

North East Derbyshire

Infrastructure Funding Statement 2023/24



North East Derbyshire
District Council

September 2024

Contents

Section	Page
1. Introduction	1
2. Section 106 Planning Obligations	2
3. Section 106 Developer Contributions – 2023/24	3
4. Review of Infrastructure Delivery 2023/24	10
5. Future Spending Priorities on Infrastructure	14

Appendix A: The Section 106 Report

Appendix 3

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 2023/24;
 - the s106 developer contributions spent during 2023/24 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 2023/24.
- 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 2023 to 31 March 2024.
- 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)

Appendix 3

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

Appendix 3

Section 106 Developer Contributions – 2023/24

- 3.1 This section of the IFS sets out the Council’s position on s106 income and expenditure as at 31 March 2023.

S106 Monies Held at 31 March 2023

- 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 2023 on infrastructure and affordable housing was £1,937,860.33.
- 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 2023, the majority of the funds were earmarked for affordable housing, open space, health 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 2023

Infrastructure type	Development site	S106 monies available (£)
Affordable housing	Allotments, Masefield Avenue, Holmewood – planning ref: 11/00804/OL	190,700.00
	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
	Land between 205 and 235 Chesterfield Road, Temple Normanton – planning ref: 18/0030/FL	80,206.11
	Land to the east and north of 119 Top Road, Calow – planning ref: 15/00661/FL	150,656.00
	Sub-total	977,911.42
	Open Space	Matlock Road, Wessington – planning ref: 10/01193/FL
Former HB Walker & Son Ltd, Netherthorpe Lane, Killamarsh – planning ref: 13/00804/FL		386.52
Land to the south of Pioneer House and to r/o 1-59 Adlington Avenue, Wingerworth – planning ref: 12/00072/OL		80,860.32
117 Chesterfield Road, North Wingfield – planning ref: 13/00283/OL		14,258.19
Land east of Fanny Avenue, Killamarsh – planning ref: 16/01302/OL		13,035.00
Land to the south of Ducksett Lane accessed from Staveley Lane, Eckington – planning ref: 14/00562/OL		66,870.00

Appendix 3

Infrastructure type	Development site	S106 monies available (£)
	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	47,590.06
	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 ⁵
	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
	Land to the east and north of 119 Top Road, Calow – planning ref: 15/00661/FL	8270.00
	Land opposite 24 to 44 Clay Lane, Clay Cross – planning ref: 20/00221/FL	35,458.47
	Allotments, Masefield Avenue, Holmewood – planning ref: 17/00425/FL	22,013.60
	Sub-total	369,603.48
Open Space - Maintenance	Former Biwaters site, Clay Cross – planning ref: 08/01085/FL	73,424.83
	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	1292.81
	Former HB Walker & Son Ltd, Netherthorpe Lane, Killamarsh – planning ref: 13/00804/FL	776.00
	Former Biwaters Works, Furnace Hill, Clay Cross – 08/01085/OL	3,067.50
	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	2,353.00
	Land to rear of Hockley House, Hockley Lane, Wingerworth – planning ref: 18//00188/OL	6,974.72
	Site of former Edward Revill School, Burnside, Shirland – planning ref: 13/01024/FL	1,734.40
	Land to east and north of 199 Top Road, Calow – planning ref: 15/00661/FL	2,350.00
	Land opposite 24 to 44 Clay Lane, Clay Cross – planning ref: 20/00221/FL	10,893.48
	Sub-total	195,731.72

⁵ Includes sum for maintenance.

Appendix 3

Infrastructure type	Development site	S106 monies available (£)
Community Facilities	Matlock Road, Wessington – planning ref: 10/01193/FL	90,322.00
	Land opposite The Avenue Visitor Centre on south side of Mill Lane, Wingerworth – planning ref: 17/00227/OL	3,200.00
	Sub-total	93,522.00
Public Realm	Royal Hotel, 2 Station Street, Eckington – planning ref: 13/01040/FL	1,515.00
	Sub-total	1,515.00
Eckington Town Centre	Northgate Information Solutions, Littlemoor, Eckington – planning ref: 14/00827/FL	27,346.00
	Sub-total	27,346.00
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
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
	Hanging Banks, Derby Road, Wingerworth – planning ref: 14/00763/OL	5,589.96
	Sub-total	6,033.23
Five Pits Trail	Windwhislte Farm, Southend, Grassmoor – planning ref: 14/00184/OL	1,600.00
	Sub-total	1,600.00
Multi-User Trail	Windwhislte 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
	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	57,026.53
Health	Allotments, Masfield 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
	Land between bypass and rear of 109 to 247 Mansfield Road, Hasland – planning ref: 17/00806/FL	60,864.00
	Sub-total	150,049.44
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

