

# Dartford Community Infrastructure - Levy - Approved Charging Schedule - April 2014 -



**DARTFORD**  
BOROUGH COUNCIL

## **Charging Schedule**

1.1 This is the Charging Schedule for Dartford Borough Council area and has been prepared in accordance with:

- Part 11, Planning Act 2008
- Community Infrastructure Levy Regulations 2010
- Community Infrastructure Levy (Amendment) Regulations 2011,12 and 13
- Community Infrastructure Levy Guidance: Charge setting and charging schedule procedures

1.2 Dartford Borough Council is the Charging Authority and Collecting Authority.

## **Liability to pay CIL**

1.3 A chargeable development is one for which planning permission is granted and which is liable to pay CIL in accordance with the Regulations.

## **The CIL Rate**

1.4 The charging rates are detailed below and will be levied on most new developments or structures that people would normally use. This does not include buildings which people go into periodically for maintenance or inspection purposes. It is charged in pounds per square metre on any net additional floorspace where the gross internal area of new build is above 100 m<sup>2</sup>. However, if the development involves the creation of a new dwelling, CIL is liable on net additional floorspace even if the new gross internal area is less than 100m<sup>2</sup>. CIL is not payable on most forms of affordable housing and development for charitable purposes. The responsibility to pay the levy runs with the ownership of land on which the liable development will be situated, although CIL Regulations allow for others to assume liability. Full guidance on the levy process including exemptions are provided on the Council's website.

1.5 The CIL rates set out in the CIL Charging Schedule (Table, p5 below) have been derived from the viability and infrastructure work undertaken by the Council, which has enabled an appropriate balance to be struck between the desirability for CIL funding of infrastructure and the effects of CIL on the economic viability of the district as a whole. The charging rates have been agreed and adopted following independent examination.

1.6 In accordance with CIL Regulations the adopted rates shall be updated annually for inflation in accordance with Building Cost Information Service (BICS) of the Royal Institution of Chartered Surveyors "All in Tender Price Index".

- 1.7 In addition to CIL contributions, site or other specific infrastructure or contributions may be required through a Section 106 agreement<sup>1</sup> or as part of conditions attached to the planning consent for development. Any S106 contributions cannot be used to fund infrastructure that has been included on the list of infrastructure to be funded partially through CIL. The CIL infrastructure list can be on the Council's website. An indicative list of the types of site specific infrastructure which may be required either under S106 or through planning condition is shown in appendix 1 of the CIL Overview report.

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<sup>1</sup> Town and Country Planning Act 1990 section 106 and CIL Regulations 2010 section 122-123

### CIL Charging Rates -

| Zone    | Development Type   | CIL Rate (per square metre) |
|---------|--|-----------------------------|
|         | <b>Residential development <sup>a</sup></b>  |                             |
| A       | All residential development  | £200                        |
| B       | Residential development of less than 15 homes, providing solely market housing   | £200                        |
| B       | Residential development of 15 homes or more, providing a housing mix which includes a proportion of affordable housing | £100                        |
|         | <b>Retail development</b>  |                             |
| D       | All retail development above 500sq m <sup>b</sup>  | £125                        |
| C       | Supermarkets/superstores (above 500 sq. m) <sup>a</sup>  | £65                         |
| C and D | All other retail development   | £0                          |
|         | <b>Other Development Types</b>   |                             |
|         | Office<br>Industrial<br>Hotel<br>Leisure   | £25                         |
|         | <b>Any development types not identified elsewhere in the schedule.</b>   | £0                          |

## Note

- <sup>a</sup> Residential development includes self-contained sheltered accommodation falling outside the definition of extra care sheltered accommodation set out below.

Extra care sheltered accommodation is self-contained properties, which are available to rent or buy. On-site care and support is provided, sometimes up to 24 hours depending on the needs of residents and emergency call response scheme. A range of communal facilities such as lounge and gardens are normally available. Definition derived from Better Homes: housing for the third age. A framework for delivering older people's accommodation across Kent and Medway August 2012.

The Council will make an assessment of residential type, to determine the rate of CIL payable, based on the definition set out above. Applicants are encouraged to seek pre-application advice to establish whether their proposal may be liable to CIL.

