

Planning Obligations – Compliance Statement

PAP/2025/0155 - Land South Of Warton Recreation Ground Orton Road, Warton

Paragraph 58 of the Framework and Regulation 122 of the Community Infrastructure Levy Regulations 2011 (as amended) set tests in respect of planning obligations. Obligations should only be sought where they meet the following tests:

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

The table below shows details of the contributions to be requested by Warwickshire County Council

Planning Obligation	Test 1 Necessity	Test 2 Directly related to the proposed development	Test 3 Fair and reasonable in terms of scale and kind
Libraries £2,408 to support the expansion of library service to meet customer needs generated by the development. The contribution will be spent at Polesworth Library.	As Local Libraries Authority, Warwickshire County Council has a duty to provide a comprehensive and efficient library service for everyone who lives, works or studies in the County under the 1964 Public Libraries and Museums Act. The request is necessary to meet the resultant additional demand from this development. The request is in line with Objective 1 of NWBC's Local Plan 'To secure a sustainable pattern of development reflecting the rural character of the Borough' which states this will be done by 'protecting community facilities and services'	The requested contributions are based on a formulaic approach to mitigate against the impact of the development upon the libraries provision within the vicinity of the development. The calculation is based on the number of expected inhabitants of development based on the housing mix. The contribution will mitigate the impact of this development on services at Polesworth library.	The library request for contributions is based on the number of expected inhabitants of the development, the average percentage of Warwickshire residents who are members of the library and the average cost per visit in Warwickshire. It is therefore in line with the scale of the development and the certain impact additional residents will have on local library services.

Public Rights of Way £6,303.83 towards improvements (including upgrading stiles, gates, bridge improvements and path surface improvements) to public rights of way within a 1.5 mile radius of the Development.	The request is supported by 'Policy W10: Recreational walking' of Warwickshire County Council's Local Transport Plan 2011-26 'The County Council will develop, support and promote opportunities for recreational walking in the County.' This is in line with DfT advice to authorities to consider the national transport goals as over-arching priorities for their Local Transport Plans. The rights of way network contributes to the following national transport goals: '1. By contributing transport links for walkers and cyclists between areas of settlement which enables them to have an alternative to the car. 6. By making the recreational highway network more accessible and more attractive to non-traditional countryside users. 7. By promoting and supporting Warwickshire as a destination for walkers, cyclists and horseriders from outside the area. 8 By providing recreational walkers, cyclists and horseriders with routes which are off the tarmac road network wherever possible' The Public Rights of Way contribution ensures that the impact on those priorities as a result of this development will be mitigated.	The Public Rights of Way within a 1.5 miles radius of the site are set out in the request: are AE1-AE4 AE6 AE7 AE9-AE22 AE28 AE29 AE30 T121 T138 T139. The 1.5 mile radius is the radius used by a typical dog walker taking a 3 mile walk from the development. The cost per resident of the improvements required is based on residency figures for local wards and is therefore directly related to the development area.	The calculation used also takes in to account the estimated number of future residents based on the type and number of dwellings and is therefore directly related to the proposed development. Cost estimates are based on the path numbers named in the request to ensure they are reasonable in scale and kind to the development.
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	The NWBC Local Plan supports the maintenance of public rights of way stating in chapter 6 'Development can adversely affect public rights of ways. Therefore, the Council wants to ensure that public rights of way, where relevant to the development proposed, are protected and enhanced		
Education The request for Education is £2,038,958. The level of contribution is based on an assumption 110 dwellings are relevant to be considered for education contributions, i.e. they have at least two bedrooms and have no age restrictions on residents. The contribution will be used towards education provision as follows: Additional Early Years provision in the local area to service the development Additional Primary provision in the local area to service the development Additional Secondary and Post 16 provision in the local area to service the development Additional Primary and Secondary SEN provision in the local area to service the development	Taking into account existing school places within the locality, the proposal would generate a requirement for additional school places. The Education Authority have calculated the education requirement from the new development using their most recent formula as Education cost per place x no. of pupils = contribution. These contributions are needed to support the requirement for development to secure proper arrangements for the provision of the full range of physical and social infrastructure. This is also consistent with paragraph 72 of the NPPF which seeks to provide a widened The requested contributions are based on a formulaic approach to mitigate against the impact of the	The requested contributions are based on a formulaic approach to mitigate against the impact of the development upon the education provision within the Borough. Early Years Contribution Contribution: £250,657 calculated in accordance with the formula below. Formula: $EYEC = (N/100 \times 4.66 \times 1.4)$ (rounded to a whole number) x £22,787 Where: N = Number of relevant dwellings 4.66 = crude birth rate rounded to 2 decimal places 1.4 = number of full-time years £22,787 = cost per place for expansion of existing	The Education Authority's request for education contributions is based on current and forecast surplus/deficit capacity of pupil numbers in priority area schools. Costs are assessed in line with current DfE build rates pupil yield calculators.

