

Definition of Community Infrastructure Levy (CIL) Chargeable Area

What is Gross Internal Area (GIA)?

CIL liability is based on the “chargeable area” which is calculated using the formulas set out in Regulation 40 of the CIL Regulations 2010 (as amended). These require the measurement of the Gross Internal Area (GIA) floorspace of the proposed CIL liable development and the GIA floorspace of any existing ‘in-use’ building¹ which is to be demolished.

The definition of GIA for the purposes of calculating CIL is not specified in the CIL Regulations, but the generally accepted method of calculation of GIA is set out in the RICS Code of Measuring Practice 6th Edition (2007)(the RICS Code):

GIA is the area of a building measured to the internal face of the perimeter walls at each floor level and includes:

- Areas occupied by internal walls and partitions;
- Columns, piers, chimney breasts, stairwells, lift-wells, other internal projections, vertical ducts, and the like;
- Atria and entrance halls, with clear height above, measured at base level only;
- Internal open-sided balconies, walkways, and the like;
- Structural, raked or stepped floors are to be treated as a level floor measured horizontally;
- Horizontal floors, with permanent access, below structural, raked or stepped floors;
- Corridors of a permanent essential nature (e.g. fire corridors, smoke lobbies);
- Mezzanine floor areas with permanent access;
- Lift rooms, plant rooms, fuel stores, tank rooms, which are housed in a covered structure or a permanent nature, whether or not above the main roof level;
- Service accommodation such as toilets, toiler lobbies, bathrooms, showers, changing rooms, cleaner’s rooms and the like;
- Projection rooms;
- Voids over stairwell and lift shafts on upper floors;
- Loading bays;
- Areas with a headroom of less than 1.5m
- Pavement vaults;
- Garages
- Conservatories

¹ A building that has been in ‘lawful use’ for a continuous period of at least 6 months within the period of 3 years, ending on the day planning permission first permits the charge for development.

The following are excluded from CIL liable floorspace:

- Perimeter wall thicknesses and external projections;
- External open-sided balconies, covered ways and fire escapes;
- Canopies;
- Voids over or under structural raked or stepped floors;
- Greenhouses, garden stores (sheds), fuel stores and the like, in residential properties.

For the purposes of calculating internal floorspace for CIL, and for the avoidance of doubt, the Council will also include in the calculation of GIA:

- Structures, such as car ports with a solid roof even though one or more sides is open;
- Porches on dwelling houses even though the front or side may be open;
- Conservatories;
- Basements, underground and covered car parking areas.

The following will not be counted as internal floorspace for the purposes of CIL:

- A pergola with no roofing material;
- Free-standing solar panels