
STATUTORY INSTRUMENTS

2019 No. 1103

The Community Infrastructure Levy
(Amendment) (England) (No. 2) Regulations 2019

Section 73 permissions: carry over of relief and instalments

7.—(1) After regulation 58, within Part 6 of the Regulations, insert—

“Carry over of relief in relation to certain section 73 permissions

58ZA.—(1) Where—

- (a) any relevant relief has been granted in relation to a development (D);
- (b) planning permission (B) is later granted under section 73 of TCPA 1990 in respect of that development; and
- (c) the amount of the relevant relief calculated in accordance with this Part of the Regulations that the development is eligible for has not changed as a result of B,

anything done in relation to an application for the relevant relief made in relation to D is to be treated as if it was done in relation to the development that B relates to.

(2) In this regulation “relevant relief” means—

- (a) an exemption for residential annexes or extensions;
- (b) an exemption for self-build housing;
- (c) charitable relief;
- (d) social housing relief.”.

(2) In regulation 70(1) after paragraph (8) insert—

“(9) Where—

- (a) the amount of CIL in respect of a chargeable development which is granted planning permission is payable in accordance with an instalment policy; and
- (b) a new planning permission (B) is later granted in relation to the development under section 73 of TCPA 1990,

then the amount of CIL in respect of the development granted by B is payable in accordance with that instalment policy.”.