



CIL Compliance Statement

Appeal Reference: 6006412

**Appeal by Bloor Homes Limited relating to the outline
planning application made to Broxtowe Borough Council for:**

**The construction of a residential development of up to 420
residential dwellings and associated open space and
infrastructure**

Land West of Stapleford Lane (25/00371/OUT)

**Nottinghamshire County Council (NCC) and East Midlands
Combined County Authority (EMCCA)**

13th August 2026

1. Policy Context

- 1.1. Nottinghamshire County Council is the Education Authority, Highway Authority and Library Authority for the proposal site. The East Midlands Combined County Authority (EMCCA) is the Transport Authority for the proposal site. NCC and EMCCA have therefore requested planning obligations in order to mitigate the impacts of the proposed development, as described in the consultation responses submitted by NCC Planning Policy on 24 June 2025 and 05 February 2026.
- 1.2. The purpose of this document is to demonstrate how the requested planning obligations, which have been agreed with the Appellant, satisfy the tests under Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended). The regulation states that a planning obligation may only constitute a reason for granting planning permission 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.
- 1.3. Paragraph 58 of the National Planning Policy Framework reiterates the above statutory tests.
- 1.4. The policies in the Broxtowe Local Plan Part 1 (Aligned Core Strategy) which are relevant to the planning obligations to be secured in relation to the proposed development include the following:
 - Policy 12 (Local Services and Healthy Lifestyles)
 - Policy 14 (Managing Travel Demand)
 - Policy 18 (Infrastructure)
 - Policy 19 (Developer Contributions)
- 1.5. The proposal site forms part of the Toton Strategic Location for Growth (SLG) allocated under Policy 3.2 of the Broxtowe Local Plan Part 2. Policy 3.2 describes the key development requirements for the SLG, including infrastructure, and this is supplemented by the Toton and Chetwynd Strategic Masterplan SPD which provides the framework and vision for Toton and Chetwynd Barracks.
- 1.6. The County Council has an adopted Developer Contributions Strategy (April 2024) which provides further guidance on how planning obligations will be determined in relation to its services, including public transport on behalf of EMCCA. This supplements the local plan documents.

2. Planning Obligations

- 2.1. The proposed Section 106 Agreement is between (1) Broxtowe Borough Council; (2) Nottinghamshire County Council; (3) Bloor Homes Limited; and (4) Heart Church.

2.2. The proposed planning obligations included within the Section 106 Agreement that would be payable to Nottinghamshire County Council are summarised as follows:

- **Primary Education** – £4,179 per Dwelling [up to £1,755,180] to be used towards the provision a new school or the expansion of an existing school to serve the Development
- **Secondary Education** – £4,829 per Dwelling [up to £2,028,090] to be used towards remodelling, enhancing, or expanding facilities to provide additional permanent capacity within the Broxtowe South Pupil Planning Area, to accommodate pupil growth from the Development
- **SEND Education** - £489 per Dwelling [up to £209,112] to be used towards expanding special school facilities or the provision of Special Educational Needs and Disabilities facilities attached to a mainstream school within the administrative area of the County Council
- **Libraires** – £45 per Dwelling [up to £18,750] to be used towards the provision of additional stock and resources to enhance service provision for Stapleford Library
- **Bus Service** – £1,376 per Dwelling [up to £578,000] to be used towards improvements to local bus services to serve the Development
- **Bus Stops** – £56,800 to be used towards improvements to the two bus stops denoted BR0118 and BR0117 at Katherine Drive to serve the Development
- **Community Transport** – £300 per Dwelling [up to £126,000] to be used towards the provision of the local community transport scheme to serve the Development
- **Cycling and Walking** - £1,905 per Dwelling [up to £800,000] to be used towards the provision of improvements to the local pedestrian and cycling routes identified in the D2N2 Local Cycling and Walking Infrastructure Plan to serve the Development
- **Travel Plan Monitoring Fee** - £15,000 to be used towards the costs of monitoring the implementation of the travel plan pursuant to condition [x] of the Planning Permission

3. Regulation 122 Tests

3.1. The following table explains how the above planning obligations comply with the three tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) and paragraph 58 of the National Planning Policy Framework.

