Community Infrastructure Levy
Draft Charging Schedule

Statement of Consultation and Summary of Representations
February 2016
1. Introduction

1.1 In accordance with Regulation 19 of the CIL Regulations 2010 this statement sets out:

- the method of consultation which has taken place on the preliminary and draft versions of the Mole Valley Charging Schedule

- a summary of the representations that have been received to the Draft Charging Schedule

2. Preliminary Draft Charging Schedule

2.1 Mole Valley consulted on a preliminary draft charging schedule over a six week period between 6 August and 18 September 2015. The consultation included all consultation bodies identified in Regulation 15 (3) and a wide range of persons and companies who are resident or carry out business in Mole Valley, voluntary bodies and bodies representing the interests of persons carrying on business in Mole Valley, in accordance with Regulation 15 (5).

2.2 Twenty three responses were received to the preliminary draft charging schedule consultation. As a result of those responses further viability work was undertaken and two changes were made to the proposed charge rates:

a) A charge rate for hotel development was deleted

b) A charge rate for small residential schemes of up to five units within built up areas was introduced

2.3 An explanation of why these changes were made is included in the Executive Committee report dated 1 December 2015 (annex 1).

3. Draft Charging Schedule

3.1 Publication of the Draft Charging Schedule was carried out over a period of six weeks between 16 December 2015 and 29 January 2016.

3.2 In addition to the Draft Charging Schedule, the following supporting documents were published:

- CIL Explanatory Document (December 2015)
- Infrastructure Delivery Plan (December 2015)
- Economic Viability Assessment (May 2015) and Addendum (November 2015)
- Draft Infrastructure Funding List (R.123) (December 2015)

3.3 Publicity for the Draft Charging Schedule was carried out to meet the requirements of Regulation 16 and included:
• Mole Valley Website – copies of the Draft Charging Schedule and supporting evidence; comments form; statement of representations procedure and statement on where information may be inspected (annex 2)

• Printed copies of all documents available for inspection at Council Offices, Pippbrook, Dorking

• Email/letter – sent to all consultation bodies and a wide range of persons and companies who are resident or carry out business in Mole Valley, voluntary bodies and bodies representing the interests of persons carrying on business in Mole Valley (annex 3)

• Newspaper advertisement – (annex 4)

4. Representations to the Draft Charging Schedule

4.1 A total of 61 representations were received to publication of the Draft Charging Schedule.

4.2 A summary of the representations is attached (annex 5). Full copies of all representations are included in a separate document.

4.3 The profile of representations was as follows:

<table>
<thead>
<tr>
<th>Representative</th>
<th>Main Issue</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential developer</td>
<td>Residential charge rates</td>
<td>7</td>
</tr>
<tr>
<td>Retail developer</td>
<td>Retail charge rate</td>
<td>1</td>
</tr>
<tr>
<td>Infrastructure/public consultees</td>
<td>Draft Infrastructure Funding List</td>
<td>12</td>
</tr>
<tr>
<td>Residents’ Associations/residents</td>
<td>Lower residential charge rate</td>
<td>40</td>
</tr>
<tr>
<td>Charitable organisation</td>
<td>Discretionary charitable relief</td>
<td>1</td>
</tr>
</tbody>
</table>

4.4 The comparatively large number of representations from local residents arose from action by two residents’ associations – Bookhams Residents’ Association and Ashtead Residents’ Association. Both associations are in the process of progressing neighbourhood development plans through their respective forums – Bookham Vanguard (rep 10) and Ashtead Community Vision (rep 06). All the residents’ submissions focus on one issue – the introduction of a lower charge for small residential schemes in the built up area.

4.5 Two representors have asked to attend if the examiner chooses to hold a hearing – Bookham Vanguard (rep 10) and Persimmon (rep 44). All other representors are content for their comments to be considered in written form.
5. **Annexes**

1. Executive report on changes between Preliminary Draft Charging Schedule and Draft Charging Schedule

2. Copy of statement of representations procedure and statement where information may be inspected

3. List of consultees for the Draft Charging Schedule

4. Newspaper advertisement

5. Summary of representations received on the Draft Charging Schedule
Annex 1 – Executive report 1 December 2015 (explanation of changes between Preliminary and Draft Charging Schedules,)

Executive Member | Sarah Seed
---|---
Strategic Management Team Lead Officer | Paul Feehily
Author | Guy Davies
Telephone | 01306 879281
Email | guy.davies@molevalley.gov.uk
Date | 1 December 2015

Wards affected | All  |
---|---|
Key Decision | Yes

Subject | Community Infrastructure Levy: Draft Charging Schedule

RECOMMENDATIONS

1. To approve the draft charging schedule and supporting documents for consultation purposes.

2. To recommend Council approves the draft charging schedule for submission to examination.

3. To recommend Council approves the draft policies on (i) discretionary relief, and (ii) payment by instalments.

4. To recommend Council approves the supporting evidence documents to accompany the draft charging schedule.

EXECUTIVE SUMMARY

The Executive approved a preliminary draft charging schedule for consultation purposes in July 2015.

Consultation was carried out over a six week between August and September. Twenty three responses were received from a range of interested parties. A summary of the responses is set out in Annex 6.

Having regard to the responses received revised assessment work has been undertaken to test viability on smaller residential developments; and the charge for hotels has been re-examined.

As a result of the additional assessment, amendments have been made to the charging schedule, and some minor corrections and amendments made to the supporting evidence. The following rates are now recommended:
<table>
<thead>
<tr>
<th>Development Type</th>
<th>Charge (per sqm)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential of up to five units within built up areas</td>
<td>£50</td>
</tr>
<tr>
<td>Other residential within built up areas</td>
<td>£175</td>
</tr>
<tr>
<td>Residential within rural areas</td>
<td>£250</td>
</tr>
<tr>
<td>Convenience retail</td>
<td>£140</td>
</tr>
<tr>
<td>Comparison retail outside town centres</td>
<td>£140</td>
</tr>
<tr>
<td>Other uses</td>
<td>£0</td>
</tr>
</tbody>
</table>

Subject to approval, the draft charging schedule (Annex 1) and supporting documents (Annexes 2-5) will be published for consultation purposes for a minimum period of four weeks before being submitted to an examiner for independent examination.

**CORPORATE PRIORITY OUTCOMES**

**ENVIRONMENT: A highly attractive area with housing that meets local need**

- In consultation with the community, develop plans for how land is used in Mole Valley, including infrastructure needed to support new development
- Help protect our communities and their properties by taking an active role in flood management

**PROSPERITY: A vibrant local economy with thriving towns and villages**

- Work with communities to help them secure infrastructure needs
- Minimise the cost to taxpayers of Mole Valley District Council whilst protecting the standard of services through providing additional infrastructure funding

**COMMUNITY WELLBEING: Active communities and support for those who need it**

- Aid delivery of a programme of inclusive sports and well-being activities which increases participation across all generations, targeting our communities which are most in need

Executive has authority to make recommendations to Council. Council has the authority to approve documents for submission for examination as set out in Part 3 of the Council's Constitution.

