



PLANNING OBLIGATIONS

2010 to 2011



CARLISLE
CITY COUNCIL



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Introduction

This report is the first to give an overview of S106 agreement entered into over the previous year and give an update on the delivery of the obligations within those and previous agreements. It is intended that a report will be produced annually so as to update members, developers and members of the public can see how the obligations negotiated have a direct positive impact for the District and its citizens.

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.

Government policy requires that S106's are only sought where an application meets all of the following tests:

- relevant to planning;
- necessary to make the proposed development acceptable in planning terms;
- directly related to the proposed development;
- fairly and reasonable related in scale and kind to the proposed development; and
- reasonable in all other respects.

They can cover a range of commitments which are enforceable against all the parties concerned and any subsequent owner of the site so it is important that all agreements are monitored to ensure compliance and ensure timely delivery by all parties and avoid the possibility of enforcement action being taken by one party on another.

Carlisle Planning Services have been implementing S106 Agreements since they were introduced in 1991 and to date have over 200 agreements in place (including Deeds of Variation¹).

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

Summary 2010 to 2011

19 agreements were entered into which has the potential to deliver:

Housing

353 Affordable Dwellings (37 in the rural area with qualifying person's restrictions).

7 Live/Work Units

1 Occupancy restricted dwelling

6 Close Care Cottages plus associated 47 bed residential care home (with qualifying person's restrictions)

Financial

£4,180,872 indicative as some figures are based on future values.

* * * * *

During the year delivery via S106 obligations has achieved:

Housing

59 Affordable Dwellings 10 in the rural area

1 Restricted Occupancy Dwelling

Financial

£1,153,962 has been **received** for a variety of dedicated projects and amounts to over £700,000 for the provision and maintenance of Public Open Space, Public Realm, Children's Play and Sports Facilities and just under £400,000 towards cycleways and pedestrian facilities.

The Council's Green Spaces team in fulfilling the Council's obligations have spent nearly £95,000 on the maintenance and provision of Public Open Spaces and Children's Play Areas in accordance with S106 agreements.

* * * * *

Balances of monies held to complete undertakings as detailed within S106 agreements and historic unilateral agreements as at 31 March 2011:

| | |
|--|----------------------|
| Commuted sums in lieu of on-site Affordable Housing provision | £ 15,000 |
| Commuted sums for the provision and maintenance of Public Open Space, Children's Play Areas and Sport Facilities | £ 538,648.60 |
| Commuted sums for Infrastructure Initiatives including Public Realm, Cycleways and Pedestrian Facilities | £ 800,026.21 |
| | £1,353,674.81 |

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 2010 - 2011

Planning Permissions granted subject to a S106 Agreement:

| PP No | Date Signed | Parties | Address | Development Proposal | S106 Obligation Overview |
|---|--------------------------|--|---|--|---|
| 08/0600 Deed of Variation 10/0429 | 30/04/10 06/08/10 | Westwood Nurseries | Westwood Nurseries, Orton Grange Parish - Dalston | Garden Centre Retail Incorporating Restaurant/Cafe, Farm Foodhall. Ancillary Works Including Car Parking, Access, 'Greenhouse' Horticultural Interpretation Centre, Outdoor Display/ demonstration Areas And Landscaping | Cumbria County Council: £6,125 payable on commencement to for the monitoring of the Travel Plan for 5 years. |
| 06/0993 | 10/05/10 | Bimson Homes | Greenholme Lodge, Corby Hill Parish - Hayton | Conversion of redundant courtyard steading to provide 6 No Live/Work units. | Occupancy Restriction: The occupant must run a business from the property |
| 09/0998 | 20/05/10 | Riverside Group | Adj Crossgate Road, Hallbankgate Parish - Farlam | Erection Of 10no. Low Cost Dwellings | Affordable Housing: 7 – Social Rented 3 – Shared Ownership Qualifying Persons: Hallbankgate then cascaded out to the Parish, |
| 09/0861 | 28/05/10 | Personal Covenant | Barns at Lees Hill, Brampton Parish - Askerton | Change Of Use Of Stone Barn to Live/Work Unit | Occupancy Restriction: The occupant must run a business from the property |
| 09/0245 | 08/07/10 | Lancaster Roman Catholic Diocesan Trustees | Land at St Augustines Church, Waverley Gardens Carlisle | Proposed Residential Development | Affordable Housing: 5 – Discounted (70% open market value) Public Open Space: In lieu of on site provision - £38,902 payable |

