

Appendix E – CIL Regulation 122 compliance table

S106 item	Purpose	Detail	Reg 122 assessment - necessary to make the development acceptable	Reg 122 assessment - directly related to the development	Reg 122 assessment – fairly and reasonably related in scale and kind	Trigger
<p>Provision of a Training Academy on site or a contribution to support the delivery of a training scheme targeted at assisting residents of the District to develop the skills and experience required to secure a job or apprenticeship in the retail or fashion or leisure industry</p>	<p>Provision of a Training Academy or payment of training scheme funding will help expand the number of local residents with relevant skills helping to mitigate the pressure on the local labour market and help to address unemployment levels and skills issues especially those between the ages 18 and 24.</p>	<p>Provision of a Training Academy or funding of a training package in conjunction with Grantham College or another training provider.</p> <p>If the Training Academy is not provided funding of £65,000 with payment spread over three years with first payment due 12 months from commencement of the development or such other time limit as may be agreed with the Council (the end date).</p>	<p>The obligation accords with SKDC's planning obligations SPD and Local Plan Policies SD1, SP1 and SP2. The contribution accords with relevant development plan policies together with the NPPF including para 81 (supporting economic growth through the planning system).</p>	<p>The obligation will provide the opportunity for learners to develop the skills and experience needed to secure a job or apprenticeship in the retail, fashion or leisure industry, and is in compliance with the planning obligations SPD. It is intended that the obligation would assist local residents to develop the skills required to take advantage of employment opportunities at the DOC and stimulate the take up of apprenticeships by DOC retail and leisure tenants.</p>	<p>The obligation is fairly and reasonably related in scale and kind to the development because it secures an appropriate level of contribution towards skills and learning in proportion to the level of employment opportunities likely to be generated by the DOC and staffing requirements, and the obligation will play its part in meeting policy objectives for economic growth such as those in Local Plan</p>	<p>Provision of the Training Academy (ready for occupation) within 30 months of commencement (unless extended) or a financial contribution of £65,000 payable</p> <p>£21,450 12 months from commencement of development or such other time as agreed with the Council (the end date),</p> <p>£21,450 on or before the first anniversary of the end date</p> <p>£22,100 on or before the third anniversary of the end date.</p>

					Policies SD1, SP1 and SP2.	
Town Centre improvements to encourage linked trips	Encourage linked trips by visitors to the DOC to visit and spend in the town centre.	<p>Initiatives delivered directly by the development</p> <p>(a) Provision of minimum 62 sq. metres within the DOC Tourist and Visitor Information Centre for the purposes of supporting tourism initiatives, to promote town centre events and to encourage tourists and visitors to extend their stay and visit Grantham town centre and the surrounding area. To be provided for the duration of the development in accordance with a scheme approved by the Local Planning Authority.</p> <p>(b) A dedicated “pop up shop” (minimum size 90 sq. metres gross internal area) or similar display</p>	<p>The proposal will impact on the town centre. The proposal is also considered to have wider benefits. It is proposed to mitigate the impacts and secure the wider benefits of linked trips through the identified package of measures.</p> <p>Local Plan Objective 4 states: “ To strengthen the economic vitality and viability of town centres by adapting to changing consumer patterns in shopping, living and leisure.”</p> <p>The Local Plan acknowledges in 3.24 that part of Grantham town</p>	<p>The proposal will impact on the town centre. The proposal will attract a large number of visitors to the DOC. It is intended that a proportion of them will also visit and spend in Grantham Town centre and thus increase its footfall allowing existing retailers to provide better services to local people. Further, the measures will provide the opportunity for promoting the town centre to achieve the intended benefits of linked trips.</p>	<p>The initiatives are fairly and reasonably related in scale and kind to the Grantham DOC. The development will impact on the town centre and the measures are required in order to achieve the identified benefits from linked trips in a proportionate manner.</p>	<p>Scheme to be approved before occupation of the development. Ongoing requirement to deliver obligation</p> <p>Scheme to be approved before occupation</p>

