



Town and Country Planning Act 1990 (As Amended)

Planning Appeal

Former Camelot Theme Park, Park Hall Road, Charnock Richard.

PR7 5LP

Appeal Ref: APP/D2320/W/25/3376957

Community Infrastructure Levy Compliance Statement

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1. Background

1.1 Paragraph 58 of the National Planning Policy Framework (the Framework) and Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 (as amended) set tests in respect of planning obligations. Obligations should only be sought where they are:

- 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.

2. Policies

2.1 The development plan for Chorley Borough is the Central Lancashire Core Strategy adopted in July 2012 and the Chorley Local Plan 2012 – 2026 adopted July 2015.

2.2 The following policies within the Core Strategy and Chorley Local Plan are referred to in support of the case that the proposed planning obligations meet the CIL tests:

Core Strategy

Policy 1: Locating Growth

Policy 2: Infrastructure

Policy 3: Travel

Policy 4: Housing Delivery

Policy 7: Affordable and Special Needs Housing

Policy 22: Biodiversity and Geodiversity

Policy 24: Sport and Recreation

Local Plan

ST1: Provision or Improvement of Footpaths, Cycleways, Bridleways and their Associated Facilities in Existing Networks and New Development.

BNE1: Design Criteria for New Development a) – h)

BNE9: Biodiversity and Nature Conservation

BNE10: Trees

BNE11: Species Protection

HW1: New Open Space, Sport and Recreational Facilities

HW2: Protection of Existing Open Space, Sport and Recreation Facilities

HW6: Community Facilities

HS4A: Open Space Requirements in New Housing Developments

HS4B: Playing Pitch Requirements in New Housing developments

Central Lancashire Supplementary Planning Documents

Affordable Housing SPD (CD 2.4)

Open Space and Playing Pitch SPD and associated Financial Contributions document.

BNG Regulations

The Environment Act 2021 (Commencement No.8 and Transitional Provisions) Regulations 2024

The Biodiversity Gain Requirements (Exemptions) Regulations 2024

The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024

The Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024

3. Proposed Planning Obligations

3.1 The proposed planning obligations, included within the Section 106 Agreement, cover the following areas of infrastructure:

- **Affordable Housing** - The provision of affordable housing as part of the proposed scheme. The proposed residential (Class C3) element of the scheme would include 50% of the number of Dwellings to be erected as Affordable Housing.
- **Public Open Space** The appellant has proposed the provision of on-site open space including an on-site equipped play area and a financial contribution towards playing pitches in line with the requirement as set out below:
 - **Amenity Green Space** – The required Open Space shall be provided onsite and in accordance with the Planning Permission and the Parameter Plan – Green & Blue Infrastructure drawing reference 024-023-P012 Rev G. £490,000 would be required towards the maintenance of the Amenity Green Space in the event it is transferred to the Council.
 - **Provision for Children/Young People** – an equipped play area will be provided on Site within an area of public open space as identified on the Parameter Plan – Green & Blue Infrastructure drawing reference 024-023-P012 Rev G. £91,000 towards the maintenance of the Children and Young People Area in the event it is transferred to the Council.
 - **Playing Pitches** – a financial contribution towards the provision of new or works of addition, improvement and enhancement to the sports pitches and sports facilities within the Borough. The Playing Pitch Strategy includes an Action Plan, which identifies sites that need provision of new or works of addition, improvement and enhancement. The amount required is £1,599 per dwelling.
- **Biodiversity Net Gain Monitoring** – A minimum 10% biodiversity net gain will be delivered comprising habitat creation and enhancement on-site. Once this is delivered, annual monitoring of the on-site habitats will be carried out over a 30-year period within

the following years from completion of the Habitat Creation and Enhancement Works (HCEW): 0, 1, 2, 5, 10, 15, 20, 25, and 30. The sum of £14,732.34 is required towards the Council's costs of monitoring compliance with the Biodiversity Gain Plan and implementation of the Habitat Management and Maintenance Plan.

- **S106 Monitoring**

£14,144.08 for the monitoring and reporting on planning obligations contained within the s106 agreement (excluding the monitoring of biodiversity net gain).

Such a monitoring fee comprises:

£1,187.08: 2% of the application fee;

£11,193.00: 2% of Playing Pitches Contribution;

£1038.00: Affordable Housing fee; and

£726: Triggers.

- **LCC Highways contribution**

The Local Highway Authority have identified the requirement for a number of contributions towards monitoring, public rights of way (PRoW), public transport, cycle infrastructure and travel planning as set out below:

- £250,000 per annum for a period of 5 years to fund the enhancement of existing bus service provision on Route 337, 347, and/or 772. Contribution towards diverting existing bus services into the site, extending start/end times, extending days of operation, enhancing service frequency, and/or improving local bus stops on Park Hall Road and Wood Lane.
- £20,000 contribution to Central Lancashire community transport services.
- £135,000 to improve existing PRoW to enhance accessibility to BW0913009, BW0917018, FP0917019 and FP0913015 through reclaiming recorded widths by sensitively cutting back vegetation, upgraded surfacing (bound gravel), lighting (if possible), removal of stiles, and drainage improvements (where required).