| | | | | | |
|---------|----------|--|--|--|---|
| | | | Ward – Stanwix Urban | | within 4 weeks of commencement to be used to provide and maintain public open space within the vicinity of the site (to be spent within 10 years) |
| 07/1312 | 18/08/10 | Senator Homes (now known as Persimmon Homes) | Former Penguin Factory, Westmorland St, Carlisle Ward – Denton Holme | Proposed Residential Development | Affordable Housing: 17% Affordable Open Space: In lieu of on site provision (inc Play area) - £84,076 payable prior to occupation of 35 th dwelling (to be spent within 5 years). Cumbria County Council: £29,920 payable prior to occupation of the 35 th dwelling for: <ul style="list-style-type: none"> - improving pedestrian connectivity - cycleway signage - Traffic Regulation Order |
| 09/1085 | 10/09/10 | Carlisle College | Carlisle College, Victoria Place, Carlisle Ward - Castle | Demolition Of Blocks B & C of existing college and erection of a replacement college building with limited onsite parking. | Cycle Network: £29,750 payable upon signing of the agreement as a contribution towards Cycle network and Pedestrian facilities in the immediate vicinity. |
| 10/0346 | 01/10/10 | Story Construction Ltd | Former Depot and Dandycroft, Station Rd, Brampton Parish - Brampton | Housing Development | Affordable Housing: 10 – Discounted (70% open market value) Qualifying Persons: Brampton Parish then Rural East Open Space: £14,204 - on-site maintenance (10 yrs) £61,181 - off-site provision £4,230 - 10 yrs maintenance £9,025 - 3 yrs maintenance King George V playing fields |
| 09/0413 | 15/11/10 | Church Commissioners for England | Morton Development, Carlisle Parish – | Development for Residential (Maximum 825 Dwellings), Employment (40,000m2 Floorspace), And Public Open Space | For Detail See Appendix 1 Affordable Housing Open Space Cumbria County Council for: Bus routes/stops etc |

| | | | | | |
|---------|----------|---|---|---|--|
| | | | Cummerdale Ward - Various | | Pedestrian Connectivity Education Highways |
| 10/0425 | 15/11/10 | Two Castles Housing Association Ltd | Land adj Gelt Rise, Brampton Parish - Brampton | Erection of 17 Dwellings | Affordable: 17 – Social Rent Qualifying Persons: Brampton Parish then neighbouring. Play Area: £16,351 payable within 14 days of commencement for the provision and maintenance of a play area (to be spent within 10 years) |
| 08/1254 | 15/12/10 | Lattimer Homes and County Council | Ben Hodgson, Dalston Parish - Dalston | Removal of existing garage. Erection of Convenience Store and 3 residential units. | Cumbria County Council: £13,585 payable within 14 days of commencement for: - Pedestrian refuge on Townhead Rd - Bus Infrastructure improvements |
| 10/0642 | 16/12/10 | 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) |
| 10/0818 | 24/12/10 | Riverside Group Ltd | Seatoller Close, Morton, Carlisle Ward - Morton | Erection of 23 dwellings | Affordable Housing: 7 – Shared Ownership 16 – Social Rent Open Space: £14,481,56 to be paid within 14 days of commencement for the enhancement of off-site open space in Morton Ward (to be spent within 5 years) |
| 10/0233 | 20/01/11 | Personal Covenant | L/A Moorhouse Hall, Moorhouse Parish – Burgh | Erection of 1 No detached dwelling. | Occupancy Restriction: Village of Moorhouse then cascades to parish. |

