

## **CIL Justification for Highway Contributions**

**S62A/2022/0007**

**17/03/2023**

The highway authority has completed the review of the planning application and the Transport Addendum and for the reasons outlined in the highway response the application is not considered acceptable in highway terms. However, without prejudice a number of conditions and obligations have been set out in appendix 1 of the response should the inspector be minded to grant permission. This table provides the CIL compliance and justification for those obligations that may appear in the S106 or unilateral agreement.

### **Relevant Legislation and Policies**

Regulation 122 of the Community Infrastructure Levy Regulations 2010, as amended, sets out the tests for the use of planning obligations. Obligations should only be sought when they meet the following tests and the obligations are:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development, and;
- c) Fairly and reasonably related in scale and kind to the development.

The following policies are referred to in support of the case that the proposed planning obligations meet these tests:

#### **NPPF 2021**

Paragraph 110 of the Framework states that appropriate opportunities to promote sustainable transport modes can be – or have been - taken up. Paragraph 112 states that proposal for new development should give priority first to pedestrian and cycle movements, both in the scheme and with neighbouring areas and second - so far as possible – to facilitating access to high quality public transport. Paragraph 113 states all developments that will generate significant amounts of movement should be required to provide a travel plan.

#### **Uttlesford Local Plan 2005**

##### **Policy GEN1 – Access**

This Policy stated that development will be permitted if it makes provision for appropriate access including ensuring that the traffic generated can be accommodated on the transport network, ensuring safety and for all highway users and encourages movement other than the car.

**COMPLIANCE TABLE**

Obligation	Amount	Reason	Policy Compliance	Calculation /assumptions
<p>Bus contribution</p>	<p>£347,230 (index linked)</p>	<p>Essex County Council is developing a passenger transport strategy for Uttlesford, part of this strategy is to increase the provision in Elsenham and enhance the existing hourly service to provide a half hourly service that serves key locations, Stansted Mountfitchet, Bishop Stortford and Stansted Airport. To do this the current service must be doubled which requires 2 additional buses per day.</p> <p>There is also a need to provide a Sunday service and extending evening services. This is important for this area as Stansted Airport the biggest employer in the area and shift patterns vary over a 24 hour period</p> <p>Within the context of the national bus strategy <i>Bus Back Better</i> Essex County Council has developed and formally adopted a <i>The Essex County Council Bus Service Improvement Plan, 2021 – 2026</i> (ECC BSIP) the council is also in the process of developing a bus strategy for Uttlesford. The emerging strategy focusses on improving the currently limited services in Saffron Walden which experiences congestion and has Air Quality Management Area in the centre.</p> <p>The ECC BSIP outlines the approach to securing bus service improvements to new developments, which is to take funding per dwelling and support a bus strategy for the local area (paras 266-270) link below.</p>	<p>NPPF 2021 paragraphs 110 and 112</p> <p>Local Plan policy Gen 1</p>	<p>A contribution a £2671 per dwelling is sought, a total of £347,230 (£2671 x 130)</p> <p>From experience of ECC tender prices a bus for 1 year of day time services (Mon-Sat) is £140,000 - £150,000            Sunday services for a year are £20,000            Evening (Mon-Sat) £40,000. Total £200,000 - £210,000</p> <p>Support of a service for a minimum 5 years is accepted as giving it time establish and become commercially viable and the cost of this service for day time only is £140,000 x 2= £280,000 (to provide 2 buses) for 5 years is £280,000 x 5 = £1,400,000. This sum has been secured from three other sites in the vicinity through the same level of contribution per dwelling, therefore the delivery of the enhancements so provided these sites come forward the funding is secured.</p> <p>However the funding will come forward at different times as the sites start to be developed. Having more funding for secured for a longer period will ensure that the service is given more time to become commercially viable and that the longer period for delivery of all the sites, and their associated passengers will be covered.</p> <p>Sunday and evening services also require 2 buses for provision and extension of services £20,000 + £40,000 x2 = £120,000 per annum.</p> <p>This contribution will support the service (ie 2 buses) for approximately 2.9 years for a Sunday</p>

