
SECTION 106 AGREEMENTS : POSITION STATEMENT

Purpose of the Report

1. The purpose of this report is to address the request of Members to receive and update of the position in relation to the obligations contracted under Section 106 of the Town and County Planning Act in relation to developments in the Borough.

Summary

2. Members asked for a report that:-
 - (a) Listed all 106 agreements since 2005 and
 - (b) Details of all current uncompleted 106 agreements including where the resources have been allocated and spent.
3. Members will note the information in the attached table that sets out the position in relation to the information requested for the period since 2005.
4. The table shows a total of 37 Section 106 Planning Agreements. The total value of the obligations negotiated has been in excess of £13m over the period but of that, £6.2m relates to live permissions or agreements. £0.8m is associated with development that is not proceeding.
5. For the 18 number of live permissions and agreements the Council has received £2.7m of which the Council is obligated to carry out necessary works or services in relation to the relevant development. In that respect £1.4m has been spent on obligations and a further £1.2m is committed to known schemes.
6. Should all the live permissions proceed then there would be in excess of a further £3.5m to be received, the precise figure being determined by the application of formulae to certain developments.

Recommendations

7. It is recommended that Members receive the report and, in particular note :-
 - (a) that updates of the position with respect to Section 106 Agreements will be reported to the Planning Applications Committee for its information and monitoring on a six monthly basis.

- (b) That the Director of Economic Growth is the designated senior responsible officer for S106 matters.
- (c) That the Section 106 position statement will be made available on the Council's web site.

Ian Williams, Director of Economic Growth

Background Papers

There were no background papers used in the preparation of this report.

John Anderson: Extension 6322

S17 Crime and Disorder	This report has no implications for Crime and Disorder
Health and Well Being	There are no direct implications from this report.
Carbon Impact	There are no issues which this report needs to address.
Diversity	There are no issues relating to diversity which this report needs to address
Wards Affected	Relevant to all and the particular wards in which developments referred to are undertaken.
Groups Affected	The impact of the report on any individual Group is considered to be minimal.
Budget and Policy Framework	This report does not represent a change to the budget and policy framework.
Key Decision	This is not a key decision.
Urgent Decision	This is not an urgent decision
One Darlington: Perfectly Placed	Section 106 agreements are an essential tool for ensuring the appropriateness of development within the context of the ODPP.
Efficiency	No direct impacts.

MAIN REPORT

Background

Section 106 Agreements

8. Planning obligations, also known as Section 106 agreements (based on that section of The 1990 Town & Country Planning Act) are private agreements made between local authorities and developers and can be attached to a planning permission to make acceptable development which would otherwise be unacceptable in planning terms. The land itself, rather than the person or organisation that develops the land, is bound by a Section 106 Agreement,

something any future owners will need to take into account.

9. The Government's policy on the use of planning obligations is set out on the [Planning Practice Guidance website](#). Local planning authorities must take this guidance into account in their decisions on planning applications and must have good reasons for departing from it.
10. Planning Obligations are used for three purposes:-
 - (a) **Prescribe** the nature of development (for example, requiring a given portion of housing is affordable).
 - (b) **Compensate** for loss or damage created by a development (for example, loss of open space).
 - (c) **Mitigate** a development's impact (for example, through increased public transport provision).
11. S106 Agreements set out obligations between the Developer and the Local Authority which are binding on both sides if they are bilateral agreements. Developers can also make Unilateral Agreements. All of the agreements listed on the attached table are bilateral agreements. These will normally be in the form of positive and negative obligations. A positive obligation is a commitment to do something. Examples of this might be for the developer to provide a play area, or to provide land for a school and these would normally be related to triggers in the permission for such commitments to be completed. These are reflected in the table under non-financial commitments (to the Council). Equally the agreement might commit the Local Planning Authority to do something usually in response to the developer providing the necessary funding. This is more likely to relate to off-site works such as improvements to local play, recreational facilities and education.
12. Negative obligations are a commitment not to do something. For example a developer may agree to not start building the 50th house until the local school has been extended. These negative obligations are not represented on the attached table unless they are a specific trigger to a positive obligation to make a payment to the Council.
13. Planning obligations must be directly relevant to the proposed development. They cannot be used to correct existing deficiencies in infrastructure or services and they cannot generally be used for revenue projects but there are some exceptions.

Members Request

14. Members asked for a report that:-
 - (a) Listed all 106 agreements since 2005 and
 - (b) Details of all current uncompleted 106 agreements including where the resources have been allocated and spent.
15. Members will note the information in the attached table that sets out the position in relation to the information requested for the period since 2005.

