

London Borough of Croydon

Statement of Consultation

For the submission of the revised Croydon
Community Infrastructure Levy Draft Charging
Schedule for examination

5 November 2025

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1. Introduction

- 1.1. This Consultation Statement has been prepared in accordance with the Regulation 19 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and forms part of the submission documents for the independent examination of the revised Croydon CIL Draft Charging Schedule.
- 1.2. In accordance with Regulation 19(b), this statement sets out the following:
 - a statement setting out if representations were made on the London Borough of Croydon's Draft Charging Schedule statutory consultation;
 - the number of representations made;
 - a summary of the main issues raised by the representations; and
 - a summary of how the representations received were taken into account.
- 1.3. This statement also sets out how the Council informed residents and key consultees on the CIL Draft Charging Schedule in accordance with section 16 of CIL Regulations 2010, section 212 of the Planning Act 2008 (as amended by the Localism Act 2011) and [Council's Statement of Community Involvement 2024](#).

2. Background

- 2.1. In August 2023, BNP Paribas Real Estate (BNPPRE) on behalf of the Council undertook an early engagement and information gathering exercise to inform the review of the CIL Charging Schedule and Viability Study. Targeted industry consultees including landowners, site promoters, developers, housing associations, agents and others involved in the local development markets were invited to provide input on typical land and development value and costs breakdowns, including comment on the assumptions used in establishing the study and any other relevant information. The CIL review outputs were presented to the key consultees at a Developers Forum in September 2024.
- 2.2. At the 27 March 2024 Cabinet Meeting, the decision to publish the CIL Draft Charging Schedule for statutory consultation was delegated to the Corporate Director of Sustainable Communities, Regeneration & Economic Recovery (SCRER), subject to consultation with the Executive Mayor and Cabinet Member.
- 2.3. On 11 March 2025, the Corporate Director of SCRER agreed with the recommendations to proceed with publishing the CIL Draft Charging Schedule and other supporting documents for statutory consultation. The consultation was open for feedback from 30 April to 11 June 2025, 11:59pm.

3. Statutory Consultation Process

- 3.1. The Council invited organisations and partners registered on the Local Plan consultee database to provide a representation on the proposed changes to the CIL Draft Charging Schedule, comprising the following consultee groups:
 - Residents
 - Developers
 - Adjoining local authorities
 - Statutory bodies
 - Resident Associations
 - Businesses
 - Community interest groups

- 3.2. The following documents were published on Council's Get Involved [consultation webpage](#) for statutory consultation:
- LBC-01: Croydon CIL Draft Charging Schedule 2025
 - LBC-02: CIL Viability Review Report 2024,
 - LBC-03: Croydon Infrastructure Delivery Plan 2025,
 - LBC-04: Croydon Infrastructure Funding Gap Statement 2025
 - LBC-05: Statement of Representations Procedure 2025
- 3.3. Consultation documents including copies of the representation form were made available for inspection at all of Council's library branches and the Croydon Urban Room in the Whitgift Centre. A statement that the draft charging schedule and relevant evidence was available for inspection, and details of the location and operating hours for these facilities as required in CIL Regulations 2010, regulation 16 (b)(iv) were specified in the Statement of Representations Procedure and Croydon Statement of Community Involvement.
- 3.4. Responders were encouraged to provide their feedback via a representation form in either online survey or hard copy format. The following targeted survey questions were asked:
1. *Do you support the proposed Croydon Community Infrastructure Levy (CIL) Draft Charging Schedule (Yes/No)*
 - a. *Please explain the reason(s) for your response*
 2. *Do you consider that the proposed levy rates in the CIL Draft Charging Schedule have been informed by appropriate available evidence? (Yes/No)*
 - a. *Please explain the reason(s) for your response*
 3. *Do you consider the council to have met the relevant legislative requirements set out in the Community Infrastructure Levy Regulations 2010 and Planning Act 2008? (Yes/No)*
 - a. *Please explain the reason(s) for your response.*
 4. *Is your representation seeking a modification to the CIL Draft Charging Schedule? (Yes/No)*
 - a. *Please outline your suggested modification(s) and reasons for your response*
 5. *Do you wish to participate in the examination hearing session(s)? (Yes/No)*
 - a. *Please outline why you consider this to be necessary*
 6. *Do you wish to be notified at future stages of the CIL Charging Schedule Review? (Yes/No)*
- 3.5. Representations were required to be provided in writing which could be submitted using one of the following methods:
- **Online:** using the representation form online survey provided at the link below (preferred method)
www.getinvolved.croydon.gov.uk/community-infrastructure-levy-cil-charging-schedule-review
 - **Email:** the representation form to the Local Development Framework inbox LDF@croydon.gov.uk
 - **Post:** the representation form to Spatial Planning Team, Croydon Council, Bernard Weatherill House, 8 Mint Walk, Croydon CR0 1EA. Phone: 0208 726 6000

- 3.6. During the consultation period, the Croydon Urban Room was temporarily closed. A notification sign was affixed to the window of the facility advising people of alternate ways to access the documents, including reference to the nearby Croydon Central Library – the Council’s principle office. A photo of the sign is attached for reference in Appendix 2.

4. Consultation Outcomes and the Council’s Response

- 4.1. The statutory consultation received 25 representations to the CIL Draft Charging Schedule, including 15 responses via email and 10 submitted by the online survey. It is noted that two representors provided both an email response and an equivalent online response. The representations comprised the following consultee types:
- Statutory bodies: 6
 - Members of the public: 8
 - Developers: 8
 - Resident associations: 1
 - Community Interest group: 1
 - Non-statutory government body: 1
- 4.2. The consultation sought feedback as to whether the proposed CIL Draft Charging Schedule is supported. 7 representations expressed support and 18 representations expressed objection to the proposed charging rates. 7 representations indicated that they would like to the right to be heard at a public hearing as part of the examination process.
- 4.3. Twelve respondents submitted a representation form either in hard copy or online survey format. Responses to the closed survey questions received is provided in Table 1.