Planning Obligation	Test 1 - Necessary to make the development acceptable	Test 2 - Directly related to the development	Test 3 - Fairly and reasonably related in scale and kind
Primary Education	Policy 12 (Local Services and Healthy Lifestyles) of the Local Plan Part 1 states that where there is an evidenced need, new or improved community facilities should be provided to support major new residential development. Policy 3.2 of Local Plan Part 2 refers to provision of a new primary school which is reaffirmed through the Masterplan SPD which explains that developers will need to provide land and/or contributions for new schools within the site due to capacity constraints at existing schools. Based on current pupil forecasts, the Council anticipates that there will be a need for a new one and half form entry primary school to serve the whole allocation. The Greater Nottingham Strategic Plan Publication Draft targets a total of 2700 dwellings to be delivered across the growth area within the plan period which would yield 567 primary pupils. There is currently a forecast sufficiency of 269 school places across the Chilwell and Beeston pupil planning	The developer contribution is being sought in order to ensure that there is a sufficiency of school places to meet the demand arising from the proposal site in combination with the other sites which will form part of the strategic allocation. The places would be delivered via the provision of a new school within the allocation, or through expansion of schools within the Chilwell or Beeston pupil planning areas, should the wider allocation not come forward for development. The school places would therefore be local and accessible to the development site and therefore directly related to the development.	The total cost of a 315 place primary school with 39 nursery places would be £11,283,116 based upon the cost per place published in the County Council's Developer Contributions Strategy (354 x £31,054), plus £290,000 for furniture and equipment. Therefore, the proportionate requirement for the proposal site would be £4,179 per dwelling (£11,283,116 / 2700 dwellings). Each planning application within the strategic allocation will need to provide a contribution based on the per dwelling cost. In assessing the scale of infrastructure needed, regard has been given to the number of places that are forecast to be available within the planning area, and a proportionate contribution has been sought towards delivering a new school to address the cumulative deficit in school places. The applicant is therefore not required to provide mitigation beyond the impact it generates and as such the

	areas based upon the 2025 DfE School Capacity Survey. It is therefore expected that the planned growth would result in a shortfall of 298 places. On this basis, the Council is seeking the provision of a one and a half form entry primary school (315 places) with an attached nursery, to meet the needs of the strategic allocation. A pro-rata financial contribution is sought from each planning application. Without these contributions there would be insufficient primary school places to meet the needs of the growth area and therefore the obligation is necessary to make the development acceptable in planning terms and achieve the objectives of the plan.		contribution is reasonably related in scale and kind.
Secondary Education	Policy 12 (Local Services and Healthy Lifestyles) of the Local Plan Part 1 states that where there is an evidenced need, new or improved community facilities should be provided to support major new residential development. Policy 3.2 of Local Plan Part 2 refers to the expansion or relocation of George Spencer Academy, and this is reaffirmed through the Masterplan SPD which explains new secondary school provision will be required through either provision of a new school or the potential expansion of existing secondary schools.	The developer contribution is being sought to ensure that there is a sufficiency of school places to meet the demand arising from the proposal site. The contribution would be used towards creating permanent capacity at one or more of the schools within the pupil planning area which includes Alderman White School, Bramcote College, Chilwell School and George Spencer Academy. At this stage a project has not been selected but each of these schools are within a reasonable travel distance to the proposal site and any project will create	The contribution has been calculated by multiplying the number of secondary aged pupils generated by the development by the cost per place for secondary school expansions in the Council's Developer Contributions Strategy (67 x £30,270). The obligation will therefore provide mitigation which is fairly and reasonably related to the demand the development would generate. It should be noted that there is a forecast sufficiency of post-sixteen places in the

