

Community Infrastructure Levy Draft Charging Schedule Consultation

List of responses (Surname / Organisation name beginning D - K)

This document sets out responses submitted to the consultation on the Community Infrastructure Levy Draft Charging Schedule, which was undertaken between 10 July and 21 August 2020.

You can scroll through the responses or click on a name below to view a particular response.

Personal details including postal address, signatures and email addresses of individual respondents have been removed.

Davies Family	Grosvenor Developments Ltd
Davison, Mrs B	Guy, Kevin
Defence Infrastructure Organisation	Hailey Parish Council
Doug Clelland, Professor	Hallam Land Management
Douglas Home, Gian	Hanborough Parish Council
Dowding, Jennifer and Alan	Harding, Mike
Dowling, John	Harrington, Jenny
Deans, Rowena	Hextall, Nicholas
Drew, Michael	Hodgson, Mike
Elliott, B	Holborrow, William
Elliott, Catherine	Holden, Gay
Elmer-Menage, Alex	Hughes, Gwilym
Epps, Gareth	Hughes, Paul
Eynsham Parish Council	Inspired Villages
Fenton, Edward and Evelyn	Jaffé, Joseph and Sally
Few, Dorothy	Jennison, Katy
Finan, Darren	Joint Parish and Town Statement
Forbes, Sara	Kedward, Hannah
Gibson, Ann	Kennedy, Lyn
Gibson, John	Kettlewell, Mike
Godfrey, Rachel	Kettlewell, Sarah
Gormley, Sir Brendan and Lady	Kingham Parish Council
Gould, Dr Stuart	King-Underwood, Greg and
Grinsted, David	McHugh de Clare, Abi

From: DaviesFamily [REDACTED]
Sent: 21 August 2020 08:13
To: Planning Policy (WODC)
Cc: Jeff Haine
Subject: CIL consultation response/ East Chipping Norton Development

Dear Mr Chris Hargraves cc Jeff Haine

My family are residents of Chipping Norton and have lived in the town for over 30 years.

We are very concerned that there will be NO CIL coming from the significant scale of new development proposed by the East Chipping Norton development as set out in your consultation paper.

The local infrastructure is already creaking and not able to support such a scale of increased housing.

There have already growing problems with the volume of traffic crossing the town, increasing gridlocks and lack of parking. The bus service to Kingham Station has been withdrawn too so that increases the dependency on cars.

There is still no football club in the town after the disaster of the land being sold – the CIL could buy and pay for a new football club site?

I am particular concerned that facilities that mark Chipping Norton out as ‘unique’ will miss out on vital funds from the CIL if it is set to zero. These include:

- (i) a marvellous Theatre – kept going through grants and fund raising
- (ii) an amazing heated Open Air LIDO which is screaming out for investment to sustain it for the next generation – supported year in year out by the Town Council
- (iii) One of the only remaining Day Centres for the elderly – years of regular County Council grant has been completely withdrawn recently.

It is these facilities that people moving into the proposed new houses in Chipping Norton will want to use!

The impact of COVID-19 has made the need for £1.6m CIL even more important for the town, as these and many other organisations struggle to keep their heads above water to still be there when all this is over.

I agree that it is only right that Chipping Norton gets what it was PROMISED when this significant development was originally proposed.

With no CIL, Chipping Norton is being sold out. Please, please stand up for Chipping Norton, negotiate a CIL and invest in our future.

Yours sincerely

Alison

Alison Davies



From: SF Customer Services (WODC)
Sent: 19 August 2020 11:19
To: Planning Policy (WODC)
Subject: Case WOD00413777 Complaints, Comments and Compliments

The following details have been logged and require your attention to action.

Reason : Enquiry re CIL (went to Complaint Dept initially)

Case number : WOD00413777

Client : West Oxfordshire District Council

Case subject : Complaints, Comments and Compliments

Date logged : 19/08/2020 07:29

Case origin : Form

Case detail : WODC should review their decision not to charge the Community Infrastructure Levy on future development in east Chipping Norton. Our town will need that money to pay for the many changes that town expansion will bring.

Regards, B Davison

Contact Details: Mrs B Davison, Email: [REDACTED] Phone: [REDACTED]

Customer details :

Name : Mrs B Davison

Address : [REDACTED]

Contact :

Email : [REDACTED]

Type :

Oliver Murray

From: Harness, Stephen Mr (DIO Estates-AD Sr TownPlanner 5) [REDACTED]
Sent: 19 August 2020 11:29
To: Planning Policy (WODC)
Subject: 20200819 WODC CIL Draft Charging Schedule Consultation

Please acknowledge receipt, by return. Thanks.

Dear WODC,

We'd like to thank the Planning Authority for the opportunity to comment on the above draft schedule. We note the reference in the schedule to the proposed rates for residential uses, and to the adopted policy H3 – Affordable Housing. We would like to emphasise the special considerations that need to be given to service accommodation, as outlined below, and would therefore welcome clarification that the proposed rates would not apply.

Take care & stay safe,

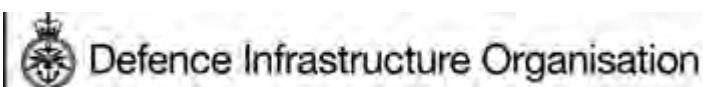
Stephen

Stephen J Barrington Harness BSc, MSc, ACM, FWCMT, FRTP, Chartered Town & Country Planner

Defence Infrastructure Organisation Base Support Wing Headquarters, Building S24, Rm24 RAF Brize Norton Carterton Oxfordshire OX18 3LX

Mobile: [REDACTED]

Email: [REDACTED]



Avoid waste - do you need to print this email?



Single Living Accommodation (SLA) & Service Families Accommodation (SFA)

In summary, single living accommodation (SLA) is provided to meet operational needs on MOD establishments and is ancillary to its use. Service Families Accommodation (SFA) is provided to meet a specific need, has no commercial value and is subject to national guidance on its location, use and provision of supporting facilities. The close link between military bases and SFA allows for an appropriate support network to be provided to its residents, especially for dependents during times such as overseas deployments.

The method for assessing SFA rents is set at a national level and service families pay a subsidised rental charge as set by the Armed Forces Pay Review Board. The Board sets the rates to be charged to service personnel for their

accommodation as well as their pay. The SFA rates are set out in Tables 4.1 and 4.2 of the Armed Forces' Pay Review Body Forty-Third Report March 2014. This document is available on the www.gov.uk website (see <https://www.gov.uk/government/publications/armed-forces-pay-review-body-43rd-report-2014>). The SFA rental rates are significantly lower than general market housing rental levels in recognition of the special circumstances that apply including the tied nature of the properties and lack of choice. The value of future income streams will not be sufficient to cover the basic build costs and infrastructure procurement and running costs (the latter of which will be significant).

It is therefore recognised that SFA directly provided by the MOD should be considered in the same way as affordable housing provided by a Registered Provider. In both instances, there is an element of subsidy, which sets it apart from housing that is either sold or rented, without restriction, through the open market. Both parties recognise that the SFA to be developed by the MOD will not be a commercial proposition and can only be delivered with substantial amounts of public funding. As such, there is no commercial viability in its provision. It is therefore logical given the considerations discussed within this statement that SFA should have a zero charge for CIL, following the practice that is applied to affordable housing. Such an approach accords with the definitions in the NPPF of affordable housing^[i] and essential local workers^[ii].

Unlike general market housing, the design and specification of SFA developments are subject to national guidance set out in Joint Service Publications (JSPs) (see <https://www.gov.uk/government/publications/jsp-464-tri-service-accommodation-regulations-tsars>). This means higher build costs than might normally be expected would be incurred and community infrastructure costs to be met as part of the development for all SFA residents. In accordance with the relevant Scale 25 within JSP 315^[1] the MOD will provide the following facilities alongside their SFA development:

- (i) Community Centres
- (ii) Childcare Facilities
- (iii) Youth Centres
- (iv) Publicly Funded Welfare Facilities

SFA will not be released onto the open market or use for any other purpose than for SFA without the approval of the planning authority. This will ensure that the SFA 'housing' is developed and managed for its intended purpose, rather than open market housing. Such an obligation would also ensure that if the SFA becomes surplus to MOD requirements and is released in the open market the need to provide for affordable housing would be triggered.

^[i] Annex 2: Glossary

Affordable housing: housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

a) **Affordable housing for rent:** meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

b) **Starter homes:** is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.

c) **Discounted market sales housing:** is sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.

d) **Other affordable routes to home ownership:** is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.

[ii] **Essential local workers:** Public sector employees who provide frontline services in areas including health, education and community safety – such as NHS staff, teachers, police, firefighters and military personnel, social care and childcare workers.

[1] <https://www.gov.uk/government/publications/jsp-315-services-accommodation-code-volume-1>

From: PROFESSOR DOUGLAS CLELLAND [REDACTED]
Sent: 19 August 2020 12:52
To: Planning Policy (WODC)
Cc: Jeff Haine [REDACTED]
Subject: Consultation Response/ East Chipping Norton Development

For the attention of:

Mr Chris Hargraves,
Planning Policy Team
West Oxfordshire District Council Elmfield
New Yatt Road
Witney, OX28 1PB

I write regarding the East Chipping Norton Development.

Over the years, I've been involved with numerous residential masterplans, starting 21 years ago with a winning entry for the Allerton Bywater Millennium Community in West Yorkshire, organised on behalf of the government by English Partnerships.

The following is not attached for promotional reasons, but simply for authentication.



Architects' J

NEWS COMPETITIONS BUILDINGS SPECIFICATION PRACTICE FILM

Clelland wins Allerton Byw

Aire Design, part of the Aire Regeneration Partnership, has won the Allerton Bywater Millennium Communities Competition at the former Bywater in West Yorkshire with a 'sustainable' scheme that defers a 66 per cent reduction in construction time.

That English Partnerships initiative might well have been the first time I read the word ‘Vision’ in a planning document, and it’s a word that’s been well-used since.

I note that it has pride of place on the East Chipping Norton Statement.

The art of masterplanning has evolved since 1999 and one would hope that both Oxford County Council and West Oxfordshire District Council are aware of ‘best practice’, not only in the UK, but abroad, where in countries such as Denmark, Germany and the Netherlands, trails are being blazed as to how: **1.** Major residential developments can have least impact on the environment (net zero carbon); **2.** Development can generate more renewable energy than it consumes (Vauban, in Freiburg a precursor); while **3.** It is pretty normal now that major development can and should contribute socially and financially to surrounding communities and urban fabric.

I have been reading the recent Vision document in this light.

While it has plenty of words and images of what in today’s context is no more than the duty of responsible planning policy and practice , it lacks any commitment that I can see to ‘bench marking’. Where if robust thinking can be in place from the outset, it can prevent the habitual slippage of standards that are endemic to the methods of the British house builder.

This absence is a great pity and leaves the door open for the erosion of all the good intentions contained in the Vision. At the end of the day, something more akin to mediocrity may well ensue. This has particular significance in point **3.** below.

1. THE SITES

Significant numbers are involved; the land is predominantly in OCC ownership; the terrain has no ‘gremlins’.

Therefore, ideal circumstances exist to deliver chapter and verse of the Vision, and as the years go forward, increase the characteristics of that achievement, as thinking about sustainable communities and buildings continue to evolve as the Climate Emergency gathers rage.

But again this can only be achieved by robust ‘bench marking’ from the outset.

2. SUSTAINABILITY

The OCC masterplan, if it sets out the detailed means to achieve net zero carbon development as well as superb residential and social environments, will be a good starting point. It all rests on how robust it is and whether it’s been informed by the rigour of best international masterplanning, monitoring and legal practice.

We will see.

3. C.I.L.

One of the tenets of the Vision is that as Chipping Norton increases in size by “at least a third” it will remain an integrated town.

This reminds me of what has been achieved in Amersfoort, with its three phases of expansion (Kattenbroak, Nieuwland and Vathorst).

But to achieve that integration in Chipping Norton, funds should be directed from the new housing areas to the existing town centre, where many problems are there to solve. Given the land ownership profile of East Chipping Norton, the benign nature of the terrain, and the amount of £millions that will flow (not to speak of the post-Covid-19 restrictions there will be on public sector financing of urban improvement), such a 'cross-over' to upgrade the quality of

the whole town is more than feasible through planning powers, and not just the stuff of diagrams within the Vision Statement.

I am concerned therefore that there are indications that the East Chipping Norton development could be exempt from the Community Infrastructure Levy (C.I.L.) if this is set at a zero rate as proposed in your consultation paper.

The East Chipping Norton development will considerably increase the size and population of Chipping Norton, putting pressure on the already-stretched infrastructure. It is crucial that improvements in infrastructure and community facilities are made to accommodate this growth of the town.

I am particularly concerned by the impact of the A44 road that severs the town centre, rendering it divided between east and west, little more than a carpark rather than the dynamic public space of a modern town.

The width of Horse Fair at its narrowest point (empty Harpers building) at the end of High Street, shows what road-width two-way traffic can be restricted to (the urban volume not exemplary), while redirected traffic on special days (Mop Fair) shows what can be achieved when High Street is pressed into use (albeit only tested so far on a one-way basis).

Using the High Street as a two-way road, and creating revised links to West Street and New Street, would enable extensive public amenity space to co-exist with pockets of car parking, creating a much-improved town centre - dynamo for much else that needs regeneration. The C.I.L. should be as highly rated as possible and brought to bear on such endemic problems of the town centre as the A44 - improvements from which residents of East Chipping Norton would benefit as well as residents of the main body of the town.

It is only right that those profiting from house building should be asked to invest properly in the infrastructure and services which will affect the quality of life in Chipping Norton for generations to come. This is what residents of Chipping Norton were promised when East Chipping Norton was originally proposed.

To do the right and best thing, we have to be extremely strong and focused.
I wish you strength and focus.

Best regards

Professor Doug Clelland
AA Dipl, Dipl-Ing (Arch), RIAS, RIBA
Chartered Architect, Over Norton [REDACTED]

From: Gian Douglas Home [REDACTED]
Sent: 22 August 2020 00:10
To: Planning Policy (WODC)
Cc: Jeff Haine
Subject: CIL consultation response/East Chipping Norton Development

Dear Mr Chris Hargreaves,

As a resident of the Chipping Norton area I am concerned that the East Chipping Norton development could be exempt from the Community Infrastructure Levy (CIL) if this is set at a zero rate as proposed in your consultation paper.

The East Chipping Norton development will increase the size and population of our town considerably, putting pressure on the town's already stretched infrastructure. It is important that improvements in infrastructure and community facilities are made to accommodate this growth and prevent the town's residents from being adversely affected by the development.

I am particularly concerned about the increase in road traffic and associated air pollution that is likely to result from the development, as well as the additional pressures it will place on our health, community and transport services.

It is only right that those profiting from house building should be asked to invest properly in the infrastructure and services which will affect the quality of life in our town for many generations to come -- indeed this is what those living in Chipping Norton were promised when this significant development was originally proposed.

Yours sincerely,

Gian Douglas Home

From: [REDACTED]
Sent: 03 August 2020 20:15
To: Planning Policy (WODC)
Subject: Objection to zero-rated CIL

Dear Sir

My husband and I wish to object in the strongest terms to your proposal to abolish the Community Infrastructure Levy on the North Witney site. The building of a large housing estate without the infrastructure to service it has to be a huge mistake and will adversely affect our village of Hailey as part of the site will be within our boundaries. Also our observation is that the cost of housing has gone up not down, as you claim. The increased population will mean our facilities will need to be enlarged and improved and we will have no money with which to do this.