Table 1 Responses received on the survey questions in the representation form

Question	Yes	No	No Response
Do you consider that the proposed levy rates in the CIL Draft Charging Schedule have been informed by appropriate available evidence?	4	7	1
Do you consider the council to have met the relevant legislative requirements set out in the Community Infrastructure Levy Regulations 2010 and Planning Act 2008?	6	6	-
Is your representation seeking a modification to the CIL Draft Charging Schedule?	12	-	-
Do you wish to participate in the examination hearing session(s)?	7	5	-
Do you wish to be notified at future stages of the CIL Charging Schedule Review	10	2	-

- 4.4. Summaries of the main issues raised in the representations made on the CIL Draft Charging Schedule is provided in Table 2 and Table 3 in Appendix 1. Table 2 includes summaries provided from email representations. Table 3 includes summaries of representations provided via the online survey, aligning the questions set out in paragraph 3.4 with headings; level of support, evidence, legislation, modifications and right to be heard.

- 4.5. Full representations (LBC-06) have also been submitted as evidence for the examination. The tables also sets out Council's response to the matters, demonstrating how the representations were taken into account in accordance with CIL Regulation 19.
- 4.6. Overarching themes arising from the representations include:
- i. The LBC-02 CIL Viability Review Report (BNPPRE 2024) does not adequately consider the development viability implications for residential uses and the deliverability of key strategic sites, potentially undermining the adopted Croydon Local Plan and the subsequent partial review. Respondents were mostly concerned that some costs have been unaccounted for which would result in unviable development schemes, impacting key sites in the Croydon Town Centre, requesting that site-specific nil ratings should be applied.
 - ii. The Viability Study does not adequately consider multi-storey industrial development and their unique characteristics. Additionally, the rates proposed in the 'Rest of Borough' zone in the CIL draft charging schedule are excessively high.
 - iii. The LBC-03 Infrastructure Delivery Plan 2025 (IDP) should be updated to ensure that key regional infrastructure provision is captured, and development contributions can support delivery.
 - iv. The proposed CIL rates would adversely affect residents of Croydon.
- 4.7. With regards to theme 1, the Council maintains that the Viability Study has been prepared in compliance with the relevant legislation, National Planning Policy Framework and planning guidance. Furthermore, that the proposed Draft Charging Schedule has struck a balance between the desirability of raising funds for infrastructure and the impact on the viability of development across the area as a whole. Adopting a nil rating for a specific site is an inflexible approach that does not allow for changing development market conditions over time. Additionally, this would undermine the integrity of the CIL funding mechanism and overarching objectives of the charging schedule review and its fundamental role in securing additional development funding to support critical infrastructure provision needed in the borough.
- 4.8. In relation to theme 2, the Council is currently in discussions with Prologis, a key developer of new industrial floorspace in Croydon and broader London, regarding concerns relating to the CIL industrial and warehousing rate proposed for the Rest of Borough zone. The Council has considered the approach adopted by other charging authorities including the London Borough of Ealing and Old Oak Common Development Corporation which have both recently introduced CIL rates on industrial developments of £35 to £40 per square metre (excluding access ramps for multi-storey industrial development from the gross internal area). The Draft Charging Schedule proposes a £50 per square metre rate for industrial and warehousing development in the Rest of Borough zone (currently nil rated). However, introducing a lower rate of £35 per square metre would also be considered consistent with the Viability Study (BNPPRE, 2024), which indicated that different forms of industrial development have significant varying capacity to absorb a CIL charge (in addition to Mayoral CIL which already applies to industrial schemes). These will be matters for consideration as part of the examination process.
- 4.9. Several public authorities commented on the IDP 2025 as per theme 3. However, while the document formed the evidence supporting the proposed Draft Charging Schedule, the IDP 2025 itself was not open for feedback as part of the CIL Regulation 16 statutory consultation. The IDP is updated on a regular basis. The Council will continue to liaise with its infrastructure partners

to ensure that the listed infrastructure projects remain relevant and reflect the provision needed in the borough in future updates to the IDP.

- 4.10. The feedback provided in relation to theme 4 were mostly misunderstandings made from members of the public that had the perception that CIL rates would be charged to individuals rather than developers.
- 4.11. Upon review of the submissions, it was determined that there were no major issues warranting the need to undertake a formal Statement of Modification consultation process. Subsequently, it was recommended that the proposal CIL Draft Charging Schedule and supporting evidence published for statutory consultation could be submitted for examination.
- 4.12. The Council is supportive of other legislative measures such as Exceptional Circumstances Relief and Infrastructure in Kind in accordance with the CIL Regulations 2010 (as amended) regulation 56 and 73 respectively at the appropriate time, scheme and when justified. These alternative options provide flexibility, can be fairly applied across the borough and will support the deliverability of the Local Plan Partial Review and its spatial strategy, especially the regeneration of the Croydon Opportunity Area. There is also support to further investigate the Bespoke Infrastructure Reinvestment Agreement approach being tested at the London Borough of Tower Hamlets and the London Borough of Barnet as an alternative mechanism which could allocate CIL money to directly reinvest back into a scheme. It is acknowledged that these mechanisms sit outside of the CIL charging schedule review process and are not subject to the examination of the Draft Charging Schedule. However, it has been put forward as a suggested approach to support the implementation of the revised charging schedule and address some of the development viability challenges expressed in the representations.

5. Conclusion

- 5.1. The Council has undertaken a comprehensive statutory consultation on the Croydon CIL draft Charging Schedule, which meets the legislative requirements of the CIL Regulations 2010 (as amended) and the Croydon Statement of Community Involvement. Summaries of the representations and how they have been taken into account have been provided in this Statement of Consultation.
- 5.2. Representations received from the statutory consultation have been assessed to determine if any amendments are required to the CIL Draft Charging Schedule and associated evidence prior to submitting the documents for independent examination. The Council also engaged with various consultees following the consultation to address their concerns and queries. Following the assessment and consultee discussions, it was concluded that modifications to the proposed draft charging schedule were not required.
- 5.3. As a result of the statutory consultation outcomes, the Council will proceed to submit the Draft Charging Schedule and supporting evidence as published for CIL Regulation 16 for independent examination. Subsequently, this statement, along with the attached compilation of representations will form part of the submission documents which will be submitted to the appointed Examiner for their assessment.

