



Planning Obligations

Annual Report

2017 to 2018



CARLISLE
CITY COUNCIL



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Introduction

This Annual Report for the year 2017 to 2018 details:

- Overview of agreements entered into within the year
- Summary of expected contributions by typology
- Delivery of obligations by the developer/owner covenanted with the City Council
- Delivery of obligations undertaken/committed by the City Council
- Outstanding Obligations

Planning obligations, also known as Section 106 agreements (based on that section of The 1990 Town & Country Planning Act) are private agreements made between local authorities and developers and can be attached to a planning permission to make acceptable development which 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, something any future owners will need to take into account.

Planning Obligations are used for three purposes:

- **Prescribe** the nature of development (for example, requiring a given portion of housing is affordable)
- **Compensate** for loss or damage created by a development (for example, loss of open space)
- **Mitigate** a development's impact (for example, through increased public transport provision).

These can take the form of:

- **financial contributions** which is then used to fulfil the purpose for which it has been agreed and/or
- **non-financial contributions** such as on site affordable housing or open space

In April 2010 a number of measures within the Community Infrastructure Levy Regulations came into force. These reforms restricted the use of planning obligations and clarified the relationship between planning obligations and the Community Infrastructure Levy. The levy is a local charge that local authorities in England and Wales can choose to charge on new developments in their area to fund infrastructure. There are three key reforms that scale back the use of planning obligations:

- **Planning obligations must meet three new statutory tests** from 6 April 2010 being:
 - *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.*
- **Planning obligations cannot be used to double charge developers** for infrastructure. Once an authority has introduced the levy in its local area, it must not use obligations to fund infrastructure they intend to fund via the levy.
- **Planning obligations will no longer be the basis for a tariff.** Once an authority introduces the levy in their area, or if sooner after April 2014, it can no longer pool more than five contributions for infrastructure capable of being funded by the levy.

Council's Current Position with CIL

Within the Carlisle District Local Plan 2015 – 2030 there was a commitment to produce a masterplan and a further local plan for the area then known as Carlisle South (Policy SP 3).

Since then the area for development was accepted in to the government's Garden Cities programme, it has been known as St Cuthbert's Garden Village. As the Council progress with development of the masterplan and the St Cuthbert's Local Plan, the potential for adopting CIL will be investigated with a view to be adopted alongside the St Cuthbert's Local Plan which is expected to be 2020.

New Agreements 2017 - 2018

Within the year 7 planning approvals had S106 agreements attached to them, a summary of each one is given below. The individual agreements can be found on our [planning register](#) under the relevant planning application which will give the full terms and conditions attached to each agreement.

Site	Development Proposal	PP No	Date Signed	S106 Obligation Overview	Trigger
Land adj Wheatsheaf Gardens, Wetheral Parish – Wetheral Part of allocation R19	Residential Development [OUTLINE] no indicative no's	16/0203	17/05/17	<p>AFFORDABLE HOUSING In line with Policy HO 4: 30% [scheme to be submitted]</p> <p>OFF-SITE RECREATIONAL CONTRIBUTION In line with Policy GI 4: Amount to be determined in accordance with calculator in agreement towards the maintenance of open space formal pitches & equipped play areas at the recreation ground to the SE of Wetheral Village Hall</p> <p>PRIMARY SCHOOL CONTRIBUTION [COUNTY] In line with Policy CM 2: Formula based towards additional capacity at Cumwhinton Primary School</p> <p>SECONDARY SCHOOL CONTRIBUTION [COUNTY] In line with Policy CM 2: Formula based towards subsidising the provision of transportation for secondary school children from the development travelling to and from Richard Rose Central Academy</p> <p>FOOTPATH CONTRIBUTION [COUNTY] In line with Policy IP 2: £3,500 towards the provision of a footpath from the Village Hall to the gateway into Wetheral Playing Fields</p>	<p>Prior to commencement</p> <p>50% prior to occupation of: 50% of units and 75% units</p> <p>prior to occupation of: 50% of units</p> <p>prior to occupation of: 50% of units</p> <p>prior to occupation of: 75% of units</p>

Site	Development Proposal	PP No	Date Signed	S106 Obligation Overview	Trigger
Site Name: Tarraby View Application Address: Land North East of Windsor Way, Carlisle Allocated Site U10 Parish – Stanwix Rural	Erection Of 276no. Dwellings Associated Open Space and Infrastructure Developer: Persimmon	14/0778	25/05/17	AFFORDABLE HOUSING In line with Policy HO 4: 41 Affordable Rented 41 Discounted Sale @ 70% of open market value PUBLIC OPEN SPACE In line with Policy GI 4: On site provision to be maintained by a management company OFF-SITE SPORTS PROVISION CONTRIBUTION In line with Policy GI 4: £81,671 for the improvement of or creation of new sports pitch provision within 1.5 km of the site OFF-SITE EDUCATION INFRASTRUCTURE IMPROVEMENTS [COUNTY] In line with Policy CM 2: £150,000 plus £425,250 plus £422,218 for primary school education within the catchment area of Houghton C of E School (also reference to the possibility of the provision by the County of a new Primary School on the green land) CYCLEWAY CONTRIBUTION [COUNTY] In line with Policy IP 2: £25,000 towards provision of cycleway facilities between the site and Greymoor Hill TRAVEL PLAN [COUNTY] In line with Policy IP 2: Submit a full travel plan for approval and to appoint a Travel Plan Co-ordinator	Throughout development prior to commencement of the development of the phase or phases within it is to be provided [management company agreed prior to 1 st disposal or occupation] prior to 1st occupation within 4/12 & 18 months of commencement prior to 1st occupation no later than 3 months after 1st occupation and 80 th dwelling

