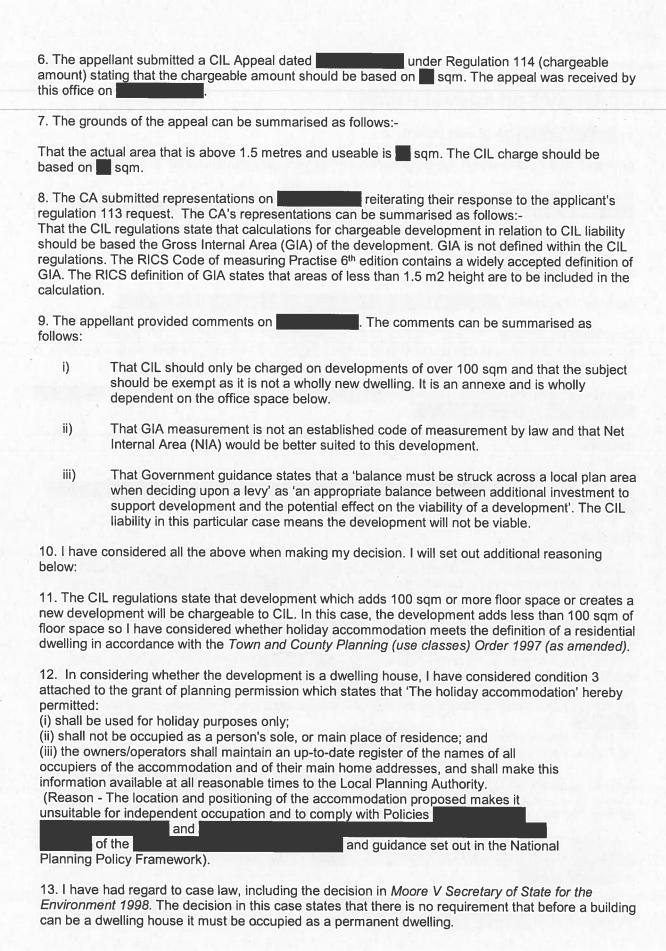
Statement on appeal validity

k	by BA (Hons) MRICS
a	n Appointed Person under the Community Infrastructure Regulations 2010 (as Amended)
١	/aluation Office Agency
E	Email: @voa.gsi.gov.uk
-	Appeal Ref:
1	Address of property:
1	Development: Change of use of first floor and part ground floor to holiday accommodation including the alteration of existing doorway, creation of a new internal staircase and a new brick gable end to the east elevation
	Planning permission details: Reference on the condition of the condition o
Ī	Decision
	determine that the Community Infrastructure Levy (CIL) payable in respect of the above development should be £(
	Reasons
	1. I have considered all the submissions made by the appellant and I have also considered the representations made by the Collecting Authority (CA), have considered the information and opinions presented in the following documents:-
	(a) Planning permission decision notice dated
	(b) The CA's Liability Notice dated (c) The CA's response to the review request dated appellant's regulation 113 review request of (d) The appellant's appeal form dated appellant appellant appeal form dated appellant
	(e) Various plans provided alongside the appeal documentation and received by this office on
	(f) The CA's representations dated (g) The appellant's comments dated
	3. Planning permission was granted on by for: Change of use of first floor and part ground floor to holiday accommodation including the alteration of existing doorway, creation of a new internal staircase and a new brick gable end to the east elevation
	4. On the CA issued Liability Notice (reference number) in the sum of square metres (sq m). The notice was served on
	5. A review request was submitted by to the CA via email on and the CA responded on the CIL charge remained unaltered.



14. In light of points 1-3 above, I am content that the development is one which is liable to CIL

- 15. I have considered if it is correct that areas of under 1.5 metres height should be included within the CIL liability calculation. The CIL regulation 40 refers to GIA as opposed to NIA. Therefore, the appellant's contention that NIA should be used to calculate the CIL liability in this case would not be in accordance with the CIL Regulation 40.
- 16. GIA should be used. The accepted method of calculation of GIA is set out in the RICS Code of Measuring Practice (6th Edition). It provides that GIA is the area of a building measured to the internal face of the perimeter walls at each floor and includes areas with a headroom of less than 1.5m.
- 17. I am therefore of the view that the area to be included within the CIL calculation is sqm. There have been no representations from either side that any relevant and in use parts of the existing buildings should be accounted for by way offsetting i.e. including them within accordance with the Kr part of the CIL liability formula in accordance with CIL regulation 40 (1-7).
- 18. I note the appellant's point about levy setting and viability. However, this relates to the responsibilities incumbent upon a Collecting Authority when setting the CIL levy at Local Plan stage. It is not possible for me to consider the viability of individual developments way of a CIL appeal under part 10 of the CIL regulations.

19.

- i) Based on the facts of this case and the evidence before me I conclude that that the appropriate charge in this case should be based on a net additional area of sqm
- ii) I determine that the Community Infrastructure Levy (CIL) payable in respect of the above development should be £

MRICS RICS Registered Valuer Valuation Office Agency