**1.0 BACKGROUND**

1.1 The Community Infrastructure Levy (CIL) is a levy on new development. Its purpose is to help fund infrastructure needed to support growth in the area. A more detailed description of CIL and how it works is contained in an explanatory document (Annex 2).
1.2 For Mole Valley, CIL will provide a more consistent and predictable means of securing financial contributions for infrastructure. For developers and landowners, it will give greater certainty about the costs associated with a development proposal, and a means of estimating levy charges at an early stage in the planning process.

1.3 Since April 2015, when restrictions on the use of Section 106 obligations came into effect, CIL has become the only means of securing financial contributions for infrastructure from the majority of development proposals.

**Preliminary Draft Charging Schedule**

1.4 The Executive approved a preliminary draft charging schedule for consultation purposes earlier in July this year. The preliminary rates were set having regard to infrastructure required to support development in the district (summarised in the Infrastructure Delivery Plan - Annex 3), and the need to maintain, in broad terms, the viability of new development (as tested by the Economic Viability Assessment - Annex 4).

1.5 Consultation was carried out over a period of six weeks between August and September 2015. Twenty-three responses were received, divided fairly evenly between developers/agents and infrastructure providers/public bodies. A summary of the comments made, and responses to those comments is set out in Annex 6.

1.6 Comments from developers and agents largely focus on the charging rates, with some raising detailed criticisms around viability assessment methodology. In response to these criticisms, further work has been undertaken on two issues: viability of smaller residential schemes; and hotel development. Conclusions to these two issues are set out in section 2 of the report.

1.7 Comments from infrastructure providers and public bodies are generally supportive of the charging schedule, but raise queries on supporting evidence, or seek to modify the draft infrastructure list (Annex 5). Conclusions on these comments are set out in the respective document summaries in section 3 of the report.

2.0 **DRAFT CHARGING SCHEDULE**

2.1 In setting charges CIL regulations require the Council to strike an appropriate balance between the desirability of funding infrastructure through CIL and the potential effects, taken as a whole, on the economic viability of development across the district.

2.2 Charges should not prejudice delivery of the development needed to meet the housing, employment and other objectives of the Core Strategy. Planning practice guidance advises that charging rates should avoid setting a charge at the margin of viability to allow for variation in individual schemes' viabilities across Mole Valley and changes in economic circumstances over the life of the charging schedule.

2.3 Comments received during the consultation on the charging schedule has prompted further assessment of the following two types of development:

**Viability of smaller residential schemes**

2.4 At the time the economic viability assessment was carried out, a ministerial policy issued in November 2014 exempted the need for residential schemes of ten or less
units to make a contribution towards affordable housing. Since then, the ministerial policy has effectively been quashed by a High Court judgement\(^1\) issued in July 2014. As a result of the High Court judgement Mole Valley has reverted to implementing its adopted affordable housing policy (CS4), which seeks a financial contribution towards affordable housing on residential schemes of 1-9 units, and on-site affordable housing provision for schemes of ten or more.

2.5 In addition, a study recently published on behalf of the Federation of Small Businesses suggests that building costs for small residential schemes are significantly higher for site up to five units, because they lack the economies of scale of larger schemes and the larger regional housebuilders. Previous viability work had made allowance for higher build costs for smaller units but not up to five unit level.

2.6 Development costs arising from policies in the Development Plan need to form part of the viability assessment where those costs can be significant. Revised viability assessments have therefore been carried out to look at the viability on smaller residential schemes, taking account of the affordable housing obligations and the higher construction costs for small schemes.

2.7 The revised assessments have confirmed the continued viability for the majority of small residential schemes, but do indicate that some of the smallest schemes in the built up area could become unviable if subject to a CIL rate of £175/sqm. Since this type of residential development forms a useful part of the housing supply in Mole Valley, it would be appropriate to introduce a lower charge of £50/sqm for residential schemes of up to five units in the built up area only. This would ensure that the large majority of residential development, including the smallest sites, would continue to be viable. The charging schedule has been amended accordingly.

**Viability of hotel development**

2.8 The viability assessment work carried out in support of the preliminary draft charging schedule included viability testing on hotel development. The assessment had appraised hotels as not being viable for CIL charging. Notwithstanding the evidence in the viability assessment, Executive members considered that there had been sufficient interest expressed for hotel development in Mole Valley to justify a nominal charge. A charging rate for hotel development was therefore introduced into the preliminary draft charging schedule to test reaction.

2.9 Objection to a hotel charge has been raised in the consultation. The concern is that a CIL charge on hotel development would reduce viability, which could prove fatal in circumstances where a hotel development is competing with other, higher value, land uses. It could also dissuade hotel operators from choosing Mole Valley compared to other locations in Surrey.

2.10 The Council’s economic viability consultants were asked to look again at the viability of hotel development. They report that there is no new evidence they are aware of that alters their previous advice.

2.11 A review of the recent history of hotel development in Mole Valley also does not support a CIL charge. Since 2010, four hotels have closed or reduced in size, and permissions for a further two have lapsed without being implemented. The only

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\(^1\) R (on the application of West Berkshire District Council and Reading Borough Council) v Secretary of State for Communities and Local Government [2015] EQHC 2222 (Admin) issued 31 July 2015
permission still extant is that for Cherkley Court, which forms part of a much larger project. No other authority in Surrey has or is proposing a CIL charge for hotel development.

2.12 Members may be aware of interest in hotel development in the district. While that is a positive sign of improving economic activity it does not amount to the evidence that is required to demonstrate - to the satisfaction of an independent examiner - that such forms of development are at present sufficiently viable to justify a CIL charge. For these reasons, the hotel charge rate has been omitted from the charging schedule.

2.13 Charging authorities are advised to keep their charging schedules under review to ensure they remain appropriate over time. This applies both to changes in market conditions as well as changes in the funding gap which CIL is intended to help address. For example, if market conditions improve it may be that hotel development, and other categories of development, achieve sufficient viability to contribute to meeting the infrastructure requirements of Mole Valley. Revision of a charging schedule follows the same processes used to adopt it. It would therefore be appropriate to review the charging schedule over a similar timescale, unless changes to market conditions indicate otherwise.

2.14 Taking account of the viability evidence on different types of development and geographical differences, allied to the need to ensure that charges will not prejudice the majority of development in the district, particularly that needed to meet the targets set out in the Core Strategy, the following levy rates are proposed:

<table>
<thead>
<tr>
<th>Development Type</th>
<th>Charge (per sqm)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential sites of up to five units within built up areas</td>
<td>£50</td>
</tr>
<tr>
<td>Other residential within built up areas</td>
<td>£175</td>
</tr>
<tr>
<td>Residential within rural areas</td>
<td>£250</td>
</tr>
<tr>
<td>Convenience retail</td>
<td>£140</td>
</tr>
<tr>
<td>Comparison retail outside town centres</td>
<td>£140</td>
</tr>
<tr>
<td>Other uses</td>
<td>£0</td>
</tr>
</tbody>
</table>

3.0 SUPPORTING DOCUMENTS

3.1 The charging authority is required to publish evidence in support of the draft charging schedule. Four documents were published at the same time as the preliminary draft charging schedule, and have been updated in the light of comments received and any changes in circumstances since publication.

