



PLANNING OBLIGATIONS

Annual Report

2018 to 2019



Images courtesy of Andrew Paterson, D&H Photographers and Jason Friend

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1. Introduction

1.1 This Annual Report for the year 2018 to 2019 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; and
- Outstanding Obligations.

1.2 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.

1.3 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).

1.4 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

1.5 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. *However, it is likely that the Government will remove the pooling restrictions and have consulted on this and other amendments to the regulations.*

Council's Current Position with CIL

- 1.6 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).
- 1.7 Since then the area for development was accepted in to the government's Garden Communities programme and is now being progressed as St Cuthbert's Garden Village.
- 1.8 Stage 1 of the Masterplanning of St Cuthbert's Garden Village has been concluded and has defined the vision, objectives and the broad areas of development. Stage 2 is now well underway and the St Cuthbert's Local Plan will be informed by the masterplanning process.
- 1.9 To run alongside this masterplanning and Local Plan process, viability consultants have been appointed to assess the potential for a district CIL to be adopted. The conclusions of this exercise are anticipated in Spring 2020.

2. New Agreements 2018 - 2019

Within the year, 10 planning approvals had new S106 agreements associated with them. A summary of each is given below. The individual agreements can be found on our [planning register](#) under the relevant planning application reference which will give the full terms and conditions attached to each agreement.

Site	Development Proposal	Planning Application Ref.	Date Signed	S106 Obligation Overview	Trigger
<p>Application Address:</p> <p>Land at Harker Industrial Estate, Low Harker, Carlisle</p> <p>Local Plan Allocated Site R11</p> <p>Parish – Rockcliffe</p>	<p>Residential Development [OUTLINE]</p> <p>indicative 300</p>	15/0812	13/04/18	<p>AFFORDABLE HOUSING Scheme to be submitted within parameters [between 5 & 15% within agreement]</p> <p>PRIMARY SCHOOL CONTRIBUTION [COUNTY COUNCIL] In line with Policy CM 2: Formula based towards the provision of a new primary school facility in northern Carlisle</p> <p>SECONDARY SCHOOL CONTRIBUTION [COUNTY COUNCIL] In line with Policy CM 2: Formula based to provide additional secondary school provision the need of which is generated by the development</p> <p>SECONDARY SCHOOL TRANSPORT CONTRIBUTION [COUNTY COUNCIL] In line with Policy CM 2: £152,000 Indexed for the transportation to secondary school or suitable alternative</p> <p>TRAVEL PLAN CONTRIBUTION [COUNTY COUNCIL] In line with Policy IP 2: £6,000 indexed to monitor travel plan for 5 years</p>	<p>Prior to commencement</p> <p>prior to occupation of 1ST Dwelling</p> <p>prior to occupation of 200th Dwelling</p> <p>prior to occupation of 200th Dwelling</p> <p>prior to occupation of any Dwelling</p>
<p>Site Name:</p> <p>Winchester Place</p>	<p>Erection Of 91no. Dwellings</p>	17/0869	25/04/19	<p>AFFORDABLE HOUSING In line with Policy HO 4: 13 Affordable Rented Homes 14 Intermediate Homes</p>	<p>Throughout development</p>

Site	Development Proposal	Planning Application Ref.	Date Signed	S106 Obligation Overview	Trigger
<p>Application Address:</p> <p>Carlisle Road, Brampton</p> <p>Local Plan Part of Allocated Site R1</p> <p>Parish – Brampton</p>	<p>Associated Infrastructure</p> <p>Developer: Story Homes</p>			<p>[Rural East] OFF-SITE PLAY CONTRIBUTION In line with Policy GI 4: £150,668 [indexed] to provide & maintain off-site play equipment within 600 m of the site</p> <p>SECONDARY SCHOOL CONTRIBUTION [COUNTY COUNCIL] In line with Policy CM 2: £272,820 to provide additional places at William Howard school.</p>	<p>50% prior to occupation of the 25th Dwelling 50% prior to occupation of the 50th Dwelling</p> <p>50% prior to occupation of the 25th Dwelling 50% prior to occupation of the 50th Dwelling</p>
<p>Application Address:</p> <p>Garth Cottage</p> <p>Parish – Wetheral</p>	<p>Erection of Dwellings (Outline)</p> <p>Indicative 5</p>	18/0237	19/06/18	<p>WOODLAND PLANTING SCHEME In line with Policy HO 4: TRAVEL REGULATION CONTRIBUTION [COUNTY COUNCIL] In line with Policy IP 2: £3,500 indexed towards a Traffic Regulation Order and signage for new speed restriction area.</p>	<p>Prior to 1st occupation</p> <p>Prior to commencement date</p>
<p>Application Address:</p> <p>Land adj to How Croft, Cumwhinton</p> <p>Local Plan Allocated Site R9</p> <p>Parish – Wetheral</p>	<p>Residential Development (Outline)</p> <p>Indicative 20</p>	18/0903 18/1140	08/08/18 15/02/19	<p>AFFORDABLE HOUSING In line with Policy HO 4: 2 Affordable Rented Homes 3 Discounted Sale Homes (70% Open Market Value)</p> <p>OFF-SITE PUBLIC OPEN SPACE CONTRIBUTION In line with Policy GI 4: £13,393 [indexed] for improvement of existing Open spaces in the village of Cumwhinton</p>	<p>Prior to occupation of 10 Open Market Dwellings</p> <p>Prior to occupation of 7 of Open Market Dwellings</p>

