



**London Borough
of Hounslow**

CIL – WHAT YOU NEED TO DO

COMMUNITY INFRASTRUCTURE LEVY (CIL)

What is CIL?

The Community Infrastructure Levy (CIL) is a type of planning charge, introduced by the Planning Act 2008, to pay for the infrastructure needed to support new development. It came into force through the Community Infrastructure Levy Regulations 2010 (the “Regulations”), which have been amended in 2011, 2012, 2013, 2014 and 2015.

Development that is granted planning permission by a local planning authority, or the Secretary of State on appeal, or is authorised through a local planning order or neighbourhood development order, may be liable to pay CIL. CIL may also be payable on permitted development (permission authorised by a general consent order).

CIL is due by the end of 60 days after development has commenced or as per Hounslow’s instalment policy, payment will be in accordance with that policy. Some planning permissions may be implemented in phases, in which case charges may be payable over an extended period of time.

Local authorities set the rates of CIL for their area and these are expressed in the charging schedule. CIL rates are calculated on a pounds per square metre basis. The figures are applied to the gross internal floorspace of the net additional development liable for the CIL. Different rates may apply for different types of development, or development in different areas.

Reliefs and exemptions from CIL as well as reductions in CIL payable are available and these are set out below. However where a development is liable CIL is payable and the amount is not negotiable.

The Regulations prescribe how CIL will be collected and the Council’s adopted Reg 123 list will prescribe how it is spent.

Hounslow’s CIL came into force on the 24th July 2015. Permissions granted on or after this date may be liable to pay CIL.

For more information our CIL please contact our Policy team on 020 8583 5202.

Hounslow also collects Mayoral CIL. The rate of Mayoral CIL in Hounslow is £35 per square metre (developments for educational or medical use are exempt from CIL). Mayoral CIL is being used to fund Crossrail.

DEVELOPMENT THAT WOULD NORMALLY BE LIABLE TO CIL

Development type
Development comprising new dwellings, including conversions or changes of use with new floor space
Other development with 100sqm or more of new-build floorspace, including new buildings, extensions to buildings and replacement floorspace

Mezzanine Floors
Mezzanine floors - 'development' under S55(2)(a) of the TCPA and so are not liable for CIL. The one exception is where the mezzanine floorspace is more than 200 square metres to be used for the retail sale of goods other than hot food (including retail warehouse club), which is 'development' under S55(2A). However Reg 6(1)(c) of the CIL Regulations provides that this will not be a development for the purposes of CIL. Therefore CIL is not payable on schemes which <u>only</u> add a mezzanine. If there is a mezzanine forming part of a new scheme this will be taken into account in the calculation of CIL.

CIL Exemptions, Reliefs and Reductions

Exemptions, Reliefs and Reductions	Qualification
Exemptions	
Structures which are not buildings, such as pylons and wind turbines	
Buildings into which people do not normally go or go intermittently for the purpose of inspecting or maintaining fixed plant or machinery	But might be liable if part or attached to another type of building
Conversion from single dwelling house to two or more dwelling houses with no increase in floor space	
Development of less than 100 sqm new build floorspace unless this is a whole house, in which case CIL is payable (unless the self builder exemption applies).	New dwellings are liable regardless of the size of floorspace

.	
A new mezzanine floorspace within existing buildings	Unless the mezzanine forms part of a wider planning permission that seeks to provide other works as well.
Planning permission for temporary buildings	
Where CIL is calculated to be less than £50, the chargeable amount is deemed to be £zero and so no CIL is due.	
Specified types of development which a local authority has decided should be subject to a 'zero' rate and which is specified in the charging schedule for further information please go to the website Planning Policy Page	
Reliefs	
Social housing that meets the criteria in the Regulations	
Charitable development that meets the criteria in the Regulations	
Houses, flats, residential annexes and residential extensions which are built by 'self builders'	
Reductions	
Where part of an existing building has been in lawful use for a continuous period of 6 months within the past 3 years, parts of that building that are to demolished or retained can be offset in the calculation of CIL	
Parts of a building that are to be retained and have an intended use that could lawfully be carried out without requiring planning permission can also be offset in the calculation of CIL.	
A section 73 permission which does not result in a change in CIL payable under the original scheme	