16. The table shows a total of 37 Section 106 Planning Agreements. The total value of the obligations negotiated has been in excess of £13m over the period but of that £6,217,705 relates to live permissions or agreements. £881,650 is associated with development that is not proceeding.
17. For the 18 number of live permissions and agreements the Council has received £2,696,279 payments and of which the Council is obligated to carry out necessary works or services in relation to the relevant development. In that respect £1,441,066 has been spent on obligations and a further £1,109,283 is committed to known schemes
18. Should all the live permissions proceed then there would be in excess of a further £3,591,477 to be received, the precise figure being determined by the application of formulae to certain developments. However, it is anticipated that significant developments such as 09/00731/OUT & 13/00244/ at Whessoe Road will not proceed. However, the true loss to the community is not the £67,000 loss to local infrastructure but the fact that the housing is not coming forward at all to meet housing needs and is placing attention on the on other locations such as the rural and town fringe areas to deliver housing.

Reflections on the position statement

19. Monitoring and the collection of the information has been more difficult than it ought to have been with information across departments from planning as instigator to spending departments as deliver not clearly coordinated through communication and or financial systems. The information ought to be readily available as part of the system and processes. To this end the Planning Service has being reviewed and an upgrade to the Uniform Planning Management System will introduce a capability to manage this information on a much more seamless basis. This upgrade is programmed in July 2016.
20. In order to create a single point of responsibility for S106 obligations the Director of Economic Growth has been designated as the Senior Responsible Officer. The Director will though his teams manage the monitoring and commissioning of projects to other departments as appropriate. In that context it suggested that the Director presents the S106 Position Statement to the Capital Asset Group as a “shadow capital budget” in order to align spending either with the Council’s other priorities or with matched funding opportunities.
21. To ensure that the Section 106 position statement has more transparency than it currently does a 6 monthly report will be presented to the Planning Applications Committee for its information and monitoring. It is also important that the development industry and the public have confidence that appropriate mitigation or compensation is being delivered. The position statement will also be available for public inspection on the Council’s web site.

SECTION 106 AGREEMENTS : POSITION STATEMENT APPENDIX 1

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ACTIVE AGREEMENTS																	
1	01/00560/FUL 10/00715/FUL Mowden Park RUFC, 22 Yiewsley Drive	Yuill Homes, Bellway Homes	06/12/2012	Recreation Land	£ 151,463	27/09/2011 Completed 7/12/2015	Commencement	05/03/2015	5 years (capital work) & 10 years revenue	£81,463 spent on cycleway, bridge, landscaping at Baydale Beck. Balance for long term maintenance £70,000.	-£ 151,463	£ 80,463	-£ 71,000	£ 71,000	£ -	-	
				Equipped Play Area	£ 80,703		Commencement	05/03/2015	5 years (capital work)	To be allocated to a scheme in the Ettersgill area. Ettersgill play area identified for refurbishment and play areas in the vicinity including Bushel Hill, Eggleston view and Broken Scar.	-£ 80,703	£ -	-£ 80,703	£ 80,703	£ -	£ 0	-
				Transport - Bus Services	£ 92,497		Completion of 1st unit	05/03/2015	10 years	Contract let through tender for enhanced for evening and Sunday services for Service 3	-£ 92,497	£ -	-£ 92,497	£ 92,497	£ -	£ -	-
				Bus shelter & Dropped Kerbs	£ 31,500					Awaiting payment - additional funds agreed at Planning Applications Committee meeting 3/2/16 for bus shelter at Mowden shops and dropped kerbs on Yiewsley Drive, Fulthorpe Avenue, Barnes Road, Edgecombe Drive.					£ -	£ 31,500.00	-
2	06/00959/FUL Land At Snipe House Farm	Miller Homes Limited	02/07/2007	Open Space & Football Pitch	£	NF Completed 30/4/2013			NF	Non financial obligation for implementation by developer at Skerne Park				£ -	£ -	-	
				Open Space & Football Pitch	£ 38,630			27/01/2014	10 years	Scheme to be commissioned.	-£ 38,630	£ -	-£ 38,630	£ -	-£ 38,630	£ -	-
				Play & Recreational Equipment	£ 89,200		Occupation of 50th unit	29/06/2010	3 years	Committed sum spent in full on play facility at Skerne Park	-£ 89,200	£ 89,200	£ -	£ -	£ -	£ -	-
				Bus Stop Improvements	£ 19,000			29/06/2010		Reduced scheme outlay following withdrawal of bus services to £8,203 for improvements to Bus stops at Tyne Crescent & Tees Drive.	-£ 19,000	£ 19,000	£ 19,000	£ -	£ -	£ -	-
				Community Facilities Fund	£ 100,000			29/06/2010	3 years	Support for various projects in Skerne Park including funding community project worker, security fencing around the new football field and works to community centre.	-£ 100,000	£ 41,865	-£ 58,135	£ 58,135	£ -	£ -	-
3	13/00989/FUL Proposed Site For Railway HA By Yuill Homes Alverton Drive	Andrea Abbott	29/04/2014	Open Space	£ 18,876	15/7/14 Completed 2015	Commencement	13/05/2014	3 years	Enhancement of adjoining open space.	-£ 18,876	£ -	-£ 18,876	£ 18,876	£ -	-	