Appendix 1 — Summary of issues raised and the Council's response

Table 2 Representations received by email

Rep ID	Organisation Name	Summary of main issues	Council's Response
E01	Wandle Valley Forum	Raised concern on the limitation of community infrastructure levies as a means to deliver community infrastructure with cross-boundary interest. Recommended that the CIL Draft Charging Schedule is modified to include provision for pooling funds with other local authorities in relation to investment in the Wandle and its associated green spaces and public access.	There is nothing in the CIL Regulation 2010 (as amended) which prevents Council from using its incomes generate from CIL on projects that relate to investment in Wandle projects that cross Borough boundaries. It would also require neighbouring boroughs to amend their current approaches to make provision for cross-borough investment which Council does not control. Expenditure of CIL is not a matter that the Examiner has any power to direct.
E02	Member of the public	Suggested the proposed Draft Charging Schedule and its function as 'another way of taxing residents'. Does not consider it necessary to pay for additional funding for Council to improve processes and control expenditure.	CIL is a form of developer contribution towards provision of community infrastructure that is required to support growth. It is paid by developers, not individuals.
E03	Natural England	Noted that Natural England is a non-departmental public body and that there are no significant comments to make on the CIL Charging Schedule Review.	Noted.
E04	National Highways	Noted that National Highways are not party to contributions from developments, which include CIL payments. As such, the policy documents and charging schedule consulted on, do not have implications for the Strategic Road Network. No comments were made on the CIL Charging Schedule Review.	Noted.
E05	Historic England	Expressed general support for infrastructure funding mechanisms and opportunities for CIL to support the protection of the historic environment. Advised the Council to consider whether any heritage related projects within the borough would be appropriate for CIL funding. Requested that the infrastructure lists contained in future	CIL expenditure is not a matter for the examination to consider.

Rep ID	Organisation Name	Summary of main issues	Council's Response
		Infrastructure Funding Statements (IFS) include reference to 'improvements to heritage assets related to social, economic or environmental infrastructure' as a type of infrastructure project which the authority intends may be wholly, or partially, funded by CIL. Suggested potential modification to the Draft Charging Schedule to clarify that planning obligations and S106 agreements also offer opportunities for funding improvements to heritage assets and the mitigation of adverse impacts on the historic environment. Advised Council to make sure that the proposed levies do not discourage the repair and reuse of heritage asset, or heritage-led regeneration and suggested heritage at risk to be referenced within the Infrastructure Delivery Plan (IDP).	Noted. However, the IFS is not subject to the CIL Charging Schedule Review process. Charging schedules do not deal with planning obligations. The matters suggested are best addressed through a Planning Obligations supplementary planning document (SPD). The Council intends to prepare a new Planning Obligations SPD following the examination of the Draft Charging Schedule. CIL has been in place since 2013 and has not discouraged the reuse of heritage assets. While the IDP forms the evidence base for setting the rates in the proposed Draft Charging Schedule, it is not subject to review within the CIL Charging Schedule Review process. The IDP is updated on a regular basis. The next iteration of the IDP will be updated following the adoption of the partially reviewed Croydon Local Plan to ensure that the infrastructure provision adequately responds and supports the growth planned in the borough. The Council will coordinate with its infrastructure partners, including Historic England to update the IDP in due course.
E06	Prologis UK	Prologis' primary concern is lack of consideration of multi-level industrial development and their unique characteristics. In single storey schemes, access roads and external service yards are not CIL liable, but they would be counted as gross internal area (GIA) in multi storey schemes.	The Council is currently in discussions with Prologis regarding concerns relating to the CIL industrial and warehousing rate proposed for the Rest of Borough zone. Particularly in relation to viability impacts associated with modern multi-storey industrial development building typologies that include service, ramp and access areas within the Gross Internal Area (GIA) and its relationship with the objectives set out in Policy E7 of the London Plan with respect to the intensification of industrial development.

Rep ID	Organisation Name	Summary of main issues	Council's Response
		OPDC and Ealing have exempted enclosed ancillary areas from CIL charges. Prologis recommends LBC follows this approach. Enclosed service, ramp and access areas within multi-storey industrial schemes should be nil rated. Suggested a revised rate closer to £35 per square metre, aligned with regional precedent would be more appropriate.	It is noted the draft Ealing Charging Schedule is proposing £40 per square metre for industrial development, not nil as suggested in the representation. The Viability Study (BNPPRE, 2024), indicated that different forms of industrial development have significant varying capacity to absorb a CIL charge (in addition to Mayoral CIL which already applies to industrial schemes). A rate of £35 per square metre was within the range of industrial types tested. These matters will be reviewed through the examination process. No modifications proposed at this stage.
E07	DP9 on behalf of Croydon Developments Ltd	Concerned that the proposed CIL rates for residential (C3) schemes of 10 or more units within the Croydon Metropolitan Centre (CMC) would have a significant adverse impact on the viability and deliverability of their site (Croydon College Green, College Road, Croydon) and therefore directly impact the deliverability of the adopted Croydon Local Plan. Further, suggests the Viability Study does not adequately consider strategic site allocations.	The representation does not include any viability information in relation to the development and does not provide any evidence for the assertions being made. The onus is on the developer to provide adequate and relevant information to the Council for consideration as part of the viability testing stage. College Green will provide circa 420 residential units, contributing to approximately 1% of the supply planned in the partially reviewed Croydon Local Plan (39,763 net additional homes within the plan period). It is not a 'strategic site' that might warrant a site-specific CIL rate. The Council considers that the Viability Assessment is compliant with the CIL Regulations 2010 (as amended), the NPPF and relevant Planning Practice Guidance relating to viability and setting charging schedule rates. Furthermore, the Local Housing Delivery Group Guidance 'Viability Testing Local Plans: Advice for Planning Practitioners' notes that <i>"the role of the test is not to provide a precise answer as to the viability of every development likely to take place during the plan period. No assessment could realistically provide this level of</i>