		<a href="https://www.essexhighways.org/uploads/downloads/ecc%20bsip%202021%20to%202026.pdf">https://www.essexhighways.org/uploads/downloads/ecc%20bsip%202021%20to%202026.pdf</a>		and extended evening service. Or the daytime service for 2.7 years.  The contribution would be combined with other contributions already secured to enhance services for the site to the key locations.
Highway Works Bus stop enhancement s	Works* and commuted sum  £10,085 per RTPI sign. (index linked)	Provision and enhancement to bus stops on Henham Road and Hall Road, high kerbs, flags, timetables and poles and real time information and electronic display real time information. Shelters to be provided at two of the bus stops. A commuted sum for maintenance is required for the real time information the commuted sum for maintenance  To provide information at bus stops nearest to the site for the proposed services to Stansted Airport and Bishops Stortford.	NPPF 2021 paragraphs 110 and 112  Local Plan policy Gen 1	Works (conditioned) and a commuted sum for maintenance of £10,085 per sign this assumes the cost of energy and maintenance for a 15 year period and 1 replacement per sign. This has been provided by the Passenger Information Manager based on current contract.  * works to be conditioned commuted sum in S106/UU – which ever is the most practical.
Improvement Scheme in Stansted Mountfitchet	£25,000	The traffic from this site will impact on Stansted Mountfitchet and in particular Grove Hill junction. The highway authority is carrying out feasibility for a scheme to effectively enforce the weight restrictions on Grove Hill and possibly regrade some of the road network. While this mitigation will not provide additional capacity it will help limit the impact of the HGVs on the junction.	NPPF 2021 paragraphs 110  Local Plan policy Gen 1	This sum has been provided by Essex Highways as the cost of feasibility and design of the scheme. It will be pooled with other contributions if the schemes come forward to contribute to the implementation.
Capacity Improvement Scheme Hall Road mini roundabout and Coopers End Roundabout	TBC	A capacity scheme to mitigate the impact of the traffic from the site on the junction, and in particular the queueing on the link road.	NPPF 2021 paragraphs 110  Local Plan policy Gen 1	A proportionate sum to be confirmed.
Residential Travel Plan monitoring fee	£1596 per annum	For monitoring and support a residential travel plan from the Essex Travel Plan Team. To ensure the plan is being implemented	NPPF 2021 paragraphs 110, 112 and 113  Local Plan policy Gen 1	Fixed fee details in the ECC Developers Guide to Infrastructure, (inflation has been added to the figure in the document)

	(index linked).	and is effective in encouraging sustainable transport to from and within the site.  Annual charge from first occupation to 1 year after final occupation		<a href="https://assets.ctfassets.net/knkzaf64jx5x/5aKhke88Ey5zkdMvSQj44w/0d71817cad70b9394d76e7a490ac7bd7/developers-guide-infrastructure-contributions.pdf">https://assets.ctfassets.net/knkzaf64jx5x/5aKhke88Ey5zkdMvSQj44w/0d71817cad70b9394d76e7a490ac7bd7/developers-guide-infrastructure-contributions.pdf</a>
Residential Travel Plan		Details to be included in the S106 Co-ordinator Promotional Activities Liftshare Membership to any existing car club, travel voucher/miles and space on site Targets for reduction of single occupancy travel	NPPF 2021 paragraphs 110, 112 and 113  Local Plan policy Gen 1	Activities to promote the use of sustainable transport included in the submitted travel plan.
Travel Packs		To provide information and incentives to travel by active and sustainable transport £100 Travel Vouchers per dwelling for use on public transport Public transport Information Maps	NPPF 2021 paragraphs 110, 112 and 113  Local Plan policy Gen 1	£100 would provide 20 all day passes on the bus, approximately 4 return tickets on the train.