- £135,000 to improve existing PRow as leisure routes at FP0913009, FP0908010, FP0908006, FP0908005, FP0908002, FP0917027 and FP0917026 through reclaiming recorded widths by sensitively cutting back vegetation, upgraded surfacing (bound gravel), lighting (if possible), removal of stiles, and drainage improvements (where required).
- £10,000 contribution to off-site cycle parking in Eccleston and/or Coppull village centre(s).
- £45,000 LCC traffic monitoring fee for:
 - Junction 3 – A581 Southport Road / Lydiate Lane
 - Junction 4 – A581 Southport Road / Leyland Lane
 - Junction 7 – A49 Wigan Road / A581 Dawbers Lane
- £12,000 to enable LCC to provide the following services in relation to travel plan:
 - Appraise the Travel Plan submitted to the Council pursuant to the planning permission and provide constructive feedback.
 - Oversee the progression from Interim to Full Travel Plan in line with agreed timescales.
 - Monitor the development, implementation and review of the Travel Plan for a period of up to 5 years.
- £200 contribution per household funding of travel vouchers as outlined in the Framework Travel Plan. Vouchers to be made available as residents move in and provided in the form of support for bus use or bicycle and safety equipment.

4. CIL Tests

- 4.1 The following table explains how the above planning obligations comply with the three tests set out in paragraph 57 of the Framework and Regulation 122 and Regulation 121 of the Community Infrastructure Levy Regulation 2010 (as amended) (“CIL Regulations”):

PLANNING OBLIGATION	Regulation 122 TEST 1 – NECESSITY	Regulation 122 TEST 2 – DIRECTLY RELATED TO THE PROPOSED DEVELOPMENT	Regulation 122 TEST 3 – FAIR AND REASONABLE IN TERMS OF SCALE AND KIND	Regulation 121 CIL COMPLIANCE
Provision of affordable housing	The provision of affordable housing is required for the proposal to comply with the provisions of the Central Lancashire Core Strategy Policy 7 (Affordable Housing) and the Central Lancashire Affordable Housing Supplementary Planning Document and paragraphs 156 and 157 of the NPPF. Without a planning obligation securing the provision of an adequate proportion and mix of affordable housing the proposal would fail to meet the housing needs of the district and area in general and would therefore be contrary to the provisions of paragraphs NPPF 63, 64, 65, 66, 67, 68, 155, 156 and 157	The provision of on-site affordable housing as a proportion of the housing development means the obligation is directly related to the proposed development.	The level of affordable housing accords with the Requirements of Core Strategy Policy 7 (which calls for 35% provision); plus an additional 15% requirement to satisfy the 'Golden Rules' (resulting in a final provision of 50%). The provision of affordable housing is therefore considered fair and reasonable as the proportion advocated under the development plan policy and Golden Rules established by paragraphs 155, 156 and 157 of the Framework.	Affordable housing is excluded from the definition of infrastructure for the purposes of the CIL regulations in respect of development and therefore falls outside the scope of CIL (the Planning Act 2008 Section 216(2) Application).

PLANNING OBLIGATION	Regulation 122 TEST 1 – NECESSITY	Regulation 122 TEST 2 – DIRECTLY RELATED TO THE PROPOSED DEVELOPMENT	Regulation 122 TEST 3 – FAIR AND REASONABLE IN TERMS OF SCALE AND KIND	Regulation 121 CIL COMPLIANCE
Public Open Space and Provision for Children and Young People	<p>The provision of amenity green space and provision for children and young people is required for the proposal to comply with Core Strategy Policy 24 (Sport and Recreation) and the provisions of Chorley Local Plan Policy HS4A relating to the open space requirements in new housing developments, where there are identified local deficiencies in the quantity, accessibility or quality and / or value of open space and recreation facilities.</p> <p>There is currently a deficit of provision in the settlement of Charnock Richard for these standards. The provision also complies with the Central Lancashire Open Space and Playing Pitch SPD and Associated Financial document.</p>	The provision of on-site public open space including an on-site equipped play area is directly related to the proposed development and will directly benefit the future residents of the development proposed.	The provision of on-site public open space including an on-site play area is in accordance with Policy HS4A and the amount of provision is considered fair and reasonable as it is in line with the standards set out in policy HS4A of the Chorley Local Plan.	The Council's Infrastructure Funding Statement April 2026 references that open space contributions (including amenity green space and provision for children and young people) will continue to be collected by Section 106 Agreements.

PLANNING OBLIGATION	Regulation 122 TEST 1 – NECESSITY	Regulation 122 TEST 2 – DIRECTLY RELATED TO THE PROPOSED DEVELOPMENT	Regulation 122 TEST 3 – FAIR AND REASONABLE IN TERMS OF SCALE AND KIND	Regulation 121 CIL COMPLIANCE
Playing Pitch Provision	The provision of a financial contribution towards the provision of new or works of addition, improvement and enhancement is required for the proposal to comply with Core Strategy Policy 24 (Sport and Recreation) and the provisions of the Chorley Local Plan Policy HS4B and the Playing Pitch Strategy (June 2012). Policy HS4B requires all new housing developments to pay a financial contribution towards new playing pitch provision in the borough or towards improvements to existing playing pitches. The Playing Pitch Strategy identifies a Borough wide deficit of playing pitches but states that the majority of this deficit can be met by improving existing pitches. The Strategy includes an Action Plan which identifies sites that need improvements.	The financial contribution is £1,599.00 per dwelling. The cost per dwelling for playing pitches is based on the average costs of grass pitches and changing rooms as identified by Sport England and included in the Playing Pitch Strategy. Playing pitches are accessed by residents on a Boroughwide basis as clubs use pitches across the borough to play against one another, or to access playable surfaces, whilst different clubs offer differing ability levels operating across locations in the borough.	The payment of the financial contribution is considered fair and reasonable in line with the provisions of policy HS4B of the Chorley Local Plan 2012 - 2026.	The Council's Infrastructure Funding Statement April 2026 references that playing pitch contributions (including playing pitch provision) will continue to be collected by S106.

