure that are to be funded in whole or in part by the levy. Provision for funding future health infrastructure has been made through CIL.	None.
Ms Gene Webb	<p>Page 3 of the Infrastructure Delivery Plan</p> <ul style="list-style-type: none"> • health care: hospitals, local GP surgeries and other facilities; • emergency & essential services: fire, police and ambulance facilities; <p>and yet p6 'Who provides infrastructure' does not mention any of the service providers for the above, nor indeed are they mentioned anywhere else in the document except at 11.3. A statement that VWHDC are pursuing Health service providers for their input is needed.</p>	The comments in relation to the Infrastructure Delivery Plan (IDP) are noted as part of the consultation CIL and have been included as part of the pre-submission consultation on the Local Plan 2031 Part 1.	None.

⁶ Community Infrastructure Levy (2010) as amended (10(1) – Meaning of a “collecting authority”)

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
Asda Stores Ltd	<p><u>Impact of CIL (Amendment) Regulations 2014/385</u> The Preliminary Draft Charging Schedule, and the viability report on which it is based, considers the impact of amended CIL Regulations 2014/385 which came into effect in February 2014, it does not include any analysis of the cost or types of infrastructure that are likely to require funding through S106 agreements.</p> <p>As a result the 'balancing exercise' carried out by the viability study is flawed, as it does not include all of the likely costs of bringing forward development. This in turn casts doubt on the level of 'headroom' available out of which CIL can be paid.</p> <p><u>Impact on policies enhancing economic performance</u> The proposed retail CIL rates would discourage larger retail development and would not ensure that the relevant retail and employment aims of the local plan are met. This could have the effect of reducing the range, variety and choice of retail shopping and, if no redevelopment or regeneration are put forward, then existing buildings are unlikely to be refurbished or re-used. The retail charges set out in the Preliminary Draft Charging Schedule will put the Council's ability to achieve its key objectives at risk:</p> <ul style="list-style-type: none"> • All other forms of development will receive a significant subsidy at the expense of retail schemes • There will be a corresponding disincentive (and market distortion accordingly) to investment in this sector of the economy. <p>[see full response for case study example 1]</p> <p>The supporting papers do not acknowledge this trend nor do they fully assess the role of retail within the national economy. They simply assert that large format retail continues to be one of the best performing sectors in the UK and this implies that operators within it have the capacity to pay potentially very large sums of CIL.</p> <p>Any CIL Schedule that imposes CIL charges only on convenience retail and not on other town centre uses could effectively undermine the convenience retail function of local and town centres as such developers may be discouraged by the imposition of CIL.</p> <p>[see full response for case study example 2]</p>	<p>As stated in the Viability Assessment (page 39) supermarkets and retail warehouses are both viable on greenfield and brownfield sites with the Residual Value exceeding the Viability Threshold by a substantial margin (indicating the ability to make substantial developer contributions). Additional retail testing will be included as part of the Draft Charging Schedule.</p> <p>Differences in rates are justified by reference to the economic viability assessment of development carried out by HDH Planning and Development Ltd. The charges are based on viability evidence and the assessment does not show that the rate will have such a significant impact to discourage investment in this sector.</p> <p>It is not the role of the CIL viability exercise to assess the role of retail within the national or local economy. The CIL rates are based on viability evidence and are set a level which does not undermine the delivery of retail schemes.</p>	None.
Oxfordshire County Council	<p><u>Proposed CIL Rates – Strategic and Other Sites</u> Oxfordshire County Council notes the broad conclusions of the Viability Study and other supporting documents in respect of the strategic sites. However, it should be</p>	Comments noted. The council is committed to working with the County Council to secure the	None.

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
	<p>recognised that the estimated cost of county council infrastructure assumed in CIL viability testing cannot constrain future negotiations with developers. We will be seeking to secure all of the County Council's essential infrastructure needs for both strategic sites and other "SHLAA" Sites indentified through S106 or CIL.</p> <p>Were negotiations are in progress with developers on sites in The Vale the County Council has set out its transport, education and other infrastructure requirements within its response to the planning application. The site related infrastructure required for new allocations will be agreed through the same process.</p> <p>We will need to check the infrastructure requirements for some of the new strategic sites with reference to the figures included in the consultant's Viability Study (Table 3.9c). Assumptions on the site specific cost and inclusion within CIL of mitigating impacts with reference to infrastructure and service managed by the County Council may need to be adjusted in the light of new information and/or technical work to be completed prior to the next stage of consultation on the CIL Charging Schedule.</p> <p>Work on the detail of the Infrastructure Delivery Plan (IDP) will be continuing in advance of the next CIL consultation in February and subsequently in the run up to the examination later in 2015.</p> <p><u>VOWH Infrastructure Delivery Plan</u></p> <p>We have a good understanding of the infrastructure requirements for the district with regard to transport, education, waste, Extra Care Housing, community infrastructure and other social and community facilities administered by the County Council which we are content is captured correctly. However, it should be clearly recognised that the infrastructure required to support the growth proposed in the Local Plan requires third party funding to make it viable.</p> <p>For example, the approach to funding for the Science Bridge between Didcot Power Station and Valley Park is unclear. This bridge is needed to not only to provide suitable access to those development sites, but also to improve the network capacity to support the wider growth planned. However at an estimated cost of £35m this bridge will not be fully funded under CIL. The projected income of £78.5m will be insufficient to meet the full cost of many of the "CIL funded" transport improvements in The Science Vale.</p> <p>To ensure clarity and manage expectations in respect of the funding and timing of transportation infrastructure in Science Vale, the IDP should refer to other required potential funding streams and their status, as discussed below.</p>	<p>delivery of essential infrastructure to deliver the planned level of growth.</p> <p>The council recognises that CIL and site-specific S106 will not fund in full the necessary infrastructure to deliver the planned level of growth. Where known other sources of funding have been identified, this has included significant funding in the form of Growing Places Funding, Enterprise Zone Business Rate Retention, City Deal and other sources.</p>	

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
	<p><u>Role of OxLEP in funding in The Science Vale</u> Members felt that the key role of both the LEP and the Shadow Oxfordshire Growth Board in managing funding bids should be a more prominent theme in respect of managing the large residual funding gap, as many large infrastructure projects in The Science Vale will not be able to rely on CIL alone. The detail behind the assumptions within Table 5 on pages 18/19 of the IDP regarding funding will need to be checked in due course.</p> <p>The Funding Report, IDP and Delivering Infrastructure Strategy should demonstrate a commitment by the authority to lever in significant external funding will be essential for large transport projects, such as the Science Bridge and new river crossing to the north of Didcot.</p> <p><u>Exemption of Extra Care Housing from CIL</u> Extra Care Housing is a form of specialist housing for older people which would be unable to absorb CIL alongside other policy requirements. We note that the Viability Study has modelled scenarios for “Older Peoples Housing” for both “sheltered housing” and a “40 unit Extra Care” scheme at a range of affordable housing requirements from 0% up to 40%. The results show that Extra Care Housing would be unviable at 30% and 40% in parts of the district. However the Viability Study make no recommendation with regard to Extra Care Housing.</p> <p>The County Council's position is that this type of older peoples' housing should be excluded from the CIL Charging to be consistent with residential institutions, which fall in the C2 Use Class and are exempt. This approach has been pursued by other local authorities, including Havant Borough Council. We will be seeking to agree with the District Council that Extra Care Housing is excluded for any charge to remain viable under the CIL Regulations; this would not significantly affect the potential to raise income from CIL. We have made the same comment in our response to South Oxfordshire District Council's recent consultation on CIL and would aim to ensure that a consistent policy is pursued in both areas.</p>	<p>In the absence of other confirmed sources of funding, developer funding in the form of CIL/S106 has been identified as the funding source for the infrastructure requirements. It is however expected that other sources of funding will become available for projects identified towards the items required within the later stages of the Local Plan. The IDP is a 'live' document and will be updated when further information becomes available.</p> <p>The council will continue to work with OCC to refine the Science Vale transport package. Additional contextual information will be included in the CIL Funding Report to further articulate the role of additional funding sources</p> <p>Clarity will be provided in the Draft Charging Schedule as to the council's intentions around Extra Care development.</p>	<p>None within the Charging Schedule but additional information to be included within the IDP once available.</p> <p>None.</p>
Chilton Parish Council	There seems no provision to apply the levy to new industrial/commercial/office development, even though both the business and employees involved would be users of the present infrastructure and beneficiaries of any future improvements to it. This is inequitable. It is also unlike the practice of neighbouring LA's like West Berkshire which has clear charging structures for businesses employing about 10 people upwards.	The council's viability evidence demonstrates that in addition to site-specific S106 requirements industrial / commercial / office development cannot sustain a CIL Charge. Such development will be required to contribute towards necessary infrastructure through S106 planning obligations. It	None.

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
		is the council's understanding that West Berkshire is not seeking to charge CIL on Office, Industrial or Warehousing uses ⁷ , such items are included within their Charging Schedule but with a £0 rate.	
Mr Chris Henderson	Paragraph 4.35 of the viability study states that a rate of £80 - £100 per square metre for Faringdon, Wantage and Grove and £120 - £140 per square metre elsewhere would not threaten delivery of the plan. As it is desirable to have the maximum possible infrastructure to support the developments I propose setting the level at the highest viable rate, namely £100 for Faringdon, Wantage and Grove and £140 elsewhere.	The council has explored the proposed residential rates (£100 & £140). While this option could theoretically result in a higher CIL income in practice, should development become unviable, CIL income would reduce. there are risks associated with setting rates with a reduced viability cushion and challenges demonstrating that the rates will put the delivery of the plan at risk. At the higher rates some sites would be above 25% of residual value and above 3% of Gross Development Value (GDV), both indicators are recognised as an indication of appropriateness of rates.	None.
Dr David Illingworth	<p>No. Table 2 of the Infrastructure Funding Report says that the cost of infrastructure will be £392m. That includes £40m for a new Thames crossing from Didcot to Culham. £195m is to be found from other sources leaving a funding gap of £197m. Deducting the £78m of CIL (paragraph 3.10) from Table 3 leaves a £119m residual gap of unfunded infrastructure (Table 4). So CIL funds around 20% of the infrastructure costs but the 'gap' remains at over 30% of the amount needed. How is that £119m gap in funding of the infrastructure actually going to be funded?</p> <p>Considering the figures in the CIL Viability Study, it is apparent that the Gross Development Value (GDV) of the North Abingdon site is around £200m (more precisely it appears to be just under £200.3m). Assuming that there are 800 houses, 35% affordable and that an affordable property is about 70% of the price of a standard property, this means the average sale price of a house on the site is assumed to be around £280,000. This seems on the low side given current local prices. A higher price may well be obtained for the well-built, well-designed, energy efficient properties that we expect. [see full response for additional comment].</p>	The Government has recognised that there will be uncertainty in pinpointing other infrastructure funding sources, particularly beyond the short-term. The focus should be on providing evidence of an aggregate funding gap that demonstrates the need to levy the Community Infrastructure Levy. It is stated in the IDP that when further certainty on funding sources is known the infrastructure funding gap will reduce. The IDP will be updated prior to the submission / examination of the CIL and the Local Plan 2031 Part 1 (LPP1) We have updated the IDP since the last stage of consultation to include additional items, and review some of the indicative cost assumptions.	None.

⁷ West Berkshire CIL Charging Schedule, accessed at: <http://info.westberks.gov.uk/CHttpHandler.ashx?id=38033&p=0>

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
	<p>An analysis of the Annual Reports of three well known building companies who operate in Oxfordshire gives the following profit figures (as a % of revenue) for five years [see full response for table of profits] Profits have varied from just 1.7% to 16.0%. They have risen in recent years but overall the average of all the figures is 9.6%. The average for 2013 is just under 15%. The level of CIL is set on an assumption that profits need to be 20% of costs (para 2.39 of the Viability Study). There is no attempt to justify this figure or consider if it is too high (or low). Based on the figures above, a profit of 20% seems excessive. Building firms have operated on figures of between 1% and 16%. Buying land and building houses on it is not a high risk operation compared to many other business enterprises. Thus we suggest that a lower profit figure, of 15% should be used and a value of 10% could be considered. There is after all the possibility of more profit if the houses can be sold for more than the average prices assumed in the GDV (£280,000 in our example), or if the land can be (or indeed has been) bought for less than the Land costs (£22.4m). If profit was reduced to 15% (a reasonable value based on experience) then builders profit reduces from £40m to £30m [see full response for additional analysis]</p> <p>Increased CIL could much improve the quality and reduce the impact of ALL the other developments throughout the Vale of White Horse.</p>	<p>The use of developers' profit in the context of area wide viability testing of the type required by CIL Regulation is to reflect that level of risk. This is a high level study where it is necessary and proportionate to take a relatively simplistic approach, so, rather than apply a differential return site by site, we have simply calculated the developers' profit as 20% of costs. A profit of 20% on Gross Development Value (GDV) is considered an appropriate return to a developer for the developer to continue a successful business through the economic cycle, taking account of the risk profile of the business.</p>	
Steventon Parish Council	<p>No context or worked examples to illustrate objectives.</p>	<p>Comments noted. Additional guidance will be produced in due course. Worked examples of CIL can be found on the Planning Advisory Service website, accessed at: http://www.pas.gov.uk/community-infrastructure-levy</p>	<p>None.</p>
Blue Cedar Homes	<p>Housing for the elderly is being more positively recognised throughout the county, especially from Central Government. I note that within the Proposed CIL Charging Rates set out on page 7 the CIL rate for all residential development in the District is either £120 (Zone 1), £85 (Zone 2 – Faringdon, Wantage and Grove) or £0 (Zone 3). Viability testing in other Authorities in the South and South West demonstrates that sheltered retirement housing which is classified as use class C3, is very challenging. It is my firm belief that applying a CIL rate on retirement developers will be to constrain the delivery of schemes. I therefore hope that any adopted CIL schedule can be adapted in a way that does not constrain this much needed form of development.</p>	<p>The viability assessment concludes that retirement / sheltered accommodation for the elderly within use class C3 can sustain the CIL as outlined and will not constrain this type of development.</p>	<p>None.</p>
David Wilson Homes Southern	<p>The Council has included the recommended residential rates in its Preliminary Draft Charging Schedule and as such is based on a sound evidence base. It is considered that the decision to apply differing rates across the District is sensitive to geographical</p>	<p>Comments noted. An enlarged CIL boundary plan will accompany the draft charging scheme.</p>	<p>Additional boundary plan.</p>

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
	variations in market value across the District. The proposed rates in the CIL Preliminary Draft Charging Schedule are considered to be reflective of the evidence base and as such are appropriate. For clarity however, it is recommended that the boundaries of the different charging areas are more clearly defined for ease of reference.		
John Martin	The CIL rate is too variable over the zones. A 35% increase in CIL level from what mainly will be brown field land to rural developments is too great and I do not believe the supporting report satisfactorily justifies the substantial difference. Infrastructure does exist within the towns - better transport links (patchy) and more schools but there needs to be a balanced CIL level otherwise the perceived higher rural values will only be receiving developments with higher value homes which may allow greater acceptance of a higher CIL level. A significant aspect of the viability which I strongly believe is wrong is the fact that this is size blind in that all new units irrespective of size is dragged in. The desktop scenario is heavily biased towards large schemes and small infill schemes or change of use will not take place under this damaging tax burden.	The variation between the two residential CIL rates of £120 and £85 are accounted by a number of factors including land value and onsite costs in the form of S106 obligations. The council is required to set its rates based on the level and nature of development within its Local Plan. The council has undertaken its viability study within the perimeters of the CIL Regulations and guidance.	None.

2. Do you believe the evidence on viability is correct?

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
Mr A Greatbanks	The section 106 agreement provides adequate provision for infrastructure improvement if the County Council are doing their job. The Proposed local Plan is flawed and has not yet been approved by the Ministers Inspectors this report is therefore unsound and premature as many of the proposed developments have not had Planning permission and may not go ahead. Conditions can not be imposed retrospectively and therefore changes the outcome as well.	Nationally from April 2015, the regulations restrict the use of pooled contributions towards items that may be funded via the levy. At that point, no more may be collected in respect of a specific infrastructure project or a type of infrastructure through a section 106 agreement, if five or more obligations for that project or type of infrastructure have already been entered into since 6 April 2010, and it is a type of infrastructure that is capable of being funded by the levy. The CIL Draft Charging Schedule will be examined alongside the Local Plan 2031 Part 1. The PPG ⁸ supports this approach and recognises that relevant	None.

⁸ National Planning Guidance: Paragraph: 098 Reference ID: 25-098-20140612

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
		local policy changes should be implemented at the same time that the charging schedule is introduced, and integrated as soon as practical into the relevant Local Plan.	
Asda Stores Ltd	<p>The Viability Study contains retail development assumptions that in our view may not make sufficient allowances for the costs involved in obtaining planning permission for a development scheme. By understanding the true cost of residual planning obligations commercial development, the Council is at risk of artificially inflated the residual land values used for the financial viability models. This will, in turn, have inflated the amount to CIL proposed for these uses.</p> <p>The Viability Study does not provide analysis of the cost for non-residential residual s106 / s278 agreements for non-residential development. Some allowance many have been included in the budget site preparation costs, but it is not clear how this is split between the two cost elements and a what level these contributions have been set. We urge you to look again at the allowances for such residual s106 / s278 contributions for non-residential schemes.</p> <p>Although the Council will not be able to pool section 106 contributions once CIL is adopted, the types of commonly pooled contributions tend not to make up a large proportion of the contributions sought from commercial schemes – which are usually focused on site specific highways and access works, employment and training contributions, environmental mitigation works and other, site specific, requirements.</p> <p>The draft Regulation 123 list makes it clear that any works necessary to directly access the site or upgrades to sewage treatment works, that are needed to mitigate the impact of development and to make it acceptable in planning terms, are likely to be funded through section 106 and section 278 agreements.</p> <p>Taking the example of a 2,500 sqm convenience supermarket, this sized store, would be expected to bear a CIL payment of £250,000 and potentially fund all of the following costs:</p> <ul style="list-style-type: none"> • Demolition, remediation and on site highway costs. • The cost of any off-site highway works required to make the development acceptable in planning terms including junction improvements, road widening schemes, new access roads..... [full list included within original response] 	<p>Additional information on the assumptions used will be included. The council is required to explain how the proposed levy rates will contribute towards the implementation of the Local Plan and support development across the district. The evidence is to show the potential effects of the proposed levy rate or rates on the economic viability of development across the Vale of White Horse District. The council is confident that robust local evidence has been put forward.</p> <p>The council's proposed approach to site specific S106/S78 upon the adoption of CIL is demonstrated by the Regulation 123 list which sets out a list of those projects or types of infrastructure that the council intends to fund, or may fund, through the levy.</p> <p>By definition site-specific costs vary, the Council is satisfied that the rates proposed will not adversely affect the delivery of development within the District as a whole.</p>	None.