Site	Development Proposal	Planning Application Ref.	Date Signed	S106 Obligation Overview	Trigger
<p>Application Address:</p> <p>Land at Thornedge, Cumwhinton</p> <p>Parish – Wetheral</p>	<p>Erection Of 4 Dwellings</p> <p>Developer:</p> <p>Paton Homes</p>	18/0237	25/08/18	<p>AFFORDABLE HOUSING In line with Policy HO 4: 1 Discounted Sale Home (70% Open Market Value) [Rural East]</p> <p>ORCHARD In line with Policy HO 4: Orchard and copse to be provided on the site and maintained in perpetuity in accordance with the Orchard Management Scheme [fourth Schedule of agreement]</p>	<p>Prior to 50 % of Open Market Dwellings</p> <p>Prior to 1st occupation</p>
<p>Application Address:</p> <p>Land at Holly House Nurseries, Durdar Road</p> <p>Parish – St Cuthbert Without</p>	Erection of 9 no Dwellings	16/0831	05/11/18	<p>AFFORDABLE HOUSING CONTRIBUTION In line with Policy HO 4: £40,000 commuted sum in lieu of on-site affordable housing [indexed] [Rural East]</p>	Prior to occupation of 5 open market dwellings
<p>Application Address:</p> <p>South of Croft Villa, Wetheral</p> <p>Parish – Wetheral</p>	Erection Of 7no 4-bedroom detached and 2no 3-bedroom single story dwellings (Outline)	18/0337	06/11/18	<p>AFFORDABLE HOUSING CONTRIBUTION In line with Policy HO 4: £108,550.20 commuted sum in lieu of on-site affordable housing [indexed] [Rural East]</p>	To be paid in 3 instalments prior to occupation of 4, 6 and all units
<p>Application Address:</p> <p>Land between Tyne Street and</p>	Erection of 30no Dwellings	16/0249	05/12/19	<p>AFFORDABLE HOUSING In line with Policy HO 4: 6 Affordable Rented Homes</p>	Prior to 75% of the open market dwellings being completed

Site	Development Proposal	Planning Application Ref.	Date Signed	S106 Obligation Overview	Trigger
Chertsey Mount, Carlisle Ward – Harraby				PLAY AREA CONTRIBUTION In line with Policy GI 4: £16,320 [indexed] towards the provision & maintenance of play and recreation facilities. PUBLIC OPEN SPACE In line with Policy GI 4: to lay out and maintain the public open space in accordance with approved Public Open Space Scheme in perpetuity, ensuring that there is public access	Upon issuing of final building regulation certificate Throughout development
Site Name: Kinmont Rise Application Address: West of Broomfallen Road, Scotby Local Plan Allocated Site R16 Parish – Wetheral	Erection of 28 Dwellings Open Space and Associated Infrastructure (Revised Application to 12/0790 Simtor Ltd 24/02/16) Developer: Story Homes	17/0995	04/01/19	AFFORDABLE HOUSING In line with Policy HO 4: 7 Discounted Sale Homes (70% Open Market Value)– Plots 13 – 19 EDUCATION CONTRIBUTION [COUNTY COUNCIL] In line with Policy CM 2: £72,306 [indexed] to provide additional school places at Scotby Church of England School or Cumwhinton Primary School or alternatively to provide transport to the nearest school with capacity PLAY AREA CONTRIBUTION In line with Policy GI 4: £14,300 [indexed] towards the provision & maintenance of play areas within Scotby. PUBLIC OPEN SPACE In line with Policy GI 4: to lay out and maintain the public open space in accordance with approved Public Open Space Scheme in perpetuity.	Prior to 75% of the open market dwellings being completed prior to occupation of any Dwelling prior to occupation of any Dwelling Throughout development
Application Address: Land at Barras House, Barras Close, Dalston	COU from 18 sheltered housing units to 2no flats and 7no houses	18/0421	07/01/19	AFFORDABLE HOUSING In line with Policy HO 4: All Affordable Rented Homes	Throughout development