| | | | | | |
|---------|----------|---|---|--|--|
| | | | by Sands | | |
| 10/0229 | 21/01/11 | Carlisle Estates Co Ltd | Land at Orfeur Street, Carlisle Ward - Castle | Demolition car storage buildings & No 2 Orfeur St & erection Of 6No. Terraced dwellings. | Cumbria County Council: £3,795 within 14 days of commencement for: - Traffic Regulation Order - Removal of double yellow lines |
| 10/0970 | 09/02/11 | Knightsbridge Developments | Former WI Hall, Brier Lonning, Hayton Parish - Hayton | Erection Of 3no. Linked Dwellings | Affordable Housing: Commuted sum of £15,000 in lieu of on-site provision. |
| 09/0512 | 18/02/11 | Caldewgate Development Nominees Ltd & Rawdon (Carlisle) LLP | Junction of Bridge St & Bridge Lane, Caldewgate, Carlisle Ward - Castle | Supermarket Development (Sainsbury) | Caldew Cycleway Contribution: £370,000 upon completion of the agreement (to be spent within 5 years) Public Realm Contribution: £370,000 upon completion of the agreement (to be spent within 5 years) Cumbria County Council: £6,125 - Travel Plan monitoring fee £242,000 – Highways |
| 10/0265 | 01/03/11 | Personal Covenant | Brampton Playhouse, Moatside, Brampton Parish - Brampton | Demolition of redundant Brampton Playhouse. Erection of 5 No. dwellings | Affordable Housing: Commuted sum in lieu of on-site provision (30% of the open market value of all 5 dwellings divided by 10 – payable on sale of 3 rd dwelling. To be spent within 10 years). |
| 10/0508 | 31/03/11 | Riverside Group Ltd | Land between Station Road and track to Kingsmoor Depot, Etterby Rd, Carlisle Ward – Belah | 30 Affordable Homes | Affordable Housing: 30 Social Rented Dwellings or Shared Ownership to be disposed of to qualifying persons in line with the Lettings and Disposal Policy Open Space: £43,790 to be paid within 14 days of commencement for provision of maintenance and enhancement of public open space in the District. (To be spent within 5 years of commencement). |

Deeds of Variation with material changes:

| PP No | Date Signed | Parties | Address | Development Proposal | S106 Obligation Overview |
|---------------------------------|-------------------------------------|------------------------|---|--|--|
| 07/0304 | 20/07/10 And 22/10/10 | BDW Trading Ltd | Eden Park, London Rd, Carlisle (was Cavaghan & Gray) Ward - Harraby | Residential Development | To allow those 8 dwellings conditioned by previous S106 for Social Rent to remain affordable but be sold at 70% of Open Market Value. Amendment of Clause 3.6 to reduce the period of marketing of the discounted units from 6 to 3 months. |
| 00/0393; 00/0693; 00/0079 | 12/07/10 | Story Construction Ltd | Parklands Village, Garlands, Carlisle Ward - Dalston | Residential development (completed) | The sum of £71,889 to be paid to be used for the maintenance of the Public Open Space revoking the figure quoted under paragraphs 6 & 7 in 4 th Schedule of the original. |

Summary of Obligations Entered into:

Non financial 2010 to 2011

Occupancy Clauses

6 Live/work – Parish of Hayton

1 Live/work – Parish of Askerton

6 Cottages Closed Care Housing with associated 47 bed residential care home – Parish of St Cuthberts Without

1 Dwelling – Village of Moorhouse within the Parish of Burgh by Sands

Affordable Housing has Qualifying Persons restrictions within the agreements

Affordable Housing

| | Social Rented | Shared Ownership | Discounted | Parish/Ward |
|---|-----------------------------|------------------|----------------|---------------------------------------|
| Crossgate Rd, Hallbankgate | 7 | 3 | | Farlam |
| St Augustines Church | | | 5 | Stanwix |
| Former Penguin Factory | | | 10 indicative | Denton Holme |
| Former Depot & Dandycroft, Station Rd, Brampton | | | 10 | Brampton |
| Morton Development | 124 indicative ² | | 124 indicative | Cummersdale Morton/Yewdale/Dalston |
| Gelt Rise, Brampton | 17 | | | Brampton |
| Seatoller Close | 16 | 7 | | Morton |
| Eden Park, (Cavray's) | -8 | | 8 | Harraby |
| | 156 | 10 | 157 | |

Land Transfer

Onsite Open Space Provision within Development at former Depot and Dandycroft, Brampton for a nominal sum of £1.