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4	09/00439/FUL Former North Road Service Station	A Gregory Building Contractors	07/01/2010	Public Open Space	£ 6,100	Started 20/9/2010. Completed 1/4/2014	Occupation of 6th unit	3,500 27/4/2011		Funding earmarked for perimeter landscaping improvements to Bensham park.	-£ 6,100 £	- -£	6,100 £	6,100 £	- £	-
5	09/00706/FUL & 13/01038/FUL Site Of Former Darlington Football Club Ground South Terrace	Persimmon Homes (Teesside) Limited	03/07/2014	Highways	£ 137,138	27/03/2015		30/06/2014		Targeted at improved pedestrian crossing to town centre; options being developed.	-£ 137,138 £	- -£	137,138 £	137,138 £	- £	-
				Education	£ 67,798		Occupation of 30 dwellings	2019		Payment trigger not yet met		£	-	£	- £	67,798.00
				Sports Facilities	£ 45,199		Occupation of 60 dwellings	5 years		Payment trigger not yet met. Funds for Junior pitches scheme at South Park		£	-	£	- £	45,199.00
				Childrens Play	£ 67,798	Trigger not met	Occupation of 30 dwellings	5 years		Payment rigger not yet met		£	-	£	- £	67,798.00
6	14/00503/FUL Land At OSGR E429114-N515709 Albert Road	Opus Land North (Darlington)Ltd	11/02/2015	Ecology	£ 22,000		Practical Completion Date or 18 months from commencement of development	22/04/2016	5 years	Ecology Officer advised of receipt of funds, to be used for biodiversity offsetting.	-£ 22,000 £	- -£	22,000 £	22,000 £	- £	-
7	14/01251/FUL Darlington Rugby Football Club Grange Road	Darlington RUFC With Darlington 1883 FC	06/05/2015	Ecology	£ 9,800		By 1/9/2015			Trigger met and payment requested. Funds to be used for biodiversity offsetting.				£	- £	9,800.00
				Highways (access to the club)	£ 12,000		6 weeks prior to football match			Trigger met and payment requested				£	- £	12,000.00
				Road Network	£ 55,320		1st occupation of Unit 11b	10 years		Pre-commencement planning conditions approved by planning case				£	- £	55,320.00
8	14/00001/FUL Field At OSGR E427950 N517041 Faverdale North	Opus Lane (North) Limited	08/01/2015	Ecology	£ 5,000		Commencement	5 years		Trigger met and request for payment made. Funds to be used for biodiversity offsetting at species rich meadow on Cocker Beck, Staindrop Road.				£	- £	5,000.00
9	14/01012/FUL & 05/00183/FULE Royal Oak Farm HEIGHINGTON	EDF Energy	06/01/2014	Aftercare scheme by developer of woodland and grassland	NF		Date of agreement signed	3 years		14/01012/FUL application currently under consideration for variation of condition 2 of planning permission 05/00183/FULE (for development of wind turbine site comprising 5 wind turbine units, 1.1km of road and control building) dated 6 January 2014 - to permit a 25 year operational life for approved wind tubines				£	- £	-

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10	12/00751/FUL & 11/00160/FUL Moor House Wind Farm Bishopton Lane GREAT BURDON	Mr Robert Stockford	29/11/2013	Tree planting fund for local residents.	£ 10,000		Agreement signed	31/01/2012	30-Jun-16		-£ 10,000	£ 618	-£ 9,382	£ -	-£ 9,382	£ -
11	11/00461/FUL Glaisdale Court	Persimmon Homes Teesside Limited	26/01/2012	Open Space	£ 14,375	Site completed	Occupation of 4th dwelling constructed								£ -	£ 14,375.00
12	10/00836/FUL Site Of Former Torrington Works Yarm Road	Mr James Marshall	01/12/2011	Traffic counters	£ 10,000	Site completed	Commencement								£ -	£ 10,000.00
				Bus subsidy	£ 15,000	Site completed	Completion of 1st building on phase 1 development.								£ -	£ 15,000.00
				Road Network	£ 153,456	Site completed	When 1st occupation is taken of each building on the Phase 1 land, within 5 working days.								£ -	£ 153,455.64
				Sustainable Transport	£ 670,446	Site completed	Commencement of the relevant phase		10 years						£ -	£ 670,446.00
				20 MPH Zone	£ 5,000	Site completed	Commencement		5 years						£ -	£ 5,000.00
13	10/00412/FUL & 08/00397/FUL Site Of Former Alderman Leach Primary School Leach Grove	Bussey Armstrong Projects Limited	24/11/2010	Open Space	£ 30,000	Started 8/2/2011. Site unfinished. 4 No plots left to build.	Before Practical Completion		10 years						£ -	£ 30,000.00
				Equipped Play Area	£ 51,200	Started 8/2/2011. Site unfinished. 4 No plots left to build.	Before Practical Completion		0 5/10 years						£ -	£ 51,200.00
				Cycleway and Footpath	£ 20,000	Started 8/2/2011. Site unfinished. 4 No plots left to build.	Before Practical Completion		5/10 years						£ -	£ 20,000.00
				Ecology	£ 70,000	Started 8/2/2011. Site unfinished. 4 No plots left to build.	Completion of 10th dwelling	21/10/2013	10 years		-£ 70,000	£ -	£ 70,000	£ 70,000	£ -	£ -
																Awaiting sign off of sustainable drainage agreement and planning condition before works to complete the landscaping to desired standards. Funding to be used for annual maintenance costs, over ten years.

