

# Economic Growth Scrutiny Panel

Agenda  
Item:  
**A.5**

Meeting Date: 19<sup>th</sup> October 2017  
Portfolio: Economy, Enterprise and Housing  
Key Decision: Not Applicable:  
Within Policy and Budget Framework YES  
Public / Private Public

Title: Draft Planning Obligations Annual Report 2016-2017  
Report of: Corporate Director of Economic Development  
Report Number: ED 34/17

## Purpose / Summary:

To present the Panel with the draft Planning Obligations Annual Report 2016-2017.

## Recommendations:

1. To note the factual position on commitments and expenditure regarding s106 receipts.
2. To scrutinise the way the information is presented to ensure a transparent and user friendly report detailing any changes which could be made to improve its usability.

## Tracking

|            |  |
|------------|--|
| Executive: |  |
| Scrutiny:  |  |
| Council:   |  |

## **1. BACKGROUND**

- 1.1** Section 106 (s106) Agreements are private legal agreements between Local Authorities and developers; these are linked to planning permissions and can also be known as planning obligations.
- 1.2** Section 106 agreements can be attached to a planning permission when it is considered that a development will have significant impacts on the local area, that cannot be moderated by means of conditions attached to a planning decision, and would otherwise be unacceptable in planning terms. The land itself, rather than the person or organisation that develops the land, is bound by a Section 106 Agreement.
- 1.3** The legal tests for when you can use a s106 agreement are:
- 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.
- 1.4** Section 106 agreements are focused on site specific mitigation of the impact of the development. For example, a new residential development can place extra pressure on the social, physical and economic infrastructure which already exists in a certain area. A Planning obligation will aim to balance the pressure created by the new development with improvements to the surrounding area ensuring that where possible the development would make a positive contribution to the local area and community.
- 1.5** The S106 will vary depending on the nature of the development and based on the needs of the District. The most common obligations include:-
- Public Open Space and play facilities
  - Affordable Housing
  - Education
  - Highways
- 1.6** The Council's CIL, section 106 and monitoring officer oversees the recording of, collection and reporting on the delivery of obligations within planning agreements relating to the City Council. The procedures in place for managing the s106 process is currently subject to an internal audit, the outcomes of which will be taken on board in the future management of the s106 process.

**1.7** It should be noted that the Government has over recent years sought to scale back to use of s106 agreements in favour of a tariff based approach to planning obligations in the form of the Community Infrastructure Levy (CIL). This CIL process is currently under review by the Government the outcomes of which are awaited. Whilst some early consideration has been given to the suitability of CIL for Carlisle District, it has been decided that any further work should be put on hold until we have the outcomes of the CIL review and any changes that will be made.

## **2. Planning Obligations Annual Report 2016-2017**

**2.1** The annual report gives an overview of s106 agreements (and Unilateral Agreements) entered into over the last year and provides an update on the payments received by the Council and expenditure/delivery of the obligations within those and previous years. The purpose of the report is to update members, developers and the public on the how and when planning obligations are being implemented and therefore demonstrating how such obligations have a direct positive impact throughout the District in those areas where development is taking place.

**2.2** The annual report is made available on the Council's website making the information easily accessible to anyone wishing to access it. Additionally the Council frequently receives freedom of information (FOI) requests in relation to s106 agreements; by making the reports available on our website any requests can be directed to our website where the information is publicly available. It is important that the report presents the information in a transparent and user friendly format and therefore views are sought on the draft Annual Report on Planning Obligation 2016-2017 appended to this report.

**Contact Officer: Garry Legg**

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**Appendices Draft report on Planning Obligations 2016-2017  
attached to report:**

**Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:**

- None

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# Introduction

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Carlisle Planning Services have been implementing S106 Agreements since they were introduced in 1991 and to date have entered into nearly 300 agreements in place (including Deeds of Variation<sup>1</sup>).

This annual report gives an overview of S106 agreements (and Unilateral Agreements<sup>2</sup>) entered into over the last year and give an update on the delivery of the obligations within those and previous years. It is intended to update members, developers and members of the public of the implementation of obligations so it can be seen how they have a direct positive impact for the District and therefore its residents.

A S106 is a legal agreement between the planning authority and the applicant/developer, and any others who might have an interest in the land.

In accordance with Section 106 of the Town and Country Planning Act 1990 (as amended by Section 12(1) of the Planning Compensation Act 1991) planning obligations may:

- (a) restrict the development or use of the land;**
- (b) require specified operations or activities to be carried out in, on, under or over the land;**
- (c) require the land to be used in any specified way; or**
- (d) require a sum or sums to be paid to the authority either in a single sum or periodically.**

Planning obligations are usually entered into in the context of planning applications to ensure that developers address the additional community and infrastructure needs and mitigate the social, environmental and economic impacts of new development. Unless it is agreed otherwise, planning obligations run with the land in perpetuity and may be enforced against the original covenantor and anyone else that acquires an interest in the land, until such time as they are discharged or otherwise modified.

Paragraph 203 of the **National Planning Policy Framework March 2012** states that: *“Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.”*

Paragraph 204: states: *“Planning obligations should only be sought where they meet all of 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.”**

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<sup>1</sup> Deed of Variation where there is a change to the original agreement which may or may not have a material change to its delivery.

<sup>2</sup> A unilateral agreement is where only one party makes an express promise, or undertakes a performance without first securing a reciprocal agreement from the other party. Such agreements are marked with an asterisk by way of identification throughout this document.

# Summary 2016 to 2017

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## **16 S106's were entered into with the potential to deliver:**

### *Housing*

**173** Affordable Dwellings plus schemes yet to be submitted

### *Financial*

A total of **£1,171,352** has been negotiated (excluding formula based figures which are yet to be determined). Of this, £483,081 is payable to the County Council for Transport, Education and Travel Plans. The balance is due to the City of Carlisle of which includes £475,744 is for the provision/enhancement and maintenance of Public Open Space and Children's Play Areas and £212,527 in lieu of on site affordable housing provision.

\* \* \* \* \*

## **During the year delivery via S106 obligations has achieved:**

### *Housing*

**118** Affordable Dwellings have been delivered (89 to a Registered Provider 53 of which were in the rural area and 29 Discounted Sale of which 8 were in the rural area).

### *Financial*

**£430,559** has been **received** for a variety of dedicated projects for the provision and maintenance of Public Open Space/Children's Play Areas and to facilitate delivery of affordable housing.

\* \* \* \* \*

Balances of monies [rounded] held by Carlisle city Council to complete undertakings as detailed within S106 agreements and unilateral agreements as at 31 March 2017:

|                                       |                   |
|---------------------------------------|-------------------|
| In Lieu of on-site Affordable Housing | £ 369,155         |
| Open Space and Children's Play Areas  | £ 467,834         |
| Infrastructure                        | £ 671,132         |
| Refuse                                | £ 2,310           |
| Habitat Mitigation                    | £ 70,489          |
| <b>Total</b>                          | <b>£1,580,920</b> |

NB: Failure to evidence that monies have been spent for the purpose for which it was delivered and within the requisite timescale, will result in the monies having to be returned to the developer.

# New Agreements 2016 - 2017

## Planning Permissions granted with a S106 Agreement:

| PP No   | Date Signed | Parties  | Address   | Development Proposal   | S106 Obligation Overview  |
|---------|-------------|--|---|--|---|
| 15/0161 | 20/04/16    | Personal Covenant;<br>Cumbria County Council and Secretary of State for Health                                       | Land North of Moorside Drive/Valley Drive, Carlisle<br><b>Parish – St Cuthberts Without</b> | Residential Development OUTLINE<br>RM 17/0038 rec'd 15/02/17 for 166 dwellings undetermined  | <b>AFFORDABLE HOUSING</b><br>20% To be provided at 50/50 Affordable Rent and Low Cost<br><b>TRAVEL PLAN [COUNTY]</b><br>Pay Travel Plan Assessment & Monitoring Fee [£6,600] within 6 months of 1st occupation of any residential unit<br>To meet travel plan targets or pay upon demand from County Travel Plan Framework Contribution.  |
| 15/0341 | 25/04/16    | Personal Covenant and Cumbria County Council   | Land between Moorhouse and Hosket Hill, Carlisle<br><b>Parish – Burgh by Sands</b>          | Erection Of A Free Range Egg Unit & Associated Infrastructure Including Two Feed Bins; Upgrading Of Existing Track & Planting Scheme | <b>HIGHWAYS CONTRIBUTION [COUNTY]</b><br>Pay £20,750 within 14 days of commencement and to notify the City within 14 days.  |
| 15/0918 | 03/05/16    | Taylor Wimpey UK Limited and Cumbria Partnership National Health Service Foundation Trust and Cumbria County Council | Land East of Cumwhinton Drive<br><b>Parish – St Cuthberts Without</b>                       | Erection Of 189no. Dwellings With Associated Infrastructure And Landscape  | <b>AFFORDABLE HOUSING</b><br>15 Affordable Rented Dwellings [Plots 21-35 inclusive]<br>15 Discounted Sale [Plots 17 - 20; 49 - 55; 147 -150 inclusive]<br><b>OFF SITE RECREATION CONTRIBUTION</b><br>to pay £61,524 prior to occupation of 50% of the Dwellings<br><b>PUBLIC OPEN SPACE</b><br>to Identify a Management Company prior to occupation of any of the Dwellings<br><b>EDUCATION CONTRIBUTION [COUNTY]</b><br>to pay £78,284 prior to occupation of 50% of |

