

Annexe 1: Summary of Responses to Preliminary Draft Charging Schedule

ID	Name	Organisation
1	Townsend, Mrs E.	Resident
2	Ford, Richard	Runnymede Borough Council
3	Petty, Miranda	Natural England
4	Adam	Farncombe Resident (an individual, not residents' association)
5	Alexander, Hugo	Resident
6	Smyth, Kathy	Guildford, Woking and Waverley Friends of the Earth
7	Hough, Christopher	Sigma Planning Services on behalf of Rydon Homes Ltd
8	Moses, Diane	Haslemere Vision – Residents' Association
9	Smith, Steve	Turley on behalf of Spitfire Bespoke Homes Ltd
10	Bell, Beverley	Cranleigh Parish Council
11	Weaver, David	Resident
12	Haslett, Colin	Resident
13	Gibbons, Clare	Southern Water
14	Harrison, Eleanor	Resident
15	Chapman, Jesse	D & M Planning
16	Tong, Caren	Network Rail
17	Nash, Sarah	Witley Parish Council
18	Harrison, Kath	Surrey County Council
19	Williams, Juliet	Elstead Parish Council and Elstead & Weyburn Neighbourhood Plan Steering Group
20	Kindred, A.	CBRE on behalf of Ashill
21	Titley, Katherine	Berkeley Strategic
22	Jellet, Roland	Resident
23	Murray-Cox, David	Turley on behalf of Forest Care
24	Byrne, Alan	Historic England
25	Victor, Kathy	Bramley Parish Council
26	Cadman, Joanna	Haslemere Town Council
27	Taylor, Andy	Sussex & Surrey Police
28	Frodsham, Ben	Indigo Planning on behalf of Ptarmigan Land
29	Lewis, Sean	Tetlow King Planning on behalf of Retirement Villages Group Ltd
30	Jasper, Marie	Barton Willmore on behalf of Trustees of Cranleigh School
31	Munton, Andrew	Reside Developments
32	Dale, Sue	Resident
33	Haynes, Bethan	Lichfields on behalf of Waverley Housing Forum (group of developers)
34	Wright, Alison	Bidwells on behalf of Dunsfold Airport Ltd
35	Leete, Jason	Peter Leete & Partners (Estate Agents)
36	Kilcup, T.	Resident
37	Jeacock, Steve	Resident and Cranleigh Parish councillor
38	Lynch, Damien	Planning Issues on behalf of Churchill Retirement Living

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1	Townsend, Mrs E.	Resident	Consider including "assisted living" within Land Use definition. Retail contributions seem to be set at a low level and there seems to be a disparity between that proposed by Guildford Borough Council. Consider updating each year in line with RPI.	The definition of older persons' housing is proposed to be amended to include assisted living.
2	Ford, Richard	Runnymede Borough Council	No comments at this time.	Noted.
3	Petty, Miranda	Natural England	No comments made.	Noted.
4	Adam	Farncombe Resident (an individual, not residents' association)	No clear rationale for charging a greater CIL rate for small community shops (£75) than supermarkets (£65); CIL rate should reflect that supermarkets have a significantly bigger impact on local amenities than small corners shops.	Comments noted. The different retail rates proposed reflect evidence from viability modelling.
5	Alexander, Hugo	Resident	I don't agree with the change from S106 payments to CIL. CIL's will apply to even residents adding an extension to their homes and to small developments of even 1 or 2 houses, charging people for extensions and conservatories via CIL when a development hasn't imposed any extra strain on that infrastructure is dishonest and deceitful. These sorts of developments do not put pressure on local infrastructure and therefore applying CIL is misleading - it is merely a way of raising more money from residents. S106 payments apply only to large developers who clearly are impacting the local infrastructure thus make sense and are honest: charging the people who are overloading our infrastructure with the cost of remedying the problems they cause. We should keep - indeed increase significantly - S106 payments on developments of over 10 houses and not charge anything for small developments/extensions/conservatories. Treating residents honestly, fairly and truthfully should be an overarching code of conduct for our council; CIL is contrary to that and therefore brings our council, councillors and planning in the borough into disrepute.	Comments noted. However, the minimum size thresholds of 100 sqm and 1 dwelling are set by Government in the CIL Regulations
6	Smyth, Kathy	Guildford, Woking and Waverley Friends of the	<ul style="list-style-type: none"> Given the comments and preliminary view of the Inspector at the Local Plan hearings I doubt that the current financial calculations for CIL are correct as they were presumably based on projections of 519 houses p.a. and not 590. You currently have little or no idea where these 	Comments noted. However, CIL rates are primarily based on viability and not total