	development upon the education provision within the Borough.	provision based on latest DfE figures Primary Education Contribution Contribution: £820,332 calculated in accordance with the formula below. Formula: $PEC = (N/100 \times 4.66 \times 7)$ (rounded to a whole number) x £22,787 Where: N = Number of relevant dwellings 4.66 = crude birth rate rounded to 2 decimal places 7 = number of full-time years £22,787 = cost per place for new provision based on latest DfE figures Secondary Education Contribution Contribution: £585,936 calculated in accordance with the formula below. Formula: $SEC = (N/100 \times 4.66 \times 5)$ (rounded to a whole number) x £22,536 Where: N = Number of relevant dwellings 4.66 = crude birth rate rounded to 2 decimal places 5 = number of full-time years £22,536 = cost per place for new provision based on latest DfE figures	
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		Primary SEND Contribution Contribution: £130,033 calculated in accordance with the formula below. Formula: $PSEND = (N/100 \times 4.66 \times 7 \times 1.3\%)$ (rounded to a whole number) x £36,381 Where: N = Number of relevant dwellings 4.66= crude birth rate rounded to 2 decimal places 7 = number of full-time years 1.3% = SEND cohort as a percentage of pupils £36,381 = cost per place based on latest DfE figures Secondary/Post 16 SEND Contribution Contribution: £139,321 calculated in accordance with the formula below. Formula: $S/P16SEND = (N/100 \times 4.66 \times 6 \times 2.1\%)$ (rounded to a whole number) x £90,653 Where: N = Number of relevant dwellings 4.66 = crude birth rate rounded to 2 decimal places 6 = number of full-time years 2.1% = SEND cohort as a percentage of pupils £90,653 = cost per place based on latest DfE figures	
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Road Safety £50 per dwelling to support road safety initiatives within the community associated within the development. Road safety initiatives include road safety education for schools and training/education for other vulnerable road users within the area. Based on 110 dwellings the contribution requested is £5,500.	The Warwickshire Local Transport Plan Policy RS1: Supporting the Government's Commitment to Road Safety states: The County Council supports the Government's commitment to work with local authorities to deliver further improvements in road safety and will ensure Warwickshire contributes at least its fair share towards achieving this vision. Policy RS12: Working with schools and others in addition to working to reduce casualties generally, the County Council will work in partnership with schools and others to: • Deliver road safety education directly and through others; • Provide practical pedestrian kerbside training for infant school children; • Train cyclists; • Organise educational campaigns and events; • Make the journey to school safer. Policy RS14: Young drivers and their passengers: The contribution is based on the number of dwellings in order to provide road safety initiatives	The contribution is based on the number of dwellings in order to provide road safety initiatives targeted within the community of the development to mitigate the impact of the development on road safety	The contribution is based on the number of dwellings to ensure that the scale of road safety initiatives provided are in line with the scale of the development. Warwickshire County Council requests contributions towards promoting health and wellbeing within new developments by the delivery of appropriate road safety education, training and supporting infrastructure. WCC work closely with schools and local communities to educate and help children and adults stay safe. These courses help give children the skills to use appropriate infrastructure safely for walking and cycling. They give parents the confidence to allow their children to walk and cycle, thereby offering a realistic opportunity to reduce car borne traffic, further enhancing the sustainable credentials of new development
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	correct attitudes to driving as part of our integrated approach in primary schools and start a dedicated programme from the first year of secondary school. • Policy RS23: Engineering initiatives The County Council will work with our partners to: Implement casualty reduction (local safety engineering) schemes • Ensure that development does not adversely affect road safety • Maintain roads in a safe condition for all users		
Sustainable Travel The County Council is keen to promote sustainable travel and requests that the Developer provide information on local sustainable travel under a planning condition as part of their new dwelling welcome information. No dwelling shall be occupied until details of Sustainable Welcome Packs (including public transport information) has been submitted to and approved in writing by the Local Planning Authority. The approved packs shall be provided to the occupiers of each dwelling prior to the first occupation of that dwelling in order to mitigate increased emissions associated with the development and in the	Warwickshire County Council has requested contributions in line with guidance and strategies set out in: 1. Policy LUT3 (APPENDIX 4) of the Warwickshire Local Transport Plan 3 states: "The County Council will promote sustainable development and seek developer contributions, where appropriate, to provide for public transport, community transport, pedestrian and cycling facilities, traffic management measures and travel packs to serve new developments"	The contribution is requested to ensure all new households within the developments are provided with a sustainable travel pack to encourage and assist them to make sustainable transport choices when they move to the site,	In the interests of reducing dependence of residents on the private car and encouraging their use of more sustainable modes of travel, the developer is asked to provide sustainable travel information to the first occupant of each household is necessary. The packs also address the wider issues of sustainability including recycling, saving energy etc.

