

COMMUNITY INFRASTRUCTURE LEVY (CIL) Form 7: Self-Build Exemption (Part 1)

CIL Form 7: Self-Build Exemption (Part 1) should be completed by the individual(s) seeking to claim exemption from CIL for Self-Build development of a new dwelling **prior** to commencement of development. Exemption or relief can only be approved **prior** to commencement.

If Self-Build relief is approved, **CIL Form 7: Self-Build Exemption (Part 2)** must be completed in full, and submitted, within the period of six months of the date of the building completion notice.

1. Relief Application Details

Applicant Name:

Planning Application number (if allocated):

Site Address:

Description of development:

2. Liable Party

Please confirm that the applicant owns a material interest in the land:

Yes

- A material interest in the relevant land is a legal estate in that land which is a freehold estate; or a leasehold estate, the term of which expires more than seven years after the day on which planning permission first permits the chargeable development.

No

Please confirm that the applicant for this relief has assumed liability for the payment of the CIL associated with the development to which the relief relates:

Yes

- Liability can be assumed by:
 - Completing the Assumption of Liability Section of CIL Form 1: Determination of CIL Liability;
 - Completing CIL Form 2: Assumption of Liability; or
 - Where another party has previously assumed liability, CIL Form 4: Transfer of Liability.

No

3. Self-Build Declaration

1. I declare that this is a 'Self-Build project' for purposes of the exemption set out within the regulations:

Yes

- 'Self-Build' for the purposes of CIL exemption is defined as all homes built or commissioned by individuals or groups of individuals for their own use, either by building the home on their own or working with builders.

No

2. I declare that I will occupy the premises as my sole or main residence for a period of three years from completion of the property:

Yes

- 'Completion' for the purposes of CIL exemption is defined as the issuing of a compliance certificate for this development issued under either Regulation 17 (completion certificates) of the Building Regulations 2010 or Section 51 of the Building Act 1984 (final certificates).

No

3. I declare that I will provide the required supporting documentation referred to within CIL Form 7: Self-Build Exemption (Part 2), within 6 months of completion of the property (as specified within the Building Completion Notice) and I understand failure to do this will result in CIL becoming payable:

Yes

- Relevant documentation will include but is not limited to:
 - a) A Building Completion Notice;
 - b) Council Tax Invoice (originals or certified copies);
 - c) Two further proofs of the Self-Build applicants' occupation of the dwelling, such as utility bills, bank/building society statements, evidence of the applicant being on the local electoral roll, etc (originals or certified copies, no older than 3 months old);
 - d) Title Deeds - freehold or leasehold (originals or certified copies); and
 - e) An approved claim from HM Revenue and Customs under VAT431NB: VAT Refunds for DIY house builders; **or** a Self-Build warranty; **or** an approved Self-Build mortgage from a bank or building society (this can be in joint names) (originals or certified copies).

No

4. State Aid

I declare the amount of de minimis State Aid received in the last three years prior to submission of this application for relief is less than 200,000 Euro:

- Further information about de minimis State Aid can be found at: www.gov.uk/state-aid; or www.planningportal.gov.uk/uploads/1app/forms/140214_state_Aid_extract_FINAL_PDF.pdf

If you have received any State Aid within the last three years prior to submission of this application for relief, please specify the amount received and complete **CIL Form: De Minimis State Aid** (available on the Shropshire Council website):

£

If you have not received any State Aid, please confirm this by ticking the above box or stating £0.00.

Please Note: An application for self-build relief can only be accepted where the applicant has confirmed that they have received less than 200,000 Euro of de minimis State Aid in the last three years.

5. Commencement of Development

Has this development commenced?

Yes

No

- For the purposes of CIL, commencement is deemed to occur when any material operation takes place. A **material operation** is as defined within Section 56(4) of the TCPA 1990, this includes:

- a) Any work of construction in the course of the erection of a building;
- aa) Any work of demolition of a building;
- b) Digging a trench which is to contain the foundations, or part of the foundations, of a building;
- c) The laying of any underground main or pipe to the foundations, or part of the foundations, of a building or to any such trench as is mentioned in paragraph b);
- d) Any operation in the course of laying out or constructing a road or part of a road;
- e) Any change in the use of any land which constitutes material development.

