

North East Derbyshire

Infrastructure Funding Statement 2022/23



North East Derbyshire
District Council

November 2023

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Introduction

- 1.1 The Council is required to prepare and publish an Infrastructure Funding Statement (IFS) every year that sets out information on the funds it receives and spends from developers under the Community Infrastructure Levy (CIL) and/or through Section 106 (s106) planning obligations.
- 1.2 North East Derbyshire District Council is not currently a CIL charging authority, so this report only provides information in respect of financial payments in relation to s106 planning obligations from new developments. It does not therefore, provide a CIL report, or set out an infrastructure list to be funded through CIL¹.
- 1.3 In addition, the report does not cover any financial contributions received and details of works completed in relation to highways infrastructure secured under s278 highways agreements, as this is a matter dealt with separately by Derbyshire County Council as the highway authority.
- 1.4 In summary, this report sets out:
 - an overview of s106 planning obligations;
 - the s106 developer contributions paid to the council before and during 2022/23;
 - the s106 developer contributions spent during 2022/23 including those transferred to other organisations outside of the Council; and
 - the council's future spending priorities on infrastructure for the District including details of the potential s106 developer contributions to be provided under planning obligations entered into during 2022/23.
- 1.5 The full details of the financial and non-financial information broken down by infrastructure type, as required by the CIL Regulations², is provided in Appendix A of this IFS – 'The Section 106 Report'.
- 1.6 For the purposes of this IFS, the reporting period is 1 April 2022 to 31 March 2023.
- 1.7 The IFS will be annually updated and published on the Council's website by 31 December each year. This will ensure that the most up to date information on the amount of developer contributions received by the council from new developments is made available to the public in general, developers and other interested parties.

¹ Regulation 121A (1) (a) & (b) of The Community Infrastructure Levy Regulations 2010 (as inserted by Regulation 9 of the Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019)

² Regulation 121A (1) (c) of The Community Infrastructure Levy Regulations 2010 (as inserted by Regulation 9 of the Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019)

Section 106 Planning Obligations

- 2.1 Under section 106 (s106) of the Town and Country Planning Act 1990 the Council as Local Planning Authority (LPA) can seek planning obligations to require a developer/landowner to carry out certain works, or to provide, or contribute towards the provision of measures to mitigate the negative impacts of development, and to ensure that the development contributes towards the sustainability of the area.
- 2.2 Often called s106 'agreements', they are private agreements between the LPA and the developer that are linked to planning permission, the agreements are a way of delivering infrastructure or addressing matters that are necessary to make the development acceptable in planning terms.
- 2.3 Such agreements which can be fulfilled by means of a financial payment, must only constitute a reason for granting planning permission if they meet certain legal and policy tests³. These are that the obligations must be:
 - a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development
- 2.4 Any financial contributions must always be collected for a specific purpose and spent in accordance with the requirements as set out within the s106 agreement.
- 2.5 In line with national planning guidance the Council will not ask for contributions where the proposed development is below the size threshold for major development. For residential development, 'major development' is defined 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 more⁴.
- 2.6 The Council's Local Plan clearly sets out the intention to use developer contributions via s106 agreements to secure funding towards the infrastructure necessary to deliver the Plan's spatial strategy for the District. In line with this policy approach, the Council therefore secures planning obligations from new development for a range of different types of infrastructure.
- 2.7 Most commonly this includes the provision of affordable housing, and contributions towards the creation of new or improved open spaces, the delivery of transport improvements, and/or new or expanded schools to create additional school places.

³ Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 & Paragraph 57 of National Planning Policy Framework 2021

⁴ National Planning Practice Guidance ID: 23b-002-20190901

Section 106 Developer Contributions – 2022/23

3.1 This section of the IFS sets out the Council's position on s106 income and expenditure as at 31 March 2022.

S106 Monies Held at 31 March 2022

3.2 Information from the Council's records show that the amount of s106 monies held at the start of the reporting year and available to spend i.e. at 31 March 2022 on infrastructure and affordable housing was £1,839,458.50.

3.3 As shown in Table 3.1 this includes s106 funds received from new housing developments at the main towns of Dronfield, Clay Cross, Eckington and Killamarsh, and the villages of Arkwright, Calow, Grassmoor, Holmewood, North Wingfield, Tupton, Shirland, Wingerworth, and Wessington.

3.4 Of the total amount of money held at 31 March 2022, the majority of the funds were earmarked for affordable housing, open space, and community facilities. Just over £217,000 was reserved for the purposes of long-term maintenance of open space.