| PP No   | Date Signed | Parties   | Address   | Development Proposal                           | S106 Obligation Overview  |
|---------|-------------|---|---|--|---|
|         |             |   |   |  | <p>the Dwellings [notify City within 14 days]</p> <p><b>HIGHWAYS CONTRIBUTION [COUNTY]</b></p> <p>to pay £12K prior to occupation of 50% of the Dwellings</p> <p><b>TRAVEL PLAN [COUNTY]</b></p> <p>Pay Travel Plan Monitoring fee of £6,600 prior to first occupation of any dwellings</p> <p>Appoint travel coordinator within 6 months of 1st occupation</p>   |
| 15/0350 | 11/05/16    | Personal Covenants                                    | Land North of Rockcliffe School, Rockcliffe<br><b>Parish - Rockcliffe</b>     | Residential Development OUTLINE [indicative 5] | <p><b>AFFORDABLE HOUSING</b></p> <p>Affordable Dwelling Location Scheme to be submitted and approved no later than the last of the Reserved Matters</p>   |
| 15/0621 | 02/06/16    | Border Travel Services Ltd and Cumbria County Council | Land to the North of Burgh Road, Carlisle<br><b>Ward – Belle Vue</b>          | Erection of Dwellings OUTLINE [indicative 66]  | <p><b>AFFORDABLE HOUSING</b></p> <p>30% split 50/50 Affordable rented and Discounted Sale @ 70% OMV</p> <p><b>TRAFFIC CALMING MEASURES CONTRIBUTION [COUNTY]</b></p> <p>Pay £13,500 prior to occupation of the 20th Unit</p>  |
| 15/0617 | 22/06/16    | Personal covenant and Cumbria County Council          | Land adj King Edwards Fauld, Burgh by Sands<br><b>Parish – Burgh by Sands</b> | Erection of Dwellings OUTLINE [indicative 20]  | <p><b>AFFORDABLE HOUSING</b></p> <p>Scheme to be submitted no later than last Reserved Matters [Rural West]</p> <p><b>OFF SITE RECREATION CONTRIBUTION</b></p> <p>to pay £15,000 prior to occupation of any Dwellings</p> <p><b>PUBLIC OPEN SPACE</b></p> <p>Prior to commencement to submit and obtain approval of the Public Open Space Scheme</p> <p><b>EDUCATION CONTRIBUTION [COUNTY]</b></p> <p>to pay £18,188 x school age children subject to public sector index prior to occupation of any Dwellings [notify City within 14 days]</p> |
| 16/0159 | 23/08/16    | Personal Covenants; L &                               | rear 55-65 Scotby Road and 61 Scotby  | Erection of 8 Dwellings                        | <p><b>AFFORDABLE HOUSING</b></p> <p>2 Discounted @ 70% OMV</p>  |



| PP No   | Date Signed | Parties   | Address  | Development Proposal  | S106 Obligation Overview   |
|---------|-------------|---|--|---|--|
|         |             | ND Development & Design Ltd and Amicus Finance PLC          | Road, Scotby, CA4 8BD<br><b>Parish – Wetheral</b>                |   | <b>OFF SITE RECREATION CONTRIBUTION</b><br>payable prior to first occupation:<br>£19,969 to support offsite improvement of publically accessible open spaces (excluding maintenance, but including sports field) AND £10,828 for the maintenance of the publically accessible open spaces  |
| 15/0878 | 11/08/16    | Prospect Estates Ltd  | Land North of Caxton Road<br><b>Ward – Belle Vue</b>             | Demolition Of Existing Industrial Buildings;<br>Erection Of 63No. Dwellings<br>OUTLINE                        | <b>AFFORDABLE HOUSING</b><br>4 X 2 bed houses and<br>2 x 3 bed houses<br><b>OPEN SPACE CONTRIBUTION</b><br>Prior to occupation of 50% of the units to pay £63K maintenance or improvement of Heysham Park, Engine Lonning Nature Reserve and Spider Park   |
| 15/0886 | 01/09/16    | Church Commissioners for England and Cumbria County Council | Land West of Steele's Bank, Wetheral<br><b>Parish – Wetheral</b> | Erection Of Up To 50No. Dwellings With Associated Amenity Space, Hard standing And Ancillary Works<br>OUTLINE | <b>AFFORDABLE HOUSING</b><br>provide a scheme providing 30% affordable prior to commencement<br><b>OPEN SPACE LAND MAINTENANCE</b><br>To submit for approval an Open Space Management Scheme prior to commencement<br><b>OFF SITE RECREATIONAL CONTRIBUTION</b><br>Prior to occupation of any dwellings pay 50% of contribution [£46,186.50]<br>Prior to occupation of 50% OF dwellings pay 50% of contribution [£46,186.50 ]<br><b>PRIMARY SCHOOL CONTRIBUTION</b><br><b>COUNTY</b><br>Prior to occupation of 40% of dwellings pay £120,051<br><b>SECONDARY SCHOOL CONTRIBUTION</b><br><b>COUNTY</b><br>Prior to occupation of 40% of dwellings pay £33,250<br><b>FOOTPATH CONTRIBUTION</b> <b>COUNTY</b> |

| PP No   | Date Signed | Parties                                      | Address  | Development Proposal                            | S106 Obligation Overview  |
|---------|-------------|--|--|---|---|
|         |             |  |  |   | Prior to occupation of 75% of dwellings pay £10,500   |
| 14/0901 | 06/10/16    | Armeria (UK)L(LLP)                           | Adj Memorial Hall Rockcliffe<br><b>Parish - Rockcliffe</b>                               | Residential Development OUTLINE [indicative 12] | <b>AFFORDABLE HOUSING</b><br>20% of site: To submit an affordable housing scheme no later than at Reserved Matters.   |
| 15/0595 | 30/11/16    | Personal Covenant and Cumbria County Council | Land North of Kingmoor Industrial Estate, Kingmoor Road, Carlisle<br><b>Ward - Belah</b> | Erection of 65 no Dwellings OUTLINE             | <b>AFFORDABLE HOUSING</b><br>30% of site: To submit an affordable housing scheme no later than at Reserved Matters.<br><b>EDUCATION CONTRIBUTION COUNTY</b><br>prior to Occupation [Formula]<br><b>TRAFFIC REGULATION ORDER CONTRIBUTION COUNTY</b><br>£6,500 within 14 days of commencement<br><b>OFF SITE RECREATION CONTRIBUTION</b><br>£50k prior to first occupation<br><b>PUBLIC OPEN SPACE</b><br>Submit and obtain approval prior to commencement<br><b>MANAGEMENT COMPANY POLICY</b><br>to be agreed prior to first occupation |
| 12/0880 | 16/12/16    | Simtor Ltd and Cumbria County Council        | Hallmoor Court, Wetheral, Carlisle<br><b>Parish – Wetheral</b>                           | Erection Of 27no. Dwellings                     | <b>AFFORDABLE HOUSING</b><br>4 x 2 bed houses<br>1 x 2 bed apartments<br>2 x 3 bed houses<br>Scheme with tenure to be submitted prior to commencement<br><b>EDUCATION CONTRIBUTION COUNTY</b><br>£72,306 prior to Occupation of 9th unit<br><b>OPEN SPACE</b><br>Submit and obtain approval prior to commencement<br><b>OPEN SPACE CONTRIBUTION</b><br>£66,457.97 to be paid prior to 1 <sup>st</sup> occupation  |
| 15/1011 | 23/12/16    | Story Construction and                       | Land at Peter Gate, Cumwhinton   | Erection Of 22no. Dwellings With Associated     | <b>AFFORDABLE HOUSING</b><br>2 Social Rented  |

| PP No   | Date Signed | Parties                                    | Address  | Development Proposal   | S106 Obligation Overview  |
|---------|-------------|--|--|--|---|
|         |             | 1 'Owner'                                  | <b>Parish – Wetheral</b>   | Access, Car Parking And Landscaping And Change Of Use Of Land For Educational Purposes | 2 Discounted 70% OMV<br><b>PRIMARY SCHOOL IMPROVEMENT CONTRIBUTION COUNTY</b><br>£90,940<br><b>EDUCATION LAND COUNTY</b><br>Transfer of land upon completion of the site  |
| 15/1003 | 27/01/17    | Loving Land Ltd and Cumbria County Council | SE St Ninians Road, Carlisle<br><b>Parish – St Cuthberts Without</b>       | Residential Development OUTLINE [indicative 132]                                       | <b>AFFORDABLE HOUSING</b><br>14 Affordable rented<br>6 Discounted 70% OMV<br><b>OPEN SPACE CONTRIBUTION</b><br>£96,593 to be paid:<br>15% prior to 1st Occupation<br>15% prior to 50% of phase 1<br>15% prior to 1st occupation phase 2<br>15% prior to 50% phase 2<br>15% prior to 1st occupation phase 3<br>remainder prior to 50% phase 3<br><b>TRAVEL PLAN OBLIGATION COUNTY</b><br>one month prior to 1st occupation pay Admin Fee£6,500 to & appoint co-ordinator and advise City |
| 16/0812 | 02/02/17    | Story Construction and 2 'Owners'          | Adj 8 The Whins, Heads Nook,<br><b>Parish – Wetheral</b>                   | Erection Of 10.No Dwellings With Associated Infrastructure                             | <b>AFFORDABLE HOUSING CONTRIBUTION</b><br>£212,527.20 payable in 3 tranches on 1st occupation of 3rd, 6th & 9th dwelling  |
| 16/0769 | 31/03/17    | Personal Covenants                         | Land between Gelt Rise and Gelt Road, Brampton<br><b>Parish – Brampton</b> | Erection of 18 No. Dwellings   | <b>AFFORDABLE HOUSING</b><br>6 in accordance with the indicative mix required in Policy HO 4  |

#### Deed of Variation with Material Change

|         |          |                   |                               |  |   |
|---------|----------|-------------------|-------------------------------|--|---|
| 12/0832 | 01/09/16 | Personal covenant | Adj 445 Durdar Road, Carlisle |  | <b>Affordable Housing</b><br><i>Requirement for 1 discounted house removed.</i> |
|---------|----------|-------------------|-------------------------------|--|---|

## Summary of Obligations Entered into:

### Financial – Commuted Sums - 2016 to 2017

| Open Space/Play Areas | Affordable Housing Contribution | Transport (County) | Travel Plan (County) | Education (County)                | Parish/Ward                         |
|-----------------------|---------------------------------|--------------------|----------------------|-----------------------------------|-------------------------------------|
|                       |                                 |                    | £6,500               |                                   | St Cuthberts Without                |
|                       |                                 | £20,750            |                      |                                   | Burgh by Sands                      |
| £61,524               |                                 | £12,000            | £6,500               | £78,284                           | St Cuthberts Without                |
|                       |                                 | £13,500            | £6,500               |                                   | Belle Vue                           |
| £15,000               |                                 |                    |                      | formula                           | Burgh-by-Sands                      |
| £30,797               |                                 |                    |                      |                                   | Wetheral                            |
| £63,000               |                                 |                    |                      |                                   | Belle Vue                           |
| £92,373               |                                 | £10,500 (footpath) |                      | £152,301                          | Wetheral                            |
| £50,000               |                                 |                    | £6,500               | formula                           | Belah                               |
| £66,457               |                                 |                    |                      | £72,306                           | Wetheral                            |
|                       |                                 |                    |                      | £90,940                           | Wetheral                            |
| £96,593               |                                 |                    | £6,500               |                                   | St Cuthberts Without                |
|                       | £212,527                        |                    |                      |                                   | Wetheral                            |
|                       |                                 |                    |                      |                                   |                                     |
| <b>£475,744</b>       | <b>£212,527</b>                 | <b>£56,750</b>     | <b>£32,500</b>       | <b>£393,831 +<br/>Formula x 2</b> | <b>£1,171,352 +<br/>formula x 2</b> |