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
	<p>To put this in context: The section 106 Contributions incurred in relation to a c.3,000 sqm food store in Ware, Hertfordshire amounted to £871,800. These sums related to bus service contributions; development of a community centre, nursery; education contribution; various highway safety improvements; youth service contributions; residents parking schemes and open space contribution. In addition to these contributions, green travel plan contributions, monitoring fees and architectural lighting on pedestrian routes between the store and city centre were also incurred.</p> <p>The section 106 contributions incurred in relation to a c.6,700 sqm food store in Newhaven, East Sussex amounted to £1,345,544. These sums related to contributions for improvement to and an extension of the local bus network; economic initiatives; contributions for relocation local habitats; improvement of residential space; recycling contributions; residential and retail travel plan auditing; transportation and town centre contributions. With this in mind, we again, suggest that the Council has significantly underestimated the impact of CIL on the viability of such developments. We request that underlying viability evidence be revised accordingly.</p>	It is the council's understanding that the example used for a retail development in Ware, Hertfordshire dates from 2011 and was a mixed use scheme comprising approx. 2,600 sqm retail floorspace and 15 dwellings, 5 of which were affordable units. The council's proposed rates are the result of local viability testing.	
Chilton Parish Council	Not applying the levy to new industrial/commercial/office development (even through both the businesses and employments involved would be users of the present infrastructure and beneficiaries of any future improvements to it) unfairly reduces the circle of funders. Especially unfair as the employment-generating efforts of e.g. Science Vale will be a major cause of the extra pressure on infrastructure that the levy is intended to fund.	The council's viability evidence demonstrates that in addition to site-specific S106 requirements industrial/commercial/office development can not sustain a CIL Charge. Such development will be required to contribute towards necessary infrastructure through S106 planning obligations.	None.
Dr David Illingworth	There is no evidence that builders require profits of 20% and more to be viable businesses and develop sites for housing. Building firms can clearly be viable when making a 15% profit and could probably manage with an average of 10% plus the possibility profit from land values.	A profit of 20% on Gross Development Value (GDV) is considered an appropriate return to a developer.	None.
Steventon Parish Council	Only one paragraph on viability which provides insufficient evidence to make a decision.	The CIL viability study was produced as part of suite of documents. Further clarification on how the CIL viability assessment relates to the assessment of viability of the local plan will be included in support documentation.	None.

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
Blue Cedar Homes	<p>No. I strongly believe that specialist accommodation, such as retirement housing, should have its own separate development scenario and not be amalgamated into a general, residential levy rate. Moreover, specialist accommodation is not like conventional housing and a uniform CIL rate applied to all forms of residential development could potentially render all development of this type unviable in the Authority. I suggest C3 sheltered/retirement housing is subject to an Authority wide zero/nil rate of CIL. Factors such as higher build costs and a longer selling period for our properties make retirement housing less viable than new homes in general. Therefore, it is imperative that when determining CIL rates, the charging authority completes an accurate development scenario for specialist accommodation for the elderly to ascertain whether it can support the same level of CIL. As such, I consider that 'C3 sheltered/retirement housing' should be explicitly exempt from these categories and instead, should be added to the list of 'Exemptions' set out in Section 2, para 7.1, page 9.</p>	<p>C3 sheltered/retirement housing has been tested as part of the viability assessment and has demonstrated that such development can support the levels of CIL proposed.</p>	<p>None.</p>
Gladman Development	<p>Benchmark Land Values</p> <p>The report suggests that landowners will bring forward sites for development on the basis of achieving a 20% uplift over a sites existing use value, we would contend that this approach is far too simplistic. This approach is sometimes used by valuers when assessing the viability of individual brownfield schemes, particularly in relation to the ability of an individual site to deliver affordable housing and other planning gain. In these limited cases our experience is that the minimum uplift is normally assumed to be around 30% over the existing use value. This too is not realistic in the current planning policy circumstances where it is clear from the guidance in the National Planning Policy Framework, (which is supported by numerous recent appeal decisions), that sites in such sustainable locations should come forward for development where councils do not have a deliverable 5 year housing land supply unless there is clear and demonstrable harm from doing so.</p> <p>A prudent landowner correctly advised will recognise current housing needs and therefore the strong development potential of such sites. A simplistic multiple or uplift of the agricultural value or paddock value of these sites no longer appropriately reflects their development potential and therefore their value. The multiple referred to reflects the simplistic approach that was historically adopted to such sites for unconditional purchases of agricultural land on a speculative long term basis.</p> <p>By appraising green field sites incorporating such a low base land value artificially increases the sites viability and therefore the ability to pay CIL in addition to S106 contributions, affordable housing and other policy costs. By effectively setting the potential return to a landowner at such a low level there is no incentive for them to risk</p>	<p>The viability study does not attempt to assess the specific price that could or should be paid for each site. The 'EUV plus' approach is in line with Viability Testing in Local Plans – Advice for planning practitioners. (LGA/HBF – Sir John Harman).</p>	<p>None.</p>

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	<p>the significant costs associated with promoting the land themselves or entering into agreements with developers to do so on their behalf. To achieve the housing delivery required a significant proportion of new housing needs to be delivered on this type of edge of settlement green field site and without these coming forward housing delivery targets will not be met.</p> <p>Affordable Housing Table 4.8 on page 47 of the Local Plan Viability Study sets out the levels of social rent based for 2013. At paragraph 4.36 social rent dwellings were found to have a capital value of £785/m2 in the 2011. Affordable Homes Viability Study, based on standard capitalisation of rents. At paragraph 4.37 it states that the value of social rented dwellings have now been appraised at 45% of open market values. Based on the market values adopted in the viability study, as set out in table 4.7 this would equate to appraisal values of £1530/m2 in Area 1, £1350/m2 in Area 2, £1440/m2 in Area 3 and £1260/m2 in Area 4, an increase of 60% from the 2011 study values for area 4 and 95% for the highest values in area 1.</p> <p>In paragraph 4.37 they go on to state that modelling in the study has been based on affordable rent rather than social rent. This being the case the councils affordable housing policy requirements need to reflect this in the tenure mix that is required on any new development, otherwise the CIL viability appraisals will be overstating the viability of development across the council area. At present affordable rented dwellings have been appraised at 55% of the open market values on each site. At this level the transfer values assumed within the various strategic site appraisals range from £1540/m2 to £1898/m2. This represents a range of increase of between 95% to 140% in the assumed transfer values from that which were adopted for social rented units in the councils 2011 Affordable Housing Study. It is therefore clear that going forward if the current CIL charging schedule is adopted developments will not be able to provide any social rented element within the affordable housing mix.</p> <p>Intermediate, shared ownership houses have been appraised at 70% of open market value it would appear based on no market evidence. We would contend that this approach is far too simplistic as the relative percentage can vary and will be lower in higher value locations. In addition over the last few years housing associations have found it difficult to fund shared ownership properties which has driven down the value they can afford to pay for all tenure types but particularly for shared ownership properties. Again the percentage of open market value achievable on this basis will vary depending upon the level of market value in an area however 70% is not realistic in any</p>	<p>The assumptions and costs used are agreed following stakeholder engagement and are supported by developers includes Commercial Estates Group (CEG) and Radley College, see response below.</p>	

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	<p>circumstances and we would normally expect a figure of 60 to 65% to be a better guide to the value likely to be achievable in current market conditions.</p> <p>Residential land Values The analysis of current residential land values in the area as outlined on page 50 of the HDH report appears to be based on little if any actual market evidence. Reference is made to the VOA property market report of 2011 for the two closest regions of Oxford and Reading where bulk residential land is reported at £4,000,000 per hectare for the Oxford region and £2,750,000 for the Reading region. Whilst these values are based on net development areas and assumes no service abnormals they are significantly higher than that suggested by HDH is evidenced by their discussions with local land agents (as they identified no actual land transactions) at £1,700,000 per net developable hectare.</p> <p>At paragraph 6.14 of the Local Plan Viability Study they state that they have assumed a residential land value of £1,250,000 per gross hectare. At paragraph 6.15 HDH suggest that there was a general agreement from stakeholders that this residential land value was sound. However in table 10.5 it is clear that this land value utilised for assessing viability is in all cases £374,000 per gross hectare. In table 10.6 the same sites are listed with an alternative land value viability threshold of £600,000 per net hectare but this does not appear to have been utilised in appraisals. Tables 10.7 and 10.8 assess sites which are all assumed to be based on land values uplifted from agricultural and paddock values. As we have stated above the values adopted of £374,000 per hectare for development on edge of settlement Greenfield sites are insufficient to provide any incentive to landowners to bring their sites forward for development, given these values will be subject to further erosion to fund any abnormal development costs which are not reflected in the current appraisal assumptions and the net receipt will also be subject to Capital Gains taxation...[see full response for further analysis]</p> <p>Marketing and Disposal Costs These appear to have been allowed for at 3.5% of Gross Development value which is too low. The minimum budget expected by funders would be 4% of the total Gross Development Value, made up of 1.5% agent's fees, 2% marketing and 0.5% legal fees. This is therefore the minimum level that we include in all market appraisals and valuations that we currently carry out for a variety of clients. In areas with lower than average values, or with a sub optimum development mix, or where sales rates are below average the marketing percentage would need to be higher at 3 to 4%. The costs associated with sales and marketing are extensive. [list of costs included within full response]</p>	<p>The benchmark land values and development assumptions have been informed by consultation with developers in the form a developer workshop. The assumptions used are considered robust and locally justified. The rates are not set at the maximum of viability, and are represent less than 3% of GDV for all scheme typologies. The rates as proposed are not considered to put housing delivery at risk.</p>	

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	<p>Guidance provided in the Harman report (page 35) states for sales and marketing that: "An allowance should be made for these costs of around 3 to 5% of the gross development value, recognising that this may vary depending on the relative strength of the local market." In the circumstances we would maintain that a 4% allowance is a realistic and conservative provision. We would also point out that the Harman recommendations do not include for any costs associated with dealing with part exchange properties which continue to make up a large proportion of sales.</p> <p>Discount From Marketing Prices It is common practice at present for developers to offer significant sales inducements such as free soft furnishings, stamp duty payments, contributions to deposits, etc. in addition to any actual price reductions. The total value of these sales inducements will vary from plot to plot within a development, at differing times of year, usually closely related to a developers financial year end and dependent upon an individual developers funding requirements but will average in the region of 7.5% to 10% of the gross asking price and this needs to be reflected either in the sales revenues applied or in the marketing budget. The 3% allowance currently proposed by HDH is inadequate and would only apply when market values are rising strongly and consistently over an extended period of time.</p> <p>Development Period & Phasing Prudent developers, in close liaison with their funders, will tend to build out sites at a rate at which they expect to achieve plot sales. This is to avoid having large amounts of stock properties, to limit the size of work in progress on sites and to keep to a minimum funding requirements (and the associated costs) which are currently both in short supply and costly. From commencement of development on site for smaller developments we would expect first potential sales completions to occur in month 6. Sales rates on sites remain at modest levels. A realistic average sales rate for sites of this type in this area would be around 2 to 3 sales per month from month six onwards, this period would be extended for larger sites requiring more initial infrastructure work of brownfield sites requiring demolition and remediation works to around 9 to 12 months. New sites in the best locations may achieve above the average when sales are first launched however, over the lifetime of the development they will fall back, and in the majority of cases will end up back around the average of 2 to 3 per month as pent up localised demand is met and the choice of properties on the site reduces.</p> <p>The lead in time of 6 months proposed for smaller sites is generally adequate for straight forward sites though we would recommend that this was extended for larger, or more complicated brown field sites to between 9 and 12 months.</p>		

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	<p>An overall sales rate of 45 units per year is suggested in the Local Plan Viability Study for all but the smallest sites. This is based on research completed by Savills in August 2013. We would point out that this survey only assessed the sales of the 8 largest house builders and whilst they make up a significant part of the overall market the remaining smaller house builders will tend to achieve a slower development and completions rate. This being the case we would normally appraise at an average of 3 dwellings per month, (36 per year) with first sales receipts in about month 8 for sites of 50 units and over, up to 12 month for large sites requiring extensive new infrastructure or site remediation.</p> <p>For sites of more than around 300 units it is possible to have two developers sharing a site however the overall sales rate for the two developers will be impacted upon by the direct completion. In such cases we would assume around 5 units per month on average, (60 per year) from month 9 to 12.</p> <p>At present the proposed average sales rates are too high and are therefore underestimating both delivery rates and finance costs which will impact upon overall scheme viability and therefore the maximum CIL levy that could be raised.</p> <p>Development Margin Whilst minimum developer return requirements will vary between house builders at any one time depending upon their own particular circumstances, there is a much closer degree of consistency with traditional bank funder's minimum requirements. For standard 2 storey new build residential development the minimum return required has been on average 20% of Gross Development Value (circa 24% of total development Page 6 of 10 costs) for the last 2 to 3 years. Paragraph 3.12 of the Local Plan Viability Study states profit has been applied at 20% of the gross development value which we agree is correct for general appraisal purposes.</p> <p>Build Costs Build costs vary widely dependent upon the size of developer, the prevailing ground conditions and associated abnormal costs, the materials and specification required in particular areas or specific locations. The BCIS data provides a range of costs; however it should be borne in mind that the data is based on an average of historic data the shortest period over which costs are assessed being the previous 5 years. This being the case the BCIS cost figures will always under assess current build costs due to the impact of inflation on material costs.</p>	<p>The council recognises that development costs vary over time, the CIL rates as consulted upon within the Preliminary Draft Charging Schedule were based on the best available evidence at the time of preparation. Prior to submission or examination the council may seek to refresh development scenarios within the viability study. The council is aware of the increase in build costs, any future refresh of specific elements of the viability study prior to submission or examination will take into</p>	

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	<p>At paragraph 7.2 of the Local Plan Viability Study HDH state they have based build costs on the BCIS data as at April 2014, which was £904/m². At paragraph 7.8 they state that they have used the median data but do not specify over what time frame.</p> <p>As explained above we would always utilise the data from the last 5 years. We have checked the BCIS data and are unable to reconcile the costs with that proposed by HDH. To illustrate the discrepancy we have attached the 5 year data for Q2, 2014 at Appendix A. At this time the estate housing generally, median cost is quoted at £982/m² (we would always use the mean cost in development appraisals which for the same period is £1017/m²), to which should be added the appropriate allowances for Code for sustainable homes and external works. The construction costs for smaller sites is typically much higher than the general estate housing costs as the larger house builders are able to exercise their bulk buying powers and efficiencies. The BCIS therefore produce separate costs for small sites of 3 units or less. These costs are also included in BCIS extract at Appendix A. As can be seen the median cost increases to £1648/m² for these small sites. It is clear from the appraisal summaries for the Small Site Typologies detailed in Appendix 4 of the Local Plan Viability Study that higher build costs have not been attributed to smaller schemes. The impact of under assessing construction costs for the smaller sites will be to significantly over state the viability and therefore the maximum potential CIL for all the smaller development typologies that have been appraised.</p> <p>External Works This is normally adopted at 20% of the base construction cost when using BCIS cost data as a base cost, it is clear that only 10% has been applied to the small sites appraised in Appendix 4 of the Local Plan Viability Study, which is insufficient. As with basic construction costs referred to above small developers cannot develop at the same level of costs as the large national house builders and therefore relatively speaking costs will be higher. This can be illustrated with a simple example of service connection costs. Larger sites can obtain multi utility quotes for the provision of all mains services whereas small developers have to procure these on an individual basis. The additional cost is about £1,000 to £1,500 per dwelling. Smaller sites will also tend to have less efficient layouts in terms of size of plots and service roads so that whilst on a site by site basis there may be some variation in external costs for the purposes of an area wide study such as this we would contend that the same percentage allowance should be applied.</p> <p>Contingency There should be a minimum of 5% of the all development costs for standard 2 storey new build residential development. Higher contingency sums of 7.5 to 10% are normally sought by funders for brownfield sites and refurbishment projects to reflect the greater</p>	<p>consideration revised build costs and other costs and values which may have also varied as a result.</p>	