Table 3.1 – S106 Monies held as at 31 March 2022

Infrastructure type	Development site	S106 monies available (£)
Affordable housing	Allotments, Masefield Avenue, Holmewood – planning ref: 11/00804/OL	260,000.00
	Former Standalls Tools, Dronfield Woodhouse – planning ref: 13/00675/FL	50,498.01
	Appletree Restorations, Mansfield Road, Corbriggs – planning ref: 13/00921/OL	2,000.00
	Windwhistle Farm, Southend, Grassmoor – planning ref: 14/00184/OL	278,851.30
	Allotments, Masefield Avenue, Holmewood – planning ref: 17/00425/FL	81,000.00
	Cottage Hill Farm and Land between Avenue Access Road and Mill Lane, Derby Road, Wingerworth – planning ref: 15/00867/FL	144,000.00
	Sub-total	816,349.31
Open Space	Matlock Road, Wessington – planning ref: 10/01193/FL	1,431.47
	Former HB Walker & Son Ltd, Netherthorpe Lane, Killamarsh – planning ref: 13/00804/FL	386.52
	The Buck Inn, Holmgate Road, Clay Cross – planning ref: 13/00263/OL	7,363.99
	Land to the south of Pioneer House and to r/o 1-59 Adlington Avenue, Wingerworth – planning ref: 12/00072/OL	127,000.00
	117 Chesterfield Road, North Wingfield – planning ref: 13/00283/OL	42,039.33
	Land east of Fanny Avenue, Killamarsh – planning ref: 16/01302/OL	18,300.00
	Land to the south of Ducksett Lane accessed from Staveley Lane, Eckington – planning ref: 14/00562/OL	66,870.00
	Land between Main Road and Burnside Avenue & rear of properties on north side of Hallfieldgate Lane, Shirland – planning ref: 12/00273/OL & 16/01137/RM	95,000.00

Infrastructure type	Development site	S106 monies available (£)
	Allotments, Main Road, Shirland – planning ref: 13/00321/FL	5,100.40
	83A Clay Lane, Clay Cross – planning ref: 18/00123/OL & 17/01226/RM	7,843.00
	Land north and west of Creg Ny Baa, Brackenfield Lane, Wessington – planning ref: 16/00419/FL	47,890.40
	Land to rear of Hockley House, Hockley Lane, Wingerworth – planning ref: 18//00188/OL	23,049.45
	Land to rear of 61 to 119 Nethermoor Road and 15-21 Deerlands Road, Wingerworth – planning ref: 15/00211/FL	647.00
	Sub-total	442,921.56
Open Space - Maintenance	Former Biwaters site, Clay Cross – planning ref: 08/01085/FL	106,674.83
	Land r/o 61-119 Nethermoor Road & 15-21 Deerlands Road, Wingerworth – planning ref: 12/00600/FL	27,310.76
	Land to east of Hardwick Drive & to r/o 45-57 Penrose Crescent, Arkwright Town – planning ref: 13/00704/FL	1615.99
	Former HB Walker & Son Ltd, Netherthorpe Lane, Killamarsh – planning ref: 13/00804/FL	970.00
	The Buck Inn, Holmgate Road, Clay Cross – planning ref: 13/00263/OL	1,994.83
	Former Biwaters Works, Furnace Hill, Clay Cross – 08/01085/OL	4,072.50
	Land north west of 24 Matlock Road, Wessington – planning ref: 14/00147/OL	6,643.10
	117 Chesterfield Road, North Wingfield – planning ref: 13/00283/OL	12,730.80
	Land east of Fanny Avenue, Killamarsh – planning ref: 16/01302/OL	5,000.00
	Land to the south of Ducksett Lane accessed from Staveley Lane, Eckington – planning ref: 14/00562/OL	16,980.00
	Land between Main Road and Burnside Avenue & rear of properties on north side of Hallfieldgate Lane, Shirland – planning ref: 17/00340/OL & 16/01137/RM	24,000.00
	Allotments, Main Road, Shirland – planning ref: 13/00321/FL	200.32
	83A Clay Lane, Clay Cross – planning ref: 18/00123/OL & 17/01226/RM	2,063.30
	Land to rear of Hockley House, Hockley Lane, Wingerworth – planning ref: 18//00188/OL	6,974.72
	Sub-total	217,231.15
Community Facilities	Matlock Road, Wessington – planning ref: 10/01193/FL	90,322.00
	Allotments, Masefield Avenue, Holmewood – planning ref: 17/00425/FL	22,013.60
	Land opposite The Avenue Visitor Centre on south side of Mill Lane, Wingerworth – planning ref: 17/00227/OL	32,500.00
	Sub-total	144,835.60
Public Realm	Angel Hotel, 8 Market Street, Eckington – planning ref: 11/00685/FL	8,000.00
	Sub-total	8,000.00
Eckington Town Centre	Northgate Information Solutions, Littlemoor, Eckington – planning ref: 14/00827/FL	40,000.00
	Sub-total	40,000.00

