

## Information Agents Meeting 7 March 2017 - CIL Information

The Planning Application Checklists have been updated and any CIL liable planning application will be made invalid without the submission of the CIL Additional Information Form (Form 0).

CIL is calculated on the Existing and Proposed GIA of the chargeable development Reg 40(7). The CIL Form 0 requires Existing and Proposed GIA and Net additional GIA.

The CIL legislation takes into account demolition of 'in use' floorspace which may be part of the site, but not necessarily in the same part of the site where the new build/extension/annex is occurring. This can only be done if the total floor space is recorded.

If the site is under 100m<sup>2</sup> there is no requirement to submit the CIL Form 0. However, if you wish to submit the form and get confirmation that the site is nil CIL the CIL Officer will need the total GIA details. To date the CIL Officer has issued 27 Nil CIL letters.

There is a requirement to submit CIL forms for **all** retail warehouses, supermarkets and dwellings including those in £0 rated CIL sites e.g. Kings Lynn. These sites are still CIL liable although the liability is £0 rated.

The CIL Assumption of Liability Form 1 can be submitted at any point in the application but the CIL Officer recommends that this form is submitted with the application. We are unable to grant exemptions and reliefs until the CIL Form 1 is received. Agents should not assume liability on behalf of their client.

The person who has assumed liability may apply for an exemption or relief. Once an exemption or relief has been granted the CIL payment will sit on the land registry for up to 7 years (claw back period) and if the exemption/relief is invalidated due to a change in circumstances including the sale of a self- build house the person who has assumed liability must pay the CIL in full immediately.

The CIL Officer will copy agents into CIL correspondence via email.

It is important that clients submit the Commencement Notice (Form 6) before starting work. If form 6 is not submitted, at least 1 day prior to the commencement of work, your client will lose any exemption or relief granted and they may incur a surcharge of 20% of the development cost up to £2,500.

Phased Development  
secure phasing approval via an S73 application

– enabling infrastructure

a) phase the development so the enabling works are identified as a separate phase of development, and do not trigger commencement of the other chargeable phases; or

b) treat it as a hybrid application - with the enabling infrastructure dealt with as full p/p and the residential development treated as outline

The CIL Officer is happy to provide training or advice to agents on request.

### **CIL Stats:**

There are currently, (as of 06 March 2017), the following number of active CIL planning applications:

17 sites at £40    18 sites at £60    7 sites at £0    14 Exemptions granted = £104,928.00