

Planning Obligation (main provisions in bold)	Test 1 – Necessary to make the development acceptable in planning terms	Test 2 - Directly related to the proposed development	Test 3 - Fairly and reasonably related in scale and kind to the development
<p>Off Site Landscaping Works</p> <p>Biodiversity Gain Plan</p> <p>Habitat Management and Monitoring Plan</p> <p>Landscaping Strategy – for off-site landscaping</p> <p>Phase Landscape and Open Space Management Plan</p> <p>Pasture Land</p> <p>The appellant has indicated the provision via obligation of additional off-site green orchard to the west of Dordon as well as other land to the east of the site totalling some 6.51 hectares, indicated on plan (CD-D16 plan attached to the draft legal agreement). The obligations require the off-site landscaping which includes bio-diversity net gain are carried out and then maintained by the appellant.</p>	<p>The provision of the off-site obligations are required to accord to the Development plan in respect of off-site landscaping and biodiversity.</p> <p>The provision of the obligations are to ensure that the proposal conforms and accords to policies LP1 Sustainable Development, LP2 Settlement Hierarchy LP4 Strategic Gap, LP6 Additional Employment Land LP11 Economic Regeneration LP14 Landscape, LP16 Natural Environment, LP17 Green Infrastructure, LP29 Development Considerations and LP30 Built Form of the North Warwickshire Local Plan Dordon Neighbourhood Plan policy DNP1 (d) Sustainable Development, DNP2 (2) Protecting the Natural Environment and Enhancing Biodiversity DNP5 Creating a Local Green Network and, DNP14 Development Contributions.</p> <p>The provision of additional land 6.5 hectares in total, is proposed to overcome concerns expressed by the LPA and others in respect of the impact of the development on the Strategic Gap (LP4) and the landscape and visual</p>	<p>The provision of land is certainly directly related to the development as the land as the directly adjacent to the application site (red line) and within the control of the appellant. In terms of bio-diversity off-setting, provision of land for off-site landscaping mitigation and maintenance these are all components that are directly related to the proposal. The appellant has indicated such through further information in the Explanatory Notes in CD-D16.</p>	<p>The obligations have been submitted by the appellant in order to overcome significant matters of disagreement relating to the Strategic Gap, landscape and visual impact of the proposal. The appellant considers the extent of the land within the obligations is sufficient to resolve and accord with the Development Plan. There is a matter of judgement of the extent of the obligation in respect of the harm. For this reason the</p>

	<p>impact of the proposal. Therefore, these obligations are necessary to try to mitigate the significant adverse harm to the Strategic Gap. They are also required also in respect of the landscape harm and visual harm of the development.</p>		<p>obligation does meet the test of the Framework and Regulation 122(2) of the CiL regulations.</p>
<p>Off-site Public Rights of Ways Improvements and additional footpath link</p> <p>The existing public rights of Way and permissive paths including the new provision of one to north of the A5 needs to be provided travelling east towards Dordon from the development enabling connectivity between the development and Dordon to the east. This should include the provision of dropped kerbs supporting access for the mobility impaired and a safe crossing point.</p>	<p>The provision of the Public Rights of Way Improvements and additional footpath link north of the A5 are consequently required in accordance with policies LP1 Sustainable Development, LP2 Settlement Hierarchy LP6 Additional Employment Land LP11 Economic Regeneration LP23 Transport Assessment, LP27 Walking and Cycling Strategy and LP29 of the North Warwickshire Local Plan. DNP1 Sustainable Development, DNP5 Creating a Local Green Network, DNP8 (h) Achieving High Quality Design and DNP14 Development Contributions of the Dordon Neighbourhood Plan</p>	<p>The provision of the improvements are required to ensure the development provides safe and suitable access to the site for all users, bearing in mind the position of the A5 (SRN) the facilitation of the pedestrian, cyclist improvements going eastwards are required. These improvements are clearly directly related to the development. Improvements going westwards are within the highways controlled by the Highways England and Staffordshire County Council and therefore can be provided via suitably worded Grampian conditions.</p>	<p>The extent of the improvement works are fairly and reasonably related to the scale of the development which is significant. The proposal will provide improvements to around 3.5km off site public footpath.</p>

<p>Sustainable Travel contribution – Bus service including facilities</p> <p>£1,080,000 equating to £216,000 over a five year period from the date of the first occupation for business purposes of the first building to be completed under this planning permission. There is an existing hourly service running from Tamworth through Atherstone to the existing and into Nuneaton No 766/767 Nuneaton-Tamworth bus service to meet National Planning Policy Framework requirements.</p> <p>The County Council is seeking a contribution towards the cost of securing extension and subsidy to local bus service to support the forecasted demand in trips by sustainable means.</p> <p>Year 1 - £ 216,000 Year 2 - £ 216,000 Year 3 - £ 216,000 Year 4 - £ 216,000 Year 5 - £216,000 Total - £1,080,000</p> <p>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.</p> <p>There is also a request for £5,000 - £1,000 per annum for 5 years for the maintenance of the bus shelter paid on completion of the bus shelter. There is also a request for £4000 - £800 for 5 years for Real Time Information display (RTI) maintenance, as well as a commuted sum for the replacement screen to be paid on the installation of the equipment of £2500.</p>	<p>The bus service travel contributions are necessary to encourage future occupants to use sustainable travel options rather than private vehicles.</p> <p>The contributions are required in accordance with policies LP1 Sustainable Development, LP2 Settlement Hierarchy LP6 Additional Employment Land LP11 Economic Regeneration LP23 Transport Assessment, LP27 Walking and Cycling Strategy and LP29 of the North Warwickshire Local Plan. DNP1, DNP8 (h) Achieving High Quality Design and DNP14 Development Contributions of the Dordon Neighbourhood Plan (NWLP CD-F1 and DNP CD-F9) as well as National Planning Policy Framework paragraph 89 and paragraphs 114 to 117 steers development towards promoting its connectivity with sustainable transport in order to facilitate sustainable development and also contribute towards wider sustainability.</p> <p>Generally, the Framework 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.</p>	<p>The contribution is directly related to the proposed development because it based on the 100,000 sq metres of employment development proposed. The information also relates specifically to the area in which the application site is located, ensuring that patrons of the services along the route from Tamworth and Nuneaton can use the service.</p> <p>The other provisions will ensure the maintenance of the on-site facilities which would not meets the tests of para 55 of Framework in respect of planning conditions.</p>	<p>It is also directly related to the development and is proportionate to the scale of the development as calculated by the County Council.</p> <p>The amount requested is a fair and reasonable based on the size of the scheme.</p>
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	<p>The request for developer contributions to the local bus service connectivity with the major employment based new development is entirely consistent with the policies established in the Warwickshire Local Transport Plan 4 (CD-H6), in respect to promoting public transport connectivity between new development and employment sites, services and amenities.</p>		
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