

DRAFT

Planning Obligations – CIL Compliance Statement

Address: Land south of A46 and north of Tirl Brook, Ashchurch

Proposal: Outline planning application (with all matters reserved except access) for proposed garden centre, retail outlet centre and ancillary facilities together with associated infrastructure works including access), car parking and landscaping.

Application Reference: 13/01003/OUT

Paragraph 204 of the Framework and Regulation 122 of the Community Infrastructure Levy Regulations 2010 (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.

Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended) relates to pooling restrictions and provides:

A planning obligation (“obligation A”) may not constitute a reason for granting planning permission to the extent that—

(a) obligation A provides for the funding or provision of an infrastructure project or type of infrastructure; and

(b) five or more separate planning obligations that—

(i) relate to planning permissions granted for development within the area of the charging authority; and

(ii) which provide for the funding or provision of that project, or type of infrastructure, have been entered into before the date that obligation A was entered into.

This came into effect on 6 April 2015 and applies to all S106 obligations entered into since 6 April 2010. Tewkesbury Borough Council has carried out a review of all S106 obligations entered into since April 2010 to identify any infrastructure that may be affected by the pooling restrictions.

The table below assess each obligation against Regulation 122 and Regulation 123.

Updated Information

The below table has been updated since originally provided to the developer in 2015. Revised priorities and projects are outlined below, many of which comprise elements of the Tewkesbury Town Centre Regeneration. All the identified projects are justified based upon:

- The impact of the proposal on the vitality and viability of Tewkesbury town centre
- Providing an identity of an area that is 'on the up' which will encourage visitors and also investment into the area
- The requirements directly relating to the development
- Meeting Local Plan Policy RET6

Tewkesbury Town Centre Regeneration

The Borough Council has adopted the Strategic Framework Document which outlines that "Tewkesbury is likely to experience development opportunities within and beyond the town centre during the timescale of the 15 year Masterplan. It will be important that any development is well planned and designed to help deliver the vision, aspirations and principles as set out in the Strategic Framework Document."

The Tewkesbury Town Centre Regeneration is a 15 year regeneration programme for the town centre, its aims are:

- To achieve an holistic and joined up approach to the future regeneration of Tewkesbury Town Centre
- To enable Tewkesbury to establish itself as a desirable place to live and work, and a popular visitor destination
- To make best use of Tewkesbury Borough Council's assets for the benefit of both the town and the borough as a whole, through recognising and building on key opportunities

This regeneration is designed with the intention of including private sector partnerships. A Section 106 with Robert Hitchins is a key example of how this partnership can help contribute to many of these initiatives, as part of a long term vision. The regeneration programme is designed to make Tewkesbury a popular visitor destination - the work within the town centre can help bring in visitors with potential reciprocal benefits for both the town centre and Retail Outlet.

Obligation	Justification (Compliance with Reg 122)	Pooling (Regulation 123)
Riverside Links £127,800	This project focusses on developing the physical links between the High Street, Church Street and the river. Currently the town centre turns its back on this physical asset, therefore discouraging visitors to the town centre. The project comprises improvements to alleyways, connections and links to the riverside. These improvements will include new paving, lighting, seating and signage.	