Site	Development Proposal	Planning Application Ref.	Date Signed	S106 Obligation Overview	Trigger
Parish – Dalston	Developer: Riverside Group				
DEED OF VARIATION WITH MATERIAL CHANGE					
Application Address: Skelton House Wetheral Parish – Wetheral	Demolition of existing house, adjoining barn & outbuildings; erection of 15 x 2 bed apartments Developer: Citadel Estates	original 10/1066	Original 24/05/12 DOV 25/05/18	AFFORDABLE HOUSING Removal of all definitions Replace with AFFORDABLE HOUSING CONTRIBUTION £172,730.70	Completion of the 15 th Unit

3. Delivery of Obligations 2018 to 2019

3.1 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 Ref	Affordable Rented Homes	Discounted Sale	Parish	Ward
Land Rear of Irvings Place, Dalston Road, Cummersdale	16/1022	3			Denton Holme
Land rear & west of garden village [Brackenleigh]	10/1026		1	Cummersdale	Dalston
Land Bounded by Hammonds Pond [The Ridings]	12/0793	6	5	St Cuthbert's Without	Dalston
Former Dairy, Holywell Crescent, Botcherby	18/0490	21			Botcherby
SW of Cumwhinton Road & Farbrow Road [Speckled Wood]	13/0983	10	6	St Cuthbert Without	Dalston
East of Cumwhinton Drive [The Coppice]	15/0918	14	7	St Cuthbert Without	Dalston
Rear Raiselands Rd & Levens Drive	15/0607	12			Morton
Land NE Windsor Drive [Tarraby View]	14/0078	13	3		Stanwix Rural
		79	22		

Eligibility for affordable housing is subject to 'Qualifying Status' detailed in the agreement.

Theme: Specialist Housing

S106 Agreement	Amount	Type	Parish
16/0260 Scalesceugh Hall, Carlisle	6	Close Care Cottages – Occupancy Restrictions age 55 or over falling between traditional sheltered housing and full residential care	St Cuthbert Without

Theme: Specialist Housing

S106 Agreement	Amount	Type	Parish
16/0260 Scalesceugh Hall, Carlisle	6	Close Care Cottages – Occupancy Restrictions age 55 or over falling between traditional sheltered housing and full residential care	St Cuthbert Without

Theme: Refuse Bins

S106 Agreement	Type	Parish
13/0655 17/0254 18/0490 Former Dairy Site, Holywell Crescent, Botcherby	Wheeled Refuse Bins: secured the purchase and delivery of wheeled refuse bin for each unit	Botcherby

- Financial Contributions**

The total received from S106 agreements for the year 2018 – 2019 amounted to £317,107.31 and is broken down by theme and purpose below:

Theme: Off-Site Affordable Housing Contributions

S106 Agreement	Amount	Purpose	Parish	Finance Ref
14/0490 Fallowfields, Plains Road, Wetheral	£57,000	Providing Affordable Housing within the Rural East Housing Market of Carlisle within 10 years of receipt	Wetheral	11069
16/0812 Adj The Whins, Heads Nook	£74,645.95	1 st payment of 3: Providing Affordable Housing within the Rural East Housing Market of Carlisle within 10 years of receipt of final payment	Wetheral	11071
Total for year	£131,645.95			

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
10/1066 Skelton House, Wetheral	£3,000	Towards the costs of provision & maintenance of children's play facilities and equipment within 1 year of receipt	Wetheral	11058
14/0778 NE of Windsor Way, Carlisle	£82,461.36	For the purpose of improving existing or creating new sports pitch provision within 1.5km of the site.	Stanwix Rural	1070
Total for year	£85,461.36			

Theme: Habitat Contributions

S106 Agreement	Amount	Purpose	Parish	Finance Ref
10/1116 Carlisle Airport	£100,000	Schemes for Breeding waders and other birds. [5 years]	Irthington	11063
Total for year	£100,000			

