

**Town and Country Planning Act 1990**

**Town and Country Planning (Development Management Procedure) (England) Order 2010**

**Town and Country Planning (Inquiries Procedure) (England) Rules 2000**

## **Planning Obligations CIL Compliance Statement**

**APP/B1605/W/21/3273053**

### **Land Oakley Farm, Cheltenham, Gloucestershire**

Outline application for development comprising of up to 250 residential dwellings including provision of associated infrastructure, ancillary facilities, open space and landscaping, demolition of existing buildings and creation of new vehicular access from Harp Hill : 20/01069/OUT

**CIL Compliance Statement – Justification (Compliance with Regulation 122)**

**Appeal APP/B1605/W/21/3273053** – Outline application for development comprising of up to 250 residential dwellings including provision of associated infrastructure, ancillary facilities, open space and landscaping, demolition of existing buildings and creation of new vehicular access from Harp Hill.

Under the and NPPF 2021 Para 57, planning obligations may only constitute a reason for granting planning permission if the obligation is –

- Necessary to make the development acceptable in planning terms;
- Directly related to the development;
- Fairly and reasonably related in scale and kind to the development

OBLIGATION	POLICY CONTEXT	BASIS OF NEED	CIL COMPLIANCE
<b>Affordable Housing</b> One Hundred (100) of the Dwellings on the Development shall be made available as Affordable Housing	The NPPF 2021 sets out, under Part 5 ‘Delivering a sufficient supply of homes’, that to support the Government’s objective of significantly boosting the supply of homes, it is important, that amongst other	Approximate 70/30 split in favour of affordable/social rented against shared ownership reflects the latest evidence contained in Gloucestershire Local Housing Needs	<p align="center"> <b>a) necessary to make the development acceptable in planning terms;</b>  <b>b) directly related to the development; and</b>  <b>c) fairly and reasonably related in scale and kind to the development.</b> </p> <p>                     (a) The provision of affordable housing on-site is necessary to meet an identified need and is a requirement of both national and local planning policy.                       (b) The provision of affordable housing on site is directly related to the                 </p>

<p>Units as provided for in paragraph 3 of Schedule 2 split as defined in paragraph 5 Schedule 2 PROVIDED FURTHER that the Owner shall ensure that the aggregate number of Dwellings available as Affordable Housing Units on the Site shall not fall below Forty Percent (40%) with a house mix type of 38 Affordable Rent, 32 Social Rent and 30 Shared Ownership Dwellings.</p>	<p>things the needs of groups with specific housing requirements are addressed (para.60). Policy SD12 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (JCS) provides that the Council will seek to negotiate with developers to provide affordable housing. Policy SD12 specifies a requirement for 40% affordable on non-allocated sites of 10 dwellings or more. Policy SD11 of the Joint Core Strategy requires an appropriate mix of dwelling sizes, types and tenures in order to contribute to mixed and balanced communities and a balance housing market. Development should address needs as set out in the most of to date Strategic Housing Market Assessment.</p>	<p>Assessment 2019 – Final Report and Summary (September 2020)</p>	<p>development and the provision of 40% on site is considered to be fairly and reasonably related in scale and kind to the development.</p> <p>(c) The Gloucestershire Local Housing Needs Assessment 2019 – Final Report and Summary (September 2020) provides evidence relating to the increasing affordable housing needs in the JCS area.</p>
<p><b>Provision and Management of On-Site Open</b></p>	<p>Paragraph 98 of the NPPF 2021 sets out that access to a network of high-quality open spaces and opportunities for</p>	<p>The play facilities 5 LAPS/1 LEAP are to address the onsite needs and meet the needs</p>	<p>(a) Planning policy requires the provision of open space on site, which is necessary to make the development acceptable in planning terms.</p>

<p><b>Space Allotments and play space.</b> The provision of On-Site Open Space with the location, layout specification and maintenance provisions being determined at or before Reserved Matters stage as contained in Paragraph 2 Schedule 2</p> <p>The provision On-Site Public Open Space, including of Five (5) LAPS and One (1) LEAP in accordance with Fields in Trust Standards, the locations of which to be agreed at Reserved Matters stage in accordance with Paragraph 2 Second Schedule</p>	<p>sport and physical activity is important for the health and well-being of communities and Paragraph 92 supports healthy lifestyles and local well-being by providing access to healthier food and allotments</p> <p>Cheltenham Borough Local Plan (2020) Policy CI2 requires the provision of outdoor playing space as identified by the Social, Sport and Open Spaces Study – Developer Contributions Toolkit (2017), and for Supplementary Planning Guidance – Playspace in Residential Development</p> <p>Policy INF4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (JCS) requires appropriate social and community infrastructure to be delivered where development creates a need for it. Policies INF3, INF6 and INF7 support this.</p>	<p>stipulated in the relevant policies set out in the previous column, ensuring that there would be adequate play provision to meet the needs of future residents.</p> <p>The Off-Site contribution is to meet the needs to improve the playing pitches at the Beeches or Priors Park Playing Fields to take into account the extra use these will be put to.</p> <p>The Allotment provisions is to meet the increasing demand in the Cheltenham and Parish Area for the same, including from the Site.</p>	<p>(b) The facilities Play Spaces and Allotments would directly relate to the development to meet the needs of future residents.</p> <p>(c) The facilities Play Spaces and Allotments relate to the needs of the development in scale and kind</p>
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<p>The provision of a minimum 5 plots of Allotments as defined by the Allotment Acts the location/positioning, specification access fencing and water, and drainage to be agreed at the time of the Reserve matters application</p>	<p>JCS Policy SD4 and the NPPF (para 130) require good design including that developments should respond positively to, and respect the character of, the site and its surroundings and that development including green and other public space are of high quality cohesive and integral to the design. The Chapter on Green Infrastructure of the Cheltenham Local Plan 2020 Policy CI2 and Policy INF3 Green Infrastructure in the JCS also supports the benefits and need for allotments</p>		
<p><b>Provision of a Contribution for Off-Site Playing Pitch improvements</b> The payment of £48,522 for the improvement of either Beeches or Priors Farm Playing Fields to allow the</p>	<p>Paragraph 98 of the NPPF 2019 sets out that access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities.  Cheltenham Borough Local Plan 2020) Policy CI2 requires the provision of outdoor playing</p>	<p>Given the nature of the Site and the increasing need brought about by this development improvements are required to nearby playing fields to deal with increased demand</p>	<p>(a) Planning policy requires the provision of playing fields off site. Given the nature of the topography this should be provided off-site to avoid additional harm to the Cotswold ANOB. This is necessary to make the development acceptable in planning terms.  (b) The facilities would directly relate to the development to meet the needs of future residents.</p>

<p>use by residents of the Site</p>	<p>space as identified by the Social, Sport and Open Spaces Study – Developer Contributions Toolkit (2017), and for Supplementary Planning Guidance – Playspace in Residential Development</p> <p>Policy INF4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (JCS) requires appropriate social and community infrastructure to be delivered where development creates a need for it. Policies INF3, INF6 and INF7 support this.</p>		<p>(c) The Social, Sport and Open Spaces Study – Developer Contributions Toolkit (2017) provides for fair and reasonable contributions in relation to the development</p>
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