Yours faithfully

Jennifer and Alan Dowding
residents in Poffley End, Hailey

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[REDACTED]
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Registered Charity No. 309639

From: Dowling christine [REDACTED]
Sent: 13 August 2020 14:36
To: Planning Policy (WODC)
Cc: Astrid Harvey; Gordon Beach; Edward James; Carl Rylett; Dan Levy
Subject: CIL Consultation Professor Emeritus John Dowling

As you know Eynsham is in a large expansion into a community over two and a half times its size, and the strain on facilities will be very considerable. I am a supporter of the reorientation of the West Oxfordshire economy around Oxford's research base and feel that the provision of housing at Eynsham can play a big part. Maintaining the quality of life, especially of future Key Workers and research staff, is important to their attraction and retention. These people need subsidized housing and the enjoyment of good public amenities. The WODC proposal for a zero-rate for CIL in large-scale developments as opposed to the former assumption that there would be an increase in the CIL rate where a Neighbourhood Plan existed seems unjust given the unpredictable nature of the stress on existing facilities and the need for a contingency fund to remedy the stresses that will occur. The absence of a positive CIL contribution will mean there are no up-front funds set aside against these contingencies. As a rise from 15 to 25% was an explicit term of the Neighbourhood Plan referendum, there is a strong moral case for such a grant. A lesser but real large-site CIL rate would provide assurance that Eynsham might have some compensatory funding for community facilities. I, therefore, recommend that a CIL rate be established at, say, 7 1/2% against these contingencies. But I would defer to the Eynsham Parish Council, who can be expected to have a more holistic view of probable stresses and the cost of their remediation.

Respectfully submitted,

John Dowling

From: [REDACTED]
Sent: 13 August 2020 13:54
To: Planning Policy (WODC)
Subject: Proposed abolition of community infrastructure levy

I would like to register my STRONG OBJECTION to the councils proposal to abolish the above I also STRONGLY OBJECT to the exclusion of local community involvement, from infrastructure spending decisions.

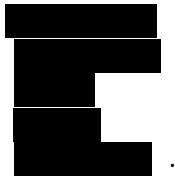
Based on your recent analysis June 2020 there is a huge infrastructure funding gap of nearly £200m I am at a loss to understand the logic in your proposals and strongly urge the planning department to reconsider.

There needs to be specific financial provision in the Local Plan, for social and leisure infrastructure, to enrich these developments and to promote a sense of community.

I would appreciate a response to my email and would appreciate any updates in decisions in regard to this matter

Kind Regards
Rowena Deans

From Michael Drew



14th August 2020

Dear Sirs,

I write as a long term resident of Hailey to object in the strongest terms to the proposal by WODC to set at zero the CIL Levy for the proposed North Witney development, as well as the other four in the district.

The question of viability v. non viability of the whole scheme will be more adequately covered in the submission from Hailey Parish Council, of which I am a long term member, suffice it to say that the hints of "flawed consultation" in that document give me much cause for concern.

Hailey Parish Council has worked hard within the aegis of David Cameron's Localism Bill to develop and have accepted by WODC, a community based Neighbourhood Plan, and whilst objecting in principle to the North Witney Development has accepted that as the development falls within our parish, we have a duty to our current and future residents to ensure that the facilities and living experience for all of Hailey residents are of the highest standards.

In order to have the financial means for this development to fulfil the above expectations, a CIL Levy as originally proposed and accepted by the inspector is essential, and no justification for the new proposal has been put forward.

I have always argued strongly in the 50 years of residence in West Oxfordshire in favour of localism in local government in the county.

This proposal, flying directly in the face of support for localism, for the many, and not for the few Landowners who will benefit from it, leads ever closer the inevitability of a unitary authority for Oxfordshire, and WODC, and its current Councillors will only have themselves to blame, for the lack of local support to resist it.

Yours Faithfully,

Michael Drew

From: SUE AYERS [REDACTED]
Sent: 06 August 2020 21:05
To: Planning Policy (WODC)
Subject: Abolition of CIL for North Witney development

WODC planning consultation

6 August 2020

Why bother to go to all the trouble and expense of asking what we think by means of The Neighbourhood Plan and then act in a manner that effectively disregards our response in favour of your acquaintances.

After eighty-one years of being part of this society I should be used to this Democratic ‘tokenism’. Doubtless you also have your well-rehearsed ‘concerned’ look to match it.

Just in case it isn’t apparent, I think your proposal to abolish the CIL is distinctly ill considered, as I feel sure you know, and I strongly object to it.

B. Elliott [REDACTED]

From: Catherine Elliott [REDACTED]
Sent: 17 August 2020 12:37
To: Planning Policy (WODC)
Subject: Re: CIL consultation response/East Chipping Norton Development

----- Original Message -----

From: "Catherine Elliott" [REDACTED]
To: "planning.policy@westoxon.gov.uk" <planning.policy@westoxon.gov.uk>;
jeff.haine@westoxon.uk
Sent: 17/08/2020 12:32:14
Subject: CIL consultation response/East Chipping Norton Development

Dear Mr Hargraves,

I was very concerned to hear that the East Chipping Norton Development could be exempt from the Community Infrastructure Levy if this is set at a zero rate as your consultation paper suggests.

As a resident of the town and retired GP I know how much Chippy needs extra infrastructure, community facilities and services if we are to accommodate a very large relative increase in our population. This will affect the life of everyone in Chippy for generations to come.

Chipping Norton is making considerable sacrifices to allow this new development. School, community and medical services are already under a lot of pressure and I am sure will not be able to cope without the extra funding previously promised to the people of Chippy.

I understand that the Town council has estimated that not zero rating CIL would mean the developers profit would reduce from £39 million to £28 million. I cannot believe that this makes the development unviable - but if it does it is surely better not to have it than to proceed without infrastructure support.

Yours sincerely

Catherine Elliott



From: [REDACTED]
Sent: 12 August 2020 11:22
To: Planning Policy (WODC)
Cc: jeff.haine@westoxon.uk
Subject: CIL consultation response/ East Chipping Norton Development

Dear Mr Chris Hargraves,

As a resident of Chipping Norton I am very concerned that the East Chipping Norton development could be exempt from the Community Infrastructure Levy (CIL) if this is set at a zero rate as proposed in your consultation paper.

The East Chipping Norton development will increase the size and population of our town considerably and will therefore put pressure on our already stretched infrastructure. It is important that improvements in infrastructure and community facilities are made to accommodate this growth in the town.

Not only does the area already need increased services for the young, elderly and disabled, but there is clearly a sewage issue in the town which will need to be addressed - especially if increasing the town's population by 1/3.

To pay the CIL, is only fair to Chipping Norton as a town, and community.

It is only right that those profiting from house building should be asked to invest properly in the infrastructure and services which will affect the quality of life in our town for many generations to come – indeed this is what those living in Chipping Norton were promised when this significant development was originally proposed.

Yours sincerely,

Alex Elmer-Menage

[REDACTED]

From: Gareth Epps [REDACTED]
Sent: 20 August 2020 17:07
To: Planning Policy (WODC)
Cc: Andy Graham; Liz Leffman; Jeff Haine
Subject: CIL levy consultation

Dear Mr Hargraves

As a resident of West Oxfordshire I am very concerned that the Eynsham and East Chipping Norton developments could be exempt from the Community Infrastructure Levy (CIL) if this is set at a zero rate as proposed in your consultation paper.

The East Chipping Norton development will increase the size and population of the town considerably and will therefore put pressure on our already stretched infrastructure. It is important that improvements in infrastructure and community facilities are made to accommodate this growth in the town. The same applies to Eynsham which is being doubled in size. Both places suffer from pollution; across the district there is a need for improved access to health services, to community services, access to open space and recreation facilities. With a crisis in our public finances emerging thanks to COVID and Brexit, the ability of local councils to fill this shortfall will be sharply curtailed.

It is only right that those profiting from house building should be asked to invest properly in the infrastructure and services which will affect the quality of life in our town for many generations to come – indeed, this is what those living in Eynsham and Chipping Norton in particular were promised when this significant development was originally proposed. I am flabbergasted that the political leadership of the council is proposing to give those who profit from development a free ride on the provision of infrastructure that local people need.

Yours sincerely

Gareth Epps
[REDACTED]



EYNSHAM PARISH COUNCIL

CLERK: KATHERINE DOUGHTY,

Telephone: [REDACTED] Email: [REDACTED] Web: www.eynsham-pc.gov.uk

Chris Hargraves
Planning Policy Manager
West Oxfordshire District Council

planning.policy@westoxon.gov.uk

27 July 2020

Dear Chris

Consultation Response – Community Infrastructure Levy (CIL) Draft Charing Schedule

Eynsham Parish Council consider a zero rate CIL will equate to an unacceptable burden on the existing community and infrastructure due to the planned additional number of residents to be located at the Garden Village and Strategic Development Area within the Parish. There is a potential for the community to be damaged by the financial strain imposed by this policy due to the onus of funding amenities falling on the Parish Council regardless of its existing strategic community aims and objectives at the current level of residents.

The Council therefore object to the proposals as they are not in the best interests for local communities or the future of West Oxfordshire.

Yours sincerely

[REDACTED]

Mrs Katherine Doughty
Clerk to the Council

From: [REDACTED]
Sent: 19 July 2020 13:43
To: Planning Policy (WODC)
Subject: WODC CIL consultation

Hello

We are writing to express our strong objection to any proposal to scrap the Community Infrastructure levy on large developments in West Oxfordshire. We believe strongly that all large developments, including those with several thousand homes such as the Garden Village at Eynsham and Tank Farm in Chipping Norton, should pay the full CIL - not just the contribution under Section 106. We understand that while scrapping the CIL on large developments would mean that the developments themselves would benefit from Section 106 money, the surrounding rural areas like ours - which will be affected by the additional traffic, the need for schools and other amenities - will not benefit.

Yours sincerely

Edward and Evelyn Fenton

[REDACTED]

[REDACTED]

From: Dorothy Few [REDACTED]
Sent: 18 August 2020 17:41
To: Planning Policy (WODC)
Cc: Jeff Haine
Subject: CIL consultation response / East Chipping Norton Development - FAO Mr Chris Hargraves

Dear Mr Chris Hargraves

As a resident of Chipping Norton I am very concerned that the East Chipping Norton development could be exempt from the Community Infrastructure Levy (CIL) if this is set at a zero rate as proposed in your consultation paper.

The East Chipping Norton development will increase the size and population of our town considerably and will therefore put pressure on our already stretched infrastructure. It is important that improvements in infrastructure and community facilities are made to accommodate this growth in the town.

For example to increase availability of health services, increase the capacity of the leisure centre (particularly to increase the size of the swimming pool), provide more car parking for those making visits (essential and otherwise) to town from surrounding villages, increase provision and maintain all community facilities which will be over stretched from the vastly increased population, etc, etc... Requirements best understood by the local community and decision makers.

It is only right that those profiting from house building should be asked to invest properly in the infrastructure and services which will affect the quality of life in our town for many generations to come—indeed this is what those living in Chipping Norton were promised when this significant development was originally proposed.

Yours sincerely

D Few
[REDACTED]

From: Darren Finan [REDACTED]
Sent: 21 August 2020 09:15
To: Planning Policy (WODC)
Cc: Jeff Haine
Subject: CIL consultation response/East Chipping Norton Development

Dear Mr Chris Hargraves

As a resident of Chipping Norton I am very concerned that the East Chipping Norton development could be exempt from the Community Infrastructure Levy (CIL) if this is set at a zero rate as proposed in your consultation paper.

The East Chipping Norton development will increase the size and population of our town considerably and will therefore put pressure on our already stretched infrastructure. It is important that improvements in infrastructure and community facilities are made to accommodate this growth in the town otherwise the entire town will suffer, and so begins the socioeconomic spiral.

There is simply no way (mathematically) this development will not have a negative impact on the environmental state within Chipping Norton and the surrounding Cotswolds. Pollution from HGVs and all non-electric vehicles has pushed Chipping Norton to an unbelievably high ranking on the worst polluted town and when you add 1200 dwellings I firmly believe we will be the worst town (based on simply linear progressions). This will be categorically linked to the new development. The quality of life for Chipping Norton town residents will deteriorate unequivocally because of this development. Surely the needs of the many outweigh the needs of a few; and therefore the CIL should be mandatory within this plan. At the end of the day, this development will be heavily subsidised by the tax payer (council land & various help to buy schemes) and at the very least I would expect further investment to try and structurally integrate the development into the town.

It is only right that those profiting from house building should be asked to invest properly in the infrastructure and services which will affect the quality of life in our town for many generations to come – indeed this is what those living in Chipping Norton were promised when this significant development was originally proposed.

Yours sincerely

Darren Finan
[REDACTED]

Oliver Murray

From: Sara Forbes [REDACTED]
Sent: 19 August 2020 19:49
To: Planning Policy (WODC)
Subject: East chipping norton development.

Dear Mr. Chris Hargreaves

As a resident of Chipping Norton I am very concerned that the East Chipping Norton development could be exempt from the Community Infrastructure Levy(CIL) if this is set at a zero rate as proposed in your consultation paper.

The East Chipping Norton development will increase the size and population of our town considerably and will therefore put pressure on our already stretched infrastructure. It is important that improvements in infrastructure and community facilities are made to accommodate this growth in the town.

It is only right that those profiting from house building should be asked to invest properly in the infrastructure and services which will affect the quality of life in our town for many generations to come- indeed this is what those living in Chipping Norton were promised when this significant development was originally proposed.

Yours sincerely Sara Forbes.

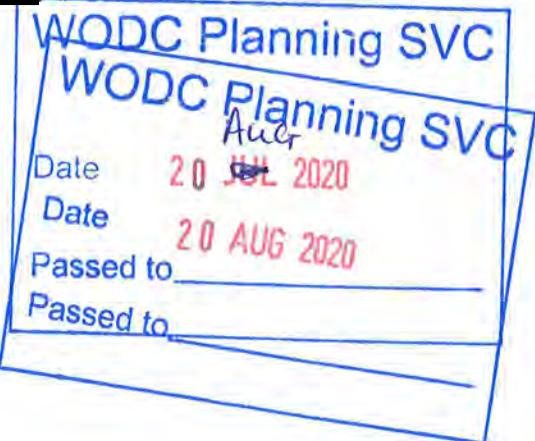
[REDACTED]
[REDACTED]
Sent from my iPad

Tel: [REDACTED]

Email: [REDACTED]

18 August 2020

Planning Policy Team,
CIL Consultation,
West Oxfordshire District Council,
Elmfield,
New Yatt Road,
Witney,
OX28 1PB.



Dear Madam/Sir,

Community Infrastructure Levy (CIL) - CONSULTATION – North Witney

I am writing as a long-standing resident of Hailey – since 1989 – and a Hailey Parish Councillor, to object in the strongest possible terms to West Oxfordshire District Council's proposal of a zero rate for the Community Infrastructure Levy on all of the five Strategic Development Areas included in the current Local Plan 2031 - in particular North Witney.

I would like to begin by re-iterating Hailey Parish Council's view that there are flaws in WODC's proposal for a zero-rated charge for CIL as well as many questions to be addressed in terms of evidence for this recommendation.