Site	Development Proposal	PP No	Date Signed	S106 Obligation Overview	Trigger
				TRAFFIC REGULATION ORDER [COUNTY] To submit details of the traffic control signals to be constructed	plastering out of the 20th unit
Rear of Irvings Place, Dalston Road, Cummersdale Parish – Cummersdale	Erection Of 17no. Dwellings And Associated Infrastructure	16/1022	06/07/17	AFFORDABLE HOUSING In line with Policy HO 4: 3 rented properties CYCLEWAY CONTRIBUTION In line with Policy IP 2: £20K towards the construction of a cycleway from Dalston Rd B5299 between Carlisle Crematorium & the Pirelli Factory to join Holmehead/ Cummersdale cycleway	Throughout development upon commencement
Land at Croft House Brunstock Parish – Stanwix Rural	Erection Of Dwellings (Outline)	16/0097	03/08/17	AFFORDABLE HOUSING CONTRIBUTION In line with Policy HO 4: £65,480.67 plus £65,480.67 plus 65,480.80 towards the provision of Affordable Housing primarily in Rural East	Upon 1 st occupation of the 3 rd 6 th and 9 th relevant unit
Briar Lea Court, Longtown Allocated Site R5 Parish – Arthuret	Erection of 100 No 2, 3, & 4 bedroom semi and detached two storey dwellings with associated works; proposed accesses from Brampton Road and Old Road	16/0868	22/12/17	AFFORDABLE HOUSING In line with Policy HO 4: Viability reset to assess viability and contribution PLAY AREA CONTRIBUTION In line with Policy GI 4: Pay £79,253 for the provision and maintenance of a play area in Longtown EDUCATION TRANSPORT CONTRIBUTION [COUNTY] In line with Policy CM 2: To pay £24,102 to provide capacity @ Longtown Primary School or transportation if not appropriate	upon 50th occupation prior to occupation of 1 st unit prior to occupation of 1st unit
Site Name: Meadowbrook Application	Erection Of 198no. Dwellings With Associated Infrastructure And Landscaping	17/0669	23/03/18	AFFORDABLE HOUSING In line with Policy HO 4: 15 Discounted Sale @ 70% of open market value 16 Affordable Rented TRAVEL PLAN [COUNTY] In line with Policy IP 2: £6,000	prior to commencement for location scheme prior to occupation of 1st dwelling

Site	Development Proposal	PP No	Date Signed	S106 Obligation Overview	Trigger
Address: SE of Durranhill Road, Carlisle Allocated Site U20 and Part U18]	Developer: Taylor Wimpey			CYCLE INFRASTRUCTURE IMPROVEMENTS CONTRIBUTION [COUNTY] In line with Policy IP 2: £15,000 towards improvements to the cycle infrastructure within a 2 mile radius of the site OFF-SITE SPORTS PITCHES CONTRIBUTION In line with Policy GI 4: £68,403 towards the provision of sports pitches at Keenan Park or Melbourne Park WARWICK ROAD IMPROVEMENTS CONTRIBUTION [COUNTY] In line with Policy IP 2: £110,000 towards the improvements to Warwick Road being junction improvements at the Montgomery Way & Eastern Way Junctions. Additional cycling & pedestrian provision and widening Warwick Road only on the approach to Eastern Way.	prior to occupation of 50% of the dwellings prior to occupation of 50% of the dwellings 50% prior to occupation of 1st and 50% of the dwellings
Former Caldewgate School, Kendal Street, CA2 5UF	Demolition Of Existing School Buildings And Erection Of 15no. Terraced Houses And 20no. Flats With Associated External Works Developer: McKnight & Son Builders	17/0193	27/03/18	AFFORDABLE HOUSING In line with Policy HO 4: Plots 11, 23, 24 Affordable Rented	Throughout development

Delivery of Obligations 2017 to 2018

This section is divided into three sections:

- a. Delivery of obligations by the developer to Carlisle City Council within the year
 - Non-Financial Contributions by theme
 - Financial Contributions by theme
- b. Delivery of obligations or commitments entered into by Carlisle City Council within the year
 - Detailed balance and expenditure by theme
- c. Undertakings by Parish Council in respect of delivery of obligations

a) BY DEVELOPERS TO CARLISLE CITY COUNCIL

- **Non-Financial Contributions**

Theme: On Site Affordable Housing

Site	Planning Application	Social Rented	Discounted Sale	Parish	Ward
Hadrians Camp, Houghton Road, Houghton [Eden Gate]	12/0610		9	Stanwix Rural	Stanwix Rural
Land between Townhead Road & Station Road, Dalston [The Grange]	12/0878	4		Dalston	Dalston
Former Highgrove Dairy, Harraby Green Business Park, [Highgrove]	02/1362		1		Harraby
Crindledyke Farm	09/0617	2	4	Kingmoor	Stanwix Rural
Land rear & west of garden village [Brackenleigh]	10/1026	4	4	Cummersdale	Dalston
Land Bounded by Hammonds Pond [The Ridings]	12/0793		4	St Cuthbert's Without	Dalston
SW of Cumwhinton Road & Farbrow Road [Speckled Wood]	13/0983	6	15	St Cuthbert's Without	Dalston

East of Cumwhinton Drive [The Coppice]	15/0918	1	4	St Cuthbert's Without	Dalston
		17	41		

All affordable housing is subject to Qualifying Status

- Financial Contributions**

The total received from S106 agreements for the year 2017 – 2018 amounted to £145,246 and is broken down by theme and purpose below:

Theme: Off-Site Affordable Housing Contributions

S106 Agreement	Amount	Purpose	Parish	Finance Ref
13/0496 Village Green, Brunstock	£30,990	Providing Affordable Housing within the Rural East Housing Market of Carlisle within 10 years of receipt	Stanwix Rural	11064
12/0811 Garth House, Greenfield Lane, Brampton	£50,250	Providing Affordable Housing within the District within 10 years of receipt of final payment	Brampton	11065
14/0954 14/0689 Hill Farm [The Lilacs], Thurstonfield	£38,625	Providing Affordable Housing within the Rural West Housing Market of Carlisle within 10 years of receipt of final payment	Burgh by Sands	11060
Total for year	£119,865			

To facilitate delivery of affordable housing the receipts may be 'pooled'

Theme: Open Space/Play Area Contributions

S106 Agreement	Amount	Purpose	Parish/Ward	Finance Ref
16/0159 Thornedge, Station Road, Cumwhinton	£5,000	Towards the costs of provision & maintenance of children's play facilities within the village of Cumwhinton to be commissioned by Wetheral Parish Council within 10 years of receipt.	Wetheral Parish	11067
Total for year	£5,000			

