

DRAFT FOR EXECUTIVE (07.11.16)

# **Community Infrastructure Levy (CIL)**

## Draft Charging Schedule

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Cherwell District Council

**CONSULTATION STATEMENT**

November 2016

# 1. Introduction

- 1.1. This consultation statement sets out the Council's engagement in the preparation of emerging CIL rates and supporting evidence associated with the CIL Preliminary Draft Charging Schedule, February 2016.
- 1.2. It also sets out the main changes made to the charging schedule to its Draft stage. The main aim of the preliminary draft charging schedule consultation was to set up robust evidence on viability informing CIL rates, explore the remit of CIL and S106s Agreements, and increase awareness of the levy and changes brought in by the CIL Regulations.

# 2. Pre-consultation and endorsement

- 2.1. The Council adopted the Local Plan Part 1 in July 2015 covering the period 2011 to 2031. The Plan was accompanied by an Infrastructure Delivery Plan (IDP) supporting the Plan's growth.
- 2.2. In October 2015 CDC Officers consulted infrastructure providers for an update to the IDP<sup>1</sup>. Progress was reported to Executive on January 2015 as part of the Council's Annual Monitoring Report process.
- 2.3. In November 2015 CDC Officers and the consultant commissioned to undertake the CIL Viability Report undertook a Peer Review of assumptions to be used in the viability modelling supporting the CIL Preliminary Draft Charging Schedule.
- 2.4. The Peer Review resulted in an adjustment of the following assumptions:
  - Gross to Net Ratio for retail, offices and C3 retirement/sheltered accommodation;
  - Purchaser costs at 5.8%;
  - House prices for post codes: OX15, OX16, OX17, OX25, OX26, OX27, OX33
- 2.5. As part of the Council's Parish Liaison meetings (biannual), officers raised awareness of CIL and its potential implications for Cherwell in a presentation to parish representatives on 10 June 2015.
- 2.6. Preliminary Draft Charging Schedule was endorsed for consultation by CDC's Executive on 1 February 2016.

# 3. CIL Regulation 15 consultation

- 3.1. Cherwell's Preliminary Draft Charging Schedule was subject to consultation for the period 12 February - 25 March 2016. The consultation included the following documents:
  - Preliminary Draft Charging Schedule (February 2016)

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<sup>1</sup> [http://www.cherwell.gov.uk/media/pdf/9/1/IDP\\_December\\_2015\\_Update\\_.pdf](http://www.cherwell.gov.uk/media/pdf/9/1/IDP_December_2015_Update_.pdf)

- Position Statement on CIL and Planning Obligations (February 2016)
- Infrastructure Funding Gap (February 2016)
- Viability Study (January 2016)
- Public Notice (February 2016)
- Representation Form (February 2016)  
<http://www.cherwell.gov.uk/index.cfm?articleid=9648>

3.2. The archived consultation documents are available in the Council's website <http://www.cherwell.gov.uk/index.cfm?articleid=9648>.

3.3. Appendix 1 contains the Notice of Publication for the CIL Regulation 15 consultation stage.

### **Parish Council Workshops**

3.4. As part of the Council's 'Issues' consultation on Local Plan Part 2 and Local Plan Part 1 Partial Review officers organised 2 Parish workshops on 23 and 24 of February 2016. Consultation on the Community Infrastructure Levy was also highlighted at the workshops although this was not the focus of the workshops. The following is a summary of main comments and queries on CIL:

- Discussion of CIL as a mechanism for achieving community facilities, need to ensure that planning contributions are retained in the area experiencing the development
- Discussed CIL as a potential source of funding helping provision of facilities.
- CDC officers advised on the preparation/review of the Infrastructure Delivery Plan, the relationship between CIL and S106 agreements and how they are used to fund infrastructure.
- Questions were raised about contributions from smaller developments (i.e infilling). Concerns were expressed about CIL being used to obtain planning permission by developers.

### **Viability stakeholder workshop**

3.5. In addition to the formal call for responses during the consultation period, officers held a viability stakeholder workshop on 17 March 2016 to enable an in depth discussion of assumptions and information within the Viability Report supporting the Preliminary Draft Charging Schedule.

3.6. Eleven participants attended the workshop in addition to the officers leading and consultant running the workshop. The session raised awareness of CIL amongst those involved in development in the district and provided the opportunity to discuss in detail viability modelling and whether it matched the stakeholders' local experience. It was apparent that there were areas for which attendees preferred to reserve their positions and provide detailed comments formally on behalf of clients and that the strategic nature of viability modelling for CIL makes it difficult to provide definite answers to fit all scenarios. Nevertheless there seemed to be consensus on:

- Methodology being suitable and not dissimilar to that used elsewhere;
- Site typology contains a reasonable mix and also similar to that used elsewhere;
- Exceptional circumstances relief could be beneficial if set within a context which does not undermine the broader CIL purpose and delivery of infrastructure;

- Transactions for commercial sites are greater than 4-5 years ago high level CIL modelling does not seem to work for commercial development with anecdotal evidence of commercial sites changing hands at high values.
- Would welcome an Instalments policy; needed for larger schemes.
- Benchmark land values; the most difficult element of the viability assumptions. Those used in CDC Viability seem reasonable for the larger sites less so for smaller sites.
- Landowner expectations of land values maybe different south and north of the District but CDC viability approach has been an agricultural uplift approach District wide.

### **Responses to CIL Regulation 15 consultation stage**

3.7. The Council received 38 responses to the formal consultation; a similar rate to adjoining authorities for the same consultation stage.

3.8. The consultation documents asked a number of specific questions:

#### Appropriate balance

Question 1: Does the Preliminary draft charging schedule strike an appropriate balance between the desirability of funding infrastructure from CIL and the potential effects of CIL on the economic viability of development across the district? If not, what changes would achieve this?

#### Instalments policy

Question 2: Would an instalments policy assist development viability? If yes, which number of instalments and thresholds would best reflect development stages?

#### CIL relief

Question 3: The Council does not intend to offer discretionary relief from CIL. Are there any circumstances which would justify discretionary relief such as for investment activities for charitable purposes or for exceptional circumstances on economic viability grounds?

#### CIL rates

Question 4: Most development will have an impact in the area and some types of development need good transport and community infrastructure to prosper. The viability evidence study only shows viable CIL rates for residential and out of centre retail. Would a nominal charge set at a level which would have minimum impact on overall development costs be a fairer proposition to strike the appropriate balance in question 1?

3.9. A summary of main issues raised in the Preliminary Draft consultation include:

#### Appropriate balance

- Suggested amendments to economic viability assumptions on matters including: external site works and S106s, land values, affordable housing values, building costs and contingencies.
- CIL implications on viability and conservation of the historic environment.
- Concern with level of charges in relation to charges of neighbouring authorities
- Proposed rate for Area 3 (southernmost part of the District) is too high when compared to proposed charges elsewhere in the District and adjoining Local Authorities.

- Supporting a zero charge for residential allocations of 500 dwellings or more in areas 1 and 2 but seeking its application to all sites over 500 dwellings whether or not currently identified as an allocation. Residential sites below 500 units to benefit from the same discount.
- Suggest charges for employment uses and Houses in multiple occupation
- Welcome a zero retail charge in town centres.
- Have different rates or exclusions for any part of Cherwell is not sensible; infrastructure is required across the District.
- Suggest reducing rates to minimise impact on affordable housing provision
- Request that the evidence base is reviewed and a lower CIL rate set across the District.
- Amended CIL Charging Schedule should include town centres' Area of Search for Expansion
- Consider undertaking further sensitivity testing.
- Needs adequate buffers above the proposed CIL rates.

#### Instalments policy

- Majority of comments support provision of an instalments policy.

#### CIL relief

- Similar number of responses 'supporting' and 'not supporting' provision of discretionary CIL relief.
- Those responses supporting CIL relief relate mainly to relief on economic viability grounds.

#### CIL rates/nominal charge (i.e. a standard minimum charge applying to most development)

- Similar number of responses 'supporting' and 'not supporting' a nominal charge.
- Some support for charging development types in addition to those proposed in the Charging Schedule.

3.10. The consultation resulted in a number of adjustments and changes now reflected in an Updated CIL Viability Report and a Draft CIL Charging Schedule. These include:

- Adjusting the viability model and re-run the site appraisals.
- Additional sensitivity testing on build costs, house prices, Section 106 costs and developer's profit for residential development and variations in the yield for commercial development.
- Changes to proposed out of town retail charge from £190 to £170
- Changes to proposed residential charge for Area 3 (southern part of the District) from £310 to £270.
- Clarification in the charging schedule to indicate Town Centres are defined in Cherwell's Local Plan Proposals Map.
- Drafting of an Instalments Policy.

3.11. Appendix 2 contains the list of those consulted during CIL Regulation 15 consultation stage and Appendix 3 contains a summary of all responses received.

3.12. The Council's Position Statement on CIL and Planning Obligations document sought views on:

- The most suitable funding mechanisms to deliver infrastructure; and
- Further information/evidence from the public, infrastructure providers and site promoters on which infrastructure needs are most likely to be provided for 'on-site' and which strategic sites are likely to come forward ahead of CIL adoption.

3.13. The Council's Position Statement helped inform the Draft Developer Contributions SPD.



## **Notice of publication of the Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule Consultation**

### **CHERWELL CIL PRELIMINARY DRAFT CHARGING SCHEDULE**

#### **Regulation 15 of the Community Infrastructure Levy (CIL) Regulations (2010; as amended)**

Cherwell District Council has published a CIL Preliminary Draft Charging Schedule for consultation. CIL is a planning charge introduced as a mechanism for local authorities to help deliver infrastructure to support the development of their area. Since April 2015 the Council's ability to use existing mechanism of pooling development contributions (generally known as Section 106 agreements) has been largely limited to securing site specific infrastructure and affordable housing. If adopted, CIL would enable the Council to continue pooling contributions from new development across the district to help the funding of local and strategic infrastructure.