	<p>These improvements will improve the access and legibility of both the riverside and the town centre, therefore making it a more attractive place to visit and thus offsetting the loss of visitors to the retail outlet centre. This will in turn increase footfall to the town centre.</p>	
<p>Heritage and Riverside Walks</p> <p>£250,000</p>	<p>This project concentrates on public realm improvements that will completely upgrade the riverside and heritage walks. The costs include benches, street furniture and boardwalk improvements.</p> <p>These improvements will encourage greater use of the riverside and attract more visitors, who in turn will support the businesses in the town centre – many of whom will be impacted by the Retail Outlet.</p>	
<p>Riverside Moorings</p> <p>£375,000</p>	<p>Despite the potential of the riverside, there is currently a lack of quality moorings within Tewkesbury. The improvements will heighten the quality of the environment and provide suitable and fit for purpose moorings. It will include refurbishing and creating new moorings and floating pontoons along the riverside between King John’s Bridge and the Abbey Mill to increase activity, vibrancy and vitality to the riverside area.</p> <p>This uplift will provide for both casual boaters and commercial boat operators. The high quality moorings will create a boating culture and add to the riverside ambience, thus becoming an attraction in its own right. The attractiveness and new uses for the river will increase footfall, generate new income into the economy and reduce the impact of the Retail Outlet on the town centre.</p>	
<p>Back of Avon Re-development</p> <p>£125,000</p>	<p>This funding would contribute to the Back of Avon project. Comprising public realm improvements, it would inter-relate with the improved moorings and riverside improvements.</p> <p>These improvements, comprising paving, lighting and benches would support the re-development of this vital civic space which buffers the town centre and riverside. In turn it would provide an improved look and identity for key areas of the town centre.</p> <p>This would improve the vitality of this site, making it more attractive and encourage new visitors, thus offsetting the effect of the retail outlet centre.</p>	

<p>Tourism App</p> <p>£15,000</p>	<p>Linked to the existing Cotswold Tourism phone app, this app will provide information for the visitor on the attractions, accommodation, shopping and tourism businesses in the wider area, including the retail outlet centre.</p> <p>This japp will encourage users of the app to shop across a wider area, including both the town centre and the new retail outlet. This will enable more visitors to find their way and see the tourism attractions locally, thus increasing their dwell time and spending more within the local economy. This will assist in alleviating the impact on the town centre businesses.</p>	
<p>Local Shop/Retailer Support Programme</p> <p>£150,000</p>	<p>This project supports local independent businesses in Tewkesbury town centre. It will develop and implement a local shop campaign in Tewkesbury, including the development of a Retail Support Group. It will provide key support and promotion to town centre retailers, developing and strengthening the retail sector in Tewkesbury. This will help offset impacts on town centre businesses caused by the proposed retail outlet centre development. It will help deliver real economic benefits for the town centre, helping businesses to be more resilient and sustainable in the long term by implementing a series of measures and initiatives. Town retail businesses will benefit from promotion through the schemes, skills development and business support, which will lead to increased footfall and expenditure.</p> <p>It will also help reduce vacant shop units in town, again mitigating any impact from the out of town retail centre development and any leakage. It will also support an improved retail offer and retention of retail businesses. As the project develops and higher levels of shopper and trader confidence are achieved through enhancements to the general town environments, more businesses will see the potential of locating to the area.</p>	
<p>Public Art Trails</p> <p>£150,000</p>	<p>This will support the development of public art trails linking the town centre with the proposed retail outlet development. This will help encourage people to combine trips with the town centre, increasing footfall to Tewkesbury, helping mitigate impacts on town businesses from this proposed development.</p> <p>The trails will build on the success of the renowned 'The Arrivall' statues and encourage interactions from all age groups and families along key routes. The trail will link across the whole town encouraging footfall and develop the offer of the town and area. The trail will link with local businesses and attractions and support retail centre vitality and viability.</p>	

<p>Town Centre Frontages Grant Initiative</p> <p>£150,000</p>	<p>This project will help enhance the town environment and encourage increased usage and higher levels of footfall in the retail centre as well as a reduction in vacant retail units. It will create an identity and look for the town centre, creating a sense of place and arrival for the visitor. The grants will be provided to retailers to enhance their frontage with the aim to enhance the image of the town. The grants will cover front renovation and decoration, new signage and replacement of historical features, including lighting.</p> <p>The grants will enhance the appearance and appeal of the town to visitors, customers and the local population. They will also preserve and enhance the special characters of the area, its listed buildings and other buildings of public importance.</p> <p>Visitors will also benefit from the project through the improved retail offer and enhanced retail environment. It will help support retailer confidence and support a more sustainable local economy. The improvements may also help attract new investors to the towns, stimulating growth and again offsetting the identified negative impact of the retail outlet development on Tewkesbury town centre businesses.</p> <p>Improved shopper perceptions of the town centre will help increase footfall, spend. This will also support an improved retail offer and retention of retail businesses.</p>	
<p>Town Centre Events</p> <p>£100,000</p>	<p>This will help develop an 'all year round' calendar of town centre events and markets, to encourage increased levels of footfall and support economic vitality. The development of a strong and vibrant events offer will help mitigate the identified impacts on town centre businesses from the proposed retail outlet development. Events are recognised as encouraging greater numbers and variety of visitors to an area, as well as providing an enhanced reputation and identity.</p> <p>The need for increased town centre events was also identified in a 2016 retailer survey. Proposed events to be supported include Food and Drink Festival, Medieval Festival and a new Music Festival.</p>	