Theme: Infrastructure Contributions

S106 Agreement	Amount	Purpose	Parish/Ward	Finance Ref
16/1022 Irvings Place, Cummersdale	£20,381	Towards the construction of a cycleway from Dalston Road (B5299) between the Carlisle Crematorium and the Pirelli Factory to join the Holmhead/Cummersdale Cycleway within 10 years of receipt.	Cummersdale Parish	11068
Total for year	£20,381			

b) DELIVERY OF OBLIGATIONS BY CARLISLE CITY COUNCIL WITHIN THE YEAR

- Detailed balance and expenditure by theme

Theme: Off-Site Affordable Housing Contributions

Planning Application Location	Commitment	Original Sum	Summary of Works Undertaken 17/18	Spent 17/18	Balance Outstanding	Expiry date	Parish/Ward	Finance Ref
10/0970 WI Hall, Brier Lonning, Hayton	For the provision, of affordable housing as the Council shall deem appropriate having regard to local need.	£15,000	None	Nil	£15,000	April 2021	District	11028
11/0181 Kingswood Educational Centre, Cumdivock	Providing Affordable Housing within the Rural West Housing Market of Carlisle	£ 6,250 £14,375	None	Nil	£20,625	2019 2020	Dalston	11045
12/0025 St Augustines Church and Social Club Waverley Court Retirement Living	Towards the provision of Affordable Housing within the District	£229,405	Subsidy to provide 3 Low Cost Dwellings from Lovell development @ Raffles	£114,750	£114,655 Committed to provide a further 3 dwellings	Sep 2020 Oct 2020 July 2021	Ward: Stanwix Urban	11055
13/0450 West Quarry House, Wetheral Pasture	Providing Affordable Housing within the Rural East Housing Market of Carlisle	£55,500	None	Nil	£55,500	Dec 2026	Wetheral	11056
13/0562 Rear of Lime House Wetheral	Towards the provision of Affordable Housing within the District	£10,000	None	Nil	£10,000	Apr 2026	Wetheral	11057

Planning Application Location	Commitment	Original Sum	Summary of Works Undertaken 17/18	Spent 17/18	Balance Outstanding	Expiry date	Parish/Ward	Finance Ref
14/0689 + 14/0654 Hill Farm, Thurstonfield The Lilacs	Providing Affordable Housing within the Rural West Housing Market of Carlisle	£38,625 + £38,625	None	Nil	£77,250	May 2027	Burgh by Sands	11060
13/0496 Village Green, Brunstock	Providing Affordable Housing within the Rural East Housing Market of Carlisle	£30,990	None	Nil	£30,990	April 2027	Stanwix Rural	11064
12/0811 Garth House, Greenfield Lane, Brampton	Providing Affordable Housing within the District	£50,250	None	Nil	£50,250	June 2027	Brampton	11065
		£489,020		£114,750	£374,270			

Theme: Open Space/Play Area Contributions

Planning Application Location	Commitment	Original Sum	Summary of Works Undertaken 16/17	Spent 17/18	Balance Outstanding (rounded)	Expiry date	Parish/Ward	Finance Ref
Holme Head Bay*	Maintenance of Public Open Space.	£10,630	None	Nil	£ 1,800	N/A	Denton Holme	11006
Windsor Way*	Maintenance of Play Area	£10,000	None	Nil	£ 1,800	N/A	Stanwix Rural	11008
Walkmill, Warwick Road*	Maintenance of Play Area within vicinity of the site	£33,000	None	Nil	£ 6,930	N/A	Botcherby	11009
04/0902 Wakefield Road,	Maintenance of Play Area - Moorville Drive	£10,000	None	Nil	£ 2,000	Dec 2019	Belah	11010

Planning Application Location	Commitment	Original Sum	Summary of Works Undertaken 16/17	Spent 17/18	Balance Outstanding (rounded)	Expiry date	Parish/ Ward	Finance Ref
Lowy Hill								
Jocks Hill, Brampton*	Maintenance of Public Open Space	£2,675	Weekly checks of play area and maintenance	£ 267	Nil	N/A	Brampton	11012
Greenfield Lane, Brampton*	Maintenance of Public Open Space	£20,500	Routine ground maintenance	£ 775	Nil	N/A	Brampton	11014
06/0667 07/0304 Former Cavaghan & Gray, London Rd	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	None	Nil	£ 5,400	Jul 2019	Stanwix Rural	11019
09/0511 Heysham Park, Raffles	Maintenance of Public Open Space	£25,000	None	Nil	£ 7,500	N/A	Belle Vue	11021
09/0036 Levens Drive/ Newlaithes Ave	Maintenance	£31,345	None	Nil	£ 23,505	Mar 2020	Morton	11023
10/0425 Gelt Rise, 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	£ 1,776	Nil	Feb 2021	Brampton	
96/0830 Carleton Grange,	Maintenance of Play Area	£10,000	None	Nil	£ 4,000	Mar 2021	Harraby/ Dalston	11029
	Maintenance of	£102,837	None	Nil	£ 40,457	Mar 2021		

Planning Application Location	Commitment	Original Sum	Summary of Works Undertaken 16/17	Spent 17/18	Balance Outstanding (rounded)	Expiry date	Parish/ Ward	Finance Ref
Garlands	Public Open Space							
07/0845 Watts Yard, London Road	Play equipment maintenance	£ 5,731.59	Weekly checks of play area and maintenance of existing equipment.	£2,866	Nil	Jan 2022	St Aidans	11033
12/0108 St Elisabeths, Harraby	Maintenance of Public Open space	£ 8,979.25	Regular routine ground maintenance	£3,592	Nil	May 2017	Harraby	11034
11/0135 Site F, Brookside, Raffles, Carlisle*	Maintenance @ Heysham Park	£12,823	Weekly checks of play area and maintenance & regular upkeep		£ 4,783	N/A	Belle Vue	11037
10/0863 Norfolk Street, Denton Holme, Carlisle	Provision & enhancement of public open space	£50,000	Further enhancements at St James Park	£5,832	Nil	Sep 2017	Denton Holme	11038
Pennine View*	Maintenance of 2 parcels of land Parkland Village/ Carleton Grange	£ 3,570.75	None	Nil	£ 2,857	N/A	Dalston/ Harraby	11042
10/0792 Alexandra Drive	Open Space Contribution	£93,440.08	Improvements to Melbourne Park	£37,083	Nil	Dec 2023	Wetheral	11043
	Maintenance	£50,669.37	None	Nil	£48,054	Dec 2023		
12/0878 Townhead Road/ Station Road Dalston	Recreational Contribution – childrens play areas and sports pitches.	£115,586	Summerfield Play Area improvements commissioned by Dalston PC	£46,397	£ 32,140	Feb 2020	Dalston	11049
07/1312 11/0120 Westmorland	Improvement to or provision of public	£ 84,520	Committed for improvements	Nil	£ 84,520	July 2020	Denton Holme	11053

