

Statement of Compliance- P/OUT/2023/02644 (APP/D1265/W/24/3353912)

The Community Infrastructure Levy Regulations 2010 places a limitation on the use of planning obligation at Regulation 122; repeated in the National Planning Policy Framework (December 2024) at paragraph 58. This states that 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.

In order to make development acceptable in planning terms, applications for major housing development within the former North Dorset District Area of Dorset Council are expected to: provide a policy compliant level of affordable housing (Policy 8); and maintain and enhance the level of grey, green and social infrastructure through (Policy 13, 14 & 15).

Planning Obligation sought	Test – a) Is the obligation/contribution necessary to make the development acceptable in planning terms?	Test – b) Is the obligation/contribution directly related to the development?	Test – c) Is the obligation/contribution fair and reasonably related in scale and kind to the development?
40% Affordable Housing (52% affordable rent, 23% shared ownership and 25 % First Homes) to be provided in accordance with an agreed Affordable Housing Scheme.	Yes – to ensure a policy compliant amount and mix of affordable housing in compliance with Policy 8.	Yes – the obligation would require 40% of the proposed dwellings to be affordable.	Yes – the obligation aligns with policy objectives and has been agreed in principle between the LPA and Appellant.
Allotment Contribution	Yes- to ensure a policy compliant contribution towards off site provision and or enhancement of existing allotments would be in accordance with Policy 15.	Yes- the obligation would require a contribution of £308.16 per dwelling.	Yes – the obligation aligns with policy objectives and has been agreed in principle between the LPA and Appellant.

NHS Infrastructure Contribution	Yes- to ensure a policy compliant contribution towards 'social infrastructure' that Local Communities need would be planning for positively. This development would increase demand for local health services. This would be in accordance with Policy 14.	Yes- the obligation would require a contribution of £722 per dwelling to support the provision of NHS infrastructure.	Yes – the obligation aligns with policy objectives and has been agreed in principle between the LPA and Appellant.
Trailway Contribution	Yes- to ensure a policy compliant contribution towards the enhancement of existing grey infrastructure off site would be in accordance with Policy 13.	Yes- the obligation would require a contribution of: £10,000 for provision of the North Dorset trailway between Sturminster Newton and Stallbridge.	Yes – the obligation aligns with policy objectives and has been agreed in principle between the LPA and Appellant.
Public Footpath Contribution	Yes- to ensure a policy compliant contribution towards the enhancement of existing grey infrastructure off site would be in accordance with Policy 13.	Yes- the obligation would require a contribution of £44,000 towards diverting and surfacing Footpath No.s N47/31 and N47/33, the dedication and surfacing of an informal footpath off Sackmore Lane	Yes – the obligation aligns with policy objectives and has been agreed in principle between the LPA and Appellant.
Public Rights of Way Enhancement Contribution	Yes- to ensure a policy compliant contribution towards the enhancement of existing grey infrastructure off site would be in accordance with Policy 13.	Yes- the obligation would require a contribution of £35.05 per dwelling for the upgrading/provision of pedestrian and bridleway gates, appropriate surfacing and signage required in relation to any footpath within the Parish.	Yes – the obligation aligns with policy objectives and has been agreed in principle between the LPA and Appellant.

Education Contribution	Yes- to ensure a policy compliant contribution towards 'social infrastructure' - delivering education facilities. This would be in accordance with Policy 14.	Yes- the obligation would require a contribution of £6,094.34 per dwelling (rate based on Dorset County Council Education Funding) to deliver provision of secondary school places.	Yes – the obligation aligns with policy objectives and has been agreed in principle between the LPA and Appellant.
Pre School Provision Contribution	Yes- to ensure a policy compliant contribution towards 'social infrastructure' – delivering education facilities. This would be in accordance with Policy 14.	Yes- the obligation would require a contribution of £190.50 per dwelling (rate based on Dorset County Council Calculations) to deliver provision of or enhancement of pre school provision.	Yes – the obligation aligns with policy objectives and has been agreed in principle between the LPA and Appellant.
SEND contribution	Yes- to ensure a policy compliant contribution towards 'social infrastructure' - delivering SEND facilities in primary, secondary and post-16 education. This would be in accordance with Policy 14.	Yes- the obligation would require a contribution of £1,487.62 per dwelling (rate based on Dorset County Council Education Funding).	Yes – the obligation aligns with policy objectives and has been agreed in principle between the LPA and Appellant.
Community, Leisure and Sports Facilities Contribution	<p>Yes- to ensure a policy compliant contribution towards 'social infrastructure' that Local Communities need would be planning for positively.</p> <p>Marnhull Parish Council have identified that there are necessary improvements required to the Parish Hall and car park and the attached sports pavilion. This would be in accordance with Policy 14.</p>	Yes- the obligation would require a contribution of £2,006.97 per dwelling (to the Parish Hall and car park and the attached sports pavilion).	Yes – the obligation aligns with policy objectives and has been agreed in principle between the LPA and Appellant.

