

Vale of White Horse Planning Obligations SPD – Consultation Statement

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1. Introduction

What is the purpose of the Planning Obligations SPD?

- 1.1 The Planning Obligations SPD will sit alongside the Community Infrastructure Levy (CIL) Charging Schedule. CIL is a levy that local authorities can choose to charge on new developments in their area. The money can be used to support development by helping to fund strategic local infrastructure that the council, local community and neighbourhoods want.
- 1.2 The Planning Obligations SPD sets out the Council's approach towards developer contributions following the introduction of the CIL, and identifies which developer contributions mechanisms (e.g. CIL, S106, S278) will be used in which circumstances.
- 1.3 The Planning Obligations SPD explains what is expected of applicants and what the applicant can expect from the Council in relation to securing infrastructure through planning contributions.

What is this consultation report?

- 1.4 The purpose of this consultation report is to summarise the consultation that took place on the Draft Planning Obligations SPD in December 2016, the comments that have been submitted, and our responses to these comments.
- 1.5 Appendix 2 sets out our comments on all of the responses we received to the consultation stating whether we have made changes to reflect the response, and our reasoning for why we have/have not made amendments.

How to find your way around this document?

- 1.6 Within this consultation report we set out the following:
 - Section 1: Introduction to the Planning Obligations SPD and this consultation report.
 - Section 2: The consultation we have carried out and what happens next
 - Section 3: Summary of Responses
 - Appendix 1: Full list of respondents
 - Appendix 2: Table setting out a summary of comments made and the Council's response

Where to get more information

- 1.7 The Planning Obligations SPD, CIL Charging Schedule and all the documents that support the proposed charging schedule can be viewed on our website:

www.whitehorsedc.gov.uk/infrastructure

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

Email: planning.policy@whitehorsedc.gov.uk or telephone 01235 422600

2. Stages of consultation

What are the stages of consultation?

STAGE	DATES
Draft Planning Obligations SPD Consultation	15 December 2016 - 26 January 2017

What happens next?

- 2.5 We will adopt the Planning Obligations SPD on 23 June 2017, but it will not be applicable to applications determined before our CIL Charging Schedule is implemented. It is expected the CIL Charging Schedule will be implemented on 1 September 2017.

STAGE	WHEN WILL IT OCCUR?
Adoption of Planning Obligations SPD	23 June 2017
Adoption of Charging Schedule	19 July 2017
Implementation - start of CIL collection and implementation of Planning Obligations SPD	1 September 2017

How many comments were received on the Draft Planning Obligations SPD?

- 2.9 We received 37 responses to the consultation from landowners, developers, interest groups, other local authorities and individuals. The responses focused on a range of issues including the structure and readability of the SPD, consistency with the Regulation 123 List, sports standards and comments on specific infrastructure areas. A full list of respondents can be found in Appendix 1.

3. Summary of responses

- 3.1 The responses we received on the Draft Planning Obligations SPD are set out in full with our officer comments in Appendix 2. The comments received have informed the preparation of the Adopted Planning Obligations SPD. We have set out a summary of the responses received and our officer response to the questions asked, and issues raised, below.

Clarity of Structure and Content

- 3.2 Six respondents expressed they were confused by the SPD, or felt parts of it were unclear.

Comments

- 3.3 The Council has edited the SPD and carried out a Plain English check to make the document easier to read.

Table 2 - consistency with Regulation 123 List

- 3.4 Five respondents, including developers and community groups, identified inconsistencies between the Planning Obligations SPD and the Regulation 123 List. Table 2 was identified as being particularly inconsistent and confusing.

Comments

- 3.5 The Council has ensured the SPD text is consistent with the Regulation 123 List, and Table 2 has been replaced with a table which refers readers to the relevant SPD policies, avoiding duplication and the potential for inconsistency.

Sports Standards

- 3.6 Four respondents, including Sports England, have commented on the sports standards set out in Appendix 3. Comments are made that the standards are overly prescriptive, and that the focus is on on-site provision rather than collecting contributions for existing off-site facilities.
- 3.7 Inconsistencies were identified between the sports standards and the infrastructure requirements set out in the IDP at Monk's Farm.

Comments

- 3.8 The Council has simplified and re-organised Appendix 3 Sports Standards to make it easier to read. Reference to specific site requirements have been removed as these are set out in the IDP.
- 3.9 The focus of sports provision within the Planning Obligations SPD is on on-site provision, as off-site provision is to be funded mostly through CIL. However, the SPD has been updated to make it clearer that S106 contributions can still be sought towards off-site facilities from extracare housing and sites within CIL Zone 3.
- 3.10 The Council does not wish the standards to be used in an overly prescriptive way, and has added text at paragraph 4.23 to explain its approach to sports provision on large sites.

Green Infrastructure

- 3.11 Four respondents identified green infrastructure as a particular concern, and wished to see funds collected towards particular green infrastructure projects within the District.

Comments

- 3.12 Where appropriate, strategic green infrastructure projects will be funded through CIL. The Council has not yet determined how CIL Funds will be spent – this will be the subject of a separate document, the CIL Spending Strategy.

Strategic Public Transport

- 3.13 Network Rail expressed concern that there was no policy requiring development to make a contribution directly to upgrade the strategic rail network.
- 3.14 The Oxford Bus Company expressed a desire to require developer's to work more closely with public transport providers.

Comments

- 3.15 Railway infrastructure falls within the definition of strategic transport and contributions towards railways can be collected in accordance with policy DEV3. The wording of paragraph 4.15 has been amended to clarify this.
- 3.16 A sentence has been added to paragraph 4.15 directing developers towards discussions with public transport providers where necessary.

Other infrastructure concerns

- 3.17 Historic England requested the section on “The enhancement and provision of the public realm”, now called Placemaking, be strengthened to refer specifically to the enhancement of the historic environment.
- 3.18 Thames Valley Police requested the SPD be updated to ensure S106 contributions can be collected where required in connection with strategic sites.
- 3.19 Oxfordshire Local Economic Partnership (LEP) requested the inclusion of a section on employment skills and training, and the ability to secure developers contributions towards these initiatives.