PLANNING OBLIGATION	Regulation 122 TEST 1 – NECESSITY	Regulation 122 TEST 2 – DIRECTLY RELATED TO THE PROPOSED DEVELOPMENT	Regulation 122 TEST 3 – FAIR AND REASONABLE IN TERMS OF SCALE AND KIND	Regulation 121 CIL COMPLIANCE
Biodiversity Net Gain Monitoring	<p>The provision of 10% biodiversity net gain will be provided on site in line with the national BNG requirements.</p> <p>Biodiversity enhancements are required due to the impact of the development on habitats that are present on the site and are therefore required in line with policy 22 of the Core Strategy and policy BNE 9 and 11 of the Local Plan and under Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).</p> <p>Without securing the monitoring of the habitat creation and enhancement required over the specified period it would not be possible to ensure that the 10% net gain target has been achieved and established over the necessary 30 year period.</p>	Biodiversity enhancements are required due to the adverse impact of the development on habitats that are present on the site. Habitat creation and enhancement is required in line with policy 22 of the Core Strategy and policy BNE 9 and 11 of the Local Plan and in line with the national statutory requirements which necessitate a monitoring period of 30 years.	Biodiversity Net Gain (BNG) is required under the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). Under the statutory framework for BNG, subject to some exemptions, every grant of planning permission in England is deemed to have been granted subject to the condition that biodiversity gain objective is met (“the biodiversity gain condition”). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the predevelopment biodiversity value of the onsite habitat. The Council must monitor the on-site habitats for a 30-year period to ensure the delivery of the habitat creation and enhancement works through appropriate management.	The Council’s Infrastructure Funding Statement April 2026 does not make provisions for Biodiversity Net Gains from development.

S106 monitoring	Regulation 10 of the Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 allows Local Authorities to charge a monitoring fee through s106 planning obligations, to cover the cost of the monitoring and reporting on delivery of that s106 obligation.	A s106 agreement is required to secure a number of obligations necessary to make the development to which it relates acceptable.	<p>The Council is required to monitor the income and the expenditure as set out by the s106 agreement. Additionally, there is a legal requirement to produce an annual Infrastructure Funding Statement specifying what has been received, spent and future plans for expenditure. Monitoring and reporting on S106 income requires staff time.</p> <p>The fee structure below is considered to be proportionate, in line with other Lancashire authorities and will contribute to the Council's reasonable costs of monitoring each obligation.</p> <ul style="list-style-type: none"> • 2% of application fee across each agreement • An additional 2% of each payment instalment (indexed value) for any commuted sums • An additional £1,000 per development site for any land contribution or on-site affordable housing provision • £350 per trigger/clause 	The Council's Infrastructure Funding Statement April 2026 does not make provisions for the monitoring of obligations set out in S106 legal agreements.
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			These fees have been benchmarked with an analysis of practice amongst other Lancashire Councils	

<p>Enhancement of existing bus service provision on Route 337, 347, and/or 772.</p>	<p>The existing bus service adjacent to the development is limited in frequency and lacks provision in the evenings and on Sundays, whilst services do not currently enter the site, and existing nearby bus stops are basic. Therefore, in order to promote and encourage the use of sustainable modes of travel for residents and visitors' enhancements are required. This conforms with policy 2 and 3 of the Core Strategy, and Chapter 9 (Promoting Sustainable Transport) of the NPPF. Applications for development should facilitate access to high quality public transport (para 117).</p>	<p>The proposed development would generate demand for sustainable transport, and the proposed enhancements would support the transport vision for the site.</p>	<p>The required improvement would support increased frequency and duration of existing bus services for a period of 5 years, to a level which would encourage the use of buses as a sustainable transport option.</p> <p>This is considered to be a minimum amount of time required to establish the improved service after which point any revenue received from additional patronage could sustainably maintain the service levels beyond the contribution period.</p> <p>Lancashire County Council (LCC) Highways' Bus Service Contributions requests are determined on a case-by-case basis having regard to;</p> <p>a) LCC Public Transport comments, which consider recent tenders for similar services;</p> <p>b) Previous requests for contributions to ensure reasonableness and consistency.</p>	<p>The Council's Infrastructure Funding Statement April 2026 sets out that the use of S106 agreements will extend to strategic infrastructure such as highway and transportation improvements if they are needed as part of the development.</p>
<p>Contribution to Central Lancashire community transport services</p>	<p>The development would generate demand for responsive specialist transport options, which are</p>	<p>The proposed development could generate the need for more specialist transport options to support</p>	<p>The level of contribution would enable Community Transport Services to increase coverage and</p>	<p>The Council's Infrastructure Funding Statement April 2026 sets out that the use of S106 agreements will extend</p>