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		Earth	<p>additional 1349 houses will be located so I don't see how you can anticipate the infrastructure requirements.</p> <ul style="list-style-type: none"> To transport section, I would add provision for parking and possible Park and Ride facilities as some of the towns are so constrained it is hard to see any alternative. I would also add provision for charging electric vehicles. Waste water infrastructure: current surveys don't envisage many more houses in the Milford, Witley and Godalming areas but according to your own recent surveys Godalming sewage treatment plant is at capacity. Shouldn't you be making provision for contributions to expansion of sewage treatment plants during this period? Or do you expect the water utilities to pay for it? If that is the system it doesn't work very well, as evidenced in Cranleigh. 	<p>housing requirement, although this determines the amount of CIL likely to be generated and the infrastructure funding gap.</p> <p>Comments on additions to infrastructure list also noted.</p>
7	Hough, Christopher	Sigma Planning Services on behalf of Rydon Homes Ltd	<ul style="list-style-type: none"> We believe that the suggested CIL rate has been set too high for the Borough based on the market variables used in the Three Dragons Report June 2017. We appreciate that the CIL rate should be increased from the 2012 rate in-line with increase in house prices; however, the 173% increase in actual rate appears to be dramatic and out of sync with the rises in house prices in general within the Waverley Borough. House prices in recent times have flatlined and are predicted to fall and this should be factored into the calculation. In the Three Dragons Viability Report 2017 the house price growth data has been gathered over the whole of the Waverley Broad Market Area. Some areas will demand less in terms of property prices than others and this has not been accounted for by taking more or less an average residential market assessment of the whole Borough. Within the Three Dragons Viability Report 2017, it is clear that the strategic site (100-700 units) benchmark values are at a discord with urban bench mark values. We feel that the strategic land per Ha land values should be more in line with urban values. Moreover, green field development would not bear the burden of high remediation and demolition costs and therefore bench mark land values need to take account of this. Furthermore, there does not appear to be a great deal of logic in using office values as a base value to calculate strategic residential values. The science behind the 30% uplift over and above 	<p>As acknowledged by the comments there have been significant changes in the housing market since 2012. This study as per the guidance relies on a review of current costs and values and therefore a comparison to a study undertaken 5 years ago with an even older base date and potentially different methodology is not easily made, nor necessary.</p> <p>Whilst it is accepted that there will be some variance across the district, the data on new builds suggests that this</p>

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			<p>office values to arrive at strategic residential value is also questionable.</p> <ul style="list-style-type: none"> • We recognise and appreciate that the 40% CIL buffer has been increased from the standard 30% buffer, however, we cannot calculate the effects that Brexit may have on market conditions, given this there is a case to increase this buffer further. • The Three Dragons Viability Report 2017 references a 20% developer's margin being used to assess the residual land value of a residential development scheme. It is common knowledge that developers have increased profit margins to 23-25% to factor in market uncertainties, this should be recognised in the residual land appraisal. 	<p>is not significant and therefore in the spirit of the guidance as to keeping the charging schedules as simple as possible, it was considered that a one value area approach was suitable for the PDCS.</p> <p>Allowances have been made for the greater strategic infrastructure and opening up costs associated with larger sites.</p> <p>The buffer, as acknowledged is already significant, however this will be reviewed and could be amended if the Council considers it appropriate.</p> <p>A 20% return on GDV for market housing and a 6% return on cost for affordable housing is widely used for CIL and Plan viability work. Individual sites may require less or more profit to make them</p>

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				attractive for investment but it is consider for a strategic study such as this the rates used are appropriate and consistent with similar studies.
8	Moses, Diane	Haslemere Vision – Residents' Association	<ul style="list-style-type: none"> • Haslemere Vision agrees that no CIL should be charged for offices, industrial development or other non-residential units in order to encourage the development of new employment space. • Haslemere Vision would prefer a CIL charging schedule that encourages building residential dwellings at higher densities, in accordance with the principles in our developing neighbourhood plan. Based on our review of the Waverley Viability Study, building at densities of only 30-35 dph will be more profitable for developers than higher densities. A scaled CIL charging schedule based on build densities could be used to incentivize developers to provide more dwellings within their schemes. • Haslemere Vision suggest there should be a larger difference between the rates for schemes (of 10 or less units outside designated rural areas and of 1-5 houses in designated rural areas) with and without affordable housing so that developers are not discouraged from including affordable housing. • The Waverley Viability Study only analyses large retirement developments of 50 (sheltered) and 60 (Extra care) dwellings. Based on this study, Extra care fails to achieve the proposed CIL rate. We propose that Waverley should adopt rates that are below the residential rates. 	<p>Comments noted.</p> <p>The proposed CIL rates reflect evidence from viability modelling.</p> <p>It is now proposed that there should be a lower CIL rate for older persons' housing.</p>
9	Smith, Steve	Turley on behalf of Spitfire Bespoke Homes Ltd	<ul style="list-style-type: none"> • Spitfire has identified flaws within the evidence base, which has informed the proposed CIL rate within the PDCS. • Spitfire is concerned that the proposed Residential CIL rates within the PDCS will pose a threat to the viability and prompt delivery of residential sites and adversely impact local housing supply. 	There is no clear indication from government on whether the regulations around CIL will or will not be

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			<ul style="list-style-type: none"> • It is Spitfire's judgement that WBC has failed to comply with the requirements of the Planning Act 2008 and the CIL Regulations 2010 (as amended). On this basis, the PDCS should be found unsound by the Examiner in its current form. • To proceed with implementing a CIL Charging Schedule at a time when the regime is facing imminent significant overhaul or altogether abolition is wholly inappropriate. • In summary, it is Spitfire's firm recommendation that WBC holds the process of adopting a CIL Charging Schedule in abeyance until the Government's intentions for reform of the CIL and developer contributions regime are announced within the Autumn Statement, or such time that clarity is provided over transitional arrangements. Until this time, the PDCS should progress no further than this consultation. • It is Spitfire's firm view that the proposed residential charging rates within the CIL PDCS are fundamentally flawed. • The CIL PDCS is based upon an inadequate viability study (the 2017 VS), which fails to provide appropriate evidence. • The lack of detail, reasoning and evidence along with the non-provision of residential viability appraisals within the 2017 VS creates the potential to significantly overstate the propensity of sites to accommodate CIL and, consequently, the rate within the CIL PDCS is at significant risk of having been skewed upwards. • Without the provision of further methodology, evidence, comparables and viability appraisals it is not possible to regard the assessed CIL rates as appropriate or sound. <p>(For more detail please see the 13 page representation).</p>	<p>amended. Even if they were to be amended, by the time any consultation period has concluded and new regulations come into effect a significant amount of time may have passed and with the ability of the LPA to collect contributions limited, it would risk delivery of necessary infrastructure, therefore further delay would not be helpful.</p> <p>The evidence informing the DCS has all been updated to current costs and values and evidenced in the report.</p>
10	Bell, Beverley	Cranleigh Parish Council	<p>The Parish Council does not support the CIL charge being less for a supermarket than for a local shop; we would like to encourage small independent retailers. Five yearly reviews of the CIL tariff are too far apart, we would like the CIL charge reviewed annually to RPI. The definition of residential dwellings should include assisted living as well as care homes.</p>	<p>The different retail CIL rates proposed reflect evidence from viability modelling. The definition of older persons' housing is proposed to be amended to include assisted living.</p>

