

COMMUNITY INFRASTRUCTURE LEVY (CIL) Form 5: Notice of Chargeable Development

CIL Form 5: Notice of Chargeable Development must be completed where:

A. Proposals for one or more new dwellings (either through conversion or new build) regardless of size,

OR

B. The establishment of additional residential floorspace (including extensions and replacement floorspace) of 100sqm or above.

IF

- 1. Development is permitted under 'General Consent' or**
- 2. Development occurs under Permitted Development Rights.**

Please Note: 'General Consent' includes development allowed under a Neighbourhood Development Order or Permitted Development Rights.

Prior to the commencement of development please submit CIL Form 6: Commencement Notice. Failure to complete this form will require immediate payment of the levy and a 20% surcharge. It is the responsibility of the landowner to complete this form.

The information provided within this form will be used to establish whether or not your development is liable for the payment of the CIL levy, and if so to calculate it accurately. Incomplete, misleading or inaccurate information may result in an incorrect assessment of the development's liability for CIL. The Council must be notified of any changes to the information provided.

Please Note: it is the responsibility of the liable party to understand and comply with the National CIL Regulations, including any eligibility for relief. Shropshire Council can only make an assessment of a CIL liability based on the information provided. Further details can be found at: www.shropshire.gov.uk/CIL

Section 1. Development Site Address & Responsible Person Details:

<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: left;">Site Address Details:</th> </tr> <tr> <td style="width: 20%;">Unit Name and/or Number:</td> <td></td> </tr> <tr> <td>Address 1:</td> <td></td> </tr> <tr> <td>Address 2:</td> <td></td> </tr> <tr> <td>Town:</td> <td></td> </tr> <tr> <td>Postcode:</td> <td></td> </tr> <tr> <th colspan="2" style="text-align: left;">Site Location:</th> </tr> <tr> <td>Easting:</td> <td></td> </tr> <tr> <td>Northing:</td> <td></td> </tr> <tr> <th colspan="2" style="text-align: left;">Development Description:</th> </tr> <tr> <td>Description of the site:</td> <td></td> </tr> <tr> <td>Description of the development:</td> <td></td> </tr> </table>	Site Address Details:		Unit Name and/or Number:		Address 1:		Address 2:		Town:		Postcode:		Site Location:		Easting:		Northing:		Development Description:		Description of the site:		Description of the development:		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: left;">Details of Responsible Person for this Notice:</th> </tr> <tr> <td style="width: 20%;">Title:</td> <td></td> </tr> <tr> <td>First Name:</td> <td></td> </tr> <tr> <td>Surname:</td> <td></td> </tr> <tr> <td>Company (where relevant):</td> <td></td> </tr> <tr> <td>Position (where relevant):</td> <td></td> </tr> <tr> <th colspan="2" style="text-align: left;">Contact Details:</th> </tr> <tr> <td>Address:</td> <td></td> </tr> <tr> <td>Email Address:</td> <td></td> </tr> <tr> <td>Phone Number:</td> <td></td> </tr> </table>	Details of Responsible Person for this Notice:		Title:		First Name:		Surname:		Company (where relevant):		Position (where relevant):		Contact Details:		Address:		Email Address:		Phone Number:	
Site Address Details:																																													
Unit Name and/or Number:																																													
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Address 2:																																													
Town:																																													
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Please Note: If your development is subject to a Planning Application, please complete **CIL Form 1: Determination of CIL Liability** not this form (CIL Form 5: Notice of Chargeable Development).

Section 2. Liability for CIL

Does your development involve:

- | | | |
|--|-----|----|
| a) New build (including extensions and replacement) floorspace of 100 sqm or above?
<i>This is determined using the total gross internal floorspace of the development for which planning permission is granted in Question 6. This is the calculation of new floorspace, before any deductions for existing floorspace that is to be converted or demolished (in accordance with CIL Regulations 9, 40 and 42).</i> | Yes | No |
| b) Proposals for one or more new dwellings, including holiday lets (either through conversion or new build)? | Yes | No |
| c) None of the above | Yes | No |

If you answered yes to either a) or b) please continue to complete the form.