Rep ID	Organisation Name	Summary of main issues	Council's Response
		The approach is contrary with the Government's CIL Guidance which suggests that charging authorities may wish to consider setting nil CIL rates. Provided comment that the existing CIL relief mechanisms were considered to be inappropriate and creates unnecessary uncertainty.	<i>detail. Some site-specific tests are still likely to be required at the development management stage".</i> The Council is not supportive of setting site-specific nil CIL rates. The Council is willing to activate alternative CIL mechanisms such as Exceptional Circumstances Relief, In-Kind Payments and additionally consider bespoke Reinvestment Agreements which could mitigate the CIL liability impacts for larger scale developments.
E08	Network Rail	Expressed general support for infrastructure funding mechanisms and opportunities for CIL to contribute to the delivery of transport provision. Noted existing constraints to the rail network and investment needed to improve the network with more frequent services. Supports the proposed CIL levies for residential development as an opportunity to capture CIL contributions to help fund the delivery of key infrastructure, in light of recent significant residential development experienced in the CMC and other parts of Croydon. Suggested further consideration may be required for residential schemes for 9 or fewer dwellings to ensure the incoming rates do not prohibit these types of development, Suggested the potential for residential schemes with 10 or more dwellings to absorb the increased CIL rate. Provided comments recommending that Council should utilise a ringfencing mechanism or similar for developer	Noted. Noted. Smaller schemes of 9 or fewer units are not required to contribute to affordable housing, which is a significant financial advantage for smaller schemes. Consequently, they have considerably more capacity to contribute towards infrastructure via CIL. Noted, but the Council considers that it has struck an appropriate balance with the proposed rates. Council is not required to set out how it will spend CIL receipts at this stage.

Rep ID	Organisation Name	Summary of main issues	Council's Response
		contributions from CIL for transport infrastructure projects. Noted that the rail projects included in the IDP are considered to be relevant and supported. Encouraged Council to continue to collect contributions to fund more local improvements such as West and East Croydon Stations.	Noted. Council will continue to liaise with Network Rail in future iterations of the IDP to ensure that listed rail projects remain relevant.
E09	Planning Issues UK on behalf of Churchill Living and McCarthy Stone	Object. Provided comment on the viability evidence base and its recommendation to charge £225/sqm on all C3 schemes of 10 or more units. Noted typology testing inadequate as does not consider differing locations or test the viability of housing for older people. Referred to the National Planning Policy Guidance in relation to viability approach to viability testing and provided a supporting appraisal, setting out inputs and assumptions demonstrating that a typical retirement living development would not be feasible for this typology to provide both affordable housing and payment of the CIL charges. Indicated that "retirement living schemes will typically be located away from the high-rise CMC and historically have been delivered to the south of the borough where values are lower".	The only material change to rates for schemes of 10+ units is for schemes inside the CMC. For the rest of the borough, the prevailing rate will increase from £204.89 to £225 per square metre, which is not a material change. This is incorrect – the viability assessment included testing for care homes schemes of 50 to 70 units which indicated that the proposed CIL rates are viable. The appraisals understate the value of affordable housing by applying a crude assumption of 40% of market value blended across rented and intermediate tenures. The use of adopted a profit of 20% of GDV for private housing which significantly exceeds the normal level of 17.5% of GDV for private housing seen in financial viability assessments submitted in London. This indicates that retirement housing schemes have been coming forward in the part of the borough where there is a prevailing CIL charge of £204.89 per square metre. The proposed CIL charging schedule therefore proposes no change for these schemes, assuming that retirement schemes fall under the "care" rate of £204.89 per square metre. However, even if retirement schemes fall within the £225 per square metre rate, the increase from £204.89 to £225 per square metre would only reflect an increase in total CIL liability from £460,171 to £505,337. So, the increase in CIL would have no material

Rep ID	Organisation Name	Summary of main issues	Council's Response
		The consultee submitted an appraisal enclosed within the representation. Suggested that a modification to the Draft Charging Schedule to introduce a CIL exemption for development for housing older people.	impact on the outcome. It is noted that the appraisal submitted with the representation does not provide adequate information to fully understand CIL liability implications arising from the proposed draft charging schedule. It is noted that the appraisal submitted did not include a CIL charge. It is unclear what purpose this serves, given that the area within which they say their client is developing (i.e. Rest of Borough Zone) is currently liable to pay a charge of £204.89 per square metre under the existing CIL rates for C3 use class schemes. The Council considers that it has struck an appropriate balance with the proposed rates.
E10	DP9 on behalf of SKM Croydon Limited and KS Croydon Limited (Norfolk House)	Provided comment in relation to Norfolk House, known as Site 950 allocated in the existing and emerging Croydon Local Plan which is located within the Croydon Opportunity Area and CMC. Raised concerns that the Viability Study typology testing is inadequate and not site-specific enough to capture the real viability for strategic sites, such as Norfolk House. Additionally, that the study does not consider the impact of exceptional development costs. Noted the Council current offers no CIL Exceptional Circumstances Relief to support development viability.	Norfolk House is potentially an important site, but it is not a strategic site which might warrant testing. The Council considers that the Viability Assessment is compliant with the CIL Regulations 2010 (as amended), the NPPF and relevant Planning Practice Guidance relating to viability and setting charging schedule rates. The Council is willing to activate alternative CIL mechanisms such as Exceptional Circumstances Relief, In-Kind Payments and additionally consider bespoke Reinvestment Agreements which could mitigate the CIL liability impacts for larger scale developments.
E11	Transport for London	Noted general support of the review of the CIL charging schedule and highlighted the importance for CIL in supporting the delivery of vital infrastructure provision in London and Croydon.	Support is noted.

