

COMMUNITY INFRASTRUCTURE LEVY REGULATIONS 2010 (AS AMENDED)

# **Lambeth Modified Draft Charging Schedule (MDCS) 2021**

**March 2021**



## **The Charging Authority**

The Charging Authority is the London Borough of Lambeth.

## **Liability to Pay CIL**

A chargeable development is one for which planning permission is granted and which is liable to pay CIL in accordance with the CIL Regulations 2010 (as amended)

CIL liability is calculated on the net chargeable gross internal area (GIA) floorspace of all new development, apart from those exempt under Part 2 and Part 6 of the Community Infrastructure Levy Regulations 2010 (as amended by the Community Infrastructure Levy Regulations 2011, 2012, 2013, 2014, 2015 and 2018). Those exempt from the charge can be summarised as:

- Non-residential buildings, or extensions to buildings, less than 100 square metres
- Buildings into which people do not normally go, or enter only intermittently for the purpose of inspecting or maintaining fixed plant or machinery
- Affordable housing
- Buildings owned by charities used for a charitable purpose.

## **Calculating the Chargeable Amount**

CIL will be calculated on the basis set out in Part 5 of the Community Infrastructure Levy Regulations 2010 (as amended).

## **Indexation**

The CIL charge will include indexation which will take account of price increases between the time when charging schedules setting out an authority's rates come into force, and the time at which planning permission is granted, in accordance with the Royal Institution of Chartered Surveyors (RICS) CIL Index and the RICS Building Cost Information Service (BCIS) All In Tender Price Index.

## **Charging Zones**

CIL charging zones A, B, C and D as defined in the Community Infrastructure Levy Charging Zones Map below.

## **Rates**

The rate (per square metre of Gross Internal Area) at which CIL is charged is proposed as follows:

<b>Development Type</b>	<b>Zone A – Waterloo and Vauxhall</b>	<b>Zone B – Kennington, Oval and Clapham</b>	<b>Zone C – Tulse Hill, Brixton and Herne Hill</b>	<b>Zone D – Streatham, West Norwood, Streatham Hill</b>
<b>Residential including co-living schemes or shared accommodation</b>	£500	£350	£250	£200
<b>Self-contained sheltered housing, self-contained extra care schemes and care homes</b>	£250	£175	£100	£100
<b>Hotel</b>	£200	£75	£75	£75
<b>Office</b>	£225	£225	Nil	Nil
<b>Large retail development*</b>	£225	£225	£225	£225
<b>Other retail</b>	Nil	Nil	Nil	Nil
<b>Student accommodation</b>	£400	£400	£400	£400
<b>All other uses not identified above</b>	Nil	Nil	Nil	Nil

\*Retail includes such uses as shops selling consumer goods, including food and essential items, to visiting members of the public, premises for the provision of financial and professional services, a café or restaurant, and gymnasium. It will also include related sui generis commercial uses such as pubs or drinking establishments, takeaways, cinemas, betting shops, launderette, and car showrooms. Large retail development includes:

- Superstores/supermarkets/shopping mall/shopping centre/shopping arcade which are shopping destinations in their own right, with over 280m<sup>2</sup> of retail space, with or without a dedicated car park; or
- Retail warehouses which are large stores specialising in the sale of household goods (such as carpets, furniture, and electrical goods), DIY items and other ranges of goods catering for mainly car-borne customers.

## **Exemptions & Relief**

The CIL Regulations exempt or provide scope for relief for the following types of development from liability for CIL:

- Those parts of a development which are to be used as social housing
- Development by registered charities for the delivery of their charitable purposes
- Self-build housing and self-build communal development
- The conversion of a dwellinghouse to two or more dwellinghouses
- Development of less than 100m<sup>2</sup> of new build floorspace, provided that it does not result in the creation of a new dwelling
- The conversion of, or works to a building in lawful use that affects only the interior of the building

- Development of buildings and structures into which people do not normally go (e.g., pylons, wind turbines, electricity sub stations)
- Any development granted for a limited time period.

The Council has made available Discretionary Social Housing Relief in accordance with CIL Regulations 49A and 49B in respect of any development with qualifying dwellings that are to be sold for no more than 80% of its open market value at the time of sale. The notification can be found [here](#).

The Council has made available Discretionary Charitable Relief for investment activities by charities under CIL Regulations 44 and 45. The notification can be found [here](#).

The Council has also made available Discretionary Relief for Exceptional Circumstances under CIL Regulation 55. The notification can be found [here](#). This is subject to the relief being sought where a planning obligation under a Section 106 Agreement has been entered into, and where:

- there is an unacceptable impact on the economic viability arising out of the requirement to pay CIL on the development; and,
- the granting of relief would not constitute state aid.

Based on available evidence the Council considers the proposed charge is viable. The level of charge will continue to be monitored to ensure it remains viable. Should market or other conditions change the viability of development, the Council will introduce a revised CIL charging schedule.

### **Instalments & Application of CIL**

The Council has adopted its own [CIL instalments policy](#) which will apply to all developments that commence on or after 1 June 2019 and will supersede the Mayor of London's CIL instalments policy. For developments that commenced before 1 June 2019, the [Mayor of London's CIL instalment policy](#) will continue to apply.

### **Further Information**

This Charging Schedule has been published in accordance with the Community Infrastructure Levy Regulations 2010, as amended by subsequent Community Infrastructure Levy (Amendment) Regulations 2011, 2012, 2013, 2014, 2015, 2018, 2019 and 2020 and Part 11 of the Planning Act 2008.

Further information on the Community Infrastructure Levy is available on the Council's website.

# CIL Charging Zones for MDCS 2021