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	<p>uncertainties on costs and development periods. These are basic bank funding requirements without which development loans will not be available. Paragraph 7.20 of the Local Plan Viability Study states an allowance of 2.5% for straight forward greenfield sites and 5% for more risky developments on previously developed land or central locations. These allowances are too low and in addition have only been applied to construction costs not all development costs.</p> <p>Bank Funding Costs Interest rates charged by funders are currently in the range of 6.5 to 7.5% for residential development funding and the interest costs need to be applied to all development costs including land costs.</p> <p>There are additional costs which also have been included in all appraisals. Whilst there is significant variation in the market between funders and the terms offered to different developers all funders will charge significant arrangement fees payable when funding is agreed for a project, monthly management fees throughout the life time of the project and exit fees at the end of a project. Typical minimum fee levels are: 1% of the funding facility required as an arrangement fee, Monthly management and monitoring fees of at least £1000, 1% of the GDV as an exit fee.</p> <p>The appraisals for the strategic sites included in Appendix 5 of the Local Plan Viability Study include a fixed finance fee of £100,000 and a fixed Valuation and legal fee of £50,000 for all 16 site types appraised. This is not realistic particularly for larger scale sites which will require larger funding facilities and which will take longer to develop out. Using Site 1 as an example from the cash flow provided this development requires a peak facility of £42,435,279 in year 2. This being the case an arrangement fee of around £424,352 would be required. A lending facility would be required for over 7 years until the cash flow goes positive in year 8, which would equate to a management fee of at least £84,000. The exit fee would be around £1,932,000 based on the sites gross development value.</p> <p>S106 Contributions Paragraph 7.22 of the Local Plan Viability Study states an allowance of £2,500 per unit has been included in appraisals to address any residual S106 costs, however there is no allowance included within the summaries for the strategic sites included in Appendix 5 of the report. In addition to affordable housing, S106 agreements will potentially still need to cover the cost of an extensive list of items to [list of suggested items included in full</p>		

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	<p>response] We would therefore suggest that costs for each S106 item are broken down so that a suitable cost allowance per plot is applied within the site viability appraisals.</p> <p>Case Study Appraisal Assumptions, Density and Mix A major influence on development value and therefore viability is the scale and density of housing that is achievable on a site. The densities appraised as set out in table 9.1 of the Local Plan Viability Study for the Strategic sites are all based on 35 dwellings per hectare. Based on the details provided in the table on page 96 of the Local Plan viability study these all equate to around 3,030m² per net developable hectare, (13,200 sq ft per net developable acre). We have obtained details direct from a number of our developer clients for sites. We have analysed 18 residential sites designed by a range of developers with gross site areas ranging from 1.23 to 41.38 acres (0.5 to 16.75 hectares) with house numbers ranging from 11 to 372. The range of densities per net developable acre ranged from 10,582 to 15,851 sq ft per acre (2,429m² to 3,638m² per hectare) with an average density of 12,716 sq ft per acre, (2,919m² per hectare). This being the case the densities appraised for the strategic sites are only marginally higher than the average of our own research. There are however more obvious anomalies for some of the smaller site appraisals where the densities appraised are unrealistic and should be reviewed and adjusted to ensure they fall within a realistic range as outlined above.</p>		
Commercial Estates Group (CEG) and Radley College	<p><u>Residential Development Scenarios</u> A major factor influencing development value, and therefore development viability, is the scale and density that is achievable on a site. We note that HDH Planning and Development have modelled the North Abingdon Strategic Site at 800 dwellings with a net development density of 35 dwellings per hectare and a gross development density of about 14 dwellings per hectare. At this stage in the planning process, we would support a conservative estimate on the gross development density, with further detailed Landscape and Visual Impact Assessment work required to inform a more refined assessment of development capacity. The modelled development density accords with draft Core Policy 23, which sets a minimum residential density of 30 net dwellings per hectare.</p> <p>Affordable Housing Assumptions The Council's policy position within the emerging Local Plan is that 35% of units on qualifying sites will be provided as affordable housing, with a tenure mix of 75%-25% affordable rent to intermediate. Paragraph 4.37 and information at Appendix 2 of the Local Plan Viability Study states that HDH Planning and Development have assumed affordable rent has a value of 55%, social rent has a value of 45% and intermediate has</p>	Comments noted. Further details on the monitoring of CIL will be published in due course.	None.

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	<p>a value of 70% of Open Market Value. The assumed value of the affordable housing units is considered reasonable.</p> <p>Financial Assumptions</p> <p>Sales Values: It is important that the viability work considers actual sales values, with an allowance made for the difference between asking prices and actual sales values. We would suggest that to be conservative, the estimated achieved prices (for new build properties) should be set at 10% below the asking price.</p> <p>Developers Profit: All residential developers assess development margin requirements against the Gross Development Value of the scheme. Whilst the minimum developer return will vary between house builders at any one time depending upon their own particular circumstances, there is a much closer degree of consistency with traditional bank funders' minimum requirements. In recent times, for a standard build, the minimum return has been on average 20% of Gross Development Value. We support the HDH Planning and Development assumptions in this regard.</p> <p>Finance Costs: HDH have assumed a finance cost of 6% of development costs; they have taken a cautious approach by making no allowance for any equity provided by the developer. It is worth noting that interest rates have now remained low for several years, but the clear expectation is that they will start to rise as the UK economic outlook improves. This will serve to increase the finance costs for developers – a factor that could certainly be considered via sensitivity testing. Higher interest rates could also impact upon house prices – as the cost of servicing mortgage payments inevitably increases.</p> <p>Residential Land Value: HDH Planning and Development have assumed a residential land value on greenfield sites (edge of centre/ suburban location) of £1,250,000 per gross hectare (or £500,000 per gross acre) including areas of open space, based on values given by local agents and appeal decisions. We would suggest this assumption is generally sound, although there will of course be variations from site to site and across the District.</p>		
National Housebuilder and Landowner Consortium	In principle, the Consortium and Savills considers the overall methodology of seeking to determine viability on a residual valuation exercise as being appropriate. However, the Consortium is concerned that the full development appraisals for each development site scenario have not been provided. This does not allow for full disclosure and scrutiny of the inputs to ensure consistency with the assumptions stated to be made within the	Comments noted	None.

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	<p>Viability Study. We strongly recommend these development appraisals are provided to allow for full scrutiny. In addition, the Consortium and Savills fundamentally disagrees with a number of the assumptions made by HDH Planning and Development in the Local Plan Viability Study and the Community Infrastructure Levy (CIL Viability Study), we discuss each issue in turn below.</p> <p><u>Typologies</u> The Consortium is therefore pleased to note a number of different typologies have been tested within the Viability Study. However, the detailed appraisals for each of the typologies have not been included. We understand the typologies have been derived from an analysis of the Strategic Housing Land Availability Assessment (SHLAA). We understand the SHLAA does not detail smaller sites, and we welcome the inclusion of smaller sites within the model. However, there is a notable gap in the analysis between the smaller site, which provides models up to 9 units, and the SHLAA sites which has the lowest site size of 42 units.</p> <p><u>Build Costs</u> The Viability Study has applied a base build cost of £904 per sq m / £84 per sq ft which has been obtained from RICS BCIS. With the recovery in the housing market, there has been an increase in build costs over the past year. As at December 2014, BCIS is showing the following... [see full response for costs]. It is our opinion the current base build costs are too low for all development types.</p> <p><u>Interest Rate</u> In accordance with the Local Plan Viability Study, we understand that the interest rate adopted is 6%. We are of the opinion this rate is currently too low, and a revised rate of 7% should be included.</p> <p><u>Section 106 Obligations vs. CIL</u> It is currently unclear from the Viability Study what Section 106 assumptions have been assumed in respect of the larger sites. The draft Regulation 123 list highlights that the following items will continue to be sought via Section 106.... Based on this list, we would anticipate the level of residual contributions on strategic sites continuing to be at a similar level to that currently being agreed in Section 106 Agreements.</p> <p><u>Developers Profit</u> We welcome the inclusion of a profit of 20% on Gross Development Value (GDV). [see full response for a report on Competitive Developer Return submitted as part of the representation]</p>		

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	<p><u>Promotion Costs</u> The cost of promoting a site through the planning process can be considerable, especially with the larger strategic sites. The viability appraisals provided by HDH Planning and Development do not seem to recognise or allow for these costs and we would therefore ask that they are considered in setting the CIL rates prior to the Draft Charging Schedule consultation. The Harman Report (June 2012) states professional fees can rise to 20% for more complex multi – phase sites.</p> <p><u>Viability Threshold</u> The Consortium has concerns relating to the methodology and assumptions made in the Viability Study in determining the Viability Threshold. We note the currently viability thresholds are derived by establishing the existing use value of the site, adding a 20% viability buffer and £350,000 per ha to present the premium above existing use value which would need to be achieved to enable development.</p> <p>For the larger site typologies it is necessary to account in the viability threshold for the costs and planning risk associated with site promotion. For simplicity we split the development process in two; firstly the 'promotion' phase which includes promoters profit, and then the 'delivery' phase from which the house builder derives their profit. The second part of this (i.e. the 'delivery' phase) should adopt the same 20% margin as all other typologies. In order to account for the former, we recommend an adjustment to the benchmark land value. This approach is consistent with the Harman Report which states that: <i>"In such circumstances, the Threshold Land Value (at which a landowner will release land for development) is unlikely to represent the assessed value that will bring land forward for development. It will be necessary to take account of planning promotion costs and the return required by the promoters of such sites."</i></p> <p>Land promoters typically require 10%-20% of the land value in order to reflect the risk that they may expend significant costs in the promotion of a site without ever seeing a return. Put another way, the land promoter requires 10%-20% of the land value when the site is sold with planning permission to make it worth their resource and risk in promoting the site. The most accurate means of reflecting this in the Viability Study is to inflate the Greenfield benchmark land values for all those sites where it is likely that promotion of the site will have occurred, i.e. Greenfield site typologies over 100 dwellings.</p> <p>In summary, to ensure consistency with the NPPF and to provide the landowner with a competitive return, we consider that the existing use must be uplifted by a minimum 25% – 30%. In some cases, this will still not represent a sufficient return to the landowner to</p>		

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	<p>incentivise the release of an asset which, in some instances, will have been within the ownership of the family for many generations. Nevertheless, the additional uplift to the viability threshold will provide an incentive and help ensure that land supply does not reduce significantly. The proposed uplift is supported by transactional evidence. Although the Consortium and Savills acknowledge the stance to not use evidence of historic land transactions, which takes into consideration the policy and market at the time of the signing of the option / promotion agreement, some consideration needs to be made for sites which are due to come forward in the emerging Local Plan. These sites are subject to recently negotiated option / promotion agreements with minimum prices clauses set above the viability threshold. Savills are extremely well placed to comment on benchmark land values having an involvement in a vast number of development deals annually, including deals within the VOWH. We have therefore researched a number of option agreements and the minimum price provisions set out within these in the local area. This provides a good benchmark for minimum land value for Greenfield land and provides a more robust evidence base than the assumptions used by HDH Planning and Development. Savills sets out this evidence below:</p> <p>Option A, Oxfordshire – option agreed on a strategic site with capacity for circa 200 dwellings. Minimum purchase price is to be £675,000 per gross hectare (£275,000 per gross acre).</p> <p>Option B, Oxfordshire – option agreed on a site with capacity for circa 300 units. Minimum purchase price is to be £620,000 per gross hectare (£250,000 per gross acre).</p> <p>Option C, Oxfordshire – option agreed on a strategic site with capacity for circa 500 units. Minimum purchase price is to be £1,853,250 per net hectare (£750,000 per net acre).</p> <p>Option D, Oxfordshire – option agreed on a strategic site. Minimum purchase price is to be £820,000 per net hectare (£330,000 per net acre).</p> <p>From the evidence above, it can be seen that in comparable markets, minimum land values tend to be agreed within a range of £500,000 - £620,000 per gross hectare (£200,000 - £250,000 per gross acre).</p> <p>From analysing the Viability Study, we can see HDH Planning and Development have adopted gross values for the viability threshold. On the basis of the evidenced included above, Savills feel the viability threshold, particularly for the Greenfield sites is too low at £374,000 per hectare (£150,000 per acre) for strategic sites. In the absence of supporting comparable evidence, we would therefore recommend that HDH Planning and Development adopt a minimum of £620,000 per gross hectare (£250,000 per gross acre) for the larger Greenfield sites.</p>		

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	<p>Interpretation of Viability Results</p> <p>The Consortium welcomes the inclusion of a sensitivity testing of the development types; however, this is somewhat limited, as the tests are based on falls different levels of affordable housing. It is imperative that CIL is set in accordance with the up to date and adopted planning policy. We have undertaken a review of the viability outcomes which have been provided in table 3.1 of the CIL Viability Study. As highlighted in Section 4.2 (viii), we are concerned that the viability threshold and Benchmark Land Values (BLV) are too low, which is distorting the evidence to show that the rates are viable when they are not. This, allows the stated viable level of CIL to be at the margins of viability, and inevitably will impact on the deliverability of a number of key housing sites, which will threaten the development plan's objective's for housing delivery. The Consortium and Savills are concerned that some of the larger sites, are not viable at CIL rates in all market sub areas. We have undertaken an appraisal based on our recommended BLV of £620,000 per gross hectare and looked at the difference for the strategic sites, at the revised 35% affordable housing. We have included our appraisals overleaf, which include an additional column for Savills benchmark land value (BLV). We have replicated the same colour coding to show the viability of the sites. When the viability threshold is raised to £620,000 per gross acre, a number of sites become unviable. The strategic sites account for 11,400 dwellings or which 2,250 are currently zero rated, producing a net supply of 9,150 dwellings which will be liable for the CIL levy. When the viability threshold is increased to £620,000 per hectare, 2,900 dwellings become unviable at the proposed CIL rate. This equates to 32% of the liable housing supply. The above analysis demonstrates how a change in the viability threshold can impact on the deliverability of the housing sites.</p> <p>We would therefore recommend the following:</p> <ul style="list-style-type: none"> • The Council re-runs the appraisals to reflect the points discussed in Section 4 above and reviews their proposed CIL rates; and • That a CIL rate of £0 per sq m be applied to all strategic sites. 		
<p>Mr Paul Appleby</p>	<p>At first sight this would appear to be a reasonable means of raising money from developers towards the cost of providing necessary Infrastructure in the communities affected. However, could someone please explain to me why different rates are proposed according to the location of the development: £85/m² in Faringdon, Grove and Wantage but £120/m² elsewhere. We are told that "this reflects differing residential values in areas of the district", which is news to me because I find it hard to believe that properties in Faringdon, Grove and Wantage cost ~30% less than comparable properties elsewhere. In any case, residential values are irrelevant because roads, schools,</p>	<p>The proposed CIL Charging schedule has been prepared based on the requirements as set out in the emerging Local Plan. In accordance with national policy the CIL rates have been based on viability evidence and set at a level which will not jeopardise the delivery of development in the district. The viability assessment has identified that</p>	

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	community facilities &c will cost just as much to build in Faringdon, Grove and Wantage as in other parts of the Vale. Or are the different rates simply a cynical ploy to encourage developers to site their developments in Faringdon and, especially, in Grove and Wantage (earmarked for 4750 new homes under the Local Plan) rather than in other parts of the Vale?	there is evidence to support differentiated residential CIL rate based on geography.	

3. Do you think the rates proposed strike an appropriate balance between helping to fund infrastructure through CIL and the potential effects of imposing CIL on the viability of development needed to deliver the aspirations of the emerging Local Plan 1?

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
Mr A Greatbanks	The rates are far too high on individual and large developments and are yet another charge affectively for a Planning Permission and will effect Housing affordability as the costs will be passed on. They are also based on a future wish list of improvements many of which are likely to be unattainable	The proposed CIL rates have been informed by an assessment of viability and are based on the requirements as set out in the emerging Local Plan 2031 Part 1. The council considers that the rates as proposed strike an appropriate balance between the desirability of funding from CIL and the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area.	None.
English Heritage	It is essential that the CIL rates in areas where there are groups of heritage assets at risk do not discourage schemes being put forward for their re-use. In such areas, there may be a case for lowering the rates charged, with the adoption of offer CIL relief policy in exceptional circumstances where development which would benefit heritage assets and their settings may become unviable if it was subject to CIL. If such exceptional circumstances are recognised, the conditions and procedures for CIL relief should be set out within a separate statement following the Charging Schedule, setting out the criteria to define exceptional circumstances with a clear rationale for their use, and public benefit.	The CIL rates have been set within a viability buffer for each zone so there should be no reason why development which would benefit heritage assets would be unviable due to the CIL charge. The CIL Regulations only allow for relief in exceptional circumstances to be made on the grounds of viability due to the cost of complying with a planning obligation, and not because a development will result in public benefit (see Reg 55).	None.
Mr Alastair Buckley	CIL is less financially onerous on developers than 106 agreements. I have concern that the levels of CIL being asked for will not meet the infrastructure demands of the new development being suggested. This will leave the public sector to pick up the financial shortfall.	CIL is a fixed non-negotiable cost of development where as S106 agreements are often subject to	None.

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
		viability assessments. The NPPF (para. 205 ⁹) requires that where an applicant is able to demonstrate to the satisfaction of the local planning authority that the planning obligation would cause the development to be unviable, the local planning authority should be flexible in seeking planning obligations. With consideration to the National Policy and Guidance the council has considered the most appropriate mechanisms available for securing developer contribution. Further details on the infrastructure delivery can be found within the Delivering Infrastructure Strategy.	
Ms Gene Webb	<p>The document indicates that lower CIL rates are to reflect the value of land and the viability of developments. While I can see that VWHDC want the developments to come forward this should not be at the expense of infrastructure. No attempt appears to have been made to relate the rate to the infrastructure needed. Faringdon, as the smallest town in the Vale, and on its edge, has had little or no major investment for many years. Indeed VWHDC have reduced public services, council presence, ownership of buildings.</p> <p>Clearly developers need to make a profit, but not at the expense of the existing community. Instead of a guide 20% profit, there should be a target range, to reflect the land values, and the type of development. It seems that VWHDC are protecting developers/land owners profit, rather than the needs of the community- which is/should be a statutory goal.</p>	<p>A charging authority is required to use an area-based approach, involving a broad test of viability across their area, as the evidence base to underpin their CIL charges. Unlike S106 agreements, the Regulations require CIL rates to be set within the context of development viability as opposed to infrastructure need.</p> <p>At the heart of the assessment of the suitability of CIL rates is the requirement on the Charging Authority to show why they consider that the proposed levy rate or rates set an appropriate balance between the need to fund infrastructure and the potential implications for the economic viability of development across their area. The CIL Viability Assessment is a broad assessment on viability across the district informed by realistic cost assumptions, including developer profit. The National Planning Policy Framework states that viability should consider “competitive returns to a willing landowner and willing developer to enable the development to be deliverable.” The NPPF recognises that this return will vary significantly</p>	None.

