



## **Planning Obligations CIL Compliance Statement**

Land At Halterworth Lane Halterworth Lane Romsey

Planning Inspectorate Ref: APP/C1760/W/24/3354052

Local Planning Authority Reference: 24/00174/OUTS

March 2025

# TOWN AND COUNTRY PLANNING ACT 1990

Appeal by Gladman Developments Ltd

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Edwina Mountbatten House Broadwater Road Romsey Hampshire SO51 8GH

Outline planning application for demolition of existing buildings and erection of up to 270 dwellings, including affordable housing, with land for the potential future expansion of Halterworth Primary School, public open space, structural planting and landscaping, sustainable drainage system (SuDS) and vehicular access points. All matters reserved except for means of access

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## Planning Obligations CIL Compliance Statement

### 1.0 INTRODUCTION

1.1 This statement seeks to provide a summary of how the Community Infrastructure Levy (CIL) Regulations are complied with in relation to the matters to be covered in the Section 106 Agreement.

1.2 This note focuses on the requirements of Regulation 122(2) of the CIL Regulations 2010 (as amended) – this states:

*'A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is –*

- (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.'*

1.3 The above tests are also reflected in the National Planning Policy Framework (NPPF) at paragraph 58.

- 1.4 These three tests are considered in turn in relation to each obligation covered by the Section 106 Agreement. In addition, the relevant policies, supplementary guidance, and other relevant documentation are referred to.
- 1.5 This statement also addresses the Regulation 123 requirement regarding the pooling of contributions where relevant.
- 1.6 The following reason for refusal numbers require contributions through the Section 106 agreement:
- 4. Highways
  - 5. Rights of Way
  - 6. Off site Public Open Space
  - 7. On site Public Open Space
  - 8. Health Infrastructure
  - 11. New Forest Special Protection Area
  - 13. Primary Education provision
  - 14. ~~Public Art~~<sup>1</sup>

## 2.0 CONTRIBUTIONS

### HCC Highway and Rights of Way contributions

<b>Obligation</b>	Payment of highway contributions.
<b>Compliance with Regulation 122(2) of the CIL Regulations</b>	
'Necessary'	New housing development in an area can result in additional pressure on the highway network. This pressure can be mitigated through improvements to the existing highway and through identified projects.
'Directly related'	<p>The proposed development of 270 dwellings will result in a population increase of 643 (270 dwellings x 2.38 average occupancy rate).</p> <ul style="list-style-type: none"> <li>• Payment of [REDACTED] towards the upgrade of footpath 198/15/1;</li> <li>• Payment of [REDACTED] towards the modification of a TRO on Halterworth Lane;</li> <li>• Payment of [REDACTED] towards updating the School Travel Plan for Halterworth School;</li> </ul>

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<sup>1</sup> A Public Art contribution is not sought. The Infrastructure and Developer Contributions SPD does not specify a formula for a contribution. RfR14 is not therefore met through a contribution secured through the legal agreement, however, condition 13 on the suggested condition list secures plans and particulars showing detailed proposals for public art on site.

	<ul style="list-style-type: none"> <li>• Payment of a [REDACTED] contribution towards sustainable transport improvements located on LCWIP routes 280, 331 and 332; and</li> <li>• Payment of Travel Plan approval ([REDACTED]) and monitoring ([REDACTED]) fees, along with a Travel Plan budget ([REDACTED])</li> </ul>
'Fairly / Reasonably Related in Scale / Kind'	<p>The Appellant has produced preliminary designs for LCWIP-based active travel (walking, wheeling and cycling) improvements. These include a range of measures along sections of three LCWIP routes, these being routes 280, 331 and 332. The designs will tie into proposals by the Whitenap allocation (application 22/01213/OUTS) which have been assessed separately to ensure that there is no double counting of contributions and/or mitigation requirements. Once complete, these improvements will offer safe and convenient routes west, north, south and east of the Appeal Site, including towards Romsey town centre and train station, passing several key amenities. The submitted drawings have provided a basis for HCC to cost the scheme and to seek contributions to it at a level commensurate to the scale of the Proposed Development and in accordance with the three CIL tests.</p> <p>The nearest bus stops to the Appeal Site are located on Halterworth Lane less than a 400m walk from the centre of the site. The Appellant is committed to upgrading these bus stops to include raised boarding areas, shelter, seating and timetable information. The Appellant is also committed to providing shelters at the two nearest bus stops on Botley Road, which are less than 600m from the centre of the site. These improvements are agreed with HCC and will be secured via condition.</p> <p>The Appellant has agreed to pay a Travel Plan Deposit/Bond of [REDACTED] to ensure that there are sufficient funds allocated to Travel Plan measures. The Appellant has also agreed to pay HCC's monitoring fee of [REDACTED] and approval/evaluation fee of [REDACTED]</p>
<b>Relevant Policy</b>	
Relevant Policy references	<ul style="list-style-type: none"> <li>• Local Plan 2016: COM15 Infrastructure</li> <li>• NPPF: Section 9 Promoting sustainable transport</li> <li>• Infrastructure and Developer Contributions SPD (2023).</li> <li>• HCC's Local Transport Plan 4 (LTP4)</li> </ul>