Informal Outdoor Space Maintenance Contribution (Commutated sum)	Yes- informal outdoor space maintenance contribution will only be necessary in accordance with Policy 15, if the open space is transferred to the Council or Parish Council.	Yes- the obligation would require a contribution of £1,594.49 per dwelling for maintenance of the open space <u>only if transferred to the Council or Parish Council.</u>	Yes – the obligation aligns with policy objectives and has been agreed in principle between the LPA and Appellant.
LEAP & LAP- on site provision	Yes- to ensure a policy compliant contribution towards the creation of new space for children's play in accordance with Policy 15.	Yes- the obligation would require a LEAP to be provided on site of minimum size of 400sq m and a LAP to be provided on site a minimum size of 100sq m.	Yes – the obligation aligns with policy objectives and has been agreed in principle between the LPA and Appellant.
LEAP & LAP Maintenance (commuted sum)	Yes- on site LEAP & LAP maintenance contribution will only be necessary in accordance with Policy 15 if the LEAP & LAP are transferred to the Council or Parish Council.	Yes- the obligation would require a contribution of £882.97 per dwelling for maintenance and improvements of the LEAP & LAP <u>only if transferred to the Council or Parish Council.</u>	Yes – the obligation aligns with policy Objectives and has been agreed in principle between the LPA and Appellant.
Formal Outdoor Sports Facilities Contribution	Yes- to ensure a policy compliant contribution towards provision of formal outdoor sports in accordance with Policy 15	Yes- the obligation would require a contribution of £1,318.80 per dwelling for other formal outdoor sports such as new and improved cricket ground, football pitch, additional tennis court & provision of exercise equipment within the Parish Council Area.	Yes – the obligation aligns with policy objectives and has been agreed in principle between the LPA and Appellant.

Formal Outdoor Sports Facilities Maintenance Contribution	Yes- to ensure a policy compliant contribution towards provision of formal outdoor sports in accordance with Policy 15	Yes- the obligation would require a contribution of £128.73 per dwelling to ensure this provision can continue to be maintained by the Parish Council.	Yes – the obligation aligns with policy objectives and has been agreed in principle between the LPA and Appellant.
Library Contribution- Sturminster Newton	Yes- to ensure a policy compliant contribution towards provision of social infrastructure-cultural facilities, in accordance with Policy 15	Yes- the obligation would require a contribution of £75 per dwelling towards additional equipment and stock for the nearest library (Sturminster Newton).	Yes – the obligation aligns with policy objectives and has been agreed in principle between the LPA and Appellant.
Bus services and Sustainable Transport Contribution	Yes- to ensure a policy compliant contribution towards provision of increasing the frequency of the bus service that passes through the parish; and towards six new poles and flag bus stops in the vicinity of the application site, in accordance with Policy 15	Yes- the obligation would require a contribution of: £52,952.88 to increase the frequency of the bus service. £4,800 towards the six new poles and flag bus stops	Yes – the obligation aligns with policy objectives and has been agreed in principle between the LPA and Appellant.
Play Facilities Contribution	Yes- to ensure a policy compliant contribution towards provision of play facilities in accordance with Policy 15	Yes- the obligation would require a contribution of £967.52 per dwelling for play facilities including existing play facilities and skate park and provision of a multi-use games area within the Parish Council Area.	Yes – the obligation aligns with policy objectives and has been agreed in principle between the LPA and Appellant.
Play Facilities Maintenance Contribution	Yes- to ensure a policy compliant contribution towards provision of play facilities in accordance with Policy 15	Yes- the obligation would require a contribution of £359.36 per dwelling to ensure this provision can continue to be maintained by the Parish Council.	Yes – the obligation aligns with policy objectives and has been agreed in principle between the LPA and Appellant.