

## 25/02547/FP, Land off Station Road, Ashwell: s106 claim

### Basis of claim

The purpose of this document is to make a s106 claim under the Town and Country Planning Act 1990 and demonstrate how the three tests in the Community Infrastructure Levy Regulations 2010 No. 948, 122(2) (as amended) are satisfied. While the planning authority has not yet adopted the CIL regulations or charging schedules, Ashwell Parish Council acknowledges that these tests apply to all planning obligations.

The planning obligations sought from this proposal are:

- *Necessary to make the development acceptable in planning terms.* Recognition that contributions should be made to mitigate the impact of development are set out in planning-related policy documents. The NPPF states "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations." Local Plan Policy SP7 recognises the role of developer contributions in planning. The provision of community facilities is a matter that is relevant to planning. The contributions sought will ensure that additional needs brought on by the development are met.
- *Directly related to the development.* The occupiers of new residential developments will have an additional impact upon local amenities. The contributions sought are based on the size, type and tenure of the individual dwellings comprising this development and will provide facilities serving the locality of the proposed development and therefore, be for the benefit of the development's occupants.
- *Fairly and reasonably related in scale and kind to the development.* The contributions have been assessed according to the size, type and tenure of each individual dwelling comprising the proposed development and their collective impact on the surrounding environment, which is significant not only in terms of amenities but also in conservation terms. The claim for gifting of land or conditions over it has been based both on present and future conservation considerations and on amenity grounds, i.e. increased need for informal outdoor space.

As a developer contribution Ashwell Parish Council a monetary sum of <£> for reasons given below.

### The characteristics of the application

The development applied for comprises the following dwellings:

Market:

- 2 x 3 bed houses
- 18 x 4 bed houses
- 2 x 5 bed houses

Social:

- 5 x 2 bed houses
- 4 x 3 bed houses
- 5 x 1 bed flats

The market element and a significant proportion on 'affordable' housing are of a size and design suited to families likely to include children of primary to late secondary school age who will need recreational, sporting and community facilities suited to their age group. Their parents are likely to be working, active and in need of facilities in the same categories but suited to a different age range.

Furthermore, being suitable for families, dwellings of the type proposed will have relatively higher level of occupation than the Ashwell average which is reduced due to a higher than usual proportion of housing being occupied by older couples or single people.

**Claim for a monetary contribution of <£> for enhancing open space and extending built facilities in response to this development**

**Relevant policies:**

NPPF para 102 states that "Planning policies should be based on robust and up-to-date assessments of the need for open space ... and opportunities for new provision." New provision is further supported by the NHC Local Plan, para 4.142 and in policies SP12(e), NE6 (b) and (c).

Ashwell Neighbourhood Plan policy ASH15 favours planning proposals that add to or enhance leisure facilities for Ashwell residents. It supports using the Parish's share of statutory contributions from developers for this purpose.

NHC Local Plan policy SP10(b) requires appropriate levels of new community, cultural, leisure and built sport and recreation facilities to be provided in new development. This need not necessarily be provided by the developer on-site and, if not, s106 contributions would be appropriate.

NPPF (2023) para. 96(c) states that planning decisions should "enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities ..."

**Increased demand for facilities**

Increasing the number of dwellings in Ashwell leads to pressure on the available space used for leisure and community use. The Recreation Ground, the Cottage Garden and, above all, the Springs have reached their sustainable limits for the current population.

In addition to outdoor space Ashwell's population is currently served by the following facilities:

- The Parish Church
- The Parish Room
- The United Reformed Church and its hall
- The Village Hall
- The Pavilion

These built facilities are all publicly available. Taken together they meet needs for community centres, leisure, play space and pitch sports changing but have reached capacity.

Note that the churches listed are not just for worshippers but host a wide variety of community events, for example: horticultural shows, 'Ashwell at Home', concerts, book fairs and youth activities. At all venues 'slots' for events such as these are now difficult to

obtain and new ones cannot be accommodated. Turnouts for existing events are often crowded and occasionally chaotic due to sheer numbers.

Space for regular cultural, exercise and youth activities is also in short supply, particularly at the eastern end of the village.

To respond to the pressure from a development at Station Road the proposed approach is to use existing space at the Recreation Ground better by reconfiguring the Pavilion and playground site to accommodate a new building and associated space around it.

#### **Named project to address additional need: the Pavilion site**

The contribution would be put toward improving the level of provision at the eastern end of the village, which has fewer such facilities than central and western parts and will experience the increase in demand. This would be achieved by further extending the capacity of the Pavilion to provide additional and more suitable space for community activities, play space, leisure activities and changing for pitch sports changing. Associated space would also be redesigned with more appropriate play facilities and furnished social space to improve its useability.

In its present state the Pavilion cannot service any increase in demand. A further Station Road development would cause larger turnouts for events based around it, such as the Sports Day and Remembrance Day. This applies to participation in regular activities such as yoga or pilates, and for indoor play space as well. Existing sports teams will see an increase in players who will need improved provision. Preparation for replacing the Pavilion is under way and should the application be granted a contingency plan for a larger, more functional building would be activated. It includes associated enhancements to outdoor space.