- <sup>b</sup> Retail development of over 500 sq. m includes supermarkets/superstores, retail warehousing and comparison shopping above this size threshold. Supermarkets and superstores are self-service stores selling mainly food with car parking (not necessarily dedicated). Comparison retail is the provision of items not obtained on a frequent basis including clothing, footwear, household and recreational goods. Retail warehouses specialise in sale of household goods such as DIY, carpets, furniture and electrical goods catering mainly for car-borne customers.

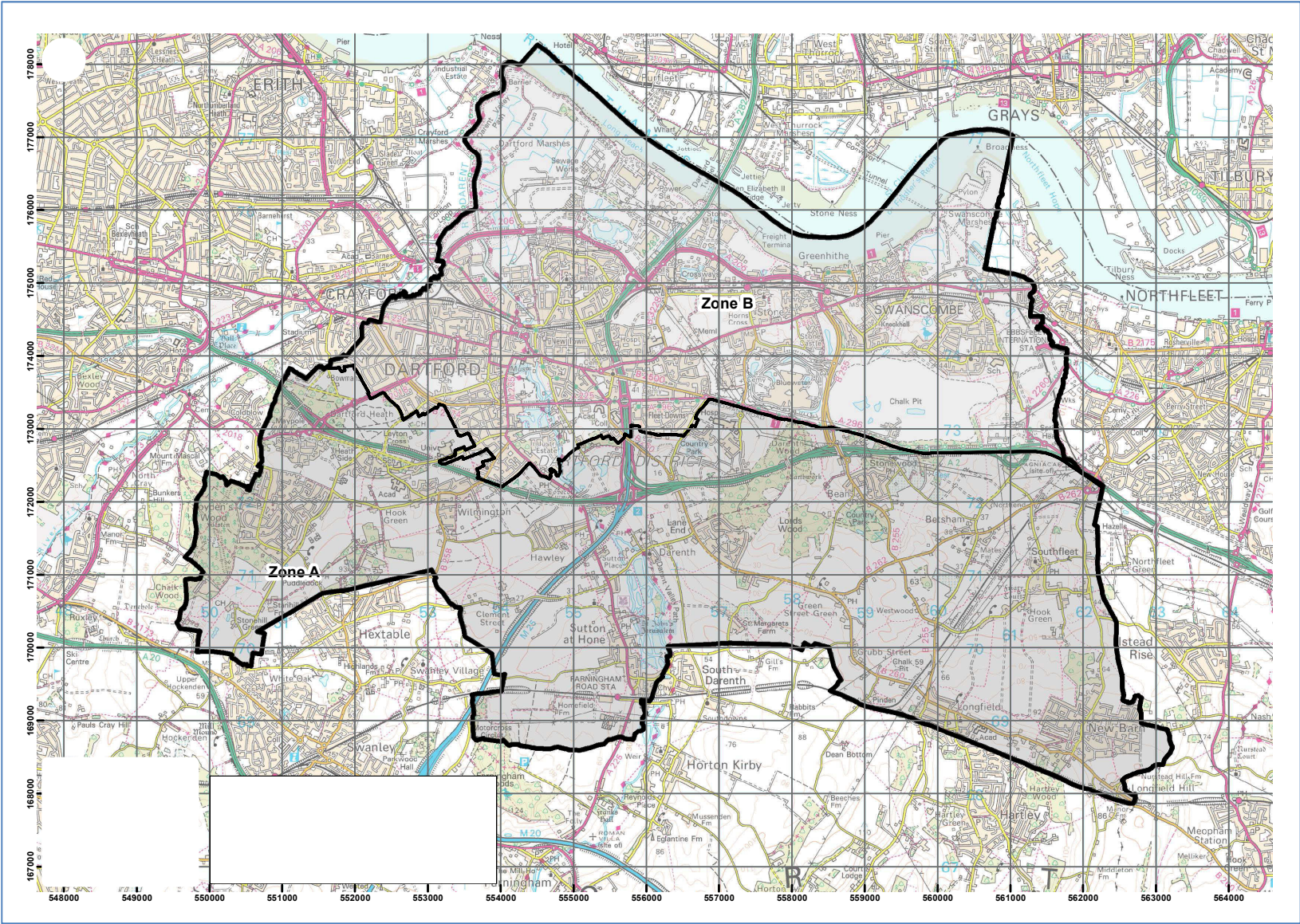
Retail development of 500 sq. m or less primarily takes the form of convenience retailing for the provision of everyday essential items, including food, drinks, newspapers/magazines and confectionery.