## Non financial 2016 to 2017

### Affordable Housing

|  | Social Rented   | Discounted      | Parish/Ward          |
|--|-----------------|-----------------|----------------------|
| 15/0161<br>Land North of Moorside Drive<br>/Valley Drive | 16 (indicative) | 17 (indicative) | St Cuthberts Without |
| 15/0918<br>Land East of Cumwhinton Drive                 | 15              | 15              | St Cuthberts Without |
| 15/0621<br>Land North of Burgh Road                      | 10 (indicative) | 10 (indicative) | Belle Vue            |
| 16/0159<br>rear 55-56 Scotby Road, Scotby                |                 | 2               | Wetheral             |
| 15/0878<br>Land North of Caxton Road                     |                 | 6               | Belle Vue            |
| 15/0886<br>Land West of Steele's Bank,<br>Wetheral       | 7 (indicative)  | 8 (indicative)  | Wetheral             |
| 15/0595<br>Land North of Kingmoor<br>Industrial Estate   | 10 (indicative) | 10 (indicative) | Belah                |
| 12/0880<br>Hallmoor Court, Wetheral                      |                 | 7               | Wetheral             |
| 15/1011<br>Land at Peter Gate,<br>Cumwhinton             | 2               | 2               | Wetheral             |
| 15/1003<br>Land SE of St Ninians Road                    | 14              | 6               | St Cuthberts Without |
| 16/0769<br>Gelt Road Rise and Gelt Road,<br>Brampton     | 3               | 3               | Brampton             |
|  | <b>77</b>       | <b>96</b>       | <b>173</b>           |

Schemes still to be submitted for:

15/0350 – Land North of Rockcliffe School, Rockcliffe

15/0617 – Land adj King Edwards Fauld, Burgh by Sands

14/0901 – Adj Memorial Hall, Rockcliffe

### *Occupancy Clauses*

Affordable Housing has Qualifying Persons restrictions within the agreements

### *Extra Care*

None

### *Land Transfer*

May occur as part of Open Space Management Plans

# Delivery of Obligations 2016 to 2017

## BY DEVELOPERS TO CARLISLE CITY COUNCIL

### Non-Financial

#### Affordable Housing

|  | Social Rented | Discounted | Parish/Ward   |
|--|---------------|------------|---------------|
| Hadrians Camp Houghton [Eden Gate] <b>12/0610</b>          | 12            | 4          | Stanwix Rural |
| Townhead Road, Dalston [The Grange] <b>12/0878</b>         | 3             | 0          | Dalston       |
| Thornedge, Cumwhinton <b>14/0816</b>                       | 0             | 4          | Wetheral      |
| Former Irthing Centre, Union Lane, Brampton <b>14/0329</b> | 38            |            | Brampton      |
| Crindledyke <b>09/0617</b>                                 | 3             | 7          | Stanwix Rural |
| Garden Village [Brackenleigh] <b>10/1026</b>               | 0             | 4          | Cummersdale   |
| Hammonds Pond [The Ridings] <b>12/0793</b>                 | 9             | 6          | Dalston       |
| Adj Border Terrier Inn <b>14/0975</b>                      | 18            |            | Morton        |
| Carleton Farm [Speckled Wood] <b>13/0983</b>               | 6             | 4          | Dalston       |
|  | <b>89</b>     | <b>29</b>  | <b>118</b>    |

*It should be noted these figures are for the delivery of affordable housing through S106 agreements. A **further 22 gross [20 net] Social Rented Properties** have been delivered via the planning system by Housing Associations without entering into a S106 agreements [Lochinvar Close, Longtown; Nelson Street, Carlisle; Lindisfarne Street, Carlisle].*

### *Occupancy Clauses*

All affordable housing is subject to Qualifying Status

### *Extra Care*

Also note that the Development at the of 38 affordable units at Former Irthing Centre were also Extra Care Units

## **Financial**

### *Payments Received by Carlisle City Council*

| <b>S106 Agreement</b>  | <b>Amount</b>      | <b>Purpose</b>   | <b>Parish/Ward</b>          | <b>Finance Ref</b> |
|--|--------------------|--|-----------------------------|--------------------|
| <b>12/0025</b><br>St Augustines,<br>Waverley Gardens,              | £76,558            | Affordable Housing Contribution final tranche                  | <b>Stanwix Urban</b>        | 11055              |
| <b>13/0450</b><br>West Quarry House,<br>Wetheral Pasture           | £18,900<br>£17,700 | Affordable Housing Contribution final two tranches. Rural East | <b>Wetheral</b>             | 11056              |
| <b>13/0562</b><br>Rear of Lime House<br>Wetheral                   | £10,000            | Affordable Housing Contribution                                | <b>Wetheral</b>             | 11057              |
| <b>08/1059</b><br>Former George<br>Public House,<br>Warwick Bridge | £ 5,000            | Off Site open space provision at Downagate                     | <b>Wetheral</b>             | 11059              |
| <b>14/0689 + 14/0654</b><br>Hill Farm,<br>Thurstonfield            | £38,625            | Affordable Housing Contribution                                | <b>Burgh by Sands</b>       | 11060              |
| <b>13/0983</b><br>Carleton Farm                                    | £57,816            | Off Site Recreational Contribution                             | <b>St Cuthberts Without</b> | 11061              |
| <b>12/0793</b><br>Hammonds Pond                                    | £205,960           | Upperby Footpath Contribution                                  | <b>St Cuthberts Without</b> | 11062              |
|  | <b>£430,559</b>    |  |                             |                    |



## Expenditure by Carlisle City Council

### Affordable Housing

| Planning Application Location                             | Commitment  | Original Sum         | Summary of Works Undertaken 16/17                         | Spent 16/17 | Balance Outstanding | Expiry date                       | Parish/Ward          | Finance Ref |
|---|---|----------------------|---|-------------|---------------------|-----------------------------------|----------------------|-------------|
| <b>10/0970</b><br>WI Hall, Brier Lonning, Hayton          | To support delivery of affordable housing by Underwrite Education Contribution @ Cumwhinton | £15,000              | None  | Nil         | £ 918               | April 2021                        | <b>District</b>      | 11028       |
| <b>11/0818</b><br>The Sheiling, Meadow View, Cumwhinton   | Provide school transportation due to lack of capacity at Cumwhinton School                  | £14,082 <sup>3</sup> | No confirmation of need as created by development to date | Nil         | £14,082             | Dec 2017                          | <b>Wetheral</b>      | 11028       |
| <b>11/0181</b><br>Kingswood Educational Centre, Cumdivock | Affordable Housing Contribution [Rural West]  | £ 6,250<br>£14,375   | None  | Nil         | £ 6,250<br>£14,375  | 2019<br>2020                      | <b>Dalston</b>       | 11045       |
| <b>12/0025</b><br>St Augustines Church and Social Club    | Affordable Housing Contribution   | £229,405             | None  | Nil         | £229,405            | Sep 2020<br>Oct 2020<br>July 2021 | <b>Stanwix Urban</b> | 11055       |
| <b>13/0450</b><br>West Quarry House, Wetheral Pasture     | Affordable Housing Contribution [1 of 3] Rural East   | £55,500              | None  | Nil         | £55,500             | Dec 2026                          | <b>Wetheral</b>      | 11056       |

<sup>3</sup> Internal transfer of monies from WI Hall, Hayton.

| Planning Application Location                        | Commitment                      | Original Sum    | Summary of Works Undertaken 16/17 | Spent 16/17 | Balance Outstanding | Expiry date | Parish/Ward           | Finance Ref |
|--|---------------------------------|-----------------|-----------------------------------|-------------|---------------------|-------------|-----------------------|-------------|
| <b>13/0562</b><br>Rear of Lime House Wetheral        | Affordable Housing Contribution | £10,000         | None                              | Nil         | £10,000             | Apr 2026    | <b>Wetheral</b>       | 11057       |
| <b>14/0689 + 14/0654</b><br>Hill Farm, Thurstonfield | Affordable Housing Contribution | £38,625         | None                              | Nil         | £38,625             | Nov 2026    | <b>Burgh by Sands</b> | 11060       |
|  |                                 | <b>£383,237</b> |                                   | <b>Nil</b>  | <b>£369,155</b>     |             |                       |             |

### *Open Space/Play Areas*

| Planning Application Location               | Commitment   | Original Sum | Summary of Works Undertaken 16/17          | Spent 16/17 | Balance Outstanding (rounded) | Expiry date | Parish/Ward          | Finance Ref |
|---|--|--------------|--|-------------|-------------------------------|-------------|----------------------|-------------|
| Holme Head Bay*                             | Maintenance of Public Open Space.                    |              | Regular routine grounds maintenance        | £ 600       | £ 1,800                       | N/A         | <b>Denton Holme</b>  | 11006       |
| Windsor Way*                                | Maintenance of Play Area                             |              | Weekly checks of play area and maintenance | £ 600       | £ 1,800                       | N/A         | <b>Stanwix Rural</b> | 11008       |
| Walkmill, Warwick Road*                     | Maintenance of Play Area within vicinity of the site |              | Football pitch maintenance                 | £ 2,310     | £ 6,930                       | N/A         | <b>Botcherby</b>     | 11009       |
| <b>04/0902</b><br>Wakefield Road, Lowy Hill | Maintenance of Play Area - Moorville Drive           | £10,000      | Weekly checks of play area and maintenance | £ 1,000     | £ 2,000                       | Dec 2019    | <b>Belah</b>         | 11010       |
| <b>04/0275</b><br>Turnstone Park            | Maintenance of Play Area                             | £10,000      | Weekly checks of play area and maintenance | £ 900       | Nil                           | Sep 2020    | <b>Belle Vue</b>     | 11011       |