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 18/19	Spent 18/19	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 [all committed to facilitate additional delivery at Irvings Place]	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 £11,750	None £20,625 [committed to facilitate additional delivery at Irvings Place]	Nil	£32,375	2019 2020 2023	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	£109,800	£4,855.86 [committed to facilitate additional delivery at Irvings Place]	July 2021	Ward: Stanwix Urban	11055
13/0450 West Quarry House, Wetheral Pasture	Providing Affordable Housing within the Rural East Housing Market of Carlisle	£18,900 £17,700 £18,900	None	Nil	£55,500	Dec 2026	Wetheral	11056

Planning Application Location	Commitment	Original Sum	Summary of Works Undertaken 18/19	Spent 18/19	Balance Outstanding	Expiry date	Parish/Ward	Finance Ref
13/0562 Rear of Lime House Wetheral	Towards the provision of Affordable Housing within the District	£10,000	None [all committed to facilitate additional delivery at Irvings Place]	Nil	£10,000	Apr 2026	Wetheral	11057
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
14/0490 Fallowfields, Plains Road, Wetheral	Providing Affordable Housing within the Rural East Housing Market	£57,000	None	Nil	£57,000		Wetheral	11069
16/0812 Adj The Whins, Heads Nook	Providing Affordable Housing within the Rural East Housing Market	£74,645.95	None	Nil	£74,645.95	10 years from final payment [2 more]	Wetheral	11071
		£632.416		£109,800	407,867			

Theme: Open Space/Play Area Contributions

Planning Application Location	Commitment	Original Sum	Summary of Works Undertaken 18/19	Spent 18/19	Balance Outstanding (rounded)	Expiry date	Parish/Ward	Finance Ref
Holme Head Bay*	Maintenance of Public Open Space.	£10,630	Maintenance at Holme Head Bay	£ 600	£ 1,200	N/A	Denton Holme	11006
Windsor Way*	Maintenance of Play Area	£10,000	Weekly checks of play area and maintenance	£ 600	£ 1,200	N/A	Stanwix Rural	11008
Walkmill, Warwick Road*	Maintenance of Play Area within vicinity of the site	£33,000	Football pitch maintenance	£2,310	£ 4,620	N/A	Botcherby	11009
04/0902 Wakefield Road, Lowy Hill	Maintenance of Play Area - Moorville Drive	£10,000	Weekly checks of play area and maintenance	£1,000	£ 1,000	Dec 2019	Belah	11010
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	Contribution towards regular grounds maintenance	£1,800	£ 3,600	Jul 2019	Stanwix Rural	11019
09/0511 Heysham Park, Raffles	Maintenance of Public Open Space	£25,000	Weekly checks of play area and maintenance	£2,500	£ 5,000	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	Fencing repairs at Murray Park Play Area	£9,790	£ 3,010	Feb 2021	Brampton	11026

Planning Application Location	Commitment	Original Sum	Summary of Works Undertaken 18/19	Spent 18/19	Balance Outstanding (rounded)	Expiry date	Parish/Ward	Finance Ref
			undertaken by Brampton PC					
96/0830 Carleton Grange, Garlands	Maintenance of Play Area	£10,000	Weekly checks of play area and maintenance	£ 1,000	£ 3,000	Mar 2021	Harraby/Dalston	11029
	Maintenance of Public Open Space	£102,837	Grounds Maintenance	£10,283	£ 30,174	Mar 2021		
11/0135 Site F, Brookside, Raffles, Carlisle*	Maintenance @ Heysham Park	£12,823	Weekly checks of play area and maintenance & regular upkeep of Heysham Park	£ 1,595	£ 3,188	N/A	Belle Vue	11037
Pennine View*	Maintenance of 2 parcels of land Parkland Village/ Carleton Grange	£ 3,570.75	Regular Grounds Maintenance	£ 357	£ 2,500	N/A	Dalston/Harraby	11042
Barley Edge, Durranshill	Maintenance of off-site Open space & Play provision	£50,669.37	Regular Grounds Maintenance	£ 5,000	£43,054	Dec 2023	Botcherby	11043
12/0878 Townhead Road/ Station Road Dalston	Recreational Contribution – childrens play areas and sports pitches.	£115,586	None	Nil	£ 32,140	Feb 2020	Dalston	11049
07/1312 11/0120 Westmorland Street [Former Penguin Factory]	Improvement to or provision of public play and open space facilities within the vicinity of the development	£ 84,520	Committed for improvements to St James Park. Consultation completed	Nil	£ 84,520	July 2020	Denton Holme	11053
12/0025	Off-site public open space	£11,627	None	Nil	£11,627	Sep 2020	Stanwix Urban	11054