<p>'Maybe' Shopping App for Tewkesbury</p> <p>£25,000</p>	<p>To support the adoption of the Maybe* town centre app for Tewkesbury.</p> <p>Maybe* is a social shopping app that lets you shop anywhere, save things you like, ask your friends what they think and get the best deal. This will provide improved levels of interaction with the town centre from shoppers and encourage increased usage and footfall. It will help mitigate the identified impacts of the proposed outlet centre by encouraging all age groups to interact and use the town centre.</p>	
<p>Evening Economy Contribution</p> <p>£50,000</p>	<p>This project is a voucher scheme to support the town centre evening economy in light of the proposed out of town development. This will help support town centre, evening economy businesses in view of any similar competing proposed out of town offer. It will help support footfall and participation in the evening economy and could be linked to any transport initiatives between the two retail areas. This will help with the retention of town centre businesses and promote linked trips.</p>	
<p>Electric Cycle Hire /Bike Shared Scheme</p> <p>£52,473</p>	<p>This project will help link the town, train station and the proposed retail outlet centre. Encouraging people to make linked trips between both retail areas. The costs would include the infrastructure costs i.e. bikes, rental stations.</p> <p>Cycle hire provision would initially be available at the retail outlet, train station and in Tewkesbury town centre, with the ability to extend. This will support existing retails businesses and help mitigate impacts on the town by facilitating a fun, healthy and easy method of visiting Tewkesbury town centre and the retail outlet. The bikes also provide the opportunity to advertise the funder.</p>	
<p>Tourist Information Provision</p> <p>£25,000</p>	<p>This will provide for either an interactive console based at the Retail Outlet/more standard leaflet and provision, that will allow retail outlet shoppers the opportunity to know more about the local area. The most appropriate method will be decided at the time, based on the technology available. It will provide information on other attractions and shopping experiences within the town centre and beyond, thus reducing the impact of the Retail Outlet on these businesses. It will also help to support the tourism businesses through directing visitors to them and encouraging footfall.</p>	

<p>Marketing Campaigns</p> <p>£200,000</p>	<p>This joint 5 year marketing campaign will act as a promotional tool to encourage people to visit and shop within Tewkesbury town centre, as well as the Retail Outlet. Using a variety of marketing tools visitors will be informed and enticed to the area for; the quality of the shopping experience, the beauty of the local area, and the assortment of local attractions.</p> <p>The marketing will help promote the area as a destination in its own right and encourage increased dwell time for visitors, thus supporting the town centre. This will help alleviate the impact on the town centre businesses and attractions in the vicinity.</p>	
<p>Employment</p> <p>No cost</p>	<p>Developer to provide an Employment and Training Policy, to be agreed by the council, which incorporates:</p> <ul style="list-style-type: none"> • designating a local employment co-ordinator • measures to promote and advertise local job and skills training opportunities • measures to facilitate pre-employment training and education provision for those residents who live in the local area • measures to prioritise recruitment of contractors and sub-contractors from the local area to work on the site • measures to prioritise the recruitment of employees from the local area to work on site 	
<p>Transport -</p> <p>A contribution of £70,000 towards the provision of GCC Scheme 9172, the footway/cycleway to the east of Northway Lane.</p> <p>A contribution of £289,425 towards the GCC A438/Shannon Way Improvement Scheme.</p>	<p>County Highways requirements.</p>	<p>GCC to update</p>

A Travel Plan monitoring fee of £5,000.		
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