Comments

- 3.20 The Council has made alterations to address the points raised by Historic England, Thames Valley Police and the Oxfordshire LEP.

Appendix 1: List of respondents

#	Respondent	Comment ID
1	Money, Alex Consultee ID: 874500	3
2	Ciortan, Marius Sorin Consultee ID: 774292	4
3	Thames Cattle Market Action Group Consultee ID: 725517	5
4	Lakeland, Christopher Consultee ID: 1049107	6
5	Langton, Guy Consultee ID: 830143	7
6	Gee, Sandra Consultee ID: 105288	8
8	Oxford Bus Company Consultee ID: 1051321	9
7	Radley Parish Council Consultee ID: 730276	10
9	O'Neill, Robert Consultee ID: 851878	11
10	Thames Water Consultee ID: 725556	12
11	Letcombe Brook Project Consultee ID: 1057586	13
12	Grove Parish Council Consultee ID: 730259	14
13	Historic England Consultee ID: 634166	15
14	Defence Infrastructure Organisation Consultee ID: 725553	16
15	Friends of Kennington Library Consultee ID: 105790	17
16	Sport England Consultee ID: 728932	18
17	Wilts and Berks Canal Trust Consultee ID:	20
18	Mays Properties Ltd Consultee ID:	19
19	Minscombe Properties Consultee ID:	21
20	Highways England Consultee ID: 1040402	22
21	Bloor Homes Consultee ID: 1022209	24
22	White Horse Harriers Consultee ID: 1057748	25
23	Benjamin Millennium Park Consultee ID: 1057749	26
24	Hornibrook, T Consultee ID: 72627	27
25	Oxfordshire LEP Consultee ID: 728736	28
26	Roberts, Judy Consultee ID: 96047	29
27	Campbell, Francis Consultee ID: 1054707	30
28	University of Oxford Consultee ID: 729199	31

#	Respondent	Comment ID
29	Thames Valley Police Consultee ID: 728842	32
30	Network Rail Consultee ID: 725573	33
31	Environment Agency Consultee ID: 1039412	34
32	Natural England Consultee ID: 1058327	35
33	Blue Cedar Homes Consultee ID: 783140	36
34	Wantage and Grove Campaign Group Consultee ID: 827932	37
35	HAB Housing Consultee ID: 1095197	38
36	Oxfordshire County Council Consultee ID: 729057	39
37	Gallagher Estates and Gleeson Homes Consultee ID: 758065	41

Appendix 2: Consultation responses

Name/Organisation	Summary of Comments	Council Response
Mr Alex Money	<p>I am not a developer. However, I am a resident in the village of Cumnor and am heavily invested in the decisions being made on my behalf regarding infrastructure provision.</p> <p>I believe that the Executive Summary of this SPD fails to adequately explain a) who the council proposes will fund the infrastructure, b) relatively how much they will fund (absolute terms or proportionally), c) whether or not residents will be expected to contribute, d) who is making the judgements on what infrastructure is needed, e) the capacity for developers etc. to challenge the request f) consequences if sufficient funding is not raised etc.</p>	<p>The purpose of the Developers Contributions SPD is to identify where development will be expected to make contributions towards infrastructure provision, and whether these contributions will be sought through S106 or CIL. It is accepted that developer contributions will not be able to fund all the infrastructure needed to deliver the Vale of White Horse Local Plan Part 1, and the Council will seek funding from other sources e.g. LEP funding, grants etc. The Infrastructure Delivery Plan (IDP) provides further information on how each specific item of infrastructure is expected to be funded.</p>
Mr Marius Sorin Ciortan	<p>Developer Contributions SPD provides appropriate guidelines? – Yes.</p>	<p>Noted.</p>
Thame Cattle Market Action Group	<p>I have read this document carefully and it appears very confusing. I do not understand the reason why there are 2 differing contributions: CIL and S106, causing such confusion</p> <p>Why do you not have one form of contribution to be used towards necessary infrastructure? There is a danger that with this complicated system, developers will find ways to avoid paying any contributions.</p> <p>What is the reason for the cap on 5 separate developments for S106 contributions to infrastructure contributions?</p> <p>Several large lucrative developments have already been fully or partly built in Thame. What contributions have they made for infrastructure?</p> <p>Who has determined this? Where is the money? Is this information available to the public?</p> <p>Have these contributions been made in keeping with the aspirations of the Neighbourhood plan?</p>	<p>The Council has set its developer contributions policies based on national policy and legislation as set in the NPPF, PPG and Community Infrastructure Regulations 2010 (as amended).</p> <p>Thame falls within the district of South Oxfordshire and the developments that have recently taken place or are planned there are not subject to the policies of the Vale of White Horse Planning Obligations SPD.</p>

Name/Organisation	Summary of Comments	Council Response
Mr Christopher Lakeland	Developer Contributions SPD provides appropriate guidelines? – Yes.	Noted.
Mr Guy Langton	Developer Contributions SPD provides appropriate guidelines? – Yes.	Noted.
Mrs Sandra Gee	<p>Appendix 4 – Standards for indoor and outdoor sport</p> <p>‘The whole population within 15/20/30 minutes’ drive’ of the various proposed sporting facilities – with the increasing road traffic and its problems, shouldn’t we be moving away from driving to/from such places and looking at providing accessibility via public transport instead?</p> <p>Maybe even considering specific small buses to provide inexpensive transport? The facilities could then be bigger as there would be no need to factor in so many parking spaces.</p>	<p>The Council notes the comments on the appropriateness of drive times vs. accessibility by public transport. The use of drive times is a methodology that was developed in the Leisure and Sports Facilities Study October 2014, and carried forward to the standards in this document. The Council we consider the use of accessibility by public transport as an indicator in future evidence base studies.</p>
Oxford Bus Company	<p>We support the approach stated at para 10.62 that site specific infrastructure including public transport will be secured through Section 106. We also support the infrastructure highlighted at para 10.63 will be funded through strategic contributions – most noticeably Vale Science Bridge which will in particular help improve bus service connectivity around Didcot and main travel nodes around the town.</p> <p>We support the use of S106/S278 and Grampian Conditions for highways works - although would also propose that the wording of this policy to be extended to include public transport provision (e.g. bus services or bus infrastructure such as bus gates, bus links etc.).</p> <p>In terms of Transport Assessments and Travel Plans we would urge that the document be amended to ensure developers and agents make contact with and work with transport operators, notably the local bus operators to ensure what goes into Transport Assessments is accurate and what can be achieved is realistic and achievable .</p> <p>Further at section 10.69 we would propose that this be amended to include that in addition to consultation with the County Council, which has seen a significant reduction in the staff resource available that developers and agents are encouraged</p>	<p>The Council agrees that developers will need to consult with public transport providers and a sentence has been added to paragraph 4.15 stating "Discussions with Network Rail and bus operators in the area may also be necessary."</p>

