



UTTLESFORD DISTRICT COUNCIL

CIL COMPLIANCE STATEMENT August 2025

Consultation on S62A/2025/0107 - Erection of 75no. dwellings with associated infrastructure and landscaping. Provision of playing fields and associated clubhouse

Former Friends School Field, Mount Pleasant Road, Saffron Walden, Essex

1.0 Introduction

- 1.1 This statement addresses the planning obligations sought by the Council in association with the proposed scheme. This statement is provided without prejudice to the Council's consultation of the S62a planning application. The CIL compliance note remains in draft form until the S106 has been submitted in its final form.

2.0 Relevant Legislation and Policies

- 2.1 Regulation 122 of the Community Infrastructure Levy Regulations 2010 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.
- 2.2 The Community Infrastructure Levy (Amendment) Regulations 2019 included various amendments which included the removal of pooling restrictions.

- 2.3 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

Policy GEN6 –Infrastructure Provision to Support Development

- 2.4 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.

Policy H9- Affordable Housing

- 2.5 This policy confirms that the Council will seek to negotiate on a site to site basis an element of affordable housing of 40% of the total provision of housing on appropriate allocated and windfall sites, having regard to the up to date Housing Needs Survey, market and site considerations.

Policy GEN7 – Nature Conservation

- 2.6 This policy protects protected species and habitats and requires that measures to secure mitigation and/or compensation for potential impacts of development should be secured by planning obligation or condition.

Policy GEN2 – Design

- 2.7 Development is required to provide an appropriate level of design which includes safeguarding environmental features in their settings and also to provide an environment which meets the reasonable needs of all potential users.

Policy GEN1- Access

- 2.8 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.

Policy LC1 – Loss of Sports Fields and Recreational Facilities

- 2.9 Development will not be permitted if it would involve the loss of sports fields or other open space for recreation, including allotments. Exceptions may be permitted if either of the following applies: a) Replacement facilities will be provided that better meet local recreational needs; b) The need for the facility no longer exists.

3.0 Planning Obligation

- 3.1 Although the Council object to the application, the following planning obligations are required.
- 3.2 The table below sets out the requirements of the Draft S106 and the reasons for the requirement.

Planning Obligation	Justification and Number since 6 April 2010
<p>Affordable housing (40%)</p>	<p>Policy requirement (Policy H9) for 40% affordable housing to be provided on site.</p> <p>On-site provision by an approved body as required by the S106.</p> <p>It is noted that the appellants are offering 40% affordable housing on the site. This is in accordance of the policy requirement and the Council considers that it is acceptable in view of the current shortage of affordable housing in the district.</p> <p>5% of the Affordable Housing Units shall be Wheelchair Accessible Units provided that any fraction of a unit produced by calculation the percentage shall be rounded up if 0.5% or over and shall be rounded down if under 0.5%.</p>
<p>Open Space Provision</p> <p>Public Open Space (POS) provision to be provided on site before occupation of 80% of Dwellings.</p> <p>Maintenance contribution to be provided towards long term maintenance of the public open space to Saffron Walden Town Council (SWTC) or to be operated by Management Company</p>	<p>Policy GEN2c requires that developments should provide environments to meet the needs of all potential users. The development is required to provide satisfactory on site public open space.</p> <p>On-site provision and future maintenance by a Management Company or SWTC as required by the S106.</p> <p>The NPPF 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.</p> <p>Planning policy therefore requires the provision of open space on site, which is necessary to make the development acceptable in planning terms.</p> <p>The public open space would be situated within the development areas and serve the future residents of the development directly and would be available to all residents as public open space.</p>