⁹ National Planning Policy Framework (2012) 205. http://planningguidance.planningportal.gov.uk/blog/policy/achieving-sustainable-development/decision-taking/#paragraph_205

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		between projects to reflect the size and risk profile of the development and the risks to the project. A developer profit of 20% is considered appropriate for the assessment of CIL viability. The council, within the Regulations, has sought to maximise levy returns to support the delivery of infrastructure.	
Mrs Vivienne Illingworth	The CIL is not enough to fund the infrastructure that will be needed. For example, in North Abingdon, it will not fund the alterations that will be needed to (what is now) the Abingdon ring road (i.e. Dunmore Road and Twelve Acre Drive) in order to integrate the new development into the town. (Pedestrian crossings and roundabouts at junctions will be necessary to prevent severance of the site). Nor will it fund the south facing slips roads on the A34 Lodge Hill junction that will be absolutely essential in order to replace the existing ring road once it has become a residential road. A higher CIL would not prevent the Plan being delivered: The CIL calculation takes the developers' profit to be 20% but this figure is much higher than builders' profits have been for many years. A calculation done on 15% profit would enable a higher CIL to be charged in order to better help fund the impacts of the development.	The Infrastructure Delivery Plan has been prepared to document the infrastructure necessary to support the development planned within the Local Plan. A developer profit of 20% is considered appropriate for the assessment of CIL viability. The council, within the Regulations, has sought to maximise levy returns to support the delivery of infrastructure.	None.
Chilton Parish Council	Extra employment generated through Science Vale promotion must share the cost of providing the extra/improved infrastructure for the inflow of additional population it generates. Not charging these business is in effect a subsidy that housing developers and present ratepayers will instead be unfairly expected to pay for.	The council's viability evidence demonstrates that the in addition to site-specific S106 requirements industrial/commercial/office development can not sustain a CIL Charge. Such development will be required to contribute towards necessary infrastructure through S106 planning obligations.	None.
Mrs Desiree Correia	Yes.	Response noted.	None.
Mr Chris Henderson	As I stated in my reply to question 1 I believe that the rates should be set at the highest level identified in the viability study to not threaten delivery of the plan, namely £100 per square metre for Faringdon, Wantage and Grove and £140 per square metre elsewhere.	Comments noted, see response to question 1.	None.
Radley Parish Council	Para 4.35 of the CIL viability study states that "a CIL rate of £80 - £100/square metre for Faringdon, Wantage and Grove and a rate of £120 - £140/square metre elsewhere would not threaten delivery of the plan." As it is necessary to have the maximum	The council has explored the proposed residential rates (£100 & £140). While this option would result in the higher CIL income there are risks associated with setting rates with a reduced viability cushion	None.

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	possible infrastructure to support the proposed developments the Council proposes a rate of £100 for Faringdon, Wantage and Grove and £140 elsewhere	and challenges demonstrating that the rates will put the delivery of the plan at risk. At the higher rates some sites would be above 25% of residual value and above 3% of Gross Development Value (GDV), both indicators are recognised as an indication of appropriateness of rates.	
The Theatres Trust	The Theatres Trust supports the exclusion of D1, D2 and sui generis uses (e.g. theatres) from the CIL as these uses often do not generate sufficient income streams to cover their costs. Consequently, they require some form of subsidy to operate and this type of facility is very unlikely to be built by the private sector if CIL is charged.	Comments noted.	None.
Wantage and Grove Campaign Group	The CIL and S106 funding is not sufficient to provide a reasonable prospect that the planned infrastructure can be delivered in a timely fashion. The Community Infrastructure Levy may mean that proposed developments are financially viable for developers but they will not meet the three dimensions of the sustainable development definition within the NPPF.	CIL is one element of funding to secure necessary infrastructure to support development. The Government recognises that there will be uncertainty in pinpointing other infrastructure funding sources, particularly beyond the short-term. Charging authorities should focus on providing evidence of an aggregate funding gap that demonstrates the need to put in place the levy. Paragraph: 017 Reference ID: 25-017-20140612	None.
Commercial Estates Group (CEG) and Radley College	<p>We support the Council's proposal not to implement the findings of HDH Planning and Development (the consultants that prepared the CIL Viability Study), and potentially introduce a CIL charge of up to £140 per sq m in Zone 1 and up to £100 per sq m in Zone 2. In a similar vein, we support the Council's general focus on ensuring that new development is deliverable, and that the cumulative costs on development do not constrain the delivery of much needed new housing. We note that the residential charge rate of £120 per sq m across much of the District is higher than some neighbouring authorities.</p> <p>Although each CIL charging schedule needs to be locally evidenced, to take account of local circumstances, the proposed rate for Vale of White Horse District is higher than that charged in adjoining Oxford City, where the residential charge rate is £100 per sq m. The difference here will largely be due to the differing affordable housing requirements. Swindon Borough Council and Wiltshire Council also adjoin the Vale. Swindon Council has submitted its charging schedule for Examination. The charging schedule proposes a two tier system for residential development of £55 and £0 per sq</p>	<p>Comments noted. The rates are based on local evidence and take into account local circumstances and planning policy include an affordable housing requirement of 35% as opposed to many adjoining districts (SODC 40% and Oxford City 50%).</p> <p>The approaches taken by Swindon Council and Wiltshire differ somewhat from that of VoWH. For example, VoWH is to apply CIL to its emerging Local Plan based on its Objectively Assessed Need. VoWH has more strategic sites and is therefore susceptible to pooling restrictions on the future use of S106.</p>	None.

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	m. Wiltshire Council has also submitted its charging schedule with 4 residential charging zones of £85, £55, £40 and £30 per sq m.		
David Wilson Homes Southern	The proposed CIL rates reflect the conclusions of the Viability Study prepared by HDH Planning & Environment. In light of comments above, we therefore consider that the approach taken by the Council strikes an appropriate balance between the desirability of funding infrastructure through CIL and the potential effects of imposing a CIL tariff.	Comments noted.	None.
John Martin	<p>This isn't just about supporting the funding of infrastructure, but also to encourage development/investment as well as meeting the housing needs of the community in a sustainable / mixed way, which will therefore encompass units of all sizes. The very important starter homes of one and two bedroom flats/houses will be badly hit by this damaging CIL level to such an extent that for some developments may well become unviable, especially infill plots. These plots historically tend to have higher land values and examples of how this would impact on small schemes could be. A plot = £90000 (low) 70m2 two bedroom house x £1300m2 = £91000 Total cost 181000 CIL 200m2 x 70 = £8400 This equates to float around 4 and 5% of development costs. If sold then it may not be a detrimental but it could kill any private rental potential which then restricts the development options. The proposed £120 rate makes it the most expensive CIL rate in Oxfordshire which is 20% higher than Oxford which has the most expensive land and property values within the Region, another fact which should be noted. An aspect of overall costs which has not been touched on at all is any form of reference to the cost of providing zero carbon homes, which is planned for 2016. Small developments may well be exempt from zero carbon and if so that recognises the higher cost of undertaking important infill projects. The SME builders / developers have been pretty much excluded from the recent housing initiatives and they provide an important employment and support local economy by their activity. The extremely important 50% reduction in CO2 emissions by 2050 will not be cheap and imposing a new 4 to 5% tax on a local investment is I think out of proportion and counter productive i.e. the bar has been set too high, and there is a real risk that perceived income will not be received as schemes will not be brought forward, after all this is a market influenced income stream and as such is vulnerable to other parties decisions.</p>	<p>The CIL rates as proposed are based on viability evidence and are considered not to undermine the delivery of development within the emerging Local Plan.</p> <p>Comparison with of CIL rates between charging authorities should be done with consideration to the planning policy requirements and approaches to site specific S106 costs. For example, the difference between the rates for VoWH and those of Oxford City can in part be explained by Oxford City's requirement for 50% affordable housing on qualifying sites rather than 35% as sought by VoWH in the emerging LPP1.</p> <p>It is the officer's understanding that the proposed changes to policy to zero carbon homes remains at a consultation stage under Building Regulations. As a requirement under Building Regulations such requirements would affect all property equally.</p> <p>https://www.gov.uk/government/consultations/next-steps-to-zero-carbon-homes-small-sites-exemption</p>	None.
Mr Daniel Scharf MA MRTPI	The HDH recommendations are described as 'cautious'. Given that almost all residential sites can be seen to be viable at £200/sq m and 40% of affordable housing (see also the higher levels of CIL being proposed in SODC and WODC) the proposal to adopt £120/sq m with 35% affordable housing should be seen as both 'very cautious', but more, as an opportunity to negotiate for high standards of energy efficiency (ie zero carbon or Passivhaus), large proportions of terraced housing, generous garden areas (important as part of the need to encourage downsizing of dwellings). The basis for terraced housing being less profitable is unclear, given the	The proposed CIL rates have been informed by an assessment of viability and are based on the requirements as set out in the emerging Local Plan 2031 Part 1. The council considers that the rates as proposed strike an appropriate balance between the desirability of funding from CIL and the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its	None

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	normal associated increase in densities. The large discrepancies between sites in comparable locations throws some doubt about the reliability of the HDH analysis and conclusions.	area. The viability assessment has assumed development will be delivered to the standard required by the emerging Local Plan policies, including those relating to sustainable development, design and distinctiveness.	
Faringdon Town Council	<p>CIL is a tariff-based development land tax. Once adopted it is fixed, non-negotiable and enforceable. It is based on the area of the development and is charged per square metre on the net additional area of floorspace:</p> <p>a) for a development comprising >100 m2 of new gross internal floorspace; b) for a development of <100 m2 of new floor space that results in the creation of one or more new buildings; c) the conversion of a building that is no longer in lawful use.</p> <p>It is not charged on affordable housing nor buildings used for charitable purposes. The amount payable is set at the time when planning permission is granted and is payable at within 60 days of the start of development (unlike S106 which is retrospective). Amounts >£20,000 can be paid in instalments.</p> <p>It provides greater certainty and transparency in understanding how new developments can contribute to infrastructure in the community.</p> <p>Once adopted the Neighbourhood Plan ensures that Faringdon receives 25% of the CIL, unlike the current S106 negotiations.</p> <p>Changes to the use of S106 are being introduced on 6 April 2015 that will significantly alter current infrastructure practices whether the LA has adopted CIL or not.</p> <p>The LA must strike a balance between meeting the infrastructure funding gap and the viability of the development. The proposed charge for Faringdon, Grove and Wantage is £85 m-2 for residential (£120 m-2 elsewhere; see the viability assessment; apparently it's not viable to charge more in Faringdon) and £100 m-2 for supermarkets and retail warehousing (A1) >280 m2 gross internal area.</p> <p>Faringdon Town Council supports CIL.</p>	Comments noted.	None
GC Millar	Developers should pay high charges. If they want to develop here, they must pay high charges, which should not be negotiable. Infrastructure should be taken care of completely with the development with no further contribution from the Vale.	The CIL rates as proposed are based on viability evidence. CIL is a non-negotiable charge on development.	None

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
Shrivenham Parish Council	The Parish Council agrees with the proposals.	Comments noted.	None

4. Do you agree that the draft Regulation 123 list consists of relevant infrastructure projects/types and do you agree with the council's approach?

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
Mr A Greatbanks	No. Many of these seem to have been recently pluck out of the air to provide a basis for this proposal and charges. eg. New Thames crossing. The others have been covered by 106 agreements already in force.	The infrastructure projects/types included within the draft Regulation 123 list have been informed by the Infrastructure Delivery Plan (IDP) produced to support the emerging Local Plan 2031 Part 1. The Regulation 123 list sets out a list of those projects or types of infrastructure that the council intends to fund, or may fund, through the levy. The list is not a list of spending commitments or priorities. Nationally from April 2015, the regulations restrict the use of pooled contributions towards items that may be funded via the levy.	None.
English Heritage	CIL revenue can be spent on a number of infrastructure items which help to support the historic environment, e.g. green infrastructure, the transfer of an 'at risk' building through in kind payment or repairs and improvements to / maintenance of heritage assets such as cultural or recreational facilities, or historic bridges. We suggest that the borough council should examine whether any heritage-related projects should be included in the IDP.	The IDP is a live document and will be reviewed regularly. We will consider the inclusion of heritage related infrastructure should specific proposals be identified.	None.
Mr Alastair Buckley	A new GP surgery should be provided in the north of Abingdon. This will allow The Charter to be developed more easily. The 123 List doesn't contain a specific exclusion for this new facility, which should be secured through an s.106 agreement.	The council will continue to work with Heath Providers on the delivery of services within the Vale. CIL has been identified as a means for securing health facilities in the Abingdon area. It is considered the most suitable mechanism to secure this type of infrastructure given the restrictions on the use of S106 post April 2015. Unlike S106, CIL is a non-negotiable cost and is not tied to an	None.

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
		infrastructure project or item, it offer greater flexibility on spending and pooling of funds towards necessary infrastructure. Health facilities have been identified within the draft Regulation 123 list as types of infrastructure that are to be funded in whole or in part by the levy.	
Ms Gene Webb	Development of schools in line with population increases is critical infrastructure, and as such should be 106 agreements- on the basis that these carry more weight than CIL both in terms of receiving the ££ and management of it's spend.	CIL is a non-negotiable levy on new development and enables the pooling of funds from multiple developments towards essential infrastructure such as schools. It is considered that the long term use of S106 funds towards off-site education facilities would be likely to exceed the limitation on the pooling of S106 agreements which comes into force on 6 April 2015 or when a CIL Charging Schedule is adopted.	None.
Oxfordshire County Council	The exclusions for the Regulation 123 list are noted and will be confirmed between now and the publication of the Draft Charging Schedule in February 2015, having regard to the S106 pooling restrictions which now apply. The List may need to be adjusted to reflect up to date information on the existing S106 agreements and pooling restrictions. Further input from Oxfordshire County Council will be provided to both the IDP and the Regulation 123 List to assist the District Council. We expect that the next stage of work will also be informed by the County Council's latest strategy for expanding and improving primary and secondary schools and provision for special educational needs across the District.	Comments noted.	None.
Chilton Parish Council	No. The list is inadequate on waste handling. It completely omits the additional solid waste recycling and disposal facilities that will be required to cater for the increased employment facilities and associated inward-migrating resident population. Also the upgrades to the sewerage system (larger capacity pipelines, pumping stations etc) for both strategic sites and those not so-designated but still subject to development pressures.	The draft Regulation 123 list is not a definitive list of infrastructure for CIL spend, it is a list of types of infrastructure that may be funded in whole or in part by the levy.	None.
Mrs Desiree Correia	Yes.	Response noted.	None.

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
Dr David Illingworth	The list seems reasonable.	Response noted.	None.
Steventon Parish Council	Yes.	Response noted.	None.
Mrs Philippa Manvell	I agree the list includes appropriate projects and acknowledge it cannot be finalised until the building developments are agreed. However I am concerned that many of the infrastructure improvements will be carried out concurrently or after the building has commenced/ been finalised. Many of the projects represent issues that are already stretched to capacity and will not accommodate increased growth without prior works.	Response noted.	None.
Woodland Trust	We wish to note that tree planting and woodland creation should be funded through CIL. Tree planting can deliver a wide range of benefits for local communities, in both a rural and urban setting, and this is strongly supported by current national planning policy.	The council recognises the importance of trees and woodlands, the Regulation 123 list sets out a list of those projects or types of infrastructure that the council intends to fund, or may fund, through the levy. The list is not a list of spending commitments or priorities.	None.
Wantage Deanery	There is a risks of a missed opportunity for Community Development, and Youth Work, especially for smaller developments. The list includes "youth facilities" and "Community Halls". Given the emphasis on "hard" and little to Social ("soft") elements, there is a very real risk that there will be under-used halls, and underused physical facilities. It is people, especially Community Development Workers and Youth Workers that are the catalysts for both Building Healthy and Sustainable communities, and integrating the new residents with the existing community.	The CIL Regulations require the council as charging authority to spend CIL on infrastructure to fund development. A portion of CIL will be passed to Town and Parish council's, Town and Parishes have a wider scope for the spending of CIL and they may wish to spend their proportion on social infrastructure.	None.
Cumnor Parish Council	There will be two main methods of raising contributions from developers, S106 and CIL. There is some confusion and overlap in the consultation over which method will or can be applied to a particular development. The Town and Country Planning Act enables Local Authorities to negotiate contributions towards a range of infrastructure and services such as community facilities, public open space, transport improvements, and affordable housing using S106 agreements. A list of infrastructure projects has been produced that is expected that CIL will fund. These include primary, secondary schools and further education facilities, as well as health facilities, social and community facilities, strategic and local transport facilities, green infrastructure and open space and waste services.	The council will produce a S106 Planning Obligations SPD to further show how S106 and CIL will work together following the adoption of CIL. Upon adoption of CIL, S106 will not be able to be sought for infrastructure items which could be secured through CIL. S106 will remain for site-specific infrastructure and affordable housing. The Regulation 123 list has been prepared to show what infrastructure will be secured through CIL.	None.