Name/Organisation	Summary of Comments	Council Response
	<p>to contact and work with transport operators.</p> <p><i>See separate representation for full details</i></p>	
Radley Parish Council	<p>Radley Parish welcomes the VOWHDC's intention to publish this SPD, but believes that it first needs amending in respect of:</p> <ul style="list-style-type: none"> · The permitted uses of CIL receipts; · The allocation of pooled CIL receipts between spending demands; · Decision machinery on all forms of developer funding; · The role of town and parish councils in the decision process. <p>These issues overlap and the cumulative effect of the current draft is to give insufficient weight to services not delivered by district councils, to local spending priorities, and to the role of town and parish councils in identifying and meeting spending needs arising from development. Radley Parish also proposes that the SPD be amended so that Town and parish councils have first option to take on the longer-term ownership and management of open spaces, play areas, community facilities and allotments created on development sites</p> <p><i>See separate representation for full details</i></p>	<p>The Council will administer CIL in accordance with the CIL Regulations 2010 (as amended). This includes passing a portion of CIL funds collected by the Council to local councils in accordance with Reg. 59A. Local Councils have a duty to spend their portion of CIL funds in accordance with Reg. 59C. No action.</p>
Mr Robert O'Neil	<p>I have just to wish to give a brief comment on observations that I have made regarding the assessment of cost of particularly housing infrastructure projects in South Oxfordshire. I feel that the impact assessments of progressive housing-only developments led mainly by the profit margins gained on conversion of open land into high density housing falls very short of giving the right compensation. Where there is a true balance of housing/infrastructure- community facilities/ and employment the effect is less severe. However, most of these permissive developments have left holes which have had to be picked up by the local authorities, health services, highways authority. The local authorities can't come back afterwards and ask for more money. In some cases this had severe impact on neighbouring areas where extra traffic has pushed over permanent hell for their residents who instead of having a normally easy journey to local work, have to compete on the existing roads to get there. Anywhere in the M40 corridor and close to the M4 becomes victim to servicing a dormitory community. How can a responsible local authority actually provide real affordable housing for offspring of indigenous residents when the influx of city and overseas investors prove to have the bigger wallets??? However one looks at matching demand with supply, the general feeling of indigenous communities is that life is worse than it was. The social fabric that makes people happy is set much further down the list. Austerity is not an acceptable excuse to make for cutting leisure, open space, parks, sport, making</p>	<p>Comments noted.</p>

Name/Organisation	Summary of Comments	Council Response
	roads congested, making queues wherever you go. More housing development should mean more for all rather than share what we have with many more.	
Thames Water Property Services	Thames Water support paragraph 10.100 under the sub heading “utilities”. However we do not support paragraph 10.101. The information within the paragraph has not been provided by Thames and does not accurately reflect the situation. Thames would certainly not be happy to quote a figure with regards to the cost of providing the necessary infrastructure to support future development as there are so many variants (location of connection, requisition etc.) and therefore how much this might cost may be different for each individual site. As such in order to provide a clear robust position we would request that paragraph 10.101 is removed.	The quoted cost of £500 per dwelling is an assumption made in the IDP in the absence of any specific waste water costings for strategic sites in the District. The reference to the £500 per dwelling cost has been removed from the paragraph.
Letcombe Brook Project	<p>We have reviewed the Draft Developer Contribution SPD and would like to raise the issue of Green Infrastructure in the Wantage/Grove/Hanney area as we also understand that a South and Vale Green Infrastructure Strategy is being developed and will be available for public consultation in the next few months. Para 10.29 references that sustainable development should provide for net gains in green provision and Para 10.32 references addressing the deficit in accessible green spaces. We have checked the map of GI from the 2013 Report and note that the 20Ha accessible space within 2km of Grove is marked as the Airfield Site. This is surprising as there are no public Rights of Way across the airfield and if the airfield is developed it could be fragmented by roads and other infrastructure making it difficult to provide a site of 20Ha.</p> <p>We would like to raise the potential through Planning Conditions, CIL and S106 contributions of developing a green corridor along the Letcombe Brook which could provide appropriate green space in the area. As you know The Letcombe Brook Project has been active in promoting conservation and development of individual reaches of the Brook and there could be an opportunity here to work together on more holistic, longer lasting solution to biodiversity enhancement, public access and conservation before encroachment of developments precludes this option.</p>	The Council has released a draft Green Infrastructure Strategy as part of the evidence base for the Local Plan Part 2 (LPP2). This identifies Letcombe Brook within the list of Green Infrastructure Opportunities in Grove. The SPD identifies that strategic green infrastructure projects would usually be funded through CIL. No action.
Grove Parish Council	<ol style="list-style-type: none"> 1. In your document CIL Pre-hearing Viability Update dated December 2016 (page 24 line 7) shows the number of units going up from 750 (Oct 14) to 885 (Nov 16), an increase of 135 units but shows a decrease in s106 costs (£12,638.800 (Oct 14) to £10,951.663 (Nov 16)). Why? 2. In your document CIL Pre-hearing Viability Update dated December 2016 (page 51 –para 6.5 and 6.6). A detailed explanation is required why Crab Hill, Monks Farm and the Grove Airfield Development are all zero rated for CIL. 3. Is it stated anywhere in these documents: that CIL is chargeable only on certain 	CIL is chargeable on developments over 100sqm, or any development which creates one or more dwellings. This is in accordance with Reg. 42 of the CIL Regulations 2010 (as amended). No action.