Appendix 3

Infrastructure type	Development site	S106 monies available (£)
	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
	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
	The Avenue, Wingerworth – planning ref 13/00386/OL	2,100.00
	Site of Former Edward Revill Endowed School, Burnside, Shirland – planning ref: 20/00221/FL	17.34
	Sub-total	38,401.51
	Total	1,937,860.33

S106 Monies Received 1 April 2023 to 31 March 2024

- 3.5 In addition to the £1.93M sum in Table 3.1 above, the Council received s106 funds with a total value of £1,213,150 during 2023/24.
- 3.6 These secured funds are to cater for the increased demands on infrastructure arising from housing development at Clay Cross, Killamarsh, Pilsley, Morton, and Wingerworth. The majority of the funds are earmarked

Appendix 3

for affordable housing, open space, highways, biodiversity, and healthcare improvements.

- 3.7 The total amount of s106 funds received during 2023/24 in relation to each infrastructure type is shown in Table 3.2 below.

Table 3.2 – S106 Monies Received in 2023/24

Infrastructure type	Development site	S106 monies available (£)
Affordable Housing	Land south of sports ground at the corner of Rupert Street and Hallgate Lane, Pilsley – planning ref: 15/00153/OL & 20/000352/RM	14,061.84
	Land between old canal and north side of Primrose Lane, Killamarsh – planning ref: 20/00919/FL & 21/00976/FL	208,833.69
	Sub-total	222,895.53
Open Space	Land south side of junction between Crofters Close and Boiley Lane, Killamarsh – planning ref: 15/00661/FL	4,110.00
	Land south of sports ground at the corner of Rupert Street and Hallgate Lane, Pilsley – planning ref: 15/00153/OL & 20/000352/RM	109,340.52
	Land opposite The Avenue Visitor Centre on the south side of Mill Lane, Wingerworth	103,050.80
	Land between old canal and north side of Primrose Lane, Killamarsh – planning ref: 20/00919/FL & 21/00976/FL	52,151.50
	Sub-total	268,652.82
Open Space Maintenance	Land south side of junction between Crofters Close and Boiley Lane, Killamarsh – planning ref: 15/00661/FL	3,590.00
	Land opposite The Avenue Visitor Centre on the south side of Mill Lane, Wingerworth	30,915.24
	Land between old canal and north side of Primrose Lane, Killamarsh – planning ref: 20/00919/FL & 21/00976/FL	16,487.38
	Sub-total	50,992.62
Highways	Hanging Banks, Derby Road, Wingerworth	421,800.00
	Sub-total	421,800.00
Healthcare	Land north west of 66 Stretton Road, Morton	47,274.59
	Land between old canal and north side of Primrose Lane, Killamarsh – planning ref: 20/00919/FL & 21/00976/FL	25,739.93
	Sub-total	73,014.52
Biodiversity	Land opposite 24 to 44 Clay Lane, Clay Cross – planning ref: 20/00221/FL	136,019.32
	Land north of Pilsley Road and west of Coney Green Road, Clay Cross – planning ref: 20/00860/FL	36,000.00
	Sub-total	172,019.32
Library	Land between old canal and north side of Primrose Lane, Killamarsh – planning ref: 20/00919/FL & 21/00976/FL	3,775.19
	Sub-total	3,775.19
	Total	1,213,150.00

S106 Monies Spent During 2023/24

- 3.8 In terms of expenditure, the amount of S106 funds spent by the Council on infrastructure including monies transferred to other organisations was £229,017.87.

Appendix 3

- 3.9 It is worth noting that Derbyshire County Council are obliged under the Regulations⁶ 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 2023/24, this included contributions transferred to Nottingham Community Housing Association to deliver new affordable homes on Market Street at Clay Cross. In addition, funds have been spent on making improvements to Shirland Village Hall Play Area, and boundary and pitch preparation/establishment works in connection with a proposed new football pitch at Pilsley Sports Ground. Several recreation grounds and children's play areas have also benefitted from developer contributions spent on their on-going maintenance during 2023/24.
- 3.11 A full list of the projects on which monies have been spent during 2023/24 including details of monies transferred by the Council to other organisations is set out in Table 3.3 below.