I would like WODC to explain and to provide evidence for the following:

1. Why the 2020 Viability Assessment was produced by another consultancy – Nationwide CIL Service (NCS) – rather than requesting an update from the consultancy – Aspinall Verdi - that produced the original Viability Assessment in 2016.
2. Why there is such an anomaly between the Gross Development Value of the 5 SDAs now compared with that declared to the Government Inspector in 2017 – amounting to £274m.
3. What evidence has been used to support the 13% drop in house prices since 2017 across West Oxfordshire used in the 2020 Viability Assessment, although Land Registry selling prices show an overall increase of 2.3%.
4. The contingency charge for each of the SDAs (which should be 5% of the cost of construction) appears to be incorrect as they all significantly exceed 5% amounting to almost £7m, without explanation.
5. There is an unexplained 50% increase in Infrastructure Allowances amounting to £29m which could have been used for the CIL funding.

CIL was introduced in 2011 as part of the Localism Act, the aim of which was to enable local people to have a greater role in determining what would be developed in the area in which they live. In addition, power was given to local authorities by Government to require that some of the money raised from development via the CIL should go directly to the neighbourhoods where the development takes place. The objective was to help ensure that the people who say 'yes' to new development feel the benefit of the decision.

In West Oxfordshire District Council's (WODC's) Local Plan 2031, the Council states that:

"Evidence prepared in support of the West Oxfordshire Local Plan2 identified the infrastructure that is needed to support future growth in the District up to 2031. Whilst some of this is already funded, or at least able to be funded through other mechanisms such as Section 106 planning obligations and central Government funding there remains a large infrastructure 'funding gap' which CIL will contribute towards."

The parish of Hailey will have 1,400 homes with a population of around 3,000 added to it by 2031. Hailey currently has just under 500 homes with a population of about 1,250. Whilst I do not object to the 1,400 new homes – although I was dismayed that, apparently, no social rented housing has been included, I strongly object to the proposed CIL charge being zero-rated. We have a thriving community within the village for people of all ages. In order to welcome new people and to invite them to participate, contribute and benefit from community life here, we need the support of West Oxfordshire District Council to set a CIL rate that will help us do this.

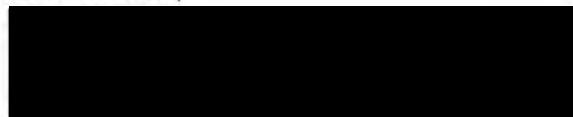
The Parish Council developed its own Neighbourhood Plan, which was adopted by WODC. This led to a group being set up to consider what infrastructure needed to be developed over the life of the plan. Much of this was predicated on what was considered a reasonable likelihood of receiving significant funds through CIL i.e. £125/m² for properties in the 'medium zone'. These plans will have to be completely abandoned unless the proposed zero-rated CIL is increased.

The proposal of a zero-rate charge for CIL sweeps away any real likelihood of local involvement and disenfranchises the residents of Hailey – and all the other parishes and towns across West Oxfordshire.

The Parish of Hailey hopes for infrastructure funding will now be in contention for Section 106 funding with WODC's own proposals and those of the parishes and towns in 5 SDAs.

I trust that you will give this objection your serious consideration.

Yours faithfully



Ann M. Gibson (Mrs)

[REDACTED]

[REDACTED]

[REDACTED]

21 August 2020

Planning Policy Team,
CIL Consultation,
West Oxfordshire District Council,
Elmfield,
New Yatt Road,
Witney,
OX28 1PB.

Dear Madam/Sir,

Community Infrastructure Levy (CIL) - CONSULTATION – North Witney

I write as a resident of Hailey since 1989; as a former Principal Local Government Officer in both housing and finance; and, latterly, as a Chief Executive Officer of very large commercial organisations. I stress the latter to make clear that I fully understand why private sector businesses must drive for profit – but also have a social conscience and agenda.

I'm writing with reference to West Oxfordshire District Council's proposal for a zero rate CIL on all the five Strategic Development Areas in the current Local Plan 2031, and, in particular, that of North Witney. I am objecting to this proposal.

I am surprised that WODC has commissioned the 2020 Viability Assessment from another consultancy rather than take the sensible, and cost-effective, route of commissioning an update from the original consultancy.

I also question the foundation for suggesting a 13% decrease in house prices across West Oxfordshire since 2017 when the Land Registry shows an overall increase of 2.3%.

I would like to begin by re-iterating Hailey Parish Council's view that there are flaws in WODC's proposal for a zero-rated charge for CIL as well as many questions to be addressed in terms of evidence for this recommendation.

In West Oxfordshire District Council's (WODC's) Local Plan 2031, the Council states that:

"Evidence prepared in support of the West Oxfordshire Local Plan2 identified the infrastructure that is needed to support future growth in the District up to 2031. Whilst some of this is already funded, or at least able to be funded through other mechanisms such as Section 106 planning obligations and central Government funding there remains a large infrastructure 'funding gap' which CIL will contribute towards."

The parish of Hailey will have 1,400 homes with a population of around 3,000 added to it by 2031. Hailey currently has just under 500 homes with a population of about 1,250. Whilst I do not object to the 1,400 new homes – although I was dismayed that, apparently, no social rented housing has been included, I strongly object to the proposed CIL charge being zero-rated. We have a thriving community within the village for people of all ages. In order to welcome new people and to invite them to participate, contribute and benefit from community life here, we need the support of West Oxfordshire District Council to set a CIL rate that will help us do this.

The Parish Council developed its own Neighbourhood Plan, which was adopted by WODC. This led to a group being set up to consider what infrastructure needed to be developed over the life of the plan. Much of this was predicated on what was considered a reasonable likelihood of receiving significant funds through CIL i.e. £125/m² for properties in the 'medium zone'. These plans will have to be completely abandoned unless the proposed zero-rated CIL is increased.

The adoption of a zero-rate charge for CIL undermines and negates any opportunity for local involvement and effectively reduces the voices of Hailey residents.

I trust that you will give my objection your serious consideration.

Yours faithfully

John Gibson

From: Rachel Godfrey [REDACTED]
Sent: 20 August 2020 12:17
To: Planning Policy (WODC)
Cc: Jeff Haine
Subject: CIL consultation response/ East Chipping Norton Development

Dear Mr Chris Hargraves

As a resident of the Chipping Norton area I am very concerned that the East Chipping Norton development could be exempt from the Community Infrastructure Levy (CIL) if this is set at a zero rate as proposed in your consultation paper.

The East Chipping Norton development will increase the size and population of our town considerably and will therefore put pressure on our already stretched infrastructure. It is important that improvements in infrastructure and community facilities are made to accommodate this growth in the town, and that the local population have a direct say in this via the Chipping Norton Town Council.

In particular, measures to mitigate pollution levels in the town (which I understand are currently illegally high) will become even more important with increased traffic. I am also concerned about provision of open amenity and recreation spaces for the town and think that local people should have the means to influence what is provided with the new development.

It is only right that those profiting from house building should be asked to invest properly in the infrastructure and services which will affect the quality of life in our town for many generations to come – indeed this is what those living in Chipping Norton were promised when this significant development was originally proposed.

Yours sincerely

Mrs R M Godfrey

From: Brendan Gormley [REDACTED]
Sent: 06 August 2020 15:10
To: Planning Policy (WODC)
Subject: Don't Abolish CIL

Dear Sirs,

I am horrified that the North Witney development house price valuations have been set so low and CIL waved. Given the dubious need for the whole development, to approve it without the necessary social and leisure infrastructure is a scandal in such a rural setting.

Your sincerely

Sir Brendan and Lady Gormley

[REDACTED]
Sent from my iPhone

From: Stuart Gould [REDACTED]
Sent: 16 August 2020 19:42
To: Planning Policy (WODC)
Subject: East Chipping Norton Development Vision. FAO Chris Hargreaves

Dear Mr Hargreaves

As a local resident I am concerned at the plan not to impose a CIL on the developers by giving it a zero rating. Whilst broadly understanding the need to increase the housing stock it is only fair that the developer should contribute to the increased need for appropriate infrastructure. Too often developments take place seemingly without adequate provision or planning for this. It is only right that the developers should contribute to the increased need for transport, schools and health care provision. An appropriate contribution via a CIL would help and the justification for its omission is unclear.

Yours sincerely

Dr Stuart Gould MD FRCP



From: David Grinsted [REDACTED]
Sent: 12 August 2020 13:58
To: Planning Policy (WODC)
Cc: jeff.haine@westoxon.uk
Subject: CIL consultation response/ East Chipping Norton Development

Dear Mr Hargraves

As a resident of Chipping Norton I am very concerned that the East Chipping Norton development could be exempt from the Community Infrastructure Levy (CIL) if this is set at a zero rate, as proposed in your consultation paper. The East Chipping Norton development will increase the size and population of our town considerably and will therefore put pressure on our already stretched infrastructure.

It is important that improvements in infrastructure and community facilities are made to accommodate this massive growth of population in the town. For example: the control of increased road traffic and associated pollution levels, a need for improved access to health services, to community services and to open space and recreation facilities. We also need to consider the extensive disruption that will be caused by the construction of this large development, not only local to the site but also on the main roads in and out of the town.

It is only right that those profiting from the building of 1,200 houses should be asked to invest properly in the infrastructure and services which will affect the quality of life in our town for many generations to come

Weren't those living in Chipping Norton promised this when the significant development was originally proposed?

Yours sincerely

David Grinsted
[REDACTED]
[REDACTED]

21st August 2020

Planning Policy Team
West Oxfordshire District Council
Elmfield
New Yatt Road
Witney
OX28 1PB

Submitted via email to: planning.policy@westoxon.gov.uk

West Oxfordshire Community Infrastructure Levy (CIL) Draft Charging Schedule (2020)

Introduction

1. We write on behalf of Grosvenor Developments Ltd (Grosvenor) with regard to the West Oxfordshire Community Infrastructure Levy (CIL) Draft Charging Schedule (DCS) 2020 currently under consultation.
2. Grosvenor represents a consortium of landowners that controls most of the Oxfordshire Cotswolds Garden Village 'Strategic Location for Growth' (SLG) and recently submitted an Outline Planning Application (OPA) for the Oxfordshire Garden Village (OGV). This is available on the WODC Planning Portal under reference 20/01734/OUT. Grosvenor is committed to working collaboratively with West Oxfordshire District Council (WODC) and other stakeholders, including the local community, to ensure that the OPA for the Garden Village is consented and delivered consistently with Local Plan aims and objectives in order to meet local need.
3. We have previously submitted representations to earlier stages of the CIL charging schedule (since abandoned), although Grosvenor has significantly advanced the preparation of the OPA in that time. However, as stated before we were very concerned that seeking a CIL charge in addition to a Section 106 agreement will further negatively affect the overall viability and deliverability of the Garden Village and therefore welcome the Zero-rating of all five strategic sites.

Role of the AAP and a bespoke agreement for OGV

4. The OPA for OGV will be determined based on the updated policies within the Area Action Plan (AAP) as this becomes part of the formal Development Plan. The AAP provides specific policies regarding infrastructure provision for OGV and are informed by bespoke pieces of evidence across a number of topics, including education, transport, affordable housing, green infrastructure, energy and community infrastructure.

Infrastructure delivery

5. Grosvenor has been working closely with WODC and Oxfordshire County Council (OCC) throughout the preparation of the planning application. The extent of site-specific infrastructure associated with the new Garden Village is expected to be significant. This includes both that required to make the development acceptable in planning terms, but also reflecting the Garden Village aspirations.
6. OGV is the single largest allocation in the WODC adopted Local Plan. The level of anticipated infrastructure provision to be delivered on or adjacent to the Garden Village site to supports its development as a rural service centre will clearly be more extensive than that which would be provided for smaller developments which are able to rely on existing infrastructure and services.
7. Grosvenor is currently working with WODC and OCC to bring forward an optimal solution for the Garden Village and its supporting infrastructure, including provision to meet the sub area needs beyond the development itself in some instances. Much of this has been identified as a key element of placemaking, as part of the site-specific evidence base and to meet the ambitions for the Garden Village. This wider infrastructure outlined through the AAP and the OPA supporting documents, notably the site-specific Infrastructure Delivery Plan, will be secured through the Section 106 agreement and Section 278 highway agreement mechanisms.
8. Given the above, the draft CIL charging schedule states that "*it should be noted that the five strategic sites allocated in the West Oxfordshire Local Plan 2031 are 'zero-rated' for the purposes of CIL for reasons of viability*". This does not mean that the level of infrastructure provided is reduced based on this zero rating. The CIL work includes assumptions for typical section 106 agreements based on the Council's evidence base provided and concludes that "*the Strategic Site test results all indicate marginal negative viability due to the significant site opening up costs and the site specific S106 infrastructure contribution requirements*".

Council briefing note, CIL viability assumptions and the AAPInfrastructure delivery

9. The CIL meeting note created to support the CIL consultation summarises that:

"Strategic sites also attract a significant package of site-specific planning obligations. Research from a range of other local authorities suggests that the cost of such planning obligations on larger strategic sites tends to range from between £10,000 - £30,000 per unit. The Council's consultants have adopted a mid-point figure of £15,000 per unit which has been factored in alongside other specific costs (e.g. schools) where known. Other infrastructure costs, in particular highway improvements are also likely to be significant and an allowance for this has also been factored in accordingly".

10. Specified items included the primary school, link road and £20million for 'A40 crossings', although it is not clear what this covers and no reference is made to many of the other items currently identified to be provided by the Garden Village, not least a secondary school facility to serve the wider area.

11. The detail of all of the assumptions put forward by NCS will need to be verified on a site by site basis. With regard to the Garden Village spreadsheet only, the planning obligations are currently set at £48.4million, which incidentally is double the estimated CIL revenue from residential development across the entire district within the plan period to 2031 (generated from 15,766 dwellings), or approximately £22,000 per home. The sum total of the NCS assumptions result in the Garden Village development having a negative viability margin of over £19million. If, purely for illustrative purposes, this is removed from the planning obligations this would reduce the planning obligations available to approximately £13,250 per home instead. This readily identifies the scale of challenge posed to the Garden Village. For reference, NCS concluded that £10,000 per home was an appropriate assumption for large scale (50+ homes) development based on “*Evidence of planning obligation contributions over the last 5 years*” provided by WODC.

Building standards (including sustainable construction)

12. The Viability Assessment report states that (our underlining):

“This study is not intended to represent a detailed viability assessment of every individual site. The study applies Local Plan policy requirements in respect of affordable housing and considers a number of more general planning policy cost impacts and identified site mitigation factors based on generic allowances. The purpose of the study is to determine the additional viability margin for CIL taking account of key Local Plan policies including the provision of affordable housing”.

13. Regarding sustainable construction standards specifically, the Viability Assessment Report states:

“The former Code for Sustainable Homes has now been replaced by changes to the Building Regulations based on the National Housing Standards. The cost rates employed reflect current Building Regulation requirements”.

14. It is therefore clear that the assumptions within the CIL viability assessments do not reflect the policy requirements of the draft AAP as it instead focuses on the Local Plan policies. Whilst this is appropriate for the CIL assessment purposes given the proposed ‘zero rating’ of all strategic sites, this would need to be addressed if altered at subsequent stages and also in future work to support the Garden Village as the AAP polices, across a number of themes, greatly increase the Local Plan standards.

