

## WEST OXFORDSHIRE CIL EXAMINATION

### Examiner's Update – January 2016

1. I am suspending the Examination of the Local Plan until December 2016 to enable the Council to do more work, particularly in relation to the justification of the housing requirement. For the reasons given below, suspension of the Local Plan Examination means that I need to suspend the CIL Examination as well.
2. I have been seeking to progress the CIL Examination in parallel to the Local Plan Examination as there are a number of overlapping issues and most parties who made representations on the CIL also made representations on the Plan. To determine the acceptability of the CIL rates it is important to be clear, amongst other matters, as to the affordable housing policy that will apply once the Local Plan is adopted, what major infrastructure is needed and what particular developments/allocations are required to contribute to that infrastructure. There is too much uncertainty at present on these matters to enable the CIL Examination to progress effectively and efficiently in advance of the Local Plan.
3. Viability evidence and the affordable housing policy will need to be considered further once the implications of proposed legislation and policy changes relating to Starter Homes becomes clearer. The strategic development areas allocated in the Plan at East Witney and North Witney are related to some major infrastructure provision. The justification for these sites being subject to the general residential CIL charge needs to be considered in the context of their overall viability and delivery and this is closely linked to the scale of new housing proposed, the infrastructure requirements and the funding of those requirements. In addition, if the Council's assessment of the housing requirement results in a need to allocate additional strategic sites then the effect of the CIL charge on the viability of those sites will also need to be considered.
4. The Council's document *Extra Care and Sheltered Housing – CIL and Affordable Housing Requirements* (WO CIL 05) responds to my concern that the Council's Viability Study (Aspinall Verdi February 2015 VIAB1 and 1a, which is also CIL document CIL4 and 4a) does not model these types of development with policy compliant levels of affordable housing. On the evidence currently available, these types of development are not viable with policy compliant levels affordable housing and therefore could not support any CIL charge. As the matter stands, I would have to recommend a change to reflect this position. CIL05 indicates that the Council considers that such schemes are more viable than the Study assumes and that the Council may provide some additional analysis to support its position. During the suspension, the Council needs to bring much greater clarity to this matter either by proposing a modification to the affordable housing policy for these types of development and/or to the CIL charge or by publishing evidence to support its position. Any further evidence would be relevant to both the Local Plan Examination and the CIL Examination and it is essential that CIL representors have the opportunity to comment on it.

If any such new evidence is published, the Council should explain clearly why this is preferred to the evidence in the existing Viability Study.

5. I formally suspend the CIL Examination until December 2016.

**Simon Emerson**

**Examiner**

**25 January 2016**