

Town and Country Planning Act 1990

Town and Country Planning (Development Management Procedure) (England) Order 2015

Town and Country Planning Appeals (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2000

Gloucestershire County Council – Planning Obligations (Education, Libraries, Highways and Transportation Infrastructure)

CIL Compliance Statement Summary

Land at Hill Farm, Hempsted Lane, Gloucester, Gloucestershire

20/00315/OUT - Outline application for the erection of up to 245 dwellings with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access point from Hempsted Lane. All matters reserved except for means of vehicular access and currently subject to Appeal Reference: APP/U1620/W/22/3296510



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This summary deals with GCC’s request for contributions by individual section: Education Provision | Library Provision | Highways and Transportation Provision – for more detail please refer to the more comprehensive CIL Compliance Statement

OBLIGATION	POLICY CONTEXT	BASIS OF NEED	CIL COMPLIANCE
<p>Education Provisions</p> <p>Please note: The education contribution is based on dwellings of 2 or more bedrooms - 1 x bed dwellings <u>do not</u> trigger an education contribution. Accordingly, the planning obligation being offered by the Appellant provides the education contribution using a formulaic approach. This Summary sets out both the formula and the base line contribution being sought on the assumption that the development promises of <u>all</u> 2 or more bedroomed dwelling. The value of the contribution payable will be established prior to its payment</p>			
<p><u>A Secondary Education (11-16 years) (places) Contribution of £804,344.80</u> is required to fund additional places generated by the development due to the lack of capacity in</p>	<p>NPPF Paragraph 55 allows LPAs to use planning obligations to make an unacceptable development acceptable and para 57 sets out the tests of acceptability.</p> <p>JCS (adopted Dec 2017)</p> <p>Policy INF4: Social and Community Infrastructure</p> <p><i>“Where new residential development will create, or add to, a need for community facilities, it will be fully met as on-site provision and/or as a contribution to facilities or services off site. New or refurbished provision will be of an appropriate type,</i></p>	<p>The education contribution that is required for this proposed development is necessary to fund the provision of additional places generated by the development because of the lack of capacity in the relevant education sector</p>	<p>a) A secondary (11-16 years) pupil yield of 41.65 would be generated by this development requiring a full contribution for secondary (11-16 years) of £804,344.80 based on the 245 qualifying dwellings. This figure is derived by applying the following formula:</p> <p style="text-align: center;">A + B x 0.17 x £19,312</p> <p>Where:</p> <p>A = no. of qualifying flats </p> <p>B = no. of qualifying houses</p> <p>0.17 = the PPR multiplier</p> <p>£19,312= the DfE per pupil multiplier for 2021</p>

<p>the relevant education sector</p> <p>This figure is derived by applying the following formula</p> <p>$A+B \times 0.17 \times \pounds 19,312$</p> <p>Where:</p> <p>A = no. of qualifying flats </p> <p>B = no. of qualifying houses</p> <p>0.17 = the PPR multiplier based on the DfE pupil multiplier for 2021</p>	<p><i>standard and size. From an early stage, developers will be expected to engage with the relevant local authorities and infrastructure providers and, as appropriate, relevant local community groups where they exist, to ensure that new provisions meets the needs of the community that it will serve and is fit for purpose”</i></p> <p>JCS (adopted Dec 2017)</p> <p>Policy INF6: Infrastructure Delivery</p> <p><i>“Where need for additional infrastructure and services and/or impacts on existing infrastructure and services is expected to arise, the Local Planning Authority will seek to secure appropriate infrastructure, which is necessary, directly related, and fairly and reasonably related to the scale and kind of the development proposal”.</i></p> <p>JCS (adopted Dec 2017) Policy INF7: Developer Contributions</p> <p><i>“Arrangements for direct implementation or financial contributions towards the provision of infrastructure and services required as a consequence of development, including its wider cumulative impact, and provision where appropriate for its maintenance, will be negotiated with developers before the grant of planning permission. Financial contributions</i></p>		<p>b) The contribution is directly related to the proposed development in that the contribution has been calculated based on a specific formula relative to the number of children generated by this development. The contribution will be allocated and spent towards creating new secondary school places either at the local existing school and/or within the planning area to enable children from this development to attend a local school</p> <p>c) The contribution being sought is fair and reasonably related in scale and kind to the development because it has been calculated using an up-to-date calculation relating to pupil yields data and the scale of growth and based only on the numbers of additional pupils arising from the proposed qualified dwellings. In addition, the contribution is fair and reasonable as it will only be used for the number of pupils arising from this development which is a pupil yield of 41.65 for secondary aged 11-16</p>
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	<p><i>will be sought through the S106 and CIL mechanisms as appropriate”.</i></p> <p>Adopted GCC Local Development Guide 2021 sets out the approach to calculating developer contributions for education. The LDG is considered a material consideration in the determination of the impact of proposed development on infrastructure.</p> <p>https://www.gloucestershire.gov.uk/planning-and-environment/planning-policy/gloucestershire-local-development-guide</p>		
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OBLIGATION	POLICY CONTEXT	BASIS OF NEED	CIL COMPLIANCE
Library Provisions			
<p>A Library contribution of £48,020 will be allocated and spent towards improving customer access at Gloucester Library through refurbishment, reconfiguration and upgrades, improvements to stock, IT and digital technology, and increased services.</p>	<p>NPPF Paragraph 34 states that a Plan should set out the contributions expected from development, including infrastructure.</p> <p>Paragraph 55 allows LPAs to use planning obligations to make an unacceptable development acceptable, and paragraph 57 sets out the test of acceptability.</p> <p>JCS (adopted Dec 2017) Policy INF4 requires that where new residential development will create, or add to, a need for community facilities; it will be fully met as onsite provision and/or as a contribution to facilities or services off-site. 'Community facilities' in this context includes libraries.</p> <p>JCS (adopted Dec 2017) Policy INF6 states that where need for additional infrastructure and</p>	<p>Gloucester Library is the library that will be affected by increased local demand as a result of the proposed development.</p>	<p>a) The contribution is <u>necessary</u> to make the development acceptable in planning terms as it will be used on improvements to library provision to mitigate the impact of increasing numbers of library users arising from the proposed development.</p> <p>b) The contribution is <u>directly related to the development</u> as it is: to be used a library near to the application site, and the library most likely to be used by residents of the proposed development (Gloucester Library); and is based on the total number of new dwellings generated by the development (245)</p> <p>c) The contribution is <u>fairly and reasonably related in scale and kind</u> to the development as it is calculated using GCC's established per dwelling tariff for improvement works to existing libraries (£196). The calculation for library contributions is £196 multiplied by the total number of proposed dwellings (in this case 245 dwellings x £196 = £48,020).</p>