Planning Application Location	Commitment	Original Sum	Summary of Works Undertaken 18/19	Spent 18/19	Balance Outstanding (rounded)	Expiry date	Parish/Ward	Finance Ref
Waverly Gardens [St Augustines]								
10/1066 Skelton House, Wetheral	Provision & maintenance of children's play facilities and equipment	£3,000	Works at Turnmire Common Play Area being commissioned by Parish Council	Nil	£ 3,000	Jun 2019	Wetheral	11058
13/0983 Carlton Farm	Improvements to Dale End Field	£57,816	None	Nil	£57,816	Feb 2022	St Cuthberts Without	11061
14/0778 NE of Windsor Way, Carlisle [Tarraby View]	improving existing or creating new sports pitch provision within 1.5km of the site.	£82,461.36	None	Nil	£82,461.36	Sep 2028	Stanwix Rural	11070
		£825,210		£ 36,835	£412,572			

Theme: Infrastructure Contributions

Planning Application Location	Commitment	Original Sum	Summary of Works Undertaken 18/19 or Comments	Spent 18/19	Balance Outstanding	Expiry date	Parish/Ward	Finance Ref
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

Planning Application Location	Commitment	Original Sum	Summary of Works Undertaken 18/19 or Comments	Spent 18/19	Balance Outstanding	Expiry date	Parish/ Ward	Finance Ref
09/0617 12/0495 15/1089 Crindledyke Farm*	Highways Improvements 1 st contribution	£ 25,000	Investigation of road closure of U1281 [County Council]	Nil	£ 25,000	July 2018	Stanwix Rural	11040
	Highways Improvements 2 nd Contribution	£ 10,000	Work on public right of way between Crindledyke & Chandler Way as part of Cycle Link	£ 10,000	Nil	July 2018		
	Transport Improvements 2 nd Contribution	£281,000	2 nd and final phase of committed Connect2 Kingmoor cycleway to Carlisle	£128,678	Nil	July 2018		
	Travel Plan Administration Fee	£ 11,125	Negotiation of Bus Extension. County Council undertaking overseeing of Travel Plan	Nil	£ 11,125	N/A		
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
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 Irving's 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

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

Theme: Habitat Contributions

Application/ Location	Commitment	Original Sum	Summary of Works Undertaken 18/19	Spent 18/19	Balance Outstanding	Expiry date	Parish/ Ward	Finance Ref
14/0062 Todhills, Blackford	Provision of 3 Owl Boxes within 1km of the site	£ 300	3 Owl boxed installed arranged via Cumbria Wildlife Trust	£300	Nil	Feb 2020	Rockcliff e	11050
12/0610 Hadrians Camp, Houghton	Mitigation of on-site habitats	£70,189	Mitigation at Gosling Sike, Houghton undertaken by Cumbria Wildlife Trust	£26,321	£43,868	Apr 2025	Stanwix Rural	11051
10/1116 Carlisle Airport	Schemes for Breeding waders and other birds	£100,000	Mitigation at Rockcliffe Marsh undertaken by Cumbria Wildlife Trust	£20,000	£80,000	July 2023	Irthington	11063
		£170,489		£46,621	£123,868			

c) DELIVERY OF OBLIGATIONS BY PARISHES WITHIN THE YEAR

Theme: Open Space/Play Area Contributions

Application/ Location	Commitment	Original Sum	Summary of Works Undertaken 18/19	Spent 18/19	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		

4. Outstanding Obligations to Carlisle City Council as at 31 March 2019 (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 – known as 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	Within 1 month of completion of the development. (Final Phase not commenced)
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 Floorspace), And Public Open Space	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
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 12/0132	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 notification regarding construction of the New School. New School to be completed and ready for occupation. Local Centre To be constructed	Throughout Development 19 social rented 17 discounted [phase 1 delivered] management scheme each phase 2 Instalments remaining Throughout development Construction to be undertaken by developer Prior to occupation of the 199 th dwelling Prior to the occupation of more than 649 dwellings.