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	limited in their coverage. Support is therefore required in order to support the provision of demand responsive transport options. This conforms with policy 2 and 3 of the Core Strategy, and Chapter 9 (Promoting Sustainable Transport) of the NPPF. Applications for development should facilitate access to high quality public transport (para 117).	transportation for people with disabilities and reduced mobility.	capacity to serve the site and scale of residential occupation.	to strategic infrastructure such as highway and transportation improvements if they are needed as part of the development.
Improve existing PRoW to enhance accessibility to BW0913009, BW0917018, FP0917019 and FP0913015 through reclaiming recorded widths by sensitively cutting back vegetation, upgraded surfacing (bound gravel), lighting (if possible), removal of stiles, and drainage improvements	To support sustainable transport options in line with policy ST1 of the Chorley Local Plan and policy 3 of the Core Strategy to better integrate the development into the footpath and bridleway network thereby improving the sustainability of the site by supporting pedestrian and cycle movements.	The proposed development would generate demand for active travel, and the proposed enhancements would support the transport vision for the site.	The improvements would link the site with the nearby settlements and associated amenities promoting active travel. Without significant improvements to the surrounding footpath network, there are limited safe active travel routes to essential local amenities such as schools and shops.	The Council's Infrastructure Funding Statement April 2026 sets out that the use of S106 agreements will extend to strategic infrastructure such as highway and transportation improvements if they are needed as part of the development.

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<p>Improve existing PRow as leisure routes at FP0913009, FP0908010, FP0908006, FP0908005, FP0908002, FP0917027 and FP0917026 through reclaiming recorded widths by sensitively cutting back vegetation, upgraded surfacing (bound gravel), lighting (if possible), removal of stiles, and drainage improvements</p>	<p>To improve the footpath network by upgrading existing routes and facilitating pedestrian access in line with policy ST1 of the Chorley Local Plan and policy 3 of the Core Strategy to better integrate the development into the footpath network.</p>	<p>The proposed development would generate demand for active travel, and the proposed enhancements would support the transport vision for the site.</p>	<p>The improvements would enhance the local footpath network in response to increase demand for recreational walking as a result of the proposed development.</p>	<p>The Council's Infrastructure Funding Statement April 2026 sets out that the use of S106 agreements will extend to strategic infrastructure such as highway and transportation improvements if they are needed as part of the development.</p>
<p>Off-site cycle parking in Eccleston and/or Coppull village centre(s).</p>	<p>To support sustainable transport options in line with policy ST1 of the Chorley Local Plan and policy 3 of the Core Strategy to encourage cycling to the nearest settlements and associated amenities thereby improving the sustainability of the site by supporting cycle movements.</p>	<p>The proposed development would generate demand for active travel, and the proposed enhancements would support the transport vision for the site by providing cycle parking infrastructure in the nearest settlements that provide local amenities.</p>	<p>The provision of such infrastructure would enhance the attractiveness of cycling as a form of sustainable travel, which would encourage active travel to essential local amenities such as schools and shops.</p>	<p>The Council's Infrastructure Funding Statement April 2026 sets out that the use of S106 agreements will extend to strategic infrastructure such as highway and transportation improvements if they are needed as part of the development.</p>

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<p>LCC traffic monitoring of:</p> <ul style="list-style-type: none"> • Junction 3 – A581 Southport Road / Lydiat Lane • Junction 4 – A581 Southport Road / Leyland Lane • Junction 7 – A49 Wigan Road / A581 Dawbers Lane 	<p>To enable the local highway authority to monitor vehicle movements at specific major junctions so that any necessary upgrade / improvements may be identified and targeted appropriately. In line with policy 2 of the Core Strategy.</p>	<p>The proposed development would result in altered vehicle movements across the local highway network that may require future upgrades to existing infrastructure.</p>	<p>To ensure the efficient functioning of the local highway network.</p>	<p>The Council's Infrastructure Funding Statement April 2026 sets out that the use of S106 agreements will extend to strategic infrastructure such as highway and transportation improvements if they are needed as part of the development.</p>
<p>Travel Plan development and monitoring</p>	<p>To support and encourage sustainable transport options and to oversee amendments and monitoring to ensure that the most appropriate plan is agreed and implemented in order to encourage the widest range of travel choices and effective take up rate. In line with policy 3 of the Core Strategy.</p> <p>NPPF paragraph 118 states that all "developments that will generate significant amounts of movement should be required to provide a travel plan".</p>	<p>The travel plan is specifically required and designed to support the proposed development, which would attract a significant increase in journeys to the site.</p>	<p>The costs reflect the level of involvement that would be necessary from the Local Highway Authority to ensure that an appropriate travel plan is developed and delivered.</p>	<p>The Council's Infrastructure Funding Statement April 2026 sets out that the use of S106 agreements will extend to strategic infrastructure such as highway and transportation improvements if they are needed as part of the development.</p>

PLANNING OBLIGATION	Regulation 122 TEST 1 – NECESSITY	Regulation 122 TEST 2 – DIRECTLY RELATED TO THE PROPOSED DEVELOPMENT	Regulation 122 TEST 3 – FAIR AND REASONABLE IN TERMS OF SCALE AND KIND	Regulation 121 CIL COMPLIANCE
Funding of travel vouchers as outlined in the Framework Travel Plan. Vouchers to be made available as residents move in and provided in the form of support for bus use or bicycle and safety equipment	To support and encourage the widest range of sustainable transport options and implemented in order to encourage an effective take up rate. In line with policy 3 of the Core Strategy.	The provision of travel vouchers would support the implementation of the travel plan that is required and designed to support the proposed development, which would attract a significant increase in journeys to the site, and would encourage use of sustainable transport options.	The costs reflect a level of investment necessary to act as an incentive to explore bus use or cycling thereby developing active travel habits.	The Council's Infrastructure Funding Statement April 2026 sets out that the use of S106 agreements will extend to strategic infrastructure such as highway and transportation improvements if they are needed as part of the development.