	<p>services and/or impacts on existing infrastructure and services is expected to arise, the local planning authority will seek to secure appropriate infrastructure, which is necessary, directly related, and fairly and reasonably related to the scale and kind of the development proposal.</p> <p>The County Council's Library Strategy 2012 lists a series of overarching outcomes, which include to deliver 'Libraries which reflect local needs and can respond effectively to changes in demand'</p>		
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OBLIGATION	POLICY CONTEXT	BASIS OF NEED	CIL COMPLIANCE
Highway and Transportation Provisions			
<p><u>A Highway Improvement Contribution of £3,000.00</u> is required to provide uncontrolled crossing points at Hempsted Lane/Court Gardens and Hempsted Lane/Hinton Close</p>	<p>NPPF Paragraph 55 allows LPAs to use planning obligations to make an unacceptable development acceptable and paragraph 57 sets out the tests of acceptability.</p> <p>JCS (adopted Dec 2017) Policy INF4: Social and Community Infrastructure <i>“Where new residential development will create, or add to, a need for community facilities, it will be fully met as on-site provision and/or as a contribution to facilities or services off site. New or refurbished provision will be of an appropriate type, standard and size. From an early stage, developers will be expected to engage with the relevant local authorities and infrastructure providers and, as appropriate, relevant local community groups where they exist, to ensure that new provisions meets the needs of the community that it will serve and is fit for purpose”</i></p> <p>JCS (adopted Dec 2017) Policy INF6: Infrastructure Delivery <i>“Where need for additional infrastructure and services and/or impacts on existing infrastructure and services</i></p>	<p>Para 112 of the NPPF provides that development should give priority first to pedestrians. The highway improvement contribution will provide uncontrolled crossing points at Hempsted Lane/Court Gardens and at Hempsted Lane/Hinton Close encouraging pedestrian traffic</p>	<p>a) The contribution is <u>necessary</u> to make the development acceptable in planning terms to improve the uncontrolled crossing points at Hempsted Lane/Court Gardens and Hempsted Lane/Hinton Close</p> <p>b) The contribution of £3,000 is <u>directly related to the Development</u> in that it will be used to fund the improvement works to provide a safer pedestrian route at Hempsted Lane/Court Gardens and Hempsted Lane/Hinton Close</p> <p>c) The contribution is <u>fairly and reasonably related in scale and kind</u> to the development. It is a one off capital cost to provide the improvement and the value is considered fair in relation to the size of the proposed development.</p>

