

# Infrastructure Funding Statement 2022/2023

## INTRODUCTION

Since 2020, Local Planning Authorities are required to produce an infrastructure funding statement on an annual basis as a result of government guidance. This is Lancaster City Council's third infrastructure report and it will be updated on an annual basis. This report provides a summary of the Section 106 Planning Obligations, also known as Developer Contributions, that the Council has secured, received and spent from planning permissions for off-site and on-site infrastructure in 2022/2023.

In summary, the report provides:

- An overview of Section 106 Planning Obligations secured in 2022/2023;
- Financial contributions and provisions received under a Section 106 Planning Obligation received by the Council in the 2022/2023 monitoring period;
- Financial contributions that have been spent in 2022/2023; and
- Financial contributions that have been received under a Section 106 Planning Obligation prior to 2022/2023 but are currently unspent.

The information included in the report will be updated annually and published on the Council's website meaning the information will be readily available to members of the public and other interested parties. This report will present the most up to date information on the amount of Section 106 Planning Obligations received by the Council from new developments, and on where these monies have been spent. If you have any other queries about Section 106 Planning Obligations you can email [S106@lancaster.gov.uk](mailto:S106@lancaster.gov.uk)

## SECTION 106 OBLIGATIONS

Under section 106 (s106) of the Town and Country Planning Act 1990 a Local Planning Authority (LPA) can seek obligations from the developer, also referred to as 'Developer Contributions' or 'Planning Obligations' or 'Section 106/S106 obligations'. Section 106 Planning Obligations are legal obligations entered into to mitigate the impacts of a development proposal. Councils should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or Section 106 Planning Obligations. Section 106 Planning Obligations should only be used where it is not possible to address unacceptable impacts through a planning condition, and they must meet the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

They are used to individually or collectively fund infrastructure that is required to support the development.

For example, new residential developments place additional pressure on existing social, physical and economic infrastructure in the surrounding area. Developer contributions aim to balance this extra pressure with improvements to the surrounding area to ensure that a development makes a positive contribution to the local area (for example, contributions towards education, providing areas of open space or highway improvements).

The obligations may be provided directly by the developers. For example, the developer may build a certain number of affordable homes on-site. Alternatively, contributions can be met in the form of financial payments to the Council to provide off-site infrastructure works or contributions towards providing affordable housing elsewhere in the district.

The Council cannot ask for contributions via section 106 planning obligations in certain circumstances:

“Planning obligations for affordable housing should only be sought for residential developments that are major developments...For residential development, major development is defined in the National Planning Policy Framework as development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000 square metres or more, or a site of 1 hectare or more. Planning obligations should not be sought from any development consisting only of the construction of a residential annex or extension to an existing home.”  
Planning Practice Guidance 2019 Paragraph 023 'Planning Obligations' <https://www.gov.uk/guidance/planning-obligations>

## S106 OBLIGATIONS THAT HAVE BEEN SECURED IN 2022/2023

Between 1 April 2022 to 31 March 2023 there were 9 planning permissions issued that had a S106 agreement with developer obligations attached to the consent. These are:

Planning Application Ref	Development Address	Proposal	Obligations
21/01113/FUL	Central Promenade Regeneration Site, Marine Road Central, Morecambe	Demolition of existing buildings and proposed construction of major mixed leisure development in association with Eden Project (including use classes E, F1 and F2), outdoor arena (including live music performances), public realm, landscaping works, cycle parking, detached shelter and energy pods, and associated infrastructure and engineering operations	<ul style="list-style-type: none"> <li>Travel Plan contribution - £10,000 (index linked), to be paid to Lancashire County Council</li> </ul>
21/01069/FUL	Land North Of A683 And Heysham Substation, Lancaster Morecambe Bypass, Morecambe	Installation of a 200MW energy storage facility, including 122 energy storage units and ancillary development including fencing, substation, transformers, underground cabling, inverters, switchgear, control room, office, storage container, security gates, seven no. 3m high CCTV columns, creation of an access with associated parking, landscaping, swale and balancing pond	<ul style="list-style-type: none"> <li>Heysham Moss Nature Reserve Contribution - £28,500 plus VAT, to be paid to the Lancashire Wildlife Trust</li> </ul>
21/01370/FUL	Land Rear Of Ingleborough View, Station Road, Hornby	Erection of 9 dwellings (C3) with associated detached garages, formation of a new access and associated estate roads and landscaping	<ul style="list-style-type: none"> <li>2 shared ownership units - plots 8 and 9.</li> </ul>