Infrastructure type	Development site	S106 monies available (£)
Highways	Land east of Derby Road and north of junction with Brassington Lane, Old Tupton – planning ref: 14/01293/FL	5,000.00
	Land north and west of Creg Ny Baa, Brackenfield Lane, Wessington – planning ref: 16/00419/FL	5,000.00
	Sub-total	10,000.00
Libraries	Land to rear of 61 to 119 Nethermoor Road and 15-21 Deerlands Road, Wingerworth – planning ref: 15/00211/FL	360.00
	Sub-total	360.00
Waste	Land to rear of 61 to 119 Nethermoor Road and 15-21 Deerlands Road, Wingerworth – planning ref: 15/00211/FL	12.07
	Land to the east and north of 119 Top Road, Calow – planning ref: 16/00772/OL	431.20
	Sub-total	443.27
Five Pits Trail	Windwhishte Farm, Southend, Grassmoor – planning ref: 14/00184/OL	1,600.00
	Sub-total	1,600.00
Multi-User Trail	Windwhishte Farm, Southend, Grassmoor – planning ref: 14/00184/OL	9,120.00
	Sub-total	9,120.00
Biodiversity	Land to rear of Hockley House, Hockley Lane, Wingerworth – planning ref: 18/00188/OL; 19/00567/FL & 19/01040/RM	23,128.00
	Sub-total	23,128.00
Health	Allotments, Masefield Avenue, Holmewood – planning ref: 11/01008/FL	82,009.60
	Land south of Sunningdale Park and Poplar Drive and to the west of Elvin Way, New Tupton – planning ref: 10/01152/OL & 13/01032RM	7,175.84
	Sub-total	89,185.44
S106 Monitoring	Matlock Road, Wessington – planning ref: 10/01193/FL	1,288.00
	Land r/o 308-328 North Wingfield, Hagg Hill, New Tupton – planning ref: 12/01050/FL	607.57
	Land r/o 61-119 Nethermoor Road & 15-21 Deerlands Road, Wingerworth – planning ref: 12/00600/FL	874.00
	Land between Main Road and Burnside & r/o properties on north side of Hallfieldgate Lane, Shirland – planning ref: 12/00273/OL	1,490.00
	Former Standalls Tools, Dronfield Woodhouse – planning ref: 13/00675/FL	504.98
	Land to east of Hardwick Drive & to r/o 45-57 Penrose Crescent, Arkwright Town – planning ref: 13/00704/FL	224.05
	The Woolpack, 26 Town End, Shirland – planning ref: 12/00718/OL	233.82
	The Buck Inn, Holmgate Road, Clay Cross – planning ref: 13/00263/OL	93.59
	Allotments, Main Road, Shirland – planning ref: 13/00321/FL	83.00
	Land to the south of Pioneer House and to r/o 1-59 Adlington Avenue, Wingerworth – planning ref: 12/00072/OL	13,501.00
	Land adjacent east side of Holme House, Locko Road, Lower Pilsley – planning ref: 14/00218/FL	68.25

Infrastructure type	Development site	S106 monies available (£)
	Land north west of 24 Matlock Road, Wessington – planning ref: 14/00147/OL	1,085.80
	Northgate Information Solutions, Littlemoor, Eckington – planning ref: 14/00827/FL	400.00
	Land r/o Longlieve, Hallgate Lane, Pilsley – planning ref: 14/00622/FL	68.25
	Appletree Restorations, Mansfield Road, Corbriggs – planning ref: 13/00921/OL	68.75
	Angel Hotel, 8 Market Street, Eckington – planning ref: 11/00685/FL	80.00
	Land to the east and north of 119 Top Road, Calow – planning ref: 16/00772/OL	340.89
	Land to south of allotments at Ducksett Lane accessed from Staveley Lane, Eckington	1,248.00
	117 Chesterfield Road, North Wingfield – planning ref: 13/00283/OL	721.70
	Windwhistle Farm, Southend, Grassmoor – planning ref: 14/00184/OL	2,880.84
	Hanging Banks, Derby Road, Wingerworth – planning ref: 14/00763/OL	4,274.00
	Land between bypass and rear of 109 to 247 Mansfield Road, Hasland – planning ref: 17/00806/FL	6,147.68
	Sub-total	36,284.17
	Total	1,839,458.50

S106 Monies Received 1 April 2022 to 31 March 2023

- 3.5 In addition to the £1.83M sum in Table 3.1 above, the Council received s106 funds with a total value of just over £634K during 2022/23.
- 3.6 These secured funds are to cater for the increased demands on infrastructure arising from housing development at Clay Cross, Eckington, Killamarsh, Calow, Holmewood, Shirland, Temple Normanton, Wingerworth and Winsick. The majority of the funds are earmarked for affordable housing, open space, highways, and education provision.
- 3.7 The total amount of s106 funds received during 2022/23 in relation to each infrastructure type is shown in Table 3.2 below.

Table 3.2 – S106 Monies Received in 2022/23

Infrastructure type	Development site	S106 monies available (£)
Affordable Housing	Land between 205 and 235 Chesterfield Road, Temple Normanton – planning ref: 18/00303/FL	80,206.11
	Land to the east and north of 119 Top Road, Calow – planning ref: 17/01104/FL	150,656.00
	Sub-total	230,862.11
Open Space	Land south side of junction between Crofters Close and Boiley Lane, Killamarsh – planning ref: 15/00661/FL	10,000.00
	Land to the east and north of 119 Top Road, Calow – planning ref: 17/01104/FL	8,270.00
	Land opposite 24 to 44 Clay Lane, Clay Cross – planning ref: 20/00221/FL	35,458.47
	Sub-total	53,728.47