Name/Organisation	Summary of Comments	Council Response
	<p>number of units of dwellings and s106 is chargeable on certain number of dwellings?</p> <p>Also fully support the comments of Anthony Harker and the Letcombe Brook Project (see separate representation).</p>	
Historic England	<p>As the Government’s statutory adviser on the historic environment we are pleased to make the following comments. We welcome the identification of “The enhancement and provision of the public realm” as one of the main types of contributions and infrastructure for which the Council will seek provision. The enhancement of the public realm can help conserve and enhance the historic environment, including the character and appearance of Conservation Areas and other historic areas. Equally, the repair and reuse of buildings or other heritage assets can make significant contributions to the public realm and can also be funded by developer contributions (see, for example, “Valuing Places - Good Practice in Conservation Areas”: https://www.historicengland.org.uk/images-books/publications/valuing-places/).Development-specific planning obligations may also offer further opportunities for funding improvements to and the mitigation of adverse impacts on the historic environment, such as archaeological investigations and, access and interpretation. Further examples of how developer contributions can be used for the conservation and enhancement of the historic environment are given in our “Good Practice Advice in Planning Note 1: The Historic Environment in Local Plans” (https://content.historicengland.org.uk/images-books/publications/gpa1-historicenvironment-local-plans/gpa1.pdf/) - 2 - These opportunities should be recognised in Table 2 and Section 10 of the document (as they are for biodiversity).</p>	<p>Table 2 and Section 4 of the SPD have been updated to make it clear that any site related enhancement or management of the historic environment required can be sought through S106, while any other contributions towards the historic environment will be funded through CIL.</p>
Defence Infrastructure Organisation	<p>It is noted that CIL charges are to be applied to general market housing as well as the need to cover other developer contributions. Clearly there is a need for the Planning Authority to balance these aspirations for such schemes to address wider infrastructure needs with ensuring that they remain viable to deliver site specific development needs as recognised in the consultation document. Where the MOD is involved in any land disposals for redevelopment, we would therefore welcome an early discussion with the Planning Authority about the viability of such contributions on a site specific basis. It should be recognised that there are often many significant “abnormal costs” which are difficult to predict due to the specific nature of former MOD sites. Not least the need to address unknown ground condition issues. These come on-top of known development costs with MOD sites, such as the need to re-provide for current facilities on the site. It is equally important that the authorities</p>	<p>Comments on CIL charges to be addressed through the CIL Examination process. No further action.</p>

Name/Organisation	Summary of Comments	Council Response
	<p>identified in the draft document give an early and clear indication to the MOD of what they feel they can reasonably expect in the way of developer contributions from land disposals. We would therefore seek a clearer commitment in the document over timescales for such inputs. Finally, it is noted that in some areas the definitions on what contributions will be sought to cover are not clearly related to land use planning issues (the provision of facilities and mitigation) but appear to be more general taxation matters. Where they are sought to cover the latter, we would appreciate greater clarification on why that is appropriate in a Land Use Planning SPD.</p>	
<p>Friends of Kennington Library</p>	<p>The contributions to libraries seems arbitrary: Sutton Courtney - 220 houses - £41,820 West Stanford with Vale - 200 houses - £20,1057 South Kennington - 270 houses Radley - 240 houses - no provision for library services, although in both cases there are more proposed houses than in the two above. Please reconsider.</p>	<p>The Infrastructure Delivery Plan will be updated to show the provision of library services in relation to South Kennington and Radley at the next annual update.</p>
<p>Sport England Local Office</p>	<p>As set out in our comments above in relation to the 123 List, Sport England recommends that the Council amends its 123 List. The contents of Table 2.1 on page 16 differ from the text set out in the 123 list. It is understood that this is the Council's interpretation of the 123 List, but Sport England is concerned that developers could advance a different interpretation of the 123 list and suggest that the Council are 'double dipping', due to the generic headings used on the 123 list. In addition the reality is that very few CIL receipts are likely to be directed towards the 'Provision, improvements, maintenance and management of strategic and local sports and recreation facilities (indoor and outdoor incl. grass pitches)' for example, given the extensive list of other items on the list. It would therefore be more appropriate for these to be sought through S106 where there is a link with a proposed development (taking account of any pooling restrictions).</p> <p>Use of standards Appendix 4 sets out the standards for indoor and outdoor sport. In the past a significant number of Local Authorities have converted quantitative standards into standardised developer contributions e.g. £x per dwelling towards outdoor sport. These contributions have been secured through planning obligations (S106). These have been pooled under a generic sports facility infrastructure heading to be spent at a later date on unidentified projects, rather than being pooled to deliver specific projects which have been clearly identified to meet the needs of the specific developments they have been secured from. Sport England is concerned that this quantitative standards approach may longer be accepted as it would not meet the</p>	<p>Following the introduction of its CIL Charging Schedule, the Council will no longer be seeking tariff-style Section 106 contributions towards off site sports provision. This is in line with assumptions made in our CIL viability work and our Regulation 123 List. Section 106 contributions will be sought towards on-site sports provision where appropriate. No action.</p>

