

Community Infrastructure Levy Regulations 2010 (as amended)

Exceptional Circumstances Relief Policy

This document gives notice that Dorset Council has determined to make relief for exceptional circumstances available from **3rd September 2024**, in accordance with Regulations 55, 56 & 57 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended).

1. Policy Details

The exceptional circumstances relief policy is intended for use solely in the area covered by the Purbeck Local Plan (2018-2034), Adopted **18th July 2024**.

Applications for exceptional circumstances relief can only be submitted for planning permissions granted for specific sites listed under Local Plan Policy V1: Spatial strategy for sustainable communities, as follows:

1.a Local Plan allocated sites.

- Moreton Station / Redbridge Pit
- Wool
- Lytchett Matravers
- Upton

1.c Neighbourhood Plan sites of around 50 dwellings that are required to provide Habitat Regulations mitigation in accordance with Local Plan Policies E7, E8 & E9.

2. Extra care facilities at Wool and Moreton Station / Redbridge Pit, as detailed in Local Plan Policies H2, H4 & H5.

The permissions must comply with the details and requirements set out in the following relevant Local Plan housing policies:

Policy H3: New housing development requirements

Policy H4: Moreton Station / Redbridge Pit

Policy H5: Wool

Policy H6: Lytchett Matravers

Policy H7: Upton

Policy H11: Affordable housing

Notwithstanding the above policy requirements, the proposals must also comply with the associated requirements for development, adopted in the Purbeck Local Plan (2018-2034), plus local and national planning policies.

The CIL rate payable for each claim will be determined in accordance with the economic viability assessment of the chargeable development.

The assessment will be undertaken by an independent person on behalf of the claimant, whose selection is with the agreement of the Council.

2. Summary of Eligibility and Procedures

A claim for exceptional circumstances relief can only be granted if one or more planning obligations under section 106, Town & Country Planning Act 1990 have been secured in respect to the planning permission and development.

The claim must be submitted by a person (the claimant), who is an owner of a material interest in the relevant land.

The claim must be submitted in writing on the [Exceptional Circumstances Relief Claim Form](#), available from the Planning Portal [Download the forms](#) webpage, and be received before commencement of the development.

The claim form must be fully completed to be a valid claim and be accompanied by the following:

An independent economic viability assessment, which has been undertaken by an independent person, in agreement with the Council.

An explanation of why payment of the CIL liability would be detrimental to the viability of the development.

An apportionment assessment, if there is more than one person with a material interest in the land.

If appropriate, a declaration that all those with a material interest have been notified and paragraph (6), regulation 57 has been complied with.

The claim will lapse if development is commenced before the claimant has received a decision on the claim or one or more of the following disqualifying events occur:

Relief or exemption is granted for charitable status, social housing relief, self-build housing or residential annexes before development is commenced.

An owner of a material interest in the relevant land disposes of that interest.

The development has not commenced at the end of the period of 12 months beginning with the day on which the claim is granted.

Please refer to the regulations 55, 56 & 57, plus legislative amendments for full details on the procedures and requirements for exceptional circumstances relief.

All claims and queries should be sent to cil@dorsetcouncil.gov.uk