interests of sustainable travel and connectivity	2. The contribution will also be used to promote sustainable travel in the local area, in line with the following proposed Policies of LTP3; 3. Policy CTB6 (APPENDIX 5): Travel Awareness Campaigns “We will carry out a range of travel awareness initiatives to promote the benefits of sustainable modes of transport and encourage more people to walk, cycle or use public transport for local journeys.” 4. Policy CTB7 (APPENDIX 6): Public Transport Information and Marketing “We will promote public transport as an attractive and sustainable travel choice and ensure that high quality information on public transport services is widely available.” It is considered that the policy base of this requested contribution is consistent with Section 4 of the NPPF.		
Monitoring and Administration https://www.warwickshire.gov.uk/developer-contributions/guidance-applicable-planning-applications/5	The County Council employs a S106 Monitoring Officer to oversee the collection, allocation and report spend on Developer Contributions.	The administration and monitoring fee will only be used to monitor the S106 in respect of this application.	The amount requested is linked to the size and complexity of the agreement. In this case it is not envisaged that the monitoring

	The CIL Regulations state that Authorities can charge a monitoring fee through section 106 planning obligations, to cover the cost of monitoring and reporting on delivery of that section 106 obligation. Monitoring fees can be used to monitor and report on any type of planning obligation, for the lifetime of that obligation. Fees could be a fixed percentage of the total value of the section 106 agreement or individual obligation; or could be a fixed monetary amount per agreement obligation (for example, for in-kind contributions). Authorities may decide to set fees using other methods. However, in all cases, monitoring fees must be proportionate and reasonable and reflect the actual cost of monitoring. The County Council's estimated charges for monitoring are published on the Authorities website.		process will be particularly onerous and so the minimum contribution will be required, i.e. £700 + (5 hours x £40 officer time x number of triggers)
Police £28,532,90	Policy LP1 and the IDP require that developments must be supported by appropriate infrastructure including emergency services. Local Plan Policy LP24 – Strategic Infrastructure – acknowledges that Warwickshire Police has an	The new development increases the demand for policing, due to the increase of the population. This in turn requires appropriate investment to maintain service levels and community safety. The local policing workloads,	The bid submitted uses a costed infrastructure schedule and calculator to justify these contributions, which is based on the number and type of crime per household within the County apportioned for

	identified need for developer contributions to support policing infrastructure due to growth in population and development this is also referenced in the Infrastructure Delivery Plan (IDP). Without adequate policing infrastructure, public safety and service levels may decline due to the additional demand making the development unacceptable in planning terms, as it will be in contravention of NPPF principles of creating safe and healthy communities.	without expansion and investment will not be able to continue to deliver at the current service levels. The use of crime incident modelling is completed to determine the additional level of crime the development of new households creates. This calculation has been completed for this development.	North Warwickshire and the number of new homes proposed on this site. The scale of the contribution is deemed suitable to mitigate the additional impacts the development would have upon Warwickshire Police. The contributions have been calculated on a “per dwelling” basis and reflect the actual costs of delivering policing services to this size of development in a proportionate manner.
Open Space Youth Provision / Children’s Play Provision: £105,099.53 (to be spent within the Polesworth Neighbourhood Plan Area) • Youth Provision / Children’s Play Provision (Revenue): £80,801.75 (to be spent within the Polesworth Neighbourhood Plan Area)	LAP - The proposed development would result in new residents moving into the area. The site will provide a LAP. The wider site also has natural play areas. The sports ground to the east of the site has play equipment. The Youth play provision will help maintain existing facilities in the neighbourhood plan area. The proposal would consequently further increase the existing deficit of children’s play open space. To mitigate this impact it is necessary for a financial contribution to be made to improve off-site provision. Without this the proposal	This request is directly related to the proposed development because the proposal would result in increased use of nearby open space and facilities. The contribution would only be used neighbourhood plan area of Polesworth, including Warton, and thereby being directly related to the location of the proposed development	The contribution is related to the development in scale and kind as it is based on the number of units proposed and therefore occupiers leading to increased demand for children’s play open space. These calculations are based on standards set in policy LP20 of the Local Plan and are considered to be fair and reasonable. The costs used in these calculations are based on current costs that have been benchmarked against other authorities across the West Midlands. The