Name/Organisation	Summary of Comments	Council Response
	<p>test set out in CIL Regulation 122. In addition, the pooling restrictions introduced by Regulation 123 would severely limit the scope for this in the future, in relation to generic infrastructure types, as the pooling limit is likely to be reached very quickly if it has not been reached already. The pooling restriction can be addressed by identifying appropriate contributions from individual developments towards relevant specific projects. However, there needs to be a robust evidence base in place which includes appropriate prioritised projects which can meet the needs generated by new developments in the area. Without this level of evidence standards by themselves will not be able to inform the identification of projects, or justify them in the context of demonstrating that the CIL Regulation 122 tests have been met.</p> <p>The Council has now completed a Playing Pitch Strategy that can help direct S106 payments towards new provision and the SPG should be amended to include this information and be specific about the locations in which new sporting infrastructure is needed. With regard to the indoor facilities the Council's documents (potentially this SPG) should set out where these new facilities (referred to in Appendix 4) should be located so that they are able to come forward with the relevant housing developments. As set out in our comments on the Regulation 123 list, the Council may not be able to secure these contributions for some sites if the generic entries on the 123 list are not removed.</p>	
Canal and River Trust	<p>The proposed route of the Wilts and Berks Canal runs through part of the Vale of White Horse. Future development will have a great impact on the canal restoration project and its ability to be delivered. New development often acts as a catalyst for regeneration and vice versa (as explained in Waterways and Development Plans) provided that the local authority grasps the opportunity to attract funding and promotes it from the outset as being beneficial to the proposed development. If planned into, and funded by new development, the canal corridor can provide a whole host of benefits, such as providing a welcome green space/ green lung, informal and formal recreational space, wildlife habitat, and a sustainable transport corridor. It is crucial however that, the council take every opportunity to promote the restoration of the canal and seek funding towards it as an example of multi functional Green Infrastructure. A fully restored Wilts & Berks canal will form part of a cruising ring including the Kennet & Avon Canal, and the Cotswold Canals. A cross boundary approach to funding and contributions should be adopted to ensure that local government boundaries do not prevent delivery of parts of the network. To that end this SPD and regulation 123 List should include contributions towards canal restoration, either as a recipient for Community Infrastructure Levy, or</p>	<p>Paras. 4.53-4.56 of the SPD set out the Council's approach to funding of watercourse restoration through developers' contributions. A reference to canals has been added to para. 4.53 to make it clear that canals form part of the green infrastructure network.</p>

Name/Organisation	Summary of Comments	Council Response
	via S106 contributions.	
Mays Properties Ltd	<p>The draft SPD appears to be inconsistent with other published documents particular the CIL Reg.123 list. Under Table 2 "Transport" it states that strategic highways or transport infrastructure not part of strategic sites will be subject to funding from CIL. That leads to confusion with the Reg.123 list which states that "A4130 widening associated with the Science Bridge is to be funded from S106/S278. In this particular case that may be fine if the expected funding is to come only from Strategic sites which have been identified as Valley Park, North West of Valley Park, Didcot A and Milton Heights, but none of the documents make this clear. The position which should be adopted is set out at paragraph 1.6 and is also stated at 6.3 of the IDP. However the position set out in Paragraph 10.63 of the draft SPD does not provide clarity on this issue as the terms and expressions used differ from those used in the IDP Table 5. One of the key points of CIL is to provide certainty and clarity, but the present mix of project descriptions, strategic and non-strategic, and CIL and non CIL funding leads to confusion and uncertainty.</p>	<p>The CIL Charging Schedule and Reg 123 List have been updated since the December 2016 consultation, and the draft SPD has been reviewed to ensure consistency with the updated documents.</p>
Minscombe Properties Ltd	<p>The draft SPD appears to be inconsistent with other published documents related to funding, particularly the CIL Reg. 123 list. Under Table 2 "Transport" it states that strategic highways or transport infrastructure, not part of strategic sites, will be subject to funding from CIL. That leads to confusion with the Reg.123 list which states that "A4130 widening associated with the Science Bridge" is to be funded from S106/S278. In this particular case that may be fine if the expected funding is to come only from strategic sites which have been identified as Valley Park, North West of Valley Park, Didcot A and Milton Heights, but none of the documents makes this clear. The position which should be adopted is set out at paragraph 1.6 and is also stated at 6.3 of the IDP. However, the position set out in paragraph 10.63 of the draft SPD does not provide clarity on this issue as the terms and expressions used differ from those used in the IDP Table 5. One of the key points of CIL is to provide certainty and clarity, but the present mix of project descriptions, strategic and non-strategic and CIL and non CIL funding leads to confusion and uncertainty.</p>	<p>The CIL Charging Schedule and Reg 123 List have been updated since the December 2016 consultation, and the draft SPD has been reviewed to ensure consistency with the updated documents.</p>
Highways England	<p>Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its</p>	<p>Comments noted.</p>

Name/Organisation	Summary of Comments	Council Response
	<p>long-term operation and integrity. We will therefore be concerned with proposals that have the potential to impact the safe and efficient operation of the SRN, in this case the A34 and the M4. We have reviewed the consultation and have no comments. Highways England will continue to work closely with Oxfordshire County Council and partners to establish the deliverability of and to inform the business case to improve the A34 Lodge Hill Junction to provide south facing slips. We have no objection in principle to the proposal, however, it needs to be demonstrated there would not be a detrimental impact to the safe and efficient operation of the A34 from an improved junction.</p>	
<p>Bloor Homes South West</p>	<p>Bloor Homes (South West) Ltd have active and ongoing land interests in relation to Land South of Park Road, an identified a "strategic site". We note that paragraph 2.3 of the Draft Developer Contributions SPD acknowledges that CIL will be the main source of funding for most housing sites, with the exception of some strategic sites identified in the adopted Local Plan Part 1, where s.106 will largely apply (which would include Land South of Park Road). The site is identified in the Updated Draft Charging Schedule as a "strategic site", zero-rated for CIL under Zone 3, Faringdon. This is welcomed. However, it is important that s.106 requirements do not subsequently place undue burden on development on strategic sites. References to specific types of infrastructure within the Draft Developer Contributions SPD could be inferred at the Development Management level to be items for which contributions should be expressly sought. This would undermine the evidenced rationale and benefit of introducing a zero rate CIL levy. Additional clarity of wording would assist. Whilst we welcome references (paragraph 5.4) to the role of viability assessments, this should not be the route that applicants are forced down simply due to unclear and extensive s.106 obligations requests (and in any event, where viability assessments are undertaken, upfront clarity regarding s.106 expectations greatly assists the process). Consideration of abnormal costs is also relevant on a site-specific basis, and this should not be identified as only being applicable for consideration in "exceptional circumstances". Where specific sums in the emerging SPD are set out for specific types of infrastructure, we can find no evidence or rationale for the figures presented. For example: street naming at £107.80 per 10 houses; public art at a rate of £300 per unit; recycling bins at £170 per property; waste water treatment at c.£500 per property. The supporting text for specific types of infrastructure, in general, also lacks appropriate flexibility. There is a lack of clarity regarding strategic sites and s106 versus CIL requirements. It is not apparent why, for example, Special Education Needs for strategic sites and Valley</p>	<p>Land South of Park Road has been included within CIL Zone 3 (£0 rate) due to the high level of S106 contributions required from this site. The CIL Viability Update December 2016 assumed S106 contributions would be made towards all the infrastructure identified within the SPD. It found that Land South of Park Road was viable, but could not support a CIL charge. The Council is therefore confident that Land South of Park Road is viable, taking into account the S106 requirements of the SPD. No action.</p>