Table 3.3 – S106 Monies Spent During 2023/24

Infrastructure type	Development site	Project Delivered	S106 monies spent (£)
Affordable Housing	Windwhistle Farm, Southend, Grassmoor	Affordable rent housing scheme at Market Street Clay Cross by Nottingham Community Housing Association.	125,000.00
		Sub-total	125,000.00
Open Space	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	Installation of new footpaths, teen shelter and fencing and gates to play area – Shirland Village Hall	34,146.18
	Land south of sports ground at the corner of Rupert Street and Hallgate Lane, Pilsley – planning ref: 15/00153/OL & 20/000352/RM	Boundary and pitch preparation/establishment works in connection with new football pitch – Pilsley Sports Ground	7,144.00
		Sub-total	41,290.18
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	35,525.00
	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	Maintenance of Village Hall Play Area, Shirland.	20,000.00
	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

⁶ Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019

Appendix 3

Infrastructure type	Development site	Project Delivered	S106 monies spent (£)
	Former HB Walker & Son Ltd, Netherthorpe Lane, Killamarsh – planning ref: 13/00804/FL	On-going maintenance, Quarry Road Play Area, Killamarsh	194.00
	Allotments, Main Road, Shirland – planning ref: 13/00321/FL	Maintenance of Birkinstyle Lane Play Area, Stonebroom	200.32
	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	1010.00
		Sub-total	57,252.50
Library	Land between old canal and north side of Primrose Lane, Killamarsh – planning ref: 20/00919/FL & 21/00976/FL	Transferred to Derbyshire County Council.	3,775.19
		Sub-total	3,775.19
Public Realm – Eckington Town Centre	Northgate Information Solutions, Littlemoor, Eckington – planning ref: 14/00827/FL	Public realm improvements – Market Street, Eckington	1,700.00
		Sub-total	1,700.00
		Total	229,017.87

Summary Position on S106 Monies as at 31 March 2024

- 3.12 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 2024.

Table 3.5 – S106 Monies Held as at 31 March 2024

S106 developer contributions held at 31 March 2023	£1,937,860.33⁷
S106 developer contributions received 2023/24	£1,213,150.00⁸
Sub-total	£3,151,010.33
Minus S106 developer contributions spent 2023/24	-£229,017.87⁹
S106 developer contributions held at 31 March 2024	£2,921,992.46¹⁰

- 3.13 In summary, as at 31 March 2024 there is a total of just over £2.92M in S106 contributions available to spend on affordable housing, and a range of infrastructure types including public open space, health and other community facilities in the District. Of this, just under £190K is retained for the purposes of long-term maintenance of open spaces across the District.

⁷ Includes the sum of £195,731.72 secured for the purposes of long-term maintenance of open space as at 31/03/23

⁸ Includes the sum of £50,992.62 secured for the purposes of long-term maintenance of open space during 23/24

⁹ Includes the sum of £57,252.50 spent on long-term maintenance of open space during 23/24


¹⁰ Includes the sum of £189,471.84 retained for the purposes of long term maintenance of open space as at 31/03/24

Appendix 3

Review of Infrastructure Delivery 2023/24

- 4.1 The following case studies in this section provide examples of the infrastructure projects delivered through the use of s106 developer contributions during 2023/24.

Case Study 1

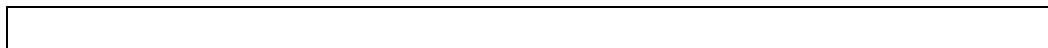
Project: New affordable housing at Market Street, Clay Cross	
Summary	<p>Contributions secured from the Harron Homes development at Grassmoor were spent on the scheme to deliver 11 new homes for affordable rent in Clay Cross by Nottingham Community Housing Association.</p> <p>The scheme incorporates solar panels, under-floor heating, air source heat pumps and high-end insulation to provide an exemplar low carbon development.</p>
Application references	14/00184/OL & 15/00336/RM
Permission dates / S106s signed	17/09/2014
Developers / development started	Harron Homes – during 2016/17
Amount spent	£125,000.00
Monies received	5 April 2019
Project delivered	During 2023/24
	

Appendix 3

Appendix 3

Case Study 2

Project: Enhancements to Play Area at Shirland Village Hall	
Summary	Contributions secured from the Wheeldon Homes development at Shirland were spent on the enhancement of Shirland Village Hall play area with new footpaths, fencing, gates and teen shelter.
Application references	17/00340/OL & 16/01137/RM
Permission dates / S106s signed	18 th April 2018 & 6 th March 2018
Developers / developments started	2019/20
Amount spent	£34,146.18
Monies received	27 th January 2021
Project delivered	During 2023/24



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 year¹¹.
- 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

¹¹ The figures in Table 4.1 do not include any s106 monies to be provided from previous years

Appendix 3

improvement of the railway bridge. At this stage the costs of the project are 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.