Infrastructure type	Development site	S106 monies available (£)
Open Space Maintenance	Site of former Edward Revill Endowed School, Burnside, Shirland – planning ref: 13/01204/FL	1734.40
	83A Clay Lane, Clay Cross – planning ref: 18/00123/OL	289.70
	Land to the east and north of 119 Top Road, Calow – planning ref: 17/01104/FL	2350.00
	Land opposite 24 to 44 Clay Lane, Clay Cross – planning ref: 20/00221/FL	10893.48
	Sub-total	15,267.58
Highways	Former Biwater site, Clay Cross – planning ref: 17/00666/OL	230,250.00
	Sub-total	230,250.00
Healthcare	Land between bypass and rear of 109 to 247 Mansfield Road, Hasland – planning ref: 17/00806/FL	60,864.00
	Sub-total	60,864.00
Waste	Hanging Banks, Derby Road, Wingerworth – planning ref: 16/00656/OL	5,589.96
	Sub-total	5,589.96
Public Realm	Royal Hotel, 2 Station Road, Eckington – planning ref: 13/01040/FL	1,515.00
	Sub-total	1,515.00
Biodiversity	Land to rear of Dukes Close, Wood Street and Cavendish Close accessed from Park Road, Holmewood – planning ref: 20/00861/FL	33,898.53
	Sub-total	33,898.53
S106 Monitoring	The Avenue, Wingerworth – planning ref: 13/00386/OL	2100.00
	Site of former Edward Revill Endowed School, Burnside, Shirland – planning ref: 13/01204/FL	17.34
	Sub-total	2117.34
	Total	634,092.99

S106 Monies Spent During 2022/23

- 3.8 In terms of expenditure, the amount of S106 funds spent by the Council on infrastructure including monies transferred to other organisations was just under £536K. Of this the Council transferred funds to Derbyshire County Council towards highways, education and library provision, and to East Midlands Housing for affordable housing provision.
- 3.9 It is worth noting that Derbyshire County Council are obliged under the Regulations⁵ to produce their own Annual Infrastructure Funding Statement. This will set out how any monies transferred to them by the District Council and that are treated as spent in the Council's Annual infrastructure Funding Statement, or that are sent to them directly from the developer, have been spent.
- 3.10 In terms of S106 monies spent by the Council during 2022/23, this included funds spent on improvements to existing play areas and recreation grounds including the installation of new equipment, fencing, and footpaths. In addition, funds have been spent on the installation of new traffic bollards and street planters within Eckington town centre. A full list of the projects on which monies have been spent during 2022/23 including details of monies transferred by the Council to other organisations is set out in Table 3.3 below.

⁵ Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019

Table 3.3 – S106 Monies Spent During 2022/23

Infrastructure type	Development site	Project Delivered	S106 monies spent (£)
Affordable Housing	Allotments Maesfield Avenue, Holmewood – planning ref: 11/00804/OL	Transferred to East Midlands Housing	69,300.00
		Sub-total	69,300.00
Open Space	117 Chesterfield Road, North Wingfield – planning ref: 13/00283/OL	New play equipment, safety surfacing, & fencing, Elvaston Road Play Area, North Wingfield	27,781.14
	Land between Main Road and Burnside Avenue & rear of properties on north side of Hallfieldgate Lane, Shirland – planning ref: 12/00273/OL & 16/01137/RM	Improvements to playing field including drainage works and new football goals & installation of new play equipment at Shirland Recreation Ground Restoration of floor, Shirland Village Hall	47,409.94
	The Buck Inn, Holmgate Road, Clay Cross – planning ref: 13/00263/OL	New play equipment & safety surfacing, Kenning Park, Clay Cross	7,363.99
	Allotments, Main Road, Shirland – planning ref: 13/00321/FL	New play equipment, Stonebroom Play Area, Birkinstyle Lane, Stonebroom	5,100.40
	Land to the south of Pioneer House and to r/o 1-59 Adlington Avenue, Wingerworth – planning ref: 12/00072/OL	New footpaths and associated signage, Adlington Avenue Recreation Area, Wingerworth	46,139.68
	Land south side of junction between Crofters Close and Boiley Lane, Killamarsh – planning ref: 15/00661/FL & Land east of Fanny Avenue, Killamarsh – planning ref: 16/01302/FL	New play equipment and safety surfacing, Crofters Close Play Area, Killamarsh	15,265.00
		Sub-total	149,060.15
Open Space - Maintenance	Former Biwaters site, Clay Cross – planning ref: 08/01085/FL	On-going maintenance Egstow Recreation Ground, Coney Green Road, & Dewley Road, Clay Cross	33,250.00
	Land to east of Hardwick Drive & to r/o 45-57 Penrose Crescent, Arkwright Town – planning ref: 13/00704/FL	On-going maintenance, School Lane Play Area, Arkwright	323.18
	Former HB Walker & Son Ltd, Netherthorpe Lane, Killamarsh – planning ref: 13/00804/FL	On-going maintenance, Quarry Road Play Area, Killamarsh	194.00
	The Buck Inn, Holmgate Road, Clay Cross – planning ref: 13/00263/OL	On-going maintenance, Kenning Park Play Area, Clay Cross	1994.83
	Land at Former Biwater works, Furnace Hill & Derby Road, Clay Cross – planning ref: 08/01085/OL	On-going maintenance, Dewley Way Play Area, Clay Cross	1005.00
		Sub-total	36,767.01
Education	Land opposite The Avenue Visitor Centre on south side of Mill Lane, Wingerworth – planning ref: 17/00227/OL	Transferred to Derbyshire County Council	29,300.00
		Sub-total	29,300.00