	<p><i>is expected to arise, the Local Planning Authority will seek to secure appropriate infrastructure, which is necessary, directly related, and fairly and reasonably related to the scale and kind of the development proposal”.</i></p> <p>JCS (adopted Dec 2017) Policy INF7: Developer Contributions</p> <p><i>“Arrangements for direct implementation or financial contributions towards the provision of infrastructure and services required as a consequence of development, including its wider cumulative impact, and provision where appropriate for its maintenance, will be negotiated with developers before the grant of planning permission. Financial contributions will be sought through the S106 and CIL mechanisms as appropriate”.</i></p> <p>Adopted GCC Local Development Guide 2021 sets out the approach to calculating developer contributions for education. The LDG is considered a material consideration in the determination of the impact of proposed development on infrastructure.</p> <p>https://www.gloucestershire.gov.uk/planning-and-environment/planning-policy/-gloucestershire-local-development-guide</p>		
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<p><u>A Travel Plan Monitoring Fee</u> of £5,000.00 is required to deliver effective ongoing sustainable travel monitoring</p>	<p>The requirement accords with NPPF paragraphs 110, 112 and 113. These paragraphs seek to ensure that sustainable travel opportunity have been taken forward. Additionally, it seeks to ensure that a travel plan is provided. These principles are also expressed in the JCS (adopted Dec 2017) policy INF1 and those policies referred to above.</p> <p>The requirement accords with GCC's publications:</p> <ul style="list-style-type: none"> ▪ Local Transport Plan 2020-2041, policy PD 0.3 and 0.4 https://www.gloucestershire.gov.uk/media/2108466/ltp-policy-document-final , ▪ GCC's Manual for Gloucestershire Streets https://www.gloucestershire.gov.uk/highways/plans-policies-procedures-manuals/manual-for-gloucestershire-streets/ ▪ Travel Plan Guide for Developers July 2011 https://www.gloucestershire.gov.uk/media/7407/mfgs_appendix_e_travel_plan_guide_for_developers and <p>Travel Plan Advice Sheet 7 https://www.gloucestershire.gov.uk/media/5864/advice_sheet_no_7-residential_travel_plans</p> <p>All defines travel plan requirements and the monitoring regime.</p>	<p>A Travel Plan is sought via condition but its delivery is detailed within the proposed planning obligation; such delivery ensure ongoing sustainable travel monitoring as required</p>	<p>The sums sought relate to sums per annum for the first 5 years of a travel plan monitoring; they are directly related to GCC's implementation and monitoring regime which sets out requirements and inputs.</p> <p>The travel plan is to cover only those residential dwellings contained within the proposed development and will be used to deliver the projected trip generation from the development site.</p> <p>The scale of the improvements and extend of the travel (including monitoring fee and security) does not seek to extend beyond the remit of the development and is reasonable in terms of the scale of contribution and the infrastructure necessary to ensure the impact of the development does not create a negative impact on the highway network or transport sustainability.</p> <p>The usual acceptable forms of security are:</p> <ul style="list-style-type: none"> a) a cash deposit held by the LHA; and/or b) a bond, in the form annexed to the proposed UU <p>The UU provides for the Owner to elect either option. Should the Owner elect to provide a cash deposit, this will be held for the duration of the travel plan period and is payable prior to Commencement of Development</p> <p>Alternatively, if the Owner elects to provide a bond, it is required prior to Commencement of Development and is held for the duration of the travel plan period</p> <p>Both the Travel Plan Monitoring fee of £5,000.00 and the Travel Plan Bond/Travel Plan Cash Deposit of £45,254.00 are CIL compliance in that they are necessary to make the development acceptable in planning terms, they directly</p>
<p><u>A Travel Plan Bond or Cash Deposit</u> of £45,254.00 is required to deliver effective ongoing sustainable travel monitoring.</p>	<p>The requirement accords with GCC's publications:</p> <ul style="list-style-type: none"> ▪ Local Transport Plan 2020-2041, policy PD 0.3 and 0.4 https://www.gloucestershire.gov.uk/media/2108466/ltp-policy-document-final , ▪ GCC's Manual for Gloucestershire Streets https://www.gloucestershire.gov.uk/highways/plans-policies-procedures-manuals/manual-for-gloucestershire-streets/ ▪ Travel Plan Guide for Developers July 2011 https://www.gloucestershire.gov.uk/media/7407/mfgs_appendix_e_travel_plan_guide_for_developers and <p>Travel Plan Advice Sheet 7 https://www.gloucestershire.gov.uk/media/5864/advice_sheet_no_7-residential_travel_plans</p> <p>All defines travel plan requirements and the monitoring regime.</p>	<p>Some form of security is required by the LHA to ensure that the provisions of the Travel Plan (as approved by the County Council) are implemented.</p>	<p>The sums sought relate to sums per annum for the first 5 years of a travel plan monitoring; they are directly related to GCC's implementation and monitoring regime which sets out requirements and inputs.</p> <p>The travel plan is to cover only those residential dwellings contained within the proposed development and will be used to deliver the projected trip generation from the development site.</p> <p>The scale of the improvements and extend of the travel (including monitoring fee and security) does not seek to extend beyond the remit of the development and is reasonable in terms of the scale of contribution and the infrastructure necessary to ensure the impact of the development does not create a negative impact on the highway network or transport sustainability.</p> <p>The usual acceptable forms of security are:</p> <ul style="list-style-type: none"> a) a cash deposit held by the LHA; and/or b) a bond, in the form annexed to the proposed UU <p>The UU provides for the Owner to elect either option. Should the Owner elect to provide a cash deposit, this will be held for the duration of the travel plan period and is payable prior to Commencement of Development</p> <p>Alternatively, if the Owner elects to provide a bond, it is required prior to Commencement of Development and is held for the duration of the travel plan period</p> <p>Both the Travel Plan Monitoring fee of £5,000.00 and the Travel Plan Bond/Travel Plan Cash Deposit of £45,254.00 are CIL compliance in that they are necessary to make the development acceptable in planning terms, they directly</p>

			relate to the development and are both fairly and reasonably related in scale and kind to the Development.
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