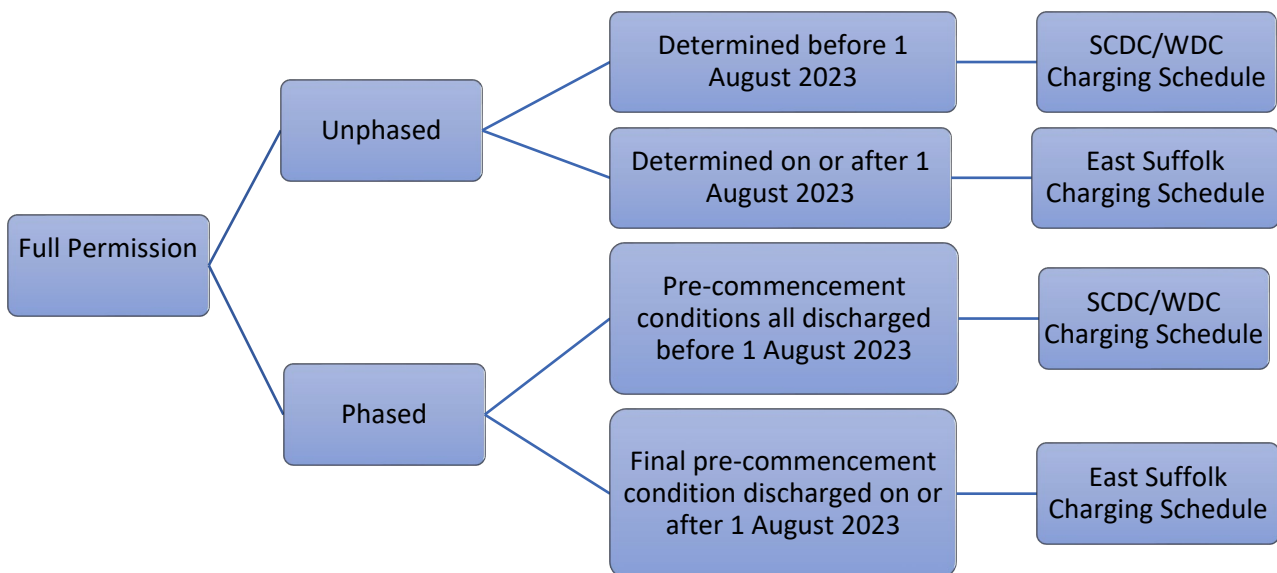


How will the new Charging Schedule affect Liability calculations?

The calculation is dependent upon when planning permission first permits the chargeable development and whether any transitional provisions are in effect:

- For Full *unphased* applications, this is the date permission is granted.
- For Full *phased*¹ applications, this is the date permission is granted except where there are pre-commencement conditions, in which case it is when all pre-commencement conditions have been approved for that phase.
- For Outline *unphased* applications, this is the date all the reserved matters are approved.
- For Outline *phased*¹ applications, this is the date all the reserved matters associated with that phase are approved².
- For General Consents (chargeable consents under the General Permitted Development Order) (including those subject to prior approval), this is the day Form 5: Notice of Chargeable Development is submitted (or served by the Council in the event development is commenced without submission of Form 5).

Full Planning Permissions:



Full unphased applications permitted before 1 August 2023 will be calculated in accordance with the old SCDC/WDC Charging Schedules.

Full unphased applications permitted on or after 1 August 2023 will be calculated in accordance with the new East Suffolk Charging Schedule.

Full phased applications where the final pre-commencement condition is discharged before 1 August 2023 will be calculated in accordance with the old SCDC/WDC Charging Schedules.

Full phased applications where the final pre-commencement condition is discharged on or after 1 August 2023 will be calculated in accordance with the new East Suffolk Charging Schedule.

¹ Phasing for the purposes of CIL must be *expressly* permitted by the planning permission (i.e described as a phased application and with a conditioned phasing plan).

² If the Council agrees in writing, this can be on the day all the pre-commencement conditions for that phase are discharged if that is earlier than reserved matters approval, however, it is generally only at the stage reserved matters are approved that the CIL liability can be calculated.

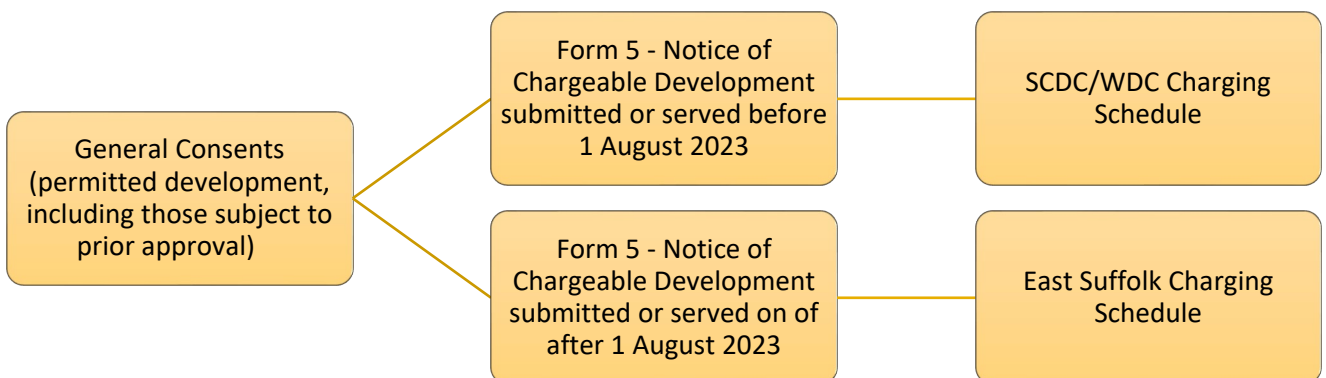
Outline Planning Permissions:



Outline applications (phased or unphased) where the outline permission itself is permitted before 1 August 2023 will be calculated in accordance with the old SCDC/WDC Charging Schedules when the reserved matters are approved, even if this is after the new Charging Schedule has come into effect. This is because there are transitional provisions in the CIL Regulations for Outline consents in these circumstances.