Infrastructure type	Development site	Project Delivered	S106 monies spent (£)
Highways	Former Biwater site, Clay Cross – planning ref: 17/00666/OL	Transferred to Derbyshire County Council	230,250.00
		Sub-total	230,250.00
Library	Land to rear of 61 to 119 Nethermoor Rd and 15-21 Deerlands Rd, Wingerworth – planning ref: 15/00211/FL	Transferred to Derbyshire County Council	360.00
		Sub-total	360.00
Public Realm – Eckington Town Centre	Northgate Information Solutions, Littlemoor, Eckington – planning ref: 14/00827/FL & Angel Hotel, 8 Market Street, Eckington – planning ref: 11/00685/FL	Public realm improvement: New bollards and planters, Eckington town centre	20,654.00
		Sub-total	20,654.00
		Total	535,691.16

Summary Position on S106 Monies as at 31 March 2023

3.11 Table 3.5 below provides a summary of the Council's position on developer contributions held at the end of the reporting year i.e. 31 March 2023.

Table 3.5 – S106 Monies Held as at 31 March 2023

S106 developer contributions held at 31 March 2022	£1,839,458.50 ⁶
S106 developer contributions received 2022/23	£634,092.99 ⁷
Sub-total	£2,473,551.49
Minus S106 developer contributions spent 2022/23	-£535,691.16 ⁸
S106 developer contributions held at 31 March 2023	£1,937,860.33 ⁹

3.12 In summary, as at 31 March 2023 there is a total of just under £1.94M in S106 contributions available to spend on affordable housing, and a range of infrastructure types including public open space, education, health and other community facilities in the District. Of this, just over £195K is retained for the purposes of long-term maintenance of open spaces across the District.

⁶ Includes the sum of £217,231.15 secured for the purposes of long-term maintenance of open space as at 31/03/22

⁷ Includes the sum of £15,267.58 secured for the purposes of long-term maintenance of open space during 22/23

⁸ Includes the sum of £36,767.01 spent on long-term maintenance of open space during 22/23

⁹ Includes the sum of £195,731.72 retained for the purposes of long term maintenance of open space as at 31/03/23

Review of Infrastructure Delivery 2022/23

- 4.1 The following case studies in this section provide examples of the infrastructure projects delivered through the use of s106 developer contributions during 2022/23.

Case Study 1

Project: New outdoor play equipment, safety surfacing and fencing at Elvaston Road Play Area, North Wingfield	
Summary	In partnership with Alliance Leisure the council spent s106 monies from the Rykneld Homes development off Chesterfield Road, North Wingfield on the installation of new outdoor play equipment together with new safety surfacing and fencing at the Elvaston Road play area, North Wingfield.
Application references	13/00283/OL
Permission dates / S106s signed	30 July 2013
Developers / development started	Rykneld Homes – during 2018/19
Amount spent	£14,258.19
Monies received	5 April 2019
Project delivered	During 2022/23
	

Case Study 2

Project: New outdoor play equipment at Kenning Park, Clay Cross	
Summary	Clay Cross Parish Council spent developer contributions from the Kirk Hallam Building Co. development at the former Buck Inn Public House on Holmgate Road to provide new outdoor play equipment at Kenning Park, Clay Cross.
Application references	13/00263/OL
Permission dates / S106s signed	26 February 2014
Developers / developments started	Kirk Hallam Building Co. – during 2015/16
Amount spent	£7,363.99
Monies received	23 May 2018
Project delivered	During 2022/23

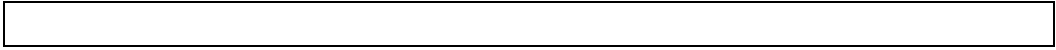


Case Study 3

Project: New outdoor play equipment including 30m cableway at Stonebroom Recreation Ground.

Summary	Shirland and Higham Parish Council spent developer contributions from the development of the former allotments at Shirland on new outdoor play equipment comprising free standing slides, cobra swing and 30m cableway at Stonebroom Recreation Ground.
Application references	13/00321/FL
Permission dates / S106s signed	3 March 2014
Developers / developments started	Local Developer – during 2016/17 (8 bungalows)
Amount spent	£5,100.40
Monies received	1 October 2020
Project delivered	During 2022/23





Case Study 4

Project: New footpaths and signage at Adlington Avenue Recreation Area, Wingerworth	
Summary	Wingerworth Parish Council spent developer contributions from the Bellway Homes development off Mill Lane, Wingerworth on the installation of new footpaths and signage at the Adlington Avenue Recreation Area, Wingerworth.
Application references	12/00072/OL
Permission dates / S106s signed	13 May 2014
Developers / developments started	Bellway Homes – during 2015/16
Amount spent	£46,139.68
Monies received	13 April 2018
Project delivered	During 2022/23
	
	

