
STATUTORY INSTRUMENTS

2012 No. 2975

**The Community Infrastructure Levy
(Amendment) Regulations 2012**

Amendment to Part 6 – exemptions and relief

6. —In regulation 50 (social housing relief: qualifying amount)—

(a) for paragraph (6) substitute—

“(6) The value of N_R in paragraph (5) must be calculated by applying the following formula—

$$Q_R - K_{QR} - \left(\frac{Q_R \times E}{G} \right)$$

where—

Q_R = the gross internal area of the part of the chargeable development which will comprise the qualifying dwellings, and in respect of which, but for social housing relief, CIL would be chargeable at rate R;

K_{QR} an amount equal to the gross internal area of all buildings (excluding any new build) on completion of the chargeable development which—

- (a) on the day planning permission first permits the chargeable development, are situated on the relevant land and in lawful use;
- (b) will be part of the chargeable development upon completion; and
- (c) will be chargeable at rate R but for social housing relief;

E an amount equal to the aggregate of the gross internal area of all buildings which—

- (a) on the day planning permission first permits the chargeable development, are situated on the relevant land and in lawful use; and
- (b) are to be demolished before completion of the chargeable development; and

G the gross internal area of the chargeable development.”;

(b) omit paragraph (7); and

(c) for paragraph (11) substitute—

“(11) Where—

(a) social housing relief has been granted in relation to a development;

(b) planning permission is granted under section 73 of TCPA 1990 in respect of that development; and

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (c) the amount of social housing relief calculated in accordance with this regulation that the development is eligible for has not changed as a result of the planning permission referred to in sub-paragraph (b),

anything done in relation to an application for social housing relief made under regulation 51 (social housing relief: procedure) in relation to the development referred to in sub-paragraph (a) is to be treated as if it was done in relation to the development that the planning permission referred to in sub-paragraph (b) relates.

(12) In this regulation “building” and “new build” have the same meaning as in regulation 40.”