Outline applications where the outline permission itself is on or after 1 August 2023 will be calculated in accordance with new East Suffolk Charging Schedule when the reserved matters are approved.

General Consents:

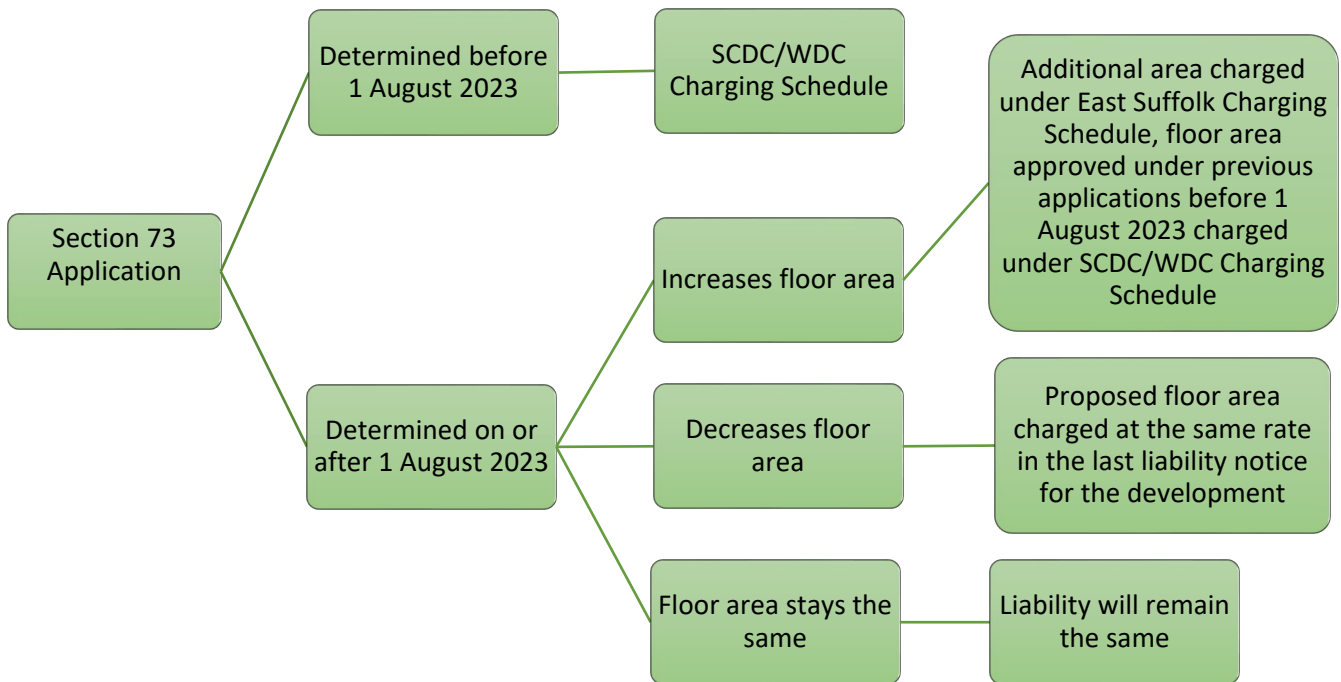


Chargeable General Consents (those involving a new dwelling or new build floorspace over 100sqm) with [Form 5 – Notice of Chargeable Development](#) submitted/served before 1 August 2023 will be calculated in accordance with the old SCDC/WDC Charging Schedules.

Chargeable General Consents (those involving a new dwelling or new build floorspace over 100sqm) with [Form 5 – Notice of Chargeable Development](#) submitted/served on or after 1 August 2023 will be calculated in accordance with the new East Suffolk Charging Schedule.

Section 73 Applications to vary or remove conditions:

Section 73 applications to vary or remove conditions on an outline application before reserved matters are approved are treated as if they are approved on the day the original outline consent was approved, except where a Section 73 application has previously been approved on the outline, in which case any difference in the CIL calculation will be subject to the same rules as below:



Where the original permission was pre-CIL, the calculation ensures any floor area previously approved is deducted and only any increase in floor area is payable at the relevant rate (the rate for that type of development, in that area, at the time the S73 permission is granted).

Where the original permission (or any subsequent S73 permission) was granted after CIL came into effect, any increase in floor area is charged at the rate in effect at the time permission is granted, but any floor area previously permitted is charged at the rate that was chargeable on the last liability notice for that development. If the floor area remained the same, the chargeable amount would be the same as on the last liability notice. If the floor area was reduced, the rate on the previous liability notice applies, but the chargeable amount would reduce to take into account the reduction in floor area.

The government has produced some [worked examples](#) as part of its [CIL Planning Practice Guidance](#) which are very helpful, however, a simplified example would be:

A residential development of 500sqm is approved in the Suffolk Coastal High Zone in 2022. The rate when planning permission first permitted the development was £192.28 per sqm gross internal area and the chargeable amount was $500 \times 192.28 = £96,140$.

A section 73 application is approved on 1 August 2023, increasing the gross internal area to 550sqm and the development is now in the East Suffolk Higher Value Zone at £300 per sqm. 500sqm was already permitted at £192.28 per sqm (£96,140). The additional 50sqm is chargeable at the new rate of £300 per sqm (£15,000). The chargeable amount is now £111,140.