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	Park would be sought through s106 (as a Regulation 123 exclusion), when for all other sites the contribution would be sought via CIL, and there is limited further explanation (or indeed demonstration of compliance with the Regulations) in the separate CIL evidence. Core Policy 7 (page 11) will need to be revised to reflect the adopted Local Plan wording.	
White Horse Harriers	<p>In order to understand fully the nature of the representations made on behalf of the White Horse Harriers Athletics Club you are requested to have regard first to the submission made in relation to the CIL Charging Schedule (comment ID 26) this provides background to the club and its aspirations which are therefore not repeated here. The statements in the SPD on Provision for Recreation and Leisure at 10.5 - 10.9 do not indicate how sports facilities, which are needed to meet the needs of the wider community are to be provided especially where this would involve a site/land to meet the requirement and not just funding. WHH is very concerned by the evidence base set out in appendix 4 of the SPD. This fails to acknowledge the very high level of demand for athletics facilities which is often stimulated by the provision of better facilities. It suggests also, a higher level of provision in the District than actually exists, and fails to recognise that a 30 minute drive time is not at all acceptable for children, especially for winter evening training. The reference to artificial grass pitches assumes that such facilities are only appropriate for games such as football, when these would be equally useful for athletic training, especially in the winter and particularly for children. It is noted that the Wantage/Grove area is outside a 20 minute drive time for any such a facility in any event. WHH does not understand the justification for an athletics training facility at Faringdon, where participation rates are relatively low compared to Wantage /Grove where levels of participation are high, and access to Tilsley Park is no better. The reference to two sites is confusing as it is not clear where the second publicly accessible track is located. The SPD should contain references to the need for athletics provision in the Wantage /Grove area. No means of funding should be precluded and consideration should be given to encouraging developers to offer appropriate areas of land in place of making financial contributions to meet the identified local need. Sports clubs should be encouraged to work together to share facilities where their activities are compatible. WHH is willing to contribute funding to achieve such shared facilities locally. The assessment of need should be based more on the actual needs that can be identified in a local area rather than on theoretical standards which may bear no relationship to actual local rates of participation.</p>	<p>The standards for outdoor sports provision including athletics facilities have been set in accordance with our Leisure and Sports Facilities Study. Paragraph 420 of this document finds that provision of athletics tracks in the district is above that required, even taking into account the proposed growth to 2031. A small facility is suggested for Faringdon due to its geographic location. No need for further provision of athletics facilities in Wantage/Grove has been identified in the Leisure and Sports Facilities Study, however, should a need be identified in the future the SPD as drafted would enable contributions to be sought from zero CIL rated sites through S106 or the use of CIL funds from CIL rated development. No action.</p>

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Betjeman Millenium Park	<p>These representations should be read in the context of the submission that has been made in relation to the CIL Charging Schedule consultation.(Comment ID ref. 24)</p> <p>The draft SPD considers open space,, play , green infrastructure, biodiversity and allotments but the text appears to be primarily concerned with new provision as "on site" provision as part of new developments. Whilst it is essential to ensure that new developments do make such provision this should not be at the expense of supporting and sustaining existing provision. Many existing sites whether formal parks or less formal areas such as BMP, which is important for tranquil leisure, wildlife and biodiversity, meet the needs of the whole local community and not just the residents of new developments. It is noted from paragraph 10.32, footnote 5, that the Green Infrastructure Audit has identified a significant deficiency of "green" provision in the Wantage /Grove area (100ha and above). It is vital therefore, that the facilities that do already exist should be fully supported and sustained. The draft SPD indicates that where new provision is to be made by a developer and the site offered to the District or Parish Council, then commuted payments will be required to provide for ongoing maintenance. The SPD should also note that a contribution will be required from all new development towards the ongoing management , upkeep and maintenance of existing defined open spaces, parks etc. The SPD should specifically identify the sites which are to be supported in this way. BMP should be included on any such list.</p>	<p>It is expected that the majority of developer contributions funding towards off site open space and play will be via CIL. However, the sections on open space and play areas have been updated to make it clear where off site contributions towards these items may be secured through S106.</p>
Ms T Hornibrook	<p>Unhappy with development industry and standard of housing.</p>	<p>Comments noted. No action.</p>
Oxfordshire Local Enterprise Partnership (OLEP)	<p>OxLEP suggest a modification to section 9.1 "the main types of contributions and infrastructure the Council will seek provision for" to include contributions for employment, skills and training development initiatives, including Community Employment Plans (CEPs). Community Employment Plans are employer led initiatives which seek to mitigate the impacts of development through ensuring that local people can better access job opportunities arising from the development. Outcomes contained within CEPs should relate to outcomes flowing from the "construction" phase and end user phase and are likely to include apprenticeships, employment/training initiatives for all ages, and best endeavours to maximise local labour Following conversations with the Planning and Economic Development teams within Vale of White Horse, it is suggested that Vale consider making reference to</p>	<p>A new section has been added to the SPD setting out where contributions towards initiatives such as CEPs can be sought through S106.</p>