Community Infrastructure Levy Explanatory Document

3.2 This document explains how the levy charges are set, who is liable for CIL, details of exemptions and reliefs, draft discretionary exemptions and instalment policies, and projected CIL income (Annex 2). It also explains how Section106 obligations will be used post adoption of CIL.

3.3 Other than for minor alterations to accord with the changes proposed in section 2 above, it remains unchanged

Infrastructure Delivery Plan
3.4 The Infrastructure Delivery Plan sets out the infrastructure it would be desirable to have to support the development planned in the Core Strategy up to 2026 (Annex 3). The projects identified have been drawn up in consultation with infrastructure providers, and include existing funding sources where known. Where appropriate, an allowance has been made for anticipated funding from mainstream sources, even where it has not been identified at present.

3.5 Since the information was drawn together earlier this year, some projects have been completed and new ones introduced, and some programmes have been amended including the County education plan. A few infrastructure providers have also provided additional information or sought minor corrections when responding to the consultation. The Infrastructure Delivery Plan has been updated to accommodate these changes and bring it up-to-date.

3.6 Based on the evidence contained in the infrastructure delivery plan, the total infrastructure costs, identified funding, and infrastructure funding gap are:

<table>
<thead>
<tr>
<th>Infrastructure</th>
<th>Estimated Cost (£m)</th>
<th>Available Funding (£m)</th>
<th>Estimated Funding Gap (£m)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transport</td>
<td>49.9</td>
<td>28.9</td>
<td>21.0</td>
</tr>
<tr>
<td>Education</td>
<td>11.2</td>
<td>0</td>
<td>11.2</td>
</tr>
<tr>
<td>Community</td>
<td>6.1</td>
<td>3.1</td>
<td>3.0</td>
</tr>
<tr>
<td>Flood Prevention</td>
<td>6.1</td>
<td>3.0</td>
<td>3.1</td>
</tr>
<tr>
<td>Green Infrastructure</td>
<td>3.8</td>
<td>0.9</td>
<td>2.9</td>
</tr>
<tr>
<td>Utilities</td>
<td>70.0</td>
<td>70.0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>147.2</strong></td>
<td><strong>105.9</strong></td>
<td><strong>41.2</strong></td>
</tr>
</tbody>
</table>

3.7 It remains the case that there is a significant infrastructure funding gap, justifying the need for the Community Infrastructure Levy in Mole Valley.

**Economic Viability Assessment**

3.8 The economic viability assessment (Annex 4) has been subject to a number of detailed queries and criticisms in consultation responses. Most of these are technical in nature and challenge assumptions that are made in carrying out the viability appraisals of different types of development.

3.9 Consultation responses together with changes in circumstances since the assessment was carried out has prompted additional viability assessment work, as described in section 2 above. This work is included as an appendix to the main viability assessment report. Otherwise, the Council’s consultants are confident that the methodology used is sound and can be robustly defended at examination.

**Infrastructure Funding List**

3.10 This document sets out the categories of infrastructure that are eligible in Mole Valley for CIL funding (Annex 5). Inclusion on the list does not mean that infrastructure projects will automatically receive CIL funding; that decision remaining one for Mole Valley to make as the collecting authority.
3.11 Because inclusion on the Infrastructure Funding List does give the potential for funding to be granted, a number of infrastructure providers and other public bodies have made representations for their projects to be included. Of these, some are already covered as the categories of infrastructure have been drawn deliberately widely to ensure Mole Valley has a broad scope in how it uses CIL funds. Others do not fall within the general concept of infrastructure and cannot be included.

4.0 CIL POLICIES

Discretionary Relief

4.1 In addition to mandatory exemptions and reliefs from CIL (Annex 2 – Explanatory Document), the charging authority is able to offer discretionary relief in three cases:

- market development where the profit will be used for charitable purposes
- residential development that does not qualify as social housing but is sold at a reduced market value and in accordance with local housing allocations policy
- in exceptional circumstances where the levy would make a development unviable

4.2 For these discretionary reliefs to operate the Council must publish a notice of intention to do so. The power to offer discretionary relief can be activated and deactivated at any point.

4.3 One of the key advantages of CIL is that it is non-negotiable, making it a more transparent and consistent levy on development than has previously been the case with S106 agreements, and not subject to appeal through the planning system. Activating discretionary reliefs, particularly that relating to exceptional circumstances, would erode this advantage and introduce greater complexity and uncertainty into the process.

4.4 The draft charging rates recommended above have been deliberately set at levels so as not to threaten the viability of the types of development needed to meet Core Strategy objectives. In addition, mandatory exemptions and reliefs exist for direct charitable developments, and for all affordable housing that falls within the definition adopted by Mole Valley for planning purposes. The Government has also indicated that 'starter homes' will be exempt from CIL charges, although regulatory changes have not yet been made.

4.5 For these reasons, it was decided not to offer discretionary reliefs on CIL charges when approving the preliminary draft charging schedule in July. None of the comments received in the consultation put forward any compelling reason to change that view.

Paying in Instalments

4.6 Mole Valley has discretion under the CIL regulations to allow payment to be made in instalments. The policy may be revised or withdrawn at any time.

4.7 For most small schemes, CIL charges are expected to be paid within 60 days from commencement. For very large schemes development may be divided into a number of phases, which for CIL purposes will be charged as separate chargeable events. The phasing of such schemes will need to be determined as part of the planning permission for that scheme.
4.8 For intermediate to large sized schemes, allowing payment in instalments can assist the viability and delivery of development, where large payments on commencement can cause cash flow problems for developments that are otherwise viable. Willingness to allow an instalments policy can be a material consideration in assessing viability of draft levy rates.

4.9 Respondents to the consultation were generally supportive of an instalments policy. While one respondent suggested a longer period for payment, the scheme outlined below is considered to strike a reasonable balance between deferring payments and ensuring that CIL is collected for the public benefit.

4.10 Executive members agreed the following draft instalments policy in July. It is considered that the policy remains appropriate in the circumstances.

<table>
<thead>
<tr>
<th>Chargeable amount</th>
<th>Amount payable from commencement</th>
</tr>
</thead>
<tbody>
<tr>
<td>up to £50,000</td>
<td>One payment within 60 days</td>
</tr>
<tr>
<td>£50,000 - £250,000</td>
<td>Two equal payments within 90 days and 180 days</td>
</tr>
<tr>
<td>£250,001 - £1 million</td>
<td>Three equal payments within 90, 180 and 270 days</td>
</tr>
<tr>
<td>over £1 million</td>
<td>Phasing preferred, alternatively three equal payments within 90, 180 and 270 days</td>
</tr>
</tbody>
</table>

5.0 NEXT STEPS

5.1 Anticipated timetable and remaining key milestones for adopting CIL are as follows:

<table>
<thead>
<tr>
<th>Task</th>
<th>Time</th>
<th>Reporting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Draft Charging Schedule</td>
<td>1 December 2015</td>
<td>Executive</td>
</tr>
<tr>
<td>Consultation</td>
<td>Jan-Feb 2016</td>
<td></td>
</tr>
<tr>
<td>Approve for Submission</td>
<td>Jan-Feb 2016</td>
<td>Council</td>
</tr>
<tr>
<td>Submission</td>
<td>Feb 2016</td>
<td></td>
</tr>
<tr>
<td>Examination</td>
<td>April 2016</td>
<td></td>
</tr>
<tr>
<td>Examiner’s Report</td>
<td>June 2016</td>
<td></td>
</tr>
<tr>
<td>Adoption</td>
<td>July 2016</td>
<td>Council</td>
</tr>
<tr>
<td>Introduction of Charging</td>
<td>Sept 2016</td>
<td></td>
</tr>
</tbody>
</table>

5.2 Adopting CIL follows a similar process to a development plan document. Prior to submission the draft charging schedule and evidence documents will be published for consultation. The documents together with comments received are then submitted for examination by an independent examiner. The examination may require a public
hearing session, depending on the nature of any responses made to the consultation. Assuming a positive examination report, final adoption and implementation is then a matter for the Council.