Financial – Commuted Sums - 2010 to 2011

| Affordable Housing | Open Space Capital | Open Space Maintenance | Cycleways/ Pedestrian | Public Realm | Highways (county) | Bus (County) | Education (County) | Parish/Ward |
|--------------------|--------------------|------------------------|-----------------------|--------------|-------------------|--------------|--------------------|-------------|
| £15,000 | | | | | | | | Hayton |

² Indicative relates to an outline planning permission which is subject to a Reserved Matters application which will then determine final numbers

| | | | | | | | | |
|--|--|--|-----------------|-----------------|-----------------|------------------------|--|-------------------------------|
| Open Market value of 5 units x 30% divided by 10 | | | | | | | | Brampton |
| | | | | | £6,125 | | | Dalston |
| | | £38,902 | | | | | | Stanwix Urban |
| | | £84,706 allows for some capital expense | | | £29,920 | | | Denton Holme |
| | | | £29,750 | | | | | Castle |
| | £61,181 | £27,459 | | | | | | Brampton |
| | | £16,351 allows for some capital expense | | | | | | Brampton |
| | | | | | | £13,585 inc ped refuge | | Dalston |
| | | £14,481.56 | | | | | | Morton |
| | | | | | £3,795 | | | Castle |
| | | | £370,000 | £370,000 | 248,125 | | | Castle |
| | | £71,889 | | | | | | St Cuthberts Without/ Dalston |
| | £70,000 indicative Based on estimated HA | Capital sum may include some maintenance | £100,000 | | £207,813 | £450,000 | £1,908,000 indicative Based on cost multiplier relevant at the time. | Morton/ Yewdale |
| | | £ 43,790 | | | | | | Belah |
| £15,000 min | £131,181 | £297,578.56 | £499,750 | £370,000 | £495,778 | £463,585 | £1,908,000 | |

Delivery of Obligations 2010 to 2011

BY DEVELOPERS

Non Financial

Affordable Housing

| | Social Rented | Shared Ownership | Discounted | Parish/Ward |
|-------------------------------------|----------------------|-------------------------|-------------------|--------------------|
| Crossgate Road, Hallbankgate | 7 | 3 | | Farlam |
| Former Cavaghan & Gray, London Road | | | 8 | Harraby |
| Barras Close, Morton | 26 | | | Morton |
| Watts Storage Depot, London Road | 5 | 8 | | Harraby |
| Low Meadow (Two Castles site) | 2 | | | Belle Vue |
| | 40 | 11 | 8 | |

It should be noted these figures are for the delivery of affordable housing through S106 agreements. A further 52 Social Rented Properties have been delivered via the planning system by Housing Associations without entering into a S106 agreements.

Occupancy Clauses

10 Affordable properties at Crossgate Road, Hallbankgate – Qualifying Persons to be from/work in Hallbankgate then cascaded to the Parishes of Farlam, Midgeholme, Nether Denton, Hayton and finally the District.

1 Live work Unit at Laversdale in the Parish of Irthington

Financial

Payments Received by Carlisle City Council

| Affordable Housing | Open space Capital | Open Space Maintenance | Cycleways/ Pedestrian | Public Realm | Highways | Purpose | Parish/Ward |
|--------------------|--------------------|------------------------|-----------------------|--------------|----------|--|-----------------|
| | | £10,000 | | | | Play areas in the vicinity of Wakefield Road, Lowry Hill (10 years) | Belah |
| | | £5,670 | | | | Cumwhinton Road Children's Play & Recreational Areas (10 years) | Harraby |
| | | £25,000 | | | | Heysham Park (10 years) | |
| | | £71,889 | | | | Garlands Estate Includes tree replanting (5 years) (Story's Development) | Dalston |
| | £57,805 | | | | | Provision of open space, formal sports & childrens play facilities Levens Drive/ Newlaithes Avenue (3 years) | Morton |
| | | | £29,750 | | | Strand Road Cycle Network & improve pedestrian facilities in the immediate vicinity. | Castle |
| | | | | | £30,000 | Provision of Car Club for use of the residents of development at Watts Storage Yard and Students at University of Cumbria. | Harraby |
| | £12,800 | £3,551 | | | | Provision and 10 yr maintenance of Play area in the vicinity of Gelt Rise, Brampton | Brampton |
| | | | £370,000 | £370,000 | | Specific area of Caldew Cycleway and Public Realm works within the area of Carlisle College. | Castle |
| £15,000 | | | | | | Paid in lieu of providing affordable housing at development at WI Hall, | |