## **CIL Geographical Zones**

The following Ordnance Survey maps identify the boundaries of the A and B residential; and C and D retail CIL charging zones identified in the CIL Charging Table above.

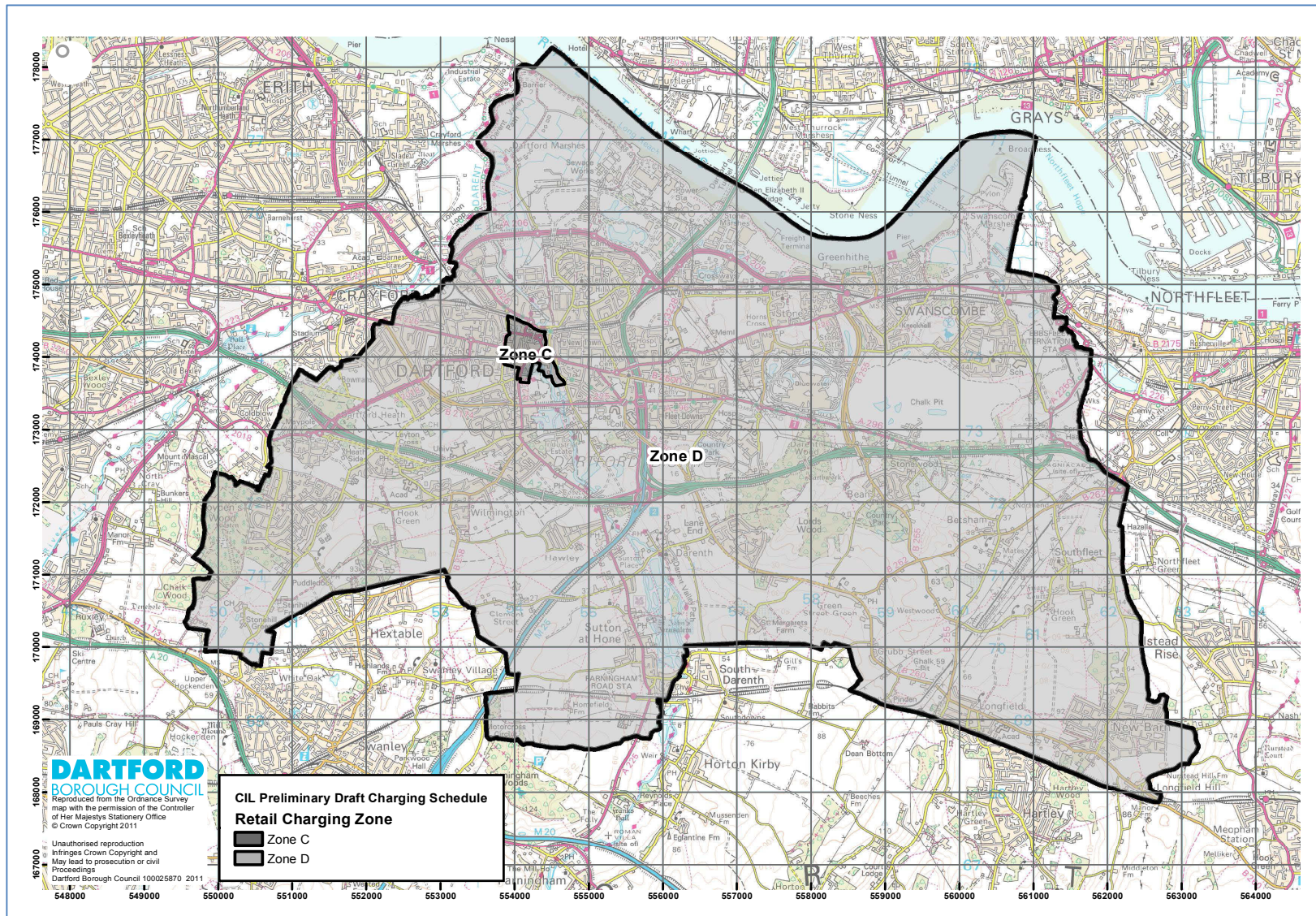


# Residential Charging Zones



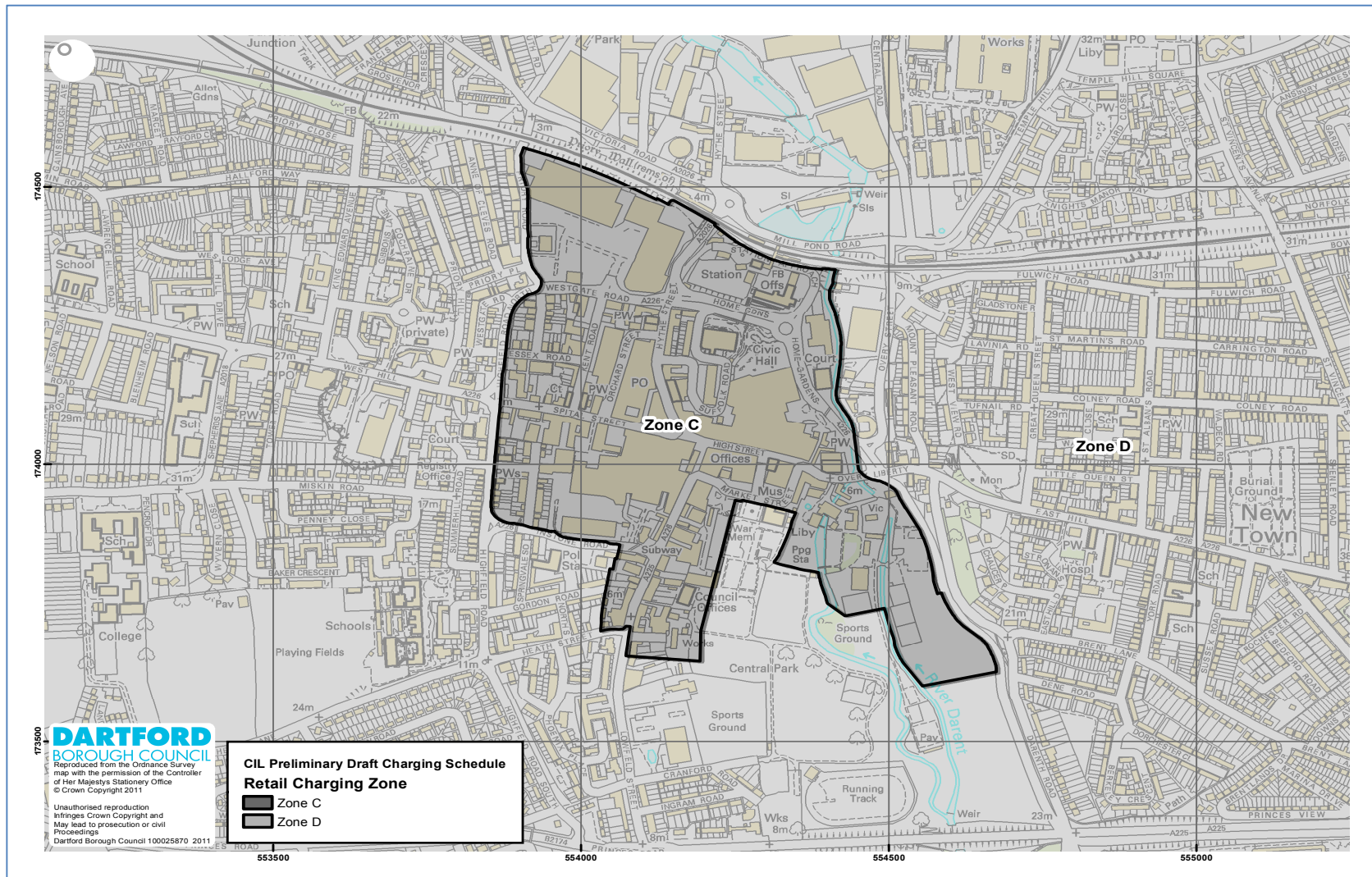


# Retail Charging Zones (see below for large scale Zone C map).





# Retail Charging Zones – Zone C large scale map



## Calculating the Chargeable Amount

The calculation of the chargeable amount to be paid by a development is set out in Regulation 40 of the Community Infrastructure Levy Regulations 2010, amendment Regulations 2011, 2012, 2013 and 2014