5.3 Timescales after submission may be subject to variation depending on the availability of an examiner.

Financial Implications

5.4 Details of potential CIL income are given in the Explanatory Document (Annex 2).

5.5 Preparation and examination of the charging schedule will be funded within existing budgets, including consultancy support where required.

5.6 Mole Valley as the designated charging and collecting authority will be responsible for the collection and spending of CIL receipts. Collection of CIL receipts is likely to require up to one additional administrative post and additional IT support.

5.7 The collecting authority is allowed to use up to 5% of CIL receipts to cover administrative costs. After a transitional period, CIL income is expected to cover administrative costs.

Legal Implications

5.8 The ability to charge CIL is statutory power available to local planning authorities under the Planning Act 2008, with procedural and substantive details contained in secondary legislation, particularly the Community Infrastructure Levy Regulations 2010 and amending regulations between 2011 to 2015.

5.9 The procedural requirements leading up to the adoption of CIL are set out in regulations and, in addition, once CIL is adopted, the Council is required to meet certain regulatory requirements, including bi-annual recording and reporting of CIL income and CIL spending.

5.0 OPTIONS

5.1 Approve the draft charging schedule for submission (recommended).

5.2 Amend the charging schedule by altering the charging rates, categories of development; and/or geographical differentiation. To do so requires it to be demonstrated that the schedule strikes an appropriate balance between the desirability of funding infrastructure from the levy and the potential impact upon the economic viability of development across the charging area. In practice this would require evidence that the projected CIL income would not exceed the infrastructure delivery gap, that the rates proposed to be charged are viable and would not prejudice delivery of the Core Strategy objectives and that the schedule is compliant with the CIL regulations.

5.3 Not approve the draft charging schedule. This would delay or terminate collection of CIL in the area.
6.0 CORPORATE IMPLICATIONS

Monitoring Officer commentary – The Monitoring Officer confirms that all relevant legal implications have been taken into account.

S151 Officer commentary – confirms that all relevant financial risks and issues have been taken into account.

Risk Implications – There is a significant risk that if CIL is not adopted, there will be inadequate funding available to deliver the infrastructure required to meet the needs of new development in the area. Delay in adopting CIL will lead to a potential loss of capital funding. There is a risk in adopting CIL in advance of reviewing the Local Plan, because of uncertainties about the amount of development Mole Valley should be planning for and the infrastructure required to support it.

Equalities Implications - None.

Employment Issues – None immediately. Once adopted CIL is likely to require up to one additional technical post to administer assessment, monitoring, charging and collection of CIL receipts, with some additional resource for enforcement, governance and managing spending of CIL receipts. Proposals for administration and governance arrangements will be presented to the Executive towards the end of the adoption process.

Sustainability Issues – Adopting CIL will support the sustainability of new development.

Consultation – Consultation with a wide range of interested parties was carried out at the preliminary draft charging schedule stage. Similar consultation will be carried out for the draft charging schedule stage.

Communications – statutory period of consultation required for four weeks. Statutory consultees are limited to neighbouring authorities and local councils, although it is intended to carry out wider consultation including developers, planning agents and land agents active in the district; parish councils and equivalent residents’ associations; main infrastructure providers; parties that have previously expressed an interest in CIL; and a selection of convenience retail and specialist housing providers.

Annexes

[The annexes to this report are not reproduced]
Annex 2 – Statement of representations procedure and statement where information can be inspected

December 2015

Dear Sir/Madam

Community Infrastructure Levy Regulations 2010

Regulation 16: statement of the representations procedure

You are invited to make representations on the Mole Valley Community Infrastructure Levy draft charging schedule.

Information

A copy of the draft charging schedule is available to view at the Council’s Pippbrook offices and on its website at: http://www.molevalley.gov.uk/CIL together with supporting documents:

- Explanatory Document
- Infrastructure Delivery Plan
- Economic Viability Assessment and Addendum
- Draft Infrastructure Funding List (R.123 List)

Making Representations

All representations must be received by Friday, 29 January 2016.

A representation form is available to download at http://www.molevalley.gov.uk/CIL. Please email completed forms to: planning.policy@molevalley.gov.uk, or post to:

Mole Valley District Council
Planning Policy
Pippbrook
Dorking
Surrey
RH4 1SJ

Please note that all representations will be made public, and will be forwarded to the independent person appointed to examine the draft charging schedule. Please note that all comments received can be inspected by members of the public and cannot be treated as confidential. Comments may be published on the Mole Valley website.
Anyone making a representation may request to be heard by the examiner. You may also request to be notified when the draft charging schedule is submitted for examination, when the examiner’s recommendations are published and when the charging schedule is approved by Mole Valley.

If you require any further information please contact the Planning Policy Team by email at: planning.policy@molevalley.gov.uk or by telephone on: 01306 879281.

Yours faithfully

Planning Policy Team
Mole Valley District Council
Annex 3 – List of consultees for draft charging schedule

Developers and agents

Alliance
A&DP Ltd
Ability Housing Association
ABIR Architects
Adams Associates
ADS
AES Architect
AFA Associates
Airborne Properties Ltd
AKA Planning
Alan Sharp Associates
Amasia Architects Ltd
Andrew Kenfield & Associates
Andrew Neil Associates Ltd
Angus Farquhar FRICS
ARCH-angels Architects Ltd
Ascough & Associates
Ashenden-Bax Chartered Architect
Ashill Developments
Ashville
Aspect Planning
Barton Willmore
Barton Willmore
Barton Willmore
Batcheller Monkhouse
Batchellor Monkhouse
Bell Cornwell LLP
Bell Cornwell LLP
Berkeley Group
Berkeley Homes (Northern) Ltd
Bespoke Architects
Bespoke Planning Ltd
Bidwells
Bloor Homes Limited
Blueland (MV) LLP
BNP Paribas Real Estate
Boyer Planning
Bray Estates
Brian Madge Ltd
Brideck Ltd
Bruton Knowles
Building Design
Caistor Properties Limited
Carter Jonas LLP