	Based on current pupil forecasts there is insufficient capacity available within the Broxtowe South pupil planning area to accommodate any growth in the secondary aged pupil population. Therefore, a financial contribution relative to the pupil demand generated by the proposal is sought towards expansion of capacity. Without this contribution there would be insufficient secondary school places to meet the needs of the growth area and therefore the obligation is necessary to make the development acceptable in planning terms and achieve the policy objectives.	capacity for the planning area in which the site is located. The contribution is therefore directly related to the development.	pupil planning area and therefore no contribution is secured for this purpose.
SEND Education	The above contributions towards primary and secondary education would only meet the needs of the mainstream pupil population occupying the new housing. As set out within the Council's Developer Contributions Strategy, a development of this size would yield two pupils requiring a place in a non-mainstream facility. There is forecast to be insufficient special school places within the county to accommodate additional demand. Therefore, a contribution is sought towards expansion of specialist school places to ensure all pupils residing within the development can be accommodated,	The developer contribution is being sought to ensure that there is a sufficiency of special school places to meet the demand arising from the proposal site. The contribution would be used towards expanding special school facilities or towards the provision of specialist provision attached to a mainstream school within the administrative area of the council. The pattern of provision across the county often involves pupils travelling a significant distance in order to access the most appropriate setting to suit their needs and it is not necessarily the case that pupils are located at their nearest	The contribution has been calculated by multiplying the number of pupils generated by the development requiring a specialist place by the cost per place in the Council's Developer Contributions Strategy (2 x £104,556). The obligation will therefore provide mitigation which is fairly and reasonably related in scale and kind to the demand for school places generated.

	including those which could not be placed within a local primary or secondary school.	schools. The contribution would therefore be pooled to increase capacity at a suitable school in the wider area and is therefore directly related.	
Libraries	Policy 12 (Local Services and Healthy Lifestyles) of the Local Plan Part 1 states that where there is an evidenced need, new or improved community facilities should be provided to support major new residential development. The supporting text refers to libraries as a relevant community facility. The council has a statutory duty to provide a 'comprehensive and efficient' public library service. Stapleford Library is below the optimum stock level recommended by the Museums, Libraries and Archives Council (MLAC) and therefore there is insufficient stock to provide a comprehensive and efficient library service for the occupants of the development. A financial contribution has been secured towards increasing stock and resources at the library so that the additional demand generated by the development does not place further pressure on resources.	Stapleford Library is around one mile from the proposal site and would serve the occupants of the development. It is a Tier 2 Library meaning it is run by paid staff for at least four days a week and provides a core reading, digital, health, learning and cultural offer, developed to meet local needs. The contribution would be used for provision of additional stock and resources to accommodate the additional 966 people that would fall within the catchment of Stapleford Library because of the development (at an average of 2.3 persons per dwelling). It is therefore directly related. The council is not seeking any costs towards increasing the size of the Stapleford Library to accommodate this population.	The contribution has been calculated in accordance with the Council's Developer Contributions Strategy; the number of residents anticipated to occupy the housing is multiplied by the number of items needed per capita based upon the optimum stock level recommended by the MLAC. The required number of items is multiplied by the average cost per stock obtained from the Publishers Weekly trade information. 966 (population) x 1.532 (based on MLAC 1,532 items per 1,000 population) x £12.67 (cost per item) = £18,750. The contribution is reasonably related in scale and kind to the population growth.
Bus Service	The development will generate additional travel demand and is required to promote	NCC's Highway Design Guidance (Part 3.1) states that walking distances to bus	The contribution is calculated as a pro-rata contribution having regard to the