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	this approach in a policy within the emerging Local Plan 2031 Part 2 policies.	
Mrs Judy Roberts	Developer Contributions SPD provides appropriate guidelines? – Yes.	Noted.
Dr Francis Campbell	It is the opinion of the partners at Elm Tree Surgery in Shrivenham that any further building in the area (and thus an increase in our practice population) will have a detrimental contribution to the care we are able to provide out of our existing premises. We are unable to extend and have limited disabled access due to the site and size of the building. We would ask the council to consider funding for further GP premises as future building work is planned for and undertaken.	Comments noted. Table 2 and para 4.39 set out the proposed approach to the funding of health care through developer's contributions.
University of Oxford	<p>Raise objection in relation to the following elements of the Draft Developer Contributions SPD</p> <ul style="list-style-type: none"> Public Art Contribution Street Naming Provision of bins Waste water treatment. <p><i>Please see separate representation for full details.</i></p>	<p>The Council will seek contributions towards public art in line with the Regulation 123 List. This will include securing contributions to on-site public art through S106. This approach is consistent with our treatment of other infrastructure types. It is very similar to that taken in relation to transport infrastructure, where directly related works are funded through S106 and strategic works are funded through CIL. The CIL viability work assumed overall S106 costs of £2,500 per dwelling in its assessment of SHLAA sites, and included a £300 per dwelling cost towards public art on strategic sites. The viability work has therefore included appropriate assumptions in this regard. The figure of £300 is adopted in saved policy DC4 and is a starting point for negotiations.</p> <p>The Council considers that the street naming and numbering cost is necessary, and that it is appropriate to charge developers for street naming and numbering. Were this not to be secured through S106 the Council would have to introduce a separate charging regime. No action.</p> <p>The Council considers that the bin provision cost is necessary, and that it is appropriate to charge developers for the initial provision of bins. The quoted figure of £21 is the cost of delivery of a single recycling bin, whereas the cost charged to new development is for the provision and delivery of 4 recycling bins for a 20 year commuted sum period. Were this not to be secured through S106 the Council would have to introduce a separate charging</p>

Name/Organisation	Summary of Comments	Council Response
		<p>regime.</p> <p>The approach taken to funding of waste water upgrade works is supported by both the Environment Agency and Thames Water. The approach was set out in our IDP and has been tested through the Local Plan examination. Should waste water capacity not exist for a particular housing development the Council would have to impose a Grampian condition on the site, preventing the delivery of housing until the upgrade works can be undertaken. This would clearly be an unsatisfactory situation for all parties. No action.</p>
Thames Valley Police	<p>TVP would suggest a number of minor amendments to the Draft document, to reflect the requirement to ensure that safety and security are delivered as part of the need to create Sustainable communities and development is in accordance with the NPPF (paras 17, 58, 69 & 156):</p> <p>Table 2 –Page 19 - Please provide a “tick” under the S106 column for “Community Safety and Policing” – reference should be made to the potential need for on-site infrastructure such as Neighbourhood/touchdown offices and ANPR/CCTV on the larger strategic housing sites.</p> <p>Paragraph 10.79 – Page 32 - TVP would request an additional paragraph inserted to read; Mitigating against the impact of new development and growth upon community Safety and Policing is vital to creating safe and sustainable communities. The impact of growth on Policing can be significant, placing additional demands upon Thames Valley Police. VOWH will work closely with TVP to ensure that this impact is mitigated through the delivery of appropriate infrastructure both on-site and strategically.</p>	<p>VOWH is committed to working with TVP to ensure the safety of residents of the Vale. Table 2 has been updated to make it clear that residential sites in Zone 3 can make contributions towards community safety and policing, where appropriate.</p>
Network Rail	<p>The Developer contributions – Supplementary Planning Document should set a strategic context requiring developer contributions towards rail infrastructure where growth areas or significant housing allocations are identified close to existing rail infrastructure. Many stations and routes are already operating close to capacity and a significant increase in patronage may create the need for upgrades to the existing infrastructure including improved signalling, passing loops, car parking, improved access arrangements or platform extensions. As Network Rail is a publicly funded organisation with a regulated remit it would not be reasonable to require Network</p>	<p>Railway infrastructure falls within Strategic Transport and railway projects will be funded through CIL on most residential sites, and through S106 on residential sites in Zone 3 and non-residential development. The transport section of the SPD has been updated to make it clear that railways are included in the types of transport infrastructure which can be funded.</p>

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	<p>Rail to fund rail improvements necessitated by commercial development. It is therefore appropriate to require developer contributions to fund such improvements. Specifically, we request that a Policy is included within the document which requires developers to fund any qualitative improvements required in relation to existing facilities and infrastructure as a direct result of increased patronage resulting from new development. The likely impact and level of improvements required will be specific to each station and each development meaning standard charges and formulae may not be appropriate. Therefore in order to fully assess the potential impacts, and the level of developer contribution required, it is essential that where a Transport Assessment is submitted in support of a planning application that this quantifies in detail the likely impact on the rail network. To ensure that developer contributions can deliver appropriate improvements to the rail network we would recommend that Developer Contributions should include provisions for rail and should include the following: Network Rail believes that developments on the railway infrastructure should be exempt from CIL or that its development should at least be classified as payments in-kind. We would encourage the railways to be included on the Regulation 123 list of the types of infrastructure projects that will be funded through CIL. Network Rail would like to seek a clear definition of buildings in the draft charging schedule. Railway stations are open-ended gateways to railway infrastructure and should not be treated as buildings. Likewise lineside infrastructure used to operate the railway (such as sheds, depot buildings etc.) should be classed as railway infrastructure and not treated as buildings for the purposes of the charging schedule. Network Rail would like confirmation that its developments over 100sqm undertaken using our Permitted Development Rights will not be CIL chargeable. We consider that imposing a charge on one infrastructure project to pay for another in an inefficient way of securing funding A requirement for development contributions to deliver improvements to the rail network where appropriate. A requirement for Transport Assessments to take cognisance of impacts to existing rail infrastructure to allow any necessary developer contributions towards rail to be calculated. A commitment to consult Network Rail where development may impact on the rail network and may require rail infrastructure improvements. In order to be reasonable these improvements would be restricted to a local level and would be necessary to make the development acceptable. We would not seek contributions towards major enhancement projects which are already programmed as part of Network Rail's remit.</p>	
Environment Agency	We have no comments to make on this SPD, other than to reiterate our support for	Comments noted.