PP No	Date Signed	Parties	Site	Development Proposal	S106 Obligation Outstanding	When Due/Comment
						(Phase 1 Complete – site closed)
10/1066	24/05/12 DOVs 31/03/17 25/08/18	Citadel Estates	Skelton House. Wetheral Parish – Wetheral	Demolition of exiting house, adjoining barn & outbuildings; erection of 15 x 2 bed apartments	Affordable Housing Contribution £172,730.70	Upon completion of 15 th Unit Currently with Legal re dispute
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 – awaiting trigger on 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 upon the 5th relevant unit (last 2 relevant units). (Under Construction 1st Tranche received)
12/0793	12/03/14	Cumbria County Council and Personal	Hammonds Pond, Oaklands Drive, Durdar Road, Carlisle	Erection Of 318no. Dwellings	Affordable Housing: 31 Discounted @ 70% OMV	Throughout Development

PP No	Date Signed	Parties	Site	Development Proposal	S106 Obligation Outstanding	When Due/Comment
		Covenants and Story Homes	Parish – St Cuthberts Without		31 Rented Contributions: Upperby Football Pitches Upperby Skate Park Play Facilities Upperby CCTV	18 discounted @ 70% OMV and 6 Social Rented Homes delivered 50% of development (Under Construction)
13/0655 17/0254 18/0490	24/03/14 06/12/17 13/02/19	Top Notch Contactors Ltd NOW Home Group Developments Limited and Svenska Handlebanken AB (Publ)	Former Dairy Site, Holywell Crescent, Botcherby, Carlisle, CA1 2TD Ward – Botcherby	Erection of 66 no dwellings	Public Open Space and Play Area Contribution £15,000 (indexed)	Prior to 1st occupation of any unit Prior to 1st occupation of 20th unit (Under Construction)
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)
13/0905 17/0131	02/07/14 undetermined	Personal Covenant	Rear 55-56 Scotby Road, Scotby Parish– Wetheral	Erection Of 45no. Dwellings, Associated Open Space And Infrastructure	Affordable Housing Financial Contribution: Formula: (Market Value x 0.1) x 0.3	Payable upon first 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 Plot 1 & 2 Complete)

PP No	Date Signed	Parties	Site	Development Proposal	S106 Obligation Outstanding	When Due/Comment
12/0856 19/0060 undetermined	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 x 0.1) x 0.3	Payable in accordance with paragraph 4 of the 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 Aspen Grange	Erection of 172 Dwellings	Affordable Housing: 17 Social Rent 17 Discounted 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 and subject to a DOV)

PP No	Date Signed	Parties	Site	Development Proposal	S106 Obligation Outstanding	When Due/Comment
13/0983	28/09/15	Persimmon (SHL) Ltd Cumbria County Council	Land at Carleton Farm, Carlisle Parish – St Cuthberts Without Speckled Wood	Housing Development [189 dwellings]	Affordable Housing: 22 Social Rent and 34 @ 70% OMV	Delivered: 22 Social Rented 25 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 2 completed)
14/0849	09/11/15 5 year permission	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)
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)
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	Land North of Moorside Drive/Valley Drive, Carlisle	Residential Development [OUT]	AFFORDABLE HOUSING	RM 17/0038 rec'd 15/02/17 for 166 Authority to Issue

PP No	Date Signed	Parties	Site	Development Proposal	S106 Obligation Outstanding	When Due/Comment
		Secretary of State for Health	Parish – St Cuthberts Without		20% To be provided at 50/50 Affordable Rent and Low Cost	
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 Parish – St Cuthberts Without The Coppice	Erection Of 189no. Dwellings With Associated Infrastructure And Landscape	AFFORDABLE HOUSING 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	Throughout Development Delivered: 11 Discounted Sale 15 Social Rent 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 17/0992 Reserve Matters	02/06/16 22/02/18	Border Travel Services Ltd and Cumbria County Council	Land to the North of Burgh Road, Carlisle Ward – Belle Vue	Erection of 83 Dwellings	AFFORDABLE HOUSING 30% split 50/50 Affordable rented and Discounted Sale @ 70% OMV	(Permission unimplemented)
15/0617 18/1088	22/06/16 14/06/19	Personal covenant and Cumbria County Council	Land adj King Edwards Fauld, Burgh by Sands	Erection of 24 Dwellings	AFFORDABLE HOUSING 2 x Affordable Rent	Throughout Development

PP No	Date Signed	Parties	Site	Development Proposal	S106 Obligation Outstanding	When Due/Comment
Undetermined			Parish – Burgh by Sands		2 x Discounted 70% OMV OFF SITE RECREATION CONTRIBUTION to pay £15,000 PUBLIC OPEN SPACE to submit and obtain approval of the Public Open Space Scheme	Prior to occupation of any Dwellings Prior to commencement (Permission unimplemented)
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	AFFORDABLE HOUSING 4 X 2 bed houses and 2 x 3 bed houses	(Permission unimplemented)