If you answered yes to c) please document the amount of new residential floorspace proposed (residential floorspace before deductions for existing floorspace to be converted or demolished); and then proceed to **Q9. Declaration**.

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Section 3. Exemption or Relief

*Please Note: A CIL Relief or Exemption **must be** applied for and approved **prior to** commencement of development and **CIL Form 6: Commencement Notice** must also be completed and received by Shropshire Council prior to commencement of development.*

- | | | |
|--|-----|----|
| a) Is the site owned by a charity where the development will be wholly or mainly for charitable purposes, and the development will be either occupied by or under the control of a charitable institution? | Yes | No |
| b) Is this site owned by a charity and the greater part of this chargeable development will be held as an investment from which the profits will be applied for charitable purposes? | Yes | No |

*If you answered yes to a) or b), please also complete **CIL Form 10: Charitable and/or Social Housing Relief Claim Form** available on the Shropshire Council website at: www.shropshire.gov.uk/CIL*

- | | | |
|---|-----|----|
| c) Do you wish to claim a self-build exemption for a whole new dwelling, a residential annexe or a residential extension? | Yes | No |
|---|-----|----|

If you answered yes to c) please also complete:

- For a new dwelling: **CIL Form 7: Self-Build Exemption (Part 1)**
- For a residential annexe: **CIL Form 8: Residential Annexe Exemption**
- For a residential extension: **CIL Form 9: Residential Extension Exemption**

These forms are available on the Shropshire Council website at: www.shropshire.gov.uk/CIL

Section 4. Phasing

- | | | |
|--|-----|----|
| a) Are you intending to phase development for the purposes of CIL?
<i>Please Note: In order to allow phasing of development for CIL purposes, the relevant Outline or Full Planning Permission must expressly provide for the development to be carried out in phases. CIL phasing cannot be applied in the absence of this.</i> | Yes | No |
|--|-----|----|

For Information: A development granted through an Outline Permission cannot lawfully commence until all Reserved Matters have been granted.

- | | |
|--|--|
| b) <i>If yes, please specify the number of phases of development you intend to implement (which must be agreed within the relevant Planning Permission):</i> | |
|--|--|

Section 5. Existing Buildings

Does your application involve the full or part conversion, change of use or demolition of existing buildings? If so, in the table below please provide the following information for all existing buildings on the site:

- A description of the building;
- The relevant floorspace of each existing building/part of existing building that is to be demolished or converted/undergo a change of use, as part of the completed development. Where a building is to be converted or undergo a change of use please specify the propose use e.g. residential, retail, office etc;
- Whether all or part of each building has been 'in lawful use' for a continuous period of at least six months within the past thirty six months. **This is a requirement for the deductions to be made and sufficient evidence, such as dated photographs, must be provided.** In the absence of sufficient evidence Shropshire Council **cannot** make any deductions for the existing floor space
- When the building was last occupied and how it was used.

Please Note: A building is considered to have been occupied for its lawful use, where its use is consistent with its approved use.

Please do not include any existing buildings which:

- *People do not usually go or only go into intermittently for the purposes of inspecting or maintaining plant or machinery;*
- *Are not a permanent and substantial structure; and*
- *Were granted temporary planning permission.*

Brief description of existing building/part of existing building to be retained or demolished	Gross internal area to be demolished (sqm)	Conversion or change of use		Was the building or part of the building occupied for its 'lawful use' for a continuous period of 6 months within the last 36 months*	When was the building last occupied for its 'lawful use'? And what was this use?*
		Gross internal area to be converted or undergo change of use (sqm).	Proposed use of converted floorspace		
1				Yes <input type="checkbox"/> No <input type="checkbox"/>	Date: Or still in use: <input type="checkbox"/> Use:
If you consider all or part of Building 1 has been occupied for its 'lawful use' for a continuous period of 6 months within the last 36 months, please provide evidence that this is the case (*see below).					Evidence provided:
2				Yes <input type="checkbox"/> No <input type="checkbox"/>	Date: Or still in use: <input type="checkbox"/> Use:
If you consider all or part of Building 2 has been occupied for its 'lawful use' for a continuous period of 6 months within the last 36 months, please provide evidence that this is the case (*see below).					Evidence provided:
3				Yes <input type="checkbox"/> No <input type="checkbox"/>	Date: Or still in use: <input type="checkbox"/> Use:
If you consider all or part of Building 3 has been occupied for its 'lawful use' for a continuous period of 6 months within the last 36 months, please provide evidence that this is the case (*see below).					Evidence provided:
Total Floorspace					