20/01145/FUL	Lune Industrial Estate, New Quay Road, Lancaster	Partial demolition and redevelopment of industrial estate including erection of new buildings to create 15 industrial blocks (Use Class B2/B8), erection of amenity block containing nursery, cafe and retail unit (all Use Class E) with associated access, parking and landscaping	<ul style="list-style-type: none"> <li>• Travel Plan Support - £6,000 (index linked) to be paid to Lancashire County Council</li> <li>• Bus Service Provision -£500,000 to be paid to Lancashire County Council in instalments as agreed in the S106 agreement</li> </ul>
18/00472/FUL	Land Off Wyresdale Road, Lancaster	Erection of 27 dwellings (C3) with associated access	<ul style="list-style-type: none"> <li>• Affordable Housing provision - 4 units - plots 22 &amp; 27 (2 x 2 bedroom) to be affordable rent; plots 22 &amp; 23 (2 x 3 bedroom) to be shared ownership.</li> <li>• Bus service contribution, £30,000, for the No 18 service. To be paid directly to County, subject to BCIS. BCIS will not apply if paid within a month of agreement.</li> <li>• Education contribution, £71,212, for 3 secondary places at Central High School (or any subsequent names). To be paid directly to Lancashire County Council, subject to BCIS. BCIS will not apply if paid within a month of agreement.</li> </ul>
21/00784/FUL	Land Off Ashton Road, Lancaster	Erection of 59 dwellings (C3) with associated vehicular and cycle/pedestrian access, parking, land regrading, landscaping, provision of open space and equipped play area and construction of an attenuation basin	<ul style="list-style-type: none"> <li>• Education Contribution £148,518, for secondary school places for 6 secondary places at Central High School and/or Boys Grammar. To be paid to Lancashire County Council.</li> <li>• Off-Site Public Open Space Contribution £95,092.20 for outdoor sports provision, including changing facilities at the Royal Albert Playing Fields Lancaster. Index linked.</li> <li>• Travel and transport contribution £443,798.00 - to be paid in 3 instalments directly to Lancashire County Council.</li> <li>• Affordable Housing Commuted sum (to be determined following submission of the updated viability review appraisal)</li> </ul>
22/00332/FUL	Land North Of Bulk Road And East Of Parliament Street, Lancaster	Demolition of existing carpet store and car wash (Class E) and erection of one 8 storey building and one 6 storey building for purpose-built student accommodation comprising 388 studios (C3) with ancillary communal facilities, new pedestrian access, public realm and landscaping	<ul style="list-style-type: none"> <li>• Off Site POS contribution £51,954.00 (subject to BCIS) to be paid to the Council towards the provision of a climbing wall on the Green Ayre Open Space</li> </ul>

20/01442/FUL	Land North Of Whernside Road, Watery Lane, Lancaster	Demolition of existing dwelling and erection of 78 dwellings (C3) with associated vehicular and pedestrian access, internal roads, footpaths and parking, re-grading of land and retaining structures, drainage infrastructure and the provision open space and equipped play area	<ul style="list-style-type: none"> <li>• Affordable Housing Commuted Sum - subject to determination of the AHCS in accordance with the updated viability review appraisal - owner/develop to provide the AHCS within 28 days of the sum being approved</li> <li>• Equipped play area to be fully provided to ROSPA standards</li> <li>• Amenity Open Space</li> </ul>
20/00358/OUT	Land Off Sand Lane, Sand Lane, Warton	Outline planning application for the erection of up to 12 2-storey dwellings and creation of 2 new accesses	<ul style="list-style-type: none"> <li>• Education Contribution - within 20 days following grant of REM to notify County School Planning Team consent has been granted and request County recalculates the secondary school education contribution.</li> <li>• Off Site Public Open Space contribution - £14,303.52 subject to indexation and may be subject to change at REM. To be paid to the Council prior to occupation of the 6th dwelling Affordable Housing Provision - 50% units to be affordable and scheme to be agreed at REM stage. Units to be transferred to RP prior to sale of 3rd MD</li> </ul>

The above agreements can be viewed at <http://www.lancaster.gov.uk/planning/view-applications-and-decisions>

### AFFORDABLE HOUSING PROVISION 2022/2023

69 affordable housing units were completed on developments in the Lancaster District and transferred to a registered provider in 2022/2023. These provisions were secured and provided through S106 agreements:

Planning Application Ref.	Development Address	No. of Affordable Units Provided
19/01158/FUL	Land North Of Hala Carr Farm, Bowerham Road, Lancaster	4 (tenure: 4 shared ownership)
20/00613/FUL	Land At Mill Lane, Halton	20 (tenure: 13 affordable rent, 7 shared ownership)
17/00848/OUT	Land South Of Playing Field Trumacar Lane, Middleton Road, Heysham	45 (tenure: 45 affordable rent)

### AFFORDABLE HOUSING CONTRIBUTIONS 2022/2023

No Affordable Housing Contributions were received in 2022/2023.