Future Spending Priorities on Infrastructure

- 5.1 This section gives a brief summary of future spending priorities on infrastructure for the District, including details of the potential developer contributions to be provided for infrastructure in future years from s106 planning obligations entered into during the reporting year¹⁰.
- 5.2 The Council's approach, which is underpinned by the policies of the Local Plan and the evidence base to support it, includes the following critical infrastructure projects / themes:

A61 Growth Corridor including The Avenue Southern Access

- 5.3 The Local Plan strategy and previous planning permissions granted, earmark significant housing and job growth on strategic sites at Clay Cross, and Wingerworth and other non-strategic sites at settlements in close proximity to the A61. Traffic on the A61 is anticipated to increase and the Local Plan expects implementation of a mitigation strategy including a range of highway improvements.
- 5.4 Examples of interventions for the A61 corridor as a whole have already included bus detection, real-time bus information, upgraded traffic controls, and new high-standard walking and cycling routes created as part of the development of the Avenue Strategic Site at Wingerworth, providing links into Chesterfield and beyond. A northern access into the Avenue site from a new roundabout on the A61 has also been delivered. However, capacity improvements will be necessary to any secondary access from the A61/Mill Lane to allow the full development of the Avenue site.
- 5.5 As part of the preparation of a new integrated Local Transport Plan the County Council is looking into options to identify possible solutions that further address traffic and transport issues along the A61 south of Chesterfield. In this regard it has undertaken a strategic review, initial testing of highway scheme options and a public engagement exercise. With the help of funding and support from Midlands Connect it aims to develop a business case to government for funds to facilitate further improvements along the A61 corridor.

Callywhite Lane Regeneration Area, Dronfield – New Access and Railway Bridge Improvement

- 5.6 As part of the expansion of Dronfield's main industrial estate, land is safeguarded as a Regeneration Area at Callywhite Lane in the Local Plan – policy WC1. In order to realise its full development potential a new second point of access is required off Chesterfield Road that necessitates crossing the Midland Main Railway Line and the River Drone.
- 5.7 Issues over the delivery and funding of this new access into the site are tied up with the electrification of the Midland Mainline and any necessary improvement of the railway bridge. At this stage the costs of the project are

¹⁰ The figures in Table 4.1 do not include any s106 monies to be provided from previous years

unknown, but it is anticipated that s106 developer contributions towards the necessary highway works would be sought from the development of this key regeneration site.

Other Highway Improvements and Sustainable Transport Measures

- 5.8 Other likely s106 developer contributions to be received by the Council towards transport related projects are associated with a number of allocated housing sites in the Local Plan. Subject to detailed analysis of transport impacts through transport assessments these are likely to include improvements to key road junctions at congestion hotspots throughout the District.
- 5.9 As justified through a transport assessment or statement, the Council may seek s106 developer contributions towards any necessary improvements at key road junctions in Dronfield including the the B6057 Chesterfield Road / B6158 Green Lane / Callywhite Lane, and the A61 Bowshaw Roundabout in line with Local Plan Policy ID2.
- 5.10 In addition, the following sustainable transport projects as identified in the Place-Specific policies in the Local Plan have the potential to attract s106 funding subject to the statutory planning obligation tests.
- implementation and maintenance of the route of the Clay Cross esplanade – Local Plan Policy SP1;
 - improvements to the existing network of footpaths and cycleways serving Dronfield including links into the north-south alignment along the B6057 between Dronfield and Unstone, and the east-west alignment from Callywhite Lane to Sindelfingen Park – Local Plan Policy SP2;
 - improvements to the accessibility of Eckington town centre for pedestrians and cyclists – Local Plan Policy SP3;
 - improvements to pavements, pedestrian crossings, footpaths and cycleways to encourage walking and cycling in and around Killamarsh town centre, along the Canal and to Rother Valley Country Park including a major new greenway around the western edge of Killamarsh – Local Plan Policy SP4.

Education

- 5.11 A key element of the strategy of the Local Plan is the development of The Avenue Strategic Site at Wingerworth for up to 1,100 homes, employment land, open space, and community facilities including a shop and a new primary school – Local Plan Policy SS3.
- 5.12 As part of the site masterplan, the delivery of a new primary school on the site was integrated into the proposals to cater for the additional demand for school places and to create an attractive sustainable community with good access to education facilities within the development on the east side of the A61.

- 5.13 Through the outline planning permission land is reserved for education, and financial contributions have been secured towards the construction of a new primary school, on the Avenue Strategic Site Allocation – Local Plan Policy SS3.
- 5.14 Elsewhere in the District new housing development will generate an additional demand for school places. It is expected that s106 developer contributions will be sought towards the expansion of schools within the District in line with Derbyshire County Councils developer contributions protocol.

Health

- 5.15 New housing development will place additional pressure on existing healthcare facilities within the District. The evidence base for the Local Plan identifies that expansion of existing provision rather than new single GP development will be the preferred solution to address any identified capacity issues in Primary Care services across the District. Where new housing development necessitates improvements to facilities a developer contribution will be sought towards enhancing capacity within existing local GP practices.

Public Open Space

- 5.16 New housing development will create additional demand for open space facilities, and therefore appropriate provision for formal and informal open space will be required, together with its on-going maintenance. In some instances, the most effective means of achieving this will be through providing on-site provision. In other instances, a financial contribution will be sought towards off-site provision.