Rep ID	Organisation Name	Summary of main issues	Council's Response
		Noted that the Mayoral CIL (MCIL) rate referenced in the Viability Study should be updated. Noted that the Viability Study does not consider the forthcoming Building Safety Levy (BSL) (introduced March 2025) and recommended that the Viability Study be updated to reflect this charge as an additional developer cost. In addition to the representation on the CIL charging schedule, TfL also provided detailed comments and suggestions relating to the Infrastructure Delivery Plan.	This was the relevant rate at the time the review was undertaken. Due to the passage of time, the rate has subsequently increased. However, the £1.97 per square metre (18 pence per square foot) difference has no material bearing on scheme viability. The subsequent Local Plan viability testing which incorporates the proposed CIL rates also incorporates the MCIL rate for 2024 of £28.86 per square metre. The consultation rates for the BSL had not been announced at the time the Viability Study was undertaken. However, the rates are set below the maximum rates allowing sufficient headroom for BSL. Comments on the IDP are noted. Council will continue to liaise with TfL in future iterations of the IDP to ensure that listed transport projects remain relevant.
E12	Quod on behalf of URW	Provided responses to the representation form questionnaire and included a supporting statement for the Unibail-Rodamco-Westfield (URW) allocated site 393 located within the adopted Croydon Opportunity Area in the adopted Local Plan and the North End Quarter Transformation Area identified in the emerging Local Plan. Argues that the Viability Study does not comply with the National Planning Policy Framework (NPPF), and Guidance with respect to setting local policy requirements for site allocations and setting CIL levy rates, particularly in relation to strategic sites.	The Council has been in discussions with Quod obo URW regarding representations made on the CIL draft charging schedule in the context of the site allocation in the Croydon Local Plan partial review. The Council's proposed draft charging schedule has been considered holistically to secure funding from development sites to address the infrastructure provision needed across the borough. The Viability Study (BNPP, 2024) provides a robust evidence base that supports this. The study has been prepared based on the underlying principle that the proposed rates strike an appropriate balance between the desirability of funding infrastructure from the levy and the potential impact (taken as a whole) upon the economic viability of development across the area. This approach is in accordance with the

Rep ID	Organisation Name	Summary of main issues	Council's Response
		Noted the scale, complexities and constraints of the URW site and respective costs which have not been adequately accounted for in the Viability Study. Further that the typologies tested are not reflective of the proposed development on the URW site. Suggested that a site-specific viability appraisal should be undertaken to inform the proposed CIL rates where it is known that there is a specific scheme that is not reflected by the typologies tested in the Viability Study. Indicated that only a CIL rate of Nil for residential development would be appropriate. The representation was supported with a site appraisal which considered the difference in base value, base cost and abnormal cost assumptions in the Viability Study compared to the current options appraised for the Site concluding that the Whitgift development will have higher build costs than tested in the viability assessment including, abnormal costs of circa £295 million. The appraisal concluded that the most relevant and comparable typologies in the Viability Study are deemed	requirements set out in the CIL Regulations 2010 (as amended), NPPF, as well as other relevant planning guidance. While the Council accepts that the URW site is important in delivery of the scale of housing identified in the emerging plan, it is not a strategic site in terms of the meaning of the Planning Practice Guidance. URW is expected to deliver 2,225 residential units over the 15-year plan period, which is just over 5% of the total housing expected to come forward over the plan period. Site specific testing of the URW site is therefore not warranted. The Council is not supportive of adopting site-specific nil ratings in the CIL draft charging schedule. Adopting a nil rating for a specific site is an inflexible approach that does not allow for changing development market conditions over time. Additionally, this would set a precedent for other development sites in the borough, undermining the integrity of the CIL funding mechanism and overarching objectives of the charging schedule review its fundamental role in securing additional development funding to support critical infrastructure provision needed in the borough. There are many developments of a similar scale across London which (a) have not been nil rated by the Mayor of London and (b) have not been nil rated by the councils within which they are located. As stated in the Viability Study, paragraph 1.6 a sensitivity analysis was undertaken to consider changes to key appraisal inputs. This analysis is indicative only, but is intended to assist the Council in understanding the viability of potential development sites on a high-level basis, both in today's terms but also in the future. The Viability Study acknowledges that some sites may require more detailed viability analysis when they come forward through the development management process due to

Rep ID	Organisation Name	Summary of main issues	Council's Response
		unviable across most scenarios relating to values, growth and level of affordable housing described in the Viability Study. Noted infrastructure provision that is being delivered for the Site that should be identified within the IDP.	specific site circumstances that cannot be reflected in an area wide assessment. While the Viability Study tested town centre regeneration typologies, in the real world each scheme has a unique set of circumstances which is both difficult to establish in advance of development proposals being worked up and also will change over time. The PPG 020 Reference ID: 25-020-20190901 states that a charging authority must use '<i>appropriate available evidence</i>' (as defined in the section 211(7A) of the Planning Act 2008) to inform the preparation of their draft charging schedule. It is recognised that the available data is unlikely to be fully comprehensive. Charging authorities need to demonstrate that their proposed levy rate or rates are informed by '<i>appropriate available</i>' evidence and consistent with that evidence across their area as a whole. The information provided by URW regarding site specific circumstances and respective costings is inadequate evidence to consider for the purposes of assessing area-wide viability and moreover, is inadequate to reasonably justify and support the case for a CIL nil rating for the site. The Council is willing to activate alternative CIL mechanisms such as Exceptional Circumstances Relief, In-Kind Payments and additionally consider bespoke Reinvestment Agreements which could mitigate the CIL liability impacts for larger scale developments. Noted. The next iteration of the IDP will be updated following the adoption of the partially reviewed Croydon Local to ensure that the infrastructure provision adequately responds and supports the growth planned in the borough.
E13	NHS London HUDU	Expressed general support for the proposed CIL draft charging schedule. Suggested modifications to the	All uses not specifically mentioned in the Draft CS will fall under the "all other uses" rate of £204.89 per square