The total amount of unspent Affordable Housing Contributions to date is £212,859.38

In 2022/2023 no contributions were spent on projects.

## OTHER FINANCIAL CONTRIBUTIONS RECEIVED IN 2022/2023

The table below outlines financial contributions received under a Section 106 Planning Obligation in 2022/2023

Planning Application Ref	Development Address	Contribution Amount	Contribution Purpose
16/01572/OUT	Land Adjacent To Church Bank And Greenways, Over Kellet, Lancashire,	£10,708.16	£10708.16 Public Open Space contribution for upgrade towards local play equipment
18/01203/FUL	Middleton Clean Energy Plant, Middleton Road, Middleton	£10,000.00	£10,000 Biological Heritage Site (BHS) Contribution - for the continuing maintenance and improvement of the Middleton Former Refinery Biological Heritage Site and in particular for the enhancement of habitat for newts.
17/00165/OUT	Land between Low Road and Forge Lane, Halton, Lancashire	£32,256.00	£32,256 Education contribution (additional amount following revised education contribution calculation at reserved matters stage)
19/01158/FUL	Land North Of Hala Carr Farm, Bowerham Road, Lancaster, Lancashire	£71,125.52	£65,380 (subject to BCIS of £5,745.52) Off-site Public Open Space contribution towards new play equipment/provision and/or improvements to the equipped play space and/or young persons provision within the Scotforth East and John O'Gaunts Wards of Lancaster

## CONTRIBUTIONS SPENT IN 2022/2023

Below is a table that sets out S106 contributions that have been received in previous financial years and spent in year 2022/2023.

Planning Application Ref	Development Address	Contribution Amount	Contribution Purpose	Spending details
99/00087/FUL	10-12 Market Street, 33-39 Church Street, Lancaster & Mitre House Car Park	£22,600.00	Historic Building Grants	£1,500 of the original contribution spent on replacement sash windows at 98 Church Street under the Lancaster Historic Windows and Doors Grant Scheme. £6,243.75 remains unspent.
19/01336/VLA	Land Opposite 26 To 38, Lancaster Road, Overton, Lancashire	£47,985.51	POS contribution of £41466 plus indexation of £6519.51. To be used towards improvements at Middleton Playing Field and tennis courts only.	£18,000 of the contribution spent towards a tractor and fittings, £87.54 on a soil sampler. £29,412.97 remains unspent with Middleton Parish Council.
15/00813/FUL	Land adjacent Campbell Drive, Lancaster	£138,874.50	The payment of £65,000.00 Local Bus Service Contribution and £70,000.00 Far Moor Playing Fields Contribution in compliance with the terms of a s106 Agreement dated 31st March 2016	Remaining £36,401.90 from original contribution spent on a maintenance contract for the previously purchased verti-drain. This contribution is now fully spent.
17/00165/OUT	Land between Low Road and Forge Lane, Halton, Lancashire	£16,000.00	Playing Pitch Contribution £16,000	Grant agreement entered into with Halton Parish Council for the improvement of the football playing pitch at Low Road Halton. £4,541.21 has been spent on pitch surface improvements. £11,458.79 remains unspent with Halton Parish Council.



CONTRIBUTIONS REIMBURSED IN 2022/2023

Planning Application Ref	Development Address	Original Contribution Amount	Contribution amount refunded	Contribution Purpose	Reason for reimbursement
14/00587/VCN	Luneside West Development Site, Thetis Road, Lune Business Park, Lancaster, Lancashire, LA1 5QP	£14,000	£5,500	Luneside West Cycleway and Footpath (£21,000 for cyclepath and £7,000 for footpath =£28,000 total, each developer to pay £14,000 each)	Partial reimbursement – works completed at a lower cost
14/00587/VCN	Luneside West Development Site, Thetis Road, Lune Business Park, Lancaster, Lancashire, LA1 5QP	£14,000	£5,700	Luneside West Cycleway and Footpath (£21,000 for cyclepath and £7,000 for footpath =£28,000 total, each developer to pay £14,000 each)	Partial reimbursement – works completed at a lower cost
14/00129/FUL	Nightingale Hall Farm, Quernmore Road, Lancaster, Lancashire	£70,000	£70,000	Transport Contribution of £70,000 to the council (Cyclepath from Derwent Road to City Centre)	Project could not be brought forward
09/01204/FUL	Land at Lansil Industrial Estate, Lansil Way, Lancaster	£25,000	£25,000	Transport Contribution £25,000 for Real Time Bus Information in City Centre	'Real Time Bus Information' project was not implemented

## CONTRIBUTIONS RECEIVED PRIOR TO 2022/2023

Local Planning Authorities now need to report on unspent contributions received in previous years. The table below shows all unspent contributions secured prior to 2022/2023 and states whether the contribution has been allocated and remains unspent, or has not yet been allocated.