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
	<p>Regulation 123 List of schools to be funded by CIL includes schools at Crab Hill and Monks Farm. However in its CIL Frequently Asked Questions paper it says that the application of CIL would not apply to these schools because "the sites would not be able to sustain an additional community infrastructure levy without making them unavailable" (should this read unviable?). This contradiction does not help to make the application of the two systems any clearer.</p>	<p>The schools at Crab Hill and Monks Farm are included in the right hand column on the Regulation 123 list which shows the exclusion from CIL and therefore projects which will be secured through S106.</p>	
<p>Harwell Parish Council</p>	<p>The draft Regulation 123 list appears to be a list of headings, and no projects are mentioned, except the exclusions to be covered by S106. However, on the assumption that the Infrastructure Delivery Plan covers the projects implied by the Regulation 123 List: Harwell West (200 houses) and Harwell Primary School The consultation leaflet says that CIL will cover expansions to the Primary School in Harwell village. There is no sign of this in the Infrastructure delivery Plan. Where is the evidence that it has been costed and will be funded from CIL contributions? Similarly, in the Infrastructure Delivery Plan, Appendix 1 (which has no heading or text to explain what the appendix covers) does not include the Harwell West site allocation, and hence does not include any infrastructure project costs that need to be covered by CIL. This omission needs to be corrected or explained. Upgrades to Rowstock roundabout and on the A417 corridor Relevant infrastructure projects include improvements in the Science Vale area. The list includes "Upgrades to Rowstock roundabout and on the A417 corridor" with a planned cost of only £3.3M, to be funded through CIL. This is a very limited amount to allow significant improvements to the A417 corridor, which is a key link between the housing developments in Wantage/Grove and the employment sites at Milton Park and Harwell campus. OCC Highways admit that the A417 between Wantage and Rowstock is close to capacity at the present without taking into account this growth. The sum allocated represents only 2.8% of the planned infrastructure costs to be funded through CIL, which is much too small, given the importance of the A417 and its current status. Higher priority should be given to upgrading the A417 corridor for the whole planned length from Wantage to Blewbury Improvements at the Harwell Oxford Campus entrance A significant gap in listed planned transport infrastructure improvements is the need to improve the access for traffic from the Harwell campus to both the Chilton interchange and Rowstock. Although £2m is allocated to improve the Harwell Oxford Campus entrance there is also a need to improve the A4185 between Rowstock and the Chilton interchange given the large planned growth of this site, which can only add to this problem.</p>	<p>The Regulation 123 is primarily produced to demonstrate what infrastructure (types or named projects) maybe funded through CIL. CIL in most cases will replace the current S106 system for securing pooled funding for infrastructure, the named projects included as exclusions on the R123 list are done so to demonstrate that these specific items will continue to be secured through S106. A detailed spending programme for CIL income will be produced in due course.</p> <p>The headings appear to be missing on some, although note, all of the pages in Appendix 1 of the Infrastructure Delivery Plan (IDP) – the headings will be included in an updated version of the IDP. Site specific costs in relation to Harwell West have been missed from the IDP and will be included within the next version of the IDP.</p>	

Name / Organisation	Summary of Comments	Council's Response		Charging Schedule Amendments		
David Wilson Homes Southern	<p>We agree with the infrastructure projects and types identified on the CIL Regulation 123 list. There is a clear interrelationship between the projects identified on the Regulation 123 list with the Council's Infrastructure Delivery Plan. It is understood that the Regulation 123 list includes infrastructure to be provided by the District Council and the County Council. For clarity we would recommend that this is explicitly stated within the documentation to provide certainty to developers and allow for ease of operation of CIL.</p> <p>Although we support the projects and types identified in the 123 list, we raise concerns that the preliminary draft charging schedule does not currently include provision to allow for payments in kind. It is considered that the Council should introduce a CIL Payment in Kind Policy. The Policy would allow the Council to accept one or more infrastructure / and or land payments in satisfaction of the whole or part of the CIL due in respect of a chargeable development</p> <p>The Council's Regulation 123 list identifies a series of infrastructure projects or types which CIL payments will be used to fund these. As is clear from the Council's Infrastructure Delivery Plan (October 2014) in some instances these infrastructure projects or types include the provision of facilities as part of a proposed strategic allocation. For instance the provision of primary education facilities as part of the Valley Park allocation in the South East Vale Sub-Area. The Council's Regulation 123 list currently excludes such facilities with these to be secured through Section 106 or alternative measures.</p> <p>The introduction of a Payment in Kind Policy would allow the transfer of onsite facilities, such as land for primary schools, to fulfil at least part of the CIL obligations of these developments. It is considered that if such a transfer were to be allowed under the Payment in Kind Policy this would ensure that there was no double charging in relation to the onsite provision of facilities for strategic sites where a generic requirement towards such a facility is also included within the CIL Regulation 123 list. The inclusion of such a Policy will ensure the Charging Schedule is in accordance with the CIL Regulations. It is considered that the Policy should be included as an Annex to the CIL Charging Schedule.</p>	<p>Comments noted. Additional reference to delivery will be made within the supporting documentation.</p> <p>A Payment in Kind policy would allow the option for the Council to accept payments-in-kind through the provision of infrastructure either on-site or off-site for the whole or part of the levy payable on a development. Such a policy does not have to sit within the Schedule, but can be placed on the website following the adoption of the CIL charging schedule. The Council will monitor the application of CIL and if required seek to introduce such a policy.</p>		None.		
Environment Agency	<p>Community Infrastructure Levy (CIL) – Regulation 123 List</p> <p>In addition to the above we have also reviewed the Community Infrastructure Levy (CIL) – Regulation 123 List, dated November 2014. The document sets out infrastructure projects which the Vale of White Horse District Council intend will be, or may be, wholly or partially funded by CIL. Page 2 of the document sets out, in the form of a table, the infrastructure projects or type that are to be secured through CIL, and exclusions. We</p>	<p>Comments noted. Draft Regulation 123 List will be updated to include:</p> <table><tr><td>Infrastructure Project or Type (to be secured through CIL)</td><td>Exclusions (to be secured through S.106 or alternative measures)</td></tr></table>		Infrastructure Project or Type (to be secured through CIL)	Exclusions (to be secured through S.106 or alternative measures)	Inclusion of items on R123 List.
Infrastructure Project or Type (to be secured through CIL)	Exclusions (to be secured through S.106 or alternative measures)					

Name / Organisation	Summary of Comments		Council's Response		Charging Schedule Amendments						
	<p>note that this table does not include a category for the inclusion of flood mitigation measures in line with the aims described within the Delivering Infrastructure Strategy document. We strongly recommend the inclusion of an additional category which relates to flood mitigation.</p> <table><tr><td>Infrastructure Project or Type (to be secured through CIL)</td><td>Exclusions (to be secured through S.106 or alternative measures)</td></tr><tr><td>Flood mitigation measures</td><td>Flood mitigation measures such as SuDS where they are specific to a single site.</td></tr></table> <p>We note the CIL Infrastructure and Funding Report sets out the funding gap demonstrating the need to levy CIL within the district. We would be happy to provide further details in relation to specific Flood Alleviation Schemes should this economic evidence be required within the CIL Infrastructure and Funding Report.</p>		Infrastructure Project or Type (to be secured through CIL)	Exclusions (to be secured through S.106 or alternative measures)	Flood mitigation measures	Flood mitigation measures such as SuDS where they are specific to a single site.	<table><tr><td>Flood mitigation measures</td><td>Flood mitigation measures such as SuDS where they are specific to a single site.</td></tr></table>		Flood mitigation measures	Flood mitigation measures such as SuDS where they are specific to a single site.	
Infrastructure Project or Type (to be secured through CIL)	Exclusions (to be secured through S.106 or alternative measures)										
Flood mitigation measures	Flood mitigation measures such as SuDS where they are specific to a single site.										
Flood mitigation measures	Flood mitigation measures such as SuDS where they are specific to a single site.										
Berks, Bucks and Oxon Wildlife Trust (BBOWT)	<p>The Regulation 123 List includes Green Infrastructure and Open Space as an Infrastructure Project or Type that the Council intend will be, or may be, wholly or partially funded by CIL. However, in the Infrastructure Delivery Plan we are very concerned that there are no projects associated with Green Infrastructure or Biodiversity. The IDP does acknowledge that the Green Infrastructure Strategy for the district is still in the development process and the IDP will be updated once this is completed and we would welcome consultation on this update. There is a need for a scheme/s to be identified to deliver biodiversity protection and enhancement in line with the draft Local Plan and NPPF policies. Core Policy 45 of the Draft VOWH Local Plan Part One states: “A net gain in Green Infrastructure, including biodiversity, will be sought either through on site provision or off-site contributions and the targeted use of other funding sources. A net loss of Green Infrastructure, including biodiversity, through development proposals will be resisted. (...) Proposals will be required to contribute to the delivery of new Green Infrastructure and/or the improvement of existing assets including Conservation Target Areas in accordance with the standards in the Green Infrastructure Strategy and the Habitats Regulations Assessment.” Core Policy 46 states: “Opportunities for biodiversity gain, including the connection of sites, large-scale habitat restoration, enhancement and habitat re-creation will be actively sought, with a primary focus on delivery in the Conservation Target Areas. A net loss of biodiversity will be avoided.” The need for planning to protect and enhance biodiversity is supported by the NPPF, which sets out that planning policies should: “Promote the preservation, restoration and re-creation of priority habitats, ecological networks, and the protection</p>		Comments noted.		None						

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
	<p>and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan.” In developing the Preliminary Draft Charging Schedule for South Oxfordshire District Council a method for calculating CIL contributions was drawn up, and a Project on Biodiversity and supporting Conservation Target Areas was included in the IDP for South Oxon. We recommend that a similar approach and Project type is included for the Draft Charging Schedule and IDP for VOWH.</p>		
<p>National Housebuilder and Landowner Consortium</p>	<p>The Consortium is concerned that the draft Regulation 123 List for VOWHDC is vague and does not provide clarity as to the specific projects that the charges will relate to, as it contains specified infrastructure ‘types’ that will be partly or wholly funded through CIL. A number of items included on the Regulation 123 list compete directly with items likely to be brought forward through Section 106. This creates confusion within the process and introduces the potential for ‘double dipping’. The power to seek Section 106 contributions still remains under CIL. The Consortium is therefore concerned that the combined requirements of CIL and S106 on strategic sites would threaten the delivery of those sites, leading to a failure of the authority to deliver necessary infrastructure and housing.</p>	<p>The council does not share the view that the Regulation 123 list is vague. CIL will replace in the use of S106 in all cases other than those listed as exceptions to CIL (to be funded through S106). The council would welcome examples of best practice from the Home Builders Consortium in this regard.</p>	<p>None</p>
<p>Mr Daniel Scharf MA MRTPI</p>	<p>Under ‘transport’ the levy is proposed to pay for road works (eg Lodge Hill slips) but no reference is made to bus services. This encouragement of car use is the exact opposite of what is and will be required to meet the 6% to 10% annual carbon savings (total of 80% to 90% by 2050) required by the Climate Change Act, the 4th Carbon Budget and 2011 Carbon Plan. While the transport sector claims that higher and faster reductions might be possible in other sectors, this is unproven and there is a strong case to be made for faster and deeper cuts in all sectors. In fact the support being given to increasing aviation emissions (see new runway proposals) suggests that even greater reductions in road traffic will be required under the Act and related carbon reduction budgets. The Council must be aware that the congestion in parts of the District poses as great a threat to development as concerns about financial viability. Further growth without sorting out the congestion will make new and existing housing and businesses less sustainable (contrary to the presumption in the NPPF). It is insufficient to list road schemes and not include those which have been identified as necessary to deal with traffic congestion (eg bridges at Culham and junction of Ock Street/March Road with Drayton Road). It is likely that the only way to deal with congestion and carbon reductions will be substantial improvements to public transport and financing the ‘premium routes’, including the extra vehicles/drivers, real time information and bus priority measures.</p>	<p>The Regulation 123 list identifies that strategic and local transport proposals will be funded through CIL. These can include both public transport and road improvements.</p>	<p>None</p>

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
	The list of schools to receive funds for expansion does not include Drayton Primary – although the school is at capacity and there are potentially over 200 dwellings on the sites being allocated in the Neighbourhood Plan (as well as demand from south Abingdon) prepared under the supervision of the District Council. Although the Parish Council should become eligible for a proportion of the CIL payments (more if the NDP becomes adopted) the village is intrinsically unsustainable as a location for this scale of residential development and all available funds would have to contribute to the achievement of sustainable development such as making the recreational facilities attractive to village residents. More of the CIL (or s.106 contributions) must contribute to the big ticket items of the school and the public transport (that is also omitted from the CIL schedule).	The Regulation 123 list identifies that primary education facilities will be funded through CIL, with the exception of those sites identified as being funded through S106. As Drayton Primary School is not identified as an exception to be funded through S106 it could be eligible for CIL funds. A formal governance process for the allocation of CIL funds will be established in due course.	

5. A draft Instalment Policy has been prepared, do you agree with the triggers and stages for payment as outlined within the draft instalment policy

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
Ms Gene Webb	Sufficient ££ should be provided by the developer to fund infrastructure projects, such that these can be developed in advance, or alongside housing development. There must be a way to achieve this.	Comments note. The council has considered the available mechanisms to secure developer contributions towards necessary infrastructure. The proposed CIL Charging Schedule is the result of a considered approach to infrastructure funding. Further details of this can be found within the Delivering Infrastructure Strategy.	None.
Oxfordshire County Council	We note the District Council's suggested instalment policy and support the principle of enabling CIL to be phased over an appropriate timescale in recognition of the impact of CIL and developers' cash-flow. However there needs to be a balance between achieving a reasonable profile of payments for the developer versus the timing of income collected for infrastructure and improvements to services. As this policy will not form part of the examination of the Charging Schedule we will look at this in more detail during the next state of the work on the CIL Charging Schedule and the Infrastructure Delivery Plan (IDP) and respond in due course.	Comments noted.	None.
Chilton Parish Council	No. The need for an instalment policy is recognised, but trigger dates are too extended for the 3>"100k classes because these larger developments will rapidly stretch the existing local education/health/transport facilities, which themselves need a lead-in	Comments noted. The CIL Regulations require that the CIL amount is calculated on the total floorspace of the scheme. The proposed instalment policy has	None.

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
	time to design & implement; witness the major Ladygrove and Gt Western estates' facilities lags. We think all CIL should be paid by end-yr 3 (unless the capping policy stays)	been prepared to take into account the likely phased delivery of schemes. The council will monitor the effectiveness of instalment policy and where appropriate amend the policy accordingly.	
Mrs Desiree Correia	Yes.	Response noted.	None.
Gladman Developments	<p><u>Table 4.3 has an error</u> The Abingdon North site would have 800 houses, so referring to Table 4.3 of the CIL Viability Study, it will pay eight instalments. It is not clear how long the payments will be spread over. Three different figures are given:</p> <p>2,190 days (in column 3) – this is six years 7 years (in column 3) 1,826 days (in column 5) – this is five years</p> <p>In practice it seems likely that the 1,826 is incorrect, being only one day more than the instalment above which is due after 1,825 days. So probably the last instalment is due after 2,190 days, which is six years. The Abingdon North site is likely to be under construction for around ten years. So CIL payments will come in spread over a long period, but it will be expected to fund particular facilities on the site and other facilities off the site. There are likely to be timing issues as the CIL payments may not arrive early enough to pay for the new facilities, leaving the estate short of key facilities in its early years. Very large sites such as Abingdon North and the related North West site are likely to be particularly likely to experience these difficulties.</p> <p><u>Allocation to parishes</u> CIL income for the Abingdon North estate could be around £6m. The leaflet 'Supporting Growth in the Vale' says that parishes will get 15% of CIL, but 25% if they have a Neighbourhood Plan. The site is split broadly 50:50 between Sunningwell and Radley parishes. This means that each parish might benefit from £0.45m of CIL, increasing to £0.75m if they have a Neighbourhood Plan. This income could be spread over eight payments spread across six years. Sunningwell itself is on the other side of the A34 to the site, almost a kilometre away from it and accessible only by an aging farm bridge. Radley is a little closer, but fought off a development of 200 houses that was proposed for its northern side – now it has maybe 400 houses more, but they are some distance away on the edge of Abingdon-on-Thames.</p>	<p>The instalment policy included within CIL Viability study is a suggested policy. The council's proposed instalment policy was included within the Preliminary Draft Charging Schedule.</p> <p>The CIL Regulations do not place a requirement on town or parish council to spend their CIL on agreed infrastructure to support the new development. The council will work with town and parish councils to support them in the identification for spending priorities as required within the Regulations and guidance.</p>	<p>None.</p> <p>None.</p>

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
Steventon Parish Council	Timescale too long nor more than two years. Those affected by the development should get the benefit early.	Large developments are likely to be phased over a number of years, the National Planning Policy Framework and Planning Policy Guidance requires the council to consider developer cashflow in assessing viability. The council's proposed approach considers both developer cashflow and the need to secure developer contributions alongside infrastructure.	None.
Ptarmigan Land	Annex 2 to the CIL SCS sets out the Council's proposed system of payment instalments. Although the Council has made some distinction between small and large developments (by having different payment tranche periods) it does not go far enough. Developments larger than 300 houses are likely to come forward in a number of phases and as a result there is no guarantee that all phases will come directly one after another. The proposed CIL Charging Schedule does not adequately recognise this issue. The schedule proposes that once a starts on site, there are fixed dates when CIL payments need to be made regardless of whether all phases of a development come forward or not. This is not a sound approach. CIL payments should be tied directly with phases of a development so that every time a new phase of development begins, there are specific time-periods in which to make the CIL payments. This is possibly what the Council has in mind for large developments but it so, the Charging Schedule needs to be amended to provide clarification on this matter.	The CIL Regulations 2010 (as amended) state that when sites come forward through phased development, as expressly provided for in a planning permission, each separate phase of development will be treated as a separate chargeable development. Our charging schedule has been updated to make this clear.	Charging schedule updated to make reference to phased payments.
Mrs Philippa Manvell	The instalment policy will not ensure that monies are available for the essential infrastructure being put in place PRIOR TO the new building. If building is carried out fairly quickly money for infrastructure would not be available for several years AFTER the completion of the development thus exacerbating the existing problems with transport, sewage, flood risk, amenities etc.	Where appropriate site-specific infrastructure will be funded through S106 ensuring that essential infrastructure will be provide alongside development. CIL will allow funding to be pooled for many developments allowing infrastructure to be delivered in line with development.	None.
Mr Clive Manvell	It seems to take too long for any of the infrastructure funding to be provided by the developers - it really needs to be money up front and infrastructure done first especially amenities.	Comments noted. CIL is payable on commencement subject to an instalment policy.	None.
Wantage and Grove campaign group	What and where is the viability evidence to justify the phasing of payments proposed and thus the delayed payments for a larger site? We see no reason for the payments to be delayed on larger developments beyond that required for smaller developments. The Community Infrastructure is required for the first home built just as much as the last, we would therefore expect a significant proportion of funding to be available at the early phases of development (even for larger developments) with the	The National Planning Practice Guidance recognises that large scale developments which are delivered over a number of years face particular issues in relation to cashflow and the delivery of on-site infrastructure.	None.