| Planning Application Location  | Commitment  | Original Sum | Summary of Works Undertaken 16/17   | Spent 16/17 | Balance Outstanding (rounded) | Expiry date | Parish/ Ward  | Finance Ref |
|--|---|--------------|---|-------------|-------------------------------|-------------|---------------|-------------|
| Jocks Hill, Brampton*  | Maintenance of Public Open Space  |              | Weekly checks of play area and maintenance  | £ 267       | £ 267                         | N/A         | Brampton      | 11012       |
| Greenfield Lane, Brampton*   | Maintenance of Public Open Space  |              | Routine ground maintenance  | £ 1,000     | £ 775                         | N/A         | Brampton      | 11014       |
| <b>07/1241</b><br>Burgh Road   | Provision & maintenance of off-site pitches & open space                                      | £45,354.30   | Weekly checks of play area and maintenance. Regular routine grounds maintenance. Football pitch maintenance | £ 1,088     | Nil                           | Sep 2019    | Belle Vue     | 11016       |
| <b>06/0667</b><br><b>07/0304</b><br><b>Former Cavaghan &amp; Gray, London Rd</b> | Recreational facilities associated with 3 Rivers Strategy or improvements at community centre | £137,500     | none  | Nil         | £ 15,957                      | Sep 2020    | Harraby       | 11017       |
| Tribune Drive *  | Remedial work and 10 year maintenance of Public Open Space                                    | £20,025      | Regular routine grounds maintenance.  | £ 1,800     | £ 5,400                       | Jul 2019    | Stanwix Rural | 11019       |
| <b>09/0511</b><br>Heysham Park, Raffles  | Maintenance of Public Open Space  | £25,000      | Weekly checks of play area and maintenance. Regular routine grounds maintenance.                            | £ 2,500     | £ 7,500                       | N/A         | Belle Vue     | 11021       |
| <b>09/0036</b><br>Levens Drive/ Newlaithes Ave                                   | Maintenance   | £31,345      | None  | £ 7,840     | £ 23,505                      | Mar 2020    | Morton        | 11023       |

| Planning Application Location                  | Commitment   | Original Sum | Summary of Works Undertaken 16/17  | Spent 16/17 | Balance Outstanding (rounded) | Expiry date | Parish/ Ward        | Finance Ref |
|--|--|--------------|--|-------------|-------------------------------|-------------|---------------------|-------------|
| <b>10/0425</b><br>Gelt Rise,<br>Brampton       | Provision of additional Play Area                              | £12,800      | None   | Nil         | £12,800                       | Feb 2021    | Brampton            | 11026       |
|  | Maintenance of Play Areas                                      | £ 3,551      | Weekly checks of play area and maintenance of existing equipment   | £ 355       | £ 1,776                       | Feb 2021    | Brampton            |             |
| <b>96/0830</b><br>Carleton Grange,<br>Garlands | Maintenance of Play Area                                       | £10,000      | Weekly checks of play area and maintenance.  | £1,000      | £ 4,000                       | Mar 2021    | Harraby/<br>Dalston | 11029       |
|  | Maintenance of Public Open Space                               | £102,837     | Regular routine grounds maintenance.   | £ 10,283    | £ 40,457                      | Mar 2021    |                     |             |
| <b>10/0818</b><br>Seatoller Close              | Enhancement of off-site provision in the Morton Ward           | £14,481.56   | Regular routine grounds maintenance.   | £ 3,620     | Nil                           |             | Morton              | 11030       |
| <b>10/0508</b><br>Stainton Road,<br>Etterby    | Provision and enhancement of public open space in the District | £43,790      | Capital Expenditure at: <ul style="list-style-type: none"> <li>• Gleneagles Drive Play Area</li> <li>• Keenan Park</li> <li>• Belah Play Area</li> <li>• Clarks Field Play Area</li> </ul> | £17,516     | Nil                           |             | Belah               | 11032       |
| <b>07/0845</b><br>Watts Yard,<br>London Road   | Play equipment maintenance                                     | £ 5,731.59   | Weekly checks of play area and maintenance of existing equipment.  | £ 573       | £ 2,866                       | Jan 2022    | St Aidans           | 11033       |

| Planning Application Location                            | Commitment   | Original Sum | Summary of Works Undertaken 16/17  | Spent 16/17        | Balance Outstanding (rounded) | Expiry date | Parish/Ward     | Finance Ref |
|--|--|--------------|--|--------------------|-------------------------------|-------------|-----------------|-------------|
| <b>12/0108</b><br>St Elisabeths, Harraby                 | Maintenance of Public Open space                                     | £ 8,979.25   | Regular routine ground maintenance   | £1,796             | £ 3,592                       | May 2017    | Harraby         | 11034       |
| <b>11/0135</b><br>Site F, Brookside, Raffles, Carlisle*  | Maintenance @ Heysham Park   | £12,823      | Weekly checks of play area and maintenance & regular upkeep                  | £1,595             | £ 4,783                       |             | Belle Vue       | 11037       |
| <b>10/0863</b><br>Norfolk Street, Denton Holme, Carlisle | Provision & enhancement of public open space                         | £50,000      | Capital Expenditure at Denton Street Play Area Enhancements at St James Park | £34,500<br>£ 9,667 | £ 5,832                       | Sep 2017    | Denton Holme    | 11038       |
| Pennine View*  | Maintenance of 2 parcels of land Parkland Village/ Carleton Grange   | £ 3,570.75   | Regular routine grounds maintenance  | £ 357              | £ 2,857                       | N/A         | Dalston/Harraby | 11042       |
| <b>10/0792</b><br>Alexandra Drive                        | Open Space Contribution  | £93,440.08   | Improvements to Melbourne Park [also 11033]                                  | £26,327.68         | £37,083                       | Dec 2023    | Wetheral        | 11043       |
|  | Maintenance  | £50,669.37   | Regular routine grounds maintenance in Durranhill Area                       | £ 2,615            | £48,054                       | Dec 2023    |                 |             |
| <b>12/0878</b><br>Townhead Road/ Station Road Dalston    | Recreational Contribution – childrens play areas and sports pitches. | £115,586     | Dalston Play Area commissioned by Dalston PC                                 | £36,749            | £ 78,837                      | Feb 2020    | Dalston         | 11049       |
| <b>07/1312 11/0120</b><br>Westmorland                    | Improvement to or provision of public                                | £ 84,520     | None   | Nil                | £ 84,520                      | July 2020   | Denton Holme    | 11053       |

| Planning Application Location                     | Commitment  | Original Sum | Summary of Works Undertaken 16/17 | Spent 16/17 | Balance Outstanding (rounded) | Expiry date     | Parish/ Ward                | Finance Ref |
|---|---|--------------|-----------------------------------|-------------|-------------------------------|-----------------|-----------------------------|-------------|
| Street [Former Penguin Factory]                   | play and open space facilities within the vicinity of the development |              |                                   |             |                               |                 |                             |             |
| <b>12/0025</b><br>Waverly Gardens [St Augustines] | Off-site public open space  | £11,627      | None                              | Nil         | £11,627                       | Sep 2020        | <b>Stanwix Urban</b>        | 11054       |
| <b>08/0159</b><br>Former George at Warwick Bridge | Maintenance and enhancement of Downagate Play Area                    | £ 5,000      | None                              | Nil         | £ 5,000                       | Sep 2021        | <b>Wetheral</b>             | 11059       |
| <b>13/0983</b><br>Carlton Farm                    | Improvements to Dale End Field  | £57,816      | None                              | Nil         | £57,816                       | Feb 2022        | <b>St Cuthberts Without</b> | 11061       |
|   |   |              |                                   |             | <b>£166,859</b>               | <b>£467,834</b> |                             |             |

### Infrastructure

| Location                               | Commitment  | Original Sum | Summary of Works Undertaken 16/17 or Comments   | Spent 16/17 | Balance Outstanding | Expiry date | Parish/ Ward  | Finance Ref |
|--|---|--------------|---|-------------|---------------------|-------------|---------------|-------------|
| Immediate area around Carlisle College | Contribution towards Cycle Network and improvement of pedestrian facilities in the immediate vicinity | £ 29,750     | Final works to be finalised when all monies will be transferred to capital account    | Nil         | £29,750             | N/A         | <b>Castle</b> | 11024       |
| Caldew Cycle Way/ Willowholme          | "Castle Way Ramp"<br>To implement a section of the cycleway as detailed in the agreement & DOV dated  | £370,000     | Associated costs for scheme known as Castle Way Crossing i.e. safety audits, planning | £329,746    | Nil                 | Feb 2017    | <b>Castle</b> | 11027       |

| Location   | Commitment   | Original Sum | Summary of Works Undertaken 16/17 or Comments   | Spent 16/17 | Balance Outstanding | Expiry date | Parish/ Ward  | Finance Ref |
|--|--|--------------|---|-------------|---------------------|-------------|---------------|-------------|
|  | Feb 2016   |              | permission.   |             |                     |             |               |             |
| Public Realm, Caldewgate/ Shaddongate                | Undertake works defined as a range of initiatives arising from the adopted Urban Design Guide and Public Framework | £370,000     | Associated costs relating to 'Cracker Packer'   | £62,145     | Nil                 | Feb 2017    | Castle        |             |
| Petteril Cycle Route (Watts Yard)                    | Towards the River Petteril Cycle Route Access Improvement Scheme   | £79,580      | Proposed flood defence works to include cycleway.   | Nil         | £ 79,580            | June 2023   | St Aidans     | 11035       |
| Caldew Cycleway (Norfolk Street Student development) | Improvements to the Caldew Cycleway  | £16,000      | Improvements to access Caldew Cycleway to be completed summer 2017                                      | Nil         | £ 16,000            | Sep 2017    | Denton Holme  | 11038       |
| Crindledyke*   | Highways Improvements 1 <sup>st</sup> contribution   | £ 25,000     | None  | Nil         | £ 25,000            | July 2018   | Stanwix Rural | 11040       |
|  | Highways Improvements 2 <sup>nd</sup> Contribution   | £ 10,000     | None  | Nil         | £ 10,000            | July 2018   |               |             |
|  | Transport Improvements 2 <sup>nd</sup> Contribution  | £281,000     | Prelim work on link to city centre. Completion due end 2017   | £12,284     | £268,716            | July 2018   |               |             |
|  | Travel Plan Administration Fee   | £ 11,125     | Negotiation of Bus Extension  | Nil         | £ 11,125            | N/A         |               |             |
| The Racecourse                                       | Contribution towards Currock Link  | £ 24,800     | Currock Link scheme finalised   | Nil         | £ 24,800            | Oct 2019    | Dalston       | 11041       |
| Alexandra Drive (Barley Edge)                        | Highways Contribution [Footpath]   | £ 13,500     | Repairs and widening of footway from the north side of Durranhill Rd between Site & Rosehill Ind Estate | £13,300     | £ 200               | Dec 2023    | Wetheral      | 11044       |

| Location                     | Commitment   | Original Sum      | Summary of Works Undertaken 16/17 or Comments | Spent 16/17     | Balance Outstanding | Expiry date | Parish/ Ward         | Finance Ref |
|------------------------------|--|-------------------|---|-----------------|---------------------|-------------|----------------------|-------------|
| Aldi, Dalston Road, Carlisle | Alley Gates  | £ 2,550           | Legal costs re installation of alley gates    | £ 50            | Nil                 |             | Denton Holme         | 11052       |
| 12/0793 Hammonds Pond        | Upperby Footpath Contribution [diversion and lighting] | £205,960          | None  | Nil             | £205,960            | Mar 2022    | St Cuthberts Without | 11062       |
|                              |  | <b>£1,439,265</b> |   | <b>£417,525</b> | <b>£671,132</b>     |             |                      |             |