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11	Weaver, David	Resident	Funds raised by CIL should be spent on the infrastructure improvements needed as a consequence of any development and in the area where the development takes place. I live in Cranleigh where a far too large proportion of Waverley developments are taking place without improvement to our essential services (sewage works, bridges).	Comments noted. The Council will determine its infrastructure spending priorities at a later stage.
12	Haslett, Colin	Resident	Funds could be used to reinstate public toilets that are much needed by local residents	Comments noted.
13	Gibbons, Clare	Southern Water	Southern Water believes that CIL is not designed to include utility infrastructure such as local sewers and associated facilities, hence it is not appropriate to comment on the specifics of the CIL proposals. We would ask the Council to consider that developers would need to provide the local on-site and off-site sewerage infrastructure required to service new development, if existing capacity to accommodate the anticipated demand is found to be insufficient. Costs of local sewerage infrastructure would need to be quantified on a site-by-site basis when specific proposals come forward. They would be additional to the costs incurred through CIL. Southern Water would normally expect to enter into agreements directly with developers, facilitated by appropriate planning conditions.	Comments noted. The Council will give further consideration as to whether the Regulation 123 list needs to be amended to clarify what is included and what is excluded from CIL.
14	Harrison, Eleanor	Resident	I fully support the proposed CIL. I understand we need more housing in the area but I am concerned this will put strain on an already stretched infrastructure - particularly schools, GP surgeries and roads. It seems only right that developers develop the infrastructure to support a thriving community. I think it's right that the funding gap to provide this should come from their profits.	Support welcomed.
15	Chapman, Jesse	D & M Planning	<ul style="list-style-type: none"> We have no particular comments to make on the retail aspect of the CIL; the proposed CIL charges are modest and comparable to or less than other Surrey authorities. It seems the charges proposed for residential development in Waverley are very high. The proposed CIL charge in Waverley would be significantly higher than all of the other Surrey districts and adjoining authorities, including some 'more rural districts'; It is difficult to see how such a higher rate can be justified, given land value rates and price of dwellings are similar in these neighbouring boroughs and districts. It is noted that the Council is proposing a Borough-wide charge, rather than any zoning approach. 	Whilst it is noted that the comments compare the proposed CIL rates with neighbouring authorities it should be noted that such comparisons are fraught with difficulties to be a like with like comparison. Notwithstanding that none of the rates shown have

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			<ul style="list-style-type: none"> • In comparison to other authorities, Waverley has a proportionately smaller difference where there is provision for a contribution towards SANG is involved. • Waverley has a history of under supply, and doubts over whether the Council will actually be able to achieve its housing targets over the Plan period, the amount of CIL receipts are likely to be a lot less than what is anticipated. In our view, with the relatively high level of CIL charges proposed, this is likely to put development at risk and therefore fundamentally risk the achievement of the identified housing need over the Plan period. Further, one of the main supplies of housing in Waverley is through smaller schemes, for which there would be a higher CIL charge. • It is suggested that payment for CIL on larger developments, would be over an agreed phased period. This is supported. However, consideration should be given to including payment thresholds and periods within the CIL Charging Schedule. • It is noted that the funding gap corresponds to all of the costs relating to Sports Pitches and Playground Facilities, and almost all of that for Community Facilities; there should be other sources of funding to partly cover these costs. • It is noted that some of the projects listed in the IDP Schedule have no specific timescales or are simply stated to be within the Plan period or by 2032. Should these be qualified? • The document suggests that in many cases the charge would be lower than PIC because only the net increase in floor space will be chargeable. We fail to understand how this would be the case and seek clarification on this point. Further, many of the housing developments coming forward are likely to be on Greenfield sites and would involve new builds, so full net floor area would be chargeable. • The document suggests there will be instances where development secures relief from CIL Charging; such instance where relief is possible is likely to be far less than anticipated. • It is noted that some other local authorities have a different and lower CIL charge for other types of housing, such as retirement, sheltered and extra care housing; Clarification should be sought on the approach 	<p>been indexed to the current rates, it is also not clear what other assumptions are used, for example affordable housing.</p> <p>Waverley have not set CIL at the margins of viability and have set a substantial buffer, therefore this should not put development at risk.</p> <p>The Council has reviewed the evidence that supports the Charging Schedule and will clarify queries set out in these comments.</p> <p>Further consideration is being given to the council's position on staged payments / instalments for larger developments.</p> <p>The IDP is a living document and will be updated on a regular basis, for example when there is more information on costs or timescales.</p>

