

APPENDIX 2

Local Plan



**Development Management Policies
Local Development Document
Proposed Submission**

July 2012



The Charging Authority

The Charging Authority is Three Rivers District Council

Date of Approval

This Charging Schedule was approved by the Council on 24 February 2015.

Date of Effect

This Charging Schedule will come into effect on 6 April 2015

CIL Rates

The rate at which CIL is charged shall be:

Residential Developments	
Area	CIL Rate (per sqm)
Area A (Use Class C3)	£180
Area B (Use Class C3)	£120
Area C (Use Class C3)	£Nil
Other Developments	
Type	CIL Rate (per sqm)
Area A and Area B – Retail (Use Class A1)	£60
Area C – Retail (Use Class A1)	£Nil
Hotels (Use Class C1)	£Nil
Retirement Housing* (Use Class C3)	£Nil
Other non residential	£Nil

*Retirement Housing is housing which is purpose built or converted for sale to elderly people with a package of estate management services and which consists of grouped, self-contained accommodation with communal facilities. These premises often have emergency alarm systems and/or wardens. These properties would not however be subject to significant levels of residential care as would be expected in care homes or extra care premises (C2). For the avoidance of doubt this excludes registered not for profit care homes.

The Charging Areas

The Charging Areas A, B & C are defined in the 'Community Infrastructure Levy Charging Areas' Map in Annex 1 of this Schedule.

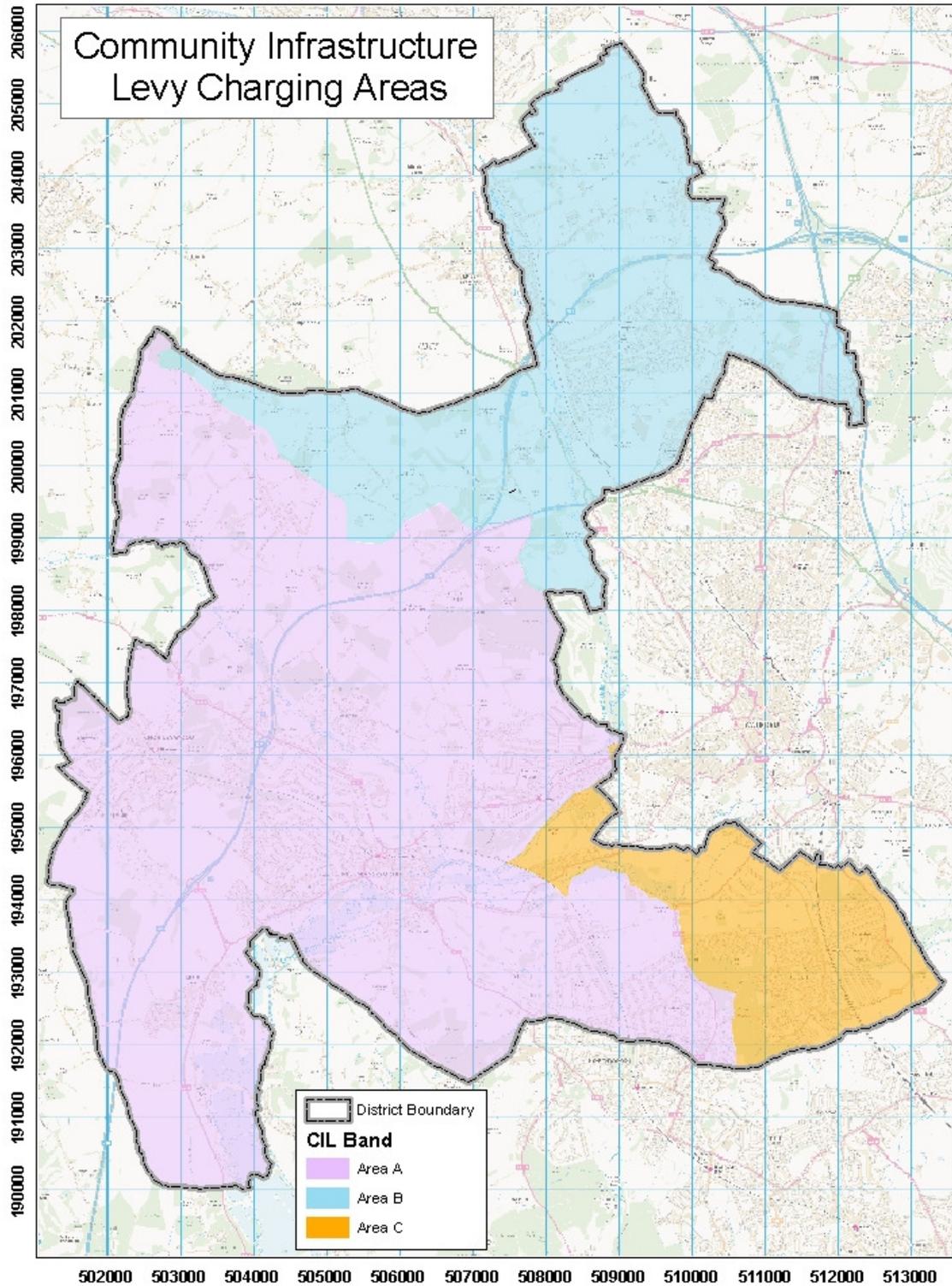
Calculating the Chargeable Amount

The Council will calculate the amount of CIL payable ('chargeable amount') in respect of a chargeable development in accordance with Regulation 40 of the Community Infrastructure Levy Regulations 2010 (amended 2014), see Annex 2 for calculation.