\*Plus fulfilment of the first year of 1<sup>st</sup> Transport Improvements for the Bus Service Extension

### *Refuse Contributions*

| Planning Application Location       | Commitment                       | Original Sum  | Summary of Works Undertaken 16/17                 | Spent 16/17 | Balance Outstanding | Expiry date | Parish/ Ward | Finance Ref |
|-------------------------------------|----------------------------------|---------------|---|-------------|---------------------|-------------|--------------|-------------|
| Townhead Road/ Station Road Dalston | Provision of on-site refuse bins | £3,780        | Provision of on-site refuse bins for part of site | £781        | £2,310              | N/A         | Dalston      | 11047       |
|                                     |                                  | <b>£3,780</b> |   | <b>£781</b> | £2,310              |             |              |             |

### *Habitat Contributions*

| Application/ Location           | Commitment                     | Original Sum   | Summary of Works Undertaken 16/17 | Spent 16/17 | Balance Outstanding | Expiry date | Parish/ Ward  | Finance Ref |
|---------------------------------|--------------------------------|----------------|-----------------------------------|-------------|---------------------|-------------|---------------|-------------|
| Todhills, Blackford             | Provision of 3 Owl Boxes       | £ 300          | In discussion with CWT            | Nil         | £ 300               | Feb 2020    | Rockcliffe    | 11050       |
| 12/0610 Hadrians Camp, Houghton | Mitigation of on-site habitats | £70,189        | In discussions with CWT           | Nil         | £70,189             | Apr 2025    | Stanwix Rural | 11051       |
|                                 |                                | <b>£70,489</b> |                                   |             | <b>£70,489</b>      |             |               |             |



## Parish Councils - Financial

### *Open Space/Play Areas*

| Application/<br>Location                | Commitment  | Original<br>Sum | Summary of Works<br>Undertaken 16/17 | Spent<br>16/17 | Balance<br>Outstanding | Expiry<br>date | Parish          |
|---|---|-----------------|--------------------------------------|----------------|------------------------|----------------|-----------------|
| Former<br>Depot/Dandy Croft<br>Brampton | Maintenance of King<br>George V Playing<br>Fields | £4,230          | None                                 | Nil            | £1,983.73              | Nov<br>2021    | <b>Brampton</b> |
|   |   | <b>£4,230</b>   |                                      | <b>Nil</b>     | <b>£1,983.73</b>       |                |                 |

# Outstanding Obligations to Carlisle City Council as at 31 March 2017 (in part or full)

| PP No   | Date Signed  | Parties                               | Site   | Development Proposal | S106 Obligation Outstanding  | When Due/Comment  |
|---|--|---------------------------------------|--|----------------------|--|---|
| 97/0604   | 20/01/99   | Crowther Homes                        | Adj Suttle House, Wigton Road, Carlisle.<br>Now known as The Beeches.<br><b>Ward – Yewdale</b> | Housing Development  | Drainage & Sport Pitch Contribution payable following the grant of permission of the adjoining development land (formula based)                                    | <b>Being reviewed in light of the adjacent development (10/1026 – now known at Brackenleigh)</b>                          |
| 11/0713   | 10/08/01   |                                       |  |                      | Transfer of land to the Council for the consideration of £1 upon payment of £38,000 from the developer   |   |
| 06/1265   | 14/03/06   | Harrison Northern Ltd                 | Highgrove Dairy<br><b>Ward – Harraby</b>   | Housing Development  | Transfer of the land to the Council marked in the Deed to be used as Public Open Space and Children's Play Area. £10,000 Commuted sum for maintenance of the above | Upon completion of the development<br><br>Within 1 month of completion of the development.<br><b>(Under Construction)</b> |
| 09/1059<br>11/0369<br>11/0495<br>12/0103<br>13/0430/<br>13/0790 | 04/10/10<br>08/12/11<br>20/02/13<br>16/09/13<br>15/01/14 | Briery Homes Ltd<br>Now Oakmere Homes | Former Sawmill, Netherby Road, Longtown<br><b>Parish - Arthuret</b>                            | Housing Development  | £26,000 for the maintenance of the on-site play area   | <b>Site complete negotiations re siting/suitability of play area</b>  |

| PP No                         | Date Signed                      | Parties   | Site  | Development Proposal  | S106 Obligation Outstanding   | When Due/Comment   |
|-------------------------------|----------------------------------|---|---|---|---|--|
| 10/0346                       | 01/10/10                         | Story Homes   | Former Depot Station Road, Dandycroft, Station Rd, Brampton<br><b>Parish - Brampton</b>                 | Residential Development   | <b>On site Open Space:</b><br>To be laid out by the developer. Upon satisfactory completion transferred to the Council for the consideration of £1. Upon Transfer pay a Maintenance sum of £14,204 (10 yrs from receipt.) | <b>Site complete negotiations regarding the implementation of a management company.</b>    |
| 09/0413<br>13/0207            | 15/11/10<br>23/07/13             | Church Commissioners for England  | Morton Development, Carlisle<br><b>Parish – Cummersdale</b>   | Development for Residential (Maximum 825 Dwellings), Employment (40,000m2 Floorspace), And Public Open Space      | <b>See Appendix 1</b><br>Affordable Housing Open Space  | Throughout Development<br><b>(RM 16/1072 from First Phase 100 dwellings. Undetermined)</b> |
| 10/0642<br>13/0798<br>16/0490 | 16/12/10<br>10/04/14<br>03/08/16 | Wellburn Care Homes and Cumbria Cerebral Palsy and Impact Housing Association | Scalesceugh Hall, Carleton, Carlisle<br><b>Parish – St Cuthbert's Without</b>                           | Proposed 47 Bed Residential Care Home With associated 6 Close Care Cottages to be constructed within the grounds. | <b>Occupancy Restriction:</b><br>Closed Care Housing (aged 55 or over falling between traditional sheltered housing and full residential care)  | In perpetuity<br><br><b>Revised application 16/0260 rec'd March 16 - undetermined</b>      |
| 09/1082                       | 25/08/11                         | Tesco Stores Ltd and Cumbria County Council                                   | Bowling Green Adj to Horse and Farrier Public House, Wigton Road, Carlisle<br><br><b>Ward - Yewdale</b> | Erection Of A Convenience Foodstore   | <b>Horse and Farrier Public House:</b><br>Undertake works as specified in agreement before occupation of the store and procure marketing of the public house during the Marketing Period (6                               | <b>(Technical start, but announced that will not proceed with the development)</b>         |

| PP No   | Date Signed | Parties   | Site   | Development Proposal  | S106 Obligation Outstanding  | When Due/Comment   |
|---------|-------------|---|--|---|--|--|
|         |             |   |  |   | months of occupation of the store)   |  |
| 11/0181 | 05/10/11    | Greensyke Property Ltd  | Kingswood Educational Centre, Cumdivock<br><b>Parish - Dalston</b> | COU of existing educational buildings to 7 dwellings and erection of 1 dwelling | <b>Affordable Housing Financial Contribution:</b><br>Formula: (Market Value x 0.1) x 0.25  | Payable 1 <sup>st</sup> occupation of relevant dwelling<br><b>(Under Construction)</b>   |
| 09/0617 | 05/04/12    | Story Homes Limited and 2 other 'Covenanting Parties' (conditionally indemnified) | Crindledyke, Carlisle<br><b>Ward – Stanwix Rural</b>               | Residential Development   | <b>Affordable Housing:</b><br>81 – Social Rented<br>82 – Discounted (70% OMV)<br><br><b>Open Space</b><br><br><b>Transport Improvements Contribution:</b><br>Payable annually in areas for subsidising the Bus extension<br><b>Travel Plan:</b><br>Implement and comply with the Travel Plan for that Phase.<br><b>New School</b><br>New School Bond of £3,500,000 together with notification regarding construction of the New School.<br>New School to be completed and ready for occupation.<br><b>Local Centre</b> | Throughout Development<br>19 social rented<br>17 discounted<br>[phase 1]<br>management scheme each phase<br><br>4 Instalments remaining<br><br>Throughout development<br><br>Construction to be undertaken by developer<br><br>Prior to occupation of the 199 <sup>th</sup> dwelling<br><br>Prior to the |