	sustainable travel choices in accordance with national and local transport policies. Policy 14 (Managing Travel Demand) of the adopted Broxtowe Core Strategy states that a hierarchical approach to ensure the delivery of sustainable transport networks to serve new development will be adopted which will seek to provide site specific and area wide travel demand management including incentives to use public transport. Policy 3.2 of the Local Plan Part 2 requires provision of quality transport links including the through-routing of bus services, which is endorsed through the movement framework in the Strategic Masterplan SPD. The planning application supports the principle of public transport access to the site and confirms that the internal highway layout will be designed for bus penetration. EMCCA has assessed the likely public transport demand, including trips to key destinations in Greater Nottingham and Derby based upon on a 10% modal share with an indicative 50:50 allocation of trips between local bus and tram. It is seeking a per dwelling bus service contribution of	stops in urban areas should be located within a maximum of distance of 400 metres and desirably no more than 250 metres. The closest bus stops are located on Stapleford Lane and located approximately 690 metres from the centre of the site. The bus stops are primarily served by Service 510. Service 510 terminates at the Toton NET Park & Ride terminus and provides a basic daytime Monday to Saturday service which focuses on local connectivity from the Toton NET stop. The stop exceeds the 400 metre walk distance guidance for some of the site. The contribution would provide enhancements to the local bus network to connect the proposal site to key destinations and to enhance bus service access to the NET Tram Interchange. The bus service would reflect the aspirations of the National Bus Strategy and the themes of the Nottinghamshire Bus Service Improvement Plan including turn-up and go frequencies; bus priority measures; multi-modal tickets; fully integrated with other modes including cycling and walking and branded services with high-quality information and growing patronage. The funding will support enhanced services including peak-hour, evening and Sunday service provision. It	overall quantum of development within the Greater Nottingham Strategic Plan Publication Draft. The level of contribution was calculated based upon the following: • Expected level of growth of 2700 dwellings with an indicative build-out projected to 2040/41. • Improved access to education, health, shopping, employment and leisure and a bus modal share of 5% • The cost of electric vehicles on the basis that electric vehicle costs will equalise in the time that the development comes forward. • Provision of more than one service to serve the disparate demands including the potential for limited stop service, including bus priorities. • Income/yield - to offset the costs a basket of fares is applied to determine a yield to forecast income. It is anticipated that post build-out period the bus services could become commercially viable without financial
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	£1,376 which is modelled on a 5% bus modal share. This figure reflects the pro-rata quantum of development for the site. The contribution is necessary to develop the current network to provide access to education, health, shopping, employment and leisure, including peak-hour, evening and Sunday service provision, with a view to achieving a high modal share in accordance with aspirations of the Local Plan.	would therefore directly meet the needs of the development.	subsidy. The contribution is therefore related in scale and kind to the proposal.
Bus Stops	To compliment the bus service contribution, a contribution of £56,800 is secured to provide improvements to the two nearest existing bus stops, BR0118 & BR0117 Katherine Drive. The identified stops are within 400m walk for residents to the east of the site and the improvements would promote use of the bus network, thereby helping to secure a high modal share. The rest of the site, which is beyond the maximum walk distance, would be served by bus stops within the site, subject to a bus turning loop being provided. Any new bus stop/turning infrastructure to be installed within the development site should be delivered by the developer under S38.	The existing bus stops currently comprise a bus stop pole and flag with raised boarding kerbs. The requested contribution would provide real time bus stop poles and displays including electrical connections, polycarbonate bus shelter, solar or electrical lighting and hardstanding. The overall impact of providing real time and disruption information to customers is positive with additional patronage and increased confidence. The real-time displays also offer service updates and network-wide messages, including details of current and future disruptions, roadworks and special events. The displays can therefore help users with making informed decisions about their current and future journeys and are directly related to the development.	The cost is based upon the current contract price of providing the listed improvements as set out in the Council's Public Transport Planning Obligations Funding Guidance, issued by Nottinghamshire County Council and adopted by East Midlands Combined County Authority (EMCCA) and is fairly and reasonably related to the expected demand.