CB Richard Ellis
CBRE
Chawton Hill Associates Ltd
Cherchefelle Housing Association Ltd
Chris Tizzard Architectural
Churchill Developments
City of London Corporation
Cliff Walsingham & Co.
Cluttons LLP
CMS
CMS Development Limited
CMS Estates (UK) Ltd
Colin Smith Planning Ltd
Concept Eight Architects Ltd
Country Land and Business Association
Crest Nicholson South
Croudace
D S Designs Ltd.
D&M Planning Ltd
David Bowler Associates
David Russell Associates
Dedman Properties Ltd
Deloitte LLP
Derek Horne & Associates Ltd
Development Planning Partnership
DHA Planning
DJA Planning
DJB Ltd
DMH Stallard
Donovan Hewitt Chartered Architects
Doug Weston
dpa2
DPDS Consulting Group
Drivers Jonas Deloitte
DTZ Pieda Consulting
DWA Architectural Design
ECL Property
Entec UK Ltd
Federation of Small Businesses
Fiducia Designs
Firstplan
Framtons
Fulcrum Design Ltd
Gl L Hearn Holdings Ltd
Genesis Town Planning
Geoffrey Sloan Associates
Gerald Eve LLP
GGEL
GKA
Gladman Developments
Gleeson Developments Ltd
Gleeson Strategic Land
Gordon Lennox
Green Issues
Gregory Gray Associates
H&C Architects LLP
Herbert Developments Ltd
Home Counties Design
Home Design Services
Homewood
House Builders Federation
Howard Hutton & Associates
Humbers Leisure
Hurst Warne LLP
Ian Chappell Partnership
Ian Wright Associates
ICENI Projects
Iceni Projects Limited
Indigo Planning
JA Design Build Maintain
Jones Lang LaSalle
Jones Lang LaSalle
JPC Strategic Planning
Knight Frank LLP
KRL Planning Ltd
L P D Projects
Lambert Smith Hampton
Land Development & Planning Consultants Ltd
Latchmere Properties Ltd
Leigh PC
Lennon Planning Ltd
Lightwood Property
Linden Homes South-East
LPD Projects Ltd
Lucas Design & Construction
Lucas Land and Planning
Maddock Homes Ltd
Marek Jasinski Design
Mark Cuthbert Associates
Martin-Brown
Matrix Associates
McGuinness
Meadowcroft Properties Ltd
Michael Bray & Associates
Michael Hemmings Building Design
Michael Williams Planning
Mike Wilkinson & Co.
Miller Hughes Associates Ltd
Millgate Developments Ltd
Millwood Designer Homes Ltd
Mono Consultants Ltd
MWP
Nathaniel Lichfield & Partners
Nathaniel Lichfield & Partners Ltd
Nicholas Taylor and Associates
Nick Townsend Consulting
NJA Town Planning Consultancy
Nye Saunders Ltd (Architects)
Orbit Architects
Paradigm Planning
Patrick Gardner & Co
PBGW Architects Ltd
Peacock & Smith
Pegasus Group
Pegasus Planning Group
Pegasus Planning Group
Pelham Planning Associates Ltd
Persimmon Homes Thames Valley
Peter Routley Associates
Philip Sears Designs
Plan A UK Ltd
PlanAce Ltd
Planbuild Associates
Planit Consulting
Planning Perspectives LLP
Planning Potential
Preston Bennett
PROwe Planning Solutions
PRP Architects
PSB Consultancy
Rapleys
Raven Housing Trust
RB Designs Ltd
Redwood
Regus
Residential design solutions ltd
Rickwood Estates Limited
Robert Ellis
Robert Pritchard Architect
Robinson Escott Planning
Romans
RPS Group
RPS Planning & Development
Rydon Homes
Rymack Ltd
Savills
Savills
Savills
Savills
Savills
Shanly Homes
Shanly Homes (Leatherhead) Ltd
Shaw Design Services Ltd.
SimLaw Planning
SLR Consulting Ltd
Smiths Gore
Smythe Associates - Development Surveyors
South Eastern Planning Services
Springwheel Associates
SSA
St James Group Limited
Start to Finish GB Ltd
Stephen Smart & Company
Stonecot Homes Ltd
Stonegate Homes
Strutt and Parker
Taylor Williams Daley
Taylor Wimpey
Terence O'Rourke Plc
Tesco Stores Limited
Tetlow King Planning
Thakeham Homes
The Planning Bureau Ltd
Tibbalds Planning & Urban Design
Tudors Professional Services Ltd
Tudors Surveyors
Vail Williams
Vail Williams
Vantage Point
Vortal Property Limited
W Songhurst Ltd
Ward Mitchell Partnership
Waitrose
White & Sons
White & Sons
Wilky Property C/O Savills
Windsor Homes Plc
WLA Architecture LLP
Woolf Bond Planning
Working Propert Ltd
WS Planning & Architecture
WYG Planning
WYG Planning and Design
Gregory Gray Associates
Planning Consultant
Philip Stone Associates
Dorking & District Chamber of Commerce
Leatherhead & District Chamber of Commerce
Peter Brett Associates
Gatwick Airport Ltd

**Statutory consultees and residents associations**

Abinger Parish Council
Ashtead Community Vision
Ashtead Residents' Association
Betchworth Parish Council
Bookham Vanguard
Bookhams Residents' Association
Box Hill Neighbourhood Council
Brockham Parish Council
Buckland Parish Council
Capel Parish Council
Charlwood Parish Council
Crawley Borough Council
Dorking & District Preservation Society
Elmbridge Borough Council
Epsom & Ewell Borough Council
Fetcham Residents Association
Greater London Authority
Guildford Borough Council
Headley Parish Council
Holmwood Parish Council
Horley Town Council
Horsham District Council
Leatherhead Residents Association
Leigh Parish Council
Mickleham Parish Council
Newdigate Parish Council
Ockley Parish Council
Reigate & Banstead Borough Council
Royal Borough of Kingston Upon Thames
Surrey County Council
Waverley Borough Council

19
West Sussex County Council
Westcott Village Association
Westcott Village Forum
Wotton Parish Council

Retail and hotel organisations

British Retail Consortium
British Independent Retailers Association
Waitrose
Sainsbury
Tesco
Morrisons
Lidl UK GmbH
Asda Stores Ltd
Association of Convenience Stores
Homebase
Wickes
British Hospitality Association
Whitbread plc (Premier Inns)
Travelodge
De Vere Venues
Best Western Hotels Great Britain

Infrastructure providers

Circle Housing Mole Valley
Coast to Capital LEP
Dorking Healthcare
EDF Energy Networks Ltd
English Heritage
Environment Agency
Environment Agency
Highways England
Historic England
Homes and Communities Agency
Mole Valley Cycle Forum
MVDC
MVDC - Waste
MVDC - Waste
MVDC Parks
MVDC Partnerships
MVDC Partnerships
National Trust
Natural England