Planning Application Location	Commitment	Original Sum	Summary of Works Undertaken 16/17	Spent 17/18	Balance Outstanding (rounded)	Expiry date	Parish/ Ward	Finance Ref
Street [Former Penguin Factory]	play and open space facilities within the vicinity of the development		to St James Park					
12/0025 Waverly Gardens [St Augustines]	Off-site public open space	£11,627	None	Nil	£11,627	Sep 2020	Stanwix Urban	11054
08/0159 Former George at Warwick Bridge	Maintenance and enhancement of Downagate Play Area	£ 5,000	New play equipment commissioned by Wetheral PC	£ 5,000	Nil	Sep 2021	Wetheral	11059
13/0983 Carlton Farm	Improvements to Dale End Field	£57,816	None	Nil	£57,816	Feb 2022	St Cuthberts Without	11061
16/0159 Thornedge, Station Road, Cumwhinton	Towards the costs of provision & maintenance of children's play facilities within the village of Cumwhinton	£ 5,000	Play equipment and seating @ Cumwhinton Play Area commissioned by Wetheral PC	£ 5,000	Nil	Nov 2027	Wetheral	11067
		£934,626		£108,588	£363,946			

Theme: Infrastructure Contributions

Planning Application Location	Commitment	Original Sum	Summary of Works Undertaken 17/18 or Comments	Spent 17/18	Balance Outstanding	Expiry date	Parish/ Ward	Finance Ref
09/1085 Carlisle College	Towards Cycle Network and improvement of pedestrian facilities in the vicinity	£ 29,750	Improved connectivity via Castle Crossing	£29,750	Nil	N/A	Castle	11024
07/0845 Watts Storage Depot, London Road, Carlisle	Towards the River Petteril Cycle Route Access Improvement Scheme	£79,580	Proposed flood defence works to include cycleway. Scheme being designed by EA	Nil	£ 79,580	June 2023	St Aidans	11035
11/0863 Land at Norfolk Street, Denton Holme (student development)	Improvements to the Caldew Cycleway	£16,000	Improvements to access Caldew Cycleway completed summer 2017	£16,000	Nil	Sep 2017	Denton Holme	11038
09/0617 12/0495 15/1089 Crindledyke Farm*	Highways Improvements 1 st contribution	£ 25,000	Investigation of road closure of U1281 [County]	Nil	£ 25,000	July 2018	Stanwix Rural	11040
	Highways Improvements 2 nd Contribution	£ 10,000	Committed for work on public right of way between Crindledyke & Chandler Way as part of Cycle Link	Nil	£ 10,000	July 2018		
	Transport Improvements 2 nd Contribution	£281,000	1st phase of Connect2 Kingmoor cycleway between Kingmoor and Carlisle. Balance committed to 2 nd and final phase	£140,038	£128,678	July 2018		
	Travel Plan Administration Fee	£ 11,125	Negotiation of Bus Extension. County	Nil	£ 11,125	N/A		

Planning Application Location	Commitment	Original Sum	Summary of Works Undertaken 17/18 or Comments	Spent 17/18	Balance Outstanding	Expiry date	Parish/ Ward	Finance Ref
			Council undertaking overseeing of Travel Plan					
09/0216 Land adj to Blackwell House, Durdar Road, Carlisle	Contribution towards Currock Link	£ 24,800	Currock Link scheme finalised and committed	Nil	£ 24,800	Oct 2019	Dalston	11041
10/07792 Alexandra Drive, Durranhill [Barley Edge]	Highways Contribution [Footpath]	£ 13,500	Repairs and widening of footway from the north side of Durranhill Rd between Site & Rosehill Ind Estate	£13,500	Nil	Dec 2023	Wetheral	11044
12/0793 Hammonds Pond [The Ridings]	Upperby Footpath Contribution [diversion and lighting]	£205,960	None	Nil	£205,960	Mar 2022	St Cuthberts Without	11062
16/1022 Irvings Place, Cummersdale	Committed for the construction of a cycleway from Dalston Road (B5299) between the Carlisle Crematorium and the Pirelli Factory to join the Holmhead/Cummersdale	£20,381	None	Nil	£20,381	Feb 2028	Cummersdale	11068
		£1,459,646		£199,288	£505,524			

*Plus fulfilment of the first two years of 1st Transport Improvements for the Bus Service Extension

Theme: Refuse Contributions

Planning Application Location	Commitment	Original Sum	Summary of Works Undertaken 17/18	Spent 17/18	Balance Outstanding	Expiry date	Parish/ Ward	Finance Ref
12/0878 Townhead Road/ Station Road Dalston	Provision of on-site refuse bins	£3,780	Provision of on-site refuse bins	£2,310	Nil	N/A	Dalston	11047
		£3,780		£2,310	Nil			

Theme: Habitat Contributions

Application/ Location	Commitment	Original Sum	Summary of Works Undertaken 17/18	Spent 17/18	Balance Outstanding	Expiry date	Parish/ Ward	Finance Ref
14/0062 Todhills, Blackford	Provision of 3 Owl Boxes within 1km of the site	£ 300	In discussion with Cumbria Wildlife Trust	Nil	£ 300	Feb 2020	Rockcliffe	11050
12/0610 Hadrians Camp, Houghton	Mitigation of on-site habitats	£70,189	In discussion with Cumbria Wildlife Trust	Nil	£70,189	Apr 2025	Stanwix Rural	11051
		£70,489			£70,489			

c) DELIVERY OF OBLIGATIONS BY PARISHES WITHIN THE YEAR

Theme: Open Space/Play Area Contributions

Application/ Location	Commitment	Original Sum	Summary of Works Undertaken 17/18	Spent 17/18	Balance Outstanding	Expiry date	Parish
Former Depot/Dandy Croft Brampton	Maintenance of King George V Playing Fields	£4,230	None	Nil	£1,983.73	Nov 2021	Brampton
		£4,230		Nil	£1,983.73		