PP No	Date Signed	Parties	Site	Development Proposal	S106 Obligation Outstanding	When Due/Comment
					OPEN SPACE CONTRIBUTION Prior to occupation of 50% of the units to pay £63K maintenance or improvement of Heysham Park, Engine Lanning 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 Kinmount Rise	Erection of 41No. Dwellings	AFFORDABLE HOUSING 6 Social Rented 6 Discounted 70% OMV OFF SITE RECREATIONAL CONTRIBUTION Prior to occupation of any dwellings pay 50% of contribution [£46,186.50]	Throughout Development Prior to occupation of 50% of dwellings pay 50% of contribution [£46,186.50] (Under Construction)
14/0901 OUT 19/0753 RM Undetermined	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 Reserved Matters.	(Permission unimplemented)
15/0595 OUT 17/1028 RM	31/11/16 27/02/18	Personal Covenant and Cumbria County Council	Land North of Kingmoor Industrial Estate, Kingmoor Road, Carlisle Ward - Belah	Erection of 71 no Dwellings	AFFORDABLE HOUSING 10 Social Rented 10 Discounted 70% OFF SITE RECREATION CONTRIBUTION £50k [indexed]	Throughout Development prior to first occupation

PP No	Date Signed	Parties	Site	Development Proposal	S106 Obligation Outstanding	When Due/Comment
					PUBLIC OPEN SPACE Submit and obtain approval MANAGEMENT COMPANY POLICY to be agreed	prior to first occupation prior to first occupation (Permission unimplemented)
12/0880 19/0595 19/0556	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 OPEN SPACE CONTRIBUTION £66,457.97	Throughout Development Prior to Commencement Prior to 1 st occupation (Permission unimplemented)
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	Await RM

PP No	Date Signed	Parties	Site	Development Proposal	S106 Obligation Outstanding	When Due/Comment
					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	
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 2 outstanding on 1st occupation of 6th & 9th dwelling	Throughout Development (Under Construction)
16/0769	31/03/17	Personal Covenants	Land between Gelt Rise and Gelt Road, Brampton Parish – Brampton	Erection of 18 No. Dwellings	AFFORDABLE HOUSING 6 in accordance with the indicative mix required in Policy HO 4	Throughout Development (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	

PP No	Date Signed	Parties	Site	Development Proposal	S106 Obligation Outstanding	When Due/Comment
					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 42 Discounted [70% OMV]	Throughout Development Delivered: 3 Discounted Sale 13 Social Rent (Under Construction)
16/0097 OUT 19/0452 FULL Underter mined	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	Throughout Development (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 Pay £79,253 for the provision and	Throughout Development prior to occupation of 1 st unit (Under Construction)

PP No	Date Signed	Parties	Site	Development Proposal	S106 Obligation Outstanding	When Due/Comment
					maintenance of a play area in Longtown	
15/0812	13/04/18		Land at Harker Industrial Estate, Low Harker, Carlisle Allocated Site R11 Parish – Rockcliffe	Residential Development [OUTLINE] indicative 300	AFFORDABLE HOUSING Scheme to be submitted within parameters [between 5 & 15% within agreement]	Prior to commencement (Permission unimplemented)
17/0869	25/04/19	Story Homes Cumbria County Council	Carlisle Road, Brampton Part Allocated Site R1 Parish – Brampton Site Name: Winchester Place	Erection Of 91no. Dwellings Associated Infrastructure	AFFORDABLE HOUSING In line with Policy HO 4: 13 Affordable Rented 14 Intermediate OFF-SITE PLAY CONTRIBUTION In line with Policy GI 4: £150,668 [indexed] to provide & maintain off-site play equipment within 600 m of the site	Throughout Development 50% prior to occupation of the 25 th and 50 th Dwelling (Permission unimplemented)
18/0237 OUT 18/0555 RM	19/06/18 25/07/18		Garth Cottage Wetheral Pasture Parish – Wetheral	Erection of 5 Dwellings	WOODLAND PLANTING SCHEME In line with Policy HO 4:	Prior to 1 st occupation (Under Construction)
18/0903 OUT 18/1140 RM	08/08/18 15/02/19	Genesis Homes	Land adj to How Croft, Cumwhinton Allocated Site R9 Parish – Wetheral	Erection of 19 no Dwellings	AFFORDABLE HOUSING In line with Policy HO 4: 2 Affordable Rent 3 Discounted 70% OMV	Throughout Development

