



Appeal Decision

by Ken McEntee

a person appointed by the Secretary of State

Decision date: 23rd December 2025

Appeal ref: APP/A3010/L/25/3365860

- The appeal is made under Regulation 117(1)(a) of the Community Infrastructure Levy Regulations 2010 (as amended).
- The appeal is brought by [REDACTED] against a surcharge imposed by Bassetlaw District Council.
- The relevant planning permission to which the surcharge relates is [REDACTED]
- The description of the development is: "[REDACTED]".
- Planning permission was granted on 9 July 2018.
- A Liability Notice was served on 11 May 2018.
- A revised Liability Notice was served on 10 April 2025.
- A Demand Notice was served on 22 April 2025.
- The alleged breach that led to the surcharge is the failure to notify the Council of a 'disqualifying event' for self-build CIL relief within 14 days.
- The outstanding surcharge for failing to notify the Council of a 'disqualifying event' is [REDACTED]

Summary of decision: The appeal is dismissed and the surcharge is upheld.

Reasons for the decision

1. The appeal is made under Regulation 117(1)(a) – that the alleged breach that led to the surcharge did not occur. The alleged breach is the failure to notify the Collecting Authority (Council) of a 'disqualifying event' for self-build relief, namely the sale of the appeal property. CIL Regulation 54(D)(4) specifies that "*the relevant person must notify the collecting authority in writing of the disqualifying event before the end of 14 days beginning with the day on which the disqualifying event occurs*". The appellant contends that he sent notification of the planned completion of the sale on 28 March 2025 by letter sent by first class post on 11 March 2025 and has provided an electronic copy of the content of that letter. However, the Council insist they can find no record of receipt of any such correspondence.
2. The appellant contends that he decided to send the notification by post, rather an e-mail as he was experiencing problems trying to speak to anyone at the CIL department due to illness and didn't want to risk the e-mail not being seen or logged. However, while the appellant was entitled to use first class post, such a method comes with a risk as it doesn't provide for proof of postage, unlike recorded deliver or registered post for example. While I have sympathy with the appellant, I can only determine the appeal on the factual documentary evidence before me.

Without any evidence of proof of postage, I cannot be satisfied that notification of a 'disqualifying event' occurred within 14 days as required by Regulation 54(D)(4).

Formal decision

3. For the reasons given above, the appeal is dismissed and the surcharge of [REDACTED] is upheld.

K McEntee