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 11/0713	20/01/99 10/08/01	Crowther Homes	Adj Suttle House, Wigton Road, Carlisle. Now known as The Beeches. Ward – Yewdale	Housing Development	Drainage & Sport Pitch Contribution payable following the grant of permission of the adjoining development land (formula based) Transfer of land to the Council for the consideration of £1 upon payment of £38,000 from the developer	Being reviewed in light of the adjacent development (10/1026 – now known at Brackenleigh)
06/1265	14/03/06	Harrison Northern Ltd	Highgrove Dairy Ward – Harraby	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 Within 1 month of completion of the development. (Under Construction)
09/0413 13/0207 16/1072	15/11/10 23/07/13 17/08/17	Church Commissioners for England	Morton Development, Carlisle Parish – Cummersdale	Development for Residential (Maximum 825 Dwellings), Employment (40,000m2	See Appendix 1 Affordable Housing Open Space	Throughout Development First Phase 100 Under Construction

PP No	Date Signed	Parties	Site	Development Proposal	S106 Obligation Outstanding	When Due/Comment
				Floorspace), And Public Open Space		
10/0642 13/0798 16/0490 16/0260	16/12/10 10/04/14 03/08/16 10/05/16	Wellburn Care Homes and Cumbria Cerebral Palsy and Impact Housing Association	Scalesceugh Hall, Carleton, Carlisle Parish – St Cuthbert's Without	Proposed 47 Bed Residential Care Home With associated 6 Close Care Cottages to be constructed within the grounds.	Occupancy Restriction: Closed Care Housing (aged 55 or over falling between traditional sheltered housing and full residential care)	In perpetuity Under Construction
11/0181	05/10/11	Greensyke Property Ltd	Kingswood Educational Centre, Cumdivock Parish - Dalston	COU of existing educational buildings to 7 dwellings and erection of 1 dwelling	Affordable Housing Financial Contribution: Formula: (Market Value x 0.1) x 0.25	Payable 1 st occupation of relevant dwelling (Under Construction)
09/0617	05/04/12	Story Homes Limited and 2 other 'Covenanting Parties' (conditionally indemnified)	Crindledyke, Carlisle Ward – Stanwix Rural	Residential Development	Affordable Housing: 81 – Social Rented 82 – Discounted (70% OMV) Open Space Transport Improvements Contribution: Payable annually in areas for subsidising the Bus extension Travel Plan: Implement and comply with the Travel Plan for that Phase. New School New School Bond of £3,500,000 together with	Throughout Development 19 social rented 17 discounted [phase 1 delivered] management scheme each phase 3 Instalments remaining Throughout development Construction to be undertaken by developer

PP No	Date Signed	Parties	Site	Development Proposal	S106 Obligation Outstanding	When Due/ Comment
					notification regarding construction of the New School. New School to be completed and ready for occupation. Local Centre To be constructed	Prior to occupation of the 199 th dwelling Prior to the occupation of more than 649 dwellings. (Phase 1 Complete)
10/1026 14/0460	17/04/12 18/02/15	Persimmon Homes and Cumbria County Council	land to the Rear & West of Garden Village, Wigton Road, Carlisle, CA2 6QX Parish - Cummersdale	Residential Development Comprising The Erection Of 253No. Dwellings	Affordable Housing: 58 – Discounted (70% OMV)	Throughout Development 56 delivered (Under Construction)
00/0439	09/10/12	Persimmon Homes Limited and Cumbria County Council	Land at Peter Lane, Morton, Carlisle Ward – Dalston	Residential Development	Open Space Management Scheme: Public Open Space Contribution: Sum to be agreed subject to terms within agreement on wider Morton development (09/0413).	Payable within 28 days of agreement. (Site complete – linked to wider Morton Development)
12/0678	16/04/13	Personal Covenant	Land between Lomond & Gladsmuir, Broomfallen Road, Scotby Parish– Wetheral	Erection of 3 dwellings	Affordable Housing Financial Contribution: Formula: (Market Value x 0.1) x 0.3	Contribution payable upon first occupation of 2 relevant units. (Under Construction)
12/0811	26/04/13	Personal Covenant	Land adj Garth House, Greenfield Lane, Brampton Parish - Brampton	Erection of 5 dwellings	Affordable Housing Financial Contribution: Formula: (Market Value x 0.1) x 0.30	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). (Under Construction 1 st Tranche received)
12/0793	12/03/14	Cumbria County Council and Personal Covenants and Story Homes	Hammonds Pond, Oaklands Drive, Durdar Road, Carlisle Parish – St Cuthberts Without	Erection Of 318no. Dwellings	Affordable Housing: 31 Discounted @ 70% OMV 31 Rented Contributions: Upperby Football Pitches Upperby Skate Park Play Facilities Upperby CCTV	Throughout Development 13 @ 70% OMV delivered 50% of development (Under Construction)
13/0728 15/0284	24/04/14 21/08/15 3 YEARS PP	Personal Covenant	Land rear of Hallcroft, Monkhill Parish - Beaumont	Erection of 7 no Dwellings OUT	Affordable Housing: 2 @ 70% OMV	Throughout Development (Await RM)
13/0534 VOC 17/0012 undetermined	06/06/14	Personal Covenant	Land adj The Oaks, Plains Road, Wetheral Parish – Wetheral	Erection Of 3no. Dwellings	Affordable Housing Financial Contribution: Formula: (Market Value x 0.1) x 0.3	Payable upon first occupation of any relevant unit (Under Construction)
13/0546 14/0490	19/06/14 16/09/14	Esh Developments Ltd	Land adj to Fallowfield, Plains Road, Wetheral Parish - Wetheral	Erection Of 3no. Dwellings	Affordable Housing Financial Contribution: Formula: (Market Value x 0.1) x 0.3	Payable upon first occupation of second relevant unit (Under Construction)
13/0905	02/07/14	Personal	Rear 55-56 Scotby	Erection Of 45no.	Affordable Housing	Payable upon first