Statutory Compliance

The Charging Schedule has been published in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) and Part 11 of the Planning Act 2008.

Annex 1



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Annex 2 Calculation of Chargeable Amount

Regulation 40 of the Community Infrastructure Regulations 2010, as amended in 2014

PART 5 CHARGEABLE AMOUNT

Calculation of chargeable amount

40.

- (1) The collecting authority must calculate the amount of CIL payable (“chargeable amount”) in respect of a chargeable development in accordance with this regulation.
- (2) The chargeable amount is an amount equal to the aggregate of the amounts of CIL chargeable at each of the relevant rates.
- (3) But where that amount is less than £50 the chargeable amount is deemed to be zero.
- (4) The relevant rates are the rates taken from the charging schedules, at which CIL is chargeable in respect of the chargeable development.
- (5) The amount of CIL chargeable at a given relevant rate (R) must be calculated by applying the following formula—

$$\frac{R \times A \times I_p}{I_c}$$

where—

A = the deemed net area chargeable at rate R, calculated in accordance with paragraph (7);

I_p = the index figure for the year in which planning permission was granted; and

I_c = the index figure for the year in which the charging schedule containing rate R took effect.

- (6) In this regulation the index figure for a given year is —
 - (a) the figure for 1st November for the preceding year in the national All-in Tender Price Index published from time to time by the Building Cost Information Service of the Royal Institution of Chartered Surveyors (a)
 - (b) if the All-in Tender Price Index ceases to be published, the figure for 1st November for the preceding year in the retail prices index.
- (7) The value of A must be calculated by applying the following formula—

$$G_R - K_R - \frac{(G_R \times E)}{G}$$

where—

G = the gross internal area of the chargeable development;

G_R = the gross internal area of the part of the chargeable development chargeable at rate R;

K_R = the aggregate of the gross internal areas of the following—

- (i) retained parts of in-use buildings, and
- (ii) for other relevant buildings, retained parts where the intended use following completion of the chargeable development is a use that is able to be carried on lawfully and permanently without further planning permission in that part on the day before planning permission first permits the chargeable development:

—

(a) Registered in England and Wales RC00487

E = the aggregate of the following —

- (i) the gross internal areas of parts of in-use buildings that are to be demolished before completion of the chargeable development, and
- (ii) for the second and subsequent phases of a phased planning permission, the value E_x (as determined under paragraph (8)), unless E_x is negative

provided that no part of any building may be taken into account under both of paragraphs (i) and (ii) above.

(8) The value E_x must be calculated by applying the following formula —

$$E_P - (G_P - K_{PR})$$

where—

E_P = the value of E for the previously commenced phase of the planning permission:

G_P = the value of G for the previously commenced phase of the planning permission; and

K_{PR} = the total of the values of K_R for the previously commenced phase of the planning permission.

(9) Where a collecting authority does not have sufficient information, or information of sufficient quality, to enable it to establish that a relevant building is an in-use building, it may deem it not to be an in-use building.

(10) Where a collecting authority does not have sufficient information, or information of sufficient quality, to enable it to establish—

(a) whether part of a building falls within the description in the definitions of K_R and E in paragraph (7): or

(b) the gross internal area of any part of a building falling within such a description,

it may deem the gross internal area of the part in question to be zero.

(11) In this regulation—

“building” does not include—

- (i) a building into which people do not normally go,
- (ii) a building into which people go only intermittently for the purpose of maintaining or inspecting machinery, or
- (iii) a building for which planning permission was granted for a limited period;

“in-use building” means a building which—

- (i) is a relevant building, and
- (ii) contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development:

“new build” means that part of the chargeable development which will comprise new buildings and enlargements to existing buildings;

“relevant building” means a building which is situated on the relevant land on the day planning permission first permits the chargeable development;

“relevant charging schedules” means the charging schedules which are in effect —

- (i) at the time planning permission first permits the chargeable development, and
- (ii) in the area in which the chargeable development will be situated:

“retained part” means part of a building which will be—

- (i) on the relevant land on completion of the chargeable development (excluding new build),
- (ii) part of the chargeable development on completion, and
- (iii) chargeable at rate R.