



Community Infrastructure Levy Draft Charging Schedule Rates

January 2015 DRAFT

1. Charging Schedule

- 1.1 This is the Charging Schedule for Central Bedfordshire and has been prepared in accordance with:
- Part 11, Planning Act 2008
 - Community Infrastructure Levy Regulations 2010
 - Community Infrastructure Levy (Amendment) Regulations 2011
 - Community Infrastructure Levy Guidance: Charge setting and charging schedule procedures
- 1.2 Central Bedfordshire Council, as the local Planning Authority, is the Charging Authority and will also be the Collecting Authority. This Charging Schedule comes into force on ?????????

Liability to Pay CIL

- 1.3 A chargeable development is one for which planning permission is granted and which is liable to pay CIL in accordance with the Regulations.

2. The following development types will be liable for CIL:

- Development comprising 100m² or more of new build floorspace;
- Development of less than 100m² of new build floorspace that results in the creation of one or more dwellings;
- The conversion of a building that is no longer in lawful use.

The Levy applies to new development for which planning permission is granted after the Charging Schedule has taken effect, and the amount of CIL payable (the 'Chargeable Amount') is calculated on the day that development is first permitted by the development (which can be the day on which planning permission is granted, or the final approval of the last reserved matter, or by agreement the day on which the last pre-commencement condition of a phase is approved). In the case of permitted development, for which a planning permission is not specifically issued, it is the time at which the 'Notification of Chargeable Development' notice is received or served by the charging authority.

2.1 Calculating the Chargeable Amount

The Council will calculate the amount of CIL payable ("chargeable amount") in respect of a chargeable development in accordance with the relevant formulae in the Community Infrastructure Levy Regulations 2010, (as amended).

2.2 Mandatory Exemptions and Relief from CIL

The CIL regulations provide for certain types of development to be exempt or eligible for relief from CIL, as set out below:

Development exempt from CIL

- The conversion of any building previously used as a dwelling house to two or more dwellings;
- Development of less than 100m² of new build floorspace, provided that it does not result in the creation of a new dwelling;
- The conversion of a building in lawful use, or the creation of additional floor-space within the existing structure of a building in lawful use;
- Development of buildings and structures into which people do not normally go (eg, pylons, wind turbines, electricity sub stations).

Development entitled to Mandatory Relief from CIL

- Development by registered charities for the delivery of their charitable purposes, as set out in Regulation 43 of the Community Infrastructure Levy Regulations 2010.
- Those parts of a development which are to be used as social housing, as set out in Regulation 49 of the Community Infrastructure Levy Regulations 2010 as amended.

Floorspace to be demolished can be deducted from the net increase in gross internal floorspace when calculating the CIL liability. However, the CIL Regulations, in particular Regulation 40(10), specify that floorspace to be demolished must have been in lawful use for a given period ending on the day on which planning permission first permits the chargeable development. The definition of lawful use is contained in Regulation 40(10) of the Community Infrastructure Levy Regulations 2010 as amended which at the time this Charging Schedule is approved, states the following:

“For the purposes of this regulation a building is in use if a part of that building has been in use for a continuous period of at least six months within the period of 12 months ending on the day planning permission first permits the chargeable development”

3. Discretionary Relief

- 3.1 The Council may also grant discretionary relief from the Levy in exceptional circumstances, subject to the provisions of the CIL Regulations 2010 as amended (which set out the circumstances that would enable an application to be made for exceptional relief from CIL liability), and provided such relief does not constitute notifiable State Aid.

4. Proposed CIL Charging Schedule

Development Type	Definition (Use Class Order 1987)	Area A £ / square metre	Area B £ / square metre	Area C £ / square metre	SUEs £ / square metre
	Please see Proposed Charging Area Map				
Residential	11 units and above (C3 incl sheltered / specialist housing)	130	75	40	0
Residential	10 units and below	330	245	135	0
Retail	Large superstores of 2,500 m2 and above (A1 food, 50%+ Convenience Goods)	85	85	85	85
Retail	Out of centre convenience of below 280 sq m trading area	40	40	40	40
	Out of centre comparison retail/retail warehouse	50	50	50	50
All other uses	All other uses including town centre retailing (includes B1, C1-C2, D & sui generis)	0	0	0	0

Residential Charge for SUEs: The proposed lower charge rate reflects the increased costs of s106 provisions expected to be necessary in opening up the urban extensions for development. The advanced stage of development of some of these proposals means that planning applications may have been determined prior to any introduction of CIL.

Housing with support: Includes schemes with some form of regular on-site 'warden' or scheme manager service, however limited. Schemes without an on-site scheme manager service are excluded, including those with only an on-call / emergency visiting service.

Housing with care: Includes schemes described by their landlord / manager as extra-care, assisted living, very sheltered, close care or continuing care.

Large superstores: foodstores with at least 50% of sales floorspace selling convenience goods

Sui Generis: individual non-classified uses. The Council is not proposing a charge on any sui generis uses at this time but may wish to do so at a later stage following more detailed analysis of such uses.

5. House price value zones in Central Bedfordshire