CIL paid in respect of a development that has commenced but has not been completed can be credited against the CIL payable pursuant to a revised scheme under a new permission on all or part of the same land. This is known as abatement.	
---	--

CIL - What you need to do

Key forms and information to be submitted by applicants/developers

Form/Information	Where can I find them?	What is it for?
Planning Application Additional Information Requirement Form	Planning Portal	To assist the Council in calculating the chargeable amount so you are not overcharged. There is also guidance which assists with the Planning Application Additional Information Requirement Form.
Notice of Chargeable Development: Form 5	Planning Portal	To notify the Council of a chargeable development that does not require planning permission (i.e. permitted development) but may be CIL liable
Assumption of liability: Form 1	Planning Portal	The Council will expect the developer, landowner or other interested party to assume liability for CIL before they commence the development. It is a prerequisite for the granting of an exemption for self-builders, charities and social housing relief. If you do not submit the assumption of liability form the Council may impose a

		surcharge of £50 on each person liable to pay CIL
<p>Relief/Exemption forms</p> <p>Charitable relief and social housing relief form (Form 2).</p> <p>Self-build exemption relating to a whole house: Form 7 Part 1 and followed by further supporting information, when the development is finished, on Form 7: Part 2.</p> <p>Self build exemption relating to a residential annex: Form 8</p> <p>Self build exemption relating to a residential extension: Form 9</p>	<p>Planning Portal</p>	<p>To apply for the following exemptions/relief:</p> <p>Exemptions for self builders</p> <p>Social housing relief</p> <p>Charitable relief</p> <p>You must fill out the relevant form and submit to the charging authority before you commence the development.</p> <p>Once the charging authority has confirmed the relief you are due you will need to send in a commencement notice before you commence on site.</p> <p>If you commence before any of the above events your relief will be withdrawn and you will be liable to pay the full amount.</p>
<p>Commencement Notice: Form 6</p>	<p>Planning Portal</p>	<p>You need to submit the commencement notice to us before you start work.</p> <p>Failure to follow the correct procedure could result in the withdrawal of any relief/exemption claims and result in surcharges becoming due.</p>

Link to forms available on the planning portal:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil#Downloadtheforms>

Payment arrangements

Precise details on how to pay will be contained in the Demand Notice that will be sent to you following receipt of a valid Commencement Notice.

Reviews and Appeals

If you think we have made a mistake in calculating the chargeable amount you must, prior to commencing the development and within 28 days of the liability notice being issued, submit in writing a request for a review to:

CIL Team Leader
London Borough of Hounslow
Civic Centre
Lampton Road
Hounslow
TW3 4DN

Or by email to planningcil@hounslow.gov.uk

We must respond to you within 14 days of receiving your request. However, where development is commenced before you receive notification of this decision, the review will lapse and the original amount will become due for payment in the manner set out in the demand notice.

If you are still unhappy with the calculation following the review or have not been notified within 14 days, you can appeal to the **Valuation Office Agency**. This must be done before the development commences and within 60 days of the liability notice being issued.

You may appeal to the **Valuation Office Agency** against any apportionment of liability carried out by the collecting authority. Any such appeal must be made with 28 days of receiving notice of such a decision by the collecting authority.

You can also appeal to the **Planning Inspectorate against:**

- Enforcement action that you consider is unwarranted or has been taken in error, although you should first talk to the Council to try and resolve the issue.
- The imposition of a surcharge
- Any decision by the Council to deem that development has commenced.
- The issue of a stop notice.

For more information please see the appeals page on the Planning Portable web page. Link to page:

<http://www.planningportal.gov.uk/planning/appeals/cilguidance>

Questions about the CIL?

If you have any questions about the CIL processes please contact us:

Email: planningcil@hounslow.gov.uk

Telephone: 020 8583 4895/4898

For questions regarding the implementation of Hounslow's CIL please contact the Planning Policy Team on 020 8583 5202 or LDF@hounslow.gov.uk

To visit their web page, please follow the link:

http://www.hounslow.gov.uk/index/environment_and_planning/planning/planning_policy/community_infrastructure_levy/lbhounslow_cil.htm

Further Information of CIL

For more in depth information please see the CIL Section of the National Planning Practice Guidance. Link to the page is below

<http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/>

Disclaimer:

The documents relating to CIL prepared by the London Borough of Hounslow are for guidance only.