Appendix 3

- 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

Appendix 3

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 2023/24

5.20 During 2023/24 the Council entered into s106 agreements associated with new developments with the following planning obligations. With a potential total value of £167,310 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 provided¹²

Infrastructure type	Development site	S106 contribution (£)
Affordable Housing	Land between Poplar Grove and Park House Farm, Pilsley Road, Lower Pilsley – planning ref: 22/01189/FL	114,966.56
	Sub-total	114,966.56
Open Space	Land to rear of 151-181 Chesterfield Road, Holmewood – planning ref: 21/01495/FL	34,716.46
	Sub-total	34,716.46
Open Space Maintenance	Land to rear of 151-181 Chesterfield Road, Holmewood – planning ref: 21/01495/FL	10,975.40
	Sub-total	10,975.40
Health	Land to rear of 151-181 Chesterfield Road, Holmewood – planning ref: 21/01495/FL	6,651.67
	Sub-total	6,651.67
	Total	167,310.09¹³

¹² This table does not include contributions relating to County matters such as education, highways, waste and libraries where Derbyshire County Council is signatory to the S106 agreement and monies are to be paid directly to them.

¹³ This figure is an estimate as individual amounts may be subject to index linking.

Appendix 3

Appendix A – The Section 106 Report 2023/24

Regulation 121A – Schedule 2 (3): Matters to be included in the s106 report		April 2023 to March 2024 (£'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	114,966.56	
	Open Space	34,716.46	
	Open Space - Maintenance	10,975.40	
	Health	6,651.67	
	Total	167,310.09	
(b) the total amount of money under any planning obligations which was received during the reported year;	Affordable Housing	22,895.53	
	Open Space	268,652.82	
	Open Space - Maintenance	50,992.62	
	Highways	421,800.00	
	Health	73,014.52	
	Biodiversity	172,019.32	
	Library	3,775.19	
Total	1,213,150.00		
(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	977,911.42	
	Open Space	369,603.48	
	Open Space - Maintenance	195,731.72	
	Community Facilities	93,522.00	
	Public Realm	1,515.00	
	Eckington Town Centre	27,346.00	
	Highways	10,000.00	
	Waste	6,033.23	
	Five Pits Trail	1,600.00	
	Multi-User Trail	9,120.00	
	Biodiversity	57,026.53	
	Health	150,049.44	
	S106 Monitoring	38,401.51	
Total	1,937,860.33		
(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;	Nil		
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 was allocated ¹⁴ but not spent during the reported year for funding infrastructure	Nil		
(f) the total amount of money (received under any planning obligations) which was spent by the authority (*including	Affordable Housing	125,000.00 ¹⁵	
	Open Space	41,290.18	
	Open Space - Maintenance	57,252.50	

¹⁴ 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: 23b-033-20190901, NPPG)

¹⁵ Transferred to Nottingham Community Housing Association

Appendix 3

Regulation 121A – Schedule 2 (3): Matters to be included in the s106 report		April 2023 to March 2024 (£'s / units)	
transferring it to another person to spend);	Library	3,775.19 ¹⁶	
	Public Realm	1,700.00	
	Total	229,017.87	
(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-	Affordable Housing		
	Transferred to Nottingham Community Housing Association for affordable rented housing scheme, Market Street, Clay Cross	125,000.00	
	Total	125,000.00	
i) the items of infrastructure on which that money (received under planning obligations) was spent, and the amount spent on each item	Open Space		
	Installation of new footpaths, teen shelter and fencing and gates – Shirland Village Hall Play Area.	34,146.18	
	Boundary and pitch preparation/establishment works in connection with new football pitch - Pilsley Sports Ground.	7,144.00	
	Total	41,290.18	
	Open Space Maintenance		
	On-going maintenance, Egstow Recreation Ground, Coney Green Road, & Dewley Road, Clay Cross	35,525.00	
	Maintenance of Village Hall Play Area, Shirland.	20,000.00	
	On-going maintenance, School Lane, Arkwright	323.18	
	On-going maintenance, Quarry Road, Killamarsh	194.00	
	On-going maintenance, Dewley Way, Clay Cross	1,010.00	
	Total	57,252.50	
	Library		
	Transferred to Derbyshire County Council	3,775.19	
	Total	3,775.19	

¹⁶ Transferred to Derbyshire County Council

Appendix 3

Regulation 121A – Schedule 2 April 2023 to March 2024 (3): Matters to be included in the (£'s / units) s106 report					
	<p>Public Realm</p> <table border="1"> <tr> <td>Market Street, Eckington</td> <td>1,700.00</td> </tr> <tr> <td>Total</td> <td>1,700.00</td> </tr> </table>	Market Street, Eckington	1,700.00	Total	1,700.00
Market Street, Eckington	1,700.00				
Total	1,700.00				
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"> <tr> <td>Open Space</td> <td>189,471.84</td> </tr> <tr> <td>Total</td> <td>189,471.84</td> </tr> </table>	Open Space	189,471.84	Total	189,471.84
Open Space	189,471.84				
Total	189,471.84				