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			<p>proposed in Waverley and the impact upon viability of such specialist housing.</p> <ul style="list-style-type: none"> • The document recommends an administration charge of 5%. There would appear to be no qualification as to why a 5% administration charge has been sought, unless this is consistent with other adopted CIL Charging Schedules. • The PDCS indicates review period of every 5 years, to ensure a positive supply in housing a shorter review period (annually) should be adopted; we have doubts over the Council's proposed housing delivery targets, and that such a relatively high CIL rate is likely to affect housing delivery, hence we support this shorter review period. 	<p>It is now proposed that there should be a lower CIL rate for older persons' housing.</p> <p>The CIL Regulations allow an administrative charge of up to 5%.</p>
16	Tong, Caren	Network Rail	<p>Operational railway land and infrastructure fall within the Waverley Boundary, and within or adjacent to housing site allocations, and within or adjacent to proposed land protection plans. Waverley Borough Council and potential developers should be aware of, and consider, Network Rail's standard guidelines/ requirements when developing sites located adjacent to, or in close proximity of, Network Rail's land, assets and operational railway infrastructure.</p>	Comments noted.
17	Nash, Sarah	Witley Parish Council	<p>Witley Parish Council (WPC) understands the need for the CIL if Waverley Borough Council (WBC) is to meet the funding gap shown in the PDCS. WPC would want to ensure that the levy is set at a rate that does not distort the housing market in the Borough, and ultimately discourage developers from building in the Borough.</p> <ul style="list-style-type: none"> • WPC questions whether or not WBC is sure that the proposed levies will not restrict WBC from meeting the targets set by Central Government. • Clarity is needed on the definition of 'designated rural areas', and the reasons for the different rates. It is not clear whether the rates are favouring development inside settlement or outside settlement areas, or whether the definition has nothing to do with settlement. • Section 1.2 refers to CIL money not being used to remedy existing deficiencies, WPC's understanding is that existing deficiencies can be remedied if they are further worsened by new development. • The document is not clear on the reasons behind the difference 	<p>Comments noted. The rates will be set at a level that does not make development unviable. Designated rural areas will be defined in the next version.</p>

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			between the non-residential rates and the residential rates.	
18	Harrison, Kath	Surrey County Council	<ul style="list-style-type: none"> We suggest, with reference to Education (Appendix 1, p.12), the exclusion is amended to: "<u>Improvements that are directly related to a specific development school expansions and the need for new schools where these relate to individual developments.</u>" Whilst the county council, as an infrastructure provider, is likely to be in receipt of CIL payments for funding infrastructure projects, the proposed charge for extra care housing could have a detrimental impact on the implementation of its strategy for providing specialist accommodation with care for older people. 	Comments noted.
19	Williams, Juliet	Elstead Parish Council and Elstead & Weyburn Neighbourhood Plan Steering Group	<p>Supports the concept of the CIL and welcomes the proposed charges. The details of how the share of the revenue obtained from the CIL will be passed down to Parish Councils are not set out in the document. It is important that the procedures involved should be discussed with Parish Councils before CIL is implemented. The following also need to be considered:</p> <ul style="list-style-type: none"> The PDCS proposes that the CIL should be abated where a SANG charge related to the Thames Basin Heaths SPA is involved. It is not clear why there is no mention is made of a similar abatement where a SANG has to be provided to mitigate the effects of development on the Wealden Heaths SPA. No mention is made of pre-school provision under 'education' (Appendix 1); it needs to be made clear that they are covered. Under 'transport', no mention is made of car parking provision. Elstead has no public car park, but does have an increasing parking problem. It seems reasonable that public parking provision should be included in the CIL arrangements where it is necessary to alleviate serious traffic problems. Under 'environment', rights of way improvements should be included as it is not clear they are covered under transport, as many have fallen into disrepair owing to lack of maintenance and capital expenditure. 	Support welcomed. The Council is considering how it will engage with Towns and Parishes in deciding how CIL revenues are to be spent. Whilst there is an Avoidance Strategy for the Thames Basin Heaths with defined contributions, the position in relation to the Wealden Heaths is less clear cut, with proposals assessed on a case by case basis. Therefore there is no defined formula that can be factored into viability considerations. Comments on Appendix 1 are noted.
20	Kindred, A.	CBRE on behalf of Ashill	<ul style="list-style-type: none"> The proposed rates of £470 p/sqm would significantly hamper the viability of delivering the site and directly limit the contribution that could be made to onsite affordable housing 	Comments related to setting different rates either on basis of

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			<ul style="list-style-type: none"> • The December (2015) Strategic Housing Market assessment confirms the backlog of affordable housing need within the Borough and we are concerned that the proposed rates will conflict with wider objectives to improve affordability. • The proposed blanket rates do not accurately reflect differences that exist within the Waverley Housing Market Area. It is important that the proposed rates reflect the dynamics of individual areas and, we would encourage a more geographical, zone based approach. • Other local authorities in their approach to CIL have also considered differing rates to reflect priority development areas or larger sites where large infrastructure costs are significant. • We note that the viability evidence informing the Draft CIL Charging Schedule utilises a notional 'one hectare tile', this under accounts for the financial realities of delivering sites in excess of one hectare. • We note that the proposed CIL rates make an allowance for those schemes that would need to provide mitigation as part of the Thames Basin Heath Mitigation Strategy but no allowances are made for mitigation requirements that may be required through development associated with Phase I and Phase II of the Wealden Heath SPA. 	<p>geography or sites specific circumstances are noted.</p> <p>Work on values has led to the Council to consider that there is not sufficient variances to warrant separate charges on the basis of geographical areas.</p> <p>In terms of larger sites the Council is considering the best approach and will set this out in the DCS and supporting evidence. However it should be noted that the different costs associated with bringing forward larger sites has been considered through the work.</p>
21	Titley, Katherine	Berkeley Strategic	<ul style="list-style-type: none"> • It is Berkeley's view that the introduction of CIL is likely to make sites which are critical to the delivery of the Borough's development strategy unviable and the level of affordable housing within development sites will be at risk of being reduced in order to achieve viability. • It is Berkeley's view that the proposed rate of CIL should be prepared in accordance with a version of the Local Plan that is capable of being found sound. • Berkeley believes that the Council has underestimated the costs associated with development sites in the Viability Study and therefore has underestimated the impact that CIL will have on the viability of 	<p>The Council is satisfied that the Submitted Local Plan and proposed modifications are sufficiently advanced on which to base an approach to CIL. It is not uncommon and is advised that CIL is proposed alongside a</p>

