

Community Infrastructure Levy (CIL) –Revised Liability Notice for development comprised of applications 20/0321/FUL, 21/1516/NMA and 22/0329/NMA to reflect consented application changes.

Regulation 65, Community Infrastructure Levy Regulations (2010), as amended

CIL Collecting Authority	Exeter City Council, Civic Centre, Paris Street, Exeter, EX1 1NN
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Exeter City Council, Civic Centre, Paris Street, Exeter, EX1 1NN

Date	13 th December 2022
Recipient's name	David Lovell Heritage Developments (SW) Ltd
Recipient's address	
Recipient's email	
Planning reference	20/0321/FUL; 21/1516/NMA & 22/0329/NMA
Site address	Land At Broom Park Nurseries And Five Acres, Exeter Road, Topsham, Exeter, Devon, EX3 0LY
Description of chargeable development	<p>20/0321/FUL. Demolition of existing buildings: Proposed residential development of 61 no. residential units, including affordable housing, plus open space, landscaping, car parking, cycle spaces, drainage, vehicular access, internal roads, provision of link road and all associated infrastructure and development.</p> <p>21/1516/NMA. Non-Material Minor Amendment to condition 2 (approved drawings) to amend layout of plots 55 - 61, substitution of amended house types to various plots with associated minor changes to site layout (including introduction of some bungalow houstypes) and minor variations to the design of existing approved house types as follows... (Non-Material Minor Amendment to Planning Permission reference no. 20/0321/FUL granted on 12th July 2021.</p> <p>22/0329/NMA. Non-material minor amendment to condition 2 (approved drawings) to amend layout comprising Plot 30 (Reorientation of Appley house type), Plot 8 (Revert back to a variation of Kinnersley house type as previously shown on original planning permission), Plot 19 (Variation of fenestration to Petworth house type). (Non-material Minor Amendment to Planning Permission reference no. 20/0321/FUL granted on 12th July 2021)</p>

CIL liability

This notifies you that you will be liable to pay the following amount of Community Infrastructure Levy to Exeter City Council as CIL collecting authority on commencement of development under the above planning reference. This charge has been levied under Exeter City Council's CIL charging schedule and s211 of the Planning Act 2008. Further details on payment procedure can be found below.

Chargeable amount due after any relief:	£668,444.89
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See next page for how this has been calculated.

How we calculated this figure

We calculated this figure from the following information.
(Areas quoted are gross internal floorspace)

Proposed use	P = Proposed floorspace (newbuild only)	D = Demolished floorspace	A = Area of proposed use = P - D	R = rate/m² (including indexation)	A x R
Residential – (Phases 1 to 4)	7887.21 m²	638.0m²	7249.21 m²	£118.93	£862,148.55
Phase 1	2081.77m ²	159.5m ²	1922.27m ²	£118.93	£228,615.57
Phase 2	2284.66m ²	159.5m ²	2125.16m ²	£118.93	£252,745.27
Phase 3	862.5m ²	159.5m ²	703.0m ²	£118.93	£83,607.80
Phase 4	2658.28m ²	159.5m ²	2498.78m ²	£118.93	£297,179.91
G = Gross CIL (before any relief)					£862,148.55

[User note: for phased development the above table will need to be modified]

Deductions, reliefs and exemptions already applied

	Proportion	Amount of relief
Social housing relief - (Phases 1 to 4)	1628.72 m ² x 118.93	£193,703.66
Phase 1	172.20 m ² x £118.93	£20,479.74
Phase 2	344.40 m ² x £118.93	£40,959.49
Phase 3	326.80 m ² x £118.93	£38,866.32
Phase 4	785.32 m ² x £118.93	£93,398.11
T = Total reliefs:		£193,703.66

G = Gross CIL (before any relief)	£862,148.55
Less: T = Total reliefs:	£193,703.66
Chargeable amount due after any relief:	£668,444.89

Are you eligible for relief from CIL?

You may be eligible for a reduction (partial or entire) in this CIL liability if –

- ✓ You are a charity, or
- ✓ You intend to develop social housing, or
- ✓ You intend to build your own house (including where you commission a builder to build it for you), and live in it as your sole or main residence.

If you think you may be entitled to relief, and it has not already been granted to you, please see the following guidance issued by the Government:-

<http://planningguidance.communities.gov.uk/blog/guidance/community-infrastructure-levy/relief/>

Conditions that relief granted is subject to

Any relief granted in this notice (or if you successfully claim relief at a later date) will end if a disqualifying event occurs within a certain period after the date on which development commences (depending on the type of development in question).