Greenways & Cycle Routes

- 5.17 As part of the network of green infrastructure the District contains a number of traffic-free pathways connecting towns and villages with the countryside known as Greenways. In North East Derbyshire the existing Greenways include parts of the Five Pits Trail and the Trans-Pennine Trail. In addition, the Local Plan identifies a number of proposed Greenways including a strategic route linking Dronfield, Eckington and Killamarsh in the north of the District.
- 5.18 The Local Plan expects new development to safeguard existing routes as well as promote new ones as shown on the Policies Map. Where opportunities arise within new developments, the Council will expect developments to provide new or upgraded sections of Greenway or provide links from development to the existing network. Any required improvements to Greenways may be delivered directly by developers to a required standard or by Derbyshire County Council following agreement of s106 contributions in line with its developer contributions protocol.
- 5.19 In addition, Derbyshire County Council has identified a Key Cycle Network and plans to integrate these strategic routes with a lower tier Local Cycle Network to provide connections to key local destinations such as

workplaces, schools, shops and other local community facilities. As with Greenways, where opportunities arise the Council will expect developers to provide new or improved cycle routes that link into wider networks.

S106 Agreements entered into during 2022/23

5.20 During 2022/23 the Council entered into s106 agreements associated with new developments with the following planning obligations. With a potential total value of just under £685K, these contributions will be paid by developers either, once development commences, or a specified number of homes are delivered on site.

Table 4.1: S106 contributions to be provided

Infrastructure type	Development site	S106 contribution (£)
Affordable Housing	Land between Old Canal and North Side of Primrose Lane, Killamarsh – planning ref: 21/00976/FL	194,717.25
	Sub-total	194,717.25
Open Space	Land between Old Canal and North Side of Primrose Lane, Killamarsh – planning ref: 21/00976/FL	48,626.24
	Whiteleas Avenue, North Wingfield – planning ref: 22/00057/FL	14,920.75
	Sub-total	63,546.99
Open Space Maintenance	Land between Old Canal and North Side of Primrose Lane, Killamarsh – planning ref: 21/00976/FL	15,372.89
	Whiteleas Avenue, North Wingfield – planning ref: 22/0057/FL	5,241.93
	Sub-total	20,614.82
Education	Whiteleas Avenue, North Wingfield – planning ref: 22/0057/FL	166,628.93
	Land between 1 St Leonards Place and Shirland Primary School, Park Lane, Shirland – planning ref: 22/00418/FL	180,000.00
	Sub-total	346,628.93
Traffic Management	Woodleigh Motor Sales, North Wingfield Road, Grassmoor – planning ref: 21/00371/FL	3,000.00
	Sub-total	3,000.00
Libraries	Land between Old Canal and North Side of Primrose Lane, Killamarsh – planning ref: 21/00976/FL	3,520.00
	Sub-total	3,520.00
Health	Land between Old Canal and North Side of Primrose Lane, Killamarsh – planning ref: 21/00976/FL	24,000.00
	Whiteleas Avenue, North Wingfield – planning ref: 22/0057/FL	28,356.00
	Sub-total	52,356.00
S106 Monitoring	Woodleigh Motor Sales, North Wingfield Road, Grassmoor – planning ref: 21/00371/FL	70.00
	Land between 1 St Leonards Place and Shirland Primary School, Park Lane, Shirland – planning ref: 22/00418/FL	147.00
	Whiteleas Avenue, North Wingfield – planning ref: 22/0057/FL	147.00
	Sub-total	364.00
	Total	684,747.99¹¹

¹¹ This figure is an estimate as individual amounts may be subject to index linking.

Appendix A – The Section 106 Report 2022/23

Regulation 121A – Schedule 2 April 2022 to March 2023 (3): Matters to be included in the s106 report (£'s / units)		
(a) the total amount of money to be provided under any planning obligations which were entered into during the reported year;	Affordable Housing	194,717.25
	Open Space	63,546.99
	Open Space - Maintenance	20,614.82
	Education	346,628.93
	Traffic Management	3,000.00
	Libraries	3,520.00
	Health	52,356.00
	S106 Monitoring	364.00
	Total	684,747.99
	(b) the total amount of money under any planning obligations which was received during the reported year;	Affordable Housing
Open Space		53,728.47
Open Space - Maintenance		15,267.58
Highways		230,250.00
Waste		5,589.96
Health		60,864.00
Biodiversity		33,898.53
Public Realm		1,515.00
S106 Monitoring		2,117.34
Total		634,092.99
(c) the total amount of money under any planning obligations which was received before the reported year which has not been allocated by the authority;	Affordable Housing	816,349.31
	Open Space	442,921.56
	Open Space - Maintenance	217,231.15
	Community Facilities	144,835.60
	Public Realm	8,000.00
	Eckington Town Centre	40,000.00
	Highways	10,000.00
	Libraries	360.00
	Waste	443.27
	Five Pits Trail	1,600.00
	Multi-User Trail	9,120.00
	Biodiversity	23,128.00
	Health	89,185.44
	S106 Monitoring	36,284.17
	Total	1,839,458.50
(d) summary details of any non-monetary contributions to be provided under any planning obligations which were entered into during the reported year, including details of-		
i) in relation to affordable housing, the total number of units which will be provided;	37	
ii) in relation to education facilities, the number of school places for pupils which will be provided, and the category of school at which they will be provided;	Nil	
(e) the total amount of money (received under any planning obligations) which	Nil	