5. Responses to Inspector Note (28 May 2026)

For Chorley Borough Council

a) Please can the Council provide justification to explain how the maintenance fees for amenity green space and the equipped play area have been calculated (i.e. what work is involved, how much officer time, is there a document that sets out how the fees should be calculated) and how they satisfy the three tests?

i) Maintenance contributions are calculated following the processes set out in the following documents:

- The Open Space and Playing Pitch SPD August 2013 (including the financial contributions for new provision / improvements)
- Policy HS5: Open Space and Playing Pitch Requirements in New Housing Developments in the emerging Central Lancashire Local Plan (2023-2041)

The Open Space and Playing Pitch SPD (August 2013) financial contributions schedule sets out annual maintenance costs of £70 per dwelling for amenity green space and £13 per dwelling for provision for children / young people. In the SPD it states that the cost per dwelling should then be multiplied by 10 to give the 10-year maintenance cost required for Chorley.

However, Policy HS5: Open Space and Playing Pitch Requirements in New Housing Developments in the emerging Central Lancashire Local Plan (2023-2041) requires a 20-year maintenance contribution. It is noted that only a small number of comments / objections were received in relation to the open space calculations and no actions have been agreed in relation to this policy with the Local Plan Inspectors. 20 years contribution has therefore been used as the basis for the maintenance contribution in the draft Section 106 Agreement, calculated as follows:

Amenity Greenspace: 350 dwellings x £70 x 20 years = **£490,000**

Provision for Children and Young People: 350 dwellings x £13 x 20 = **£91,000**

The maintenance contributions will not be payable if the appellant chooses to continue to maintain the open spaces themselves, appoints a management company to maintain the open spaces or transfers the open spaces to a management company pursuant to Schedule 3 to the Section 106 Agreement. In the event that the amenity green space and / or provision for children / young people is transferred to the Council, the owner will pay to the Council the amenity green space and provision for children / young people maintenance contributions.

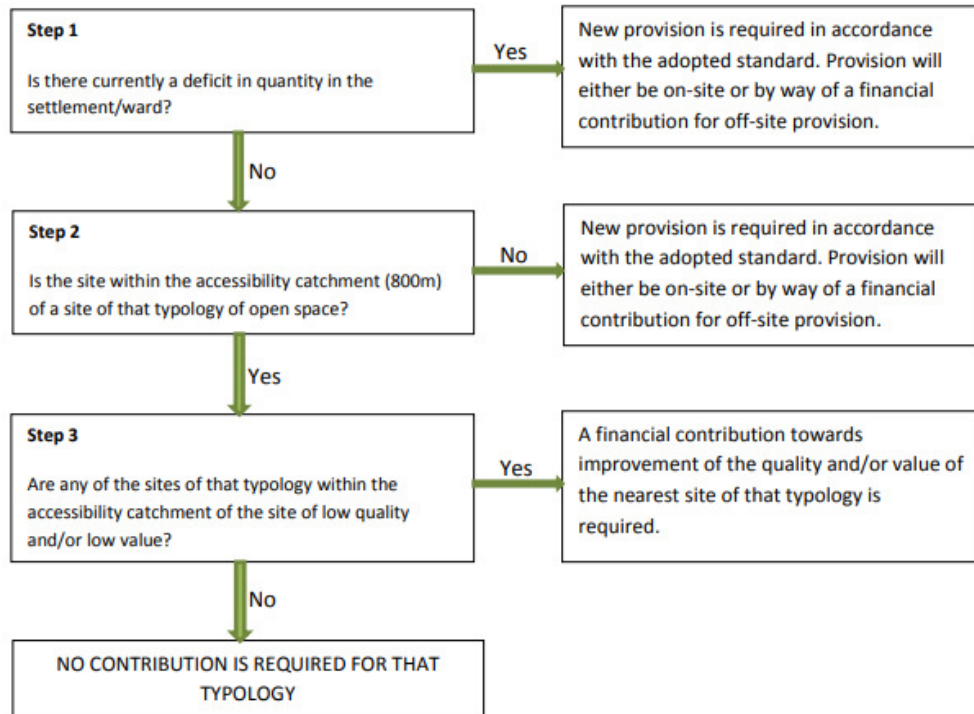
The maintenance fee is intended to cover the costs of maintaining the on-site amenity greenspace and provision for children/young people. Such costs include grass mowing, tree inspections, tree works, play area inspections, equipment and surfacing repairs and other maintenance tasks.

ii) The maintenance contributions satisfy the three tests as follows:

Necessary to make the development acceptable in planning terms: Policy HS4A: Open Space Requirements in New Housing Developments of Chorley Local Plan 2012-2026 states that *'all new housing developments will be required to make provision for open space and recreation facilities where there are identified deficiencies in the quantity and/or accessibility or quality and/or value of open space and recreation facilities'*.

The process for determining amenity greenspace and provision for children/young people contributions is set out in The Open Space and Playing Pitch SPD (August 2013) on Page 6 as follows:

Diagram 1: Process for determining amenity greenspace and provision for children/young people contributions.