Please continue on a separate sheet if more than three buildings are to be demolished, converted or undergo a change of use

*It is the applicant's responsibility to provide evidence to the effect that buildings were in 'lawful use', and that the building(s), or part of the building, have been in this use for a continuous period of at least six months within the period of thirty six months ending on the day planning permission first permits the chargeable development.

Sufficient evidence must be provided to show that the building(s) have been in their lawful use for the required time. In the absence of sufficient evidence, Shropshire Council cannot make any deductions for the existing floor space.

Shropshire Council suggests photographs as an initial form of evidence, however other forms of evidence can also be considered. Please note that if photographs are used they must be dated and must include both internal and external photos.

Clarification of what constitutes lawful use is provided in Section 191(2) of the Town and Country Planning Act (1990) as amended.

Shropshire Council must be notified if the amount of deductible floorspace changes for any reason between completion of this Form and the date Planning Permission first permits the chargeable development.

Section 6. Proposed Residential Floorspace

6.1. Does your development involve new residential floorspace (including new dwellings, extensions, conversions, garages, sheds or any other buildings ancillary to residential use)?

Yes No

6.2. If yes, please provide the following information:

Development type	Existing gross internal floorspace (sqm)	Gross internal floorspace to be lost as a result of:		Total gross internal floorspace proposed (including change of use)(sqm)	Net additional gross internal floorspace following development (sqm)
		Demolition (sqm)	Change of use to residential (sqm)		
Residential extensions ¹					
Ancillary buildings (including but not exclusively: garages, sheds etc.)					
New dwellings (including Holiday Lets, excluding Affordable Housing)					
Affordable Housing ²					
Total residential floorspace					

¹Additional residential floorspace associated with an existing dwelling.

²Affordable Housing is defined in Appendix G of the Type and Affordability of Housing Supplementary Planning Document (March 2011) available on the Shropshire Council website.

6.3. If your development involves the conversion of an existing building, will you be creating a new floor within the existing building (a mezzanine floor)?

Yes If Yes, how much of the gross internal floorspace proposed
No will be created by the *mezzanine floor* (sqm)?

Please ensure this floorspace is also included within the table in Question 4.2 above.

Section 7. Proposed Non-Residential Floorspace

7.1. Does your development involve any non-residential floorspace?

Yes No

Please note: Non-residential floorspace is not currently chargeable in Shropshire; however this information is required for the calculation of CIL liability. This **does not** include buildings that are ancillary to a dwelling, including but not exclusively garages and sheds which are chargeable development.

7.2 Please provide further details of any non-residential floorspace below:

Development type	Existing gross internal floorspace (sqm)	Gross internal floorspace to be lost as a result of:		Total gross internal floorspace proposed (including change of use)(sqm)	Net additional gross internal floorspace following development (sqm)
		Demolition (sqm)	Change of use to non-residential (sqm)		
Total non-residential floorspace					

Section 8. Checklist

In order to allow Shropshire Council to determine the CIL Liability of your proposed development, please ensure this Notice is accompanied by:

Data Requirement	Provided
a. A plan which identifies the location of the development.	
b. A plan(s) which identifies the: - Relevant land on which the development will take place; - Location and floorplans for any existing buildings to be demolished; and - Location and floorplans for any existing buildings to be converted/subject to a change of use.	
c. Photographic evidence that buildings on the relevant land, that are to be demolished or converted/subject to a change of use are 'in use'.	
d. A plan(s) which identifies the location and floorplans for the chargeable development; including: - An indication of any floorspace that has been converted / subject to a change of use. - An indication of any new-build floorspace.	

1. Any plans provided must be drawn to an identified scale and show the direction of North.
2. Any drawings provided must be drawn to an identified scale.
3. Shropshire Council may request other plans, drawings and/or information necessary to determine the CIL Liability of this development.

