

SBC Community Infrastructure Levy – FAQs (March 2020)

1. Is my development CIL Liable?

The development will be liable for CIL if it:

- Involves a new build that creates net additional floorspace (based on gross internal area) of 100m² or more.
- Involves the creation of one or more dwellings.
- Involves change of use to residential where the existing floorspace has not been in continuous use for at least 6 months in the previous 3 years.

The development will not be liable for CIL if it:

- Is owned or occupied by a charity where the development will be wholly or mainly for charitable purposes.
- Is for a residential extension, residential annexe or self-build new home.
- Is for social/affordable housing.
- Involves a change of use from non-residential to residential where the building has been occupied in its lawful use for six or more continuous months in the last three years.
- Involves only the creation of mezzanine floors within existing buildings or the subdivision of a dwelling into two or more dwellings.
- Is for a use which has a nil charge (£0/m²) as set out in the Stevenage Borough Council CIL Charging Schedule.

2. Will I have to pay CIL when building an extension?

- You will not have to pay CIL if the main dwelling is your principal residence or if the extension is less than 100m².

3. Will I have to pay CIL if I am building an annex?

- You may not be required to pay CIL if the main dwelling is your principal residence and the annex is wholly within the curtilage of the principal residence.
- You may be required to pay CIL if the primary purpose of the main residential building (to which the annex is attached) is no longer a single dwelling; the residential annex is let; the residential annex or the main residential building is sold within 3 years of completion of the build.

4. Is a change of use liable?

- If a building has not been in continuous lawful use for a period of at least six months over the past three years, it will be liable for CIL.
- However, if the building has been in continuous lawful use for a period of at least six months over the past three years, the development will only be liable for CIL if there is additional new build floorspace.

5. If I submit an application before 1st April 2020 but permission isn't granted until after 1st April 2020, am I liable to pay CIL?

- Yes. If planning permission is granted on or after 1st April 2020, you will be liable to pay CIL.

6. If planning permission is refused before 1st April 2020 but is approved on appeal after 1st April 2020, is the development CIL liable?

- Yes. If planning permission was refused before 1st April 2020, but granted on appeal on or after 1st April 2020, the development is liable to pay CIL.

7. What CIL documentation do I need to submit with my planning application?
 - Planning applications must be accompanied by CIL form 1.

8. Must I complete CIL form 1 even if I am exempt from paying CIL?
 - Yes it is a requirement for you to complete CIL form 1 when submitting a planning application. If you are exempt from a CIL charge, upon grant of permission you will be required to submit the relevant CIL exemption form.

9. How much do I have to pay?
 - CIL liability is calculated based on the location, type and size of a development.
 - Eligible developments which receive planning permission from 1 April 2020 will be charged in accordance with the rates set out in the Stevenage Borough Council CIL Charging Schedule. The amount payable is calculated when planning permission is granted.
 - The council has adopted an Instalments Policy which allows for payments to be made at set times following commencement of the development.