| | | | | | | | |
|----------------|-------------------|-----------------|-----------------|-----------------|----------------|--|---------------------|
| | | | | | | Hayton. To be pooled. | |
| | £10,330 | £112,837 | | | | Carleton Grange, Development. Capital is for remedial works. 10 year maintenance £10,000 for play area and balance for open space. | Harraby/ Dalston |
| £15,000 | £80,935 | £258,277 | £399,750 | £370,000 | £30,000 | | |
| Total | £1,153,962 | | | | | | |

Carlisle City Council - Financial

Affordable Housing

Received £15,000. No Expenditure. Total Pooled Fund £15,000.

Open Space/Play Areas

| Location | Commitment | Original Sum | Summary of Works Undertaken 10/11 | Amount Spent 10/11 | Balance Outstanding | Expiry date of funds | Parish/Ward |
|----------------------------|--|--------------|---|--------------------|---------------------|----------------------|---------------|
| The Beeches, Wigton Road | Maintenance of Play Area | £10,000 | Play area maintenance | £ 1,000 | £ 5,000 | 2016 | Yewdale |
| Holme Head Bay* | Maintenance of Public Open Space. | | Grass cutting, tree & shrub management | £ 600 | £ 5,400 | | Denton Holme |
| Scotby Road, Scotby* | Maintenance of Public Open Space | | Amenity grass land maintenance | £ 1,780 | £ 8,000 | | Wetheral |
| Windsor Way* | Maintenance of Play Area | | Play area maintenance | £ 600 | £ 5,400 | | Stanwix Rural |
| Walkmill, Warwick Road* | Maintenance of Play Area | | Play area & football pitch maintenance | £ 2,310 | £20,790 | | Botcherby |
| Wakefield Road, Lowry Hill | To Provide Children's play area facilities | £90,000 | Installation of new play area @ Moorville Drive | £46,236.55 | nil | N/A | Belah |

| | | | | | | | |
|---|---|----------|--|---------|----------|------------|---------------------------------|
| Wakefield Road, Lowy Hill | Maintenance of Play Area | £10,000 | Play area maintenance | £ 1,000 | £ 9,000 | Dec 2019 | Belah |
| Turnstone Park | Maintenance of Play Area | £10,000 | Play area maintenance | £ 1,000 | £ 5,900 | Sep 2020 | Belle Vue |
| Jocks Hill, Brampton* | Maintenance of Public Open Space | | Grass cutting | £ 268 | £ 1,874 | | Brampton |
| Greenfield Lane, Brampton* | Maintenance of Public Open Space | | Play area maintenance and grass cutting | £ 2,000 | £14,000 | | Brampton |
| Burgh Road | Provision & maintenance of off site pitches & open space | £45,354 | Maintenance at Spider Park | £ 4,354 | £41,000 | Sep 2020 | Belle Vue |
| Keenan Park Play area or Petteril Bank Community Centre | Recreational facilities associated with 3 Rivers Strategy or improvements at community centre | £137,500 | Refurbishment and maintenance of Harraby Play Area | £13,750 | £123,750 | Sep 2020 | Harraby |
| Cumwhinton Road Childrens Play & Recreational Areas | Maintenance of Play Area | £ 5,670 | Play area maintenance | £ 670 | £ 5,000 | May 2014 | Harraby |
| Tribune Drive * | Remedial work and 10 year maintenance of Public Open Space | £20,025 | Grass cutting, tree & shrub management | £ 1,800 | £16,200 | Jul 2019 | Stanwix Rural |
| Heysham Park, Raffles | Maintenance of Public Open Space | £25,000 | Play area and park maintenance | £ 2,500 | £22,500 | Open ended | Belle Vue |
| Parkland Village, Garlands | Maintenance of Public Open Space and Tree Planting | £71,889 | Remedial landscape work and maintenance | £14,378 | £57,511 | Jul 2015 | Dalston/Harraby |
| Barras Close | Provision of Public Open Space, Formal Sports and Children's Play Facilities | £57,805 | None | None | £57,805 | Mar 2013 | Morton |