Rep ID	Organisation Name	Summary of main issues	Council's Response
		charging schedule to make it clearer about other specialist housing products, such as Hostels, Co-Living, and Extra Care Housing and whether they are CIL liable or not. NHS also provided comments regarding the IDP to make sure that it is updated and appropriately reflects NHS infrastructure need.	metre. The Council considers the approach to be sufficiently clear and effective as it reflects the current adopted Croydon CIL Charging Schedule 2013. Comments on the IDP are noted. The Council has been discussing matters in relation to health infrastructure provision in the Croydon Local Plan partial review Examination in Public. The Council will continue to liaise with NHS HUDU in future iterations of the IDP to ensure that listed health infrastructure provision is adequate to reflect the regional infrastructure needed by the NHS.
E14	Member of the public	Considered the CIL charging schedule to be a land development tax which could discourage development and prohibit the redevelopment of central Croydon.	CIL has been in place in Croydon since 2013. The Council considers that it has struck an appropriate balance with the proposed rates which has been informed by robust evidence in accordance with the legislative requirements for setting CIL charging rates.
E15	Member of the public	Raised concern that the proposed charging rates could discourage redevelopment of the Croydon Town Centre in an already slow economic climate. Suggested that the implementation of the proposed rates be paused until the market improves.	The proposed CIL rate will reflect a very small proportion of overall development costs and will not prevent development from proceeding. The rates proposed are either in line with or much lower than residential rates collected by other London boroughs. Any delays to the implementation of the revised CIL Charging Schedule would have a significant impact on CIL income and pose a risk to the delivery of infrastructure needed across the borough. The Council is willing to activate alternative CIL mechanisms such as Exceptional Circumstances Relief, In-Kind Payments and additionally consider bespoke Reinvestment Agreements which could mitigate the CIL liability impacts for larger scale developments and support the regeneration of the Croydon Town Centre.

Table 3 Representations received by online survey questions

Rep ID	Organisation Name	Summary of main issues	Council response
001	Chartwell Land & New Homes Limited	<u>Level of Support</u> Object. Concerned that wider considerations like new Biodiversity Net Gain (BNG) credits and rising build costs not considered, particularly the implication for small to medium development schemes up to 9 dwellings. Noted additional costs for development – Croydon's £1500 charge for transport fees. Noted Neighbouring Council (Tandridge) has a CIL rate of £196 per sqm. <u>Evidence</u> Noted that the Viability Study does not consider new BNG costs and rising build costs. <u>Legislation</u> Nil comments made. <u>Modifications</u> Suggested more focus on minor applications and for Council to consider a sliding scale charge rate. <u>Right to be heard</u> Yes, so SMEs are represented.	<u>Level of Support</u> The Council considers that it has struck an appropriate balance with the proposed rates which has been informed by robust evidence in accordance with the legislative requirements for setting CIL charging rates. The appraisals incorporate a Section 106 allowance of £10,000 per unit which incorporates transport. While Tandridge has a rate of £196 per sqm, we note that the area adjacent to Croydon within the LB Lambeth has a rate of £294 per sqm. <u>Evidence</u> This is incorrect. Paragraph 4.25 of the Viability Study notes that Biodiversity Net Gain has been incorporated into the appraisals. <u>Legislation</u> N/A <u>Modifications</u> The Viability Study has tested several building typologies that fall in the residential development type of 9 or fewer units and considered that these types of schemes are not required to provide affordable housing which has informed the proposed charging rates. No modifications are proposed in relation to this matter. <u>Right to be heard</u> Noted.
002	Member of the public	<u>Level of Support</u> Object. Considered the proposed rates to be another tax for potential home buyers, particularly to older people. <u>Evidence</u> Suggested evidence was likely appropriate however	<u>Level of Support</u> Appears to suggest that the consultee believes that CIL is payable by individuals, rather than by developers which is incorrect. <u>Evidence</u> Noted.

Rep ID	Organisation Name	Summary of main issues	Council response
		raised uncertainty that the survey would result in meaningful change to decision making. <u>Legislation</u> Nil comments made. <u>Modifications</u> Recommended the CIL Draft Charging Schedule should not be implemented, and older people should be exempt from the levy. <u>Right to be heard</u> Yes.	<u>Legislation</u> N/A <u>Modifications</u> This comment is based on a misunderstanding of the CIL mechanism. No modifications suggested. <u>Right to be heard</u> Noted.
O03	Member of the public	<u>Level of Support</u> Object. Noted the increase of CIL levies, beyond indexation, will hold back regeneration and improvements in the town centre and rest of the Borough.	<u>Level of Support</u> The CIL will remain a very small proportion of overall development costs. The Viability Study testing of alternative CIL rates indicated that relatively significant changes could be accommodated without adversely impacting on viability to a sufficient degree to impact on land supply. The Local Plan Partial Review's growth strategy identifies the Croydon Opportunity Area, as designated in the London Plan 2021, as the main focus of growth of housing, employment, town centre uses and infrastructure in the borough over the next 15-years. The Croydon Local Plan Partial Review cannot be delivered without the adequate provision of infrastructure and services funded in part by CIL. Although the borough CIL rate in the Croydon Metropolitan Centre (CMC) is currently nil, the Viability Study confirmed that this area has also seen the steepest increase in residential values. Bringing the CMC into line with the rest of the Borough would raise additional income for the Council to support the infrastructure need from the growth planned in the Croydon Opportunity Area. The Council is willing to activate alternative CIL mechanisms such as Exceptional Circumstances Relief, In-Kind

Rep ID	Organisation Name	Summary of main issues	Council response
		<u>Evidence</u> Suggested the Viability Study did not reflect the current pace of the market stalling. <u>Legislation</u> The market evidence is lagging behind events. <u>Modifications</u> Suggested the CIL Draft Charging Schedule be modified to remove CIL charges in the town centre and apply indexation or less elsewhere. <u>Right to be heard</u> Yes, to save regeneration of our town.	Payments and additionally consider bespoke Reinvestment Agreements which could mitigate the CIL liability impacts for larger scale developments and support the regeneration of the Croydon Town Centre. <u>Evidence</u> The Viability Study has been prepared based on the underlying principle that the proposed rates strike an appropriate balance between the desirability of funding infrastructure from the levy and the potential impact (taken as a whole) upon the economic viability of development across the area. This approach is in accordance with the requirements set out in the CIL Regulations 2010 (as amended), NPPF, as well as other relevant planning guidance. <u>Legislation</u> As above. <u>Modifications</u> No changes proposed. <u>Right to be heard</u> Noted.
004	Member of the public	<u>Level of Support</u> Object. Raised concern that the community does not experience any positive benefits from developments in the area. <u>Evidence</u> Considered the proposed rates to have been informed by appropriate evidence.	<u>Level of Support</u> The Council considers that it has struck an appropriate balance between the desirability of raising funds for infrastructure and the viability of development. It is noted that the Viability Assessment also includes £10,000 per unit through Section 106 which will be used to provide community infrastructure in addition to any monies collected via CIL. <u>Evidence</u> Noted.