Housing mix and affordable housing

15. With regard to the strategic site assessment and reiterating the above, the origin of the housing mix assumptions in the CIL work do not appear to align with the emerging AAP guidance on housing mix. Again, this could be appropriate for the CIL work given the proposed zero rating, although would need to be revisited if this is altered. Furthermore, the Affordable Housing SPD, also out for consultation, includes many different forms of affordable housing, notably WODC living rent and First Homes which are not considered.
16. It is clear that the value of affordable housing, and therefore the overall Gross Development Value, will significantly affect viability considerations.

Need for further viability work

17. The Viability Assessment Report (2020) provides the following (our underlining):

Para 34 of the National Planning Policy Framework 2019 requires that plans should set out Affordable Housing and Infrastructure contributions expected from development but ensure that the level of these contributions does not undermine deliverability of development. An assessment of the costs and values of each category of development is therefore required to consider whether they will yield a reasonable incentive for a land owner to bring forward their land for development and a return to a developer, thus enabling the identified development to proceed.

18. This process is currently being undertaken to support the Area Action Plan for the Garden Village and the determination of the Outline Planning Application submitted by Grosvenor. Reflecting the PPG on Viability and Plan making, the Viability assessment report also contains the following extracts:

The role for viability assessment is primarily at the plan making stage. Viability assessment should not compromise sustainable development but should be used to ensure that policies are realistic, and that the total cumulative cost of all relevant policies will not undermine deliverability of the plan.

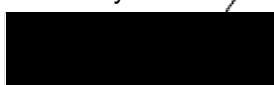
It is the responsibility of plan makers in collaboration with the local community, developers and other stakeholders, to create realistic, deliverable policies. Drafting of plan policies should be iterative and informed by engagement with developers, landowners, and infrastructure and affordable housing providers.

*.....
It is important to consider the specific circumstances of strategic sites. Plan makers can undertake site specific viability assessment for sites that are critical to delivering the strategic priorities of the plan. This could include, for example, large sites, sites that provide a significant proportion of planned supply, sites that enable or unlock other development sites or sites within priority regeneration areas.*

Conclusions

19. The more targeted and appropriate collection mechanism should be a comprehensive, site specific and detailed Section 106 agreement combined with a zero CIL rating. Furthermore, a Section 106 Agreement allows for the bespoke tailoring of infrastructure demands and unit triggers associated with key infrastructure items to ensure they are funded, and critically delivered, when required as opposed to the more 'blunt' CIL funding phasing.
20. As stated at the beginning of this representation, Grosvenor has submitted an OPA and work has begun on the Section 106 and viability workstreams are ongoing.

Yours faithfully



Paul Comerford
Director, AECOM,

From: Kevin Guy [REDACTED]
Sent: 19 August 2020 11:41
To: Planning Policy (WODC)
Cc: Jeff Haine
Subject: CIL consultation response/East Chipping Norton Development

Mr Hargreaves,

As a resident of Chipping Norton I am very concerned that the East Chipping Norton development could be exempt from the Community Infrastructure Levy (CIL) if this is set at a zero rate as proposed in your consultation paper.

The East Chipping Norton development will increase the size and population of our town considerably and will therefore put pressure on our already stretched infrastructure. I have seen nothing in any of the documents to indicate that any consideration has been given to this. If I am wrong, then please direct me to where this is covered. 1,200 homes mean 1,800 more vehicles (using 1.5 per household as an average) on the roads in and out of the area. How will the infrastructure cope without any additional diversions/bypass etc?

It is important that improvements in infrastructure and community facilities are made to accommodate this growth in the town. (It is only right that those profiting from house building should be asked to invest properly in the infrastructure and services which will affect the quality of life in our town for many generations to come – indeed this is what those living in Chipping Norton were promised when this significant development was originally proposed.

Regards,

Kevin Guy, [REDACTED]

Kevin Guy

Director

Mobile [REDACTED]



Tel [REDACTED]

www.cotswoldfinancialplanning.co.uk

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From: Lisa Wilkinson [REDACTED]
Sent: 14 August 2020 16:55
To: Planning Policy (WODC)
Subject: Hailey Parish Council response to CIL consultation
Attachments: Hailey PC - Community Infrastructure Levy Consultation Response - Aug 2020[2395].pdf

Good afternoon

Please see below for the covering letter and find attached Hailey Parish Council's response/objection to the CIL consultation.

HAILEY PARISH COUNCIL RESPONSE TO WODC'S CIL CONSULTATION

FLAWED CIL CONSULTATION

As you will see from the enclosed Hailey Parish Council's CIL consultation submission there are several flaws in the evidence provided to support the CIL Recommendations:

1. All five Strategic Development Areas (SDAs) are declared marginally non-viable in your evidence, even after the proposed CIL rate has been reduced from £125/sq metre to zero (a reduction of over £43 million). This is contradictory to the 2016 Local Plan and CIL Viability Assessment - second update - which declared all five SDAs to be viable.
2. Upon investigation we immediately realised that the Gross Development Value of the five sites had been reduced by a massive £274 million or 13% from the value declared to the Government Inspector by WODC in 2017. This reduction is over six times the value of the CIL reduction. The number of houses remains the same as does the proportion of affordable housing but the selling price of houses across all five SDAs has allegedly fallen by 13% since the 2016 assessment. This is contradicted by selling prices registered with the Land Registry.
3. There is an error in the calculation of the contingency charge which results in an overcharge of nearly £7 million which could have been used to support CIL. There is also an unexplained 50% increase in S106 Infrastructure Allowance- Other charges. This adds costs of over £29 million. This unexplained charge and the error of £36 million could have been used to support a CIL charge of £105/ sq metre quite apart from the nonsense of falling house prices.
4. The report providing the so-called evidence to support the CIL recommendation was not presented to either the Cabinet or the full Council that accepted the recommendation. If it had been presented it would have given Councillors an opportunity to scrutinise the validity of the evidence and question whether the zero rating of CIL was justified.

The final line of our investigation reads:

"The CIL consultation needs to be withdrawn and all of the above issues investigated"

We trust that you will take the appropriate action.

Hailey Parish Council

Lisa Wilkinson
Clerk to Hailey Parish Council

Sent from [Mail](#) for Windows 10

WODC's proposed Community Infrastructure Levy (CIL)

Background

The **2011 Localism Act**, introduced under David Cameron, included

- new freedoms and flexibilities for local government
- **new rights and powers for communities** and individuals
- reform to make the planning system more democratic and more effective
- reform to ensure that **decisions about housing are taken locally**.

This act states:

“As well as being able to influence planning decisions, local people should be able to feel the benefits of new development in their neighbourhood. Local authorities are allowed to require developers to pay a levy when they build new houses, businesses or shops. The money raised must go to support new infrastructure - such as roads, schools, leisure and community facilities. This is called the Community Infrastructure Levy (CIL)”.

The Localism Act changed the levy to make it more flexible. It allows some of the money raised to be spent on things other than infrastructure. It gave local authorities greater freedom in setting the rate that developers should pay. And crucially, the Act gives the Government the power to require that

some of the money raised from the levy goes directly to the neighbourhoods where development takes place. This will help ensure that the people who say ‘yes’ to new development feel the benefit of that decision.

There have been several, unsuccessful attempts to introduce a CIL charging schedule in West Oxfordshire. There was a consultation in 2013/14 which contained a proposed CIL rate of £200/sq m, another one in 2016 with a rate of £100/sq m and a further one this year with a zero rate for the five Strategic Sites (would have been £125/sq m without the creation of special rate). The 2020 proposed rates are:

Residential CIL				
	1-10 Dwellings	11+ Dwellings	Extra Care Housing	Strategic Sites
Low	£200	£100	£100	£0
Medium	£250	£125	£100	£0
High	£300	£150	£100	£0

All five of the Strategic sites are in the Medium Zone (£125/m²) and the proposal is that the rate be set to zero.

This will remove estimated CIL infrastructure funding of in excess of £43 million:

Cotswolds Garden Village	£13.461m
West Eynsham	£6.287m
West Chipping Norton	£10.059m
East Witney	£3.235m
North Witney	£10.059m
TOTAL reduction	£43.111m

As well as developing CIL flexibility, the Localism Act also introduced Neighbourhood Planning.

WODC has actively encouraged Town and Parish Councils to develop Neighbourhood Plans and four of the five SDAs are located in areas where a Neighbourhood Plan has been adopted by WODC.

Under the 2011 Localism Act, Town and Parish Councils have the right to decide how to spend 15% of CIL funding on infrastructure. This rises to 25% if a Neighbourhood Plan has been adopted.

If the proposed zero rate CIL is accepted it will completely disenfranchise the associated Town and Parish Councils from involvement in the allocation of CIL funding.

Additionally, the Neighbourhood Plans developed by Town and Parish Councils and adopted by WODC are undermined by the proposal to zero-rate CIL as are many of the WODC plans outlined in their Infrastructure Development Plan (IDP).

West Oxfordshire District Council's Infrastructure Funding Gap Analysis (June 2020)

WODC have an Infrastructure Development Plan which details all of the projects they would like to provide during the period up to 2031. However, there is insufficient funding available. The zero-rating recommendation reduces available CIL funding from £70m to £24m.

The consequential funding gap is £192.2m – £198m

- £104m for ‘critical’ projects
- £48.5m - £48.7m for necessary projects.

In this scenario it is unlikely that any of the ‘necessary’ projects will obtain funding as critical projects will inevitably have priority. Details of the funding shortfall are:

Critical Projects	
Public transport improvements	£104m
Necessary Projects	
Highway improvements	£9.7m
Public transport improvements	£2.3m
Walking, cycling and riding	£1.4m
Parking	£2.9m
Surface water, drainage, flood alleviation and defence	£4.75m
Education	£1m
Leisure and Sport	£14.2m
Health	£4.5m
Public Safety	£0.52 - £0.78m
Informal and formal open (green) space	£7.2m
Total Necessary Projects	£48.5 - £48.7m

The withdrawal of the £43m of CIL from the Strategic Development Areas, by zero rating them, **removes a potential funding source for these projects.**

What's the justification / evidence for zero rating CIL for the five SDAs?

WODC justify the decision to zero rate the Strategic Sites on the grounds of viability, supported by a Consultant's report from NCS¹ along with an accompanying financial model².

Viability is measured by subtracting the cost of the development (the right hand side of this illustration) from the income or Gross Development Value (i.e. the value of all of the houses when sold).

If the cost minus the value is positive then the development is viable.

If the cost minus the value is negative the development is non-viable.



Viability of the five SDA sites

The Nationwide CIL Service (NCS) report dated January 2020 **DECLARES ALL FIVE OF THE SITES TO BE NON-VIABLE**

Strategic Site Viability Assessment Results				
	Units	£106 per Unit	Gross Viability	Max CIL Rate
Oxfordshire Cotswolds Garden Village	2200	£22,000	-£19,217,000	£0
West Eynsham SDA	763*	£29,678	-£14,318,000	£0
East Chipping Norton SDA	1027*	£25,906	-£11,113,000	£0
East Witney SDA	450	£15,000	-£25,000	£0
North Witney SDA	1400	£23,000	-£20,535,000	£0

*residual number of dwellings taking account of existing commitments

For one of the five SDA's to become even marginally non-viable would be a surprise but for all five to be declared non-viable, after CIL has been removed, is stretching credibility.

This is even more surprising given that the 2016 CIL Viability Assessment³ report (part of the Local Plan evidence base accepted by the Government Inspector) INCLUDED A CIL CHARGE and declared ALL OF THE FIVE SITES TO BE VIABLE – see APPENDIX I

¹ WODC Community Infrastructure Levy Viability Assessment January 2020 – Nationwide CIL Service (NCS)

² CIL Viability Appraisals_Combined

³ Local Plan and CIL Viability Assessment – Second Update – December 2016 – Aspinall Verdi

A comparison of the two Viability Reports

This section compares the financial models behind each of the two reports in an effort to understand what has caused these non-viabilities..

I. Number of houses, unit area, site area and affordable housing

Strategic Development Area	Number of housing units	Housing unit area – 2016 model (sq metres)	Housing unit area – 2019 model (sq metres)	Net Developable Site Area (Hectares)	Affordable Housing (unchanged)
Oxfordshire Cotswolds Garden Village	2200	205,700	215,380	62.86	50%
West Eynsham	763 / 1000	93,500	70,795	22 / 28.57	50%
East Chipping Norton	1027 / 1400	132,930	85,350	29.34 / 40	40%
East Witney	450	42,727	43,130	13	40%
North Witney	1400	132,930	134,120	40	40%

Apart from West Eynsham and East Chipping Norton SDAs the number of housing units, housing unit area and percentage of Affordable Housing are similar in both models. West Eynsham and Chipping Norton numbers differ because of existing commitments, so further comparisons of the financial models for these two sites is not always possible. **There are no significant differences here that would tip any of the sites into non-viability.**

2. Comparison of the Gross Development Value of the SDAs showing the difference between the 2016 and 2019 valuations

Gross Development Value is the cumulative sales value of all of the properties for each site.

Strategic Development Area	Gross Development Value 2016 model	Gross Development Value 2019 model	Difference	Percentage change
Cotswolds Garden Village	£736,402,700	£639,204,764	(£97,197,936)	-13.20%
West Eynsham	£334,728,500	£208,787,198		-13.00% *
East Chipping Norton	£447,998,600	£247,758,665		-13.00% *
East Witney	£143,999,550	£125,346,994	(£18,652,556)	-12.95%
North Witney	£447,999,600	£389,787.591	(£58,212,009)	-12.99%

* back calculated estimates

This massive reduction in the sales value (income) is the largest factor in moving all of the SDA's from complete viability (including £100/m² CIL) to the non-viable declaration in the 2020 model (with zero CIL). Housing numbers and percentage of Affordable Hoousing are the same in both models so the difference must be caused by a change in house prices.

The overall decline in the value of house prices between the 2016 and 2020 reports is allegedly 13% - similar in all five SDAs. There are significant differences between Market and Affordable house price values – see Appendix 2 for details.

In the three years between the survey periods of the two Viability Assessments, **forecast house prices have allegedly fallen by an average of 13% and by 15% in Witney and 20% in the Cotswold Garden Village.**

Conversely, Affordable House values changed by between +2.3% and -19% but the 2016 model contained a significant number of higher value Starter Homes that are not present in the 2020 model.

LAND REGISTRY DATA DEMONSTRATE THAT HOUSE PRICES DID NOT FALL – SEE APPENDIX 3.

It is possible that an error has been made here because of an incorrect reference. On page 12 of the HEB surveyor's report, reference is made to the February 2015 Local Plan Viability Report. This report was updated, along with house prices, in October 2016 and the later version should have been used.

3. Comparison of Costs

Fees, Finance and other Cost allowances

A significant proportion of the costs are fees and financing costs – typically charged as percentages of the Gross Development Value or of Construction costs. Given the uncertainty around the validity of the Gross Development Costs between the two models there is little point in calculating these values.

Land value charge

Again, given the uncertainty around the validity of the Gross Development Costs (from which land values are partially derived) there is no point in calculating and comparing these values.

Construction Costs are charged in both models as a £/m² rate:

2016 model £1,127/m² 2019 model £1,154/m²

That is an increase of 2.4% or £2,430 for a 3 bed house and £3,920 for a 4/5 bed house.

S106 Infrastructure allowances and Abnormal Site opening up costs.