The Preliminary Draft Charging Schedule sets out the proposed rates of CIL to be charged on different types of development across Cherwell.

Your comments are invited on the proposed CIL Charging Schedule and its supporting evidence. The Preliminary Draft Charging Schedule and related documents, including viability and infrastructure evidence and representation forms, are available to view on line at [www.cherwell.gov.uk/policypublicconsultation](http://www.cherwell.gov.uk/policypublicconsultation) or at the locations listed below.

#### **Hard copies at the locations below during opening hours:**

Cherwell District Council Offices, Bodicote House, Bodicote, Banbury, OX15 4AA  
8.45am - 5.15pm Monday –Friday

Banbury Town Council, the Town Hall, Bridge Street, Banbury, OX16 5QB  
Monday to Thursday 9am- 4.45pm, Friday 9am- 4pm

Banbury Library, Marlborough Road, Banbury, OX16 5DB  
Monday 9am – 1pm, Tuesday 9am-7pm, Wednesday 9am – 8pm, Thurs and Friday 9am – 7pm, Saturday 9am – 4.30pm, closed Sunday

Neithrop Library, Community Centre, Woodgreen Avenue, Banbury, OX16 0AT  
Monday 10am – 7pm, Tuesday Closed, Wednesday 2pm – 5pm, Thursday 10am – 1pm, Friday 10am- 5pm, Saturday 9.30am – 1pm, closed Sunday

Bicester Town Council, The Garth, Launton Road, Bicester, OX26 6PS  
Monday – Thursday 9am – 5pm, Friday 9am – 4pm

Bicester Library, Old Place Yard, Bicester, OX26 6AU  
Monday 9.30am – 7pm, Tuesday 9.30-5pm, Wednesday and Thursday 9.30am – 7pm, Friday 9.30am – 5pm, Saturday 9am-4.30pm, closed Sunday



Kidlington Library, Ron Groves House, 23 Oxford Road, Kidlington, OX5 2BP  
Monday 9.30am – 5pm, Tuesday 9.30am – 7pm, Wednesday 9.30am – 1pm, Thursday  
9.30am – 5pm, Friday 9.30am – 7pm, Saturday 9.00am – 4.30pm, closed Sunday

Adderbury Library, Church House, High Street, Adderbury, OX17 3LS  
Tuesday: 10 am –12 noon & 3 – 7pm, Thursday: 2pm – 5pm & 6 – 7pm, Friday: 10am – 12  
noon & 2 pm – 5pm, Saturday: 9.30 am –1pm, closed Monday, Wednesday & Sunday

Deddington Library, The Old Court House, Horse Fair, Deddington, Oxon. OX15 0SH  
Monday 2pm - 5pm, 5.30pm - 7pm, Tuesday Closed Wednesday 9.30am - 1pm, Thursday  
2pm - 5pm, 5.30pm - 7pm Friday Closed Saturday 9.30am - 1pm, closed Sunday

Hook Norton Library, High Street, Hook Norton, Banbury, Oxon, OX15 5NH  
Monday 2pm - 5pm, 6pm - 7pm, Tuesday Closed, Wednesday 2pm - 5pm, Thursday  
Closed, Friday 2pm - 5pm, 6pm - 7pm, Saturday 9.30am - 12.30pm, closed Sunday

Copies will be available on the North, Central and West Mobile Library Services.  
For details of locations and times of the mobile library visit [www.oxfordshire.gov.uk](http://www.oxfordshire.gov.uk) or phone 01865  
810240

Banbury LinkPoint, 43 Castle Quay, Banbury, Oxfordshire, OX15 5UW  
8.45am (10am Wednesday) to 5.15pm Monday to Friday

Bicester LinkPoint, 38 Market Square, Bicester, Oxfordshire, OX26 6AL  
8.45am (10am Wednesday) to 5.15pm Monday to Friday

Kidlington LinkPoint, Exeter Hall, Oxford Road, Kidlington, Oxon, OX5 1AB  
8.45am (10am Wednesday) to 5.15pm Monday to Friday

**Comments should be sent to:**

Planning Policy Team, Strategic Planning and the Economy, Cherwell District Council, Bodicote  
House, Bodicote, Banbury, OX15 4AA.

Or by e-mail to [planning.policy@cherwell-dc.gov.uk](mailto:planning.policy@cherwell-dc.gov.uk)

**Representations should be received no later than Friday 25<sup>th</sup> March 2016.**

**S SMITH, CHIEF EXECUTIVE**

## APPENDIX 2

List of consultees  
CIL Preliminary Draft Charging  
Schedule, February 2016

Including:  
All Peer Review Stakeholders  
+

All those individuals and organisations in the Council's Local Development Framework  
Consultation list at February 2016 including:

### **Company / Organisation**

1st Adderbury Scout Group  
Acanthus Clews Architects  
Adderbury Conservation Action Group  
Adderbury Contact  
Adderbury History Association  
Adrian James Architects  
Age Concern  
Age UK Oxfordshire  
Aircraft Owners and Pilots Association  
Albert Cox Chartered Surveyors  
Allied Surveyors Plc  
Anglian Water Services Ltd  
Anjali Dance Company  
Anker & Partners  
Applied Landscape Design Ltd  
ARCh  
Ardley with Fewcott Environment Committee  
Ardley with Fewcott Parish Council  
AS Planning  
Aston le Walls Parish Council  
Asylum Welcome & Detainees Support  
Aylesbury Vale District Council  
Aynho Parish Council  
B H Planning Ltd  
Banbury & District Housing Coalition  
Banbury & District Samaritans  
Banbury & District Scout Council  
Banbury and Cherwell Green Party  
Banbury Animal Rescue & Kindness Service  
Banbury Canalside Landowners Consortium  
Banbury Chamber of Commerce  
Banbury Charities  
Banbury Civic Society

**Company / Organisation**

Banbury Community Church  
Banbury Ideas for Change  
Banbury Life  
Banbury Lions  
Banbury Ornithological Society  
Banbury Polish Association  
Banbury Rugby Club  
Banbury Town Council  
Banbury United Football Club  
Banks Design Architects  
Banner Homes  
Barford News  
Barton Willmore  
BattlefieldsTrust  
Beckley and Stowood  
Bellway Homes  
Berkley Group  
Bicester & District Chamber of Commerce  
Bicester & Kidlington Ramblers group  
Bicester Athletic Association  
Bicester Chamber of Commerce  
Bicester Citizens Advice Bureau  
Bicester CPRE  
Bicester East Community Association  
Bicester Friends of the Earth  
Bicester Gliding Centre  
Bicester Green Gym  
Bicester Local History Society  
Bicester Local History Society and Bomber Command Heritage  
Bicester Traffic Action Group  
Bicester Vision  
Bidwells  
Bioregional Development Group  
Bladon  
Blessed George Napier School  
Blessed George Napier School Board of Governors  
Bloombridge  
Bloor Homes  
Bloxham Recreation Ground Trustees  
Bloxham School  
Boarstall Parish Meeting  
Boarstall Parish Meeting  
Bomford Estates Ltd  
Bovis Homes  
Boyer Planning

## **Company / Organisation**

Brailles  
Brill Parish Council  
Britannia Road Childrens Centre  
British Gliding Association  
British Horse Society  
British Red Cross  
British Waterways (South East)  
Bromford Housing Group  
Bromford Living  
BT Group PLC  
Buckinghamshire County Council  
Building Research Establishment  
Campaign to Protect Rural England (Oxfordshire)  
Campaign to Save Gavray Wildlife Meadows  
Canal and River Trust  
Capital & Provident Management Ltd  
CAPOLD  
Carter Jonas LLP  
Cassington  
Castle Flowers  
Cerde Planning  
Chacombe Parish Council  
Charter Tenants Panel and Bicester and District Tenants Association  
Chasewell Community Association  
Cherwell Community and Voluntary Service  
Cherwell Community and Voluntary Service  
Cherwell Heights Housing Action Group (CHHAG)  
Cherwell Rail Users Group  
Cherwell Valley Benefice  
Chipping Warden and Edgecote  
CHUFF  
Civil Aviation Authority  
Coast & Capital LLP  
Coles Books  
Colliers CRE  
Communities First Oxfordshire  
Congregation of Jehovah's Witnesses  
Corylus Planning & Environmental Ltd  
Cotswolds Conservation Board  
Council for British Archaeology  
Council for Racial Equality  
Countrywide Farmers Ltd  
CPRE  
CPRE Oxfordshire  
Cropredy Cricket Club

## **Company / Organisation**

Cropredy History Society  
Cushman & Wakefield  
David Hyams Consulting  
Deddington and District History Society  
Deddington CofE Primary School  
Deddington Development Watch  
Deddington News  
Deddington Online  
Defence Infrastructure Organisation (MOD)  
Define  
Derwent Green Residents Group  
DevPlan  
DLP Consultants  
Dogs for the Disabled  
Dr Radcliffe's School Foundation  
Drayton Leisure Golf Centre  
Drivers Jonas  
Drivers Jonas Deloitte  
Duns Tew Parish Council  
Easington Sports Trustees  
East West Rail Consortium  
EE  
Elsfield  
Ely Diocese/HS&P  
Energy Saving Trust  
English Heritage  
English Heritage South-East Region  
Environment Agency  
Events Management International  
Faccenda Holdings Ltd  
Fairbairn Wild  
Faith Communities  
Farm Crisis Network  
Farnborough  
Fisher German Chartered Surveyors  
Fisher German LLP  
Friends of Frank Wise School  
Friends, Families and Travellers  
Fritwell Parish Council  
Fusion Online Ltd  
Gallagher Estates  
George Wimpey Strategic Land  
Gerald Eve LLP  
Gladman Developments Ltd  
Grainger PLC & Church Commissioners