Planning Application Ref.	Development Address	Contribution Amount	Contribution Purpose	Contribution Position	Payback date
99/00087/FUL	10-12 Market Street, 33-39 Church Street, Lancaster & Mitre House Car Park	£6243.75 remaining	Contribution is to be used for a grant fund for historic homes in Lancaster City Centre	Not allocated	No payback
14/00633/VCN	Land at Lawsons Bridge, Scotforth Road, Lancaster.	£63,275.00 remaining	£65,000.00 contribution to the creation of a pedestrian/cycleway between Scotforth Road and Lawsons Bridge	Not allocated	20/05/2024
13/00122/VCN	Lancaster Moor Hospital, Quernmore Road, Lancaster, Lancashire	£217 remains from original £131,783 contribution	Contribution to County Council for a cycleway along Quernmore Road	Allocated but £217 remains unspent, due to be reimbursed	14/02/2018
16/00255/VCN	Land north of 1 to 23 Stoney Lane, Galgate, Lancashire	£216,533.00	Education Contribution for 18 school places at St John The Evangelist Church of England Primary School in Galgate	Not allocated	No payback
14/00129/FUL	Nightingale Hall Farm, Quernmore Road, Lancaster, Lancashire	£71,283 plus indexation of £4,400.74	Education Contribution	Not allocated	19/03/2023
17/00848/OUT	Land South Of Playing Field Trumacar Lane, Middleton Road, Heysham, Lancashire	£60,113.64	Public Open Space Contribution - To utilise the contribution towards improvements to sports	Allocated	21/01/2027

			provision within a 2km radius of the site and/or towards open space in the vicinity of the site.		
19/01336/VLA	Land Opposite 26 To 38, Lancaster Road, Overton, Lancashire	£70,275.03	Education contribution	Not allocated	07/01/2027
15/00847/OUT	Warton Grange Farm, Warton, Carnforth, Lancashire, LA5 9PE	£48,370.32	Education contribution	Not allocated	25/01/2027
15/00847/OUT	Warton Grange Farm, Warton, Carnforth, Lancashire, LA5 9PE	£10,000	Public Open Space Contribution	Allocated	No payback
16/00574/FUL	Luneside East St Georges Quay Lancaster	£19,000.00	Public Open Space Contribution for the provision of a pedestrian path	Allocated	No payback
09/01035/FUL	Land at Westgate, Morecambe	£8,379.00	Remaining funds from the £40,000 contribution -to be spent on New Quality bus stop (south side of Westgate), Westgate Cycle Way (from main site access to Buckingham Rd), Toucan Crossing (close to Buckingham Rd)	Allocated	No payback
13/01274/FUL	47 - 51 North Road, Lancaster, Lancashire LA1 1NS	17,000.00	Highways Contribution towards Toucan crossing payable on first occupation of block B	Allocated	20/10/2024
17/00165/OUT	Land between Low Road and Forge Lane, Halton, Lancashire	£298,563.51	Education Contribution	Unspent	26/01/2027

## FUTURE S106 CONTRIBUTIONS

In 2022/2023 the following contributions are expected to be received by the council:

Planning Application Ref.	Development address	Contribution Amount	Contribution Purpose
17/00970/OUT	Land At Higher Bond Gate, Abbeystead Road, Dolphinhholme, Lancaster, LA2 9AY	£92,247.00	Education contribution of £42,846.54 for two secondary school places
17/00970/OUT	Land At Higher Bond Gate, Abbeystead Road, Dolphinhholme, Lancaster, LA2 9AY	£89,397.75	Open space off-site contribution for Outdoor sports provision: £33,747.75: towards the Parish Councils tennis court and bowling green, and, Childs Play and Young Persons Provision £55, 650 towards the Parish Councils Play Area.
21/00515/FUL	67 And 69 Slyne Road And Land To The Rear, Lancaster, Lancashire	£47,301.00	POS of £40239.50 made up of £7428.75 (index linked) for improvements to adjacent King George Lancaster playing pitches; £3,500 (index linked) towards young persons open space provision in Ryelands Park; £29,310.75 (index linked) towards planting and 3yrs maintenance of 35 trees

## MONITORING FEES 2022/2023

Local Planning Authorities must report on monies received under planning obligations that are spent in respect of monitoring in relation to the delivery of planning obligations. Lancaster City Council did not receive monitoring fees by means of a S106 agreement in 2022/2023.

For any queries please contact [vmacluskie@lancaster.gov.uk](mailto:vmacluskie@lancaster.gov.uk)