## Outdoor Sports Facilities and Allotments Public Open Space contribution

<b>Obligation</b>	<p>Payment of a contribution of [REDACTED] towards the provision of outdoor sports facilities.</p> <p>Payment of [REDACTED] towards the provision of allotments.</p> <p>270 dwellings x 2.4 persons per dwelling = 648 persons</p> <table><tr><td></td><td>Area per 1,000 population</td><td></td><td>No Persons /1,000</td><td></td><td>Area Required</td></tr><tr><td>Outdoor Sports Facilities</td><td>1</td><td>x</td><td>0.648</td><td>=</td><td>0.65ha</td></tr><tr><td>Allotments</td><td>0.2</td><td>x</td><td>0.648</td><td>=</td><td>0.13ha</td></tr><tr><td></td><td>3</td><td></td><td><b>TOTAL</b></td><td>=</td><td>0.78ha</td></tr></table> <table><tr><td>POS Type</td><td>£ per Person</td><td></td><td>No Persons</td><td></td><td>Contribution</td></tr><tr><td>Outdoor Sports Facilities</td><td>[REDACTED]</td><td>x</td><td>648</td><td>=</td><td>[REDACTED]</td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>Allotments</td><td>[REDACTED]</td><td>x</td><td>648</td><td>=</td><td>[REDACTED]</td></tr><tr><td></td><td></td><td></td><td><b>TOTAL</b></td><td></td><td>[REDACTED]</td></tr></table>		Area per 1,000 population		No Persons /1,000		Area Required	Outdoor Sports Facilities	1	x	0.648	=	0.65ha	Allotments	0.2	x	0.648	=	0.13ha		3		<b>TOTAL</b>	=	0.78ha	POS Type	£ per Person		No Persons		Contribution	Outdoor Sports Facilities	[REDACTED]	x	648	=	[REDACTED]																			Allotments	[REDACTED]	x	648	=	[REDACTED]				<b>TOTAL</b>		[REDACTED]
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‘Necessary’	<p>Paragraphs 96 and 97 of the NPPF set 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>TVBRLP Policy LHW1 and the Infrastructure and Developer Contributions SPD (2023) requires the provision of public open space to meet the needs of any net increase in residents.</p>																																																																		
‘Directly related’	<p>The proposed development of 270 dwellings will result in a population increase of 648 (270 dwellings x 2.4 average occupancy rate).</p> <p>In respect of the outdoor sports facilities a longer-term action is identified at para 5.3 of the Test Valley Borough Playing Pitch Strategy 2020 – 2036 Full Report July 2020, for the commissioning of a Feasibility Study / master plan to review all provision on the two sites (Romsey Rapids / Bypass ground) and establish a preferred option, costs and funding strategy for enhancing these key sports hubs to</p>																																																																		

	<p>include the replacement of the existing inadequate pavilion facilities of the Old Taunton and Romsey Cricket Club and Romsey Football Club</p> <p>The identified project for the allotments is not yet confirmed. A response is awaited from the TVBC Countryside Manager and Romsey Town Council. An update will follow.</p>
'Fairly / Reasonably Related in Scale / Kind'	<p>The cost per person is outlined in the Infrastructure and Developer Contributions SPD (2009). This was used as the basis for the calculation and indexed linked to take account of RPI. This is aligned to the scale of provision that is sought within policy LHW1. The per person contribution figures are derived from the cost of a sqm of each of the distinct types of Public Open Space and how many sqm one person requires.</p>
<b>Relevant Policy</b>	
Relevant Policy references	<ul style="list-style-type: none"> <li>• Local Plan 2016: Policy LHW1: Public Open Space</li> <li>• NPPF: Section 8 Promoting healthy and safe communities.</li> <li>• Infrastructure and Developer Contributions SPD (2023).</li> <li>• Test Valley Public Open Space Audit 2018</li> <li>• Test Valley Borough Sports Facilities Strategy 2020 - 2036</li> <li>• Test Valley Playing Pitch Strategy &amp; Sports Facilities Update Paper 2022</li> <li>• Test Valley Borough Playing Pitch Strategy 2020 – 2036 Full Report July 2020</li> </ul>

## Public Health Infrastructure contribution

<b>Obligation</b>	<p>Payment of public health infrastructure contribution of <span style="background-color: black; color: black;">[REDACTED]</span></p>
<b>Compliance with Regulation 122(2) of the CIL Regulations</b>	
'Necessary'	<p>New housing development in an area can result in additional pressure on a range of healthcare facilities, such as GP practices, community services and hospital services, all of which make up the network of healthcare provision. This pressure can be mitigated through improvements to existing facilities, such as extensions to GP practices to provide additional consultation rooms.</p>