Step 1

The Chorley Council Standards Paper (February 2019) confirms that there is a deficiency of provision in the settlement of Chisnall Ward in relation to the amenity greenspace standard. In accordance with Diagram 1 above, new provision is therefore required on-site or by way of financial contribution for off-site provision. It is noted that the new amenity greenspace is proposed on-site and the maintenance contribution is required in accordance with the Open Space and Playing Pitch SPD August 2013 (including the financial contributions for new provision / improvements) and Policy HS5: Open Space and Playing Pitch Requirements in New Housing Developments in the emerging Central Lancashire Local Plan (2023-2041).

The Chorley Council Standards Paper (February 2019) also states that there is a surplus of provision in Chisnall Ward in relation to the provision for children / young people standard. However, the site is not located within the accessibility catchment (800m) of a site of that typology of open space. In accordance with Diagram 1 above, new provision is therefore required on-site or by way of financial contribution for off-site provision. It is noted that the new provision for children / young people is proposed on-site and the maintenance contribution is required in accordance with the Open Space and Playing Pitch SPD August 2013 (including the financial contributions for new provision / improvements) and Policy HS5: Open Space and Playing Pitch Requirements in New Housing Developments in the emerging Central Lancashire Local Plan (2023-2041).

Directly related to the development: The amenity green space and provision for children and young people are proposed on-site and address evidenced open space deficiencies and are therefore directly related to the development through which demand for open space would be generated.

Fairly and reasonably related in scale and kind: The minimum required amount of amenity green space and provision for children and young people per head of population based on evidenced standards is set out in Policy HS4A: Open Space Requirements in New Housing Developments of Chorley Local Plan 2012-2026 (Page 25). The maintenance contributions are defined in The Open Space and Playing Pitch SPD August 2013 (including the financial contributions for new provision / improvements) and Policy HS5: Open Space and Playing Pitch Requirements in New Housing Developments in the emerging Central Lancashire Local Plan (2023-2041).

b) Please add a copy of the Playing Pitch Strategy to the Core Documents and submit a copy to the case officer. Please submit an updated Core Document list.

The following documents have been added to the Core Documents:

CD6.12 Central Lancashire Open Space and Playing Pitch SPD (August 2013)

CD6.13 Central Lancashire Open Space and Playing Pitch SPD – Financial Contributions Schedule (August 2013)

CD6.14 Central Lancashire Playing Pitch Strategy (September 2018)

CD6.15 Central Lancashire Playing Pitch and Outdoor Sports Strategy – Full Assessment Report (April 2026)

c) The Playing Pitch Strategy is dated from 2012, which is 14 years old. Is the evidence base current and up-to-date? Is there a more recent assessment or an assessment of what has been delivered against the Action Plan since 2012?

2018 Playing Pitch Strategy added to Core Documents List. The recently completed 2025, which forms an evidence base for the emerging Central Lancashire Local Plan, has also been added to the Core Documents List.

d) Please provide the evidence to support how the sum of £1,599 per dwelling has been calculated by Sport England.

Local Plan Policy HS4B: Playing Pitch Requirements in New Developments states:

Policy HS4B: Playing Pitch Requirements in New Housing Developments

All new housing developments will be required to pay a financial contribution towards new playing pitch provision in the Borough or towards improvements to existing playing pitches.

The financial contribution will be calculated using a standard of 1.21 hectares per 1,000 population.

Based on an average occupancy of 2.4 people per dwelling, each dwelling is therefore required to make a contribution of 29.04sqm towards playing pitch provision.

As set out in the Central Lancashire Open Space and Playing Pitch SPD – Financial Contributions Schedule (August 2013), cost per dwelling for playing pitches is based on the average costs of grass pitches and changing rooms as identified by Sport England and included in the Playing Pitch Strategy. The total cost per dwelling varies for each of the Central Lancashire Authorities as the standards are different.

Typology	Cost per	Cost per dwelling		
		Preston	South	Chorley
Amenity greenspace	£8	£104	£255	£140
Provision for children/young people	£70	£34	£101	£134
Parks and gardens	£32	£1,390	£507	£1,467
Natural/semi-natural greenspace	£5	£214	£238	£557
Allotments	£9	£37	£17	£15
Playing pitch	£55	£1,335	£1,507	£1,599

Therefore, for Chorley:

£55 (cost per sqm) x 29.04sqm = £1,597

This has been rounded up to £1,599 in the table above in the Central Lancashire Open Space and Playing Pitch SPD – Financial Contributions Schedule (August 2013).

e) Please provide a breakdown of how the BNG Monitoring Fee has been calculated and on what basis. The CIL Compliance Statement does not provide this detail.

Where on-site habitat creation and/or enhancement proposals meet the criteria to be ‘Ecologically Significant’ (as defined by Chorley Council), the development must provide monitoring contributions to review the delivery of on-site BNG over the duration of the 30-year agreement. The BNG Monitoring Fee is calculated based on the size of the site and the technical difficulty of the habitats to be created and/or enhanced within the Statutory Biodiversity Metric.