Network Rail
NHS England Area Team
NHS England Area Team
SCC - Economy
SCC - LLFA
SCC - LLFA
SCC - Public Health
SCC - Transport
SCC - Transport
SCC 14-19 Education
SCC 14-19 Education
SCC Adult Social Care
SCC Early Years
SCC Rights of Way
South East Coast Ambulance Service
Southern Water
Surrey Community Action
Surrey County Council Education
Surrey Downs CCG
Surrey Downs Clinical Commissioning Group
Surrey Hills Board
Surrey Local Nature Partnership
Surrey Wildlife Trust
Sussex and Surrey Police
Sutton & East Surrey Water plc
Thames Water Property Services
<table>
<thead>
<tr>
<th>No</th>
<th>Name</th>
<th>Summary of Issue</th>
<th>MVDC Response</th>
<th>Request to be heard</th>
<th>Request to be notified</th>
</tr>
</thead>
<tbody>
<tr>
<td>01</td>
<td>Airborne Properties Ltd (Robert Billson)</td>
<td>Place cap on maximum amount that can be charged for large dwellings&lt;br&gt;Threshold for small residential schemes in built up area should be raised to nine</td>
<td>The viability evidence does not suggest there is justification for placing a cap on the maximum amount to be charged for residential development.&lt;br&gt;The threshold between lower and higher charges for residential schemes in the built up area has been chosen based on viability evidence, including the report by BCIS on behalf of the FSB.</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>02</td>
<td>Aldi Stores Ltd (Planning Potential)</td>
<td>Introduce lower retail charge for smaller convenience units</td>
<td>A range of retail uses of different sizes have been tested and found to support the proposed CIL charge with significant headroom. We do not see how this would change for a further typology of 1,500 sqm. Furthermore, the aim in setting a CIL is to apply high level testing for a sample of development typologies which are likely to reflect likely developments relevant to the delivery of the Local Plan.</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>03</td>
<td>Andy Ellis</td>
<td>Concerned that the lower charge rate for small sites will significantly reduce CIL receipts for infrastructure in Ashtead</td>
<td>The lower charge for small residential sites in the built up area was introduced on viability grounds. Higher construction costs than larger residential schemes and the addition of</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>04</td>
<td>Anna West</td>
<td>Object to the lower charge rate for small residential sites. In Bookham and Fetcham most developments are five or less units, and the introduction of the lower rate will have a considerable impact on the amount raised to benefit local services and infrastructure. Furthermore, it will encourage small developments of five or less units.</td>
<td>The lower charge for small residential sites in the built up area was introduced on viability grounds. Higher construction costs than larger residential schemes and the addition of affordable housing policy contributions places additional burdens on small sites which could affect viability without a lower charge.</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>05</td>
<td>Anne Eagle</td>
<td>Most development in Bookham is of five or less units at a time. The lower charge rate would be unfair and collect very</td>
<td>See 04</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>No.</td>
<td>Author/Group</td>
<td>Statement/Citation</td>
<td>Analysis/Explanations</td>
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<tr>
<td>06</td>
<td>Ashtead Community Vision (Tony Tuley)</td>
<td>In Ashtead the majority of development is of five or less units. The lower charge rate represents a significant reduction in money collected towards local infrastructure. Experience from previous Planning Infrastructure Contributions (PIC) shows that a higher charge can be borne by development in Ashtead.</td>
<td>PIC and affordable housing contributions have been sought in the past, but were negotiable so that in cases where viability was threatened they were reduced or waived. In some circumstances PIC was not charged because there was insufficient evidence of impact. CIL operates in a different way, and has to be set at a level that does not prejudice the majority of development.</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>07</td>
<td>Ashtead Residents’ Association</td>
<td>Concerned that a lower residential charge rate will lead to development not making adequate mitigation towards its impact on local infrastructure and services in Ashtead.</td>
<td>See 04</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>08</td>
<td>Audrey Boston</td>
<td>Within Bookham the majority of schemes are of less than five units, but often of large four and five bedroom houses. Query why these cannot absorb higher charge.</td>
<td>The viability assessment takes account of a wide range of different development types across the District. Differences in size are catered for by the CIL charging metric, whereby CIL is collected in proportion to the increase in floorspace of a development.</td>
<td>Yes</td>
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</tbody>
</table>
Conversely, schemes like the low cost apartments in Edenside Road would attract the higher charge rate. Affordable housing is exempted from paying CIL, so the Edenside Road scheme would not have attracted any charge.

