

West Oxfordshire District Council response to IN CIL 01 – Examiner’s Preliminary Comments – 29 September 2015

1. Introduction

- 1.1 The District Council welcomes the opportunity to respond to the preliminary comments set out in the examiner’s note of 29 September 2015 (IN CIL 01).
- 1.2 The purpose of this statement is to set out the Council’s position in relation to the proposed CIL rates for A1-A5 use, in particular the differentiation that is currently made between ‘greenfield’ and ‘previously developed’ sites in the Council’s draft charging schedule.

2. Summary of Examiner’s Concerns

- 2.1 Having regard to supporting viability evidence, the Council’s draft charging schedule proposes the following CIL rates for A1 – A5 uses:
- Greenfield sites (District-wide) - £175 per m²
 - Previously Developed sites outside designated town centres - £50 per m²
 - Previously Developed sites within designated town centres - £30 per m²
- 2.2 Drawing on a recent CIL examination at Rother District Council, the examiner has expressed a concern that the Council’s approach is not compatible with the CIL regulations insofar as the distinction made between ‘greenfield’ and ‘previously developed’ sites needs is not shown graphically as a form of zoning on a map.
- 2.3 The examiner has asked the District Council to clarify how it wishes to proceed in light of this issue.

3. West Oxfordshire District Council Response

- 3.1 The Council acknowledges that as presently drafted, the draft charging schedule is not compliant with the CIL regulations in respect of the need to identify differential charging zones on a map.
- 3.2 However, the Council’s supporting evidence clearly demonstrates varying degrees of viability according to site location/type and as such, the Council considers that some form of variable charging for A1-A5 uses is justified.
- 3.3 To achieve compliance with the CIL regulations, and to maintain consistency with the original intention of the draft charging schedule, the Council considers that the most appropriate way forward would be to delineate settlement boundaries around the District’s nine main settlements for the purposes of CIL (note that the adopted and emerging Local Plans do not include defined settlement boundaries).

3.4 These nine settlements include:

- Witney
- Carterton
- Chipping Norton
- Burford
- Woodstock
- Long Hanborough
- Eynsham
- Charlbury
- Bampton

3.5 The rationale for this approach is that most A1-A5 uses are likely to be located at these larger settlements.

3.6 Three CIL rates would apply for A1 – A5 uses as follows:

- Sites within designated town centres - £30 per m²
- Sites outside designated town centres but within a defined settlement boundary (where applicable) - £50 per m²
- All other sites within the District - £175 per m²

3.7 The reference made in the draft charging schedule to 'previously developed' and 'greenfield' sites would therefore be removed.

3.8 The Council is currently in the process of considering other options but the delineation of settlement boundaries as outlined above represents the preferred way forward at this point in time and will be confirmed by way of a formal modification as soon as possible.