		<p>area for the purposes of showcasing Grantham town centre retailers and Grantham events etc. on a rotating basis. To be provided for the duration of the development in accordance with a scheme approved by the Local Planning Authority.</p> <p>(c) requirement to submit a scheme for the delivery of improvements to the existing Bus Service between the Development and the Town Centre to the District Council for approval prior to the Occupation of the Development, where the details of such scheme shall include the following:</p> <p>The proposed timetable for the improved Bus Services, which shall operate for a minimum of three years (from first occupation) at a minimum frequency of:</p> <p>(i) One service every 30 minutes during the peak am and pm periods</p>	<p>centre's under achievement is due to significant expenditure leakage into centres such as Peterborough, Nottingham and Leicester.</p> <p>Local Plan Policy ID2 states that: "New development will be required to contribute to transport improvements in line with appropriate evidence, including the Infrastructure Delivery Schedule, the Local Transport Plan and local transport strategies."</p> <p>Policy ID2 c states proposals should: "Seek to generate or support the level of demand required to improve, introduce or maintain public transport services, such as rail and bus services";</p>			<p>Ongoing requirement to deliver obligation</p> <p>Scheme to be approved before occupation of the development.</p> <p>Improvements to the Bus service to be secured before occupation of first unit</p>
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		<p>(ii) One service every 60 minutes during the off peak periods</p> <p>The proposed route of the Bus Service, which shall link the Development with Grantham Town Centre (peak services and off peak services).</p> <p>A requirement for Bus Service Security to ensure that in the event that the enhanced Bus Service is not fully delivered the Council can call upon the security as appropriate to help secure the bus service</p> <p>Initiatives delivered by the Local Authority using funding secured from the development</p>	<p>Some of the benefits of the DOC scheme rely upon creating linked trips to Grantham centre.</p> <p>In order to achieve the increased visitor footfall some of the issues that currently deter visitors from visiting the town centre need to be addressed.</p> <p>The initiatives accord with SKDC's planning obligations supplementary planning documents (2012), namely: Paragraph 1.2.3 which lists possible initiatives (page 5); Table1b: Contributions Threshold Guide (Commercial) (page 12), 1.9.1 (page 13) and paragraph 2.3.31 (page 42).</p>			
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		<p>(total financial contributions of £480,000 to be paid for the purposes set out in the table below).</p> <p>(a) £30,000 towards improvements to car parking signage and directions in Grantham town centre to facilitate linked trips by car. To be paid 12 months after start on site.</p> <p>(b) £150,000 contribution towards Town Centre live car parking availability interactive signage at five car parking sites including installation and maintenance costs. To be paid 12 months after start on site.</p> <p>(c) £75,000 towards promoting activities aimed at tourists within the town centre (events, festivals, markets etc).</p> <p>(d) £150,000 towards other physical improvements to make Grantham town centre more attractive as a linked destination (eg pedestrian way finding signage,</p>				<p>12 months from commencement of development and in any event prior to first occupation</p> <p>12 months from commencement of development and in any event prior to first occupation</p> <p>First occupation</p> <p>First occupation</p>
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		<p>public realm improvements, improvements to the railway station, the shop front improvement scheme, improvements to attractions within the town centre such as signage for heritage assets etc).</p> <p>(e) £75,000 contribution towards the town centre tourism manager given number of visitors to district as result of DOC.</p>				First occupation
Travel Plan	<p>In considering development proposals within the District, SKDC will ensure that the objectives of the most recent local transport plan for Lincolnshire are met.</p> <p>Local Plan Objective 8 “seeks to retain and improve accessibility for all to employment and leisure activities”</p>	<p>Implement the Travel Plan. Comply with ongoing requirements as to implementation of measures, monitoring and periodic review.</p> <p>Ongoing future target of 10% reduction in car travel over a 5 year period.</p>	<p>The delivery of a Travel Plan is necessary to accord with SKDC’s planning obligations SPD (2012) and Local Plan Policy ID2.</p> <p>The implementation of a Travel Plan for the Development is required to meet the Councils aims to encourage the creation of a sustainable, modern transport network across the district by promoting and assisting journeys</p>	<p>The Travel Plan will contain measures specifically related to the development. It will encourage staff to consider alternative modes of transport to travel to and from the Development, in order to meet targets in reducing the need to travel by motor car.</p> <p>Planned measures are to be implemented which are to be monitored</p>	<p>The Travel Plan has been prepared to specifically relate to the scale and form of development and the measures are prepared to minimise the transport impact of the development.</p>	To be implemented from first occupation

			by public transport, cycling, mobility aids and walking, by making them accessible, safe, convenient and as attractive as possible.	against the agreed targets.		
Occupancy requirements for Class A1 retail units	Controls on occupancy of the Class A1 retail units to ensure that the designer outlet element of the development operates as a Designer Outlet Centre only and is occupied by permitted retailers with appropriate controls relating to those retailers within the DOC or the Existing Building who occupy space in specified centres and thus reduce adverse impacts on those town centres.	<p>The occupancy requirements would be as follows:</p> <p>(a) No Class A1 unit shall be occupied other than by a permitted retailer. A permitted retailer will be a retailer / brand on an agreed list. The list has been generated by reference to the Javelin Group Venuescore Rankings to ensure the retailers are suitable tier one outlet village. The restriction will allow for the list of potential occupiers to be expanded (to be approved by the LPA) where specific criteria are met.</p> <p>In addition to the criteria at (a):</p> <p>(b) No Class A1 unit shall be occupied by a permitted retailer which</p>	To ensure high end occupiers as proposed by the application which do not directly compete with existing town centre retailers and to control retail occupiers of the development, without which, retailers who are currently located in the identified town centre could relocate to the outlet village resulting in an adverse effect on the vitality and viability of the town centre.	This restriction on the type of retailer who can occupy the new retail units at the outlet village only relates to the outlet village itself.	Without this restriction on the occupiers there would be a risk that current retailers in the town centre would relocate to the outlet village resulting in an adverse effect on the town centre. A mechanism for review will form part of the obligation	