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	your intention to charge developers specifically for the upgrading of wastewater treatment works across the district.	
Natural England	Whilst we welcome this opportunity to give our views, the topic of the Supplementary Planning Document does not appear to relate to our interests to any significant extent. We therefore do not wish to comment. Should the plan be amended in a way which significantly affects its impact on the natural environment, then, please consult Natural England again	Noted.
Blue Cedar Homes	<p>Retirement Housing should not be amalgamated into general residential rate. Suggest C3 sheltered/retirement housing is subject to different levels of contribution across the authority. As a minimum the Local Authority should look at the contributions a C2 use class provides.</p> <p><i>See separate representation for full details</i></p>	The rate of CIL appropriate to be set for varying types of older people's housing is a matter for determination at the CIL examination, rather than within this SPD. A paragraph has been added (1.9) to make it clear that, in accordance with para. 031 of the PPG, tariff-style S106 contributions will not be sought from small scale, self-build or starter homes.
Wantage and Grove Campaign Group	<p>Can para 9.1, table 9.2 and section 10 be made consistent?</p> <p>Is there any plan to produce the Green Infrastructure Strategy and therefore ensure that the green infrastructure requirements are included in the SPD and the IDP going forward?</p> <p>Add health facilities, fire and rescue services, community safety and policing and the Wantage/Grove Leisure Centre to the IDP and Reg 123 list.</p> <p>Correct Appendix 4 with regard to the location of the new tennis facility.</p> <p>Ensure consistency with the SPD and para. 1.2 of the IDP.</p> <p><i>Refer to representation for colour coded details / questions</i></p>	<p>The requested paragraphs and sections have all been updated and the document re-structured to improve clarity and consistency.</p> <p>The Council has released a draft Green Infrastructure Strategy as part of the evidence base for the Local Plan Part 2 (LPP2).</p> <p>Although health facilities, fire and rescue services, and community safety and policing are not specifically mentioned within the Reg 123 List, this does not prevent S106 or CIL funds being used for these infrastructure types. The Wantage/Grove Leisure Centre falls within Social and Community facilities.</p> <p>The Sports Standards Appendix has been updated to remove references to specific locations of tennis facilities.</p> <p>Paragraph 1.2 of the IDP will be reviewed at the next update of this document.</p>

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HAB Housing	<p>We are working with the landowners of the North West Valley Park site-The LA Barratt Will Trust.</p> <p>We consider the proposed development contribution for the site to be excessive and likely to render the site unviable. The site is earmarked as one that can deliver a Transformational Project, but this will become a distant prospect with this level of cost burden.</p> <p>We wish to work proactively with the Authority to maximise the potential of this site.</p>	<p>The S106 and CIL costs proposed on the North West Valley Park site have been through viability testing as part of the CIL process and found to be viable. No action.</p>
Oxfordshire County Council	<p>Support: The County Council supports the intent of the Draft SPD to make it clearer how to approach developer contributions for infrastructure.</p> <p>Support: The encouragement to developers in 4.2 that infrastructure proposals are worked up at pre-application stage and there are draft Heads of Terms when an application is lodged is supported.</p> <p>Support: The proposal in 5.5 for an open book approach to viability assessment is supported.</p> <p>Support: The County Council supports the recognition in 6 of legal costs and administration costs, to be paid by the applicant as is the accepted practice.</p> <p>Object: Table 1 s106: The Use column refers to the limitation on pooling to 5. The limitation is 5 obligations for an infrastructure type or infrastructure project since 6th April 2010.</p> <p>Object: Core Policy 7 - Objection to detailed wording.</p> <p>Object: Table 2 needs to be cross-referenced and checked against the final CIL Reg 123 list which the County Council is commenting on. There are inconsistencies in Table 2 and the Updated Reg 123 list e.g. in relation to Science Bridge.</p> <p>Object: Table 2 refers in relation to education to 'including the provision of land where appropriate'. It should be made clear that land may be required under a s106 agreement in relation other sites than those zero rated or listed.</p> <p>Object: Section 10, Developer Contribution requirements, also needs to be cross-referenced and checked against the final CIL Reg 123 list.</p> <p>Object: The text of Appendix 3 which sets out occupancy rates per bedrooms and information about the model known as POPCAL needs to be carefully checked to ensure that it is correctly summarising the requirements, including that for early years education. The generation rates stated are generally appropriate only for developments of 100 or less dwellings. POPCAL 10 is used on developments over 100 dwellings. This level is being reviewed. A new housing survey is being</p>	<p>References to pooling have been updated to be in accordance with, or refer directly to, the CIL Regulations. Core Policy 7 is an extract of the Local Plan policy, and it is therefore not possible to alter this through the SPD process.</p> <p>Table 2 has been updated to clarify the situations where contributions of land may be sought from development. The Appendix on calculation of pupil numbers has been removed and the County Council will be responsible for carrying out calculations on a site by site basis. The SPD has been cross-referenced and made consistent with the final Regulation 123 List.</p>

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	<p>undertaken in 2017 which may result in a revision of the generation rates.</p> <p><i>See separate representation for full details</i></p>	
Gallagher Estates and Gleeson Homes	<p>The sports, leisure and playing pitch provision required by Monks Farm within the SPD and IDP is in conflict with the Council's Leisure and Sports Facilities Strategy (Nov 2014).</p> <p><i>See separate representation for full details</i></p>	<p>The sports, leisure and playing pitch contributions required from Monk's Farm, and identification of whether these should be delivered on or off site are based on the latest policy updates, including the Playing Pitch Strategy (Oct 2015), the Leisure and Sports Facility Strategy (Nov 2014), the Local Leisure Facilities Strategy (June 2016), the IDP December 2016 and backed by other planning policies. No action.</p>