This claim includes for information the contingency plan's design for an improved pavilion, a high-level project plan and estimated costs, see Appendix 1. To extend capacity it will provide a combination of better planned, more flexible space and a fit-out capable of withstanding higher levels of usage. It is based on information currently available but details may be subject to a full investigation of the impact additional demand makes and how different layouts and build techniques would respond to it.

Currently outdoor space associated with the pavilion is not well connected to it and has an awkward layout that impedes movement around its activity and social spaces. This would be re-designed and new equipment employed, examples and indicative costs are also shown in Appendix 1. Issues regarding the relationship with the cricket pitch and other boundaries will be re-thought.

#### **Methods used for quantifying the contribution**

Ashwell Parish Council takes a three-pronged approach to justifying the financial aspect of its claim. First, by looking at the value of current community assets used to support the existing parish inhabitants. The contribution is then the amount needed to prevent dilution of that support by new inhabitants, which would happen because existing assets are already fully exploited. Secondly, by using North Herts Council guidelines for financial obligations sought to cover the relevant services and facilities. Thirdly, the parish council looks at a previous claim.

#### **Method 1**

While most of amenities currently available are unlikely to come on the commercial market, their asset value would be in the region of £4 million at the very least when considering their footprints and locations, and making a reduction for the church sites to

reflect religious use. They serve a population estimated by ONS to be 1,901 in 2020. Building 36 dwellings, mostly for family use, would add a conservative estimate of 92 people to the population (4.8%). As stated above, the mix of dwellings suggests that the increase in population would be weighted toward the younger and 'healthy older' ends of the age spectrum who tend to present a higher demand in the areas of need covered by this claim. Therefore a contribution toward extending built facilities of £193,600 is both reasonable and commensurate, being 4.8% of assets available to the community.

This approach is based on investing in community assets needed for the future. It has merit because it is overtly linked to the concept that developer contributions are for capital spending to increase the stock of assets.

### **Method 2**

The North Herts Council claim guidelines defined in its 'Planning Obligations Supplementary Planning Document 2006' (see attached <[821\\_S106Position/PlanningObligationsSPD2006\\_241008.pdf](#)>) represent the impact in financial terms of additional housing on requirements for community centres, leisure, play space and pitch sports. Note: for its own requirements Hertfordshire County Council (HCC) adopts a similar methodology, which is defined in its 'Guide to Developer Contributions 2021'. HCC has used it in recent applications, for example: 23/00186/FP Land Off Milksey Lane Graveley Hertfordshire, dated 23/01/2023.

The sum in this method is based on contributions per dwelling that NHC recognised as reasonable at November 2006 (Q3) prices, uplifted to December 2025 (Q4) prices, i.e. 75.5%. Inflation uplift is an approach endorsed by NHC Senior Planning Officer Naomi Reynard in her email of 03/06/2020 and based on General Building Cost Indexes. The claim value indicated by the size, type and tenure of the individual dwellings is £151,400 and the make-up of this amount is in Appendix 2.

### **Method 3**

This method refers to a recent comparable claim for s106 funds in Ashwell at Huntsridge (22/03094/FP). This takes a simple pro-rata approach based on the number of dwellings. This provides a conservative figure because the dwelling mix at Huntsridge had a higher proportion of smaller dwellings and consequently a lower impact per dwelling. The figure by this method is £139,500 . Appendix 3 shows the calculation.

### **Sum requested based on assessment of the above methods**

<Ashwell Parish Council>

## **Appendix 1**

### **Pavilion design**

#### **Design**

High level project plan

Anticipated costs (pavilion)

#### **Associated outdoor space**

Example equipment

Anticipated costs (example costs, excluding installation and landscaping)

## Appendix 2

## Method 2: contributions per dwelling using a similar approach to Hertfordshire CC

Dwelling numbers and mix, application 25/02547/FP

Dwelling size, type and tenure					
Bedrooms	1	2	3	4+	Total
Market			2	20	22
Social	5	5	4		14
Total dwellings	5	5	6	20	36
Occupancy	1.26	1.78	2.51	3.07	
Total extra inhabitants	6.3	8.9	15.06	61.4	91.66

Contribution for each size of dwelling for each category of amenity multiplied by the number of dwellings of that size

## Appendix 3

Method 3: comparison with recently accepted request at Huntsridge (22/03094/FP)  
Pro-rata, inflation adjusted

Development	Decision date	Accepted request (£)	Inflation uplift <sup>(1)</sup>	Dwellings <sup>(2)</sup>	Implied for Station Road (£)
Hunts Ridge 22/03094/FP	Jan 2024	50,700	7.0%	14	139,500

<sup>(1)</sup> UK Tender Price and Building Cost Indices, July 2025

<https://costmodelling.com/construction-indices> :

Date	Index	2025 % uplift
Q4 2025 (projected)	244	0.0
Q1 2024	228	7.0

<sup>(2)</sup> Dwelling mix, including affordable element, had slightly lower proportion of 3+ bedroom builds compared with the proposed extension to the Station Road development of 36 dwellings.