| PP No              | Date Signed          | Parties  | Site   | Development Proposal  | S106 Obligation Outstanding   | When Due/Comment   |
|--------------------|----------------------|--|--|---|---|--|
|                    |                      |  |  |   | To be constructed   | occupation of more than 649 dwellings.<br><b>(Phase 1 Under Construction)</b>                  |
| 10/1026<br>14/0460 | 17/04/12<br>18/02/15 | Persimmon Homes and Cumbria County Council         | land to the Rear & West of Garden Village, Wigton Road, Carlisle, CA2 6QX<br><b>Parish - Cummersdale</b> | Residential Development Comprising The Erection Of 253No. Dwellings                           | <b>Affordable Housing:</b><br>58 – Discounted (70% OMV)   | Throughout Development<br><b>[6 outstanding]</b><br><br><b>(Under Construction)</b>            |
| 10/1066            | 24/05/12             | Citadel Estates Limited                            | Skelton House, Wetheral<br><b>Parish - Wetheral</b>  | Demolition of exiting house, adjoining barn & outbuildings; erection of 15 x 2 bed apartments | <b>Property Management Policy</b><br><b>Public Open space &amp; Relevant Works Contribution</b> [£3,000]  | Payable within 28 days of 1 <sup>st</sup> occupation<br><b>DOV being entered into</b>          |
| 00/0439            | 09/10/12             | Persimmon Homes Limited and Cumbria County Council | Land at Peter Lane, Morton, Carlisle<br><b>Ward – Dalston</b>  | Residential Development   | <b>Open Space Management Scheme: Public Open Space Contribution:</b><br>Sum to be agreed subject to terms within agreement on wider Morton development (09/0413). | Payable within 28 days of agreement.<br><b>(Under construction)</b>                            |
| 12/0678            | 16/04/13             | Personal Covenant                                  | Land between Lomond & Gladsmuir, Broomfallen Road, Scotby<br><b>Parish– Wetheral</b>                     | Erection of 3 dwellings   | <b>Affordable Housing Financial Contribution:</b><br>Formula: (Market Value x 0.1) x 0.3  | Contribution payable upon first occupation of 2 relevant units.<br><b>(Under Construction)</b> |
| 12/0811            | 26/04/13             | Personal Covenant                                  | Land adj Garth House, Greenfield Lane, Brampton<br><b>Parish - Brampton</b>                              | Erection of 5 dwellings   | <b>Affordable Housing Financial Contribution:</b><br>Formula: (Market Value x 0.1) x0.30  | Payable upon practical completion of the 3rd relevant unit (for 3 units) and                   |

| PP No              | Date Signed          | Parties   | Site  | Development Proposal   | S106 Obligation Outstanding   | When Due/Comment  |
|--------------------|----------------------|---|---|--|---|---|
|                    |                      |   |   |  |   | upon the 5th relevant unit (last 2 relevant units).<br>(Under Construction)                       |
| 12/0793            | 12/03/14             | Cumbria County Council and Personal Covenants and Story Homes | Hammonds Pond, Oaklands Drive, Durdar Road, Carlisle<br>Parish – St Cuthberts Without | Erection Of 318no. Dwellings   | <b>Affordable Housing:</b><br>31 Low cost<br>31 Rented<br><br>Contributions:<br>Upperby Football Pitches<br>Upperby Skate Park<br>Play Facilities<br>Upperby CCTV | Throughout Development<br>4 @ 70% OMV delivered<br><br>50% of development<br>(Under Construction) |
| 13/0496            | 06/03/14             | Personal Covenant<br><br>Advised of change of ownership       | Land to the east of Village Green Brunstock<br>Parish – Stanwix Rural                 | Erection Of 3no. Dwellings   | <b>Affordable Housing Financial Contribution:</b><br>Formula: (Market Value x 0.1) x0.30  | Pay on all 3 units upon 1st occupation of the 2nd relevant unit<br>(Under Construction)           |
| 13/0787<br>16/0597 | 24/03/14             | Personal Covenant   | Land at Orchard Gardens, Houghton, CA3 0LH<br>Parish – Stanwix Rural                  | Development of approx 6 bungalows OUT<br><br>Erection of 4 Dwellings   | <b>Affordable Housing Financial Contribution:</b><br>Formula: (Market Value x 0.1) x0.30  | Pay Contribution upon 1st occupation of the relevant unit<br>(16/0597 undetermined)               |
| 13/0728<br>15/0284 | 24/04/14<br>21/08/15 | Personal Covenant   | Land rear of Hallcroft, Monkhill<br>Parish - Beaumont                                 | Erection of 7 no Dwellings OUT   | <b>Affordable Housing:</b><br>2 @ 70% OMV   | Throughout Development<br>(Await RM)  |
| 12/0928            | 28/05/14             | Personal Covenant   | Land at How End Farm, Longtown<br>Parish - Arthuret                                   | Conversion of Agricultural Buildings to provide 3 no residential units | <b>Affordable Housing Financial Contribution:</b><br>Formula: (Market Value x 0.1) x 0.3  | Payable upon first occupation of 3 <sup>rd</sup> relevant unit.<br>(Permission unimplemented)     |

| PP No                                     | Date Signed                  | Parties  | Site   | Development Proposal  | S106 Obligation Outstanding   | When Due/Comment   |
|---|------------------------------|--|--|---|---|--|
| 13/0534<br>VOC<br>17/0012<br>undetermined | 06/06/14                     | Personal Covenant                              | Land adj The Oaks, Plains Road, Wetheral<br><b>Parish – Wetheral</b>       | Erection Of 3no. Dwellings  | <b>Affordable Housing Financial Contribution:</b><br>Formula: (Market Value x 0.1) x 0.3        | Payable upon first occupation of any relevant unit<br><b>(Under Construction)</b>                                      |
| 13/0546<br>14/0490                        | 19/06/14<br>16/09/14         | Esh Developments Ltd                           | Land adj to Fallowfield, Plains Road, Wetheral<br><b>Parish - Wetheral</b> | Erection Of 3no. Dwellings  | <b>Affordable Housing Financial Contribution:</b><br>Formula: (Market Value x 0.1) x 0.3        | Payable upon first occupation of second relevant unit<br><b>(Under Construction)</b>                                   |
| 13/0905                                   | 02/07/14                     | Personal Covenant                              | Rear 55-56 Scotby Road, Scotby<br><b>Parish– Wetheral</b>                  | Erection Of 45no. Dwellings, Associated Open Space And Infrastructure   | <b>Affordable Housing Financial Contribution:</b><br>Formula: (Market Value x 0.1) x 0.3        | Payable upon first occupation of 2 <sup>nd</sup> relevant unit.<br><b>(Await RM)</b>                                   |
| 12/0832<br>14/0717                        | 06/03/14 and DOV<br>25/07/14 | Personal Covenant                              | Adj 445 Durdar Road, Carlisle<br><b>Parish– St Cuthberts Without</b>       | Erection Of 5no. Dwellings  | <b>Maintenance Contribution:</b><br>£1,000 maintenance of green and swings at Blackwell Common. | Payable prior to occupation of 3rd unit<br><b>(Under Construction)</b>   |
| 10/1116                                   | 18/08/14                     | Stobart Air Limited and Cumbria County Council | Carlisle Lake District Airport<br><b>Parish– Irthington</b>                | Erection of Distribution Centre and raised and re-profiled runway       | <b>Habitats Contribution:</b><br>£100K (indexed)  | Payable upon occupation OR within 14 days or written request from /council<br><b>(Complete – invoiced for payment)</b> |
| 13/0865                                   | 23/10/15                     | Personal Covenant and REG Windpower Ltd        | Land at Hallburn Farm, Longtown<br><b>Parish – Arthuret</b>                | Six Wind Turbines With A Tip Height Not Exceeding 126.5m,               | <b>Habitat Outline Management Plan:</b><br>maintains the Habitat Site                           | Throughout 25 years of operation.  |
| 12/0856                                   | 12/11/14<br>[5 yrs]          | AP & J Brown                                   | L/A Beech Cottage, Cumwhinton<br><b>Parish – Wetheral</b>                  | Erection Of 15no. Dwellings Including 3no.Affordable Bungalows And 1no. | <b>Affordable Housing: Provision of Play Equipment</b>  | Throughout development<br>Within 28 days of commencement   |

| PP No              | Date Signed | Parties   | Site   | Development Proposal  | S106 Obligation Outstanding   | When Due/Comment   |
|--------------------|-------------|---|--|---|---|--|
|                    |             |   |  | Dwelling For The Elderly  | <b>Contribution</b><br>£5K  | <b>(Permission unimplemented)</b>  |
| 13/0950            | 12/11/14    | North Homes and Personal Covenants                    | Rear 46 Broomfallen Road, Scotby<br><b>Parish – Wetheral</b>                   | Erection Of 3no. Dwellings (Outline)                                  | <b>Affordable Housing Financial Contribution:</b><br>Formula: (Market Value x 0.1) x 0.3                                    | Payable upon first occupation of 2 <sup>nd</sup> relevant unit.<br><b>(Await RM)</b>   |
| 14/0816            | 17/03/15    | Magnus Homes & Cumberland Building Society            | Rear of Thornedge, Station Road, Cumwhinton<br><b>Parish – Wetheral</b>        | Demolition Of Existing House And Stables; Erection Of 22no. Dwellings | <b>Provision of Play Equipment Contribution</b><br>£5k  | Payable prior to the completion of 14 residential units<br><b>(Under construction)</b>   |
| 12/0768            | 16/04/15    | TG & K Fisher Ltd                                     | Knells Farm, Houghton<br><b>Parish – Stanwix Rural</b>                         | Conversion of 8 Agricultural Buildings to provide 8 dwellings         | <b>Affordable Housing Financial Contribution:</b><br>Formula: (Market Value x 0.1) x 0.3                                    | completion of 4 <sup>th</sup> relevant unit [Units 1- 4]and 8 <sup>th</sup> relevant Unit [units 5-8]<br><b>(Permission unimplemented)</b> |
| 14/0689<br>14/0954 | 28/04/15    | Maris Properties Ltd                                  | Land at Hill Farm [The Lilacs] Thurstonfield<br><b>Parish – Burgh by Sands</b> | Housing Development   | <b>Affordable Housing Financial Contribution:</b><br>Formula: (Market Value plots 7 & 8 x 0.1) x 0.3                        | First tranche received, await 2 <sup>nd</sup> upon disposal of 8 <sup>th</sup> unit.<br><b>(Under construction)</b>                        |
| 14/0725            | 05/06/15    | Personal Covenant                                     | Stonehouse Farm, Hayton<br><b>Parish – Hayton</b>                              | Conversion of Barns to create 3 Dwellings and erection of 4 Dwellings | <b>Affordable Housing Financial Contribution:</b><br>Formula: (Market Value x 0.1) x 0.3                                    | first occupation of the relevant unit [either plot 6 or 7]<br><b>(Permission unimplemented)</b>  |
| 14/0761            | 16/09/15    | Story Homes Personal Covenants Cumbria County Council | Land at Greymoorhill, Carlisle<br><b>Parish – Kingmoor</b>                     | Housing Development [OUTLINE indicative 190 dwellings]                | <b>Affordable Housing:</b><br>30% of total split 50:50 @ Social Rent and 70% OMV<br><b>Off-Site Recreation Contribution</b> | Throughout development<br><br>prior to occupation of 10 <sup>th</sup> dwelling   |