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			<p>development sites.</p> <ul style="list-style-type: none"> • It is Berkeley's view that a majority of the cost of CIL will be an additional cost on top of the s.106 costs rather than being an alternative cost • CIL should not be expected to close the Infrastructure Funding Gap. The Council should seek to identify the individual Infrastructure items that are to be funded by s.106 contributions and the individual Infrastructure items that are to be funded by CIL. However, the Council has failed to do this. This lack of transparency compounds the risk that S.106 contributions will be significantly higher than the £2,300 assumed in the Viability Study which will result in development sites becoming unviable. • The introduction of CIL at a level in excess of £400 per square metre, or a similar level, will have a detrimental effect on the viability of sites, particularly larger sites which are likely to continue to be subject to substantial s.106 costs. • Berkeley is supportive of the introduction of an instalments policy in principle but more information is required. • The Council should seek to set out its position on payments in kind with regards to infrastructure and land in accordance with Regulation 73 of the 2010 CIL Regulations. • The Draft Infrastructure/Regulation 123 list does not clearly set out what will be funded by CIL and the exclusions that will be funded by s.106 contributions. This could result in development sites paying twice or 'double dipping'. • Given the scope of the Exclusions, it is reasonable to believe that S.106 costs per unit will be significantly higher than the amount used in the Council's Viability Study. The relationship between viability and increased S.106 costs has not been (and should be) tested by the Council. • Regulation 122 of the CIL Regulations 2010 requires planning obligations to be necessary to make the development acceptable in planning terms and directly related to the development. It is not clear that the Exclusions as drafted in the Draft Infrastructure/Regulation 123 list comply with Regulation 122. 	<p>local plan which is what the authority has sought to do.</p> <p>The proposed CIL rates reflect evidence from viability modelling, based on realistic assumptions of likely Section 106 costs. Waverley has set a substantial buffer, and this should not make development unviable.</p> <p>Further consideration is being given to the council's position on staged payments / instalments and payments in kind.</p> <p>The comments regarding clarity in respect of the 123 list and S106 expectations are noted and the council will make this clearer at the DCS stage.</p>

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			<ul style="list-style-type: none"> The Council should seek to establish a clear relationship between the spending programme and the Regulation 123 list. A mechanism should be included for making any necessary changes to the Regulation 123 list to be consistent with the spending programme. (Please see full comment for more detail)	
22	Jellet, Roland	Resident	I have become aware of CIL whilst looking for a new home during the last year. In my opinion it is indeed just another, thinly disguised, tax. If additional revenue needs to be raised by the council I suggest substantially raising the amount of council tax paid on the top Band G and H properties.	Comments noted, but CIL is an established mechanism for raising funds to provide new infrastructure.
23	Murray-Cox, David	Turley on behalf of Forest Care	Forest Care consider that it is essential, that the PDCS specifies that C2 uses such as Care Homes and Nursing Homes should be zero rated and not charged CIL. This approach appears to be consistent with the findings of the June 2017 Viability Assessment. In addition, Forest Care consider that the reference to extra care housing could be misleading. In many case, such developments are seen as C2 and therefore as a residential institution use (rather than as C3 dwelling houses) and are often subject to requirements that occupiers are in need of care (with an associated requirement that they take and pay for a care package). Extra care schemes vary significantly and as such it is unreasonable to assume that they will all be viable when the proposed CIL is applied.	It is the Council's intention that CIL is set at zero for care homes. It is agreed that it would be helpful to provide further clarity in respect of older person housing – the Council will provide this in the DCS.
24	Byrne, Alan	Historic England	<ul style="list-style-type: none"> Historic England would encourage including additional text to refer to the historic environment as a form of infrastructure and how the levy can positively contribute to the protection, conservation and enhancement of the historic environment. We recommend that the Regulation 123 list requests investment in the protection, conservation and enhancement of heritage assets. Development specific planning obligations and S106 should continue to offer opportunities for funding improvements to and the mitigation of adverse impacts on the historic environment, you may wish to clarify this matter in your schedule. Historic England would also recommend that the Charging Schedule is fully informed by an up to date and relevant evidence base for the historic environment and its heritage assets. The regulations emphasise the need to strike an appropriate balance 	Comments are noted. The Council will give further consideration as to whether the Regulation 123 list and Charging Schedule need to be amended as a result of the consultation and new evidence. The Council is considering its approach to discretionary relief.

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			<p>between the opportunities of funding infrastructure from CIL and the potential effects that may arise. We encourage Local Authorities to assert their right to apply discretionary relief for exceptional circumstances; where development which affects heritage assets and their settings and/or their significance, may become unviable if subject to CIL. Considering paragraph 126 of the NPPF in relation to CIL, it must be ensured that the conservation of heritage assets is taken into account when considering the level of the CIL to be imposed so to safeguard and encourage appropriate and viable uses for the historic environment.</p>	
25	Victor, Kathy	Bramley Parish Council	<ul style="list-style-type: none"> • We believe that CIL funds should be directed towards the towns or parishes impacted by the developments generating them, so if the total CIL funds generated by developments impacting Bramley are £x, then we would expect approximately £x to be spent on Bramley. • In 3.8, Waverley's focus for spending was noted and agreed with. However, because the borough of Waverley is entirely parished, Members would like it stated that Waverley with work with each relevant Town or Parish Council to jointly prioritise spending relevant to each Town or Parish. • In 3.10, Waverley notes that it will decide its infrastructure funding priorities, to which Members are in agreement with. However, those priorities should be worked through, in joint partnership, with each Town or Parish Council. • In 3.11, Waverley notes the amounts passed to Parish Councils. In return for the level of consultation in 3.8 and 3.10, Members would expect Towns and Parishes to agree their expenditure in conjunction with Waverley. In general, therefore these comments are about making the wording a little more "partner oriented" between Waverley and the Town and Parish Councils. 	Comments noted. The Council is considering how it will engage with Towns and Parishes in deciding how CIL revenues are to be spent. A proportion of CIL revenue will be passed on to town and parish councils.
26	Cadman, Joanna	Haslemere Town Council	No comments.	Noted.
27	Taylor, Andy	Sussex & Surrey Police	<ul style="list-style-type: none"> • Surrey Police have some concerns over the broad definition of 'capital infrastructure for emergency services' which could be open to challenge or at worst case scenario preclude Surrey Police from seeking Section 106 contributions towards sites specific infrastructure. Surrey Police 	Comments noted. Support is welcomed. The Council will give