There is very inconsistent handling of the revision of these costs in the 2020 report. Some elements remain unchanged, some reflect inflation and some are significantly increased – without any explanation. Main changes are:

- Primary schools costs have increased, although the Costwold Garden Village school has been reduced from 4FE to 3FE
- £20m has been added to the Costwold Garden Village for A40 crossings
- East Witney highway improvements have increased from £6.35 to £7m
- Other Infrastructure Costs have been increased by an unexplained over £29 million or 50% - see 'Changed Assumptions' below.

4. Errors and Unexplained charges

In each of the 2020 financial models for the five SDA's, a contingency charge of 5% of construction costs is declared (identical to the 2016 model). However the actual numbers used in the viability calculations are greater than the 5% declared with no explanation.

	Cotswold Garden Village	West Eynsham	East Chipping Norton	East Witney	North Witney
Cost in model	£14,869,339	£4,849,891	£5,758,474	£3,060,979	£10,390,247
5% of Construction Cost	£12,610,499	£4,120,269	£4,961,550	£2,510,166	£7,805,784
Overcharge	£2,258,840	£729,622	£796,924	£550,813	£2,584,463

The total of these discrepancies is £6,920,662

Changed Assumptions

In the assumptions for each of the five SDAs there is a line that reads:

S106 Infrastructure Allowances – Other £15,000 per unit

Section 4.27 of the NCS CIL report refers to this type of cost and recommends:

“Residual Planning Obligations for site specific mitigation’ of £10,000 per unit for sites where there are more than 50 dwellings”.

This assumption increases these costs by 50% or £29 million. The allowance of £15,000 per unit is not mentioned, explained or justified in any of the report text. These additional costs are:

	Cotswold Garden Village	West Eynsham	East Chipping Norton	East Witney	North Witney
Additional Cost	£11,000,000	£3,815,000	£5,135,000	2,250,000	£7,000,000
Total of increased Infrastructure Allowances £29,200,000					

Taken together, the error and the unexplained additional charges charges total £36,120,662 or 84% of the normal rate of CIL (£43,111,000) for medium areas. They could easily be redirected to finance a substantial portion of the CIL.

Conclusions

1. Viability

A major surprise is that not one but all five of the Strategic Development Sites have been declared non-viable by the NCS CIL report⁴. This should be a major concern to WODC as it undermines a major portion of the Local Plan 2031. All is not lost however as we believe that the assumptions underlying this report are erroneous and flawed.

2. Gross Development Value and House Prices

- The 2020 report’s assertion on the fall in house prices is clearly at variance with the 2016 report and is inconsistent with actual Land Registry houses prices. These discrepancies are too substantial to be ignored.
- If the house prices from the 2016 report had been used, they would have added over £240 million to the Gross Development Value and zero rating CIL ‘saves’ £43 million. If the 2020 report’s negative house price inflation numbers were to be replaced with the positive Land Registry house price growth numbers in the 2020 report, there is little doubt that the viability of all five SDA’s would be massively transformed. There should be no problem with replacing the proposed zero-rate CIL for the SDAs with the full £125/m² enjoyed in other ‘medium zones’.
- Either the 2016 report is invalid (which would completely undermine the Local Plan – it was a key piece of supporting evidence on viability) or the 2020 report is flawed.
- A more consistent approach would be to withdraw the 2020 report and ask the original (2016 report) consultant to provide an update. It is unclear why a new consultant was appointed to carry out this work.

3. Errors and unexplained charges

- It is obvious that the 2020 report was hurried, contains too many errors and approximations compared to the substantially more detailed reports delivered in 2015 and 2016 by the previous consultants – Aspinall Verdi.

⁴ Para 6.8 on Page 50 of the WODC CIL Viability Assessment January 2020 by NCS

- The combination of the error in the calculation of the contingency cost (should be 5% of the cost of construction) and the unexplained 50% increase in Infrastructure Allowances represent about 84% of the cost of CIL, or £36 million, and could easily be diverted to restore most of the £125/m² enjoyed elsewhere.
- A concern here is that these changes may have been made in order to prevent Town and Parish Councils from participating in the allocation of CIL funding as permitted in the 2011 Localism Act.

4. Infrastructure spending

If the proposed zero rate CIL is accepted it will completely disenfranchise the associated Town and Parish Councils from involvement in the allocation of CIL funding to the detriment of their communities. The spending priorities identified by Town and Parish Councils in their various Neighbourhood Plans will have no force and can be ignored. The ‘critical’ and ‘necessary’ projects identified in WODCs Infrastructure Development Plan (IDP) will inevitably take priority.

5. Complaint over process

A complaint was made to WODC regarding the process leading to the decision taken by the Council on 26th February which set a zero-rated CIL charge in respect of strategic sites - item 7 on the agenda. The accompanying request for WODC to submit this complaint to the independent Inspector of the proposal was declined. See Appendix 5 for details of the complaint.

6. Complaint over absence of evidence during decision process

As can be seen from the above complaint, the decision to recommend a zero rate CIL for the five SDAs was taken at the last minute and the supporting business model (CIL Viability Appraisals_Combined.pdf) was not made available to the Councillors on 26th February, nor has it subsequently been presented to them.

Although the Council made the decision on 26th February the final copy of this model was issued on 3rd April 2020 and originally created on 10th March.

In other words, the decision to zero rate CIL for the SDAs appears to have been taken first and the evidence to justify the decision created afterwards. See Appendix 6.

This simply reinforces the concern that there is an effort to prevent Town and Parish Councils from participating in the allocation of CIL funding.

7. The CIL consultation needs to be withdrawn and all of the above the issues investigated.

Appendix I

Local Plan and CIL Viability Assessment – Second Update – December 2016

Summary page declares all five SDAs as viable

	52 East Witney SDA	53 North Witney SDA	54 Chipping Norton SDA	55 West Eynsham SDA	56 West Oxfordshire GV
Baseline Parameters:					
Site Area (net residential development) (ha)	12.86	40.00	40.00	28.57	62.86
Development density (dph)	35.0	35.0	35.0	35.0	35.0
Total No. Units	450	1,400	1,400	1,000	2,200
Affordable Housing (%). Of which...	40.00%	40.00%	40.00%	50.00%	50.00%
Starter Homes (%)	50.00%	50.00%	50.00%	40.00%	40.00%
Affordable Rent (%)	33.00%	33.00%	33.00%	39.60%	39.60%
Int / Sub-Market (%)	17.00%	17.00%	17.00%	20.40%	20.40%
CIL (£ psm)	£100.00	£100.00	£100.00	£100.00	£100.00
Appraisal:					
Total GDV (£)	143,999,550	447,998,600	447,998,600	334,728,500	736,402,700
CIL (£ per unit) (all units)	6,045	6,045	6,045	5,038	5,038
Site Specific S106 (£ per unit) (all units)	10,000	16,429	16,429	18,200	18,182
Infrastructure Costs (£ per unit) (all units)	14,111	20,000	5,714	8,000	2,273
Developers Profit (£)	26,606,313	82,775,196	82,775,196	59,633,710	131,194,162
Developers Profit (% blended)	18.48%	18.48%	18.48%	17.82%	17.82%
Total Cost (including profit) (£)	110,509,412	375,232,491	339,235,468	243,803,379	522,007,437
RLV (net) (£)	28,299,166	61,487,362	91,904,846	76,831,727	181,163,997
RLV (£/acre)	890,751	622,090	929,835	1,088,268	1,166,392
RLV (£/ha)	2,201,046	1,537,184	2,297,621	2,689,110	2,882,155
RLV comments	Viable	Viable	Viable	Viable	Viable
Balance for Plan VA:					
TLV (£/acre)	281,250	281,250	281,250	337,500	337,500
TLV (£/ha)	694,969	694,969	694,969	833,963	833,963
Surplus/Deficit (£/acre)	609,501	340,840	648,585	750,768	828,892
Surplus/Deficit (£/ha)	1,506,078	842,215	1,602,652	1,855,148	2,048,192
Surplus/Deficit comments	Viable	Viable	Viable	Viable	Viable
					(AspinallVerdi reference 161107_v5)

Appendix 2

Comparison of the House Values of the SDAs – Market and Affordable Houses

House values	Prices and values	2016 model	2019 model	% change
Cotswolds Garden Village	Market houses	£ 465,000	£ 372,020	-20.0%
	Affordable housing	£ 204,457	£ 209,075	2.3%
❖ West Eynsham	Market houses	£ 465,000	£ 352,583	-24.2%
	Affordable housing	£ 204,457	£ 194,696	-4.8%
❖ East Chipping Norton	Market houses	£ 395,000	£ 290,531	-26.4%
	Affordable housing	£ 207,498	£ 167,317	-19.4%
East Witney	Market houses	£ 395,000	£ 335,456	-15.1%
	Affordable housing	£ 207,498	£ 193,189	-6.9%
North Witney	Market houses	£ 395,000	£ 335,300	-15.1%
	Affordable housing	£ 207,498	£ 193,099	-6.9%

These house prices are simply derived by dividing the Gross Development Values by the number of houses. For each SDA the overall house price reduction is about 13% in every case.

- ❖ West Eynsham and Chipping Norton numbers are distorted because of existing commitments – developers like to build higher value housing first. The residual smaller number of houses in the 2019 model are therefore of lower value, which contributes some but not all of the drop in house prices. All other areas are comparing like with like.

Appendix 3
Land Registry records of actual sales values

West Oxfordshire - new build	Detached	Semi-det	Terraced	Flat/mais	Overall average
2016	£537,833	£366,129	£392,390	£339,006	£405,636
2017	£573,761	£344,396	£398,307	£405,600	£448,083
2018	£515,377	£345,853	£335,213	£327,153	£442,316
2019	£530,970	£354,857	£315,281	£307,011	£443,992
	Annual change				
2017	6.7%	-5.9%	1.5%	19.6%	10.5%
2018	-10.2%	0.4%	-15.8%	-19.3%	-1.3%
2019	3.0%	2.6%	-5.9%	-6.2%	0.4%
Overall change	-1.3%	-3.1%	-19.7%	-9.4%	9.5%

West Oxfordshire old housing	Detached	Semi-det	Terraced	Flat/mais	Overall average
2016	£510,349	£338,638	£301,080	£204,036	£356,076
2017	£531,987	£349,717	£301,958	£204,986	£376,208
2018	£586,148	£343,002	£328,287	£200,251	£394,991
2019	£545,232	£348,347	£315,264	£193,031	£382,737
	Annual change				
2017	4.2%	3.3%	0.3%	0.5%	5.7%
2018	10.2%	-1.9%	8.7%	-2.3%	5.0%
2019	-7.0%	1.6%	-4.0%	-3.6%	-3.1%
Overall change	6.8%	2.9%	4.7%	-5.4%	7.5%

West Oxfordshire All housing	Detached	Semi-det	Terraced	Flat/mais	Overall average
2016	£513,484	£341,522	£306,720	£238,276	£362,176
2017	£538,358	£348,970	£306,631	£251,640	£385,934
2018	£568,004	£343,387	£328,778	£208,145	£402,242
2019	£540,787	£349,985	£315,265	£202,630	£395,919
	Annual change				
2017	4.8%	2.2%	0.0%	5.6%	6.6%
2018	5.5%	-1.6%	7.2%	-17.3%	4.2%
2019	-4.8%	1.9%	-4.1%	-2.6%	-1.6%
Overall change	5.3%	2.5%	2.8%	-15.0%	9.3%

Witney					Overall average
All housing	Detached	Semi-det	Terraced	Flat/mais	
2016	£441,966	£315,634	£296,609	£257,189	£314,082
2017	£471,774	£321,722	£298,181	£269,793	£334,264
2018	£461,134	£310,686	£300,503	£210,398	£310,323
2019	£449,265	£341,921	£284,447	£195,869	£321,431
	Annual change				
2017	6.7%	1.9%	0.5%	4.9%	6.4%
2018	-2.3%	-3.4%	0.8%	-22.0%	-7.2%
2019	-2.6%	10.1%	-5.3%	-6.9%	3.6%
Overall change	1.7%	8.3%	-4.1%	-23.8%	2.3%

Chipping Norton					Overall average
All housing	Detached	Semi-det	Terraced	Flat/mais	
2016	£526,518	£307,553	£284,936	£259,909	£321,314
2017	£470,699	£336,789	£283,517	£250,109	£340,104
2018	£498,597	£321,788	£305,581	£210,213	£349,716
2019	£491,597	£329,483	£283,699	£229,459	£341,635
	Annual change				
2017	-10.6%	9.5%	-0.5%	-3.8%	5.8%
2018	5.9%	-4.5%	7.8%	-16.0%	2.8%
2019	-1.4%	2.4%	-7.2%	9.2%	-2.3%
Overall change	-6.6%	7.1%	-0.4%	-11.7%	6.3%

Eynsham					Overall average
All housing	Detached	Semi-det	Terraced	Flat/mais	
2016	£506,674	£373,885	£312,477	£186,900	£367,774
2017	£530,772	£362,879	£306,965	£190,083	£382,463
2018	£646,828	£332,050	£380,498	£290,521	£428,198
2019	£563,161	£471,958	£303,068	£303,333	£434,919
	Annual change				
2017	4.8%	-2.9%	-1.8%	1.7%	4.0%
2018	21.9%	-8.5%	24.0%	52.8%	12.0%
2019	-12.9%	42.1%	-20.3%	4.4%	1.6%
Overall change	11.1%	26.2%	-3.0%	62.3%	18.3%

Appendix 4

Infrastructure Costs

Strategic Development Area	Infrastructure	2016	2020
		£m	£m
Cotswold Garden Village	Link Road	5.00	5.00
	A40 crossings		20.00
	4FE (2016) 3FE Primary (2020)	18.00	15.40
	Other	22.00	33.00
	TOTAL	45.00	73.40
West Eynsham	Western Link Road	8.00	8.00
	2FE Primary	8.20	11.20
	Other	10.00	11.45
	TOTAL	26.20	30.65
East Chipping Norton	Eastern Link Road	8.00	8.00
	2FE Primary	9.00	11.20
	Other	14.00	15.41
	TOTAL	31.00	34.61
East Witney	Highway improvements	6.35	7.00
	Other	4.50	6.75
	TOTAL	10.85	13.75
North Witney	West End Link Road	23.20	23.20
	Northern Distributor Road	6.00	6.00
	Highway improvements	4.00	4.00
	Foul drainage upgrade	3.00	3.00
	Flood alleviation	3.00	3.00
	2FE Primary	9.00	11.20
	Other	14.00	21.00
	TOTAL	62.20	71.40

Appendix 5

The following complaint was submitted on 2nd March 2020 to
harry.eaglestone@westoxon.gov.uk, jeff.haine@westoxon.gov.uk, keith.butler@westoxon.gov.uk

Gentlemen

I attended the Council meeting on Wednesday 26th February and, as both a member of the public and a Parish Councillor, I would like to lodge a complaint concerning the process undertaken by the Chair (Cllr Eaglestone), the Secretary of the meeting (Keith Butler) and the Cabinet member for Strategic Planning (Cllr Haine).

I am referring to the process leading to the decision taken by the Council which set a zero-rated CIL charge in respect of strategic sites - item 7 on the agenda.

The document detailing this recommendation was not disclosed to the public until item 7 was reached, despite it being circulated to Councillors prior to the meeting.