'Directly related'	<p>The proposed development of 270 dwellings will result in a population increase of 643 (270 dwellings x 2.38 average occupancy rate).</p> <p>The NHS Hampshire and Isle of Wight Local Planning Engagement Team identifies that the current combined medical centres providing primary care in the area are at capacity and will not be able to absorb the increased patients arising from the proposed development.</p> <p>The development directly affects the ability to provide the health service required to those who live in the development and the existing community.</p>
'Fairly / Reasonably Related in Scale / Kind'	<p>The NHS Hampshire and Isle of Wight ICB calculation identifies that the mitigation is to increase the physical capacity of the existing surgeries. The calculation of the space required to mitigate the impact is based on the sqm of GP surgery space which would be required to accommodate the demand resultant from the new dwellings. The detailed calculation is attached to their consultation response of 7<sup>th</sup> March 2024 (Appendix 1).</p>
<b>Relevant Policy</b>	
Relevant Policy references	<ul style="list-style-type: none"> <li>• Local Plan 2016: COM15 Infrastructure</li> <li>• NPPF: Section 8 Promoting healthy and safe communities.</li> <li>• Infrastructure and Developer Contributions SPD (2023).</li> </ul>

## New Forest Special Protection Area Mitigation

<b>Obligation</b>	<p>Payment towards the off-site SANG mitigation measures outlined within the Test Valley Borough Council New Forest International Nature Conversation Designations: Recreational Mitigation Framework Supplementary Planning Document January 2025</p> <p>The sum calculated by reference to the following formula:</p> $A = B \times C$ <p>Where</p> <p>A = the New Forest SPA Contribution</p> <p>B = the number of Residential Units</p>
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	C = [REDACTED]
<b>Compliance with Regulation 122(2) of the CIL Regulations</b>	
'Necessary'	The contribution is necessary in order to mitigate the recreational pressures on the New Forest SPA as a result of the development.
'Directly related'	<p>The application site lies within the identified zone where additional residential development would have an in-combination effect on the New Forest SPA, which is designated for its nature conservation importance.</p> <p>The provision of contribution pursuant to the obligation secures funding to provide an alternative recreational resource to the New Forest for the proposed residents of the development. Therefore, it is directly related to the development.</p>
'Fairly / Reasonably Related in Scale / Kind'	The scale of the contribution is considered to be reasonably related to the scale and kind of the development having regard to the New Forest SPA Mitigation - Interim Framework.
<b>Relevant Policy</b>	
Relevant Policy references	<ul style="list-style-type: none"> <li>• Local Plan 2016: E5 Biodiversity</li> <li>• NPPF: Section 15 Conserving and Enhancing the Natural Environment</li> <li>• The New Forest International Nature Conservation Designations: Recreation Mitigation Supplementary Planning Document (SPD)</li> </ul>

### HCC Education contributions

<b>Obligation</b>	Payment of HCC Education contribution of [REDACTED]. To be agreed with the Appellant.
<b>Compliance with Regulation 122(2) of the CIL Regulations</b>	
'Necessary'	New housing development in an area can result in additional pressure on local schools. This pressure can be mitigated through improvements to existing facilities, such as extensions to existing schools to provide additional classrooms.
'Directly related'	The proposed development of 270 dwellings will result in a primary school pupil population increase of 81 (270 dwellings x 0.3 yield per dwelling), based on the HCC formula below.



	<p>Due to the scale of residential development, expansion will be required at Halterworth Primary School which is already oversubscribed. Whilst there is currently capacity within other schools in Romsey, HCC Education forecasts indicate that this will not be the case once all planned developments have been completed.</p> <p>The development directly affects the ability to provide the Education service required to those who live in the development and the existing community.</p>
'Fairly / Reasonably Related in Scale / Kind'	<p>Based on the HCC formula found in <u>Guidance-PlanningObligations-and-DeveloperInfrastructureContributions.pdf</u> – see table 5 paragraph 36, page 8, Guidance on Planning Obligations and Developer Infrastructure, part 3, Children's Services Facilities, Education provision – HCC Education has calculated the contribution as follows:</p> <p>270 dwellings x 0.3 (yield per dwelling) = 81 pupils</p> <p>81 pupils / 7 school year groups = 12 per year group (11.57) which would demand a 0.5fe expansion of the school. This would equate to an additional 4 classrooms as phase one of a projected two-phase expansion of the school, from its current 2fe up to 3fe to meet future local demand.</p> <p>Table 2, paragraph 23, page 5 sets out the cost of developing a four-classroom 0.5fe expansion, which is currently calculated at [REDACTED]</p> <p>The HCC Education calculation identifies that the mitigation is to increase the physical capacity of the existing school. The calculation of the space required to mitigate the impact is based on the age group and amount of dwellings required to accommodate the demand resultant from the new dwellings.</p>
<b>Relevant Policy</b>	
Relevant Policy references	<ul style="list-style-type: none"> <li>• Local Plan 2016: COM15 Infrastructure</li> <li>• NPPF: Section 8 Promoting healthy and safe communities.</li> <li>• Infrastructure and Developer Contributions SPD (2023).</li> <li>• Guidance on Planning Obligations and Developer Infrastructure HCC (December 2023)</li> </ul>