Section 9. Declaration – Notice of Chargeable Development

I/we confirm that the information above is correct to the best of my/our knowledge, and I/we am/are aware of the consequences of providing incorrect information, including regarding the demolition or change of use of buildings. I/we confirm I/we have assumed liability through the relevant section of this form and that, if not, I/we will submit an Assumption of Liability Notice. I/we understand that I/we must submit a Commencement Notice in order to secure the 60 day payment window or such time as the Charging Authority has allowed in its current payment instalments policy, as per the requirements of the Community Infrastructure Levy Regulations (2010) as amended. I/we undertake to notify the Collecting Authority in writing of any changes to the information on this Notice, prior to this development commencing. I/we understand any communication and actions by the Collecting Authority to pursue me/us for the assumed liability will be copied to the site land owners (as defined in CIL regulations).

I/we acknowledge that we have read and understand the above terms and conditions and confirm that the details given are correct.

Signed by Applicant (Compulsory):

Signed by Agent (if applicable):

Contact Telephone Number:

Date (DD/MM/YYYY):

Contact Email Address (please print):

Please Note: A hand written signature is required.

The Council must be notified if circumstances change in any way that could affect the CIL Liability associated with this development, between the submission of this Form and the date at which development commences. This information should be provided by re-submitting CIL Form 5: Notice of Chargeable Development.

If an email address is provided, we will utilise this as the preferred method of contact for any future CIL correspondence, unless you indicate otherwise.

Section 10. Declaration - Assumption of Liability

I/we am/are the landowner detailed at Section 1 and I/we would like to assume liability for payment of the Community Infrastructure Levy under regulation 31 of the Community Infrastructure Levy Regulations (2010) as amended. I/we hereby assume liability for the Community Infrastructure Levy charge for the above development. I/we understand that I/we must submit a Commencement Notice³ in order to secure the 60 day payment window or such time as the Charging Authority has allowed in its current payment instalments policy, as per the requirements of the Community Infrastructure Levy Regulations (2010) as amended. I/we am/are aware of the surcharges I/we will incur if I/we do not follow the correct procedures for paying the CIL charge. I/we understand any communication and actions by the Collecting Authority to pursue me/us for the assumed liability will be copied to the site land owners (as defined in CIL regulations).

It is an offence for a person to knowingly or recklessly supply information which is false or misleading in a material respect to a Charging or Collecting Authority in response to a requirement under the Community Infrastructure Regulations (2010) as amended (regulation 110, SI 2010/948). A person guilty of an offence under this regulation may face unlimited fines, two years imprisonment, or both.

³In compliance with CIL Regulation 67, notification of commencement must be submitted and received in writing on CIL Form 6: Commencement Notice as published by the Secretary of State (or a form to substantially the same effect) prior to commencement of development.

Please acknowledge that you have read and understand the terms and conditions for the Assumption of any CIL Liability associated with this proposed development.

I/we have read and agree to the above terms and conditions for the Assumption of Liability.

Liable Person(s) name:

Company (if relevant):

Address:

Contact Telephone Number:

Alternative Contact Number:

Contact Email Address (please print):

Liable Person(s) Signature (Compulsory):

Date (DD/MM/YYYY):

Please Note: **A hand written signature** is required in order to assume liability.

If an email address is provided, we will utilise this as the preferred method of contact for any future CIL correspondence, unless you indicate otherwise.

Further Information

If there are multiple Liable Parties, please complete; **CIL Form 2: Assumption of Liability** available at: <http://www.shropshire.gov.uk/cil>

If you wish to assume liability at a later date, or there are multiple liable person(s) please complete **CIL Form 2: Assumption of Liability** prior to the commencement of development. *Failure to formally provide information on the CIL liable person(s) to the Council may result in any CIL levy due incurring a surcharge where the Council is required to determine the liable person(s) or apportion liability amongst liable person(s).*

Once completed and signed, this form can be returned either by email or post.

It can be emailed to: CIL@Shropshire.gov.uk

It can be posted to: **CIL Team, Planning Policy, Shropshire Council, PO Box 4826, Shrewsbury, SY1 9LJ**

Details on how Shropshire Council uses your data can be found at:

<https://shropshire.gov.uk/privacy/privacy-notices/>