Monitoring Contribution (exclusive of VAT)	Technical Difficulty (See final metric for proposed created and enhanced habitat)		
	Low	Medium	High
Site Size			
Small (0 to 10 ha)	£3,701.81	£5,640.88	£8,651.46
Medium (10 to 20 ha)	£5,182.54	£8,058.40	£11,434.84
Large (20 to 40 ha)	£7,403.63	£9,961.81	£14,732.34
Exceeding 40 ha	Determined on a site-by site basis		

The BNG Monitoring Fees equate to £14,732.34, owing to the site being ‘large’ (25.59 hectare) and the ‘high’ technical difficulty of the proposed created/enhanced habitat (e.g. Lowland mixed deciduous woodland and Other rivers and streams).

Post intervention habitats											
Proposed Habitat (Broad habitat pre-populated but can be overridden)		Change in distinctiveness and condition		Area (hectares)	Distinctiveness	Condition	Strategic significance		Temporal risk multiplier		Difficulty risk multipliers
Proposed Broad Habitat	Proposed habitat	Distinctiveness change	Condition change				Strategic significance	Standard or adjusted time to target condition	Final time to target condition (years)	Final difficulty of enhancement	
Heathland and shrub	Mixed scrub	Medium - Medium	Condition Assessment N/A - Moderate	0.5761	Medium	Moderate	Area/compensation not in local strategy/ no local strategy	Standard time to target condition applied	5	Low	
Woodland and forest	Other woodland; broadleaved	Medium - Medium	Poor - Moderate	2.8704	Medium	Moderate	Area/compensation not in local strategy/ no local strategy	Standard time to target condition applied	10	Low	
Woodland and forest	Lowland mixed deciduous woodland	High - High	Poor - Moderate	0.7056	High	Moderate	Formally identified in local strategy	Standard time to target condition applied	20	High	

Ref	Proposed habitats		Distinctiveness	Condition	Strategic significance	Temporal multiplier		Difficulty multipliers
	Watercourse type	Length (km)	Distinctiveness	Condition	Strategic significance	Standard or adjusted time to target condition	Final time to target condition (years)	Final difficulty of creation
1	Other rivers and streams		High	Poor	Area/compensation not in local strategy/ no local strategy	Standard time to target condition applied	1	High

Monitoring the habitat creation/enhancement secured by BNG will require Chorley Council to review 1 initial monitoring plan and 8 monitoring reports, and undertake 12 site visits over the course of 30 years, and work with the site owner to agree remedial measures if required.

f) In respect of the s106 Monitoring Fee, please clarify whether the CIL Compliance Statement includes a typo? The sum sought is £14,144.68, but the breakdown of the fee amounts to £14,144.08.

It is confirmed that the total monitoring fee includes a typographical error. This has been corrected to £14,144.08.

g) Please provide explain what each component of the s106 Monitoring Fee relates to, explain how the sum or percentage figure has been arrived at, and explain how much staff time is anticipated based on the sums sought?

The fees cover the cost of staff time in monitoring and reporting on planning obligations secured through legal agreement and have been benchmarked with an analysis of practice amongst other Lancashire councils. The Council's Planning Obligation team, consists of two posts to monitor and report on both historic and live Section 106 agreements, amongst other duties. Section 106 fees may be used to fund specific infrastructure, such as play area improvements and as such, alongside our finance teams, it is important to monitor the income and the expenditure. Additionally, there is a legal requirement to produce an annual Infrastructure Funding Statement specifying what has been received, spent and future plans for expenditure.

For Lancashire County Council

a) Bus service – please provide a detailed breakdown of how the sum of money has been calculated; explain when the five-year period would start/finish bearing in mind the estimated 7-year build-out and the aim of this contribution. Please explain what the money would be precisely spent on.

£250,000 is the current amount that Public Transport team at Lancashire have stipulated is required per year to run a bus with a hourly frequency (only) in the daytime, or to increase the frequency from hourly to half-hourly having regard to current existing provision (to the wider area), providing a more realistic sustainable option for new patrons to reach destinations having regard to appointment or work/education start/end time etc. The actual cost will be based on a tender prices at the time of when a service is required, this request is informed by current tender prices and provided by the PT team. PT services for this development even when fully built out will always require a significant level of subsidy, 'external subsidies' ie secured from central government or locally found cannot be guaranteed most rural services are not profitable for operators to be self-funding. However, it is important to highlight that an operators subsidy should reduce with additional patrons making them more sustainable as a consequence of new development such as this residential site. The requested funding will provide improved PT services, to that which will be available at that time when required by the development site offering day, evening and weekend provision (ie an improvement on existing services). To be clear the funding will NOT be used to allow the transport authority to remove existing subsidies. The precise timing of improvements to service provision will depend on demand (as determined by Travel Plan surveys), it is important that good services are in place early to embed sustainable travel habits – but not so early as to be of poor value.

The service to serve the site would be determined by the circumstances around the existing provision, and the reserved matters relating to Parcel B Access may well influence how far the bus would go into the site. This may well influence timings, but it is estimated that the requested amount will sufficient to provide an additional bus to a service route improving daytime frequency) or split between evening and or weekend maximising opportunities that benefit the developments residents and also ensuring that provided can best be maintained post financial pump priming. The first trigger point for £250k at first occupation with further £250k at the first anniversary of this date and thereafter totalling 5 payments. If the contributions are not required, they would be returned to the developer in line with the clawback in the s106 agreement.

b) Central Lancashire transport services – please set out what the demand that the proposed development would generate for responsive specialist transport. Please explain what the coverage is in the area where the appeal site is and what the capacity is of this type of transport.

