

LAMBETH

**COMMUNITY INFRASTRUCTURE
LEVY (CIL)**

**CHARGING SCHEDULE
(DRAFT)**

June 2013

The Charging Authority

This is the (draft) Community Infrastructure Levy Charging Schedule for the London Borough of Lambeth.

Date of Approval

This Charging Schedule was approved by the Council on (date to be inserted following examination and Council approval)

Date of Effect

This Charging Schedule will come into effect on (date to be inserted following the examination and Council approval)

Liability to Pay CIL

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

CIL will be chargeable on the net additional floor space of all new development, apart from those exempt under Part 2 and Part 6 of the Community Levy Regulations 2010 (as amended by the Community Levy Regulations 2011 and 2012). 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 2011 and 2012).

Rates

The rate at which CIL is charged shall be:

Development type	Residential Zone A - Waterloo and Vauxhall	Residential Zone B - Kennington, Oval and Clapham	Residential Zone C – Streatham, West Norwood, Streatham Hill, Tulse Hill, Brixton and Herne Hill
Residential	£265	£150	£50
Hotel	£250	£100	
	Waterloo and Vauxhall Office Area	Rest of Borough	
Office	£125	Nil	
Development type	Whole Borough		
Industrial	Nil		
Retail	Nil		
Retail (in excess of 2,500 square metres)	£115		
Student accommodation	£360		
All other uses not identified above	Nil		

Charging Zones

The Charging Zone A, B and Care defined in the Community Infrastructure Levy Charging Zones Map in Appendix 1.

Inflation and Indexation

The rate shown shall be updated annually for inflation in accordance with the Building Cost Information Service (BCIS) of the Royal Institution of Chartered Surveyors "All In Tender Price Index".

Exemptions

The CIL Regulations 2010 exempt the following types of development from liability for CIL.

- Development by registered charities for the delivery of their charitable purposes
- Those parts of a development which are to be used as social housing
- 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, 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 (eg, pylons, wind turbines, electricity sub stations)

Under the Regulations the charging authority also has discretionary powers to provide relief on:

- Development by charitable institutions for non-charitable purposes but which forms part of the charity's investment activities; and,
- in exceptional circumstances the charging authority can also allow exemptions where:
 - the cost of complying with S106 planning obligation is greater than the chargeable
 - amount payable by a developer;
 - there is an unacceptable impact on the economic viability of a 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 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.

The Council will consider discretionary relief in its area for CIL in exceptional circumstances, subject to the relief being sought for development, and the three statutory tests set out under CIL Reg 55 being met, namely:

- the cost of complying with planning obligation is greater than the chargeable amounts payable in respect of XIL
- the CIL chargeable on the development will make in unviable
- that it granting relief it would not constitute estate aid

The Council will further consider discretionary relief for investment activities for charities under CIL Reg 44.

Further Information

This Draft Charging Schedule has been published in accordance with the Community Infrastructure Levy Regulations 2010, as amended by the subsequent Community Levy (amending) Regulations 2011, and Part 11 of the Planning Act 2008.

Further information on the Community Infrastructure Levy is available on the Council's website www.lambeth.gov.uk

Annex 1 : Residential and Hotel development Charging zones map

