

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

### Summary

Should the Planning Authority be minded to approve application 25/02547/FP, Ashwell Parish Council seeks a s106 contribution of £230,400.

The Parish Council also requests that green space areas shown in the application's Design and Access Statement are retained for amenity green space use in perpetuity, with corresponding access rights.

### 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, the 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.

### 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.

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.

Furthermore, the market element dwellings will attract occupants likely to have considerably higher incomes than is the average for the area and wider region.

### **Claim for a monetary contribution for extending built facilities and enhancing recreation space 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 and recreation ground 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, including the existing playground, would also be redesigned with more appropriate, higher capacity, play facilities and furnished social space to improve its useability.

In its present state the Pavilion area 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 and extending the capabilities of the surrounding area is under way. Should the application be granted a contingency plan for a larger, more functional project 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**

The Parish Council takes a two-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.

### **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. 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 file [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) currently adopts a similar methodology, which is defined in its 'Guide to Developer Contributions 2021'. For example: 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 March 2026 (Q1) prices, i.e. 77%. 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.

### **Local considerations**

Both methods work on the assumption that the cost of additional demand increases in a linear fashion. This is not the case in Ashwell. Minor, incremental extensions to provision, especially to the Pavilion area, will not address that need. Re-thinking community, recreation and sports provision in the light of greater demand will involve step costs given the constraints on available sites and space.

These step costs are further amplified when considering the type of resident that the Station Road development would attract. In contrast to existing users who are accustomed to present standards, higher income growing families have different – higher - expectations.

Consequently, it would be appropriate to apply a 20% uplift to the initial calculations in both methods.

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

The sum calculated by method 1 is higher than the value using method 2. The difference is attributable to method 1 being based on the expected increase in population and method 2 being based on a bedroom count of the proposed dwellings.

The Parish Council maintains that, in the case of this proposed development, a calculation based on the expected population increase generated by an influx of growing families is more appropriate.

Therefore, the Parish Council requests a s106 contribution of £230,400.

### **Request for conditions applied to green space shown in the development plans**

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).

Increasing the number of dwellings in Ashwell leads to pressure on the available amenity green space, and natural or semi-natural areas. As already stated, the Recreation Ground, the Cottage Garden and the Springs have reached their sustainable limits.

The application allocates parts of the site for much-needed space of this kind. Using the application’s Design and Access Statement terminology they are:

- The ‘Play Area’ between the ‘Farmstead Cluster’ and the ‘Village Green’
- the ‘Green Wedge’, and
- ‘Millennium Wood’.

To ensure that these spaces continue to meet needs created by the development, the Parish Council requests conditions to ensure they are retained as amenity green space in perpetuity. It also requests the grant of public access rights – or protection of them - from Station Road via the development, from the current Station Road development (Senuna Park) and from Small Gains Lane.

## Appendix 1: Project information

### Pre-application

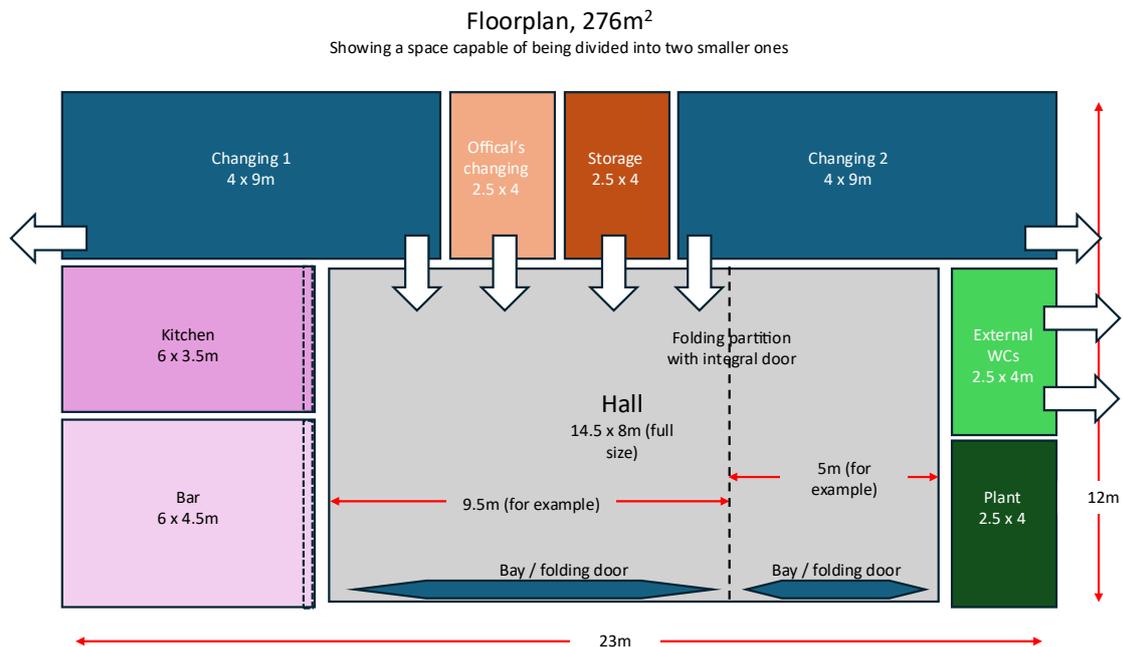
Project design for pre-application purposes is under way as of January 2026. It is informed by informal consultation with the local clubs and societies that offer the wide range of activities that Ashwell residents take part in. This consultation has not solely covered sports clubs.