PP No	Date Signed	Parties	Site	Development Proposal	S106 Obligation Outstanding	When Due/Comment
17/0131	undetermined	Covenant	Road, Scotby Parish– Wetheral	Dwellings, Associated Open Space And Infrastructure	Financial Contribution: Formula: (Market Value x 0.1) x 0.3	occupation of 2 nd relevant unit. (Await RM)
12/0832 14/0717	06/03/14 and DOV 25/07/14	Personal Covenant	Adj 445 Durdar Road, Carlisle Parish– St Cuthberts Without	Erection Of 5no. Dwellings	Maintenance Contribution: £1,000 maintenance of green and swings at Blackwell Common.	Payable prior to occupation of 3rd unit (Under Construction)
10/1116	18/08/14	Stobart Air Limited and Cumbria County Council	Carlisle Lake District Airport Parish– Irthington	Erection of Distribution Centre and raised and re-profiled runway	Habitats Contribution: £100K (indexed)	Payable upon occupation OR within 14 days or written request from /council (Complete – invoiced for payment)
13/0865	23/10/15	Personal Covenant and REG Windpower Ltd	Land at Hallburn Farm, Longtown Parish – Arthuret	Six Wind Turbines With A Tip Height Not Exceeding 126.5m,	Habitat Outline Management Plan: maintains the Habitat Site	Throughout 25 years of operation.
12/0856	12/11/14 [5 yrs]	AP & J Brown	L/A Beech Cottage, Cumwhinton Parish – Wetheral	Erection Of 15no. Dwellings Including 3no.Affordable Bungalows And 1no. Dwelling For The Elderly	Affordable Housing: 3 @ 70% OMV Provision of Play Equipment Contribution £5K	Throughout development Within 28 days of commencement (Permission unimplemented)
12/0768	16/04/15	TG & K Fisher Ltd	Knells Farm, Houghton Parish – Stanwix Rural	Conversion of 8 Agricultural Buildings to provide 8 dwellings	Affordable Housing Financial Contribution: Formula: (Market Value x 0.1) x 0.3	completion of 4 th relevant unit [Units 1- 4]and 8 th relevant Unit [units 5-8] (Unit 5 under construction)
14/0725 17/0324	05/06/15 06/12/17	Personal Covenant	Stonehouse Farm, Hayton Parish – Hayton	Conversion of Barns to create 3 Dwellings and erection of 4 Dwellings	Affordable Housing Financial Contribution: Formula: (Market Value	Payable in accordance with paragraph 4 of the

PP No	Date Signed	Parties	Site	Development Proposal	S106 Obligation Outstanding	When Due/Comment
					x 0.1) x 0.3	Third Schedule in DOV (Permission unimplemented)
14/0761 17/0480	16/09/15 13/10/17	Story Homes Personal Covenants Cumbria County Council	Land at Greymoorhill, Carlisle Parish – Kingmoor	Erection of 172 Dwellings	Affordable Housing: 30% of total split 50:50 @ Social Rent and 70% OMV Off-Site Recreation Contribution £56K [indexed] Public Open Space Scheme	Throughout development prior to occupation of 10 th dwelling Submit prior to commencement of phase adjacent to open space (Under Construction)
13/0983	28/09/15	Persimmon (SHL) Ltd Cumbria County Council	Land at Carleton Farm, Carlisle Parish – St Cuthberts Without	Housing Development [189 dwellings]	Affordable Housing: 22 Social Rent and 34 @ 70% OMV	Delivered: 12 Social Rented 19 Discounted (Under Construction)
14/0875	01/10/15	Personal Covenant	Land to the North of Glebe House, Wreay Parish – St Cuthberts Without	Erection of 7 Dwellings	Affordable Housing Contribution: Pay 3% of Market Value	practical completion of 6 th & 7 th relevant unit (Under construction none completed)
14/0849	09/11/15	Daniel Johnston (1982) Limited and Cumbria County Council	Car Park Eastern Side of Lowther Street, Carlisle Ward – Castle	Erection Of A Retail Unit And Multi-Storey Car Park Together With The Formation Of A New Vehicular Access From Georgian Way	Information Point Contribution: £10,000 [indexed]	prior to occupation (Permission unimplemented)

PP No	Date Signed	Parties	Site	Development Proposal	S106 Obligation Outstanding	When Due/Comment
15/0378 17/0115	15/02/16 18/12/17	Personal covenant	Land North of Moor Yeat, Plains Road, Wetheral Parish – Wetheral	Erection of 6 dwellings	Affordable Housing Financial Contribution: £81,604 [indexed]	payable in 6 tranches upon 1 st occupation of each unit (Permission unimplemented)
12/0790 17/0995	24/02/16 undetermined	Simtor Ltd and Cumbria County Council	Land at Broomfallen Road, Scotby Parish – Wetheral	Erection of 28 Dwellings	AFFORDABLE HOUSING 7 @ 70% OMV [3 Type D [2 bed flats]]; 2 type E [3 bed semi]; 2 Type F [2 bed semi] OPEN SPACE MANAGEMENT SCHEME submit & obtain approval OPEN SPACE CONTRIBUTION £66,457.97	Throughout Development Prior to commencement Prior to First Occupation (Revised application 17/0995)
14/1091 17/0131	17/03/16	L &ND Developments and Design Ltd Amicus Finance PLC and Personal Covenant	Land to the rear of 39 – 55 Scotby Road and at 61 Scotby Road, Scotby Carlisle. Parish – Wetheral	Erection of 14 Dwellings and physical alterations to 61 Scotby Road OUTLINE	AFFORDABLE HOUSING 3 Dwellings – arrangements to be provided	(FULL application 17/0131 rec'd 15/02/17, Authority to Issue)
15/0161 17/0038	20/04/16	Personal Covenant; Cumbria County Council and Secretary of State for Health	Land North of Moorside Drive/Valley Drive, Carlisle Parish – St Cuthberts Without	Residential Development [OUT]	AFFORDABLE HOUSING 20% To be provided at 50/50 Affordable Rent and Low Cost	RM 17/0038 rec'd 15/02/17 for 166 Authority to Issue
15/0918	03/05/16	Taylor Wimpey UK Limited and	Land East of Cumwhinton Drive	Erection Of 189no. Dwellings With	AFFORDABLE HOUSING	Throughout Development