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
	<p>1st instalment - within 60 days</p> <p>2nd instalment - within 180 days</p> <p>3rd instalment - within 360 days</p> <p>Further instalments should be every 6 months.</p>	<p>Paragraph: 057 Reference ID: 25-057-20140612</p> <p>The council's instalment policy balances the need to secure funding for infrastructure against developer cashflow.</p>	
David Wilson Homes Southern	<p>We support the inclusion of an instalments policy which takes account of the additional costs incurred by potential developers in raising development finance and cash flow. House builders do not generally have sufficient cash reserves to finance development projects without obtaining additional finance and the introduction of an instalments policy will seek to address this.</p> <p>Due to the larger scale nature of these sites the instalments policy will be of particular importance in ensuring their delivery. It is considered that the failure to introduce an instalments policy would be unreasonable due to the requirements to pay the CIL contribution in full upon commencement of development which would impact on the viability of projects not just in terms of overall profitability but more importantly in terms of cash flow. Under the Section 106 system, on larger projects payment of contributions could have been negotiated so that payments are paid at different phases; which helps in terms of cash flow as it allows for sales in earlier phases to contribute towards development costs in later phases of development.</p> <p>The Council's draft Instalments Policy is set out in Annex Two of the CIL Preliminary Draft Charging Schedule (November 2014). The Instalments Policy proposes five different scenarios for payment depending on the total CIL liability due. It is considered that the Council's proposed approach is appropriate and reflects the realities of developer finance and will ensure that the implementation of the CIL charging schedule will not stall developments as a result of unrealistic upfront costs.</p>	Comments noted.	None.
John Martin	<p>NO. I would omit the first one of 60 days and leave it out completely. This whole exercise is driven by large schemes and ignores the private rental market. If the development was for rental investment (and I have done them) then the demand for payment could not be met by sale receipts, it could be argued that this may not matter, as it could be factored into the appraisal but it will be seen as an investment Tax, which is not the original intention.</p>	Comments noted.	
Home Builders Consortium	<p>With regard to the phasing of CIL payments, VOWHDC have published an Instalments Policy. The Consortium and Savills are pleased for this to be included and strongly recommend that the policy remains within the document. We believe that there</p>	<p>The council recognises the importance of an instalment policy and as such an instalment policy will be adopted alongside the charging schedule</p>	None.

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
	<p>should be an overriding mechanism which, in certain situations should the CIL payments threatens the viability, and thus the deliverability of the scheme proposed, can be negotiated and agreed on a one-to-one basis. As Local Authorities are able to remove an Instalments Policy at any time, we would recommend that the viability testing does not include phased payments. This will ensure that sites are able to support the proposed CIL rates in the event that an Instalments Policy is not in place.</p> <p><u>Relief</u> We note the Council have not decided if they are to include a discretionary or exceptional circumstances relief. We strongly recommend this is included within the DCS.</p> <p><u>Payment in Kind</u> The CIL Regulations now allow for Payment in Kind through the provision of infrastructure. However, there remain notable deficiencies in the operation of CIL, caused primarily by the CIL Regulations, which places the Council and the development industry in a difficult position. The scope to reduce the CIL liability via utilisation of Payment in Kind is therefore restricted to those items of infrastructure which are not required to mitigate the impact of a development, which for strategic sites would exclude most (if not all) site specific and 'scheme mitigation' infrastructure. Payment in Kind is therefore not a credible option, which further emphasises the need to ensure that the Regulation 123 List does not include any items of infrastructure intended to be delivered through Section 106 agreements on any of the strategic sites.</p> <p><u>Reviewing CIL</u> The CIL Guidance outlines that Charging Authorities 'must keep their charging schedules under review' to ensure that CIL is fulfilling its aim and responds to market conditions. The Consortium is therefore pleased to note that the Council is intending to review the Charging Schedule within 36 months of its implementation, or sooner if any of the criteria for review are triggered.</p>	<p>The CIL Regulations permit the council to introduce a discretionary or exceptional circumstances relief policy, it is not the council's intention to do so at this stage but it will monitor this and review its decision if considered necessary.</p> <p>A Payment in Kind policy would allow the option for the Council to accept payments-in-kind through the provision of infrastructure either on-site or off-site for the whole or part of the levy payable on a development. Such a policy does not have to sit within the Schedule, but can be placed on the website following the adoption of the CIL charging schedule. The Council will monitor the application of CIL and if required seek to introduce such a policy.</p> <p>Comments noted.</p>	
Asda Stores Ltd	<p>We note that the Council is proposing to introduce a draft instalment policy for CIL. We would encourage the Council to introduce an instalment policy, as managing cash flow during development is often key in determining whether a scheme will be successfully delivered. We would strongly encourage the Council to adopt a realist instalment policy that spreads the cost of CIL over a number of months or years (depending on the size of the development scheme proposed). We would recommend that any instalment policy should link the instalments to the pace of the actual</p>	Comments noted.	None

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
	development and should not link the instalments to an arbitrary time frame following on from the date development is commenced.		
National Housebuilder and Landowner Consortium	An instalments policy is of critical importance to ensure the cashflow of a development is maintained. The default position without an instalments policy is 60 days from the commencement of development. If this was to be the case, the ability of many developments within the Local Plan to be viable would be heavily compromised. It is also of critical importance that, once adopted VOWHDC would not have to undertake a consultation before the removal of an instalments policy, and therefore all viability appraisals and evidence should be undertaken on the basis of no instalments policy and the full levy payable within 60 days of commencement of development.	An instalment policy was consulted upon as part of the Preliminary Draft Charging Schedule.	None.
Mr Daniel Scharf MA MRTPI	The Plan should adopt the instalments policy, recommended by HDH, that would be compatible with phasing of larger sites in the rural areas (where there is a high propensity to want to move within the village) where this would be reasonably necessary to meet local housing needs through the 16 year plan period.	Comments noted.	None.

6. Do you have any other comments on the preliminary draft schedule or supporting evidence?

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
Mr A Greatbanks	This approach should be abandoned and infrastructure improvements should be left to the existing system which has worked satisfactory under previous administrations.	From April 2015, the CIL Regulations restrict the use of pooled contributions towards items that may be funded via the levy. The council is preparing a CIL Charging Schedule to allow contributions to be secured from development. Further details on the council's approach to S106 and CIL can be found within the Delivery Infrastructure Strategy ¹⁰	None.
English Heritage	There could be circumstances where the viability of a scheme designed to respect the setting of a heritage asset in terms of its quantum of development could be threatened by the application of CIL. There could equally be issues for schemes which are designed to secure the long term viability of the historic environment. It should also be remembered that development-specific planning obligations may still	The Council is not aware of any specific schemes coming forward in the plan period where conservation of the historic environment would have an impact on development viability. Furthermore, CIL rates have been set within a	None.

¹⁰ Delivering Infrastructure Strategy, accessed at: <http://www.whitehorsedc.gov.uk/sites/default/files/2014-07-16%20Vale%20Infrastructure%20Strategy.pdf>

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
	continue to offer further opportunities for funding improvements to and the mitigation of adverse impacts on the historic environment i.e. archaeological investigations, access and interpretation, repair and reuse of building or other heritage assets.	viability buffer. Monitoring will identify any viability issues and if a negative impact on the historic environment is found, then the Council could consider introducing an exceptional circumstances relief policy.	
Cherwell DC	Thank you for contacting Cherwell District Council as part of your consultation on the CIL Preliminary Draft Charging Schedule. Further to our Duty to Cooperate and OPPO meetings on 7th and 14th of November, we can confirm that we do not have any comments on your Charging Schedule at this point in time. Please keep us informed if infrastructure or charging schedule matters relevant to Cherwell DC arise as you progress to the next stage.	Comments Noted.	None.
Ms Gene Webb	<p>The infrastructure projects for Faringdon lack detail. Indeed they virtually all relate to the Leisure Centre. The reference to the Nortoft report is misleading as it is out of date. The Neighbourhood plan includes many areas where additional services are needed. ie All weather pitch, cycling, Witney/Abingdon bus, conservation / preservation of historic centre, off road parking, Folly Park development, flexible performance space (eg The Beacon, Wantage) On what basis has £80k been allocated for development of allotments, when it seems the other community needs are ignored.</p> <p>Developing Willes Close into allotments: This, specifically, is not in the Neighbourhood Plan (added to which FTC have tried and failed before to do this- there is no vehicle access. I understand the waiting list is now 26 and I believe there are unused plots) Willes Close land is ideally located for housing- given that access can be found (the planned access has been taken over by a resident in Willes Close, not sure whether this is now unchangeable) The overview of Infrastructure for Faringdon area mentions schools and A420 and sewage. No mention of improved community facilities. It mentions more doctors facilities in the vision, but nothing in the delivery plan.</p>	<p>Comments noted in relation to the Preliminary Draft Charging Schedule and have also been included as part of the public consultation on the pre-submission Local Plan 2031 Part 1.</p> <p>Community facilities and health facilities have been identified within the draft Regulation 123 list as types of infrastructure that are to be funded in whole or in part by the levy.</p>	None.
Asda Store Ltd	<p><u>State Aid</u></p> <p>We wish to bring to you attention that there will be EU State Aid issues arising out of the setting of differential rates for different types of commercial entity within the same use class. Introducing such differential rates confers a selective economic advantage on certain retailers depending on the size of shop they operate out of, or their type of business. The council should adopt a flat levy rate for comparable sectors of the economy/use classes or, if it is not prepared to do so, providing an explanation as to why State Aid issues are not engaged by the setting of differential rates within use classes to the Inspector at the Inquiry. [see section 4 of response for full text].</p>	There are no state aid implications for charging different retail uses at different rates, or for charging different rates in different zones, as long as the differences are based on robust and credible viability evidence in line with the requirements of the CIL regulations.	None.

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
	<p><u>Concerns about the Council's approach to setting CIL charges generally.</u> The stated purpose of CIL is to raise revenue for infrastructure necessary to serve development. CIL is intended to address the imbalance or raising funds for infrastructure under the section 106 route, where larger schemes have effectively subsidised minor developments. However, CIL does not replace the section 106 revenue stream – it will simply provide additional revenue for infrastructure.</p> <p><u>Concerns relating to change of use and conversion projects</u> Many regeneration projects on brownfield land or town centres involve demolishing, converting or redeveloping buildings that have lain vacant for some time. This is particularly true of schemes which involve change of use from employment land, where the fact that a unit has been vacant for a considerable time is often a key factor in the Council's decision to grant planning permission for the scheme. The Viability Study does not acknowledge that the economic of conversion schemes are very different to those of new build schemes. It is difficult to see how the Council can assess whether the imposition of CIL will put the majority of these schemes at risk without having considered its impact on their viability. [seek section 5 of the response for the full text].</p> <p><u>Exceptional Circumstances Relief:</u> We note that the Council has not made a formal decision on whether or not it will provide any discretionary relief from CIL. We would encourage the Council to adopt an Exceptional Circumstances Relief Policy. By doing so, the Council will have the flexibility to allow strategic or desirable, but unprofitable, development schemes to come forward, be exempting them from the CIL charge or reducing it in certain circumstances. Given the rigid nature of the CIL regulations, which operate in a similar manner to a development land tax, this is a necessary and worthwhile safeguard that the Council will be able to use in appropriate circumstances.</p> <p><u>Flat Rate Levy:</u> Accepting for the purpose of this argument the premise that CIL is necessary for the purpose of funding Borough-wide infrastructure, a much fairer solution would be to divide the Council's estimate of total infrastructure costs over the charging period by the total expected development floor space and apply a flat rate levy across the Borough and across all forms of development. [full text within response, page 6]</p>	<p>CIL is not an additional revenue stream. Regulation 123(2), as amended by the 2014 Regulations, prevents section 106 planning obligations being used in relation to those things that are intended to be funded through the Levy by the charging authority. As demonstrated through the draft Regulation 123 list, CIL will replace the current use of S106 in certain instances. The use of S106 will remain for site-specific infrastructure requirements.</p> <p>The council is required to explain how the proposed levy rates will contribute towards the implementation of the Local Plan and support development across the district as a whole. The rates as proposed as based on type and nature of development set to come forward within the plan period.</p> <p>Following adoption of CIL the council will monitor the appropriateness of offering exception circumstances relief. Regulation 55 of the CIL Regulations permits a Charging Authority to introduce relief following the publication of a notice of its intention to do so.</p> <p>The Charging Authority is required by the CIL Regulations to derive rates based on viability evidence.</p>	

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
Oxfordshire County Council	<p><u>Revised Affordable Housing Policy</u> Oxfordshire County Council supports the District Council's decision to reduce its requirement for affordable housing from 40% to 35% for all residential development giving a net gain of 3 or more dwellings (Local Plan 2031 Core Policy 24). This policy change will be helpful in maximising the opportunity to secure contributions towards infrastructure through S106 agreements and CIL.</p> <p><u>Governance Arrangements for CIL</u> The protocol for project delivery and prioritisation of CIL income against items on the Community Infrastructure Regulation 123 Infrastructure list will need to be agreed with the District Council before it adopts its CIL Charging Schedule. This protocol will need to sit alongside the existing partnership arrangements which will enable the County Council to secure further funding from others sources, including the LEP. CIL governance arrangements should enable both of our authorities to priorities investment in essential transportation improvements and secondary and special needs education, without which growth is likely to stall. This will include many of the strategic transport improvement within the package agreed for The Science Vale.</p> <p><u>Infrastructure Delivery Plan and Residual Funding Gap</u> Whilst the Viability Study shows that the 21 strategic sites proposed in the Local Plan area capable of supporting a CIL charge (in addition to on-site mitigation through S106 contributions), the variable level of contributions to be secured via scaled back S106 requirements for strategic sites and the relatively S106 contributions per dwelling assumed for the "SHLAA" sites are a significant risk for delivery of growth and infrastructure. We will want to explore all possible alternative funding sources which might be directed towards reducing the residual funding gap, currently estimated to be circa £199m, allowing for a project CIL income of £75.5m up to 2031. The funding gap is particularly significant for The Science Vale area where expectations in respect of funding to be secured within VOWH and SODC remain unclear.</p>	<p>Comments noted.</p> <p>Comments noted. The council will work with OCC to establish Governance Arrangements.</p> <p>£2,500 per dwelling has been factored into the viability modelling for SHLAA sites. The council is confident that this represents a robust and considered assessment of residual onsite S106 following the introduction of CIL.</p>	None.
Chilton Parish Council	We do not agree with the VWHDC interpretation of the CIL regulations that uses it as lever to force on parishes the onerous & divisive task of development & adopting a Neighbourhood Plan through a 40% cut in its "meaningful proportion" from 25% to 15%. All parishes should receive the same 25% share of revenue. For the same reason, the £100/dwelling cap is unacceptable. If this split remains, so should the cap.	The council will administer CIL in accordance with the CIL Regulations 2010 (as amended). The allocation of CIL to Town and Parishes councils, as outlined in the note prepared for the November 2014 Town and Parish Forum, is in accordance with the CIL Regulations 2010 (as amended 2013)	None.

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
		59A – Duty to Pass CIL to Local Councils ¹¹ . The council is not using CIL as a means of encouraging or dissuading the preparation of a neighbourhood plan.	
Harwell Oxford Campus Partnership	In relation to 'Viability and Plan Making', the National Planning Policy Guidance (NPPG) is clear that Local Authorities should account for different types of residential development when undertaking a viability assessment in support of their Local Plan. This includes PRS housing.... The proposed draft charging schedule has been informed by the viability assessment set out in the VoWH Local Plan Viability Study (October 2014) and its annex, the Community Infrastructure Levy (CIL) Viability Study (October 2014). From our review of the viability testing undertaken in these documents, it appears that Private Rented Sector (PRS) housing development was not considered or tested in isolation from other residential tenures. In considering residential development, the assessment differentiates only between market and affordable housing types. As PRS housing is often funded and delivered in different ways, as acknowledged in the NPPG, consideration of this development type may have an impact the outcomes of the viability work which inform the proposed charging schedule. We would therefore suggest that the Council update its viability assessment to give due consideration to PRS housing development.	The council does not have evidence which points to differential values for rental and for-sale sectors, nor does the planning system restrict movement between these tenures in private housing. The council considers that the viability of the private rental sector is adequately covered through assessment of the viability of market housing.	None.
Keith and Margaret Eddey	The Community Infrastructure Levy is portrayed as a highly desirable method for meeting some of the specific authority costs incurred as a result of development. There could, however, be a danger that the authority is so eager to obtain funds that this desire influences its approach to a developer's planning application.	Comments Noted. CIL is a fixed cost and does not play a role in the determining of a planning application.	None.
Steventon Parish Council	Not transparent and easily understood by the Parish Council.	Comments noted. The council is sorry to hear of the parish council's difficulty in understanding the documentation. In addition to the Town and Parish Forum, at which CIL was discussed, a Neighbourhood Planning conference will take place in March 2015 during which CIL will be one of the workshops.	None.

