

UTTLESFORD DISTRICT COUNCIL

Cil compliance

S62A/2023/0017

LPA Ref UTT/23/0950/PINS

Land at Tilekiln Green

1.0	<b>Introduction</b>
1.1	This statement addresses the planning obligations sought by Uttlesford District Council in association with the above S62A application. This statement is provided without prejudice to the Council's case. The CIL compliance note remains in draft form until the s106 has been agreed between parties.
2.0	<b>Relevant Legislation and Policies</b>
2.1	Regulation 122 of the Community Infrastructure Levy Regulations 2010, as amended, sets out the tests for use of planning obligations. Obligations should only be sought when they meet the following tests, and the obligations are: <ul style="list-style-type: none"> <li>a) Necessary to make the development acceptable in planning terms</li> <li>b) B) directly related to the development, and</li> <li>c) C) Fairly and reasonably related in scale and kind to the development</li> </ul>
2.2	The following policies of the Development Plan are referred to in support of the case that the proposed planning obligations meet these tests:
	Uttlesford Local Plan 2005
	<b>Policy GEN6 – Infrastructure Provision to support Development</b>
2.3	This policy states that development will not be permitted unless it makes provision for infrastructure that is made necessary by the proposed development. Where the cumulative impact of developments necessitates such provision, developers may be required to contribute to the costs of such provision
	<b>Policy GEN1 - Access</b>
2.4	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 for all highway users and encourages movement other than the car.
3.0	<b>Planning Obligations</b>
3.1	The planning obligation is required to cover the following issues: <ul style="list-style-type: none"> <li>(i) securing a financial contribution of £40,500 for the upgrade of the Fritch Way,</li> <li>(ii) a travel plan</li> </ul>

	(iii) Monitoring cost (iv) Payment of the council's reasonable legal costs

The table below sets out the requirements of the draft s106 and the reasons for the requirement

Planning Obligation	Justification
Flitch Way contribution £40,500 index linked from 20 <sup>th</sup> June 2023	Policy GEN1 To upgrade the Flitch Way. To mitigate the increased use of the Flitch Way by the employees of the development and improve the accessibility of the site by walking and cycling
Residential Travel Plan should include support (including car parking space) of any existing or committed car clubs. Such approved travel plan shall then be actively implemented for a minimum period from first occupation of the development until 1 year after final occupation. It shall be accompanied by an annual monitoring fee £1596 per annum (index linked), to be paid to Essex County Council.	In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 <a href="#">Developers' Guide for Infrastructure Contributions (essex.gov.uk)</a>