Rep ID	Organisation Name	Summary of main issues	Council response
		<u>Legislation</u> Considered the legislative requirements to be met. <u>Modifications</u> Suggested the CIL rates to be increased by 33% initially, then if development continues, review on an annual basis, and then probably increase by a further 2% over inflation. <u>Right to be heard</u> No.	<u>Legislation</u> Noted. <u>Modifications</u> The suggested modifications are not based on evidence. No changes proposed. <u>Right to be heard</u> Noted.
O05	Member of the public	<u>Level of Support</u> Support. <u>Evidence</u> Considered the proposed rates to have been informed by appropriate evidence. <u>Legislation</u> Considered the legislative requirements to be met. <u>Modifications</u> Suggested CIL should be increased to keep in line with current costs. <u>Right to be heard</u> Yes.	<u>Level of Support</u> Support is noted. <u>Evidence</u> Noted. <u>Legislation</u> Noted. <u>Modifications</u> Noted. However, the Council considers that it has struck an appropriate balance with the proposed rates. <u>Right to be heard</u> Noted.
O06	Member of the public	<u>Level of Support</u> Object. Provided comments regarding parking issues in the borough and the need for Council to implement additional parking restrictions and other mechanisms to encourage more active transport use. Expressed refusal of the need to pay higher council rates while Council gives motorists free parking to many public carriage ways.	<u>Level of Support</u> Appears to suggest that CIL is payable by individuals, rather than by developers. Comments regarding parking issues in the borough are notes but are not a matter for consideration as part of the CIL Charging Schedule Review.

Rep ID	Organisation Name	Summary of main issues	Council response
		<u>Evidence</u> Does not consider the rates to have been informed by appropriate available evidence with comments concerning parking and build to rent schemes. <u>Legislation</u> Considered the legislative requirements to be met. <u>Modifications</u> Suggested the implementation of the CIL charging schedule be put on hold until Council introduces more CPZ neighbourhoods, more speed cameras, protected cycle lanes and cycle infrastructure. <u>Right to be heard</u> Does not wish to attend a hearing.	<u>Evidence</u> Comments provided are not related to the supporting evidence informing the CIL Draft Charging Schedule rates. <u>Legislation</u> Noted. <u>Modifications</u> No changes proposed. Comments are not relevant to the CIL Draft Charging Schedule. Any delays to the implementation of the revised CIL Charging Schedule would have a significant impact on CIL income and pose a risk to the delivery of infrastructure needed across the borough. <u>Right to be heard</u> Noted.
O07	Southern Housing	<u>Level of Support</u> Object. Noted that the CMC was previously nil rated, now £225 per sqm. Recent housing growth in Town Centre may be because there was a nil CIL rate in the CMC. The proposed rates may have an impact on the viability of future development including affordable housing. Refers to paragraph 6.16 of the Viability Study and the highest alternative rate tested for schemes with 10 or more units (£250 per sqm).	<u>Level of Support</u> CIL will be a very small proportion of overall costs and will not in itself prevent a scheme coming forward, as demonstrated by schemes delivered outside the CMC and across the capital. The impact on affordable housing is considered in the Viability Study at Table 6.15.1 which shows the impact on affordable housing delivery at the adopted rates versus the proposed rates. This shows a potential movement from 35% affordable housing to around 30%, if it is not possible to pass back the additional cost through a reduction in land value. Based on the outcomes of the viability testing, the Council recommends a rate of £225 per sqm in the CMC zone for schemes with 10 or more units. This is lower than the highest alternative tested in the study. The Council considers the proposed rates balance the need to deliver affordable housing with the need to secure contributions to fund community infrastructure that will support development and growth.

Rep ID	Organisation Name	Summary of main issues	Council response
		Retaining existing rate on commercial in the CMC and introducing a residential CIL rate may encourage developers to promote residential only schemes in the CMC, impacting the delivery of mixed-use schemes in the area. The rationale for the £300 rate for small schemes of 9 or fewer units is not provided and may adversely affect small schemes. <u>Evidence</u> Commented that the Viability Study is welcomed but queries the registered provider delivery models and the rate for small schemes of 9 or fewer units. <u>Legislation</u> Representations question whether the compliance has been achieved in relation with the CIL Regulations and the requirement to strike an appropriate balance so that delivery of development and infrastructure is achieved. <u>Modifications</u>	Noted, however, this comment contradicts in the Croydon Local Plan 2018 and partial review policies which encourages mixed-use development and non-residential uses on the ground floor, driven by the metropolitan centre designation and its higher order destination function which is the consequently the predicted design solution for the CMC area. Therefore, the proposed CIL draft charging schedule is unlikely to significantly impact mixed use outcomes in the CMC. The Viability Study tested alternative potential charging rates for various residential typologies for schemes of 9 or fewer units. The outputs of the appraisals indicate that increased rates will be viable in most situations and readily absorbed through modest reductions in residual land values. Smaller schemes with 9 or fewer units are not required to contribute towards affordable housing, which gives them a significant viability advantage in comparison to schemes of 10 units or above. <u>Evidence</u> As above. <u>Legislation</u> Noted. The Council considers the legislative requirements to have been met. <u>Modifications</u>