As a visitor I was given the public document pack of papers ahead of the meeting but the above document containing the recommendation was withheld. Once the discussion on agenda item 7 began, the document was distributed on the instruction of the Secretary. As a consequence of this process, there was no opportunity for members of the public to make a submission under agenda item 5 (Participation of members of the public) as this agenda item had already been covered.

The supporting evidence to which Councillor Haine referred during the subsequent discussion was not available during the discussion, not published in advance and has not subsequently appeared on your website. I have submitted a Freedom of Information Request to obtain this supporting evidence.

I believe that this failure to provide the public with an opportunity to make a submission is a serious breach of the Council's rules of procedure. I expect this complaint, along with your response, to be submitted to the Government Inspector examining your recommendations on CIL.

Graham Knaggs
Hailey Parish Council

On 2020-03-05 15:32, Keith Butler wrote:

Dear Mr Knaggs

Thank you for your email. I have consulted with the other recipients and the following are the key points:

1. Obviously it is preferable if all materials are available in advance of a meeting, but it simply is not always possible, and the supplementary note was available only immediately before the Council meeting.
2. The report to and comments at the meeting of the Cabinet on 12 February (which I believe you attended) made reference to the outstanding information, and also alluded to the fact that it is often the case that strategic sites are zero-rated for CIL purposes.
3. Had you asked to make a submission at the meeting the request would have been declined, because the scheme for public participation excludes matters subject to statutory consultation.
4. Whilst you could of course have made views known to some or all members of the Council I feel it is important to make the point that this stage of the process in relation to CIL was not about public views, because of the statutory consultation period which follows and is for that purpose. It is equally important to recognise that the Council has not made a decision that the strategic sites will be zero-rated, rather it has decided to consult on that basis, having received and taken into account the specialist advice which it sought.
5. Comments made during the consultation period will be sent to the independent examiner and his/her assessment and conclusions will take all relevant matters into account and will be for the Council to

consider in due course. My understanding is that when the Council receives the report from the examiner it will, as with the Local Plan, have the options of approving the recommendations or not, as opposed to varying them. Thus if it did not agree with the independent conclusions it would have the option not to adopt the CIL charging schedule.

6. When the consultation takes place, relevant evidence will be made available so that those who wish to make submissions will be able to take it into account.

7. It follows that you and others who wish to comment are able to and should take the opportunity to do so during the consultation. I understand that the consultation period will begin on around 13 March.

8. We have noted your request for your complaint to be copied to the examiner. However, the role of the examiner is to consider what the Council has submitted together with the associated evidence and representations, as opposed to being directly concerned with all elements of the processes which have preceded that. For that reason we are not minded to copy this correspondence, but you are of course completely free to include it with any submission you make, should you wish to do so.

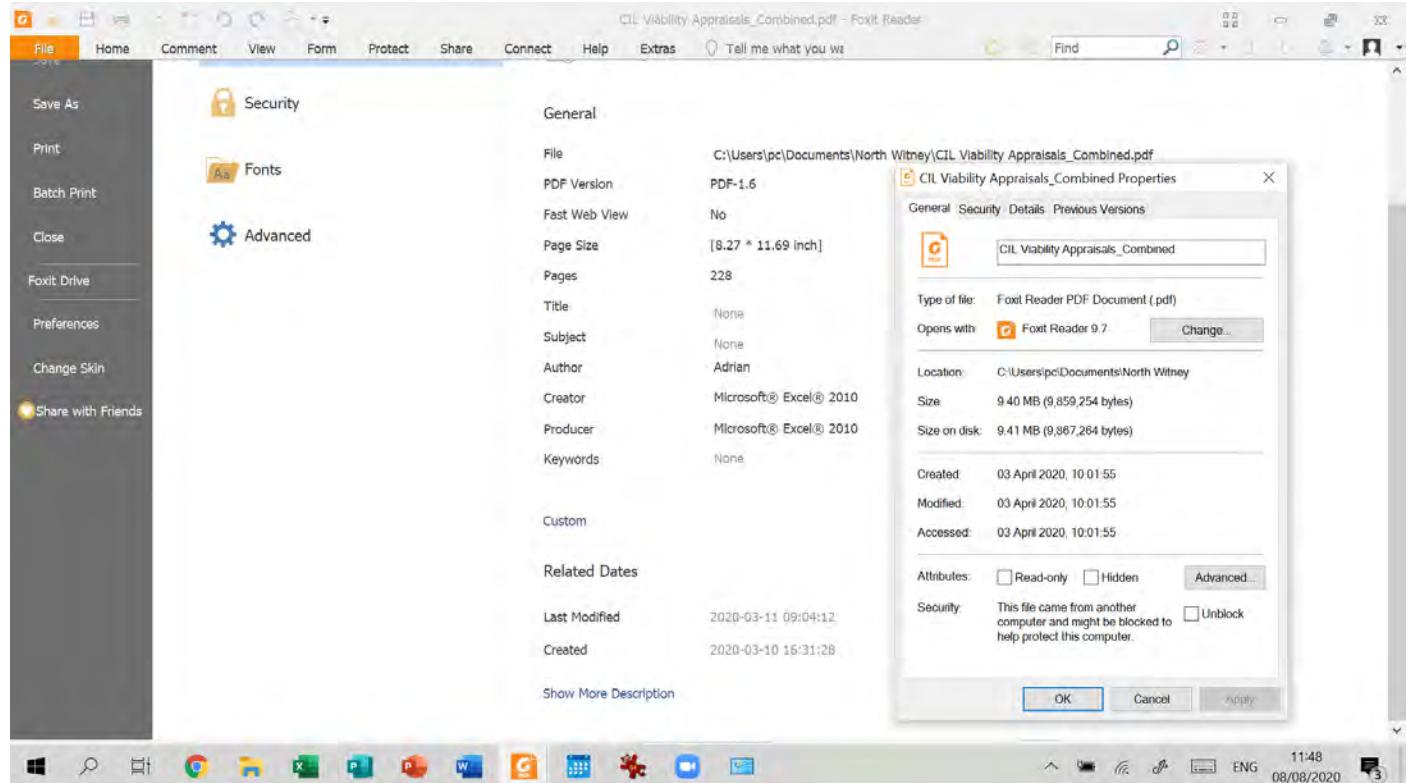
I hope that this is some help.

Yours sincerely

Keith Butler

Appendix 6

Creation date and issue date of CIL Appraisals_Combined.pdf file



Planning Policy Team
West Oxfordshire District Council
Elmfield
New Yatt Road
Witney
OX28 1PB

Email: planning.policy@westoxon.gov.uk

21st August 2020

Dear Sir/Madam,

HLM047/NF/TK

**RE: CONSULTATION ON DRAFT CIL CHARGING SCHEDULE
2020**

This representation is submitted on behalf of Hallam Land Management (HLM) by David Lock Associates. HLM have a substantial track record in bringing forward land for high quality and sustainable developments.

HLM have an active interest in the evolution of the CIL Charging Schedule and welcome the opportunity to provide representations in relation to the proposed West Oxfordshire CIL Charging Schedule 2020.

It is noted and agreed that the setting of CIL rates should strike a balance between the additional investment required to support development against the potential effect on the viability of developments.

The proposed approach to apply a separate zero rated CIL to the following strategic sites - ranging from 450 to 2200 homes in size - is supported:

- Oxfordshire Cotswolds Garden Village Strategic Location for Growth (2,200 homes)
- East Witney SDA (450 homes)
- North Witney SDA (1,400 homes)
- East Chipping Norton SDA (1,200 homes)
- West Eynsham SDA (1,000 homes)

It is agreed that sites of this scale not only make a significant contribution to meeting the districts housing needs, but that they are likely to have significant costs of site related infrastructure on top of site specific S106 infrastructure contribution requirements.

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As acknowledged in the adopted West Oxfordshire Local Plan 2031 windfall development has "*historically formed a large component of housing delivery in West Oxfordshire and it is reasonable to assume that this trend will continue*" (paragraph 5.36). It is therefore considered crucial that the CIL charging schedule incorporates a degree of flexibility to enable the currently proposed nil-rated approach to the five identified strategic sites to also be applied to similar large scale windfall sites (for example 500 units or more) that may come forward during the lifetime of the plan to 2031. Planning Policy Guidance (MHCLG) (September 2019) is clear that

"charging authorities may also set differential rates by scale. Rates can be set by reference to either floor area or the number of units or dwellings in a development. Again, differential rates must be justified by reference to viability" (Paragraph: 024 Reference ID: 25-024-20190901).

The imperative to have that degree of flexibility is increased further by the lack of any imminent review of the West Oxfordshire Local Plan – with informal reg 18 consultation on the west Oxon Local Plan not scheduled according to the LDS) until September 2021-September 2022.

Whilst it is recognised that the viability assessment study undertaken to underpin the proposed CIL charging schedule is not intended to represent a detailed viability assessment of every potential type and size of site, it is noticeable that the development typologies and scenarios utilised only considered sites up to 100 units in size, as follows:

- Small scale infill (5 – 8 units)
- Small scale mixed housing (11 units)
- Medium scale (25 units)
- Intermediate scale (50 units)
- Large scale (100 units)
- Sheltered Housing (20 -30 units)

It is unclear how sites that may come forward during the plan period that are significantly larger than 100 units but not identified as a Strategic Site will be fairly assessed in terms of their CIL provision, with the concern being that they may become unviable.

Equally in the light of the evidence base it seems irrational that there is no moderated CIL rate proposed for site in excess of 100 dwellings – given the progressive increase in development costs and potential section 106 obligations with development scale.

It is therefore considered crucial that once adopted, the District Council keep its charging schedule under review to ensure that levy charges remain appropriate over time, either as a result of new sites coming forward or as part of any review of the Local Plan. An update of the CIL charging schedule should not await the preparation of the West Oxon Local Plan 2024 given the extended timescale that pertains to that.

Such a review may need to additionally take into account the changes currently proposed by Government within the 'Planning for the Future' White Paper (MHCLG August 2020) alongside the Government's fundamental objective to boost housing supply (for example through revisions to standard methodology). Whilst 'Planning for the Future' is currently a White Paper subject to consultation and therefore not enshrined in legislation or NPPF amendments, the potential reform to introduce a mandatory nationally-set fixed CIL rate (or rates) obviously has potential to massively impact the currently proposed West Oxfordshire CIL Charging Schedule, and its role in supporting future development within the district.

As a minor additional point of detail, it is assumed that the proposed CIL charges for residential development in West Oxfordshire as set out in paragraph 3.2 of the draft charging schedule should be clarified to state "per square metre"?

We trust these comments are helpful and should you have any questions, or require any additional information at this stage, please do not hesitate to contact me. In summary: i) a zero rate should be applied to all sites over 500 dwellings; ii) a moderated rate should be applied to all sites of over 100 dwellings; and iii) a commitment should be entered into to have completed a review of the CIL rates within 2 years.

We would like to reserve the right to be heard by the examiner at the future CIL charging Schedule Examination, and would like to be notified of the following matters:

- that the Draft Charging Schedule has been submitted for examination
- the publication of the recommendations of the examiner and the reasons for them
- the approval of the charging schedule by the charging authority

Yours faithfully,

[REDACTED]

Nick Freer
CHAIRMAN
Email: [REDACTED]
cc: Hallam Land Management Ltd

Hanborough Parish Council's response to WODC's consultation on the Community Infrastructure Levy Draft Charging Schedule

Hanborough Parish Council (HPC) notes that, unless “any materially significant issues” are raised within the consultation period, the draft charging schedule will be submitted to the CIL examiner forthwith. There is an urgency about the exercise that gives us an impression of decision-making in haste. We believe Hailey Parish Council’s response to WODC’s consultation will include a complaint about the lack of opportunity for public participation, so we shall not dwell on procedural matters here. Suffice it to say that WODC’s explanation for the lack of opportunity, that “the scheme for public participation excludes matters subject to statutory consultation,” did nothing to reassure us that an open-minded long-term approach has prevailed.

As might be expected from a commissioning body, WODC relies heavily on the “independent external advice” for which it has paid. One of the District councillors attached to HPC says, in respect of Hanborough’s prospective neighbouring community, Salt Cross Garden Village: *“the independent viability assessment and the proposed charging schedule took into account the emerging Area Action Plan which aims to set high standards on various metrics. So, the charging schedule needs to strike a balance and that is a matter for expert valuers and the inspector.”* What we infer from this is that amateurs such as ourselves have no place to complain about extra strain on our infrastructure coupled with the absence of CIL funds to mitigate the effects.

Instead, we should hope something might turn up, since *“the proposed CIL Charging Schedule is subject to examination by a government inspector and it could therefore be amended in the light of any evidence that might be submitted.”* Our other attached District councillor seems to agree; she says: *“it’s not a given CIL won’t be required. I do believe it would be hard to overturn independent specialist recommendations, however, especially when supported by officers. But I also don’t think it’s as poor a situation as it can appear on first glance. WODC are very committed to doing the best for residents and we all will work hard to make sure the area benefits from this development regardless of CIL contributions”* (i.e. the lack of them).

HPC does not have the resources to challenge “expert valuers,” but common sense tells us that allowing the current state of a fluctuating housing market to deplete and distort the distribution of infrastructure funding is not a sustainable proposition. It would give rise to “materially significant issues” in multiple senses of that phrase; above all, if scrapping Section 106 and replacing it with an updated version of CIL becomes a national policy, as suggested in the Government’s White Paper on planning reform (published on 6th August 2020), we face the prospect of a double deficit whammy.

From: Mike Harding [REDACTED]
Sent: 21 August 2020 11:21
To: Planning Policy (WODC)
Cc: Jeff Haine
Subject: Development in Chipping Norton

Dear Mr Chris Hargraves

As a resident of Lidstone near Chipping Norton I am very concerned that the East Chipping Norton development could be exempt from the Community Infrastructure Levy (CIL) if this is set at a zero rate as proposed in your consultation paper. The East Chipping Norton development will increase the size and population of Chipping Norton considerably and will therefore put pressure on the already stretched infrastructure there. It is important that improvements in infrastructure and community facilities are made to accommodate this growth in the town.

The already huge amount of traffic passing through this small market town is excessive and produces unacceptable amounts of pollution to the environment that can only be exacerbated by more dwellings and therefore more traffic. Health services are stretched already and more provision is needed in that area too. It is only right that those profiting from house building should be asked to invest properly in the infrastructure and services which will affect the quality of life in our town for many generations to come – indeed this is what those living in Chipping Norton were promised when this significant development was originally proposed.

Yours sincerely,
Michael and Jane Harding

From: Chris Hargraves
Sent: 24 August 2020 14:34
To: Planning Policy (WODC)
Subject: FW: Community Infrastructure Levy

From: Chipping Norton [REDACTED]
Sent: 19 August 2020 13:09
To: Chris Hargraves
Subject: Fwd: Community Infrastructure Levy

----- Forwarded message -----

From: **Jenny Harrington** [REDACTED]
Date: Wed, Aug 19, 2020 at 1:04 PM
Subject: Community Infrastructure Levy
To: [REDACTED]

I am horrified that you are considering waiving the CIL. In order to cope with the large Tank Farm development, Chipping Norton Town Council will need this money.

Jenny Harrington
[REDACTED]
[REDACTED]

From: Nicholas Hextall [REDACTED]
Sent: 18 August 2020 09:55
To: Planning Policy (WODC)
Cc: Janie Hextall
Subject: East Chipping Norton Development.

