

## **Community Infrastructure Levy – how will this affect planning applications submitted before it is adopted?**

The three Councils of Broadland, Norwich and South Norfolk have co-operated in the development of a planning strategy for the area (the Joint Core Strategy) and are continuing to work together to bring about its implementation.

As part of this work, all three councils propose to introduce a Community Infrastructure Levy (CIL) on all relevant new development help fund the necessary infrastructure. The amount chargeable will be set out in Charging Schedules for each of the Councils' areas (outside the Broads Authority's area). The three Councils, working with Norfolk County Council as the Greater Norwich Development Partnership (GNDP) are consulting on preliminary draft charging schedules with a view to considering whether amendments are necessary so they can be submitted for consideration by an Independent Examiner. Click [here](#) to find the preliminary draft consultation documents.

If they are found to be soundly based, following the Examination, the Councils will be free to adopt the charging schedules and charge payments as set out in them for any relevant development permitted after their adoption. These payments will run alongside a much reduced scope for obligations under S106.

This will apply to applications for planning permission submitted before the adoption of the charging schedules, but where planning permission is granted after the date of adoption. It will include any application where there has been a resolution to approve prior to adoption and a planning obligation under section 106 of the Town and Country Planning Act, 1990 has not been agreed and a decision actually issued until after the adoption date. This will require the amount due to be calculated based on the floor area of the development permitted, and confirmation of who will accept liability for payment of the levy. Any applications where planning permission is granted before the date of adoption will not be liable for CIL.

As the expected date of adoption of the charging schedules approaches, therefore, applicants are advised to discuss what steps they should take in preparation for this change with the relevant local planning authority.

At present, the expected timetable for work leading up to the adoption of CIL charging schedules is as follows

Preliminary draft charging schedule consultation	3 October 2011 to 5:00pm on 14 November 2011
Draft charging schedule publication	January, 2012
Examination	March, 2012 - July, 2012
Adoption	July – August 2012

After adoption of the charging schedules, any relevant development undertaken, including permitted development liable for CIL, will be subject to the levy, unless it is undertaken under the terms of a planning permission granted before adoption of the charging schedules.