Rep ID	Organisation Name	Summary of main issues	Council response
		Encouraged the Council to retain flexibility around phasing, exemptions, and site-specific viability assessments, particularly where affordable delivery is central to a scheme. <u>Right to be heard</u> Yes. We have a large level of housing stock and sites in Croydon. The CIL rates will have a direct impact on our ability to deliver new schemes and affordable housing in the borough in the future.	Noted. No changes to the draft charging schedule are proposed. However as noted above, the Council is willing to activate alternative CIL mechanisms such as Exceptional Circumstances Relief, In-Kind Payments and additionally consider bespoke Reinvestment Agreements which could provide additional flexibility and mitigate the CIL liability for development proposals. <u>Right to be heard</u> Noted.
O08	East Coulsdon Resident Association	<u>Level of Support</u> Object because “a proportion of the CIL money should be allocated to the area from where it is raised”. <u>Evidence</u> Considered the proposed rates to have been informed by appropriate evidence. <u>Legislation</u> Does not consider the legislative requirements to be met for reasons set out above. <u>Modifications</u> Seeking a modification to set an agreed percentage that should be spent in the area where it is raised. <u>Right to be heard</u> Yes.	<u>Level of Support</u> It is noted that 25% of receipts are allocated to through the CIL Local Meaningful Proportion. <u>Evidence</u> Noted. <u>Legislation</u> Noted. <u>Modifications</u> Noted. The suggested modification is not subject to the CIL Charging Schedule Review. <u>Right to be heard</u> Noted.
O09	Quod on behalf of IKEA	<u>Level of Support</u> Objects to the proposed draft charging schedule. Suggests the introduction of a £50 per sqm CIL rate on Industry and Warehousing in the Rest of Borough zone could undermine the delivery of industrial	<u>Level of Support</u> It is noted that several London Boroughs adopt an industrial CIL rate. Additionally, the Mayoral CIL already applies to industrial uses across the capital and this has not prevented employment intensification schemes. The Viability Study

Rep ID	Organisation Name	Summary of main issues	Council response
		intensification and is inconsistent with the objectives set out in the Local Plan. Comments that the proposed rate is comparatively high and some charging authorities in London have chosen not to charge Borough CIL on industrial uses. Suggests that a low CIL rate is established for residential uses (10 or more units) in the Rest of the Borough zone to support the regeneration of the Purley Way Transformation Area. <u>Evidence</u> Questions basis for any CIL charge when typology 40 indicates that this is not viable. <u>Legislation</u>	tested alternative potential industrial and warehousing rates for various industrial scheme typologies including Class B2/B8 general industry/storage uses as well as Class E g ii) light industrial. The findings suggested that different forms of industrial development have significant varying capacity to absorb a CIL charge (in addition to Mayoral CIL which already applies to industrial schemes). These matters will be reviewed through the examination process. Also see responses provided against the EV06 Prologis UK representation in relation to this matter. The proposed rates are informed by robust evidence. It is noted that the existing CIL rate for residential schemes of 10 or more units in the Rest of Borough Zone is £204.89 per sqm (indexed for 2025). The proposed increase to £225 per sqm is not considered a material change. <u>Evidence</u> As above. In accordance with the CIL Planning Practice Guidance Paragraph 20, Reference ID: 25-020-20190901, when setting rates, charging authorities need to demonstrate that their proposed levy rate or rates are informed by 'appropriate available' evidence and consistent with that evidence across their area as a whole. Furthermore, that the sampling exercise carried out in viability testing should provide a robust evidence base about the potential effects of the rates proposed, balanced against the need to avoid excessive detail. The Viability Study has tested various industrial typologies at varying rates in both the CMC and the Rest of Borough Zone which indicated that a rate of up to £440 per square metre could viably be absorbed for potential industrial schemes. <u>Legislation</u>

Rep ID	Organisation Name	Summary of main issues	Council response
		Does not consider an appropriate balance to have been met in accordance with the relevant legislative requirements. <u>Modifications</u> Recommend that the nil rate for Industrial and Warehousing outside of the CMC in Croydon is left unchanged. Additionally, that the residential charging rate for schemes of 10 or more units is kept as low as possible to allow the right mix of uses to come forward to address market needs and demands in the future. <u>Right to be heard</u> Yes.	Noted. The Council considers that the proposed Draft Charging Schedule has struck a balance between the desirability of raising funds for infrastructure and the impact on the viability of development across the area as a whole. <u>Modifications</u> Refer above. Comments are noted, however, the Council considers the draft charging schedule is supported by robust evidence, that demonstrates development can absorb the higher CIL rates without adversely impacting on viability to a sufficient degree to impact on land supply. <u>Right to be heard</u> Noted.
O10	Sports England	<u>Level of Support</u> No. Suggested modifications to the adopted Croydon Charging Schedule 2013 should not be made. <u>Evidence</u> Does not consider the proposed rates to have been informed by appropriate evidence. Comments that there is no information that explains how community sports facility buildings or commercial sports facilities were viability tested. Further, the impact on community sports groups seeking to develop new facilities in LB Croydon was not considered. Any monies directed to paying CIL from community facilities takes it away from the budget needed to maintain these facilities, adversely affecting their viability. The current CIL Schedule adds extra costs to these projects and prevents that money from being used to support other community projects in LB Croydon and elsewhere.	<u>Level of Support</u> Noted. The Council considers that the proposed Draft Charging Schedule has struck a balance between the desirability of raising funds for infrastructure and the impact on the viability of development across the area as a whole <u>Evidence</u> There are no proposed changes to any rate that impacts sports or related facilities. The Draft Charging Schedule does, however, propose to remove education from the schedule, whereas it was previously CIL liable, so provision of sports facilities by education providers will no longer attract a CIL charge.

Rep ID	Organisation Name	Summary of main issues	Council response
		<u>Legislation</u> No. Provides comment that it is unusual to find a community infrastructure levy schedule that provides no relief at all for sports facilities. <u>Modifications</u> Yes. Recommends that the charging schedule is revised to ensure that an exemption is made for sports facilities. Suggests to add reference to sports facilities in list of items that are nil rated (Places or worship, health clinics etc..." <u>Right to be heard</u> Yes.	<u>Legislation</u> The Charging Schedule Review does not include any rates that may impact sports facilities. <u>Modifications</u> The nil rated items in the draft charging schedule reflect the exemptions identified in Table 3 of the Mayor of London's CIL Charging Schedule (2019). <u>Right to be heard</u> Noted.

Appendix 2 – Croydon Urban Room Temporary Closure Sign