<table>
<thead>
<tr>
<th>09</th>
<th>Barratt Homes (Iceni Projects)</th>
<th>Consider adoption of CIL in advance of a review of the Local Plan to be premature. If CIL is progressed, a site in which Barratt Homes has an interest (Barnett Wood Lane, Leatherhead) should be reallocated to be within the urban residential charging zone. Charge rates should be lowered more in line with neighbouring authorities, particularly within Leatherhead town centre. Encourage a more specific list of infrastructure requirements in the R123 list, including those needed for the Transform Leatherhead project.</th>
</tr>
</thead>
<tbody>
<tr>
<td>09</td>
<td>Barratt Homes (Iceni Projects)</td>
<td>Adoption of CIL is not dependent on the status of the Local Plan. The PDCS is supported by up to date evidence which justifies the need for CIL and the appropriate rates to charge. Redefining land currently in the Green Belt, even for CIL purposes, would conflict with the MV Development Plan and be inconsistent with the definition of ‘built up’ and ‘rural’ in the PDCS. Charge rates have been set having regard to the infrastructure requirements and the viability of development in Mole Valley. The R123 List accords with the CIL regulations. The broad nature of the categories demonstrates that Mole Valley intends to use CIL rather than S106 obligations for the majority of infrastructure needs.</td>
</tr>
<tr>
<td>10</td>
<td>Bookham Vanguard</td>
<td>A lower residential charge rate would not collect the money needed to help address local infrastructure deficits. Propose that for areas with neighbourhood development plans the provision of affordable housing is an important planning objective for the Authority, and is as relevant in Bookham as other parts of the Authority's area.</td>
</tr>
<tr>
<td>10</td>
<td>Bookham Vanguard</td>
<td>See 04. Provision of affordable housing is an important planning objective for the Authority, and is as relevant in Bookham as other parts of the Authority's area.</td>
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<td></td>
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<td>No</td>
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<td></td>
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<td>higher residential rate apply for all residential schemes and that no affordable housing contribution be charged for developments of five or less District. The CIL charge is set having regard to the cost of other policy objectives on development, which includes affordable housing.</td>
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<tr>
<td>11</td>
<td>Bookhams Residents’ Association</td>
<td>There is no lack of developer interest from builders carrying out infill development in Bookham, which suggests that viability is not an issue. The higher residential charge rate should apply in the Bookham area</td>
</tr>
<tr>
<td>12</td>
<td>Brian Neville</td>
<td>Consider the lower rate of CIL for small residential schemes should be dropped</td>
</tr>
<tr>
<td>13</td>
<td>Caroline Cardew-Smith</td>
<td>Does not agree with lower rate of CIL for small residential schemes. Will encourage small schemes</td>
</tr>
<tr>
<td>14</td>
<td>Chris Middleton</td>
<td>Small schemes have a cumulative impact on infrastructure and services in Bookham, and should be charged at the higher rate</td>
</tr>
<tr>
<td>15</td>
<td>Christopher Harwood</td>
<td>Request lower tier rate be removed as it would return a much lower revenue for investment in infrastructure projects in Bookham</td>
</tr>
<tr>
<td>16</td>
<td>Colin Harris</td>
<td>Many developments in Bookham are below five units, and the lower charge rate would raise significantly less revenue</td>
</tr>
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<td>Name</td>
<td>Comment</td>
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<tr>
<td>17</td>
<td>David Armstrong</td>
<td>The lower residential charge rate should not apply to Bookham</td>
</tr>
<tr>
<td>18</td>
<td>David Clarke</td>
<td>The lower residential charge is disadvantageous for the Bookham area.</td>
</tr>
<tr>
<td>19</td>
<td>Diane Poole</td>
<td>The lower residential charge will negatively impact on the amount of CIL available to Bookham</td>
</tr>
<tr>
<td>20</td>
<td>Diane Pratt</td>
<td>Remove lower residential charge as it would reduce funding for much needed infrastructure improvements in Bookham</td>
</tr>
<tr>
<td>21</td>
<td>Elizabeth Finucane</td>
<td>The higher residential charge rate should apply to all residential development</td>
</tr>
<tr>
<td>22</td>
<td>Environment Agency</td>
<td>Suggests updates to Infrastructure Delivery Plan</td>
</tr>
<tr>
<td>23</td>
<td>Eunice Lacey</td>
<td>The lower residential charging rate is not a good idea because it does not take account of the effect on infrastructure and encourages the building of larger houses</td>
</tr>
<tr>
<td>24</td>
<td>Fred Roberts</td>
<td>Do not support the lower residential charge rate</td>
</tr>
<tr>
<td></td>
<td>Commentator</td>
<td>Position</td>
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<tr>
<td>25</td>
<td>Gatwick Airport Ltd</td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>Helen Macfarlane</td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>Historic England</td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>Hugh Pearson</td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>Ian Baker</td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>Ian Nayler</td>
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<tr>
<td></td>
<td>development should contribute the same irrespective of size or rural/urban location</td>
<td>Retail charge should be reduced to that of residential because it does not have a major effect on infrastructure costs while generating employment opportunities</td>
</tr>
<tr>
<td>31</td>
<td>James Hackett</td>
<td>Bookham will receive far less money that it should get; the lower residential charge rate should be removed</td>
</tr>
<tr>
<td>32</td>
<td>John Dwyer</td>
<td>Concerned that the lower residential charge rate will not collect sufficient money to pay for the infrastructure needs generated by new development. With infill building continuing in Bookham, there appears to be no good justification for have a lower charge rate</td>
</tr>
<tr>
<td>33</td>
<td>John Meek</td>
<td>The lower residential charge rate will bring little financial benefit to the Bookham area but over time will put a huge burden on infrastructure and resources</td>
</tr>
<tr>
<td>34</td>
<td>Judith Witter</td>
<td>Against the lower residential charge rate because it would encourage small developments in Bookham that cause a negative effect on the environment</td>
</tr>
<tr>
<td>Page</td>
<td>Author</td>
<td>Comment</td>
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<tr>
<td>35</td>
<td>Keith Slark</td>
<td>Small residential development should contribute the same as larger development</td>
</tr>
<tr>
<td>36</td>
<td>LPD Projects Ltd</td>
<td>Support a lower residential CIL charge rate but only if such sites did not attract affordable housing contribution&lt;br&gt;Prefer a scale of charges such that the first six units in any residential scheme are charged at a lower rate, to avoid situation where schemes over six units are discouraged&lt;br&gt;Criticise use of average affordable housing contributions and suggest alternative means of calculating affordable housing contributions&lt;br&gt;Suggests that a minimum residual land value of 35% of GDV should be used to set charge rates</td>
</tr>
</tbody>
</table>

PBA have tested typology sites with 9 or fewer dwellings with affordable housing contributions averaged at the amounts received since 2014 on sites with 1, 4 and 9 units. Given the recent time period for this data, these values are the best available estimate for likely current affordable housing contributions based on the type of housing assumed to come forward within Mole Valley to support the
Suggests that a minimum residual land value of 35% of GDV should be used to set charge rates. 

The benchmark land use values used in the PBA report are based on current use values plus uplift to meet the criteria at which a typical willing landowner is likely to release land for development. In addition to this benchmark value, further costs are applied to allow for future policy costs, planning permission and/or any land preparation requirements. This is a transparent and tested approach to identifying a sensible benchmark land value, which has been examined and accepted elsewhere, and therefore is the preferred method for informing an affordable CIL rate in Mole Valley district. Owing to the simplicity of the respondent’s suggested approach to land values, it is not clear whether the rates would allow for policy costs and/or any land preparation.

| 37 | Martin Turner | In an area like Bookham much of the development is on small plots. The cumulative effect of a number of small developments is the same as a few larger developments. Therefore the CIL charged should be the same. | See 04 | No | Yes |