¹¹ CIL Regulations 2010 (as amended 2013) Regulation 59A Duty to pass CIL to local councils, accessed at: <http://www.legislation.gov.uk/uksi/2013/982/regulation/8/made>

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Marcham Parish Council	Marcham Parish Council supports CIL and the £120 charging rate	Comments Noted.	None.
Blue Cedar Homes	<p>During the consultation period the Government has issued guidance set out in the National Planning Policy Guidance (NPPG) document, dated 28 November 2014. [extract from NPPG within full response]. As such, this very recent guidance should be taken into account in the Council's CIL Charging Schedule and be added to the list of 'Exemptions' set out in Section 7, para 7.1, page 9.</p> <p>I note that in the report on the Examination of the Draft Hertsmere Borough Council Community Infrastructure Levy Charging schedule, December 2013 (PINS/N1920/429/12), developers of specialist retirement housing, McCarty and Stone and Churchill Retirement Living, and Hertsmere Borough Council recognised the important difference between retirement housing and general housing in their charging schedule. The same approach should be considered and taken by the Vale of White Horse District Council in its CIL Charging Schedule. Currently, I believe there is no reasonable justification for a CIL charging on retirement housing at the same level as general needs housing.</p> <p>The Retirement Housing Study prepared by Knight Frank in October 2014 recognises the hurdle retirement housing faces in the planning system. I believe the Vale of White Horse District Council should take heed of this study. As a minimum, the Local Authority should look at the contributions a C2 use class (nursing/care homes) provides. The 'C2' classification means that developers do not have any obligations to provide affordable housing. According to Table1, CIL reliefs or waivers are also applicable to C2 uses. I believe that a housing scheme which provides a real need for specialist housing, such as retirement dwellings, should be exempt, similar to the C2 use class. It should also be recognised that by providing this type of housing for the elderly to downsize, larger family homes would become vacant.</p>	<p>The Draft Charging Schedule will be updated to reflect the changes announced by Government on 28 November 2014. Further details of the implications of this policy change will be made clear in the support document alongside the Draft Charging Schedule.</p> <p>The Council's viability study concludes that C3 retirement / sheltered accommodation can support the levels of CIL proposed. The Hertsmere Borough Council viability evidence found that in all but one area retirement housing could sustain the same rate as general housing. The VoWH CIL is in accordance with the Retirement Housing Study prepared by Knight Frank in that C2 use class are not subject to a zero/nil CIL.</p>	None..
Ptarmigan Land	The Infrastructure Delivery Plan which accompanies the CIL DCS identifies a requirement for a 2 Form Entry Primary School at Harwell to accommodate need generated by the proposed housing adjacent to the campus. Appendix 1 to the IDP (Page 41) identifies that contributions to the school are proposed to be excluded from CIL and would be sought from separate S106 agreements. Our clients objects to this proposal and believes that the school should be funded from CIL funds. The land for a primary school could be provided by the developer but CIL money should be used to constrict it. Should the Council continue to insist that the primary school would be	A review of infrastructure costs will be undertaken and where appropriate changes made to the IDP and viability assessment. The Council will look to discuss this further with Ptarmigan Land.	None.

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	covered by S106, then we may need to reserve our position to subsequently object to the proposed CIL rate at future consultations. Appendix 1 (Pages 41 and 42) also outlines a range of broader infrastructure requirements for the East of Harwell Campus site. Further clarification is sought regarding: whether the level of financial contribution reflects the revised housing numbers; the scale of contributions towards transport improvements in the Science Vale and the reliance on CIL and/or S106 contributions in securing delivery; and the delivery mechanism identified to secure upgrades to sewage treatment works.		
Mrs Philippa Manvell	The charging mechanism does not preclude developers defaulting on payments and the council incurring legal costs to pursue the monies. Why not require the developer to provide a returnable deposit and/or some financial guarantee at the stage the application is submitted rather than wait until the application has been approved and then a staged payment timeframe.	To date there are few examples of CIL default. The CIL regulations do not allow provide the opportunity for the council secure deposits or bonds. Legal costs associated with non-payment are recoverable from the developer.	None.
Clive Manvell	It seems to take too long for any of the infrastructure funding to be provided by the developers - it really needs to be money up front and infrastructure done first especially amenities. Just look at Didcot Great Western Park development - nothing provided yet, even though there are 2000+ homes already.	Comments noted. The instalment policy has been prepared to balance the needs of ensuring infrastructure delivery and developer cashflow.	None.
Letcombe Regis Parish Council	This is a good proposal. Sitting alongside the S106, it will provide a sensible way to get financial help for the Parish Council to integrate new development within the village.	Comments noted.	None.
NFU South East	<p>The development of housing for essential farm workers should be considered as much an integral part of farm infrastructure as (say) a new dairy unit or machinery storage shed. Residential accommodation is often essential for the safe and effective running of the farm and is developed at substantial cost to the farm business without the opportunity to realise any capital gain.</p> <p>We note that agricultural development, including residential developments for farm workers, has not been given separate consideration within the consultation document. This leaves the schedule open to interpretation where such development is concerned. We recognise that most farm operation based agricultural development will simply fall outside of the specified land uses within the schedule; however we have some concern over the possibility that development for farm workers accommodation would attract a CIL charge by being considered simply as residential accommodation.</p>	As recognised in the response operational agricultural development will fall outside of the charging and will not be charged CIL. Residential development will be charged CIL, it is considered that the statutory exemption for 'self-builders' would apply and therefore farm works accommodation would not attract CIL. The CIL Regulations allow the council to introduce an exceptions in the form of an exemptions policy following the introduction of CIL.	None.

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	For the avoidance of doubt, we suggest that rural workers accommodation should be referenced as one of the exempt land uses within Section 7 of the charging schedule. This is because types of agricultural buildings would not attract any capital gain whilst the farm enterprise is operational, would be unlikely to lead to a measurable increase in demand for community facilities and would be demonstrated as essential for the continued operation of the farm holding. Where it is not possible to set an exemption, we propose that an agricultural rate of £0 should be set within the Schedule.		
Wantage Deanery	There have been several smaller developments approved since 2013 across the Wantage & Grove area, and the South East Vale. Developments such as Chain Hill and Stockham Farm (Downsview Road) in Wantage, East Challow, and 3 smaller developments in the Hanneys have had S106 agreements as part of the planning consent. The Hanneys are a very good example where several small developments together totalled at least 88 houses, with 35% to 40% being social/affordable housing. The CIL represents a golden opportunity to provide for Community development across several smaller developments to fund the Social ("soft") aspects of integrating these small developments with the existing community.	Comments noted.	None.
Faringdon Town Council	Faringdon Town Council supports CIL.	Response noted.	None.
East Challow Parish Council	The limit of 15% to parishes, capped at £100 per dwelling, will result in a significant loss of funding at Parish level. The funding received from developers at parish level is already small and to reduce it further is unacceptable. Changes to S106 funding, due in 2015, should be reviewed. The promise of infrastructure improvements by developers often fails to materialise, certainly in the short term. The new development at Didcot is a prime example; there are no shops, no post boxes etc.	The limits on the portion of CIL to be passed to Town and Parish Councils is set out in the CIL Regulations, as are the pooling restrictions on the use of S106 post April 2015. CIL provides greater flexibility for Town and Parish council to spend developer contributions as opposed the current S106 procedure. CIL also provides the means to continue to seek developer contributions towards infrastructure following the pooling restrictions on the current S106 procedure.	None.
Cumnor Parish Council	It appears that CPC will be allowed to spend 15% of the levy raised on developments in its area, presumably this means the parish. If it had a Neighbourhood Plan it would be able to receive 25% of the CIL raised. However the CIL regulations do not require a direct link between where the money is raised and where it is spent. There is some doubt therefore on how much CPC could receive from the CIL available in its area. This point needs clarification.	The Town or Parish where development takes place will be passed a proportion (15% or 25%) of the CIL generated from the development. The Town or Parish Council is responsible for the spending of this money, The money received can be spend on infrastructure deemed necessary by	None.

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	<p>However CIL does not become available until the Local Plan has been approved and it is up to each Local Authority whether it wishes to operate CIL, it is not mandatory.</p> <p>The funds when received by the CPC can be spent on the provision, improvement, replacement, and operation of infrastructure as well as anything else that is concerned with addressing the demands that development places on an area. These descriptions are vague and need clarification.</p>	<p>the parish and is not linked/tied to the development.</p> <p>The definition on the spend of the parish portion used in the FAQ is taken from the CIL Regulations. The council will continue to work with town and parishes to identify spending priorities. A Neighbouring Planning forum is schedule for Sprint 2015, this will include a workshop on CIL.</p>	
Wantage and Grove Campaign Group	<p>Delivery of Infrastructure projects Can you please confirm that the identified infrastructure projects can be delivered through s106 as indicated (in accordance with CIL regulations 122 and 123), otherwise infrastructure could be stalled or reliant on other sources of funding to pay the remainder? Of particular concern would be the Wantage Eastern Link Road and the secondary school provision at Grove airfield. The Infrastructure and Funding Report does not articulate if there is a funding gap for these specific 2 projects.</p> <p>Funding of Infrastructure projects Given that the three main sites in Wantage and Grove will be exempt from CIL payments and funding wholly from S106, can you confirm that the funding will be sufficient to fund all of the infrastructure required in the area for a 50- 60% growth in the community?</p> <p>Prioritisation of CIL spend What will be the Governance arrangements for prioritising the CIL spend, and what role will local Members and communities play in that process to ensure essential infrastructure is delivered to need and that the communities are not subjected to harm?</p> <p>Timing of Expenditure No mention is made of when CIL money will be spent but it is clear from the NPPF and the report from the CLG that local authorities and the Planning Inspectorate should be reminded of the importance of timely infrastructure provision to delivering sustainable development. We propose that policies be put in place to ensure that infrastructure is funded and provided in a timely manner.</p>		

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Abingdon Town Council	<p>However the major proposed developments in north and north-west Abingdon, amounting to 1,000 dwellings, are not actually in the parish so the CIL would go to adjoining parishes despite the fact that any new developments would look towards Abingdon for services and facilities and be functionally part of the town. A parish boundary review should be initiated if additional housing is agreed, with this review being done ahead of any developments.</p> <p>It is noted that parishes which do not have a Neighbourhood Plan would receive less CIL and it is understood that this is the statutory position. The rationale behind this is questioned as it is our belief that the larger and more active Councils find this a more onerous process than smaller and less active Councils, particularly to resource. If Neighbourhood Plans are to be developed across the Vale then there needs to be support in place to assist local councils to develop these plans. Logically the time for Neighbourhood Plans to be developed is following the adoption of the Local Plan, so now is the time to look at this and how it could work.</p>	The neighbourhood/localised proportion of CIL comprises between 15% or 25% of the total CIL generated. The council will work with Town and Parish councils to support them in the identification of spending priorities and the maximising of the use of CIL. A boundary review sits outside the scope of CIL process.	None.
Councillor Judy Roberts	My first comment is that there is no specific information about how CIL funding and 106 funding will interact. Can they both be charged for on the same scheme and under what circumstances? At the presentation it was stated that a maximum of 5 partners could co-operate on 106 agreements from now on but it is my understanding that these documents have not yet gone to cabinet. The exact details of how 106 funding will operate needs to be documented and probably attached as an appendix to the CIL document. Also at the presentation, it was said that on the occasions where the amount of CIL levied on a development exceeds the amount that a parish council without a neighbourhood plan can receive within a year it would not lose that money through capping. Rather, the charges would be levied in instalments during the development's build so that the annual maximum was not exceeded. If this to be the case then this should be added to the document as it is misleading in its current form.	Comments noted. Additional guidance on the role of S106 following the introduction of CIL will be included as part of the next stage of consultation.	None.
Commercial Estates Group (CEG) and Radley College	<p>Commercial Estates Group and Radley College control the land at North Abingdon allocated in the draft Local Plan (Part 1) for 800 new dwellings and related supporting infrastructure. We fully support the principle of new development needing to contribute towards the new and improved infrastructure necessary to support planned housing development.</p> <p>Deliverability Table 4 of the CIL Infrastructure and Funding Report (November 2014) outlines the infrastructure funding gap in Vale of White Horse District. This currently stands at an estimated £119,169,272, after projected CIL receipts of £78,529,910. It is clearly</p>	Comments noted.	None.

Name / Organisation	Summary of Comments	Council's Response	Charging Schedule Amendments
	imperative that the District Council and other infrastructure providers fully explore the opportunities for alternative sources of funding for new infrastructure.		
Graftongate and Clowes Developments	<p>Pegasus make these submissions on behalf of Clowes Developments who have acquired the Didcot A power station site for redevelopment. Our submissions are thus focussed on the practical implications of CIL to the satisfactory delivery of this site's redevelopment, rather than with specific viability concerns over delivery - which we do have. Should this submission be ignored, we reserve the right to submit viability evidence at the next stage of the CIL Charging Schedule's consultation. Didcot A is a strategic site that has recently been made available for redevelopment. An important aspect is the fact that the site straddles the administrative boundary with South Oxfordshire, particularly regarding the application of CIL with two different charging schedules. A key component of the infrastructure required to support the wider growth of the town (in both SODC and VoWH) is the Science Bridge proposal that would be constructed right through the centre of the Didcot A site, but is unlikely to involve land within SODC. The redevelopment proposals for this strategic, brownfield site are presently being formulated and will provide for the delivery of this Science Bridge proposal, involving considerable land AND on site road infrastructure to potentially relieve the estimated £35 million cost of the bridge and link road. In light of this potentially unique relationship between the redevelopment of the site and the delivery of infrastructure to serve wider needs, it would be entirely inappropriate to apply CIL to the redevelopment of this site. It is noted that the CIL Viability Study of October 2014 recognises the implication of CIL to other strategic sites; in particular it notes at paragraph 4.34 that "Neither Monks Farm nor the Crab Hill site are able to bear CIL in addition to the site specific infrastructure requirements ... We recommend zero rates are applied to these two sites". This is precisely the situation with the Didcot A Power Station site and thus we submit that the Preliminary Draft Charging Schedule of £0 is also applied to the Didcot A Power Station site. It is of course hoped that planning permission will be granted for this redevelopment proposal in advance of the planned CIL adoption towards the end of 2015. However, any amendments to the scheme may ultimately be required that would not be exempt from CIL and the only way the future viability of the scheme can be assured is via the application of the proposed changes below. Proposed Change For the Didcot A site as identified on the attached plan to be included as a Zone 3 for residential development and be also exempt from the retail CIL charging rate.</p>	Discussions with the County Council and the site promoters will take place and were necessary additional analysis of the Didcot A site will take place. It is considered necessary that CIL funding will be required to support the delivery of the new Science Bridge.	None.
David Wilson Homes Southern	For clarity and to provide certainty to developers who are progressing developments in the District prior to the implementation of the CIL Charging Schedule, we would request that the Council explicitly state their target date for implementing CIL.	The adoption of CIL will follow the adoption of the Local Plan 2031 Part 1 (LPP1), subject to	None.

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		examination of both the LPP1 and CIL it is expected that CIL will be adopted in early 2016.	
East Hendred Parish Council	Relevant infrastructure projects include improvements in the Science Vale area. The list includes "Upgrades to Rowstock roundabout and on the A417 corridor" with a planned cost of only £3.3M, to be funded through CIL. This is a very limited amount to allow significant improvements to the A417 corridor, which is a key link between the housing developments in Wantage/Grove and the employment sites at Milton Park and Harwell campus. OCC Highways admit that the A417 between Wantage and Rowstock is close to capacity at the present without taking into account this growth. The sum allocate represents only 2.8% of the planned infrastructure costs to be funded through CIL, which we consider much too small, given the importance of the A417 and its current status. Higher priority should be given to upgrading the A417 corridor. A significant gap in listed planned transport infrastructure improvements is the need to improve the access for traffic from the Harwell campus to both the Chilton interchange and Rowstock. There are already traffic jams on this stretch of road at outmuster time with the existing work force. Although £2m is allocated to improve the Harwell Oxford Campus entrance there is also a need to improve the A4185 between Rowstock and the Chilton interchange given the large planned growth of this site, which can only add to this problem.	CIL testing is based on the necessary infrastructure improvements as identified in the IDP, informed by transport modelling and other evidence prepared in partnership with the county council and using their cost estimates.	None.
John Martin	The Authority needs to look and observe what the other authorities have, done especially WODC as they clearly have identified the differences that occurs when undertaking small developments, just like the zero carbon approach which has been recognised as an issue by the Government. The Government have provided clear build cost reduction targets for their own schemes, it seems inconstant that other government organisation are imposing additional cost burdens by taxing investment. If we have to go down this road I would advocate a £100m2 rate because as this is such a blunt tool then additional identified monies could be identified by section 106 agreements, as a reduction seems (strangely) not acceptable. This would bring it in line with all of the other LAs and leave it at one rate - that way everybody is equal and would probably prevent some arguments in the future, because they will take place. Follow WODC ruling and omit developments up to 5, I have no doubt this will assist in rural infill and the provision of smaller units which currently the market is lacking.	The council is aware of the approaches taken by adjoining and other districts. Setting a CIL of £100 per sqm is not considered appropriate as other planning policy requirements differ including affordable housing requirements.	None.
Macktaggart and Mickel and Mr and Mrs Carlisle	The CIL figure proposes a charging rate of £120 per sq.m. for the Harwell area. This figure is informed by the Viability Study which accompanies the CIL Schedule. The approach is supported by a CIL Viability Study (October 2014). Section 3 of the Report	S106 costs for the North-Shrivenham site are circa £4.1m, as stated in table 7.1 of the Local Plan viability study. There are also non-s106 costs of approx. £3.5m (infrastructure identified as CIL	None

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	<p>deals with development viability and at page 21 there are a list of the strategic sites, along with the estimated infrastructure costs associated with them.</p> <p>The respondents concerns to the CIL Charging Schedule relate to whether the infrastructure costs have been robustly tested. The respondents are aware of the North Shrivenham allocation where the estimated cost in the Viability Study is circa £4.1 million and the actual S106 package being sought by the Council for the first phase of development is circa £5.6 million. A difference of circa £1.5 million is a serious miscalculation.</p> <p>School provision In general terms, The respondents recognises that there could be a need for a new primary school However, this has yet to be fully resolved and the concern is that the amount of development being proposed in Harwell clearly expects the eventual allocation to deliver the funding required to deliver the school. However, there is no consideration about costs being deducted because of the land values given away to accommodate the school, or what will happen to the current school, which is relatively new. This is in contrast to the Abingdon allocations, which incorporate costs for acquiring land in their calculations.</p> <p>Leisure contributions The IDP identifies circa £2.9 million of CIL contributions towards leisure provision either on site on off-site based on the findings of the Nortoft Study split between the two current allocations. The respondents strongly object to the totals set out in the IDP as these have to be tested against whether the contribution sought are fairly related to the development in the first instance.</p>	<p>items) taking total site costs to over £7m. The Local Plan Viability Study assumes sites come forward after the adoption of the Local Plan and CIL; should individual sites come forward before CIL is adopted we will seek to fund the infrastructure required for delivery through S106.</p> <p>A new primary school site will be provide on the Harwell East site to accommodate the needs of this site and North West Harwell. The existing Chilton school will remain. The land value for the provision of a new primary school on Hawell East was included in the costings used for the viability study. However, the proposed funding through S106 for the school had not taken into account the provision of land by Harwell East. The revised figures result in a lower S106 contribution from Harwell East and the IDP will be updated to reflect this. As the S106 costs are now lower it is not considered an update to the viability study is necessary.</p> <p>Comments noted. Whether the contributions are required sits within the Local Plan and not CIL. The response will be included as part of the Local Plan. For the purpose of CIL the contributions have been identified as a CIL item.</p>	
Welbeck Land	<p>Welbeck support and recognise the need for S106 contributions and CIL charges, provided that they meet the tests in national guidance and CIL regulations. As a starting point, the IDP submitted with the Plan identifies a series of requirements for Welbeck's North Shrivenham site.</p> <p>The CIL figure proposes a charging rate of £120 per sq.m. for the Shrivenham area. This figure is informed by the Viability Study which accompanies the CIL Schedule.</p>	Comments noted.	