| | | | | | | | |
|---------------------------|---|--------------------|------|------|-------------------|----------|---------------------|
| Gelt Rise, Brampton | Provision of Play Area within 1 mile radius of site | £12,800 | None | None | £12,800 | Feb 2021 | Brampton |
| Gelt Rise Brampton | Maintenance of Play Area provided as above | £ 3,551 | None | None | £ 3,551 | Feb 2021 | Brampton |
| Carleton Grange, Garlands | Maintenance of Play Area | £10,000 | None | None | £10,000 | Mar 2021 | Harraby/ Dalston |
| Carleton Grange, Garlands | Maintenance of Public Open Space | £102,837 | None | None | £102,837 | Mar 2021 | Harraby/ Dalston |
| Carleton Grange, Garlands | Remedial works to Public Open Space | £10,330.60 | None | None | £10,330.60 | Mar 2021 | Harraby/ Dalston |
| | | £622,761.60 | | | £94,246.55 | | £538,648.60 |

*denotes Unilateral Agreements ³

Infrastructure

| Location | Commitment | Original Sum | Works Undertaken 10/11 | Amount Spent 10/11 | Balance Outstanding | Expiry date of funds | Parish/Ward |
|---|---|--------------|--|--------------------|---------------------|----------------------|---------------|
| Caldew School, Dalston | Traffic Regulation Order to be put in place by Cumbria County Council | £ 1,500 | City Council undertook works on behalf of the County | £4,7223.79 | (£3,223.79) | | Dalston |
| Gates Garage (now Sainsbury), Scotland Road | Traffic Regulation Order to be put in place by Cumbria County Council | £ 3,500 | | | £3,500 | | Stanwix Urban |
| Immediate area around Carlisle College | Contribution towards Cycle Network and improvement of pedestrian facilities in the immediate vicinity | £ 29,750 | None | None | £29,750 | None | Castle |
| Watts Yard, London | Implementation of Car | £ 30,000 | None | None | £30,000 | 1 year of operation | Harraby |

³ Unilateral Agreements are agreements made between two parties in a less formal format than S106's but monies are still to be spent for the purpose they were given

| | | | | | | | |
|---|--|-----------------|------|-------------------|--------------------|----------|--------|
| Road | Club Scheme (County Council responsibility) | | | | | | |
| Caldew Cycle Way/ Willowholme | To implement a section of the cycleway as detailed in the agreement | £370,000 | None | None | £370,000 | Feb 2016 | Castle |
| Public Realm, Caldewgate/ Shaddongate | Undertake works defined as a range of initiatives arising from the adopted Urban Design Ground and Public Framework comprising structural landscaping and associated to Church St, Bridge St & Shaddongate corridor. | £370,000 | None | None | £370,000 | Feb 2016 | Castle |
| | | £804,750 | | £4,7223.79 | £800,026.21 | | |

| 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 Newlathes 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 | County 8.3 |
| | Upon receipt of the notice the owner shall pay £110k being the 1 st instalment of the Bus Revenue Contribution | 8.1 |
| | £110K on 1 st anniversary of 1 st instalment | 8.1 |
| | £110K on 2 nd anniversary of 1 st 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 th Dwelling but prior to Occupation of the 400 th Dwelling or 10 yrs from commencement (whichever the earliest) | County can serve written notice that it requires the School Site. If served prior to 28 th dwelling then the 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 | County 12 |

| | | |
|---|--|--|
| | 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 Any Unexpended sum on 3 rd anniversary to be returned to the payer. | County 9.1 5 th Schedule 2.2 |
| | 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. | 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 |
| | | |
| 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 | |