PP No	Date Signed	Parties	Site	Development Proposal	S106 Obligation Outstanding	When Due/Comment
		Cumbria Partnership National Health Service Foundation Trust and Cumbria County Council	Parish – St Cuthberts Without	Associated Infrastructure And Landscape	15 Affordable Rented Dwellings [Plots 21-35 inclusive] 15 Discounted Sale [Plots 17 - 20; 49 - 55; 147 -150 inclusive] OFF SITE RECREATION CONTRIBUTION to pay £61,524 [indexed] prior to occupation of 50% of the Dwellings	Delivered: 4 Discounted Sale 1 Rented 50% of dwellings (Under construction)
15/0350 16/1038	11/05/16 14/02/17	Personal Covenants	Land North of Rockcliffe School, Rockcliffe Parish - Rockcliffe	Residential Development OUT	AFFORDABLE HOUSING 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 to 3 yrs
15/0621	02/06/16	Border Travel Services Ltd and Cumbria County Council	Land to the North of Burgh Road, Carlisle Ward – Belle Vue	Erection of Dwellings OUT	AFFORDABLE HOUSING 30% split 50/50 Affordable rented and Discounted Sale @ 70% OMV	Await RM 2 yrs
15/0617	22/06/16	Personal covenant and Cumbria County Council	Land adj King Edwards Fauld, Burgh by Sands Parish – Burgh by Sands	Erection of Dwellings OUT	AFFORDABLE HOUSING Scheme to be submitted no later than last Reserved Matters [Rural West] OFF SITE RECREATION CONTRIBUTION	Await RM 2 yrs

PP No	Date Signed	Parties	Site	Development Proposal	S106 Obligation Outstanding	When Due/ Comment
					to pay £15,000 prior to occupation of any Dwellings PUBLIC OPEN SPACE 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 Parish – Wetheral	Erection of 8 Dwellings	AFFORDABLE HOUSING 2 Discounted @ 70% OMV OFF SITE RECREATION CONTRIBUTION payable prior to first occupation: £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 Prior to 1st Occupation (Under construction under renegotiation)
15/0878 OUT 17/0689 RM	11/08/16 16/03/18	Prospect Estates Ltd Lund Group Ltd	Land North of Caxton Road Ward – Belle Vue	Erection Of 58 No. Dwellings RM	AFFORDABLE HOUSING 4 X 2 bed houses and 2 x 3 bed houses OPEN SPACE CONTRIBUTION	(Permission unimplemented)

PP No	Date Signed	Parties	Site	Development Proposal	S106 Obligation Outstanding	When Due/Comment
					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 OUT 17/0905 RM	01/09/16 22/02/18	Church Commissioners for England and Cumbria County Council	Land West of Steele's Bank, Wetheral Parish – Wetheral Developer Story Homes	Erection of 41No. Dwellings	AFFORDABLE HOUSING provide a scheme providing 30% affordable prior to commencement OPEN SPACE LAND MAINTENANCE To submit for approval an Open Space Management Scheme prior to commencement OFF SITE RECREATIONAL CONTRIBUTION Prior to occupation of any dwellings pay 50% of contribution [£46,186.50] Prior to occupation of 50% of dwellings pay 50% of contribution [£46,186.50]	(Permission unimplemented)
14/0901	06/10/16	Armeria (UK)L(LLP)	Adj Memorial Hall Rockcliffe Parish - Rockcliffe	Residential Development OUT	AFFORDABLE HOUSING 20% of site: To submit an affordable housing scheme no later than at	Await RM 3 yrs

PP No	Date Signed	Parties	Site	Development Proposal	S106 Obligation Outstanding	When Due/Comment
					Reserved Matters.	
15/0595 OUT 17/1028	31/11/16	Personal Covenant and Cumbria County Council	Land North of Kingmoor Industrial Estate, Kingmoor Road, Carlisle Ward - Belah	Erection of 71 no Dwellings	AFFORDABLE HOUSING 30% of site: To submit an affordable housing scheme no later than at Reserved Matters. OFF SITE RECREATION CONTRIBUTION £50k [indexed] prior to first occupation PUBLIC OPEN SPACE Submit and obtain approval prior to commencement MANAGEMENT COMPANY POLICY to be agreed prior to first occupation	(Permission unimplemented)
12/0880	16/12/16	Simtor Ltd and Cumbria County Council	Hallmoor Court, Wetheral, Carlisle Parish – Wetheral	Erection Of 27no. Dwellings	AFFORDABLE HOUSING 4 x 2 bed houses 1 x 2 bed apartments 2 x 3 bed houses Scheme with tenure to be submitted prior to commencement OPEN SPACE Submit and obtain approval prior to commencement OPEN SPACE CONTRIBUTION	Throughout Development Prior to Commencement Prior to 1 st occupation

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

PP No	Date Signed	Parties	Site	Development Proposal	S106 Obligation Outstanding	When Due/Comment
			Brampton Parish – Brampton		6 in accordance with the indicative mix required in Policy HO 4	(Permission unimplemented)
16/0203	17/05/17	Personal Covenants and Cumbria County Council	Land adj Wheatsheaf Gardens, Wetheral Parish – Wetheral	Residential Development [OUT]	AFFORDABLE HOUSING Scheme to be submitted prior to commencement to provide 30% affordable OFF-SITE RECREATIONAL CONTRIBUTION Amount to be determined in accordance with calculator in agreement Pay 50% of contribution prior to occupation of 50% of units [indexed RPI] Pay 50% of contribution prior to occupation of 75% of units	
14/0778	25/05/17	Persimmon Homes; Cumbria County Council and Personal Covenants	Land North East of Windsor Way, Carlisle Parish – Stanwix Rural	Erection Of 276no. Dwellings (Including 83no. Affordable Dwellings), Associated Open Space and Infrastructure	AFFORDABLE HOUSING 41 Affordable Rented 41 Discounted [70% OMV] MANAGEMENT COMPANY Agreement to be obtained prior to first disposal or occupation PUBLIC OPEN SPACE	(Under Construction)