| 38 | Nanette Griffiths | Object to a reduced residential charge rate as there has already been a massive number of new homes with little change to infrastructure and supporting facilities. | See 04 | No | Yes |
| 39 | National Trust | Supports the inclusion of habitat protection and improvement, and informal recreation projects in the Infrastructure Funding (R123) List. | Noted | No | Yes |
| 40 | Natural England | No specific comments but supports the use of CIL to help meet biodiversity and green infrastructure objectives | Noted | No | No |
| 41 | Network Rail | Believes developments on railway infrastructure should be exempt or benefit from relief from CIL because Network Rail is an infrastructure provider with all profits reinvested in the rail network. Encouraged to see rail projects included in the draft documents. | Most railway infrastructure will be exempt from CIL because it does not constitute 'development' within the meaning of the CIL Regs. Other development on former railway land will be subject to CIL, which is considered appropriate as it will add to demand for new infrastructure in the locality. For clarity, known railway projects are included in the Infrastructure Delivery Plan; but rail does not feature in the Infrastructure Funding List. | | |
| 42 | Paul Gallard | The charge for small residential schemes should be at the level of larger ones in order to provide infrastructure funding in Bookham. | See 04 | No | Yes |
| 43 | Paul Woods | The lower residential charging rate will not help recover the past underinvestment in infrastructure. | See 04 | No | Yes |
| 44 | Persimmon | Consider that the existing Development Adoption of CIL is not dependent on the status. | Yes | Yes |
| Plan is out of date and that CIL should not be progressed until a new Local Plan is in place. |
| Consider the higher residential charge rates are too high and will have a detrimental impact on housing delivery when compared with adopted CIL rates in neighbouring authorities |
| Consider the lower residential charge rate and the lack of a rate for ‘other’ development (including office and hotel) does not fairly spread the burden of CIL payments across other forms of development in the area |
| The assumptions on profit in PBA’s Economic Viability Assessment are unrealistic |
| Welcomes the intention to adopt an instalments policy but wishes it to be more flexible on a site-by-site basis |
| The draft Infrastructure Funding (R123) |
| of the Local Plan. The PDCS is supported by up to date evidence which justifies the need for CIL and the appropriate rates to charge |
| The viability appraisal was carried out using costs and values relevant to that specific location, and not necessarily engineered to fit in with neighbouring areas |
| These uses have been tested and found not to offer viability to support a CIL charge |
| Disagree. The assumed profit on residential units is considered a reasonable return in the currently strong residential market in Mole Valley. This is higher than the profits and overheads shown in the top 25 Housebuilders reported accounts published by the Housebuilder ‘Housing Market Intelligence Report’ |
| Noted. Further flexibility in CIL payments is available through phasing of development in appropriate cases |
| Disagree. The R123 list identifies broad categories of infrastructure which will be
<table>
<thead>
<tr>
<th></th>
<th></th>
<th>List is unnecessarily vague</th>
<th>eligible for funding from CIL, and is considered to be the appropriate approach for the type of development found in the District.</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>45</td>
<td>Peter Almond</td>
<td>Small schemes place a disproportionate strain on existing infrastructure. The lower residential rate should be deleted.</td>
<td>See 04</td>
<td>No</td>
</tr>
<tr>
<td>46</td>
<td>Peter Clarke</td>
<td>The lower residential charge rate should be removed to ensure a proper contribution to local infrastructure</td>
<td>See 04</td>
<td>No</td>
</tr>
<tr>
<td>47</td>
<td>Peter Edwards</td>
<td>The cumulative effect of many, small developments places a strain on local infrastructure. A single higher charge would be much fairer to local communities as a way of addressing overloaded infrastructure. Smaller infill developments would still be attractive to developers at a higher rate because of the shortage of development land in Mole Valley</td>
<td>See 04</td>
<td>No</td>
</tr>
<tr>
<td>48</td>
<td>Peter Witter</td>
<td>Object to the lower residential charging rate as it would give up an opportunity to collect a valuable and much needed contribution for infrastructure</td>
<td>See 04</td>
<td>No</td>
</tr>
<tr>
<td>49</td>
<td>Rentplus (Tetlow King Planning)</td>
<td>Promotes the Rentplus form of housing tenure, which the representee considers to fall within the definition of affordable</td>
<td>For the purposes of CIL, the types of affordable housing eligible for social housing relief are defined in Regulation 49.</td>
<td>No</td>
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<td>Page</td>
<td>Name</td>
<td>Comment</td>
<td>Action</td>
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<tr>
<td>35</td>
<td></td>
<td>Housing</td>
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<td>Determination of whether a particular scheme benefits from social housing relief would have to be determined at that time based on the particulars of the case.</td>
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<td></td>
<td></td>
<td>Without prejudice to such assessments, it appears likely that the model of housing tenure promoted by Rentplus does fall within the definition of affordable housing used by Mole Valley.</td>
<td></td>
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</tr>
<tr>
<td>50</td>
<td>Richard Craig</td>
<td>The charges should be higher to create more income</td>
<td>See 04</td>
<td></td>
</tr>
<tr>
<td></td>
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<td></td>
<td>No</td>
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<td></td>
<td></td>
<td></td>
<td>Yes</td>
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<tr>
<td>51</td>
<td>Roger Bull</td>
<td>Continual development puts pressure on local services. Should consider only the higher rate to pay for infrastructure as developments in Bookham are well able to absorb the higher rate</td>
<td>See 04</td>
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<td>No</td>
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<td>Yes</td>
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<tr>
<td>52</td>
<td>SMART4</td>
<td>Propose a very high CIL for Green Belt development and no or very limited CIL within business and town centre areas</td>
<td>The CIL Regulations require the Council to strike a balance between funding infrastructure and the economic viability of development across the District. Policy considerations do not play a part in charge setting.</td>
<td>No</td>
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<td>No</td>
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<td>53</td>
<td>Southern Water</td>
<td>Clarify section 10 (utilities) of the Infrastructure Delivery Plan – Southern Water is a statutory sewerage undertaker for part of Mole Valley; it does not supply water to any part of Mole Valley</td>
<td>Noted. The Infrastructure Delivery Plan has been updated accordingly. The changes are for clarification only and do not alter the infrastructure funding gap identified in the document.</td>
<td>No</td>
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<td>Yes</td>
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<td>St John’s School (Nicholas Taylor Associates)</td>
<td>Objects to the Council’s policy not to offer discretionary charitable relief; disagrees with the Council’s reasons for not doing so</td>
<td>It remains the Council’s view that it does not wish to offer discretionary reliefs at the current time.</td>
<td>No</td>
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<td>55</td>
<td>Susan Atkinson</td>
<td>The lower residential charge rate would only serve to exacerbate the funding gap for new infrastructure in Bookham</td>
<td>See 04</td>
<td>No</td>
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<td>56</td>
<td>Surrey and Sussex Police</td>
<td>Support the inclusion of emergency services facilities in the draft Infrastructure Funding (R123) List</td>
<td>Noted</td>
<td>No</td>
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<td>57</td>
<td>Surrey County Council</td>
<td>Suggest adding an exclusion in the draft Infrastructure Funding (R123) List for developments that generate a need for educational facilities that are directly related to a specific development site.</td>
<td>There are no sites identified within the current Development Plan that are of a size that would generate a need for facilities to satisfy their educational needs alone.</td>
<td>No</td>
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<td>58</td>
<td>Surrey Hills Area of Outstanding Natural Beauty Board</td>
<td>Query if landscape enhancement and access improvements are potentially included within the draft Infrastructure Funding (R123) List</td>
<td>The ‘informal recreation’ and ‘habitat protection and improvement’ sections in the draft Infrastructure Funding (R123) List can include suitable projects for landscape improvement and public access</td>
<td>No</td>
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<td>59</td>
<td>Thames Water Utilities Ltd (Savills)</td>
<td>Note that water and waste water infrastructure are exempt from CIL payments; suggest that the Council may wish to consider using CIL contributions for enhancements to surface water flooding schemes</td>
<td>Noted. The draft Infrastructure Funding (R123) List does include flood defence and mitigation works as infrastructure capable of being funding by CIL</td>
<td>No</td>
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<td>Author</td>
<td>Statement</td>
<td>Response</td>
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<td>60</td>
<td>Anthony Farino</td>
<td>All land in the ‘rural area’ should be charged at the proposed £175 charge rate. Supports CIL but considers it premature in advance of a review of the Local Plan. Queries how CIL is calculated.</td>
<td>No</td>
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<td>The rural residential charge rate has been set having regard to viability assessment. The status of the Development Plan is not considered prevent adoption of CIL. Calculation of CIL is by the net increase in gross internal floorspace. The Council will have regard to RICS Code of Measuring Practice (currently 6th edition, 2007) and CIL Regulations in determining correct procedure.</td>
<td>Yes</td>
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<td>61</td>
<td>Sport England</td>
<td>Suggests the IDP should be underpinned by a sports assessment. Suggests the draft Infrastructure Funding(R.123) List should be more specific about sports projects.</td>
<td>No</td>
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<td>Projects for sports and leisure are identified in the IDP on the basis of existing assessments and additional information from the Council’s partnerships team and are considered satisfactory for the purposes of quantifying the infrastructure funding gap. The approach taken with the R.123 List whereby relatively broad categories of infrastructure are identified for CIL funding with specific exemption is considered to be the most appropriate approach for Mole Valley having regard to the extend and pattern of development in the District.</td>
<td>Yes</td>
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