	would reduce access to the quantity and quality of open space. This would have a negative and detrimental impact upon the health and wellbeing of residents. The works and financial contribution towards the maintenance of this are required in accordance with policies		request is also fair and reasonable because it relates solely to open space within the parish of the proposed development. Defined under the NWBC SPD - Planning Obligations for Sport, Recreation and Open Space – Jan 2023
Open Space • Swimming: £58,378 • Gym/Fitness: £16,796 • Studio: £10,467 • 3G Pitch: £24,497 • Sports Pitches: £27,181 • Changing Facilities: £51,195 • Allotments: £3,616.57 (Including lifecycle maintenance of £61,237.05)	The money would aid the health and wellbeing of residents. The works and financial contribution towards the maintenance of this are required in accordance with policies	The Supplementary Planning Document (SPD) sets out detailed guidance on the type and scale of open space, sport and recreation developer contributions that will be sought to support new development, based on the standards set out in the Council's various Leisure, Open Space, Playing Pitch and Recreation strategies.	Request is considered to be fair and reasonable. It will seek to contribute to facilities that residents can use, along with replacements and upgrades. Defined under the NWBC SPD - Planning Obligations for Sport, Recreation and Open Space – Jan 2023
Affordable Housing – 40% of 110	Affordable housing would help meet the needs of people who have registered who wish to live in the local area: • 87 applicants wish to live within Warton • The housing needs are as follows: • 16 x 1 bed flats • 2 x 2 bed flats • 3 x 2 bed bungalow • 36 x 2 bed houses	The site is outside of the development boundary and policy requires the level of affordable housing. The developer has set out that this would be a provision of the proposal. Local Plan Policy LP9 and NPPF are relevant.	Considered to be fair, given the local and wider regional needs for affordable housing.

	• 21 x 3 bed houses • 9 x 4 bed houses • 4 applicants live within Warton • 72 applicants live within the borough • 11 applicants live outside of the borough		
Planning Obligation	Test 1 Necessity	Test 2 Directly related to the proposed development	Test 3 Fair and reasonable in terms of scale and kind
Highways - £238 608 Bus services / public transport improvements	Explanation of why required - The National Planning Policy Framework steers development towards promoting its connectivity with sustainable transport in order to facilitate sustainable development and also contribute towards wider sustainability. The National Planning Policy Framework also promotes the integration of planning and sustainable transport in order to provide attractive alternatives to travelling by car to access employment, education, health facilities, leisure, amenities and health objectives - aimed at providing people with a real choice about how they travel.	Justification of amount requested - The bus subsidy costs are consistent with the delivery of similar scope of service local bus service provision enhancements implemented at significant residential or commercial development sites	Link to relevant WCC policies - The request for developer contributions to enhance local bus service connectivity with the major employment based new development is entirely consistent with the policies established in the Warwickshire Local Transport Plan 2011-26, in respect to promoting public transport connectivity between new development and employment sites, services and amenities

	Therefore, the County Council is seeking a contribution towards the cost of securing improvements to local bus service to support the forecasted demand in trips by sustainable means. Contribution Sought: Year 1 - £ 56 610 Year 2 - £ 58 591 Year 3 - £ 60 642 Year 4 - £ 62 765 Year 5 – £Total - £ 238 608		
Highways A sum of £1,176,00 towards improved walking, cycling and wheeling provision towards Polesworth taking the route of P12 as identified in WCCs LCWIP with 50% to be paid upon commencement to allow for design works and consultations and the remaining contribution to be paid prior to occupation of 25% of the development. • A sum of £6,000 towards the cost of a TRO associated with a 30mph reduction on Church Road to be paid on commencement of development.	P12 is a route that is within Whilst visibility splays have been shown in accordance with the measured speeds on Church Road WCCs active travel team have requested that due to the environment change and potential for cyclists to use Church Road to access into Warton and scheme of traffic calming is provided to support a reduction in the posted speed limit to 30mph on Church Road.	An indicative traffic calming scheme has been shown which is acceptable in principle however a condition is required to ensure that finalised detailed drawings are submitted for approval prior to construction on-site. A road safety audit has been carried out and reviewed by WCCs Road Safety team. A number of amended plans have been submitted to overcome the issues raised and these have been accepted by the review team. The proposed access and other highway works are	The P12 route is within the Warwickshire Highways Plan. Improve links between Warton and Polesworth. It will aid health and wellbeing. Traffic speed reduction will benefit road users and pedestrians.

		therefore considered acceptable in principle. In order to provide a suitable cycle link to local services, including the closest secondary school, a link to Polesworth should be provided. WCC have identified a route in the LCWIP designated as route P12. A contribution is therefore requested towards this route in order to provide suitable sustainable transport options towards Polesworth. Between the proposed ped/cycle access and outskirts of Polesworth (30mph change), a distance of around 1050m, WCCs active travel team have provided a cost estimate of £1,176,000	
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