Central Lancashire is covered with a Community Transport Consortium, the primary capacity is that of a small bus (i.e. 10-12). This provides access to places bus services cannot, and it also facilitates those who have more specialist needs (i.e. disability). The level of demand is uncertain – if the service is not required the funding would be returned to the developer. To ensure reliability for all purposes such as education,

employment, health etc a development of this scale requires a traditional bus service. The total cost of operating a smaller bus whilst cheaper the cost per seat is significantly higher when compared to a traditional bus which has opportunities to attract more patrons over the whole route rather than a discrete isolated development.

c) PRow Accessibility – please provide a detailed breakdown of how the sum sought has been calculated, what each part of that sum would be spent on in terms of which bridleway/public right of way and what work, and explain why those components are necessary. Are the works to reclaim the recorded width a one-time piece of work or part of a phased piece of work? Explain when the works would be carried out and why the timing of such works would be directly related to the proposed development, which is likely to have a 7-year build-out and the proposal’s accessibility objectives.

d) PRow Leisure – please provide a detailed breakdown of how the sum sought has been calculated, what each part of that sum would be spent on in terms of which public right of way and what work, and explain why those components are necessary. Are the works to reclaim the recorded width a one-time piece of work or part of a phased piece of work? Explain when the works would take place and why the timing of such works would be directly related to the proposal which is likely to have a 7-year build-out, with work potentially starting September 2027?

C and D have been answered together and a plan is appended to show these:

The Public Right of Way Team calculate PRow based on the length of PRow that is required and the quality of the surface. Following reclaiming recorded widths (one-time) PRow surface will be upgraded (bound gravel) to maintain this width. There is generally a lead time for works to be completed following receipt of a contribution, influenced by the resourcing capacity of the PRow and design teams respectively, and lighting if this is possible (subject to more detailed work). The timing of the contribution early in the development build-out ensures that before significant occupation has taken place, a scheme for the upgrade to make the PRow adequate for its intended purpose can be programmed into the works programme. As a vision-led development in line with NPPF requirements, alternatives to the private car must be sufficiently suitable and attractive to promote a modal shift.

The routes are as follows:

1 Park Hall Road and Red Lane (BW0913009 & FP0913009) circa 1.5km - £60 x 1,500m = £90,000

2 circular walk (FP0908010,FP0908006,FP0908005,FP0908002,FP0917027,FP0917026,BW0917018 – connecting to 1) circa 3,434m - £60 x 3,434m = £206,040

3 link to Eccleston - (FP0913015 and FP0917019) circa 580m - £60 x 580m = £34,800

The sum included a reduction from the total calculation, which would be mitigated by value engineering and programming works together.

e) Please set out what the off-site cycle parking monies would be spent on in terms of the type of provision and number, explain whether there are anticipated locations in Ecclestone and/or Coppull for the provision and how the sum has been calculated.

It is envisioned that parking would be provided within highway in/around the main shopping centres. There is little provision for safe parking for bicycles in and around the shopping areas (this is also noted in the Coppull Neighbourhood Plan). Around 20+ Sheffield Stands could potentially be provided within adopted highway, but this is subject to site constraints and other costs. Costs would include design, stands/groundworks and installation. Traffic management costs would be minimised as these can be costly.

f) Please provide a breakdown of what time would typically be spent by the Highway Authority on the travel plan and the nature of tasks undertaken.

Travel plans are a long-term management strategy with a package of measures that focus on how we get around. They aim to encourage sustainable travel and reduce reliance on cars, especially single occupancy car use. To support the use of bus services and other sustainable modes, the County Council have promoted the introduction of a Travel Plan for the development. The preparation and implementation of a Travel Plan is capable of being secured through a planning condition, but it is appropriate that a financial payment is also secured from the development to allow guidance and support from LCC to the applicant's representatives as they develop the interim Travel Plan into a Full Plan. Also, this funding would allow centralised monitoring of the implementation of the Travel Plan and in the event that the monitoring of the Travel Plan highlights that the targets within it are not being achieved further support and advice to deliver sustainable targets. In line with LCC Policy Document 'Planning Obligations in Lancashire Policy', a contribution of £12,000 to enable LCC to provide a range of services as outlined below paid prior to first occupation.

The requested Section 106 contribution will primarily be used to enable LCC to:

- Appraise Travel Plan(s) submitted to the Planning Authority and provide constructive feedback.
- Oversee the progression from Interim to Full Travel Plan in line with agreed timescales.
- Monitor the development, implementation and review of the Travel Plan for a period of up to 5 years.
- Support the development and implementation of the Travel Plan.
- Work with developers appointed TP coordinator on leaflets, publicity, maps and information
- Advise and offer appropriate support with suitability and implementation of specific elements or measures
- Assist with the development of sustainable travel directions for web pages and other appropriate content.

It is expected that there will be annual site visits with the LHA undertaking its own supplementary validation surveys in locations which relate to the site's Travel Plan where these are required to either enhance the Travel Plan or verify information provided. Time spent depends on the engagement of the Applicant, there is no upper limit on how much time the LHA would spend on a site with a Travel Plan Coordinator. Any funds unspent are returned to developers in line with the S106 agreement. Without financial support the LHA would not be able to offer direct support with regard to the delivery and effectiveness of the developers Travel Plan limiting single occupancy cars and maximising the use of sustainable travel in line with the NPPF.

Appendix 1: PROW Map