PP No	Date Signed	Parties	Site	Development Proposal	S106 Obligation Outstanding	When Due/Comment
					OFF-SITE PUBLIC OPEN SPACE CONTRIBUTION In line with Policy GI 4: £13,393 [indexed] for improvement of existing open spaces in the village of Cumwhinton	Prior to occupation of more than 7 open market dwellings (Permission unimplemented)
18/0237	25/08/18	Magnus Homes Ltd	Land at Thornedge, Cumwhinton Parish – Wetheral		AFFORDABLE HOUSING In line with Policy HO 4: 1 Discounted property @ 70% OMV [Rural East] ORCHARD In line with Policy HO 4: Orchard and copse to be provided on the site and maintained in perpetuity in accordance with the Orchard Management Scheme [fourth Schedule of agreement]	Prior to 50 % of Open Market Dwellings Prior to 1 st occupation (Under Construction)
16/0831	05/11/18	Personal Covenants and Monet's Gardens Ltd	Land at Holly House Nurseries, Durdar Road Parish – St Cuthbert Without	Erection of 9 no Dwellings	AFFORDABLE HOUSING CONTRIBUTION In line with Policy HO 4: £40,000 [indexed] [Rural East]	Prior to occupation of 5 open market dwellings (Permission unimplemented)

PP No	Date Signed	Parties	Site	Development Proposal	S106 Obligation Outstanding	When Due/Comment
18/0337 OUT	06/11/18	Woodgrange Developments	South of Croft Villa, Wetheral Parish – Wetheral	Erection Of 7no 4-bedroom detached and 2no 3-bedroom single story dwellings OUT	AFFORDABLE HOUSING CONTRIBUTION In line with Policy HO 4: £108,550.20 [indexed] [Rural East]	To be paid in 3 instalments prior to occupation of 4, 6 and all units (Permission unimplemented)
16/0249	27/03/18	Harrison Northern	Land between Tyne Street and Chertsey Mount, Carlisle Ward – Harraby	Erection of 30no Dwellings	AFFORDABLE HOUSING In line with Policy HO 4: 6 Affordable rented properties PLAY AREA CONTRIBUTION In line with Policy GI 4: £16,320 [indexed] towards the provision & maintenance of play and recreation facilities. PUBLIC OPEN SPACE In line with Policy GI 4: to lay out and maintain the public open space in accordance with approved Public Open Space Scheme in perpetuity, ensuring that there is public access	Prior to 75% of the open market dwellings being completed Upon issuing of final building regulation certificate Throughout development (Permission unimplemented)
12/0790 17/0995	24/02/16 04/01/19	Simtor Ltd and Cumbria County Council Now Story Homes and	West of Broomfallen Road, Scotby Allocated Site R16	Erection of 28 Dwellings Open Space and Associated Infrastructure (Revised Application to 12/0790 Simtor Ltd 24/02/16)	AFFORDABLE HOUSING In line with Policy HO 4: 7 Discounted Sale 70% OMV – Plots 13 – 19	Prior to 75% of the open market dwellings being completed

PP No	Date Signed	Parties	Site	Development Proposal	S106 Obligation Outstanding	When Due/Comment
		Cumbria County Council	Site Name: Kinmont Rise Parish – Wetheral		PLAY AREA CONTRIBUTION In line with Policy GI 4: £14,300 [indexed] towards the provision & maintenance of play areas within Scotby. PUBLIC OPEN SPACE In line with Policy GI 4: to lay out and maintain the public open space in accordance with approved Public Open Space Scheme	prior to occupation of any Dwelling Throughout development (Permission unimplemented)
18/0421	07/01/19 DOV 25/05/18	Riverside Group	Land at Barras House, Barras Close, Dalston Parish – Dalston	COU from 18 sheltered housing units to 2no flats and 7no houses	AFFORDABLE HOUSING All Affordable Rented Homes	throughout development (Permission unimplemented)

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

Deed of Variation (DOV) - Amendment and variation to a Section 106 (S106) 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.

Indexation - A method used to adjust the amount owed which reflects the effect of inflation from the date of the agreement to the date of payment on it.

Open Market Value (OMV) - The estimated amount that a property would sell for between a willing buyer and a willing seller.

Outline Planning Permission (OUT) - Establishes 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,

Qualifying Status – details the criteria and eligibility for required to occupy an affordable house on the site to which the planning obligation applies.

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 – Morton Development

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	County can serve written notice that it requires the School Site.	County 12

TRIGGER	COVENANT	PARA
commencement (whichever the earliest)	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 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
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	