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			<p>suggests alternatives wording for the CIL Regulation 123 list.</p> <ul style="list-style-type: none"> • Overall, the Force has not found the Community Infrastructure Levy system capable of providing the infrastructure necessary to support housing growth. • Despite concerns about the national success of CIL towards providing the additional police and fire & rescue infrastructure that is required as a result of growth, Surrey Police support the adoption and proposed rate of CIL in the borough of Waverley. • With the proposed CIL rate being determined by development viability, the Waverley CIL rate is considered high compared to the national average. However, this higher rate is likely to be significantly more effective in delivering the infrastructure needs in the borough subject to its successful application and monitoring. <p>(Please see Appendices attached to comment for more detail)</p>	<p>further consideration as to whether the Regulation 123 list needs to be amended as a result of the consultation.</p> <p>Whilst the proposed CIL rate is higher than some other authorities, such comparisons are fraught with difficulties to be a like with like comparison.</p>
28	Frodsham, Ben	Indigo Planning on behalf of Ptarmigan Land	<p>We consider that the Council's PDCS and accompanying documents threaten the economic viability of residential development within the Borough. The CIL charging schedule must support Local Plan policies by encouraging investment and development. The CIL PDCS is premature given that the Waverley Local Plan Part 1 is still in a state of flux and the housing number and spatial strategy will need to be amended to reflect the Inspector's initial conclusions reported at the recent examination in July 2017. It is unclear within the published documents how the schedule will relate to s.106 obligations. Until there is more clarity there is a real risk that the development community will delay investment in the Borough and at worst invest elsewhere. It is not possible to fully scrutinise the effects on viability without more detail, however, our initial view is that the rates proposed present a real risk to the economic viability of residential development within the Borough.</p> <p>(Please see full comment for more detail)</p>	<p>The Council is satisfied that the Submitted Local Plan and proposed modifications are sufficiently advanced on which to base an approach to CIL. It is not uncommon and is advised that CIL is proposed alongside a local plan which is what the authority have sought to do.</p> <p>The comments regarding clarity in respect of the 123 list and S106 expectations are noted and the</p>

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				council will seek to make this clearer at the DCS stage.
29	Elstone	Tetlow King Planning on behalf of Retirement Villages Group Ltd	<ul style="list-style-type: none"> • My client is concerned about the proposed charge for development falling within Use Class C2. We are also concerned about the viability evidence which has been prepared as part of this public consultation, specifically towards the assessment of C2 extra care schemes. We have reservations about the imprecision of the language towards housing for older people, and extra care developments. Various types of development are referenced without any definitions being provided of their use class which would give clarity. • It is important to note that care and extra care schemes falling within Use Class C2 are significantly different to general needs housing in terms of their structure and funding. In the PDCS it appears that there is confusion over what constitutes a care home, an extra care facility, and what C2 use development comprises. This is illustrated within the Waverley Borough Council Viability Study: which includes Care Homes and Extra Care development within both the 'Residential' and 'Non-residential' viability sections. It is important to note that not once in the Viability Study is C2 extra care development adequately explained or discussed, which is disappointing. • Our evidence suggests that build costs for retirement housing are higher than general needs housing; which contributes towards the RHG's conclusions that retirement housing is generally unable to support a CIL charge. • It is questioned why the CIL PDCS charges a positive CIL rate for "retirement, sheltered and extra care housing" when the Council's own Viability Study and other supporting evidence confirms that these uses are unable to support a CIL charge. • There seems to be confusion over which use class retirement, sheltered, and extra care housing falls under. Following a review of the proposed rates in the PDCS, new care homes and extra care housing are subject to significant CIL charges of at least £405 per square metre, and in some areas this could rise to £470 per square metre. It is recommended that the PDCS separates each type of development: 	<p>It is agreed that it would be helpful to provide further clarity in respect of older person housing – the Council will provide this in the DCS.</p> <p>The council has reviewed the various definitions and will clarify within the DCS what is to be applied and in what circumstance and the evidence to support their direction will be set out in revised documentation.</p> <p>It is now proposed that there should be a separate, lower CIL rate for older persons' housing.</p>

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			<p>proposing specific rates for each land use individually. On the basis of the above evidence, it should ensure that there is a nil charge for care homes and C2 extra care accommodation.</p> <ul style="list-style-type: none"> In line with the recommendations of the Viability Study at Paragraph 6.9, we support the requirement for a “regular review” of CIL every two to three years as the Study suggests <p>(For more detail please see full 6 page response and attached appendices)</p>	
30	Jasper, Marie	Barton Willmore on behalf of Trustees of Cranleigh School	Trustees of Cranleigh School, object to the CIL PDCS. We consider this CIL rate is excessive and is likely to impede development. We note that the proposed rate is significantly higher than adjoining authorities, which will have similar infrastructure considerations, and therefore we do not consider the proposed rate can be justified. Cranleigh School is an integral part of the local community, and the Trustees are concerned that the proposed CIL tariff may impact on funding options for future improvements at the school.	Whilst it is noted that the comments compare the proposed CIL rates with neighbouring authorities it should be noted that such comparisons are fraught with difficulties to be a like with like comparison. Notwithstanding that none of the rates shown have been indexed to the current rates, it is also not clear what other assumptions are used, for example affordable housing.
31	Munton, Andrew	Reside Developments	We believe the rate of £433-470/sq.m is unreasonable, unsustainable and unjustifiable. The former planning minister Gavin Barwell recently stated that the average section 106 payment per dwelling was £15,000. We would note that this is at the higher end for smaller schemes (up to 50 dwellings) in the south-east. And, even then, only those schemes with large infrastructure needs would get close to this level. We have calculated, based on an average 3 bed house of 88sq.m, that the proposed rate would equate to £38-41,000. This is almost three times the average s.106 and way beyond anything that could be considered reasonable. In our experience, such a figure would make most sites unsustainable, and must	CIL is set at a rate at which development can generally afford, rather than based on the infrastructure needs of a specific development as was the case in the previous S106 regime. The viability evidence suggests that

