CIL 5

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

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

- **Proposals for one or more new dwellings (including holiday lets and residential annexes), either through conversion, change of use or new build, regardless of size (unless it is 'affordable housing')**

or

- **The establishment of new residential floorspace (including extensions and replacements) of 100sqm or above**

IF

1. **Development is permitted under 'General Consent' or**
2. **Neighbourhood Development Order or**
3. **Development occurs under Permitted Development Rights.**

The information provided within this form will be used to establish whether or not your development is liable for the payment of the CIL, 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. Shropshire Council must be notified of any changes to the information provided.

It is the responsibility of the liable party to understand and comply with the Community Infrastructure Levy Regulations 2010 (as amended), including any eligibility for relief. Shropshire Council can only make an assessment of a CIL liability based on the information provided.

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.

Section 1: Development Site Address & Responsible Person Details

Site Address Details:	
Unit Name and/or Number:	
Site address line 1:	
Site address line 2:	
Town:	
Postcode:	

Development Description:	
Planning Application No:	
Site description:	
Description of the development:	

Details of Responsible Person for this Notice:	
Title:	
First name:	
Surname:	
Company & Reg No. (where relevant):	
Position (where relevant):	

Contact Details:	
Address:	
Email address:	
Phone Number:	

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 proposals for any of the following:

a) Creation of one or more **new dwellings** (including holiday lets and residential annexes) through **new build**? **Yes** ☐ **No** ☐

b) Creation of one or more **new dwellings** (including holiday lets and residential annexes) through **conversion or change of use**? **Yes** ☐ **No** ☐

c) New build (including **extensions** and replacement) floorspace of **100sqm or more**? *This is determined using the **total gross internal floorspace** of the **development for which planning permission is granted** in Section 6. This is the calculation of new floorspace before any deductions for existing floorspace that is to be converted or demolished.d)* **Yes** ☐ **No** ☐

d) None of the above **Yes** ☐ **No** ☐

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

If you answered yes to d) 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 ***Section 8 Declaration.*** _____ sqm

Section 3: Exemption or Relief

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. Do you wish to claim a self-build exemption for a **whole new dwelling**?	Yes ☐ No ☐	If you answered yes, please also complete **CIL Form 7: Self-Build Exemption (Part 1)**
b. Do you wish to claim a self-build exemption for a **residential annex**?	Yes ☐ No ☐	If you answered yes, please also complete **CIL Form 8: Residential Annex Exemption**
c. Do you wish to claim a self-build exemption for a **residential extension**?	Yes ☐ No ☐	If you answered yes, please also complete **CIL Form 9: Residential Extension Exemption**
d. 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 ☐	If you answered yes, please also complete **CIL Form 10: Charitable and/or Social Housing Relief Claim**
e. 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, please also complete **CIL Form 10: Charitable and/or Social Housing Relief Claim**

All CIL forms can be found at www.shropshire.gov.uk/CIL

Section 4 - Existing Buildings

If your development involves any **conversion, change of use or demolition of existing buildings**, then this floor space may be deducted from a potential CIL Liability.

The Community Infrastructure Levy Regulations 2010 (as amended) confirm that an existing building's floor space can only be deducted if the building has been in its ***lawful use for 6 continuous months within the last 3 years of the permission being granted.***

Shropshire Council can therefore only deduct an existing building's floor area if sufficient evidence is provided which confirms the above. **If no (or insufficient) evidence is submitted, Shropshire Council cannot deduct any existing floor space** and this will be reflected in the CIL Liability Notice issued shortly after permission is granted.

Please refer to **CIL Form 5 Guidance Notes** (*https://www.shropshire.gov.uk/planning-policy/community-infrastructure-levy-cil/cil-forms-and-guidance-notes/)* where it is explained in detail the evidence that would be acceptable.

	Existing Building Description *(eg. barn, property, shop, offices)*	**Lawful use of the building** *(eg. residential, agricultural, offices, retail)*	**Has this building been in its lawful use for 6 continuous months within the last 3 years?**	**When was the building last in lawful use?**	**Conversion or demolition?**	**Gross internal area to be converted, undergo change of use or be demolished (sqm)**
1			Yes ☐ No ☐			
	Evidence provided to support Lawful Use of Building 1: *(required for any floorspace deductions)*					
2			Yes ☐ No ☐			
	Evidence provided to support Lawful Use of Building 2: *(required for any floorspace deductions)*					
3			Yes ☐ No ☐			
	Evidence provided to support Lawful Use of Building 3: *(required for any floorspace deductions)*					

Please continue on a separate sheet if more than 3 buildings are to be converted / undergo a change of use or be demolished.

Total Floorspace (sqm)

It is the responsibility of the liable party to provide the CIL team with evidence of lawful use of an existing building should they wish to obtain a deduction in their CIL calculation. The CIL team can only determine a CIL liability based on information provided.

Section 5 - Proposed Residential Floorspace

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

Yes ☐

No ☐

If "**yes**" please provide the following information:

Development Type	Existing "in use" gross internal floorspace *(sqm)*	Gross internal floorspace of "in use" buildings to be lost as a result of:		Total Gross internal floorspace proposed (including change of use)	Net additional gross internal floorspace following development *(sqm)*
		Demolition (sqm)	*Change of use to residential (sqm)*		
New dwellings *(including holiday lets, excluding affordable housing)*					
Ancillary buildings *(including but not exclusively: garages etc)*					
Residential extensions [1]					
Affordable Housing [2]					
Total residential floorspace *(sqm)*					

1. *Additional residential floorspace associated with an existing dwelling.*
2. *Affordable Housing is defined in Appendix G of the Type and Affordability of Housing Supplementary Planning Document (March 2011) available on the Shropshire Council website.*

5.2 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 ☐
No ☐

If "**yes**", how much of the gross internal floorspace proposed will be created by the *mezzanine floor* (sqm)?

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

Section 6 - Proposed non-residential Floorspace

Does your development involve any non-residential floorspace?

Yes ☐ **No** ☐

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.

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 7 - Checklist

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

	Provided
• A plan which identifies the relevant land, buildings in use on that land and any of those buildings which are to be demolished, converted or subject to a change of use. • Dated photographic evidence of the buildings in use on the relevant land, that are to be demolished, converted or subject to a change of use.	☐ ☐

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

Section 8 - 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):*

Phone number:

Date *(DD/MM/YYYY):*

Email address (please print):

A hand written signature is required

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.

Shropshire 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.

Section 9: 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 Notice[3] 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). A person guilty of an offence under this regulation may face unlimited fines, two years imprisonment, or both.

[3] *In 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 Party First name and Surname:

Company *(if relevant):*

Address:

Email address *(please print to ensure legibility):*

Phone number:

Are you the landowner of the development site? Yes ☐ No ☐ ***If "no" please provide details below (if known)***

Landowner first name & surname ***Landowner address*** ***Landowner email***

Liable Party Signature *(compulsory):*

Date *(DD/MM/YYYY):*

A hand written signature is required in order to assume liability

If there is more than one liable party please complete CIL Form 2 available at www.shropshire.gov.uk/cil

Failure to complete an Assumption of Liability may result in surcharges being imposed if works commence.

Failure to formally provide information on the CIL liable person(s) to the Council may result in any CIL 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 by either:

- **Email:** CIL@shropshire.gov.uk
- **Post:** 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/