Community Transport	The Strategic Masterplan Supplementary Planning Document (SPD) set expectations around access to key services including healthcare, shopping facilities and community venues. Paragraph 3.63 states that “<i>facilities and other proposals to reduce car dependence and improve accessibility for all, including car sharing and community transport, will be strongly supported by the Council</i>”. Community transport services form an essential part of the wider transport network, particularly for residents who are unable to access conventional public transport. The Helpful Bureau, a charitable organisation operating in the Broxtowe area since the late 1970s, supports predominantly older or disabled residents through community transport services using volunteer drivers and wheelchair-accessible vehicles (WAV). The Scheme operates a volunteer led car scheme where drivers use their own vehicles to provide essential transport including social inclusion events. They also operate one Wheelchair Accessible Vehicle (WAV) and a 16-seater minibus for group hire.	The demand for the Helpful Bureau is expanding with changing demographic profiles with an aging population increasing the demand on services and the number of clients. The current fleet of vehicles is not large enough to host the demand for the surrounding community and future planned development, including this site. The Community Transport scheme provides safe, accessible and affordable transport to meet the needs of residents who have difficulty with using/accessing transport due to age, disability, ill health, poor mobility, or lack of suitable transport services. It will enable people to live independently, participate in their community and access education, employment, health, shopping and other services. The scheme is operated on a non-profit making basis. The scheme Annual Report to 31 March 2024 states that there was a reduction in funding to the scheme and they are seeking funding from other sources. The contribution secured from the development would be used to directly support the service to ensure that residents of the development can benefit.	The requested contribution of £126,000 is calculated based upon on a per dwelling commutable sum of £300 towards the future overheads of managing and operating the demand for the scheme arising from this development. The Helpful Bureau performs a key function in connecting people to essential services. To meet this increased demand, the scheme would require investment in additional operational capacity. This could include the purchase or replacement of vehicles, premises for vehicle storage and essential operational overheads covering staffing, administration, training, compliance, service promotion and the ongoing coordination of volunteer drivers. A typical funding scenario could include (1) coach-built fully accessible WAV vehicle - cost exceeding £30,000; (2) new minibus exceeding £50,000 (with a premium for coach build fully accessible vehicles); (3) Operational and scheme overheads including insurance, maintenance, driver and staff training and vehicle depreciation which are only partly offset from income and registration fees.

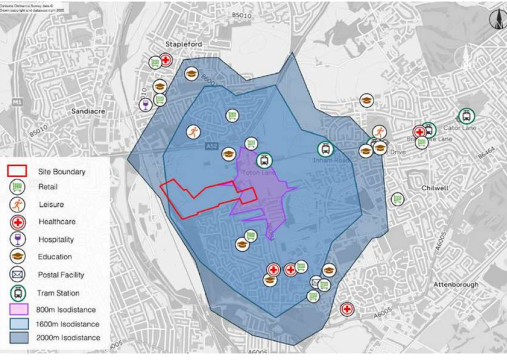
	The proposed development will increase transport demand within the area. The site sits approximately 690 metres from existing bus stops, with NET tram access at Toton Park & Ride. Public transport connectivity must meet higher benchmarks to align with surrounding developments.		The contribution is benchmarked in accordance with the Public Transport Planning Obligations Funding Guidance, issued by Nottinghamshire County Council and adopted by East Midlands Combined County Authority (EMCCA) and is fairly and reasonably related to the expected demand.
Walking and Cycling	Policy 14 (Managing Travel Demand) of the adopted Broxtowe Core Strategy states that a hierarchical approach to ensure the delivery of sustainable transport networks to serve new development will be adopted which will seek to provide site specific and area wide travel demand management including measures to incentivise walking and cycling. Policy 3.2 of the Broxtowe Local Plan Part 2 requires Toton Strategic Location for Growth (SLG) to provide safe and attractive pedestrian and cycling links between new and existing communities including Toton, Long Eaton, Stapleford and Sandiacre utilising attractive routes. The Toton and Chetwynd Strategic Masterplan SPD envisages a comprehensive and accessible network of walking and cycling routes between Toton, Chetwynd Barracks and existing	The proposed cycle route along Stapleford Lane forms part of the primary sustainable transport connection serving the development and will be used by future residents, employees and visitors travelling to and from the site. The route links the development with key trip attractors and destinations identified within the TA including a supermarket and other retail, primary schools and nurseries, healthcare and a library, and forms an integral part of the site access and movement strategy. The route would be directly accessible from the site access and form a coherent extension to the shared use foot/cycle route which is proposed along the site access. The infrastructure is directly related to the development and addresses impacts generated by development-related trips.	The requested contribution of £800,000 is calculated based upon on the costs of installing a formal crossing along Stapleford Lane between the proposal site and Swiney Way (approximately £150,000) and 400m of cycle route improvements along Stapleford Lane (at approximately £650,000). This would indicatively provide a route from the proposal site to Woodstock Road which would provide cycling connectivity to some retail and education facilities. The County Council is requesting proportionate contributions from the other applications which form part of the Toton SLG to extend the route to Swiney Way whilst further improvements to connect with NCN Route 6 and Chilwell could be funded through other sources in the longer term. The cost estimates are based upon similar schemes that the Council has

communities to include new links that are aligned with the D2N2 Local Cycling and Walking Infrastructure Plan (LCWIP).