Has a **dated photograph** been provided, in support of your application for relief?

Yes

No

Please Note: This must be sufficient to determine if the approved development has commenced.

Please Note: Photographs should not normally include a person(s). Where a photograph includes an individual, the applicant(s) are responsible for ensuring they sign a photographic disclaimer. In the case of minors, permission must also be secured from their parent or relevant other.

6. Declaration

I understand:

That failure to submit a CIL Form 6: Commencement Notice prior to commencement will result in the development being subject to a surcharge of 20% of the liability (max 2,500).

Yes

No

The meaning of a '**disqualifying event**' for CIL Self-Build exemption and that where a disqualifying event occurs before or after commencement of development I must inform Shropshire Council as the collecting authority within 14 days.

Yes

No

That my claim for Self-Build exemption will lapse where development commences prior to Shropshire Council as the collecting authority informing me of its decision.

Yes

No

It is an offence for a person to knowingly or recklessly supply information which is false or misleading in a material respect to a collecting or charging authority in response to a requirement under the Community Infrastructure Levy Regulations (2010) as amended (regulation 110, SI 2010/948). A person guilty of an offence under this regulation may face unlimited fines, two years imprisonment, or both.

I/we acknowledge that we have read and understand the above terms and conditions and confirm that the details given are correct.

I/we acknowledge the requirements of the Self-Build Exemption and are aware of the need to report the occurrence of a disqualifying event within 14 days of its occurrence, prior to, during and following completion of development - during the clawback period of three years from the date of the compliance certificate relating to the relevant dwelling.

Signed by Applicant (Compulsory):

Date (DD/MM/YYYY):

Contact Telephone Number:

Contact Email Address:

Please Note: A hand written signature is required.

On receipt of this application Shropshire Council as the Collecting Authority will make a decision on your claim as soon as practicable and inform the amount of CIL relief granted in writing. You **must** then submit a commencement notice to Shropshire Council as the Collecting Authority prior to starting on site. Failure to do so will result in the council imposing a surcharge of 20%, with a maximum of £2,500.

7. Disqualifying Events

The Amended National CIL Regulations (2014) specify that if a disqualifying event occurs before the end of the claw-back period, then the Self-Build applicant must notify Shropshire Council before the end of the period of 14 days, beginning with the day on which the disqualifying event occurs. The claw-back period is “three years beginning with the date of the compliance certificate relating to the relevant dwelling”.

For the purposes of Self-Build relief from CIL, disqualifying events are defined in Regulation 54A-D of the Amended National CIL Regulations (2014). They include but are not limited to:

- a) Any change in relation to the Self-Build housing or Self-Build communal development which is the subject of the exemption such that it ceases to be Self-Build housing or Self-Build communal development;
- b) A failure to comply with the requirements of **Stage 2: Submission of Evidence**, in full, within the period of six months of the date of the building completion notice.
*Please Note: This should be completed by submitting **CIL Form 7: Self-Build Exemption (Part 2)** to Shropshire Council as the Collecting Authority.*
- c) The letting out of a whole dwelling or building that is Self-Build housing or Self-Build communal development;
- d) The sale of the Self-Build housing; or
- e) The sale of the Self-Build communal development.

If the applicant for Self-Build relief fails to notify Shropshire Council within the notification period, Shropshire Council must withdraw the Self-Build relief **and** impose a surcharge of 20% of the chargeable amount payable (maximum of £2,500) for the development that benefitted from the Self-Build relief.

Where the disqualifying event occurs before commencement of the chargeable development, the CIL liability is payable on commencement of that chargeable development. In all other cases the CIL liability is payable on the day that it is imposed.

The Amended National CIL Regulations (2019) state that failure to submit CIL Form 6: Commencement Notice prior to the commencement of development results in a surcharge of 20% (max £2,500) being imposed.

8. Submission:

Once completed and signed, this form can be returned either by email or post.

It can be emailed to: CIL@Shropshire.gov.uk

It can be posted to: Shropshire Council, CIL Team, Planning Policy - 5th Floor, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

Details on how Shropshire Council uses your data can be found at:

<https://shropshire.gov.uk/privacy/privacy-notices/>