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			<p>therefore be considered unsound in accordance with the NPPF. In particular, brownfield sites would be rendered undeliverable and unviable with this level of financial constraint on them. This will have a serious effect on the windfall number of dwellings capable of being brought forward and therefore affecting the deliverability of the emerging local plan. In particular, it will materially affect the ability to deliver much needed affordable housing, where this falls outside the remit of CIL. Furthermore, the minister last year published a WMS stating that contributions should not be sought on schemes of 10 units or less. It is therefore quite clear that smaller sites should be looked at more carefully and favourably when setting levels of contributions. Whilst it is good to see that the CIL rate is reduced slightly to take into consideration the SANG/SAMM tariff, this. Combined with the proposed tariff, is nowhere near enough to materially alter viability calculations. The level of tariff currently being proposed is considered to be so high as to render the emerging local plan unsound and make most sites unviable. We therefore believe the council needs to revisit the level of contributions that are considered viable and look to reflect the issues surrounding brownfield sites and smaller sites in any review of the tariff.</p>	<p>development can afford substantially more than the CIL rates being suggested in the PDCS.</p> <p>Smaller sites have better viability as they are not required to provide affordable housing as per policy not been tested with affordable housing as it is not required by policy and therefore it is reasonable that a higher CIL rate has been proposed.</p>
32	Dale, Sue	Resident	<p>I think the biggest problem the communities suffer from is to do with traffic and roads. There should be a strong policy to replace small bridges and to create better waterways for the rivers and streams, and ditches which are an integral part of the borough. Traffic lights and traffic calming are not the correct solution going forward.</p>	<p>Comments noted.</p>
33	Haynes, Bethan	Lichfields on behalf of Waverley Housing Forum (group of developers)	<ul style="list-style-type: none"> • We consider that the very high proposed CIL rate for residential development of more than 10 units cannot be justified. • The Forum considers that the assumptions underpinning the Viability Study are likely to significantly overstate the viability of residential development in Waverley. This is because it has significantly underestimated land and build costs, which combined with an over-estimation of sales values, results in the viability of residential development being substantially over stated. Consequentially, the resultant proposed residential CIL charges will undermine the economic viability of development across the Borough. • We note the Council intends to introduce an instalments policy and that further details will be set out at PDCS stage. We strongly encourage 	<p>The Council notes the comments made by the Housing Forum around the evidence base supporting the CIL rates and the post adoption processes. A number of the comments are generally seeking more information on sources and method of assessment. The</p>

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			<p>the Council to introduce such an instalments policy to reduce what would otherwise be a punitive impact on cash flow adversely impacting on the viability of the proposed development in the Borough.</p> <ul style="list-style-type: none"> • We recognise the approach to infrastructure delivery in the draft 'Regulation 123 List' whereby 'general' infrastructure is delivered through CIL but site specific infrastructure continues to be delivered outside of the CIL, most likely through planning obligations. It is considered that the Council should be clear and transparent on any such site specific infrastructure at an early stage when developments are proposed. • The PDCS includes extremely high CIL rates for residential development, which the Forum considers to be unviable. We strong encourage the Council to reconsider the very high rates proposed within the Borough. • The PDCS does not provide sufficient information on intentions regarding relief to enable the Forum to fully appreciate the implications of CIL, and related to this no detailed consideration is given to implications of CIL on the viability of strategic and large sites. The details of the instalments policy should also be provided. Furthermore, the enormous change in the CIL rates proposed in March to the Overview and Scrutiny Committee, and those drafted in May for the PDCS have not been fully justified. At present, the PDCS does not support and incentivise new development, as required by para 175 of the NPPF. • The Review recommends that the Council retests the viability of the proposed development, having fixed the fundamental flaws identified in the Review; and publishes the residential viability assessments in a transparent manner, in a similar way to the outputs provided for non-residential development at Annex 7 of the Viability Study. <p>(For more detail please see full 62 page response and appendices)</p>	<p>revised report will clarify these aspects. It should also be noted that as well as setting out more fully the evidence to support the charges it should be noted that the Council has also sought to update the evidence where possible to the latest available information, especially in relation to build cost and values. It has also taken the opportunity to address some of the concerns set out in the representation, which will be set out in a revised report to accompany the DCS.</p>
34	Wright, Alison	Bidwells on behalf of Dunsfold Airport Ltd	<ul style="list-style-type: none"> • The clear intention of WBC is for the 'first phase' of Dunsfold Park (the 1,800 units) to fall outside of the CIL regime and for necessary infrastructure provision related to that phase to be secured via s106 obligations alone. However, this has not been adequately addressed in the PDCS. 	<p>The council have reviewed the circumstances at Dunsfold Aerodrome and concluded that the</p>