Sport Pitches, Clubhouse and Woodland Maintenance Contribution	<p>The Sports Pitches, Clubhouse and Woodland shall be completed and ready for use prior to the Occupation of no more than 75% of the Open Market Housing Units and a letter of satisfactory completion obtained from the Council, unless otherwise agreed in writing between the Parties.</p> <p>Two months after the application is granted relating to the Development, the Owner shall notify SWTC and seek its confirmation that it is willing to accept the Sports Pitches, Clubhouse and Woodland Lease provided that such notice must also be sent immediately to the Council.</p>
Sports Pitch Contribution	<p>Prior to Occupation of 20% of the Open Market Housing the Owner shall pay 50% of the offsite Sports Contribution up to 50% of the Offsite Sports Contribution Cap to the Council.</p> <p>Prior to Occupation of 80% of the Open Market Housing the Owner shall pay the remaining 50% of the Offsite Sports Contribution Cap to the Council. For the avoidance of doubt the Offsite Sports Contribution shall not exceed the Offsite Sports Contribution Cap in any circumstances.</p>
Provision of NHS Health Care Financial Contribution	<p>Justification is provided as to why the healthcare contribution is required and the amount required is contained in NHS Hertfordshire and West Essex integrated Care Board consultation response dated 9th June 2025.</p>
Provision of Education Contribution	<p>The contributions are directly related to the number of children generated by the development. Requirements are set out in the Essex County Council Education Authority letter dated 26th June 2025 and Essex County Council Developers' Guide to Infrastructure Contributions document.</p>
Early Years and Childcare	<p>The demand generated by this development would require a contribution towards the</p>

	creation of additional places. A developer contribution of £113,338.00 index linked to Q1- 2024, is sought to mitigate its impact on local Early Years & Childcare provision. This equates to £19,989 per place.
Provision of Library Contribution	The contributions are directly related to the number of dwellings on the development. Requirements are set out in the Essex County Council Libraries consultation response and Essex County Council Developers' Guide to Infrastructure Contributions 2020.
A developer contribution of £5835.00 is therefore considered necessary to improve, enhance and extend the facilities and services provided and to expand the reach of the mobile library and outreach services. This equates to £77.80 per unit, index linked to April 2020.	
Delivery of Biodiversity Net Gain	Policy GEN7 and the NPPF seeks to ensure that development would not have a harmful effect on wildlife and Biodiversity. Appropriate mitigation measures must be implemented to secure the long-term protection of protected species.
A report evidencing a net gain in biodiversity will be achieved compared to the biodiversity baseline on the site as existing when measured against the biodiversity baseline to be calculated in accordance with the principals as set out in the submitted by Ecological Impact Assessment (EclA) dated 30 June 2025.	On site BNG is secured by condition. The UU provides for the purchase of off site habitat units of at least 7.48 units, with a monitoring contribution.
Highways Works	Sustainable Transport Contribution: payment of payment of a financial contribution of £236,000 (indexed from the date of this recommendation) shall be made towards the enhancement of bus services in Saffron Walden directly benefiting the Land and linking it to key attractors within the town and the surrounding areas with increased frequency or quality and/or highway infrastructure works that increase the efficiency of bus services servicing the Land through capacity enhancements on the local highway network
To submit the Highways Works Scheme to the County Council in writing prior to Implementation of the Development and not to cause allow or permit Implementation of the Development unless and until the Highways Works Scheme has been submitted to the County Council for their written approval;	Active Travel Contribution: payment of a financial contribution of £100,000 (indexed from the date of this recommendation) shall we be made towards improvements to the Peasland Road/Mount Pleasant Road corridor, walking and cycling links to existing residential development, key facilities and the town centre or towards such other traffic management and sustainable transport schemes as identified in the Saffron Walden Transport Strategy
To enter into a Highway Works Agreement for the Approved Highway Works Scheme prior to commencement of such works or such other timescale as shall be agreed in writing with the County Council always that the Owners shall enter into the Highway Works Scheme prior to first Occupation of any Dwellings on the Development.	

	and/or the Uttlesford Local Cycle and Walking Infrastructure Plan (LCWIP)
Payment of S106 monitoring Fee	TBC.
TBC	