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	<p>The approach is supported by a CIL Viability Study (October 2014). Section 3 of the Report deals with development viability and at page 21 there are a list of the strategic sites, along with the estimated infrastructure costs associated with them.</p> <p>For North Shrivenham, the estimated cost is £4,188,125 and viability analysis is based on this figure. Aside from specific costs being outlined below, the £4.18 million figure is an underestimate of the level of infrastructure costs being generated for phase 1 of the site to the vale of £1.6 million. The Council will be aware that part of the allocation is currently the subject of a Phase 1 application for 240 units and a primary school. Against the Council's current S106 calculations, the Council is seeking £5,685,477 million for Phase 1 alone. It is equally understood that of this figure, there are still costs for highways infrastructure, which have to be accounted for. This means that the infrastructure costs (on paper at least) could be in excess of the £5.6 million currently quoted and sought by the Council.</p> <p>The underestimation of infrastructure costs by £1.5 million is a serious and major error in the calculation of viability on the site. This draws into serious question the robustness of CIL Schedule.</p> <p>Overview The approach adopted by the Plan in this respect is unsound. CIL Charging Schedule needs to be established by setting a charging schedule which has been subject of public consultation and an examination. At this stage, the IDP is a list of Plan requirements, which identify a significant level of funding to be derived from CIL.</p> <p>School provision In general terms, Welbeck recognises that there will be a need for a new primary school on the site and has been in a programme of extensive discussions with the County Council about the provision of a new school. However, this has yet to be fully resolved and the concern is that the amount of development being proposed in Shrivenham clearly expects the site to deliver the funding required to deliver the school, whilst there is no indication that other developments will contribute towards school capacity. Neither is there any consideration about costs being deducted because of the potential income to be achieved from the sale of the existing primary school to a third party. This is in contrast to the Abingdon allocations, which incorporate costs for acquiring land in their calculations.</p> <p>Highways and Transport</p>	<p>S106 costs for the North-Shrivenham site are circa £4.1m, as stated in table 7.1 of the Local Plan viability study. There are also non-s106 costs of approx. £3.5m (infrastructure identified as CIL items) taking total site costs to over £7m. The Local Plan Viability Study assumes sites come forward after the adoption of the Local Plan and CIL; should individual sites come forward before CIL is adopted we will seek to fund the infrastructure required for delivery through S106.</p> <p>Need to respond...</p>	

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	<p>The IDP identifies that “upgrades along the A420” and upgrades the bus service will be sought through the CIL process. At this stage it is highly questionable as to what those contributions will be and how they pass the tests in the Framework and the CIL regulations. Furthermore, the ‘upgrades to bus services’ allocated to CIL appear to duplicate the ‘site specific works, PT and other transport’ proposed via S106/S278.</p> <p>Accordingly further clarity is requested regarding the justification, scale of contribution and delivery mechanism for securing highway and transport improvements.</p> <p>Foul Water The difficulties delivering foul water infrastructure are considered at Section 8 of the IDP and it is welcomed that the council is seeking to manage these delivery challenges. However, it is the duty of Thames Water to plan and deliver upgrades to sewage treatment works and to ensure these improvements are incorporated into their asset management programme so as not to delay development delivery.</p> <p>Further clarity is therefore requested regarding the delivery mechanism identified at page 53 of the IDP to secure upgrades to sewage treatment works and specifically whether it is justified for developers to contribute by S106 toward sewage treatment work improvements.</p> <p>Leisure contributions The IDP identifies circa £1.3 million of CIL contributions towards leisure provision either on site on off-site based on the findings of the Nortoft Study. Welbeck strongly object to the totals set out in the IDP and in addition cite the following example of the contradictory nature of the studies which underpin the IDP.</p> <p>For example, the IDP anticipates that 4 tennis courts will be provided on the allocation. Whereas, for example, Harwell East Allocation is only asked to provide 3 tennis courts, for an allocation of 850. Welbeck fail to understand the logic in this level of contribution. In addition, there are a number of tennis courts already provided on the adjacent community hub set around the Village Hall.</p>	<p>Comments noted. The Regulation 123 list sets out the infrastructure that will be provided through CIL, and what will be provided through S106. S106/S278 remain for the provision works necessary to support access of the site by both private and public transport. Other strategic and local transport projects will be funded through CIL.</p> <p>Comments noted. Whether the contributions are justified sits within the Local Plan and not CIL. The response will be included as part of the Local Plan. For the purpose of CIL upgrades to sewage treatment works on strategic sites allocated with LPP1 have been identified as a non-CIL item.</p> <p>Comments noted. Whether the contributions are required sits within the Local Plan and not CIL. The response will be included as part of the Local Plan. For the purpose of CIL the contributions have been identified as a CIL item.</p>	
Hinton Waldrist Parish Council	<p>The CIL documents appear to jump straight into a draft charging regime per sm. We could not see how this was calculated and how the County Council's requirements would be met. It is difficult to challenge your figures without this information. We do consider that there is such a lot of infrastructure needed in the Vale that the figures you are quoting are too low.</p>	<p>Comments noted.</p>	<p>None.</p>

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Hallam Land Management, Taylor Wimpey UK and Persimmon Homes	<p>Comments made in relation to development at Valley Park. At the outset there are overriding concerns in relation to how the proposed timescale for the examination and subsequent adoption of CIL will fit in with the determination of the Valley Park application. At present the examination of CIL is anticipated to take place alongside the examination of Part 1 of the Local Plan in the summer of 2015 with adoption and implementation at the end of 2015. My clients are concerned that this timescale, and any possible delays in the adoption of the Charging Schedule, will impact upon the delivery of this significant project. As has been identified within the IDP, significant on and off site contributions have been identified in association with the strategic site, all of which are considered to have the ability to be appropriately dealt with via the S106 mechanism. As such we would recommend that the Council considers a nil-CIL rate for this strategic site and allow all negotiations to take place in a timely manner under S106.</p> <p>With regard to the viability of the CIL charge, at present we have no comment to make as the details in the Viability Study are insufficiently clear; however we reserve the right to make future comment as site specific information comes forward during the formulation of detailed plans and requirements.</p> <p>Whilst we advocate a nil-CIL rate for Valley Park, if it was considered that a CIL rate was to be applied to this site, we would wish to question why particular areas have different rates. These are not adequately explained or justified. For this reason, we don't believe that Valley Park would fall into Zone 1 given the way other 'strategic' sites in the District would be charged. If the Council does not consider it appropriate to set Valley Park as a nil CIL rate, we would request a further discussion with officers in order to understand how it is envisaged that CIL will work in relation to the Valley Park site. Firstly, in respect of any delays in the adoption of the charging schedule and its likely impact on the delivery of Valley Park, and secondly in relation to the specific calculations and workings of CIL in association with the specific infrastructure requirements set out in the IDP. The IDP, October 2014, currently sets out the infrastructure requirements in association with Valley Park, some of which are to be provided under 'S106', others 'CIL' and others 'CIL in kind'. Our clients have concerns in respect of the draft Regulation 123 list and the IDP and the relationship between the two documents.</p> <p>'CIL in kind' is referred to within the IDP document but is not included within the draft charging schedule and as such it is unclear on how the actual mechanism of this aspect will work. We would suggest that a definition is included within the schedule for</p>	<p>The application if approved would bear CIL and / or s106 as applicable and appropriate at the point of determination.</p> <p>CIL is identified as the appropriate mechanism for the funding of necessary infrastructure where funding is likely to require pooled contributions from more than 5 developments (since 2010), and where the site can viably bear the CIL charge identified.</p> <p>The IDP will be corrected to show that on-site sport facilities will be delivered through S106 not as stated through CIL in kind.</p>	<p>None.</p>

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	<p>clarity and that the draft payment in kind policy, required by the Regulations (as amended) is drawn up and included in the next consultation.</p> <p>The 'CIL in kind' infrastructure for Valley Park appears to relate only to sports and recreation facilities. Firstly, it is considered that these can be satisfactorily dealt with as S106 requirements as they will site specific and therefore the IDP should be amended accordingly. However, perhaps more importantly, we note that such sports facilities are not listed on the draft Regulation 123 list and as such would not be appropriate to be sought as a CIL in kind requirement. Contributions to special educational needs are also not cited on the draft Regulation 123 list, however are set out within the IDP as an infrastructure requirement in association with the site to be provided under CIL. Again it may thus be inappropriate to seek this under CIL.</p> <p>Lastly, there are concerns in relation to potential double counting. We note that primary education is cited on the draft Regulation 123 list; however exclusions are included which includes the Valley Park site as the requirement for two new on site primary schools will be dealt with via S106. We assume therefore that any CIL payment would be pro rata'd accordingly (as the rate has been calculated on the basis of this provision being included) to ensure no double counting. We would be grateful for clarification on this aspect. There is the same concern for double counting in relation to other exclusions within the draft Regulation 123 list, such as waste facilities, for which the S106 mechanism will be relied upon for Valley Park.</p> <p>At present there are duly founded concerns in relation to the draft CIL charging schedule and associated documents. It is considered that CIL may be inappropriate for the strategic housing proposal at Valley Park and that S106 can be adequately relied upon to ensure that the project is brought forward in the timely fashion. We also question why different parts of the district have differing CIL rates and whether Valley Park would qualify for a different rate. There are also concerns on the multitude of 'grey areas' which exist in relation to the application of CIL, the draft Regulation 123 list and the October 2014 IDP. My clients at present therefore 'object' to the current draft CIL charging schedule and associated documents and would request the opportunity to discuss this further with the Authority.</p>	<p>Infrastructure identified as being funded through S106 (including primary education on the Valley Park site) has been costed into the viability assessment. Additional details on these costs can be found within Table 7.1 of the Local Plan viability study.</p>	
Mr John Attree	<p>A requirement for the provision of community facilities should be a condition of all planning applications on all significant developments. In addition it should be a condition that these are provided early in the project. It is not acceptable for developers to continue with their normal practice of providing as little as possible and</p>	<p>Comments noted. CIL will ensure that all eligible development contribute to the provision of infrastructure.</p>	<p>None.</p>

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	so late in the project that the community is travelling elsewhere for the facilities it needs. These facilities should include meeting accommodation, including storage for equipment and outdoor areas for new Scout Groups and Guide Companies.		
Mr Daniel Scharf MA MRTPI	<p>There needs to be definitions of self/custom- building/finishing. There is insufficient help from the Regulations to identify the 'genuine' self or communal building that are intended to qualify for the exemption – that, incidentally, does not appear to have been included in the documentation.</p> <p>The inclusion of definitions might also be the opportunity to decide what form of self/custom-building/finishing should reasonably be seen as affordable housing (currently eligible for exemption from CIL). The recent Government Consultation on self-building describes ways in which self-building can be done in conjunction with a Registered Provider. The HDH report explores the margins of viability and if self-building (with its CIL exemption) is not made part of the 35% affordable housing it is unlikely to grow at or to the levels hoped for by Government.</p> <p>The HDH report does not address 'exception sites' that in rural areas should now be included in the 'strategic sites' (where these are being proposed in the Local Plan) or allocations in neighbourhood development plans. The proportion of such sites meeting the 'local housing needs' would also affect the additional land value.</p> <p>A definition/clarification is also needed for how the Council will interpret "in-use" for the exemption for the change of use of existing buildings. This does not appear to be the same as a lawful existing use, that remains lawful in a dormant state. The Council should make clear what evidence it will be requiring to prove that the building had been in-use for the required period.</p> <p>There is a clawback provision for annexes that also needs to be supported by definitions – which must address or distinguish the liability to pay a clawback from the change to two dwellings that is a separate exemption?</p> <p>Given the uncertainties about the additional value that could have been available as contributions through CIL or s.106 and the cautious approach taken to CIL, it is essential that all significant applications should be subject to 'open-book' accounting. In this way the LPA could satisfy itself that any resistance from the developer to</p>	<p>The council will implement CIL in accordance with the CIL Regulations 2010 (as amended) and use this when assessing any applications for exemption from CIL that may be received.</p> <p>Affordable housing delivered on exception sites will be excluded from CIL, like affordable housing elsewhere. As any market housing permitted on exception sites is only the minimum necessary to enable the delivery of the affordable housing based on viability evidence, these schemes would not be able to sustain a CIL as well.</p> <p>The council will implement CIL in accordance with the CIL Regulations 2010 (as amended) and use this when assessing any applications for exemption from CIL that may be received.</p> <p>The council will produce a S106 Planning Obligations SPD to further show how S106 and CIL will work together following the adoption of CIL. This will include the council's approach and</p>	<p>It is proposed that within the Draft Charging Schedule that all homes on exception sites are exempted from CIL</p> <p>None</p> <p>None</p>

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	reasonable requests to meet planning policies (eg zero carbon housing, physical and social infrastructure, small/terraced housing, self/custom building, other affordable housing) would not affect the viability of the development and the price being paid for the land was not excessive in the context of these reasonable and necessary demands.	requirements when considering the viability of individual sites or schemes.	
Mr Fraser Old	<p>I cannot comment on the level of the CIL etc because I don't know the cost of the infrastructure and the other numbers involved - and simply don't have the time to go through everything in the necessary detail to make an informed comment. However, I would offer some comments on the outcomes we would like to see.</p> <ul style="list-style-type: none"> - In principle we are in favour of more good housing, especially at lower prices. I am a volunteer on some projects with the Oxford hospitals and am aware they face huge problems in recruiting and retaining nursing staff. One of the contributing causes is the high cost of housing in S Oxfordshire - I read recently it's the second most expensive place in the UK after London. And our allocation policy should favour the young teachers, nurses and others whom we need to staff and develop our infrastructure. - I have recently heard very well-informed criticism of some of the assumptions in the modelling programmes for employment, transport and other infrastructure. It is essential that these exercises are transparent so that we can all see how you arrive at your conclusions and subsequent decisions. - We live on the A417 in Harwell village so have a strong interest in road development and traffic flows to growing sites such as the Harwell Campus and Milton Park. Traffic on the A417 is often heavy and fast, despite the efforts of our local PCSOs to maintain a presence and keep speeds down. At a consultation exercise, my concerns were countered with the argument that it was of course an A road and heavy traffic was to be expected, but it is important to bear in mind that it is also a village street. It is important for all that traffic levels are kept to a minimum and road design should work towards speed control and traffic calming. - I am constantly disappointed by the lack of imagination and attention given to cycleways. We have fairly wide experience of Germany and the Netherlands, where it is normal practice to include cycle routes from the beginning. I realise that the cost of this must come from the infrastructure budget, but the benefits in terms of health, reduced emissions and wear and tear on roads go much wider than the cost of maintenance. - There is a reference to attracting high quality shops and businesses. I would like to think that this does not simply mean up-market chain stores. In our local shopping town, Didcot, there are a number of small specialist shops and businesses which provide things which we all need to live, rather than things the big stores want to persuade us to buy. I hope that the planning authorities will make provision for these 	Comments noted and this response will be included in the responses to the Local Plan.	None

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	services and enterprises to be maintained at a local level and not pushed out onto out of town industrial estates. Shopping malls are all very well, but they are often indistinguishable from one another, so you have no idea whether you are in the Clarendon Centre, the Oracle, or the Allgaeu Centrum in Bavaria. A wide spread of shops is essential for everyday life.		

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