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			<ul style="list-style-type: none"> The introduction of CIL, together with the existing significant s.106 package for Dunsfold Park would have a disproportionate impact on Dunsfold Park. In doing so, it has the potential to impact on delivery. Our client's opinion is that a nil CIL levy on residential development should be applied to Dunsfold Park. As such, the second phase (the remaining 800 units) should also fall outside of the CIL regime and instead be subject to s106 obligations only. <p><u>Conclusion:</u></p> <ul style="list-style-type: none"> The PDCS should be amended to adequately address the delivery of Dunsfold Park. To avoid 'double dipping' and impact on delivery, the Dunsfold Park allocation should be nil rated. In the case of Dunsfold Park, it is more appropriate to use s106 as the key infrastructure contributions and delivery tool as it will offer greater certainty to address mitigation needs in a timely manner, compared to the CIL charging regime. That is, the provision of infrastructure and ancillary uses can be delivered through trigger points to ensure that they are provided at the appropriate time in the build out of the site. In comparison, the 'pooling' of monies through the CIL charging schedule may not deliver mitigation in a timely manner. <p>(Please see full comment for more detail)</p>	<p>site could be subject to separate charging zone in order to adequately deal with the current application and potential additional housing in the future on the identified local plan site area.</p> <p>A separate charging zone may be proposed in the DCS for all of the area identified for 2,600 new homes in the local plan.</p>
35	Leete, Jason	Peter Leete & Partners (Estate Agents)	<ul style="list-style-type: none"> A CIL charge of £433 per square metre is excessive in the extreme and will act as a substantial disincentive to the release of residential building land, counter to emerging Local Plan objectives. It can be argued that the Council's proposed CIL charges would bring into serious doubt their 5 year land supply assumptions. The Council's proposed CIL rates are excessive, will act to disincentivise landowners and cause harm to the Council's land supply objectives. A substantial reduction in proposed CIL rates is therefore required to allow the land market to function. An acceptable CIL level can only be reached following direct engagement with actual landowners and developers, not assumptions confined within a desk based exercise. <p>(Please see full comment for more detail)</p>	<p>It is noted that the comments support the values used in the report.</p> <p>No evidence is provided on land values and the extent that they could be reduced with the introduction of CIL and as to whether this would render them unsaleable at that value.</p>
36	Kilcup, T.	Resident	<ul style="list-style-type: none"> Why is CIL not charged on planning granted but not started as there may be a long delay before work is stated. 	<p>Comments noted. However, the process</p>

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			<ul style="list-style-type: none"> Why is CIL not charged on affordable homes (affordable is a very vague term) as the house will still require infrastructure. Administering CIL: 3.8 Why is CIL not tied to infrastructure project caused by developments only Regulation 123 List: Why is this not compulsory. 	and the legal framework are set by Government in the CIL Regulations.
37	Jeacock, Steve	Resident and Cranleigh Parish councillor	The proposed CIL charges for development include categories of exempt developments, it has occurred to me that development proposal for affordable rented housing could be developed by a body that also may have set themselves up as a Charity and built as affordable homes to evade CIL only to sell to a private letting company or landlord at a later date. If you have no policy to prevent such practices at present, I would like to suggest that conditions be set against any allowance of CIL exemption that makes the exempt CIL fee payable should the exempt development be transferred or sold to from Charitable status to private status or from affordable sale or rent to market sale or rent for the life of the property.	Comments noted. The Council is considering its approach to discretionary relief / exemptions.
38	Lynch, Damien	Planning Issues on behalf of Churchill Retirement Living	<p>We have noted some potential flaws in the methodology for viability testing of the proposed CIL charges particularly in respect of retirement housing. We conclude that the proposed rate is not deliverable for retirement housing proposals across the local authority area together with 30% affordable housing. The proposed rates create a viability conflict even at a high level deliverability analysis suggesting that an appropriate balance has not been struck. At 4.20 of the viability study the testing criteria has been set out using a high level 60 unit sheltered scheme and a 50 unit extra care scheme on a typical 0.5 hectare site. The higher density proposal would ordinarily be the extra care scheme given the requirement to achieve economies of scale and an affordable service charge for residents. The viability analysis sets out that it follows the Retirement Housing Group Guidance on CIL testing which was published in 2013. However the analysis appears to contradict this guidance:</p> <ul style="list-style-type: none"> The Waverley CIL Viability analysis claims average build costs are lower for retirement developments when we know the opposite is true which is clearly set out within the Retirement Housing Group guidance and is evident from a cursory examination of current BCIS analysis; Other costs such as empty property costs, finance costs associated with extended sales periods, marketing (typically 6% and not 3%) and other 	<p>The comments received appear to refer to the previous viability study. However the Council has reviewed the approach to older person housing as set out in the new report and DCS.</p> <p>It is now proposed that there should be a lower CIL rate for older persons' housing.</p>

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			<p>sector specific costs do not appear to be factored into the modelling.</p> <ul style="list-style-type: none"> • It is unclear how the modelling has treated the sales pattern for retirement housing. PPG is clear that the specific sales patterns associated with older persons housing is a factor in assessing viability. • The Retirement Housing Group Guidance is clear that housing for older people is often provided in high land value areas close to amenities. This can often take the form of existing residential` sites where the proposal intensifies the existing residential use. We are not clear how such benchmark thresholds have been examined or if they have been examined in detail. These sites are often challenging in terms of delivering viable schemes. <p>Due to the current DCLG consultation on ground rents, some considerable doubt has been placed on whether it is appropriate to attribute capital value to such uses in appraisals. One option is to cap ground rents at peppercorn levels which might therefore have the impact of removing considerable value from the viability appraisals tested. The consultation outcome will need to be reflected in any final testing undertaken. Our view is that the draft CIL charging rates have not been fully tested to a level which supports such a universally high rate and further consideration should be given to adopting a differential rate for retirement proposals. (Please see full comment for more detail)</p>	