**Regulation 121A – Schedule 2 April 2022 to March 2023
(3): Matters to be included in the (£'s / units)
s106 report**

was allocated ¹² but not spent during the reported year for funding infrastructure																	
(f) the total amount of money (received under any planning obligations) which was spent by the authority (*including transferring it to another person to spend);	<table border="1"> <tr> <td>Affordable Housing</td> <td>69,300.00¹³</td> </tr> <tr> <td>Open Space</td> <td>149,060.15</td> </tr> <tr> <td>Open Space - Maintenance</td> <td>36,767.01</td> </tr> <tr> <td>Education</td> <td>29,300.00¹⁴</td> </tr> <tr> <td>Highways</td> <td>230,250.00¹⁵</td> </tr> <tr> <td>Library</td> <td>360.00¹⁶</td> </tr> <tr> <td>Public Realm</td> <td>20,654.00</td> </tr> <tr> <td>Total</td> <td>535,691.16</td> </tr> </table>	Affordable Housing	69,300.00 ¹³	Open Space	149,060.15	Open Space - Maintenance	36,767.01	Education	29,300.00 ¹⁴	Highways	230,250.00 ¹⁵	Library	360.00 ¹⁶	Public Realm	20,654.00	Total	535,691.16
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Total	535,691.16																
(g) in relation to money (received under planning obligations) which was allocated by the authority but not spent during the reported year, summary details of the items of infrastructure on which the money has been allocated, and the amount of money allocated to each item;	Nil																
(h) in relation to money (received under planning obligations) which was spent by the authority during the reported year (including transferring it to another person to spend), summary details of-	Open Space																
i) the items of infrastructure on which that money (received under planning obligations) was spent, and the amount spent on each item	<table border="1"> <tr> <td>New play equipment, safety surfacing & fencing at Elvaston Road Play Area, North Wingfield</td> <td>27,781.14</td> </tr> <tr> <td>Improvements to playing field & installation of new play equipment at Shirland Recreation Ground. Restoration of floor, Shirland Village Hall</td> <td>47,409.94</td> </tr> <tr> <td>New play equipment & safety surfacing, Kenning Park, Clay Cross</td> <td>7,363.99</td> </tr> <tr> <td>New play equipment, Stonebroom Play Area, Birkinstyle Lane, Stonebroom</td> <td>5,100.40</td> </tr> <tr> <td>New footpaths & associated signage, Adlington Avenue Park, Wingerworth</td> <td>46,139.68</td> </tr> <tr> <td>New play equipment and safety surfacing, Crofters Close Play Area, Killamarsh</td> <td>10,000.00</td> </tr> <tr> <td>New play equipment and safety surfacing, Crofters Close Play Area, Killamarsh</td> <td>5,265.00</td> </tr> <tr> <td>Total</td> <td>149,060.15</td> </tr> </table>	New play equipment, safety surfacing & fencing at Elvaston Road Play Area, North Wingfield	27,781.14	Improvements to playing field & installation of new play equipment at Shirland Recreation Ground. Restoration of floor, Shirland Village Hall	47,409.94	New play equipment & safety surfacing, Kenning Park, Clay Cross	7,363.99	New play equipment, Stonebroom Play Area, Birkinstyle Lane, Stonebroom	5,100.40	New footpaths & associated signage, Adlington Avenue Park, Wingerworth	46,139.68	New play equipment and safety surfacing, Crofters Close Play Area, Killamarsh	10,000.00	New play equipment and safety surfacing, Crofters Close Play Area, Killamarsh	5,265.00	Total	149,060.15
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¹² The term allocated means a decision has been made by the local authority to commit funds to a particular item of infrastructure or project (ID: 25-176-20190901, NPPG)

¹³ Transferred to East Midlands Housing

¹⁴ Transferred to Derbyshire County Council

¹⁵ Transferred to Derbyshire County Council

¹⁶ Transferred to Derbyshire County Council

**Regulation 121A – Schedule 2 April 2022 to March 2023
(3): Matters to be included in the (£'s / units)
s106 report**

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ii) the amount of money (received under planning obligations) spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part);	Nil																
iii) the amount of money (received under planning obligations) spent in respect of monitoring (including reporting under regulation 121A) in relation to the delivery of planning obligations;	Nil																
(i) the total amount of money (received under any planning obligations) during any year which was retained at the end of the reported year, and where any of the retained money has been allocated for the purposes of longer-term maintenance (“commuted sums”), also identify separately the total amount of commuted sums held.	<table border="1"> <tbody> <tr> <td>Open Space</td> <td>195,731.72</td> </tr> <tr> <td>Total</td> <td>195,731.72</td> </tr> </tbody> </table>	Open Space	195,731.72	Total	195,731.72												
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