

Community Infrastructure Levy

Building new homes and business premises attracts more people to an area, to live and work, with an impact on local services and facilities. Local planning authorities expect developers to help pay towards improving or increasing facilities to meet the higher demand that their development brings. In the past Planning Obligations (legal agreements under Section 106 of the Town and Country Planning Act 1990 - S.106 agreements) have been used by to define what developers should fund.

In April 2015, the Government scaled back arrangements for Section 106 funding contributions. In its place it introduced the Community Infrastructure Levy (CIL). This is a new tariff based way of making sure developments contribute to local 'infrastructure' needed to support growth and help deliver key priorities. In the South Downs National Park Authority (SDNPA) area this includes green infrastructure¹, sustainable transport and education.

The use of planning obligations under S.106 will be reduced following the introduction of CIL, but will still be necessary to secure affordable housing and on site infrastructure; e.g. open space/play space. S.106 obligations will be regulated to prevent the double-counting of contributions.

The CIL charge is applied per square metre of new development and varies according to the development's scale, use and location. Payment is due from the date the development commences. It is separate from and in addition to infrastructure charges levied by utility companies for new connections to water, sewerage, gas, electricity and telecommunications services.

Following independent examination and adoption of its charging scheme, the SDNPA introduced the following charges, which are non-negotiable:

- Residential – Zone 1 (Lewes, Liss, Midhurst, Petersfield, Petworth): £150 per m²
So a typical 100m² 3 bed house would have to pay a £15,000 CIL charge
- Residential – Zone 2 (All other areas): £200 per m²
- Large format retail (supermarkets, superstores and retail warehouses): £120 per m²
- All other development: £0

The following types of development are exempt from the CIL charges:

- Social (affordable) housing
- Domestic residential extensions
- Self-build development (built by you or for you and which you live in for at least two years)
- Development by charitable institutions
- Changes of use that do not increase floorspace
- Buildings into which people do not normally go or go only intermittently, and
- Buildings with temporary planning permission.

25% of CIL funds collected from a development will be passed directly to the parish council in which the development is located, if there is an adopted Neighbourhood Plan in place. The amount is reduced to 15% (capped at £100 per existing house) in areas without an adopted Neighbourhood Plan. The funds are to be spent on infrastructure projects of their choice.

Further details can be found at: <https://www.southdowns.gov.uk/planning/community-infrastructure-levy/cil-frequently-asked-questions/>

Friends of Lewes, February 2017

¹ <https://www.southdowns.gov.uk/wp-content/uploads/2016/12/South-Downs-Green-Infrastructure-Framework-March-2016.pdf>