

## Community Infrastructure Levy (CIL) RELIEF CLAIM DECISION

Ms Cynthia Phillips  
Pemberley House  
56 Southleigh Road  
Havant  
PO9 2QJ

Our Ref: APP/21/01183  
Direct Line: (023) 9244 6545  
Ask For: Jemma Howard  
Email: [cil@havant.gov.uk](mailto:cil@havant.gov.uk)  
02 March 2022

Dear Sir/Madam

### THIS NOTICE RELATES TO CIL ONLY AND DOES NOT CONSTITUTE THE GRANTING OF PLANNING PERMISSION

|                                              |                                                                       |
|----------------------------------------------|-----------------------------------------------------------------------|
| <b>Description of Chargeable Development</b> | 1No.1bed annexe and 1 beauty annexe; existing driveway to be widened. |
| <b>Address</b>                               | Pemberley House, 56 Southleigh Road, Havant, PO9 2QJ                  |
| <b>Planning Permission</b>                   | APP/21/01183                                                          |

### NOTIFICATION OF RELIEF CLAIM DECISION

Thank you for your claim for Residential Annex Exemption from the Community Infrastructure Levy (CIL) dated 02 March 2022.

We have now assessed your claim and have decided to grant Residential Annex Exemption for the chargeable development in question for the reason stated below.

### HBC

| Description                         | Net Deemed Area | Rate/sqm | Index | Relief    |
|-------------------------------------|-----------------|----------|-------|-----------|
| Residential Rest of Borough - 80.00 | 53.30 sqm       | £80.00   | 1.482 | £6,319.86 |

#### Annex Exemption Breakdown

|                     |           |
|---------------------|-----------|
| Ms Cynthia Phillips | £6,319.86 |
|---------------------|-----------|

#### Relief Totals

|                 |           |
|-----------------|-----------|
| Annex Exemption | £6,319.86 |
|-----------------|-----------|

#### Site Totals (sqm)

|                   |       |
|-------------------|-------|
| Total Development | 53.30 |
| Demolitions*      | 0.00  |
| Existing Use*     | 0.00  |
| Chargeable Area   | 53.30 |

Under Regulation 42A of the Community Infrastructure Levy (CIL) Regulations 2010, 2014 Amendment:

(1) Subject to paragraphs (5) and (6), a person (P) is exempt from liability to pay CIL in respect of development if-

- a. P owns a material interest in a dwelling ("main dwelling");
- b. P occupies the main dwelling as P's sole or main residence; and
- c. the development is a residential annex or a residential extension.

(2) The development is a residential annex if it-

- a. is wholly within the curtilage of the main dwelling; and
- b. comprises one new dwelling.

(4) An exemption or relief under this regulation-

- a. in respect of a residential annex is known as an exemption for residential annexes;
- b. in respect of a residential extension is known as an exemption for residential extensions.

(5) An exemption for residential annexes or extensions cannot be granted to the extent that the collecting authority is satisfied that to do so would constitute a State aid which is required to be notified to and approved by the European Commission.

(6) Where paragraph (5) applies, the collecting authority must grant relief up to the amount that would not constitute a State aid which is required to be notified to and approved by the European Commission.

The qualifying amount of Residential Annex Exemption calculated for this chargeable development is £6,319.86. The qualifying amount of relief will be deducted from the total CIL charge for the chargeable development. The total CIL chargeable amount due, including relief, will be stated in the Liability Notice.

Further, under Regulation 42C of the Community Infrastructure Levy (CIL) Regulation 2010 (as amended) whenever a 'disqualifying event' occurs before the end of the clawback period in respect of the chargeable development for which Residential Annex Exemption has been granted, the Residential Annex Exemption granted in respect of the relevant interest is withdrawn and the relevant person is liable to pay an amount of CIL equal to the withdrawn relief.

Further, under Regulation 42C of the Community Infrastructure Levy (CIL) Regulation 2010 (as amended) whenever a 'disqualifying event' occurs before the end of the clawback period in respect of the chargeable development for which Residential Extension Exemption has been granted, the Residential Extension Exemption granted in respect of the relevant interest is withdrawn and the relevant person is liable to pay an amount of CIL equal to the withdrawn relief.

A disqualifying event will include the following:

- a. the use of the main dwelling for any purpose other than as a single dwelling;
- b. the letting of the residential annex; or
- c. the sale of the main dwelling or the residential annex unless they are sold at the same time to the same person.

You must notify the Council in writing within 14 days of the disqualifying event. Failure to do this may result in a surcharge being applied.

If you have any queries regarding CIL please contact us at [cil@havant.gov.uk](mailto:cil@havant.gov.uk) or a member of our CIL Team on (023) 92446545.

Yours faithfully

*Planning Services*

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