- ✓ For self-builds, certain events occurring within a three year period will end the relief and cause CIL to become payable. These include the building ceasing to be your sole or main residence, or your failure to submit the proper paperwork. Full details can be found using the above weblink.
- ✓ For the reliefs that apply to charities or social housing, certain events occurring within a seven year period will end the relief and cause CIL to become payable. See the above weblink for more details.

All claims for relief must be submitted and approved prior to the commencement of development, otherwise the development is liable to pay the full amount of CIL.

In the case of claims for relief for self-build development, there is a two-stage claim process. 'Self Build Exemption Claim Form Part 1' must be submitted and approved prior to the commencement of development, and 'Self Build Exemption Claim Form 2' must be submitted within 6 months of the completion of the self-build dwelling.

Forms for claiming relief and exemption from CIL are available at the following weblink:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

See also the important notes regarding CIL relief and State Aid at <http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/relief/state-aid>.

When will your CIL liability be due for payment?

If the payment procedure is followed correctly, the above CIL amount will be payable in the following manner.

CIL liabilities of less than £50,000 will be payable in full no later than 60 days after the development commencement date.

Exeter City Council allows payment by instalments where the total CIL liability of a development is £50,000 or more. This facility is only available where someone has assumed liability to pay, and notice of commencement has been given to the Council before development starts.

Instalment no.	Amount due	Time due
1	£50,000	60 days after the date on which the development commences
2	£150,000 , or outstanding liability if less	One year after the date on which the development commences
3	£200,000 , or outstanding liability if less	18 months after the date on which the development commences
4	Outstanding liability	Two years after the date on which the development commences

Failure to comply with the instalment policy at any stage will result in the total unpaid balance becoming payable immediately.

Note that this instalment policy may alter but we will contact you if this occurs.

Some, or the entire amount, may also be paid by transferring land to the CIL charging authority or another beneficiary agreed with the charging authority. See the information at <http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/collecting-the-levy/payment-in-kind>.

This payment procedure is to notify Exeter City Council before development commences of:

- ✓ Who will pay the amount, by assuming liability using CIL Form 1 “Assumption of Liability”;
- ✓ The date on which you intend to commence development, by submitting a valid commencement notice (Form 6).

Forms 1 and 6 can be downloaded from:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>.

Precise details of your payment arrangements and options will be contained in the demand notice that will be sent following submission of a valid commencement notice.

If this procedure is not followed, payment of the CIL amount will be due in full on the day that development commences. If a valid commencement notice has not been submitted before development commences, payment of the CIL amount will be due in full on the day that the collecting authority believes the development to have commenced.

Consequences of non payment

If you fail to follow the payment procedure described above, the collecting authority may impose surcharges on this liability. Persistent failure to pay CIL liabilities due may result in the collecting authority imposing surcharges, serving a CIL stop notice prohibiting further development on the site and/or taking action to recover the debt due. Please see the notes at

http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/collecting-the-levy/#paragraph_060.

The amount of CIL liability in this notice is a local land charge

This CIL liability has been registered as a local land charge against the land affected by the planning permission in this notice. This charge will be cancelled on full payment of this liability.

If relief has been granted on some or the entire amount due, the local land charge representing the amount of that relief will be cancelled three years from completion of development (self-build) or seven years after commencement of development (charitable/social housing) or, where a disqualifying event has occurred, on full payment of the amount(s) due.

New liability notices may be issued

Any change in the details contained in this notice (including calculation of the chargeable amount or amount of relief granted) will lead to the collecting authority issuing a new liability notice.

Do you think we have made a mistake in our calculations?

You can ask us to review them. If you are unhappy with the calculation following this review, you can appeal to the Valuation Office Agency. Details of the procedure can be found at

<http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/cil-appeals>.

Other recipients of this notice who are jointly liable to pay CIL or have jointly assumed liability to pay CIL

Name and address of other recipient(s) of this notice	Category of recipient
[Name and address of other recipient of this notice]	<p>[Can be one of the following; delete those that don't apply]</p> <ul style="list-style-type: none"> • Owner of the relevant land • Leaseholder of the relevant land (7 or more years) • Party has assumed liability to pay CIL due • Party has submitted a notice of chargeable development • Party who has received deemed Notice of Chargeable Development • Party has applied for further approval in line with a conditional grant of planning permission • Party applied for planning permission

This notice has also been copied to the following recipients:

Name and address of other recipient(s) of this notice	Category of recipient
[Name and address of other recipient of this notice]	<p>[Can be one of the following; delete those that don't apply]</p> <ul style="list-style-type: none"> • Owner of the relevant land • Leaseholder of the relevant land (7 or more years) • Party has assumed liability to pay CIL due • Party has submitted a notice of chargeable development • Party who has received deemed Notice of Chargeable Development • Party has applied for further approval in line with a conditional grant of planning permission • Party applied for planning permission