| PP No              | Date Signed | Parties   | Site  | Development Proposal  | S106 Obligation Outstanding  | When Due/Comment   |
|--------------------|-------------|---|---|---|--|--|
|                    |             |   |   |   | £56K [indexed]<br><b>Public Open Space Scheme</b>  | Submit prior to commencement<br><b>Await RM</b>  |
| 13/0983            | 28/09/15    | Persimmon (SHL) Ltd<br>Cumbria County Council             | Land at Carleton Farm, Carlisle<br><b>Parish – St Cuthberts Without</b>   | Housing Development [189 dwellings]   | <b>Affordable Housing:</b><br>22 Social Rent and 34 @ 70% OMV  | Throughout development<br>6 Social Rented<br>4 Discounted<br><b>(Under construction)</b>   |
| 14/0875            | 01/10/15    | Personal Covenant   | Land to the North of Glebe House, Wreay<br><b>Parish – Dalston</b>        | Erection of 7 Dwellings   | <b>Affordable Housing Contribution:</b><br>Pay 3% of Market Value  | practical completion of 6 <sup>th</sup> & 7 <sup>th</sup> relevant unit<br><b>(Under construction)</b>   |
| 14/0849            | 09/11/15    | Daniel Johnston (1982) Limited and Cumbria County Council | Car Park Eastern Side of Lowther Street, Carlisle<br><b>Ward – Castle</b> | Erection Of A Retail Unit And Multi-Storey Car Park Together With The Formation Of A New Vehicular Access From Georgian Way | <b>Information Point Contribution:</b><br>£10,000 [indexed]  | prior to occupation<br><b>(Permission unimplemented)</b>   |
| 14/0925<br>16/0868 | 13/11/15    | Personal Covenant   | Briar Lea Court, Longtown<br><b>Parish– Arthuret</b>                      | Erection of 61 Dwellings [OUTLINE]  | <b>Affordable Housing:</b><br>6 @ 70% OMV<br>6@ Affordable Rent<br><b>Open Space Management Scheme:</b><br>Submitted and approved<br><b>Play Area Contribution:</b><br>£50,000 | Throughout development<br><br>prior to 1 <sup>st</sup> occupation<br><br>prior to occupation of 50% of units<br><b>(FULL 16/0868 100 dwellings undetermined)</b> |
| 15/0378            | 15/02/16    | Personal  | Land North of Moor  | Erection of 6 dwellings   | <b>Affordable Housing</b>  | payable in 6 tranches  |

| PP No              | Date Signed | Parties   | Site  | Development Proposal   | S106 Obligation Outstanding  | When Due/Comment  |
|--------------------|-------------|---|---|--|--|---|
| 17/0115            |             | covenant  | Yeat, Plains Road, Wetheral<br><b>Parish – Wetheral</b>   | OUTLINE  | <b>Financial Contribution:</b><br>£81,604 [indexed]  | upon 1 <sup>st</sup> occupation of each unit<br><b>(RM 17/0115 rec'd undetermined)</b>                                    |
| 12/0790            | 24/02/16    | Simtor Ltd and Cumbria County Council   | Land at Broomfallen Road, Scotby<br><b>Parish – Wetheral</b>  | Erection of 28 Dwellings   | <b>AFFORDABLE HOUSING</b><br>7 @ 70% OMV [3 Type D [2 bed flats]]; 2 type E [3 bed semi]; 2 Type F [2 bed semi]<br><b>OPEN SPACE MANAGEMENT SCHEME</b><br>submit & obtain approval<br><b>OPEN SPACE CONTRIBUTION</b><br>£66,457.97 | Throughout Development<br><br>Prior to commencement<br><br>Prior to First Occupation<br><b>(Permission unimplemented)</b> |
| 14/1091<br>17/0131 | 17/03/16    | L &ND Developments and Design Ltd<br>Amicus Finance PLC and Personal Covenant | Land to the rear of 39 – 55 Scotby Road and at 61 Scotby Road, Scotby Carlisle.<br><b>Parish – Wetheral</b> | Erection of 14 Dwellings and physical alterations to 61 Scotby Road<br>OUTLINE | <b>AFFORDABLE HOUSING</b><br>3 Dwellings – arrangements to be provided   | <b>(FULL application 17/0131 rec'd 15/02/17, undetermined)</b>  |
| 15/0161            | 20/04/16    | Personal Covenant; Cumbria County Council and Secretary of State for Health   | Land North of Moorside Drive/Valley Drive, Carlisle<br><b>Parish – St Cuthberts Without</b>                 | Residential Development [OUT]  | <b>AFFORDABLE HOUSING</b><br>20% To be provided at 50/50 Affordable Rent and Low Cost  | RM 17/0038 rec'd 15/02/17 for 166 dwellings undetermined  |
| 15/0918            | 03/05/16    | Taylor Wimpey UK Limited and Cumbria  | Land East of Cumwhinton Drive<br><b>Parish – St</b>   | Erection Of 189no. Dwellings With Associated                                   | <b>AFFORDABLE HOUSING</b><br>15 Affordable Rented  | Throughout Development  |

| PP No              | Date Signed          | Parties   | Site   | Development Proposal               | S106 Obligation Outstanding   | When Due/Comment                                |
|--------------------|----------------------|---|--|------------------------------------|---|---|
|                    |                      | Partnership National Health Service Foundation Trust and Cumbria County Council | Cuthberts Without  | Infrastructure And Landscape       | Dwellings [Plots 21-35 inclusive]<br>15 Discounted Sale [Plots 17 - 20; 49 - 55; 147 -150 inclusive]<br><b>OFF SITE RECREATION CONTRIBUTION</b><br>to pay £61,524 [indexed] prior to occupation of 50% of the Dwellings | 50% of dwellings<br><b>(Under construction)</b> |
| 15/0350<br>16/1038 | 11/05/16<br>14/02/17 | Personal Covenants  | Land North of Rockcliffe School, Rockcliffe<br>Parish - Rockcliffe     | Residential Development <b>OUT</b> | <b>AFFORDABLE HOUSING</b><br>Affordable Dwelling Location Scheme to be submitted and approved no later than the last of the Reserved Matters  | 16/1038 extended time to submit RM              |
| 15/0621            | 02/06/16             | Border Travel Services Ltd and Cumbria County Council                           | Land to the North of Burgh Road, Carlisle<br>Ward – Belle Vue          | Erection of Dwellings <b>OUT</b>   | <b>AFFORDABLE HOUSING</b><br>30% split 50/50<br>Affordable rented and Discounted Sale @ 70% OMV   | <b>Await RM</b>                                 |
| 15/0617            | 22/06/16             | Personal covenant and Cumbria County Council                                    | Land adj King Edwards Fauld, Burgh by Sands<br>Parish – Burgh by Sands | Erection of Dwellings <b>OUT</b>   | <b>AFFORDABLE HOUSING</b><br>Scheme to be submitted no later than last Reserved Matters [Rural West]<br><b>OFF SITE RECREATION CONTRIBUTION</b><br>to pay £15,000 prior to  | <b>Await RM</b>                                 |

| PP No          | Date Signed | Parties  | Site   | Development Proposal  | S106 Obligation Outstanding   | When Due/Comment   |
|----------------|-------------|--|--|---|---|--|
|                |             |  |  |   | occupation of any Dwellings<br><b>PUBLIC OPEN SPACE</b><br>Prior to commencement to submit and obtain approval of the Public Open Space Scheme  |  |
| 16/0159        | 23/08/16    | Personal Covenants; L & ND Development & Design Ltd and Amicus Finance PLC | rear 55-65 Scotby Road and 61 Scotby Road, Scotby, CA4 8BD<br><b>Parish – Wetheral</b> | Erection of 8 Dwellings   | <b>AFFORDABLE HOUSING</b><br>2 Discounted @ 70% OMV<br><b>OFF SITE RECREATION CONTRIBUTION</b><br>payable prior to first occupation:<br>£19,969 to support offsite improvement of publically accessible open spaces (excluding maintenance, but including sports field AND £10,828 for the maintenance of the publically accessible open spaces | Throughout Development<br><br>Prior to 1st Occupation<br><br><b>(Under construction)</b> |
| <b>15/0878</b> | 11/08/16    | Prospect Estates Ltd   | Land North of Caxton Road<br><b>Ward – Belle Vue</b>                                   | Demolition Of Existing Industrial Buildings; Erection Of 63No. Dwellings <b>OUT</b> | <b>AFFORDABLE HOUSING</b><br>4 X 2 bed houses and 2 x 3 bed houses<br><b>OPEN SPACE CONTRIBUTION</b><br>Prior to occupation of  | <b>Await RM</b>  |

| PP No   | Date Signed | Parties   | Site   | Development Proposal   | S106 Obligation Outstanding  | When Due/Comment |
|---------|-------------|---|--|--|--|------------------|
|         |             |   |  |  | 50% of the units to pay £63K maintenance or improvement of Heysham Park, Engine Lonning Nature Reserve and Spider Park   |                  |
| 15/0886 | 01/09/16    | Church Commissioners for England and Cumbria County Council | Land West of Steele's Bank, Wetheral<br><b>Parish – Wetheral</b> | Erection Of Up To 50No. Dwellings With Associated Amenity Space, Hard standing And Ancillary Works<br><b>OUT</b> | <b>AFFORDABLE HOUSING</b><br>provide a scheme providing 30% affordable prior to commencement<br><b>OPEN SPACE LAND MAINTENANCE</b><br>To submit for approval an Open Space Management Scheme prior to commencement<br><b>OFF SITE RECREATIONAL CONTRIBUTION</b><br>Prior to occupation of any dwellings pay 50% of contribution<br>[£46,186.50 INDEXED RPI]<br>Prior to occupation of 50% OF dwellings pay 50% of contribution<br>[£46,186.50 INDEXED RPI] | <b>Await RM</b>  |
| 14/0901 | 06/10/16    | Armeria (UK)L(LLP)  | Adj Memorial Hall Rockcliffe<br><b>Parish - Rockcliffe</b>       | Residential Development <b>OUT</b>   | <b>AFFORDABLE HOUSING</b><br>20% of site: To submit an affordable housing  | <b>Await RM</b>  |