PP No	Date Signed	Parties	Site	Development Proposal	S106 Obligation Outstanding	When Due/Comment
					Obtain approval prior to commencement of the development of the phase or phases within which the POS is to be provided OFF-SITE SPORTS PROVISION CONTRIBUTION Pay £81,671 [indexed para 3.19] prior to 1st occupation	
16/1022	06/07/17	Genesis Developments (North) Limited	Rear of Irvings Place, Dalston Road, Cummersdale Parish – Cummersdale	Erection Of 17no. Dwellings And Associated Infrastructure	AFFORDABLE HOUSING 3 rented properties	(Under Construction)
16/0097	03/08/17	Svendka Handelsbanken AB [PUBL] and Personal covenants	Land at Croft House Brunstock Parish – Stanwix Rural	Erection Of Dwellings (Outline)	AFFORDABLE HOUSING CONTRIBUTION £65,480.67 upon 1 st occupation of 3 rd & 6 th relevant unit. £65,480.80 upon 1 st occupation of 9 th relevant unit. 10 YEARS RURAL EAST	(Permission unimplemented)
14/0925 16/0868	13/11/15 21/12/17	Personal Covenants Gleeson Regeneration	Briar Lea Court, Longtown Parish – Arthuret	Erection Of 100no. Dwellings	AFFORDABLE HOUSING Viability reset @ 50th occupation PLAY AREA CONTRIBUTION	(Permission unimplemented)

PP No	Date Signed	Parties	Site	Development Proposal	S106 Obligation Outstanding	When Due/ Comment
					Pay £79,253 prior to occupation of 1 st unit for the provision and maintenance of a play area in Longtown	

Glossary

Affordable Housing – Social rented affordable rented and intermediate housing provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future households or for the subsidy to be recycled for alternative affordable housing provision.

Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental agreements to the above, as agreed with the local authority or with Homes England.

Affordable rented housing is owned by local authorities and private registered providers to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require rent of no more than 80% of the local market rent (including service charges, where applicable).

Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.

Homes that do not meet the above definition of affordable housing, such as 'low cost market' housing, may not be considered as affordable housing for planning purposes.

Authority to Issue (AUTI) – When permission is granted subject to the entering into a Section 106 Agreement

Housing Market Area – A geographical area defined by household demand and preferences for all types of housing, reflecting the key functional linkages between places where people live and work. Some housing market areas overlap.

Outline Planning Permission (OUT) - seek to establish whether the scale and nature of a proposed development would be acceptable to the local **planning** authority, before a fully detailed proposal is put forward. This type of **planning application** allows fewer details about the proposal to be submitted.

Planning Obligations – Private agreements made between local authorities and developers and can be attached to a planning permission to make acceptable development which would otherwise be unacceptable in planning terms,

Reserved Matters (RM) - are those aspects of a proposed development which an applicant can choose not to submit details of with an outline planning application, (ie they can be '**reserved**' for later determination).

Section 106 Agreement – Planning Agreements (or Planning Obligations') are made under Section 106 of the Town and Country Planning Act 1990. Agreements may be made between a local planning authority and a land owner (often a developer) or may be entered into unilaterally by such persons. Agreements are usually employed to restrict the development of use of land in ways which cannot be properly or conveniently be achieved by the impositions of conditions.

Unilateral Agreement – A contract in which only one party makes an express promise, or undertakes a performance without first securing a reciprocal agreement from the other party.

APPENDIX 1

TRIGGER	COVENANT	PARA
Pre- Commencement		
4 Months prior commencement 1 st Phase (and subsequent phases)	Owner serve notice on the Council detailing its election under para 3.2 (affordable housing provider)	3.2
Phases		
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
Housing Development/Occupation		
Not to Occupy Any Dwelling	£5k Newlaithes Avenue Bus Stop Contribution has been paid.	County 10.1
Occupation of 50 th Dwelling and every 50 th Dwelling thereafter	Owner notify the County Council	County 12.10
Occupation of 101 Dwellings	£120k Bus Service Capital Contribution	County 6.1
Occupation of 185 Dwellings	Bus Service Not to be operated prior to occupation of 185 dwellings	County 5.1
	£100k Pedestrian Connectivity Contribution	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 Upon receipt of the notice the owner shall pay £110k being the 1 st instalment of the Bus Revenue Contribution £110K on 1 st anniversary of 1 st instalment £110K on 2 nd anniversary of 1 st instalment	County 8.3 8.1 8.1 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 th Dwelling but prior to Occupation of the 400 th Dwelling or 10 yrs from	County can serve written notice that it requires the School Site. If served prior to 28 th 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. If served after occupation of 280 th 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 Bridging Payment if CNDR Roundabout is not in operation	County 4.2
	£50K 1 st Instalment of Modal Shift Contribution (reduce by Bridging Payment if paid)	County 10.2
	£20k McVities Roundabout Contribution	County 10.1
	£25k Traffic Signals Contribution	County 10.1
	£30k 1 st Instalment Cross City Bus Route Improvement Contribution £35k 2 nd instalment on 1 st Anniversary of occupation of 256 th dwelling £35k 3 rd instalment on 2 nd Anniversary of occupation of 256 th dwelling	County 9.1
	Any Unexpended sum on 3 rd anniversary to be returned to the payer. If the Bus Service is NOT operational any unexpended sum of the Bus Service Capital Contribution (£120k paid on occupation of 101 st dwelling) shall be returned to the payer within 1 month of such occupation.	5 th Schedule 2.2 County 2.2
Occupation of 300 Dwellings	£50K 2 nd Instalment of Modal Shift Contribution	County 10.2
After the Occupation of the 360 th Dwelling and before Occupation of the 400 th Dwelling.	Owner pay the Education Contribution (Department for Children Schools and Families Cost Multiplier – [or equivalent]) by 159	County 12.7
Occupation 450 Dwellings	£62,813 3 rd Instalment of Modal Shift Contribution	County 10.2
Occupation 742 Dwellings	Not to occupy until owner has paid £4,928 per HA (Primary Leisure Area Maintenance Contribution). 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: £5k Wigton Road Bus Stop Contribution has been paid	County 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. 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 2 bed 30% = 74 3 bed 50% = 124 4 bed 20% = 49 NO MORE THAN 30% of TOTAL FLOORSPACE 50/50 split between discounted and Social Rented	