Dear Mr Chris Hargraves

As a resident of Chipping Norton I am very concerned that the East Chipping Norton development could be exempt from the Community Infrastructure Levy (CIL) if this is set at a zero rate as proposed in your consultation paper.

The East Chipping Norton development will increase the size and population of our town considerably and will therefore put pressure on our already stretched infrastructure. It is important that improvements in infrastructure and community facilities are made to accommodate this growth in the town.

The proposals will put an enormous strain on existing resources including increased traffic, pollution (caused by the traffic) and access to green space.

It is only right that those profiting from house building should be asked to invest properly in the infrastructure and services which will affect the quality of life in our town for many generations to come – indeed this is what those living in Chipping Norton were promised when this significant development was originally proposed.

Yours sincerely

Nicholas Hextall

**Nicholas Hextall FRICS
Director Hextall Twiddy Limited**



Landline [REDACTED]

Mobile [REDACTED]

Hextall Twiddy Limited, Registered in England, No 10527483,
The Office, Beevis Farm, Charlbury, Oxfordshire OX7 3EX.
Registered Office: 30 St Giles, Oxford OX1 3LE

From: Mike Hodgson [REDACTED]
Sent: 12 August 2020 19:08
To: Planning Policy (WODC)
Subject: WODC CIL Consultation

Hello,

I have been researching the proposal to abolish the Community Infrastructure Levy (CIL) from the North and East Witney in relation to housing developments.

As a resident and home owner of Witney I would like to register my objections to this proposal. I believe the reasoning behind the proposals may be driven by financial gain of a few individuals at the cost of a fully functioning addition to the town. Without the significant funding which is raised from CIL I have concerns that any housing developments will become soulless areas and will place even more pressure on the existing facilities available in the town. There will not be the funding for additional local green spaces, leisure facilities etc. and this will inevitably impact the wellbeing of residents of the town. The funding for such improvements instead would have to be negotiated with the homebuilders, which in my experience involves promises of a wonderland but instead results in a half-baked token gesture.

On an even more concerning note is the apparent manipulation of the process via the devaluation of the housing, when in reality prices have continued to rise at a decent rate, but that I'm afraid is another much deeper issue.

Thanks for taking the time to read my email. I have not gone into much detail, however the opposition raised by Hailey Parish Council reflects my feelings and reasoning on the matter.

Best regards,
Michael Hodgson
[REDACTED]

Mr Chris Hargraves,
Planning Policy Team
West Oxfordshire District Council Elmfield
New Yatt Road
Witney, OX28 1PB

9th August 2020

Dear Mr Hargraves

CIL consultation response/ East Chipping Norton Development

As a resident in the town centre of Chipping Norton, I am concerned that the development of over 1,000 new houses will impose unacceptable pressure on traffic and parking capacity in the town. The public car parks are frequently full to overflowing at peak periods. It is unrealistic to expect that all residents of East Chipping Norton will walk or cycle into the centre of town to shop and use its amenities.

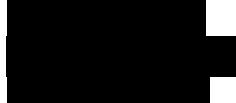
Many of the residential occupiers living in the centre of town rely on the public car parks as well as on-street parking which is subject to limited hours. A simple solution to this would be to add an additional storey to the New Street Car Park. However this will require significant funding which could be delivered through the CIL payments.

I therefore wish to object to the proposed exemption from CIL for the East Chipping Norton development, as proposed in your consultation paper.

Yours sincerely

A large black rectangular redaction box covering a signature.

William Holborow

A smaller black rectangular redaction box covering an address.

From: Gay Holden [REDACTED]
Sent: 16 August 2020 11:08
To: Planning Policy (WODC)
Cc: Jeff Haine
Subject: CIL consultation response/ East Chipping Norton Development

As a resident of Chipping Norton I am very concerned that the East Chipping Norton development could be exempt from the Community Infrastructure Levy (CIL) if this is set at a zero rate as proposed in your consultation paper. The East Chipping Norton development will increase the size and population of our town considerably and will therefore put pressure on our already stretched infrastructure. It is important that improvements in infrastructure and community facilities are made to accommodate this growth in the town.

How on earth is our beloved Town going to cope with school places, appointments with doctors, car parking spaces, to name but three?

It is only right that those profiting from house building should be asked to invest properly in the infrastructure and services which will affect the quality of life in our town for many generations to come – indeed this is what those living in Chipping Norton were promised when this significant development was originally proposed.

Gay Holden
[REDACTED]
[REDACTED]

Sent from my iPad

From: Gwilym Hughes [REDACTED]
Sent: 21 August 2020 14:00
To: Planning Policy (WODC)
Cc: Jeff Haine; H Hughes
Subject: East Chipping Norton Development Consultation

Dear Mr Chris Hargraves

As a resident of Churchill, I have been interested to learn about the proposed the East Chipping Norton development. It seems that the development could be exempt from the Community Infrastructure Levy (CIL) if this is set at a zero rate as proposed in your consultation paper.

The East Chipping Norton development will increase the size and population of the town considerably and will have knock-on effects on Churchill. There will be even more pressure on our already stretched community infrastructure. It is important that improvements in infrastructure and community facilities are made to accommodate this growth in the town.

In particular I am concerned that the already challenged high street will continue to decline if investment is not made into traffic calming, parking and cycling improvements, and support for shop based traders.

It is only right that those profiting from house building should be asked to invest properly in the infrastructure and services which will affect the quality of life in our town for many generations to come – indeed this is what those living in Chipping Norton were promised when this significant development was originally proposed.

The merits of CIL as opposed to S106 funding are complicated, so it is important that these decisions be transparent and locally accountable.

Yours sincerely

Gwilym Hughes, [REDACTED]

From: [REDACTED]
Sent: 18 July 2020 09:44
To: Planning Policy (WODC)
Cc: [REDACTED]
Subject: CIL Consultation

Dear WODC,

I would very briefly like to respond to your latest consultation on the Community Infrastructure Levy (CIL).

You describe the CIL as a charge that can be levied to help local infrastructure, e.g transport, flood defences, schools, green spaces, community and cultural facilities. With that in mind I cannot understand how you can propose that Strategic Development Sites and all non-residential use development (except retail) can be exempt from the charge.

Do large scale developers and non-retail businesses not benefit from the infrastructure that you describe ? Of course they do, as they are as integral a part of society as anyone else and the value of their land, property ,business would be far less without the excellent infrastructure that we desperately need in the district.

Therefor I believe everyone should be making a fair and equitable contribution towards the CIL and that includes developers of Strategic Development sites and non-retail business.

I hope you will accept this email as part of your consultation.

Best wishes,
Paul Hughes

Our Ref: 021192/021192/05375083-1/22697668-1

BY EMAIL ONLY

Planning Policy Team
West Oxfordshire District Council
Elmfield
New Yatt Road
WITNEY
OX28 1PB

Nicola Gooch
Direct Dial: [REDACTED]

21 August 2020

BY EMAIL ONLY: planning.policy@westoxon.gov.uk

Dear Sirs

COMMUNITY INFRASTRUCTURE LEVY: REPRESENTATIONS ON WEST OXFORDSHIRE DISTRICT COUNCIL'S DRAFT CHARGING SCHEDULE

We are writing on behalf of Inspired Villages to make representations on the Council's Draft Community Infrastructure Levy (CIL) Charging Schedule, which is out for consultation until 21 August 2020.

Inspired Villages operates and develops retirement communities and are majority owned and funded by Legal & General. At the time of writing, there are six operational Inspired villages throughout England; which provide some 800 residents with an independent lifestyle, whilst also providing the care and support that may be required throughout retirement as they age in place.

Inspired Villages is committed to expanding their provision in the UK and aim to be running 50 operational villages within the next ten years. In fact, they are proposing a new retirement community within West Oxfordshire, which is intended to provide up to 160 units of C2 accommodation along with associated communal and care facilities.

These representations comment on both the Council's proposed Draft Charging Schedule, and the viability assessment that underpins it.

We are concerned that the work that the Council has undertaken to date is based upon a fundamental misunderstanding of the different operating models that comprise housing for the elderly (and in particular the distinctions between retirement communities and sheltered housing). This has led to the adoption of a range of assumptions, both within the charging schedule itself and the underlying viability assessments, which do not accurately reflect a typical retirement community.

Before we turn to our detailed representations, it may be helpful if we set out, in more detail, the characteristics of a retirement community, and how this form of provision differs from sheltered housing schemes.

The Characteristics of Retirement Communities



Unlike sheltered housing schemes, retirement communities (also known as extra care housing) combine independent living with 24-hour onsite staff, care and domestic services (where required), and a wide range of on-site facilities.

By way of example, a typical Inspired village will provide residents with an on-site wellness centre (containing treatment rooms, a gym, fitness studio, pool and hair salon); restaurant; bar/café; library; activity room; guest suite, village transport service; meeting room; offices; laundry; and recreational space. Some of these facilities, such as the restaurant or hair salon, are also made available to the wider community.

Retirement communities are significantly larger than sheltered housing schemes, typically between 60 and 250 units, and provide full time employment for a greater number of people. An average Inspired village comprises approximately 150 to 160 units and provides employment for 30 to 35 colleagues across a range of roles from management and administration to catering, gardeners, maintenance and housekeeping. In addition, there would be domiciliary care staff working on-site. The care is provided by a third party 'best in class' CQC registered care provider.

As a result, retirement communities have higher levels of non-revenue generating floorspace than a typical sheltered housing scheme (or standard residential development), and higher operating costs due to staffing, maintenance, etc. By way of illustration the proposed Retirement Community for West Oxfordshire

would have a gross internal area of approximately 17,000 sq.m of which approximately 4,200sq.m would be communal facilities, communal areas, i.e. 25% of the floor space would be non-saleable.

As set out in more detail below, we are concerned that the viability assessments carried out to date have failed to recognise the differences between these two parts of the market and, as a result, have proposed charging rates which disproportionately impact on the viability of retirement communities.

NCS Viability Assessment January 2020

The NCS Viability Assessment does not explain how it has divided the typologies it has assessed into 'sheltered housing' and 'extra-care' schemes. We are, however, very concerned that NCS has failed to appreciate the differences between the two types of provision.

The Assessment states "*Extra Care development which has similar costs and values to sheltered housing,*" this is, as we will set out below, demonstrably untrue and un-evidenced. The costs involved in the provision of retirement communities, and in fact their entire operating model, differ significantly.

The range of retirement housing typologies that have been considered as part of the assessment are also not typical of a retirement community and seem to indicate that NCS have, in fact, only assessed sheltered housing schemes when preparing their assessments and then attempted to adjust the costs in accordance with their own understanding of how an extra care scheme would operate. Such an approach will have distorted the results of the appraisals, and we would urge the Council to carry out additional viability testing on the basis of the inputs and assumptions set out below:

Assumption/ Input	Basis of NCS Appraisals	Typical Inspired Village	Commentary
Size of development	30 apartments or 20 houses	160 units (148 apartments and 12 houses) together with on-site wellness centre (containing treatment rooms, a gym, fitness studio, pool and hair salon); restaurant; bar/café; library; activity room; guest suite; meeting room; offices; laundry; and recreational space	The typical retirement community is much larger than NCS has allowed for – which leads to resultant increases in development costs, land costs and levels of non-revenue generating floor space
% non-saleable floor space	Unclear, but an additional 30% cost allowance has been included for non-revenue earning floorspace (lounges/staff accom etc)	Approximately 25% of total GIA within the development is non-saleable	25% of a typical Inspired Village is non-saleable. Not only does this space not generate revenue, but depending on the Council's approach to applying its charging schedule to finished developments, it could also be levied CIL at the same rate as the units for sale. The provision of this floor space adds significantly to the build

			costs for the overall development in addition to ongoing maintenance, management and staffing costs.
unit sizes	One bed apartments – 50 sqm GIA or two bed houses – 75 sqm GIA	One bed units – 65 sqm GIA Two bed units – 100 sqm GIA Three bed units 150 sqm	All units on an Inspired village are designed to allow residents to age in place comfortably and with dignity. This results in larger, more accessible, units than provided for in the viability assessment
construction costs	£2,200.90psm	£2,260psm	
professional fees	8%	10-12%	The viability assessment has significantly under-estimated the professional fees likely to be involved in the development of a retirement community. A retirement community is typically developed over a series of up to 3 phases requiring greater project team input into the scheme design.
sales/marketing costs	2% of market units value	3% of sales receipts	The NCS assessment has also under-estimated the sales and marketing costs involved. These tend to be higher because of the greater need for clarity and certainty to future residents. A prospective purchaser would typically visit a village multiple times to ensure they are comfortable with what may be their last move, to discuss affordability, service charges and other costs, to assess their health needs, etc. The scale of a retirement community is far greater than the small scale sheltered/extracare schemes modelled by

			NCS and does not reflect the longer sales and marketing process for a village of 150 to 160 units.
Interest	5% on a 12 month build and 6 month sale void	Interest charged at LIBOR +5%	Interest costs over a much longer period than has been allowed for. On a typical scheme the period from the start of construction to final units sold is 6 years.
Type of Affordable Housing Provision	35% Affordable Housing Provision. 33% Intermediate 67% Affordable Rent	A typical Inspired village does not provide on-site affordable housing – for operational and viability reasons However, any onsite provision would need to reflect the need for the scheme to remain in single management – so would comprise Discount Market Rent, Discount Market Sale or Shared Ownership but which are retained, managed and sold by Inspired Villages. The single management of a village means it is not possible to dispose of units to a Registered Provider. At the moment, these tenures would attract CIL at the same rates as market housing, as the Council is not proposing to adopt discretionary CIL relief.	Freehold is retained by L&G and Inspired Villages are long term operators and units sold on leasehold or rented paying a service charge to the services, facilities, staff, sinking fund, etc The affordable housing mix that can be accommodated on an Inspired village would currently be charged CIL at the same rate as the market units on site, which would further reduce the viability profile of the development and the level of provision that could be made as part of the scheme.
s.106 Contributions	£1,500 per unit	Case by case	The Council has not provided any information on the type or level of s.106 contributions that are likely to be sought following the adoption of CIL. Without this it is hard to comment on the reasonableness of the allowance in the viability

			assessment.
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Draft Charging Schedule

We also have additional concerns about the way that the draft charging schedule has been expressed.

The NCS Viability Assessment makes it clear that, on the basis of their current models, only those extra-care schemes which comprise individual houses are able to carry a CIL charge. As you can see from the table below, schemes which comprise extra-care apartments and sheltered housing schemes of all types are not capable of accommodating the additional charges.

Charging Zone/ Base Land Value	Sheltered Apartments	Sheltered Housing	Extra Care Apartments	Extra Care Housing
Low				
Greenfield	-£211	£136	£146	£425
Brownfield	-£299	£13	£82	£336
Medium				
Greenfield	-£236	£148	-£132	£290
Brownfield	-£301	£45	-£193	£194
High				
Greenfield	-£461	£63	-£316	£243
Brownfield	-£522	-£26	-£371	£162

This is on the basis of the current viability modelling that NCS has carried out, which significantly underestimate the costs of delivering retirement communities. Once the true costs are factored in, we expect the viability position of extra care developments to worsen.

As currently drafted, however, the draft charging schedule does not clearly reflect the distinction between housing and apartment based developments that the NCS Viability Assessment has proposed.