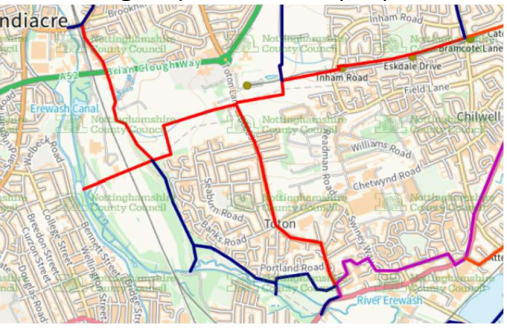
The Transport Assessment (TA) confirms that the general topography of the surrounding area is generally conducive to cycling, and the majority of the local amenities and facilities can be reached from the site via the local cycling network and within a suitable cycling distance. It highlights B6003 Stapleford Lane and Swiney Way as recommended on road routes for cycling, which join further on road recommended routes into the City Centre as well as providing access to National Cycle Network (NCN) Route 6. Thus, a significant proportion of journeys could be made by cycling.

To achieve the objectives of the TA and the development plan policies, a safe and attractive connection must be provided between the site and key local destinations. A significant number of local amenities are located to the south of the site accessible via B6003 Stapleford Lane which presently comprises a footway and no segregated or shared cycle route. It cannot therefore be considered an attractive cycling route in the context of the Department for

Plan to display amenities to the south accessed via B6003 (Source: TA)



LCWIP showing prospective north-south route along Stapleford Road (red):



delivered. The cost of installing a segregated cycle route is £1,625 per linear metre based upon a recent project commissioned for a segregated two-way track along Regatta Way, West Bridgford. It should be noted that the exact nature of the scheme is subject to feasibility and could comprise either a segregated or shared cycle route. Should a shared route be considered the most appropriate solution following feasibility study then it may be possible to deliver a greater length of cycle route within the same budget to potentially connect as far as Swiney Way.

The obligation will only fund works reasonably necessary to meet the needs of the development and does not seek to remedy deficiencies unrelated to the proposal. As such, the contribution is fairly and reasonably related in scale and kind.

	Transport's LTN 1/20 Cycle Infrastructure Design. The County Council is therefore seeking a contribution towards upgrading B6003 Stapleford Lane as proposed within the D2N2 LCWIP. This would comprise a segregated walking and cycling route with associated crossing facilities to connect with Toton Lane. Without such improvements future residents would be reliant to a greater extent on private car travel, contrary to the sustainable transport objectives of the development plan and TA. The contribution is therefore necessary to mitigate the transport impacts arising from the development and to ensure compliance with local planning policy.		
Travel Plan Monitoring Fee	In accordance with the Nottinghamshire Highway Design Guide, the applicant will be required to submit and agree a travel plan with the Local Highway Authority. The plan will identify how the developer intends to introduce sustainable travel initiatives with the overarching aim of reducing single car occupancy. The monitoring fee is intended to cover staff time involved in reviewing its implementation and compliance with targets as defined within the plan. Without funding to review compliance	The travel plan is secured by way of planning condition pursuant to the outline consent and the fee is paid to the council to monitor its implementation. It is therefore directly related to the development.	The fees payable are calculated based on the expected number of officer hours involved in reviewing the plan and liaising with the travel plan coordinator for a five year period, commencing upon completion of 50% of the development. The fee is a requirement set out in the Developer Contributions Strategy. It is reasonably related to costs which would be incurred by the council in relation to the travel plan.

	there is no means by which to measure if the plan is having the desired effect or to agree remedial actions and therefore the fee is necessary to ensure the plan is effective.		
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