### Key points in calculating the CIL charge:

1. CIL is charged on the net additional internal floor area of development.
2. Where buildings are demolished to make way for new buildings, the charge will be based on the floorspace of new buildings less the floorspace of the demolished buildings, provided the buildings were in lawful use prior to demolition.
3. A building is considered to be in lawful use if a part of that building has been in use for a continuous period of at least six months within the period of 12 months ending on the day planning permission first permits the chargeable development.
4. If the CIL amount calculated is less than £50 no charge will apply.
5. The relevant rates are the rates as set out in the Charging Schedule which apply to type and location of the relevant development. They apply at the time planning permission first permits the chargeable development;

### Calculating the charge

#### 1. Calculating the CIL Charge

The amount of CIL charge must be calculated by applying the following formula-

$$\text{CIL Charge} = \frac{R \times A \times I_p}{I_c}$$

Where-

A= the net chargeable area (New floorspace less any existing floorspace on the development site. The formula for calculating A in cases involving loss and/or change of use combined with more than one chargeable rate is given in 2 below)

I<sub>p</sub>= the index figure for the year in which planning permission was granted

I<sub>c</sub>= the index figure for the year in which the charging schedule containing rate R took effect

R= the relevant chargeable rate

If it is necessary to apply several rate(s) to a chargeable development, the total amount will equal the sum of the amounts of CIL charge calculated at each relevant rate.

The index is 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: the figure which should be used for a given year is the figure for 1<sup>st</sup> November of the preceding year.

## 2. Calculation of net chargeable area, A

A is calculated by:

$$\text{Net Chargeable Area (A)} = G_R - K_R - \left\{ \frac{G_R \times E}{G} \right\}$$

Where-

$G_R$  = the gross internal area of the part of the development at a specific rate

$G$  = the gross internal area of the development

$K_R$  = the internal area of all buildings (excluding any new build) that on completion will be part of the development. Only floorspace in lawful use on the day planning permission is permitted can be included<sup>2</sup>.

$E$  = the gross internal areas of all buildings that will be demolished. Only floorspace in lawful use on the day planning permission is permitted<sup>2</sup>.

## 3. - Evidence and Supporting Documents

- 3.1 In preparing the Draft Charging Schedule, Dartford Borough Council has aimed to strike what it believes to be an appropriate balance between the desirability of funding from CIL to deliver essential infrastructure, taking into account other identified sources of funding, and the potential effects (taken as a whole) of the introduction of CIL on the economic viability of development across the district.
- 3.2 The Council has considered several pieces of evidence in establishing the draft proposed rates. The evidence documents used are:
  - CIL Economic Viability Assessment – Dartford Borough Council (updated August 2012) by GVA
  - Addendums, Errata November 2012
  - Infrastructure Delivery Plan (IDP) and background paper February 2011
  - Dartford Borough Council Infrastructure Delivery Plan: Proposed Projects and Costs Update November 2012
  - Dartford Core Strategy, September 2012
  - Dartford CIL Preliminary Draft Charging Schedule Consultation April to May 2012: Summary of consultation representations and the Council's response
- 3.3 The Council has published an Overview Report to accompany this schedule. This sets out the judgements that have been made in striking an appropriate balance (as described in para 3.1) together with further information on proposals for the introduction of CIL in Dartford, background to exemptions and relief and a draft Instalment policy.
- 3.4 All documents can be viewed at our website [www.dartford.gov.uk/planning](http://www.dartford.gov.uk/planning) or at the Civic Centre, Home Gardens DA1 1DR by appointment with the Planning Policy Team on 01322 343214.
- 3.5 Further information about CIL can be found at:  
<https://www.planningportal.co.uk/planning/policy-and-legislation/CIL/additional-information-required-when-making-a-planning-application>  
<https://www.gov.uk/government/policies/giving-communities-more-power-in-planning-local-development>

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<sup>2</sup> See key point 3 above