		<p>occupies a retail unit in Grantham town centre, Newark or Balderton as at the date of the section 106 agreement; as at the date of the intended occupation; or within a period six months prior to the intended date of occupation unless that permitted retailer has entered into a binding commitment with the Owner to retain their presence as a retailer within that town centre (to be submitted to and approved by the Local Planning Authority). Such binding commitment shall require the retailer to continue to operate from Grantham town centre, Newark or Balderton for a period of five years from first occupation of a unit by that retailer within the DOC.</p> <p>The occupancy restrictions above would not apply to the proposed "pop up shop" in the development.</p> <p>The obligation will include monitoring arrangements</p>				
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		to ensure the obligation can be enforced.				
Restrictions on the existing Downtown Store	1. Restrict the existing floorspace in order to prevent any significant increase in the proportion of floorspace that can be used for the sale of nonbulky goods	A total area equivalent to 3,149 sqm of the existing floorspace in the Downtown/ Boundary Mill building shall be restricted to use only for the sale of bulky goods and homeware, restaurant or storage uses.	<p>To ensure that the existing store operates at it currently does in line with the Retail Impact Assessment submitted in support of this planning application.</p> <p>To ensure that the area of bulky goods floorspace released as part of the approval of the new @Home store is not used for the sale of other non-bulky comparison goods which could result in a greater adverse impact on Grantham Town Centre</p>	The restricted floorspace relates directly to the area currently available in the existing store and being used for the sale of bulk goods.	The obligation is fairly and reasonably related in scale and kind to the development because the restricted floorspace only relates to the existing floorspace available in the existing store and currently used for the sale of bulk goods.	From commencement of the development

	<p>2. Prevent use of floorspace for convenience retail goods (other than 5% of floorspace that can be used for sale of ancillary goods)</p> <p>3. Control users/occupiers of the existing Downtown store in the same way as the control on uses of the proposed DOC through the “no poaching” obligation at limb (b) above (Occupancy requirements for Class A1 retail units)</p>	<p>None of the floorspace shall be used for convenience retail goods</p> <p>The occupiers shall be controlled as per limb (b) above (Occupancy requirements for Class A1 retail units)</p>	<p>To ensure that the operation of the proposed development and the existing store do not adversely impact the vitality and viability of nearby town centres in accordance with the requirements of the NPPF and Local Plan Objective 4.</p>	<p>The proposed development will operate in conjunction with the existing retail operations on site. This obligation is required in order to ensure that the combined existing and proposed development does not impact on the vitality and viability of nearby centres.</p>	<p>The obligation is fairly and reasonably related in scale and kind to the development because it only seeks to avoid direct competition with existing town centre locations.</p>	
<p>Prevent any future subdivision of the existing Downtown / Boundary Mill store into smaller retail units</p>	<p>Restrict any future subdivision of the existing store in order to protect the vitality and viability of Grantham, Newark and</p>	<p>Restrict any future subdivision of the existing store so that no retail unit within the building can be less than 929 sqm in size.</p>	<p>To ensure that the operation of the proposed development and the existing store do not adversely impact the vitality and viability of nearby town centres in</p>	<p>The proposed development will operate in conjunction with the existing retail operations on site. This obligation is required in order to ensure that the combined existing</p>	<p>The obligation is fairly and reasonably related in scale and kind to the development because it only seeks to avoid direct competition for smaller retail</p>	<p>From commencement of development</p>

	Balderton Centres		accordance with the requirements of the NPPF and Local Plan Objective 4.	and proposed development does not impact on the vitality and viability of nearby centres.	units which would be better located within existing town centre locations.	
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Further restrictions to control use - The planning regime allows for certain changes of use without the need for an application for planning permission, either through permitted development rights or through operation of the Use Classes Order. In this case, it is considered necessary to disapply the operation of certain permitted development rights and the Use Classes Order to ensure that certain changes of use cannot occur. In order to achieve this, a series of conditions and S106 planning obligations are proposed to control and restrict the uses of certain parts of the development (and existing Downtown store) so as to ensure that the scheme that is delivered is consistent with that which has been assessed.