## **Company / Organisation**

Grayline Coaches  
Great Tew Parish Meeting  
Greenhill Residents Management Company Ltd  
Gregory Gray Associates  
Grimsbury Community Association  
Grundon  
GVA Grimley Ltd  
H A Hart & Sons  
Habitat for Humanity GB  
Hadland Manning Bullock & Partners Ltd  
Hanwell Community Observatory  
Hanwell Fields Community Association  
Hanwell Village Residents  
Harris Lamb Property Consultancy  
Help the Aged/Retired Members Unison OCC  
Heyford Leys Camping Park  
Heyford Park and Community Development Residents Association  
Heyford Park Residents Association  
Highways England  
Hill Street Holdings Ltd  
Hodge Jones Allen Solicitors  
Hollins Strategic Land  
Holloway's Limited  
Home Builders Federation (HBF)  
Homes and Communities Agency  
Hook Norton Neighbourhood Plan Steering Group  
Inland Waterways Association  
Inland Waterways Association  
James Martindale Consultancy  
JCL Planning  
Jewson  
JM Osborne & Co  
John Hallam Associates  
JPPC  
JR Power  
Katherine House Hospice  
Kidlington & District Information Centre  
Kidlington Historical Society  
Kidlington Village Centre Management Board  
Kidlington vs. Climate Change  
Kingerlee Homes  
Kingston Communication  
Knight Frank LLP  
Lambert Smith Hampton  
Lane Fox

## **Company / Organisation**

Langford Village Community Association  
Lasalle Investment Management  
Laws and Fiennes  
Leonard Cheshire Disability  
Leonard Cheshire Homes  
Leslie Burton Architects  
Lets Play Project  
Liggins Thomas Ltd  
Limehouse Software  
Little Tew  
Low Carbon Hook Norton  
Low Carbon Hub  
Ludgershall Parish Council  
Malcolm Scott Consultants  
Market Engineering  
Marrons  
Marsh Gibbon Parish Council  
Mike Gilbert Planning Ltd  
Miller Strategic Land  
MJCT Architects  
Montague Evans  
Multiple Sclerosis Society Banbury  
Multiple Sclerosis Society Oxford and District  
Museum of the History of Science  
Muslim Community Group  
National Express Group Plc  
National Farmers Union  
National Federation of Gypsy Liaison Group  
National Grid  
National Gypsy Council  
National Sports Training Centre  
National Travellers Action Group  
National Trust  
Natural England  
Network Rail Infrastructure Ltd  
New College Oxford  
NHS  
NHS England  
Noralle Ltd  
Norman Machin Architect & Design  
North Oxfordshire District Scout Council  
Northamptonshire County Council  
Northamptonshire Police  
Oakley Parish Council  
Office of Rail Regulation

**Company / Organisation**

OMK Design Consultancy  
Orange Personal Communications Service Ltd  
Oxford (Kidlington) Scout Group  
Oxford and Cherwell Valley College  
Oxford Architectural & Historical Society  
Oxford Brookes University  
Oxford Citizens Housing Association  
Oxford City Council  
Oxford Diocesan Board of Finance  
Oxford Field Path Society  
Oxford Geology Trust  
Oxford Gliding Club  
Oxford Green Belt Network  
Oxford Innovation  
Oxford University Hospitals Trust  
Oxfordshire Badger Group  
Oxfordshire Bat Group  
Oxfordshire Business Enterprise  
Oxfordshire Chinese Community  
Oxfordshire Clinical Commissioning Group  
Oxfordshire Community Foundation  
Oxfordshire Council for Voluntary Action  
Oxfordshire County Council  
Oxfordshire Diocesan Advisory Committee  
Oxfordshire Family Conciliation Service  
Oxfordshire Geology Trust  
Oxfordshire Historic Churches Trust  
Oxfordshire LEP  
Oxfordshire Mind  
Oxfordshire Nature Conservation Forum  
Oxfordshire Ornithological Society  
Oxfordshire Playing Fields Association  
Oxfordshire Preservation Trust  
Oxfordshire Rambler's Association  
Oxfordshire Rural Community Council  
Oxfordshire Sports Partnership  
Oxfordshire Association for the Blind  
Oxon and Bucks Rail Action Committee (OBRAC)  
Oxon Fire & Rescue Service  
Oxon Gypsy and Traveller Services  
P3Eco  
P4D Architects Ltd  
Pax Christi  
Persimmon Homes Midlands  
Peter Barnby Associates



## **Company / Organisation**

Peter Grabham Associates  
Plan Info  
Planned Approach  
Planning and General Services  
Planning Potential  
Poundon Parish Meeting  
Power Park Autos  
Preston Bissett Parish Council  
Prodrive  
Pub Stuff Ltd  
R Thompson Valuation and Management Consultancy Ltd  
Railfuture (Thames)  
Railfuture (Thames)  
Raleigh Oxford Support Group  
Raleigh Oxfordshire Support Group  
Ratley and Upton  
Redrow Homes  
Relate  
Restore  
Roberts Design Group  
Roger Coy Partnership  
Rollright  
Roselodge Group  
Royal Pioneer Angling Association  
RSPB  
RSPB  
Ruscote Community Association  
Ruscote Community Association  
Sanctuary Housing  
Save Gavray Meadows Campaign  
Savills (UK) Ltd  
Scotia Gas  
Scottish and Southern Electric (SSE)  
SEMLEP  
Severn Trent Water Ltd  
shenington with alkerton parish council  
Shenington with Alkerton Parish Council  
Shotteswell  
Slighte Ltd  
Solid Structures (UK) Ltd  
South Central Ambulance Trust  
South East Midlands LEP  
South Newington Parish Council  
South Northamptonshire District Council  
South Oxfordshire District Council

## **Company / Organisation**

Southwold Community Association

Special Olympics Great Britain

Spirit Motor Holdings Ltd

Spital Farm Allotments Association

Sport England

St Johns Ambulance

St Mary's Church Centre

St Mary's School

Stagecoach Oxfordshire

Stansgate Planning Consultants

Stanton St John

StarTech

Steeple Aston Village Archive

Steeple Barton

Stephen Brear Associates

Stewart, David J. Associates

Stratford Upon Avon District Council

Stratford-on-Avon Constituency

Stratford-on-Avon District Council

Stratton Fields Management Ltd

Strutt & Parker

Strutt and Parker

Subject II Survey & Company

Sunrise Multicultural Play Project

Sunshine Centre

Suzi Coyne Planning

Swerford Parish Council

Tackley

Tackley Church of England Primary School

Talking Newspapers - Banbury

Taylor Wimpey Strategic Land

Tetlow King Planning

Thames Valley Environmental Records Centre

Thames Valley Police

Thames Water

The Battlefields Trust

The British Astronomical Association's Campaign for Dark Skies

The Cherwell Gospel Halls Trust

The Cherwell-M40 Investment Partnership

The Coal Authority

The Cooper School

The Dashwood

The East Street Centre

The Glebe Recreational Charity

The Lower House

## **Company / Organisation**

The Michael Hardinge Trust  
The Midcounties Co-op  
The Mill Arts Centre  
The National Energy Foundation  
The Oxford Trust For Contemporary History  
The Performance Solution Ltd  
The Romans Group  
The Shout Project  
The Victorian Society  
The Woodland Trust  
Thomas Merrifield  
Three  
Tingewick Parish Meeting  
Tony Herring Associates Ltd  
Traveller Law Reform Project  
Turley Associates  
Turnberry Planning  
Twyford Parish Council  
Tysoe  
U.G.S  
Upper Heyford Village Residents Group  
Vale of White Horse District Council  
Value Retail  
Venables Sherrott Lockhart & Partners Ltd  
Vernacular Architecture Group  
Vodafone & O2  
W R Henman & Sons Ltd  
W S Atkins  
Waitrose  
Walsingham Planning  
Warkworth Parish Meeting  
Warmington and Arlescote  
Warriner School Farm  
Warwickshire and West Mercia Police  
Warwickshire County Council  
Water Stratford Parish Meeting  
West Bicester Community Association  
West Northamptonshire Joint Planning Unit  
West Oxfordshire District Council  
Westbury Parish Council  
Westcote Barton  
Western Power  
Whichford and Ascott  
William Davies Ltd  
William Powell Ltd

**Company / Organisation**

WM Morrison

Woodstock Town Council

Wormleighton

Wroxton Gazette

Wytham

## **APPENDIX 3**

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Summary of consultation  
responses  
CIL Preliminary Draft Charging  
Schedule, February 2016

### Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
CIL-A-001	Martin Small	Historic England	Q1: Appropriate balance Need awareness of CIL implications on viability and conservation of the historic environment. Rates in areas where there are groups of heritage assets at risk should not discourage schemes coming forward for re-use or regeneration. In such areas, there may be a case for lowering the rates.
			Q3: CIL relief Encourage offering CIL relief in exceptional circumstances and that the conditions and procedures for CIL relief are set out within a separate statement following the Charging Schedule.
			Heritage-related projects should be appropriate for CIL funding. Development-specific planning obligations may continue to be used for mitigation such as archaeological investigations, access and interpretation, and the repair and reuse of heritage assets. CDC conservation staff to be involved in the preparation and implementation of the Draft Charging Schedule.
CIL-A-002	Tom Amos	Natural England	No comment on PDCS. If your CIL requires a Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult Natural England.
CIL-A-003	Carl Smith	Gosford & Water Eaton Parish Council	Essential infrastructure will be required before CIL money available resulting on infrastructure problems. Need clarification on how New Homes Bonus and CIL will be allocated and used. Expect CIL to be used to improve all infrastructure and flood defences in Kidlington and this Parish, to address increasing flood risk from developments situated to the north of Oxford (providing, improving & maintaining flood defences and maintenance of watercourses). Add 'raising of the flood defence at Kidlington' as a project for CIL funding. 'Public Rights of Way' should be clarified - providing and improving the Cherwell County Road Network. Delete 'Strategic' from 'Strategic Flood Defence' and include improving and maintaining existing flood defences and watercourses. Need clarification on allocation of CIL money to each tier of local government authority.
CIL-A-004	Caroline Dunn	Launton Parish Council	Q1: Appropriate balance The PDCS does not appear unreasonable
			Q2: Instalments policy An instalments policy would assist development viability and suggest three instalments with the final one to be paid on completion of the site.

### Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
			<p>Q3: CIL relief Not offering CIL relief seems unnecessarily restrictive.</p> <p>Q4: CIL rates . No comments on CIL rates.</p>
CIL-A-005	Carmelle Bell	Savills	<p>Q1: Appropriate balance Sewerage/wastewater and water infrastructure buildings should be exempt from payment of CIL and this appears to be the case in the PDCS which Thames Water support.</p> <p>Consider using CIL contributions for enhancements to the sewerage network beyond that covered by the Water Industry Act and sewerage undertakers such as providing greater protection for surface water flooding schemes (currently only funded to a circa 1:30 flood event).</p>
CIL-A-006	Richard Cuttler	Bloombridge	<p>Q1: Appropriate balance Rate for Area 3 is too high. Area 3 is a more disparate area in terms of value than assumed in PDCS. Kidlington is a different value proposition to villages. The scarcity of supply caused by the Oxford GB has distorted values, which will be addressed with a GB review. The assumed build cost of £1000 per sqm is far too tight. This will prejudice high quality or energy efficient schemes, especially for smaller sites. £1200 per sqm m represents a better balance.</p> <p>Agree that an instalment policy would assist development viability.</p> <p>Q3: CIL relief Should offer discretionary relief.</p>
CIL-A-007	Theresa Goss	Bloxham Parish Council	<p>Q3: CIL relief Endorse not offering discretionary relief.</p> <p>Q4: CIL rates Support a nominal charge- set at an appropriate level which would have minimum impact on the likelihood of overall development.</p> <p>Welcome the consultation and look forward to further detail on how it would be implemented and how it will work for Parish Councils.</p>
CIL-A-008	Olivia Wojniak	Aylesbury Vale DC	No comments at this stage.

## Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
CIL-A-009	Oliver Thompson	Persimmon PLC	<p>Q1: Appropriate balance</p> <p>The effect of CIL on viability of development have not been given sufficient weight.</p> <p>The threshold for residential 'large sites' is set at 150 units; this is too low. The smaller site land value should apply to all schemes up to 500 units.</p> <p>Values are low: smaller sites regularly exceed £1m per gross hectare and most exceed £2m. Larger sites reach around £850,000 per gross hectare in this market area. These values are achieved once planning permission is granted but they are the landowners expected value for their land.</p> <p>Residential sales values for area OX26 - Bicester appear correct. No enough information on other postal districts to provide an opinion.</p> <p>Disagree with urban extensions being adjusted based on a mid-point between values in the urban area and the rural area in which they are located. Urban area values should be adopted for these sites.</p> <p>Affordable housing values: the blended rate of 55% of private sales open market values is more reflective of a 50/50 tenure split and it should be reduced to reflect the higher proportion of rented units.</p> <p>Build costs: Agree with the assumptions</p> <p>External/Site works: Agree with % assumption used but consider spine roads as an abnormal cost in excess of these allowances.</p> <p>S106: total contribution likely to be higher than assumed. Figures should be reviewed by reference to recent signed S106s agreements. A draft Regulation 123 list would give a better understanding of likely infrastructure items to be paid through CIL.</p> <p>Contingency, Professional Fees and Finance: Allowances are reasonable.</p> <p>Sales rate: 4 sales per month for sites of fewer than 500 units seems reasonable. A sales rate of 6 units per month would be more realistic for sites or more than 500 units.</p> <p>Key appraisal assumptions (in Appendix A): most assumptions are agreed or discussed above but some remain. Recommend at least 7.5% of GDV for overheads and 20% of build costs to be allowed for abnormals with no additional allowance for demolition.</p> <p>Developer's profit: a blended rate of 20% GDV is reasonable though the more risky the site the more the margin may need to increase.</p> <p>Residential appraisal results: In residential area 1 77% of sites produce negative financial outcome; proposed £100 per sqm charge poses a serious risk to delivery this area should be zero rated. In Areas 2 and 3 some financial outcomes are already negative without CIL charge, the range should start at £0.</p> <p>Support proposed nil charge for larger allocations for 500 or more in areas 1 and 2. This should apply to all sites over 500 dwellings whether or not currently identified as an allocation.</p>
			<p>Q2: Instalments policy</p> <p>Cash-flow is a key part of ensuring viable development . An instalments policy would assist this. High number of instalments would improve viability but need a balance with the practicality of monitoring payments. The proportion of the levy paid upon commencement should be minimised.</p>



### Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
			<p>Q3: CIL relief Offer discretionary relief from CIL on viability grounds. The Council retains discretion on its application and sites where the viability is marginal still have an opportunity to come forward.</p> <p>Q4: CIL rates A nominal charge could help to strike a better balance. Surprised that large distribution units are unable to support any CIL charge as we are more frequently becoming in competition with such uses for land and have been outbid in terms of land value on several occasions, suggesting there is headroom in the viability.</p>
CIL-A-010	Danny Duggan	Hook Norton Parish Council	<p>Q1: Appropriate balance. None</p> <p>Q2: Instalments policy. N/A as we are the Hook Norton Parish Council not a developer</p> <p>Q3: CIL relief. N/A as we are the Hook Norton Parish Council not a developer</p> <p>Q4: CIL rates CIL should be set as high as possible to offset the local impact and higher on-going costs resulting directly from the developments. Income from CIL passed on to local associations to be used locally to help those local residents effected by the development.</p>
CIL-A-011	Mark Longworth	Ambrosden Parish Council	<p>Q1: Appropriate balance Object to exemption of allocated sites which are on greenfield sites. These sites create significant infrastructure impacts and the CIL regulations reduce the ability of the use of s106s contributions to minimise their cumulative impact. The higher rate proposed adjacent to Oxford contradicts the potential requirement to provide for Oxford's unmet need by pushing development for these houses out of Area 3 and placing greater pressure on rural areas and larger towns in Areas 1 and 2. Object to nil CIL payments for employment which creates significant impacts on GI, employment and loss of green space. Rates should be tiered to encourage high quality research and science and motorsports. B8 should be subject to a higher rate of CIL than B1(a) and B1(b). C4 should be charged at the same rate as C3 as permitted development rights allow change to C3. Care, supporting living and retirement schemes should be exempted from CIL</p> <p>Q2: Instalments policy An instalments policy is essential and must be phased over the length of the development program for larger sites</p>

### Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
			<p>Q3: CIL relief Relief should be made available for heavily contaminated sites where financial viability could either stop development or lead to nil provision of affordable housing and on open market housing on rural exception sites where the open market housing is required to cross subsidise the affordable element.</p>
			<p>Q4: CIL rates A greater no. of uses should be subject to CIL at a nominal charge: B1(a) and (b) - nil rate, B2 nominal rate, B8 higher nominal rate, C1 nominal rate, C2/C2A nil rate, C4 same as C3, D1 nil rate, D2 nominal rate, Sui generis - nominal rate, Other uses - nil rate.</p>
CIL-A-012		Banbury Town Council	<p>Q1: Appropriate balance 'CIL Charging Areas Map' will encourage residential development on the outskirts of Banbury. BTC would therefore like to see, in the map's terms, Area 1 within the existing footprint of the town. Area 1 incentivises growth to the south east of Banbury, where despite certain development proposals currently coming forward, there remains inadequate (especially road) infrastructure to cope with new residents. The discrepancy in residential charging rates will create a skewing in favour of development in the north (Banbury) versus the south of the district.</p>
			<p>Q2: Instalments policy Opposed to an instalments policy (with associated thresholds) tied to completion rates. Policy should ensure collection in a timely manner to enable infrastructure projects. Exemption of Banbury's strategic sites (Banbury 1,2,4 &amp; 17) lead BTC to favour a frontloading of CIL contributions where possible. Opposed to thresholds tied to the size of potential contributions. Support an instalment policy tied to the commencement dates but with all instalments paid no later than 90 days after commencement .</p>
			<p>Q3: CIL relief Supports not offering discretionary relief but open to exploring discretionary relief for prospective out of town retailer also offering a presence in Banbury Town Centre.</p>
			<p>Q4: CIL rates Support charging B8 and from all warehousing uses across Cherwell. Do not consider this would impact the economic viability of this development type.</p>

### Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
CIL-A-013	David Hodgetts	Indigo Planning  B/O Sainsbury's Supermarkets LTD	<p>Q1: Appropriate balance The £190 psq rate for out of centre retail is unreasonable and unjustified. Combined with Section 106s, will be too onerous and put overall development at risk.</p> <p>This rate has not been robustly assessed. It is unreasonable to base a figure on the general assumption that out of centre retail development can afford to make a larger contribution than other types of development.</p> <p>Obstacles to economic growth should not be imposed and would be in conflict with national policy.</p> <p>If a levy must be brought forward, a cap of £100 per sqm should be set and be based on a robust assessment of viability, taking into account that developers will still also be contributing significant funds towards Section 106 obligations.</p> <p>We welcome the £0 levy for town centres and other areas set out in the charging schedule, given the costs associated with redevelopment of previously developed sites/land and therefore have no objection to this charge.</p>
CIL-A-014	Valerie Russell	Bodicote Parish Council	<p>Q1: Appropriate balance. Support the need to strike an appropriate balance between funding infrastructure from CIL and its potential effects on the economic viability of development. The detail of how to achieve this must be determined by CDC, having regard to the data they have gathered.</p> <p>Q2: Instalments policy. An instalments policy may assist development viability. Bodicote Parish Council is not qualified to comment on the appropriate number of instalments and thresholds.</p> <p>Q3: CIL relief. Support CDC's decision to not offer discretionary relief.</p> <p>Q4: CIL rates We leave this decision to CDC, based on available data and their expertise.</p>

### Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
CIL-A-015	Paul Burrell	Pegasus Group  B/O The Dorchester Group	The PDCS confirms that Strategic Allocations, including Villages 5, will be subject to a nil CIL levy. The consequence is that the delivery of infrastructure associated with growth proposed through Villages 5, will be secured by Planning Obligations. The effect of restrictions on pooling planning obligations could have a damaging effect on delivery of homes in Villages 5 if not carefully managed should it trigger NPPF Para 118 directing refusal of planning permission in circumstances where impact is not adequately mitigated. Villages 5 will not attract a CIL levy and noting the restrictions imposed on pooling of contributions, it is critical that development is comprehensively planned and that infrastructure costs are identified and apportioned appropriately to individual proposals that collectively deliver growth set out in Policy Villages 5. Without an appropriate mechanism in place, future development proposals will seek piggy-back on to infrastructure improvements which have been fully-funded by the Dorchester Group, with no opportunity for our client to claw back appropriate funding from other developments which form part of the strategic allocation. Clarification on the approach to CIL/ S106s is essential. The charging map should be revised to ensure consistency with the extent of Villages 5 allocation and to distinguish strategic sites by ensuring that the areas where a levy is proposed (Areas 1,2 and 3) are not annotated within the red line areas of the LP Part 1 Strategic Allocations. Villages 5 has potential to provide additional development for Oxford's unmet need. The proposed CIL levy should apply to any future expanded development area at this site.
CIL-A-016	Ruth Powles	Kirtlington Parish Council	Q1: Appropriate balance PDCS strikes an appropriate balance
			Q2: Instalments policy An instalments policy would not assist
			Q3: CIL relief There is no justification for descretionary relief
			Q4: CIL rates Nominal charges would not be a fairer proposition
CIL-A-017	Sue Mackrell	Bicester Town Council	Welcomes CIL, since it will give greater flexibility and freedom to towns and parishes in terms of how the funds received are spent across the whole town. Disappointed that it is taking so long to bring in and urges CDC implement it as soon as possible.
CIL-A-018	Iain Painting	Barton Willmore LLP	Q1: Appropriate balance Welcome the reduced capacity of large strategic sites to accommodate CIL and the nil charge. Regulation 123 list, direct provision on large strategic sites and shared provision needs consideration.

### Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
		B/O A2 Dominion	<p>Q2: Instalments policy Unless the Council adopts an instalments policy, the cost burden of CIL is disproportionate in relation to cash flow, the result of which is a reduction in the viability of the scheme. Affordable housing is the 'balancing' mechanism! Whilst we recognise the desire of the Council to secure funding 'early', refusal to adopt an instalments policy will lead to a reduction in the viability of a scheme and hence the capacity of a scheme to meet affordable housing requirements and come forward at all.</p> <p>Q3: CIL relief Whilst the Council has sought to vary CIL across the district, individual schemes will be subject to specific costs which would render the scheme unviable unless relief from CIL was provided. Such schemes can include regeneration projects which require substantial remediation or indeed, a scheme that requires substantial infrastructure or simply, the viability of which is marginal notwithstanding the desire for the Council for the project to proceed. There is no good reason for the Council not to provide for relief in exceptional circumstances.</p> <p>NW Bicester benefit from a resolution to approve for a number of dwellings and s106 negotiations are on-going but provision of County wide and town wide infrastructure is outstanding. The burden of infrastructure provision could well be exacerbated by the reliance entirely upon s106. Whilst we anticipate a permission in respect of the A2D applications in advance of CIL, there are areas of the master plan that have yet to be the subject of permission. The key tests of CIL Regulation 122 should be outlined within the supporting documentation.</p> <p>Details of when CDC is intending to review its charging schedule( and under what circumstances) should be provided along with details of how the CIL will be monitored. The current review of the local plan to address the unmet need from Oxford City ought to generate a review of the IDP upon which CIL is predicated.</p>
CIL-A-019	Richard Fordham	Sport England	<p>Q4: CIL rates 'Sporting and recreation facilities' are included within the definition of CIL infrastructure in the 2008 Planning Act. Money raised can be used to fund new or enhanced sports facilities. Sports development to be added to the list of developments exempt from paying CIL.</p>

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Rep No.	Name	Organisation	Summary of representation
CIL-A-020	Hayden Jones	Pegasus Group  B/O Richborough Estates	<p>Q1: Appropriate balance</p> <p>Strategic sites only make up around half of Cherwell's housing supply and small sites are equally important as they make up the other half. Residential sites below 500 units should benefit from the same discount applied to large residential sites in Areas 1 and 2.</p> <p>The level of proposed residential charges causes concern in relation to the evidence base and the charges of neighbouring authorities. The sites selected for appraisal will have a significant bearing on the charging rates recommendations. The viability study does not show the full list of sites they were selected to help understand how representative they are. Within Area 2 site 31 is shown as having a maximum CIL charge of £666 per m2 and this is significantly higher than the other Area 2 sites. As the full selection list is not available it is not readily apparent whether this site is representative.</p> <p>The proposed Cherwell CIL rates for smaller residential sites of less than 500 units are significantly higher than other authorities. CDC's approach is out of kilter with the rest of the Oxfordshire HMA and the Charging Schedule needs to be revisited.</p>
CIL-A-021	V.N. Smith		<p>Q1: Appropriate balance</p> <p>The maximum rate should be applied when green field sites are developed . Reductions should be considered when around 20% of houses are affordable. Some reduction could be given to previously developed land for industrial purposes and requires decontamination or if old buildings have to be demolished.</p> <p>It is not sensible to have different rates or exclusions for any part of Cherwell. Road improvements are required in varying degrees of urgency right across Cherwell District now.</p>
			<p>Q4: CIL rates</p> <p>Business development should pay at least the same amount as residential as the traffic movement will usually be higher and the vehicles much larger. There may be a case for higher charges for business involved in transport of goods or product servicing requiring numerous vehicle movements.</p>
			<p>In principle the proposal to introduce a levy is supported but any such charge should be paid by the land owner. 25% of the increased value should be paid into a local authority development fund. Any developer who is planning to build in adverse conditions where demolition of old buildings is required or there is contaminated soil could apply for a grant to reduce pre-building costs.</p>

### Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
CIL-A-022	David Keene	David Lock Associates  B/O Gallagher Estates	<p>Q1: Appropriate balance</p> <p>Support strategic allocations for 500 or more residential units being zero rated in areas 1 and 2 but should be extended to all strategic allocations identified in LP Part1. There is no justification to exclude allocated sites such as Gavray Drive required to ensure a continuous supply of housing.</p> <p>The £230 m2 CIL charge is exceptionally high when compared against South Oxfordshire's CIL Schedule. Based on an average 100m2 home the draft Cherwell CIL charge would equate to circa £23,000 per dwelling. This figure is likely to be challenging before any site specific S106 requirements are identified, calculated and added to the site's obligation.</p> <p>Significant funds will be required to manage and improve the Local Wildlife Site under any new consent on the land east of Langford Brook. The CIL rate will undermine the viability of these site specific improvements.</p> <p>A zero rate CIL contribution on Gavray Drive (and all district allocations) will provide greater flexibility, ensuring site specific circumstances can be adequately and fairly considered.</p>
CIL-A-023	Peter Monk		<p>Q1: Appropriate balance</p> <p>There is no logic in setting a ceiling to the number of dwellings (Table 1 Charging Schedule) as it is these developments that cause the most stress on the existing fabric of the community. The categories listed should include Education, Highways, Surgeries and foul sewerage treatment , as it is these elements that make most call on community resources. Helpful if figures had been provided for the cost of specific infrastructure to cater for a new development.</p> <p>The PDCS does not show all the sites listed in LP1 due to having permission by CIL adoption. They should be included to ensure that if schemes are not implemented they are subject to CIL if/when a viable scheme is brought forward.</p> <p>Do not understand the separation of Areas 1&amp;2. The greatest concentration of new housing is in and around the existing communities. Facilities there are functioning at full capacity and the same level of charge (or more) should apply to that proposed for other locations.</p> <p>Q2: Instalments policy</p> <p>50% of the CIL sum is to be paid before work starts on site as infrastructure expenditure will be incurred early in the project. The reminder should be paid when the development is 50% completed regardless of occupation rate.</p> <p>Q3: CIL relief</p> <p>Needs to be a definition of 'Affordable housing' reflecting: average earnings for an up to 30 year old potential occupant and the probable mortgage supported by such earnings.</p> <p>Para. 2.4 needs to clearly state that extensions to existing single-household dwellings are exempt.</p>

## Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
CIL-A-024	Stephen Pickles	West Waddy ADP  B/O  J A Pye (Oxford) Ltd	<p><b>Q1: Appropriate balance</b> The proposed rates are contrary to NPPF paragraphs 174 and 175. The CIL rate for residential development in the southern part of the district is excessive when compared with the rate in other parts of the district. Viability Report states that in area 3 the majority of the sites tested could support this level of charge. Some sites even now therefore cannot viably pay this rate and this would be likely to increase substantially in an economic down turn. No justification or evidence is given for the S106 contributions assumed. Where significant on site infrastructure is required this is likely to be a significant underestimate. The report gives no indication that financial implications of all CDC's policy requirements have been taken into account in assessing viability. The rate is significantly different to the rates charged or proposed to be charged in neighbouring districts. Significantly different rates in CDC despite the geographical proximity suggests that rates cannot be justified on viability grounds. Research by Savills (November 2014) indicated the effect of CIL has been to discourage residential development. The higher rate in the south of the District will discourage development in the Kidlington area despite its sustainable location close to Oxford. The rate for this area should be reduced to ensure that is viable and does not conflict with the need to provide additional housing to accommodate Oxford's unmet need in locations close to the city. The Infrastructure Funding Gap does not include Kidlington or the southern part of Cherwell. Development in this area may be paying disproportionately high rates for infrastructure in Banbury and Bicester with little benefit for the development funding it. This is contrary to the CIL's purpose of meeting the cost of infrastructure provision to support development. Infrastructure improvements needed to serve new development in Kidlington.</p>
			<p><b>Q3: CIL relief</b> The extent of the requirement will vary significantly from site to site. Should offer discretionary relief on viability grounds to ensure development viability where significant S106 requirements apply. Necessary in order to comply with NPPF paragraph 173.</p>
			<p><b>Q4: CIL rates</b> Viability Study indicates a significant negative financial viability situation for other uses. In these circumstances even a nominal charge should not be made.</p>
			<p>Table 1 in the 'Position statement on CIL and Planning Obligations,' which indicates the significant level of additional revenues that will be raised by CIL compared to the S106 contributions. No sites are assessed in the Kidlington area where the charge rate under the new regime would amount to several million pounds.</p>



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Rep No.	Name	Organisation	Summary of representation
CIL-A-025	Ian Gillespie	Carter Jonas  B/O Gladman Developments	<p>Q1: Appropriate balance</p> <p>Support the Council's proposed nil CIL charge rate for the strategic allocations of 500 dwellings or more within Areas 1 and 2.</p> <p>Do not support the proposed CIL charge rate for any future strategic allocations in Area 3. It is likely that any larger allocations made in proximity to Oxford City would also generate substantial infrastructure costs and requirements on site.</p> <p>Given the marginal viability of development across much of the District and the extent of the funding gap CDC and other infrastructure providers should explore opportunities for alternative sources of funding .</p> <p>The PDCS is seeking to increase the financial burden on developers. The 'Position Statement on CIL and Planning Obligations' acknowledges that as currently proposed, the CIL charge rates would result in higher development costs than past Section 106 agreements (in most cases). CDC has failed to deliver against its affordable housing targets in recent years – with the concern that the proposed CIL charge rates will worsen the situation. Particularly concerned with page 24 of the Viability Study noting the site appraisals have been examined 'assuming a nil affordable housing allocation, given that authorities will retain the ability to flex this policy if necessary'.</p> <p>Broadly support the assumptions used in the Viability Study but recommend reducing the postal price data by circa 10% and encourage some sensitivity testing of rising interest rates.</p> <p>Benchmark land values are too low; evidence of actual transactions should be used where available.</p> <p>Recommend testing lower development densities, given that average development densities on completed schemes in Cherwell District in 2014/15 were 30.5 dpa.</p> <p>Evidence base does not support the proposed CIL rates, with many of the development typologies not viable with CIL as proposed, alongside existing Local Plan policies. The application of the proposed CIL rates would further reduce affordable housing delivery.</p> <p>Request that the evidence base is reviewed and a lower CIL rate set across the District.</p>
CIL-A-026	Ziyad Thomas	The Planning Bureau Limited  B/O McCarthy & Stone Retirement	<p>Q1: Appropriate balance</p> <p>We commend the Council for their decision to test the viability of both sheltered/retirement housing and Assisted Living accommodation and the subsequent decision to exclude these forms of development from the 'Residential (C3) rates'.</p>

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Rep No.	Name	Organisation	Summary of representation
CIL-A-027	Elizabeth Foulkes	Savills (UK) Limited	<p>Q1: Appropriate balance</p> <p>55% of housing supply is anticipated on strategic allocations within LP Part 1. There is an inconsistency between adopted LP having a £0 psm CIL rate for sites over 500 units and those which will be contained within the emerging strategic sites being subjected to £100- £310 psm (Area 1 – 3) and it is unclear how the threshold for the £0 psm CIL was determined. Should take a consistent approach across the District in relation to strategic sites; as proposed there is a two tier process.</p> <p>Should review the methodology and assumptions used in the viability study and amend the Charging Schedule accordingly.</p> <p>Viability evidence does not appear to support the PDCS rates and appear to be unreflective of the local market fundamentals: sales values in the high area are only 35% higher than the low zone but the CIL rate is 210% higher suggesting that CIL is being used as a policy tool.</p> <p>Viability appraisal inputs require further clarification.</p> <p>Proposed rates are significantly above the surrounding Local Authorities' rates.</p> <p>The approach to the revenue obtained from affordable housing requires review in light of the Government funding announcements in July 2015.</p>
		B/O Landowner and Housebuilder Consortium: Barratt Homes	<p>Q2: Instalments policy</p> <p>The Instalment Policy should reflect the timing of delivery of the development to ensure CIL does not put unnecessary pressure on cashflow and viability.</p> <p>Propose an instalments policy based on 5 CIL liability thresholds and a range of 1 to up to 4 payments from commencement.</p>
		CALA Homes	<p>Q3: CIL relief</p> <p>Recommend offering exceptional circumstances and charitable discretionary relief. The Council will retain control over the application of the policy and tests surrounding the availability and applicability of Exceptional Circumstances Relief. Charitable discretionary relief would give the Council and Colleges greater flexibility for investment across the District.</p>
		Christ Church David Wilson Homes	<p>Payment in Kind is restricted to those items of infrastructure which are not required to mitigate the impact of a development. This is not a credible option and 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 strategic sites.</p> <p>It is noted this consultation is simultaneous to the Cherwell Call for Sites as a response to Oxford's Unmet Housing Need. It is highly likely the housing requirements in Cherwell will increase and a number of new sites will emerge. As the CIL and call for site both progress, viability appraisals should be undertaken on the emerging sites and the DCS should not be published until this information is available.</p>
		Exeter College	
		Merton College	
		Magdalen College	
		Oxford University	
		Taylor Wimpey	
		Trinity College	

### Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
CIL-A-028	Malcolm Hockaday		<p>Q1: Appropriate balance</p> <p>It is unreasonable to treat the Town Centre Expansion (Area of Search) in the same manner as out of centre retail development. The footnote in the charging schedule should be amended to Town centre (including its defined Area of Search for Expansion) and out of centre as per Cherwell Local Plan Part 1</p> <p>Alternatively, it is suggested that a reduced charging rate of around £95/sqm is applied to proposed retail development within the defined Area of Search through the provision of an alternative footnote:</p> <p>Town centre and out of centre as per Cherwell Local Plan Part 1; charging rate within defined Town Centre Expansion (Area of Search) at 50% of out of centre rate</p>
CIL-A-029	Matt Spilsbury	Turley B/O Bovis Homes Limited	<p>Q1: Appropriate balance</p> <p>The scale of CIL will impact on a large proportion of sites undermining the Council's ability to seek policy compliant levels of affordable housing particularly in Areas 1 and 2. Recommend that CDC reduces proposed rates to mitigate this risk.</p> <p>Market Values - fails to present evidence of new build residential transactions to underpin the rationale for both zoning of CIL liability and rates setting. Request that CDC publishes a comprehensive explanation of the approach (and data).</p> <p>Value Zones - recommend introducing a split zone within postcode area OX17, introducing a 'buffer zone' around Banbury and its allocated sites.</p> <p>Affordable Housing Values - a blended sales value for affordable dwellings of 55% of OMV is overly simplistic and not representative of Affordable Rent changes announced within the Summer Budget 2015. Recommends that CDC reduces the blended sales value to 45% of OMV, or presents value evidence from HAs / RPs locally to justify the proposed rate of 55% of OMV.</p> <p>Build Costs - the market evidence underpinning development values within viability testing is out-of-step with development costs; these being based on the previous Quarter. Request that BCIS build costs are updated to Q4: CIL rates</p> <p>2015 and viability testing re-run, should costs be reported by RICS to have increased from Q3: CIL relief 2015. Costs utilised must be properly referenced by attachment of the RICS BCIS report.</p> <p>Cashflow Assumptions - need to publish information on what development programme has been applied to residential sample and the rate (if any) of CIL liability indexation applied.</p> <p>Sensitivity Testing - consider running scenarios which examine construction cost inflation exceeding residential sales value inflation.</p>
			<p>Q2: Instalments policy</p> <p>An instalments policy should be introduced. Proposes: 5 thresholds starting at £25K and max of 4 instalments. Above £500K liability approach should be discussed on an individual basis.</p> <p>Recommends that it applies to development that is commenced and constructed as a single development and CIL liabilities arising on each phase of a development.</p>

### Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
			<p>Q3: CIL relief Without a policy for relief on exceptional circumstances, the Council cannot apply any flexibility in its adoption of the Regulations. The inclusion of an exceptions policy would provide further comfort to developers that CIL will not render sites with exceptional cost burdens undeliverable.</p>
			<p>Q4: CIL rates CDC has not presented sound market evidence to justify introducing a 'nominal' rate on uses demonstrated as being unviable or marginal within its published CIL viability evidence base. There is no defensible rationale to introduce 'nominal rates'.</p>
CIL-A-030	David Burson	JPPC  B/O University of Oxford, Merton College and a local landowner	<p>Q1: Appropriate balance Charging rate in Area 3 is excessively high and would negatively impact on viability of development in this area. If the delivery of homes is impaired it would undermine Begbroke Science Park, a key employment site in the area and the Local Plan vision for the whole area. The University hopes to enable the delivery of its vision for Begbroke Science Park through the provision of 'key worker' (or affordable employee) housing. Such housing can effectively provide affordable housing as a restriction on the nature of occupants ensures the price of units remains lower than that of housing on the open market. Existing affordable housing policies offer no discretion for key worker housing and requirements to provide additional affordable housing mean they cannot compete with market housing in terms of viability. Key worker housing should not be precluded by CIL. If such specialist schemes are excluded from consideration in the rate setting process it is vital that provision is for discretionary relief.</p>
			<p>Q2: Instalments policy Welcome an instalment policy to allow effective delivery of development.</p>
			<p>Q3: CIL relief Discretion to allow relief for essential developments which CIL would otherwise make unviable allows an essential safety net. The viability assessment tests a selection of typical developments in the district; it cannot consider all eventualities. The assessment also retrospectively samples developments previously delivered, consequently the proposed charges do not include flexibility for unforeseen changes in circumstance. The opportunity for the Council to offer discretionary relief in exceptional circumstances would provide vital flexibility and should therefore be included.</p>
			<p>Q4: CIL rates CIL should be justified by sound viability evidence with an appropriate balance between delivery of infrastructure and development plan objectives. To levy a charge on uses shown to be unviable in the viability assessment solely in the name of fairness would be contrary to the CIL principles.</p>
			<p>A detailed analysis of the published viability appraisal and proposed levy has also been prepared on behalf of the Tripartite. This has been submitted as a separate response to this consultation.</p>

### Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
CIL-A-031	Darren Bell	David Lock Associates  B/O Hallam Land Management	<p>Q1: Appropriate balance</p> <p>The proposed CIL charge for Area 2 is too high when compared to other CIL charges set in rural areas in neighbouring authorities and areas of a similar character. It is not considered to strike the right balance and would threaten the deliverability of homes in the lower value parts of the charging area.</p> <p>Whilst the principle of applying differential rates across the district based upon residential values is supported, the definition of Charging Area 2 is considered too broad and contains too many variations in value.</p> <p>Charging Area 2 has been defined by virtue of achieving sales values of £300 to £350 per square foot (psf) or £3,229-3,767 per square metre (psm). However the table on page 11 of the CIL Viability Study shows these villages having a typical average price of only £275 and £255 psf respectively (£2,960 and £2,745 psm).</p> <p>Site specific appraisals, including sites 22 and 23 (in Ambrosden and Arncott) have been assessed using an average sales value of £310 psf (£3,337 psm for the postal area of OX25. The northern part of OX25, to the north west of Bicester, achieves much higher values. It is therefore suggested that a further sub-area is defined to reflect these lower values or that the southern part of OX25 is included in Area 1 with a CIL charge of £100 psm.</p> <p>The viability appraisal has not applied adequate buffers above the proposed CIL rates, 'Discounts' of 15-20% have been applied compared to the buffers applied elsewhere (i.e. South Oxfordshire).The overall charging rate for Area 2 should be revisited with respect to the application of more generous buffers to build in flexibility in changing markets.</p>
			<p>Q2: Instalments policy</p> <p>Disagree with the proposed single instalment of payment within 60 days of commencement of development. Should introduce the phasing of payments based upon the amount of CIL payable. Cash flow is critical to viability and this would provide flexibility and maintain housing delivery.</p>
			<p>It is critical that the Regulation 123 list is published at the earliest opportunity. In compiling the list, CDC should consult fully with PCs to ensure strategic infrastructure needs of the sustainable villages (as defined in Policy Villages 2).</p> <p>The next draft of the Charging Schedule should be more explicit about the ability for payments in kind to meet CIL through land or infrastructure. The draft charging schedule should explain how this will be enabled and be clear on how this will work in practice.</p>

### Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
CIL-A-032	Mark Powney	Boyer  B/O Redrow Homes/Wates Developments	<p>Q1: Appropriate balance</p> <p>The right balance has been achieved; The Council established a strategic infrastructure funding requirement through its IDP Update December 2015 and Infrastructure Funding Gap Report February 2016. While this indicates a substantial funding gap we are pleased to see the Council has not followed the recommendations of the Viability Study for a £70 CIL charge on strategic sites of 500+ homes in Areas 1 and 2.</p> <p>This demonstrates an appreciation of the substantial costs of bringing forward large sites. It has also had regard to the policy requirements of its adopted Cherwell Local Plan 2011-2031 Part 1 which places a substantial requirement to provide infrastructure alongside new housing on strategic sites.</p> <p>Agree with the majority of the viability assumptions used in the residential modelling in respect of strategic sites but have number of comments:</p> <p>Gross to net ratios for housing and flats - is set at 100% and 85% respectively. These don't appear to have been incorporated within the appraisal for Site 17 for 1,550 units. Appraisal 17 uses the same floor space (142,600 sqm) to calculate Gross Development Value (GDV) and build costs meaning the 85% gross to the net for the flats hasn't been incorporated. If this is an error the GDV of Site 17 will reduce as a result.</p> <p>Build costs - a rate of £1,105 psqm is used in the site 17 appraisal. Unsure how this relates to the build costs for houses and flats and appear to be on the low side of the values provided. Given our client's sites proximity to Bicester TC, and that it will incorporate a new local centre, some higher density development will be in the form of flats. The higher build costs associated with flats doesn't appear to be factored.</p> <p>£106 cost assumptions for strategic sites to £100 psqm underestimates the costs of onsite infrastructure provision and residual £106 monies outside of £278 works.</p> <p>The sensitivity testing only considers optimistic assumptions. Each of the 4 residential scenarios assume an increase in house prices. A moderation of house prices and a period of stagnation should be tested alongside flat or increasing build costs.</p> <p>Unsure as to the pre-construction and construction period applied to the different land use appraisals and how these have impacted the finance costs.</p> <p>It would be helpful to include a table comparing the Residual Land Value from each appraisal with the applicable benchmark land value.</p> <p>In relation to the commercial viability appraisals we are in agreement with the majority of the assumptions used. Support the nil rate for offices; industrial and in centre retail uses but from our experience 20% on cost is the accepted profit target for commercial development not 15%.</p>

## Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
			<p><b>Q2: Instalments policy</b>            An Instalments Policy would give certainty to developers / applicants as to when CIL contributions are due which can then be modelled accurately within their detailed appraisals to support planning applications. The exact timing of payments are more critical to larger multi phased schemes where the CIL costs are invariably much higher and potentially have to be borne alongside significant residual and in-kind s106 contributions. Large residential schemes up to 499 units will still be liable for a residential CIL and would benefit from the certainty as to when payments are due via an instalments policy.            South Oxfordshire DC instalments policy District Council is an appropriate example.</p>
			<p><b>Q3: CIL relief</b>            Any drop in housing completions or failure of one or more strategic sites to come forward as predicted within the plan period could undermine the Council's current position. This coupled with the uncertainty around predicting the direction of the housing market it would be prudent for the Council to adopt a discretionary relief policy to grant relief from CIL with respect to chargeable development if it can be clearly established through viability modelling evidence that a development cannot absorb CIL. The discretionary relief policy would set out the parameters under which relief would be considered and the type of information needing to be submitted to the Council by the applicant to support its case for relief (i.e. contaminated land; reinvesting in heritage assets or sites in need of significant highways upgrades.</p>
			<p><b>Q4: CIL rates</b>            Setting a nominal charge, especially for larger strategic sites of over 500 units, would mean CIL is set at the margins of viability especially when considered alongside significant residual and in-kind s106 contributions and could be contrary to CIL Regulations, NPPG and NPPF.</p>
			<p>We consider the Council's current approach as being appropriate in that onsite infrastructure delivery will be more effectively secured through s106 on strategic sites rather than pooling contributions via CIL. Pooling via CIL to fund infrastructure in relation to strategic sites would require a long list of specific infrastructure items to be incorporated on the Regulation 123 List to guard against double counting with s106. The pooling of CIL funds will provide less certainty to delivery as CIL funds might need to be pooled in relation to several different developments, or phases of development, before enough money is collected to fund a particular infrastructure item. Also development may come forward at different times again providing delays to delivery whilst at the same time incurring CIL administration costs.</p>
CIL-A-033	David Burson	JPPC	<p><b>Q1: Appropriate balance</b>            We raise no specific comment in this regard, this should not however be assumed as endorsement of the proposed rates.</p>
		B/O Bicester Heritage	<p><b>Q2: Instalments policy</b>            Would welcome an instalment policy to allow effective delivery of development.</p>

### Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
			<p>Q3: CIL relief</p> <p>Although the creation of employment opportunities at Bicester 8 is fundamental to delivering the vision of the LP, a joint purpose of the allocation is to secure the long-term future of the heritage assets of the former airfield (of national significance). Restoration of buildings in a poor state of repair is more costly. This is particularly the case for heritage assets where restoration is dictated by the historic structure. Also means that the resulting space is often compromised compared to a purpose-built structure which can reduce prospective rent or sale values.</p> <p>Concerns that the absence of discretionary relief from CIL could inhibit high quality development of the site in the future, undermine delivery of LP policy and preclude beneficial development identified in NPPF Para' 131. It is imperative that CDC allows discretionary relief in exceptional circumstances.</p>
			<p>Q4: CIL rates</p> <p>To levy a charge on uses shown to be unviable in the viability assessment solely in the name of fairness is contrary to CIL principles and would undermine the credibility of all charges proposed in the schedule.</p>
CIL-A-034	David Bainbridge	Bidwells  B/O Brasenose College Oxford and Catesby Property Group	<p>Q1: Appropriate balance</p> <p>The PDCS does not strike an appropriate balance.</p> <p>For residential, PDCS seeks funding only from sites in the rest of the district beyond Banbury and Bicester and from sites of less than 500 dwellings at Banbury and Bicester. This departs from the Viability Study recommendations and there is no justification for this departure.</p> <p>The Infrastructure Funding Gap paper estimates CIL income to 2031 for LP Part 1 floor space to be circa £23 million. There is no explanation as to whether the estimated floor space is a net or gross figure.</p> <p>The PDCS results on residential development under 500 units at the villages in Area 2 and Area 3 making a disproportionate contribution towards the cost of infrastructure directly related to strategic scale residential-led development at Banbury and Bicester.</p> <p>The PDCS has been prepared too late to benefit from CIL receipts from strategic sites at Banbury and Bicester. They have permission or resolution to grant permission and are unlikely to be CIL liable.</p> <p>PDCS supports LP Policy INF1 and yet the growth in Part 1 of the LP is all strategic at the main two towns which for the most part is not proposed to contribute under CIL. PDCS Para' 2.7 implies there is a policy which envisages CIL but this is not the case.</p> <p>Table 1 in the PDCS does not include land west of Bloxham Road, South of Salt Way under strategic allocations. Whilst this site does not exceed the proposed threshold, it should also be considered to be strategic in nature.</p>
			<p>Q2: Instalments policy</p> <p>It is requested that a Draft Instalment Policy be prepared and consultation undertaken ahead of CIL examination. Consideration should be given to: the amount for a single instalment payment as part of a wider instalment policy ( £20K might be too high for smaller sites), a low threshold, a range of instalments but in any (a minimum of 3), a longer period of time for full to assist cash flow.</p>



## Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
			<p>Q3: CIL relief</p> <p>It is requested that: the emerging affordable tenure of starter homes are entitled to benefit from mandatory relief, and that exceptional circumstances relief is made available as there are likely to be sites subject of a planning obligations where the Charging Authority considers the cost of complying with the planning obligation is greater than the chargeable amount payable under CIL and hence to apply the CIL charge would have an unacceptable impact on viability.</p>
			<p>Q4: CIL rates</p> <p>A blanket approach to harvesting CIL payments is not based on evidence. It would not be fair for development to have to contribute to effects unrelated to it. This principle applies to the current consultation where there is a disproportionate cost burden being proposed on residential development in Area 2 and Area 3.</p>
			<p>The Council has made available a range of relevant documentation in support of the PDCS. This is good practice as it gives stakeholders the opportunity to understand the background and comment on this.</p> <p>CIL is a discretionary tariff that the Council can choose to adopt but CDC has not explained why is now seeking to progress CIL. Whilst it can be understood that the Council wanted to first achieve adopted of the Local Plan Part 1 this was adopted in July 2015 and yet CIL is not forecasted to be adopted until 2017.</p> <p>Commencement of the LP review should be made clear in the PDCS as it may affect responses to the consultation.</p> <p>Paragraph 2.14 should make clearer what types of infrastructure will be provided as S.106 planning obligations and what as CIL. If CIL is brought in, the role of planning obligations should be limited to onsite provision and limited offsite circumstances such as S.278 works.</p> <p>It is requested that CIL is placed on hold pending the outcome of the national consultation but if progressed the draft Regulation 123 List should be published asap and consultation undertaken on it.</p> <p>Explanation is needed on whether the latest IDP version is intended to supersede LP appendix 8 albeit seemingly without any consultation having been undertaken.</p> <p>5% of the total CIL receipts to cover setting up and administrative costs is excessive. Based on the £23 million potential CIL income, £1,150,000 (5%) would be used. If averaged over 14 years from the projected adoption of CIL in 2017 to 2031 this would equate to £82,142 each year just to administer the process.</p> <p>It is requested that Position Statement on CIL and Planning Obligations in Table 1 and table 2 regarding 13/00159/OUT is reviewed to ensure accuracy.</p>

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Rep No.	Name	Organisation	Summary of representation
CIL-A-035	Theresa Goss	Adderbury Parish Council	<p>Q1: Appropriate balance Balance depends on each individual development but it appears appropriate in general terms. Not clear why a nil rate is proposed for developments of 500+ residential units apart from the need to enable strategic sites to come forward. No explanation is given on why these units would not justify a CIL charge just as other residential units. Requests that CDC reconsider this proposal. Agree that CIL should be rated differently for different geographical areas.</p>
			<p>Q2: Instalments policy Agree that an instalments policy would assist viability. Suggest 3 instalments as houses are completed and sold.</p>
			<p>Q3: CIL relief Agree that there should be no discretionary relief</p>
			<p>Q4: CIL rates If the nominal charge actually did have minimum impact on overall development costs then it would be a fairer proposition.</p>
CIL-A-036	Peter Cox	Bicester Chamber of Commerce	<p>Q1: Appropriate balance The proposals will disproportionately disadvantage Bicester as a centre for business, commerce and employment by failing to address current deficiencies and not sufficiently funding future needs. The proposal to exempt all affordable and self build dwellings from the CIL will fall disproportionately heavily on Bicester because of the very large number of self build and affordable dwellings designated for Bicester in the Local Plan. This will leave a funding shortfall that will either have to be met by increasing the contribution from commercially priced property or see the level and extent of soft and hard infrastructures vital to attracting modern businesses much reduced, especially as North West Bicester Eco-Town, Graven Hill, South West Bicester Phase 2, and South East Bicester are singled out as CIL exempt areas. The variation in CIL values will also have a disproportionately negative impact on Bicester by adding to the funding gap. If there must be differential CIL rates based on geographic locations it would be more appropriate to apply a standard rate for urban housing along side one for rural housing.</p>
			<p>The monitoring of CIL should include its impact on a range of outcomes, especially its contribution to attracting and securing a wide range of local employment opportunities. This is important to start to address the present commercial and employment deficiencies from recent rapid growth.</p>

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Rep No.	Name	Organisation	Summary of representation
CIL-A-037	Kathryn Brown	Stoke Lyne Parish Council	<p><b>Q1: Appropriate balance</b>                      It would be appropriate to extract as much charging as the market will allow. The PDCS proposals are too broad. The definition of infrastructure is too narrow and more evidence is required about infrastructure needs of different areas. Infrastructure should include all areas affected by the development at the time of building but also subsequent services when buildings are occupied.                      To properly comment on whether there is an appropriate balance more concise information on cost is needed.</p> <p><b>Q2: Instalments policy</b>                      Instalments would mitigate the impact on viability. Payments should be phased over the build, starting with a portion to be paid on the granting of planning permission, then at various points in the build, finishing with a final payment on completion of the build but not necessarily on the sale of the building.</p> <p><b>Q3: CIL relief</b>                      Supports decision not to offer discretionary relief. However, there may be times when an exceptional application for relief can be made which should then be an entirely separate application from planning permission.</p> <p><b>Q4: CIL rates</b>                      A nominal charge would be less fair for smaller developments. The charge should reflect the size, nature, complexity and what benefits the project would bring to the local community. Do not agree that large sites of 500+, self builds and any other development type should be exempt. These sites will generate a cost of infrastructure and all the services required for use.</p>

## Cherwell CIL Preliminary Draft Charging Schedule, February 2016: Summary of consultation responses

Rep No.	Name	Organisation	Summary of representation
CIL-A-038	Geri Beekmeyer	Oxfordshire County Council	<p>Q1: Appropriate balance</p> <p>The PDCS states that assisted/sheltered housing is excluded from residential development (use class order C3). The PDCS should make clear this applies to extra care housing. The viability study specifically refers to this use as unable to sustain a rate.</p> <p>The S106s rate assumed for the smaller sites appears low. There is no discussion of the basis of these figures. The viability study and supporting statements point to historic contributions secured, in the order of £15,000 per unit. This ties-in with the County Council's own experience of negotiating S106 that sites can afford more. The reality materialising is the assumption for S106 becomes 'fixed' once CIL is adopted, making our ability to negotiate an appropriate level of S106 problematic or negating it completely.</p> <p>Table 1 in the Position Statement is used to conclude that CIL income would be higher than S106 in most cases. CIL rates are compared to S106 amounts secured in the past. Some S106 schemes are low because the County secured works in kind so are not included in the total amount. It would be useful to see a re-worked version of this table based on an up to date price base (or forecast price base at 1st April 2017).</p> <p>Most of the strategic sites in LP Part 1 are expected to have gained planning permission by the time CIL is adopted. CDC state CIL will mainly address windfall sites and sites identified in the two emerging Plans. This raises two issues: i) any new infrastructure identified to meet new identified growth areas and related viability issues; ii) the need to keep the SPD and R123 List up to date, post adoption, to reflect any new requirements.</p>
			<p>Q2: Instalments policy</p> <p>An instalment policy can assist with the development economics on large sites.</p>
			<p>Q3: CIL relief</p> <p>No comment.</p>
			<p>Q4: CIL rates</p> <p>This is not considered appropriate – even a nominal charge could deter town centre uses</p>
			<p>Welcome CDC intention to operate CIL and planning obligations as complementary funding mechanisms. We wish to work with CDC to achieve this.</p> <p>At times, the CDC documents refer to 'on-site' mitigation in reference to S106 agreements. Infrastructure 'directly related' to a development can be 'on-site' and 'off-site'. While S278 can deal with off-site highway mitigation there can be other off-site impacts. It will be important the forthcoming Planning Contributions SPD is not unduly restrictive in this regard.</p> <p>Appendix 1 of the Position Statement sets out potential funding sources of infrastructure funding. Here, it refers to 'local site-related transport requirements'. This better reflects an approach that we would want to see in the forthcoming SPD and R123 List that would enable S106 contributions.</p>

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