The current charging rates set out in the schedule are as follows:

Zone	1 – 10 Dwellings	11+ Dwellings	Extra-Care Housing	Strategic Sites
Low	£200	£100	£100	£0
Medium	£250	£125	£100	£0
High	£300	£150	£100	£0

The term 'Extra-Care Housing' as used in the charging schedule itself is ambiguous. Read in isolation, without the benefit of the supporting viability assessment, it is not clear that extra-care apartments are intended to be exempt from the levy. Indeed, the current wording of the schedule suggests that the levy would apply to all forms of extra care provision – be it in the form of apartments, two-storey dwellings or bungalows.

At the very least, the charging schedule would benefit from additional explanatory text to clarify the position and make it clear which extra-care developments are intended to be caught by the charge; and which are not. That said, given our concerns over the viability appraisals and cost figures adopted by NCS, we would ask that the Council reconsider its decision to levy CIL on extra-care developments at all, particularly in the high value zones.

It is our conclusion that based on the NCS viability assessment, it is shown that, it is not viable for a CIL levy to apply to extra care / retirement communities and a £nil rate should be stated, as per the Strategic Sites.

Greater Clarity on s.106 Costs

The Council has not provided any information on the type or level of s.106 contributions or requirements that are likely to be required following the adoption of CIL. Without this information, it is very difficult to gauge the overall impact of CIL on future developments, as the additional costs of infrastructure provision that may be required have not been set out. We would encourage the Council to provide more clarity on the role and scope of s.106 agreements as soon as possible, to allow developers to see the likely costs of development in full.

Exemptions and Reliefs

We also ask the Council adopts two discretionary reliefs which have not been proposed as part of this consultation:

1. Discretionary Social Housing Relief

For the reasons set out in our response to the Council's consultation on its Affordable Housing SPD (enclosed), traditional affordable housing tenures are very difficult to incorporate successfully into a retirement community. Where on-site provision is required, the tenures which integrate successfully are those which allow for the single overall management of the development by the operator, i.e. those types of discount market sale, discount market rent and shared ownership models which do not require the involvement of a registered provider.

The vast majority of these types of affordable housing do not meet the requirements of Social Housing Relief under regulation 49 of the CIL Regulations, and therefore would be charged CIL at the same rate as the non-affordable elements of the scheme.

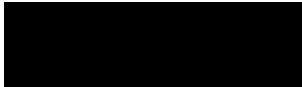
If the Council is to maintain the requirement that retirement communities provide on-site affordable housing, then it would be sensible for discretionary affordable housing relief to be adopted. If this is not brought forward, then there is likely to be a greater reduction in the overall level of provision – either on or off site – on viability grounds as the overall development would not only have to factor in the cost of the provision itself, but also the cost of the additional CIL charge that the on-site affordable housing provision will generate.

2. Exceptional Circumstances Relief

The Council is bringing forward this consultation at one of the most uncertain times for the UK property market in recent history. There is no way of anticipating what the medium to long term impacts of Covid-19 or the upcoming exit from the European Union will have on the development market.

Given the ongoing uncertainty, it would be sensible for the Council to adopt Exceptional Circumstances Relief under Reg 55 of the CIL Regulations. If the relief is not adopted, then any viability issues caused by worsening economic circumstances are likely to result in a reduction in the contributions that the Council can obtain through s.106 Agreements and, in particular, overall levels of affordable housing provision.

Yours faithfully



IRWIN MITCHELL LLP

From: Joseph Jaffe [REDACTED]
Sent: 20 August 2020 17:37
To: Planning Policy (WODC)
Cc: Jeff Haine
Subject: East Chipping Norton CIL consultation response

Dear Mr Chris Hargraves

As residents of Chipping Norton we are extremely concerned that the East Chipping Norton development could be exempt from the Community Infrastructure Levy (CIL) if this is set at a zero rate as proposed in your consultation paper.

The East Chipping Norton development will increase the size and population of our town considerably and will therefore put pressure on our already stretched infrastructure. It is important that improvements in infrastructure and community facilities are made to accommodate this growth in the town.

The development must include infrastructure that makes it easy to get to the centre of town without having to use a car. The COVID-19 situation has made it clear that we rely on those around us, our neighbours and local businesses and so accessibility is vital. Allowing for “active transport” (such as cycling and walking) between the development would allow those living there to feel part of the community and access the town centre without having to get in a car.

It is only right that those profiting from house building should be asked to invest properly in the infrastructure and services which will affect the quality of life in our town for many generations to come. This was the promise to those living in Chipping Norton when this significant development was originally proposed. The town and the country face significant challenges in the coming years such as the aging population and climate change and to go back on the promise of investment would show a lack of long-term planning.

We hope that you will reconsider this position, and make sure that the East Chipping Norton development is a net benefit to those currently living in Chipping Norton as well as those that will move here.

Yours sincerely

Joseph Jaffe

&

Sally Jaffe

[REDACTED]
[REDACTED]
[REDACTED]

From: Katy Jennison [REDACTED]
Sent: 23 July 2020 20:01
To: Planning Policy (WODC)
Subject: Consultation on Community Infrastructure Levy

From Dr Katy Jennison
Address: [REDACTED]

Consultation on Community Infrastructure Levy

I strongly support the introduction of a CIL.

However, there is one aspect of infrastructure which the CIL may not touch, and that is the effect of any new development upon the capacity of the current water-treating system to cope with constantly increasing levels of sewage. I have observed that Thames Water invariably seems to agree to planning applications, saying that their systems can cope with any increase, when the work of WASP (Windrush Against Sewage Pollution) clearly demonstrates that this is very far from the case.

CILs should not need to be used to mitigate the deleterious effects of the release of sewage into West Oxfordshire's rivers, and perhaps such use is not permitted. However, this is one area, in addition to transport, schools and medical facilities, which is gravely affected by every new development, and which therefore needs at the least to be considered alongside a new CIL.

Katy Jennison

Community Infrastructure Levy - consultation on draft charging schedule

This is a joint statement on behalf of the town and parish councils named below. We represent the towns and villages which will be most affected by the five strategic developments in the West Oxfordshire Local Plan. Our existing 50,000 residents, and the new residents of the strategic sites, rely on us to provide, fund and maintain community infrastructure.

Together, we believe that zero-rating these sites would lead to unsupportable demands on the infrastructure and services which we already provide, and an inability to scale up to meet the demands of new residents.

Community Infrastructure Levy supports town, parish and district councils to provide essential social, green and smaller-scale physical infrastructure that is underfunded by Section 106 agreements. Zero-rating strategic sites means that the developments that make the largest demands on this infrastructure will make the smallest contribution. Though the sites may be financially viable for developers, without adequate infrastructure, they will not be viable for their residents. The "balance" mandated by CIL regulations will not be achieved.

Our estimate is that the CIL forgone by zero-rating could be up to £45m, of which 15% or 25% would be passed to parish/town councils. We do not believe that the supplied evidence base makes a compelling case for zero-rating. The drop in property values from the (withdrawn) 2016 schedule to 2020 is not backed up by Land Registry data or local evidence. There is no evidence of adequate review of "opening up" or S106 infrastructure costings, which are highly approximate and seem unlikely to withstand the CIL examination. Our residents are being asked to pass up a sum equivalent to the district's Council Tax take for five years: we believe they deserve much more rigorous review than has yet taken place.

The West Oxfordshire Local Plan is characterised by a high housing target and a reliance on strategic sites. These increase the impact of zero-rating beyond that in other districts. Although Cotswold District Council, for example, has zero-rated its one strategic site, this represents just 28% of its 8,400-dwelling plan and will be little felt outside Cirencester. WODC's five strategic sites will place much greater demands on the infrastructure of the entire district, but particularly the towns and villages we serve.

As town and parish councils, we aspire to thriving, prosperous, healthy towns and villages, maintaining the character and heritage of the district while responding to the climate emergency. Through our regular work and (in several cases) through Neighbourhood Plans, we seek to work with WODC to build strong communities, including within these five sites. Zero-rating will imperil our ability to serve both new and existing residents. We ask that you withdraw this proposal, and work with town and parish councils to plan a better, fully funded future for infrastructure across the district.

Aston, Cote, Shifford & Chimney Parish Council
Chadlington Parish Council
Charlbury Town Council
Chipping Norton Town Council
Eynsham Parish Council
Hailey Parish Council
Hanborough Parish Council
Shipton-under-Wychwood Parish Council
Spelsbury Parish Council
Witney Town Council

This statement is in addition to representations made individually by the councils listed above.

From: Hannah Kedward [REDACTED]
Sent: 12 August 2020 18:49
To: Planning Policy (WODC)
Cc: jeff.haine@westoxon.uk
Subject: Concerns regarding the East Chipping Norton Development community levy zero rate

Dear Mr Hargraves,

My husband and I have been living in Chipping Norton for over twelve years and are bringing up our two sons in this wonderful small town. I am very upset that the East Chipping Norton development could be exempt from the Community Infrastructure Levy (CIL) if this is set at a zero rate, as set out in your consultation paper.

The East Chipping Norton development will hugely increase the size and population of our town and will put huge amounts of pressure on our already stretched infrastructure. It is important that improvements in infrastructure and community facilities are made to accommodate this growth in the town.

We already have a high level of air pollution in the centre of town, as I'm sure you are aware, and need funding to be able to deal with this effectively. We also need to make sure that the children of the town benefit from community projects and sports venues, but need funding in order to ensure such projects can get off the ground.

Developers make large profits from housing and it is only fair that those profiting from house building should be asked to invest properly in the infrastructure and services which will affect the quality of life in our town for many generations to come – indeed this is what those living in Chipping Norton were promised when this significant development was originally proposed. I feel that we have been lied to and let down by you and I really hope you will rectify this before it is too late.

Please listen to the concerns of the people that live in Chipping Norton as it is our children's future that is at stake.

Kind regards,

Hannah Kedward
[REDACTED]
[REDACTED]

From: Lyn Kennedy [REDACTED]
Sent: 17 August 2020 12:31
To: Planning Policy (WODC)
Cc: Jeff Haine
Subject: FAO Mr Chris Hargraves Re: CIL

Dear Mr Hargraves

As a resident of Chipping Norton I am very concerned that the East Chipping Norton development could be exempt from the Community Infrastructure Levy (CIL) if this is set at a zero rate as proposed in your consultation paper.

The East Chipping Norton development will increase the size and population of our town considerably and will therefore put pressure on our already stretched infrastructure. It is important that improvements in infrastructure and community facilities are made to accommodate this growth in the town.

It is only right that those profiting from house building should be asked to invest properly in the infrastructure and services which will affect the quality of life in our town for many generations to come – indeed this is what those living in Chipping Norton were promised when this significant development was originally proposed.

Yours sincerely

Lyn Kennedy
[REDACTED]
[REDACTED]
[REDACTED]

From: Mike Kettlewell [REDACTED]
Sent: 17 August 2020 10:49
To: Planning Policy (WODC)
Cc: Jeff Haine
Subject: CIL consultation response/East Chipping Norton Development

Dear Mr Hargraves,

As a resident of Over Norton I am very concerned that the East Chipping Norton development would be exempt from the Community Infrastructure Levy (CIL) if this is set at a zero rate as proposed in your consultation paper.

The East Chipping Norton development will increase the size and population of our town very considerably and will therefore put huge pressure on our already stretched infrastructure. It is important that improvements in infrastructure and community facilities are made to accommodate this growth in the town.

Local health services are already severely stretched as are those for the community. Recreational space is at a premium, highlighted by the current epidemic, and the inevitable increase in traffic will exacerbate the already high levels of pollution. All of which the town Council is doing its best to alleviate. Failure to facilitate and ensure a true sense of community through good infrastructure leads to greater antisocial behaviour and loss of a sense of community.

It is only right that those profiting significantly from house building should be required to invest properly in the infrastructure and services required by those new houses, which will affect the quality of life in our town for generations to come. Indeed this is what we were promised when this large development was originally proposed. To renege on this promise would be unforgivable.

Yours sincerely ,

Michael Kettlewell
[REDACTED]
[REDACTED]

Tel:

Tuesday, 18 August 2020

Dear Mr Hargraves

As a resident of Over Norton I am very concerned that the East Chipping Norton development could be exempt from the Community Infrastructure Levy (CIL) if this is set at a zero rate, as suggested in your consultation paper.

The East Chipping Norton development will increase the size and population of the town considerably and will therefore put pressure on our already stretched infrastructure. It is important that improvements in infrastructure and community facilities are made to accommodate this growth in the town.

It is only right that **those profiting from house building should invest properly** in the infrastructure and services which will affect the quality of life in our town for many generations to come – indeed this is what those living in Chipping Norton were promised when this significant development was originally proposed.

Yours sincerely

Sarah Kettlewell

From: Kingham Parish Council [REDACTED]
Sent: 06 August 2020 10:12
To: Planning Policy (WODC)
Subject: CIL Draft Charging Schedule - comment from Kingham Parish Council

Dear Sir

Kingham Parish Council have reviewed the CIL Draft Charging Schedule and believe that 15% capped at £100 dwelling as the parish council proportion of CIL (for councils without a Neighbourhood Plan) is too low a figure.

Regards,

Anne Ogilvie
Clerk to Kingham Parish Council

[REDACTED]
[REDACTED]
www.kinghamoxfordshire.com

The Clerk works 12 hours flexibly per week for the Parish Council, Village Hall and Allotments, so there may be a delay in replying to emails.

From: [REDACTED]
Sent: 19 August 2020 16:30
To: Planning Policy (WODC)
Subject: OBJECTION TO ZERO-RATED CIL levy for North & East Witney area development sites

Dear WODC

We strongly OBJECT to the proposal to abolish CIL levy from the North & East Witney development sites.

We adopt, as part of our objection, all the points that have very validly been made by Hailey Parish Council.

The CIL is a vital as a pot of money that is much needed in order to enhance the local community and the relevant future developments. Without the CIL, the local community and such developments will become soulless, bland, unfriendly, over-developed spaces which are to the extreme detriment of the residents and Witney community as a whole and do not reflect the very essence of our local area, as it on the edge of the Cotswolds and including important Conservation areas.

Witney has an important heritage – historically and environmentally - that must be respected and enhanced. Witney is a very green, residential, vibrant market town full of character and brimming with nature. It is much loved and respected by its residents. Witney should NOT be permitted to be over-developed and filled with new residential sites that have no social and leisure infrastructure or community resources, parks and landscaping to support them.

That would do a huge injustice and disservice to the local community as whole, as well as existing and new residents of the North and East Witney areas, and it be an extremely poor reflection on the Council and the area as a whole.

Moreover, the evidential basis on which the abolition of CIL is proposed is erroneous and flawed. House prices did NOT fall over the relevant period. They increased.

In addition, it is preposterous and unacceptable for the Council to ride roughshod over the local community's views on such important matters. The Council has a duty to listen to local voices, including residents and parish councils, and to pay due heed and attention to the neighbourhood plans for the development of the whole area that have been devised in conjunction with the parish councils over many years, at great length and with enormous consideration and which took in to account the great need for CIL as a way to invest in the future of the area and its residents. The Council should NOT now be permitted to bypass / exclude local community involvement from infrastructure spending decisions and to jettison all of previous work that was undertaken and supported CIL. IF the developments are to proceed, then the Council must insist on the original CIL calculations standing, as declared correct by the Government Inspector.

Yours sincerely

Greg King-Underwood and Abi McHugh de Clare
[REDACTED]