The Parish Council is aware that a formal consultation with parish residents is required for a PWLB loan, which will take place once designs for pre-application purposes are finalized. This will give parishioners a clearer idea of what could be provided on which to base their comments. Changes to the pre-application design may happen because of feedback, the most likely being to reduce or possibly eliminate the bar area and provide more interior storage space. The aim to minimize VAT liability may require a reconsideration of kitchen and bar facilities too.

Feedback will also be used to finalize the business case.

### Pavilion design

The current Pavilion floorplan reflects requirements already expressed by local clubs and societies. It is not an architectural drawing, but an indication of the space required and the purposes to which the Pavilion should be put. More detailed drawings will be produced as the project proceeds and the design would not be finalized until after parish consultation and pre-application engagement.



The outline floorplan excludes external seating, landscaping and recreation / social space (see below).

### Associated outdoor play and recreation space

Recreation / social space linked to Pavilion:

- adult and family friendly seating area, possibly with provision for barbecue. Also, the space would be suitable for spectators and players to view cricket and other sporting events

- Separate seating / conversation area more suited to older children and younger adults linked to informal play / sports features (such as basketball hoops, ball targets and goals)
- Play equipment and informal sports features

**High level project plan**

The timeline in the plan below follows the Royal Institute of British Architects (RIBA) standard project stages:

- Stage 1: outline design and stakeholder engagement. This stage is considered complete
- Stage 2: design development, pre-application engagement and public consultation. This stage is in progress
- Stage 3: full design and planning application, contractor procurement and securing funding
- Stage 4: approval to proceed
- Stage 5: construction
- Stage 6: snagging and handover

	10/25	11/25	12/25	01/26	02/26	03/26	04/26	05/26	06/26	07/26	08/26	09/26	10/26	11/26	12/26	01/27	02/27	03/27	04/27	05/27	06/27	07/27	08/27	09/27	10/27	11/27	12/27	01/28	02/28	03/28	04/28	05/28	06/28	07/28	08/28	09/28	10/28	11/28			
RIBA 1	█	█																																							
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RIBA 6																																							█	█	█

If possible, the project may deliver some elements of the development early, for example: an element of external recreation, social and play space.

**Anticipated costs**

At this (RIBA 2) stage the cost estimate of £1,319k is made up as follows:

- 276m<sup>2</sup> pavilion priced using the Building Cost Information Service (BCIS), August 2025 metrics for Sports pavilions, club houses and changing rooms, cost per square metre (£1,132k)
- Preliminary estimates obtained from suppliers for play equipment and other outdoor furniture (£157k), and
- Architect estimate of associated landscaping costs (£30k)

The above estimate does not include VAT, nor does it reflect alternative pavilion construction techniques currently being explored that may be cheaper than a standard brick-based building. A target figure being considered for the entire project is £1,000k, including any VAT.

**Sources of funding**

The present cost estimate uses the RIBA 2 figure, rather than the desired target, to avoid what may be wishful thinking. Assuming a s106 contribution from an approved application 25/02547/FP, the amounts and sources of funds for the full estimate would be:

- £910k PWLB Loan
- £389k s106 contributions, assuming £230k from 25/02547/FP
- £20k Contribution from balances.

## Appendix 2: method 2 calculation

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

The figure calculated below excludes the 20% uplift to reflect local circumstances. Including this uplift gives a value of £183,200, rounded to the nearest £100.

#### 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

Financial impact by dwelling type and amenity category										
	1	2	3	4 +		∑1	∑2	∑3	∑4+	Total
Community Centres	236.88	334.64	471.88	577.16		1,184	1,673	2,831	11,543	17,231
Leisure	391.86	553.58	780.61	954.77		1,959	2,768	4,684	19,095	28,506
Play Space	372.96	526.88	742.96	908.72		1,865	2,634	4,458	18,174	27,131
Pitch Sport	183.96	259.88	366.46	448.22		920	1,299	2,199	8,964	13,382
Total, 2006										86,250
Uplift from 2006 Q3*										1.77
<b>Total, 2026 Q1</b>										<b>152,700</b>

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