

Planning Obligations/CIL Compliance Statement

Development: Land to Rear of 156-172 South Street, Bridport, DT6 3NP

Planning Reference: P/FUL/2024/04613

Appeal Reference: APP/D1265/W/25/3372602

Paragraph 54 of the Framework and Regulation 122 of the Community Infrastructure Levy Regulations 2011 (as amended) set tests in respect of planning obligations.

Obligations should only be sought where they meet the following tests:

- 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.

This CIL compliance statement provides justification for any obligation being sought under the associated regulations and relevant development plan policies.

Community Infrastructure Levy (CIL)

The Community Infrastructure Levy (CIL) Regulations 2010 (as amended) was introduced by the Planning Act 2008. The West Dorset CIL Charging Schedule was adopted on 22nd October 2015 and implemented on 18th July 2016.

The West Dorset Charging Schedule applies a CIL charge to all dwelling and dwellings with a holiday use restriction. As a result, the proposed development of 48 apartments, 25 cottages and communal facilities is CIL liable. As the appeal decision is unlikely to be issued in 2025, the new CIL rate for 2026 has been applied to calculate the CIL liability.

The CIL Liability Calculation is set out below:

- Net Chargeable Area - 5,998.55sqm
- CIL Rate 2026 - £147.60
- CIL Liability Charge - £885,385.98

S106 Planning Obligations

The following table explains how the above S106 planning obligation complies with the three tests set in paragraph 54 of the Framework.

Planning Obligation	Test 1 – Necessity	Test 2 – Directly related to the proposed development	Test 3 – Fair and reasonable in terms of scale and kind
<p>1. Affordable Housing</p> <p>Relevant Policy/Guidance: West Dorset, Weymouth & Portland Local Plan 2015 - Policy HOUS1 Affordable Housing.</p>	<p>The provision of 35% affordable housing is a requirement of the West Dorset, Weymouth & Portland Local Plan 2015.</p> <p>In this case a financial contribution towards affordable housing was agreed in lieu of on-site provision.</p> <p>An offsite affordable contribution of £1,573,993 was calculated using the Council’s commuted sum formula.</p> <p>The viability assessment work carried out by the District Valuer (DV) demonstrated</p>	<p>Policy HOUS1 of the Local Plan applies to whole of the West Dorset area with different percentage requirements for different areas.</p>	<p>Guided by viability work carried out for the in West Dorset, Weymouth & Portland Local Plan 2015. Set through examination of the Local Plan.</p>

Planning Obligation	Test 1 – Necessity	Test 2 – Directly related to the proposed development	Test 3 – Fair and reasonable in terms of scale and kind
	<p>that this size of contribution would make the project unviable, however it could be viable with a contribution of £850,000.</p> <p>The final position set out in the SoCG is that the DV considers a contribution of £700,000 to be viable, however the Appellant considers that only a contribution of £337,419 is viable.</p> <p>For the sake of expediency, the Appellant has offered a final contribution amount of £500,000 which the Council has agreed.</p>		