| PP No   | Date Signed | Parties                                      | Site   | Development Proposal                   | S106 Obligation Outstanding  | When Due/Comment  |
|---------|-------------|--|--|--|--|---|
|         |             |  |  |  | scheme no later than at Reserved Matters.  |   |
| 15/0595 | 31/11/16    | Personal Covenant and Cumbria County Council | Land North of Kingmoor Industrial Estate, Kingmoor Road, Carlisle<br><b>Ward - Belah</b> | Erection of 65 no Dwellings <b>OUT</b> | <b>AFFORDABLE HOUSING</b><br>30% of site: To submit an affordable housing scheme no later than at Reserved Matters.<br><b>OFF SITE RECREATION CONTRIBUTION</b><br>£50k [indexed] prior to first occupation<br><b>PUBLIC OPEN SPACE</b><br>Submit and obtain approval prior to commencement<br><b>MANAGEMENT COMPANY POLICY</b><br>to be agreed prior to first occupation | <b>Await RM</b>   |
| 12/0880 | 16/12/16    | Simtor Ltd and Cumbria County Council        | Hallmoor Court, Wetheral, Carlisle<br><b>Parish – Wetheral</b>                           | Erection Of 27no. Dwellings            | <b>AFFORDABLE HOUSING</b><br>4 x 2 bed houses<br>1 x 2 bed apartments<br>2 x 3 bed houses<br>Scheme with tenure to be submitted prior to commencement<br><b>OPEN SPACE</b><br>Submit and obtain approval prior to commencement<br><b>OPEN SPACE</b>  | Throughout Development<br><br>Prior to Commencement<br><br>Prior to 1 <sup>st</sup> |

| PP No   | Date Signed | Parties                                    | Site   | Development Proposal  | S106 Obligation Outstanding  | When Due/Comment                                     |
|---------|-------------|--|--|---|--|--|
|         |             |  |  |   | <b>CONTRIBUTION</b><br>£66,457.97  | occupation<br>(Permission unimplemented)             |
| 15/1011 | 23/12/16    | Story Construction and 1 'Owner'           | Land at Peter Gate, Cumwhinton<br><b>Parish – Wetheral</b>           | Erection Of 22no. Dwellings plus Change Of Use Of Land For Educational Purposes | <b>AFFORDABLE HOUSING</b><br>2 Discounted 70% OMV  | Throughout Development<br>(Permission unimplemented) |
| 15/1003 | 27/01/17    | Loving Land Ltd and Cumbria County Council | SE St Ninians Road, Carlisle<br><b>Parish – St Cuthberts Without</b> | Residential Development <b>OUT</b>  | <b>AFFORDABLE HOUSING</b><br>14 Affordable rented<br>6 Discounted 70% OMV<br><b>OPEN SPACE CONTRIBUTION</b><br>£96,593 to be paid:<br>15% prior to 1st Occupation<br>15% prior to 50% of phase 1<br>15% prior to 1st occupation phase 2<br>15% prior to 50% phase 2<br>15% prior to 1st occupation phase 3<br>remainder prior to 50% phase 3 | Await RM   |
| 16/0812 | 02/02/17    | Story Construction and 2 'Owners'          | Adj 8 The Whins, Heads Nook,<br><b>Parish – Wetheral</b>             | Erection Of 10.No Dwellings With Associated Infrastructure                      | <b>AFFORDABLE HOUSING CONTRIBUTION</b><br>£212,527.20 payable in 3 tranches on 1st occupation of 3rd, 6th & 9th dwelling   | Throughout Development<br>(Permission unimplemented) |
| 16/0769 | 31/03/17    | Personal                                   | Land between Gelt  | Erection of 18 No.  | <b>AFFORDABLE</b>  | Throughout   |

| PP No | Date Signed | Parties   | Site  | Development Proposal | S106 Obligation Outstanding   | When Due/ <b>Comment</b>                                 |
|-------|-------------|-----------|---|----------------------|---|--|
|       |             | Covenants | Rise and Gelt Road,<br>Brampton<br><b>Parish – Brampton</b> | Dwellings            | <b>HOUSING</b><br>6 in accordance with the<br>indicative mix required in<br>Policy HO 4 | Development<br><br><b>(Permission<br/>unimplemented)</b> |



## APPENDIX 1

| TRIGGER   | COVENANT  | PARA         |
|---|---|--------------|
| <b>Pre- Commencement</b>  |   |              |
| 4 Months prior commencement 1 <sup>st</sup> Phase (and subsequent phases)   | Owner serve notice on the Council detailing its election under para 3.2 (affordable housing provider)   | 3.2          |
|   |   |              |
| <b>Phases</b>   |   |              |
| 4 months prior to every phase   | Owner serve notice on the Council detailing its election under para 3.2 (affordable housing provider)   | 3.2          |
| 90% Market Housing of each phase  | Not to be occupied until all of the Affordable Housing Units allocated to that phase (if any) have been delivered   | 3.10         |
| 6 months after commencement of each phase   | If the owner has not entered into a Contract with an Affordable Housing Provider under para 3.4 they may serve notice to the Council for its approval of Revised Affordable Housing Details (Revised Affordable Housing Provision Notice) | 3.5          |
|   |   |              |
| <b>Housing Development/Occupation</b>   |   |              |
|   |   |              |
| Not to Occupy Any Dwelling  | £5k <b>Newlaithes Avenue Bus Stop Contribution</b> has been paid.   | County 10.1  |
| Occupation of 50 <sup>th</sup> Dwelling and every 50 <sup>th</sup> Dwelling thereafter                                  | Owner notify the County Council   | County 12.10 |
| Occupation of 101 Dwellings   | £120k <b>Bus Service Capital Contribution</b>   | County 6.1   |
| Occupation of 185 Dwellings   | Bus Service Not to be operated prior to occupation of 185 dwellings   | County 5.1   |
|   | £100k <b>Pedestrian Connectivity Contribution</b>   | County 10.1  |
| After 185 Dwellings Occupied  | County to serve written notice to owner confirming the date on which the bus service has come into operation and such notice shall be served within 28 days of the first operation of the bus service                                     | County 8.3   |
|   | Upon receipt of the notice the owner shall pay £110k being the 1 <sup>st</sup> instalment of the <b>Bus Revenue Contribution</b>  | 8.1          |
|   | £110K on 1 <sup>st</sup> anniversary of 1 <sup>st</sup> instalment  | 8.1          |
|   | £110K on 2 <sup>nd</sup> anniversary of 1 <sup>st</sup> instalment  | 8.1          |
| Occupation of 200 Dwellings   | Owner shall carry out the Primary Leisure Area Works on Primary Leisure Land shown shaded dark green on plan 4 prior to 200 Occupation  | 1.2          |
| After Occupation of 250 <sup>th</sup> Dwelling but prior to Occupation of the 400 <sup>th</sup> Dwelling or 10 yrs from | County can serve written notice that it requires the School Site.<br>If served prior to 28 <sup>th</sup> dwelling then the  | County 12    |

| TRIGGER   | COVENANT   | PARA   |
|---|--|--|
| commencement (whichever the earliest)   | owner shall not occupy more than 360 Dwellings until obligations 12 para 12.3 have been complied with.<br>If served after occupation of 280 <sup>th</sup> dwelling then owner shall not occupy more than an additional 80 dwellings until obligations under para 12.3 have been complied with.   |  |
| Occupation of 256 Dwellings   | £30k <b>Bridging Payment</b> if CNDR Roundabout is not in operation  | County 4.2   |
|   | £50K 1 <sup>st</sup> Instalment of <b>Modal Shift Contribution</b> (reduce by Bridging Payment if paid)  | County 10.2  |
|   | £20k <b>McVities Roundabout Contribution</b>   | County 10.1  |
|   | £25k <b>Traffic Signals Contribution</b>   | County 10.1  |
|   | £30k 1 <sup>st</sup> Instalment <b>Cross City Bus Route Improvement Contribution</b><br>£35k 2 <sup>nd</sup> instalment on 1 <sup>st</sup> Anniversary of occupation of 256 <sup>th</sup> dwelling<br><br>£35k 3rd instalment on 2 <sup>nd</sup> Anniversary of occupation of 256 <sup>th</sup> dwelling<br><br>Any Unexpended sum on 3 <sup>rd</sup> anniversary to be returned to the payer. | County 9.1<br><br><br><br><br>5 <sup>th</sup> Schedule 2.2 |
|   | If the Bus Service is NOT operational any unexpended sum of the <b>Bus Service Capital Contribution</b> (£120k paid on occupation of 101 <sup>st</sup> dwelling) shall be <b>returned</b> to the payer within 1 month of such occupation.  | County 2.2   |
| Occupation of 300 Dwellings   | £50K 2 <sup>nd</sup> Instalment of <b>Modal Shift Contribution</b>   | County 10.2  |
| After the Occupation of the 360 <sup>th</sup> Dwelling and before Occupation of the 400 <sup>th</sup> Dwelling. | Owner pay the <b>Education Contribution</b> (Department for Children Schools and Families Cost Multiplier – [or equivalent]) by 159  | County 12.7  |
| Occupation 450 Dwellings  | £62,813 3 <sup>rd</sup> Instalment of <b>Modal Shift Contribution</b>  | County 10.2  |
| Occupation 742 Dwellings  | Not to occupy until owner has paid £4,928 per HA ( <b>Primary Leisure Area Maintenance Contribution</b> ). Adjusted by the Landscape Institute's index of inflation. To be used towards the maintenance of Primary Leisure Area  | City 2   |
| Occupation of 95% (784) Dwellings   | Owner shall carry out the Primary Leisure Area Works on Primary Leisure Land shown shaded light green on plan 4 prior to 95% Occupation  | City 1.2   |

| TRIGGER             | COVENANT  | PARA           |
|---------------------|---|----------------|
| Other               |   |                |
| Employment Units    | Not to be occupied until:<br>£5k <b>Wigton Road Bus Stop Contribution</b><br>has been paid  | County<br>10.1 |
| Megarider Scheme    | Owner covenants to make available and provide on request one bus season ticket for the Megarider Scheme per dwelling until the operation of the Bus Service comes into effect up to a maximum cost of £20k in total for all tickets.  | 7.1            |
| School Reserve Site | County shall use reasonable endeavours to ensure that a school is constructed on the School Reserve Site within 3 yrs from the date of transfer or 3yrs from the date of payment of the Education Contribution whichever is the later.<br>In the event that material works of construction of the school have not commenced or a building contract has not been let for completion by the above, then the County shall offer back the School Reserve Site for £1 consideration. |                |
| Affordable Housing  | 30% of dwellings<br>2 bed 30% = 74<br>3 bed 50% = 124<br>4 bed 20% = 49<br>NO MORE THAN 30% of TOTAL FLOORSPACE<br>50/50 split between discounted and Social Rented   |                |