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14	09/00530/FUL Central Park (Teesside Uni), Haughton Road	Teesside University	25/01/2010	Infrastructure (changing facilities RUFC)	£ 259,401	Yes		25/01/2010		Rugby Club, Grange Road	-£ 259,401	£ 259,401	£ -		£ -	£ -			
				Maintenance	£ 75,000			25/01/2010		Ongoing maintenance commitment at Rugby Club, Grange Road.	-£ 75,000		£ -	£ 75,000	£ 75,000	£ -	£ -		
				Replacement playing pitches	£ 420,158			25/01/2010		Spent £208,325 (having repaid £170,000 2012) at Rugby Club, Grange Road. Completed October 2011. Balance remaining £41,833 to be directed to construction of car park.	-£ 420,158	£ 378,325	£ -	£ 41,833	£ 41,833	£ -	£ -		
15	08/00638/OUT Lingfield Point	Marchday Group Plc	18/08/2010	Highways	£ 1,184,400	Started 13/5/2013 - 85No units completed	Commencement phase	271,889	10 years	29/04/2013						912,511.39			
				Pedestrian Crossing	£ 55,000		Commencement	29/04/2013	2 years	Pending outcome of ongoing discussion regarding potential access points to DETC from the site.	-£ 55,000	£ -	£ -	£ 55,000	£ 55,000	£ -	£ -		
				Sustainability	£ 754,138		Commencement or occupation of 1st unit (depending on type of dev't)	109,113	10 years	29/4/2013		Sustainable transport revenue work	-£ 109,113	£ -	£ -	£ 109,113	£ 109,113	£ -	£ 645,025.00
				Equipped Play Area	formula		Commencement				Phase 1 Taylor Wimpey contribution requested.					£ -	£ -		
				Education	formula		Occupation of 50%		5 years		Phase 1 Taylor Wimpey contribution requested.					£ -	£ -		
				Open Space Maintenance	formula		In kind by developer				Developer to establish a levy scheme to collect funding for grounds maintenance. If developer were to relinquish the Council has step-in rights to trigger payments over 10 years.					£ -	£ -		
				20 MPH Zone			Occupation of 1st unit		2 years		No record of commuted sum payment.					£ -	£ -	£ -	
16	05/00708/FUL Wimpey Housing Development Geneva Lane	George Wimpey North East Limited	31/07/2006	Recreation	£ 670,111	3/3/05 Completed 2006		27/06/2006		Spent £572,194.46 on South Park changing facilities and play area, leaving a balance of £97,916.54. Further commitments to be given to Borough wide sport and recreation assets.	-£ 670,111	£ 572,194	£ -	£ 97,917	£ -	£ 97,917			

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DEVELOPMENT NOT STARTED																
17	13/00110/FUL & 08/01003/OUTE Humbleton Farm West Auckland Road BURTREE	Darlington Farmers Auction Mart	20/05/2013	Bus Stops	£ 20,000	Not started	Prior to opening of an agriculture and equine centre			13/00110/RM2 reserved matters application currently under consideration					£ -	£ 20,000.00
18	13/00940/OUT Sadberge Road, MIDDLETON ST GEORGE	Gladman Developments Limited	12.01.2015	Education	£ 611,000	Not started	Prior to 1st dwelling sold (50%) & balance on 75th dwelling sold		10 years from payment	Development not yet started, therefore payment trigger not yet met.					£ -	£ 611,000.00
				Sports Piches	£ 39,209	Not started	Completion of 125th dwelling			Development not yet started, therefore payment trigger not yet met.			£ -	£ 39,209.00		
				Highways		by formula	Not started	Prior to 1st/61st/121st/181st dwelling sold (25% each)			Development not yet started, therefore payment trigger not yet met for strategic highway network improvements to the Little Burdon Network			£ -		
				Highways		by formula	Not started	Prior to 1st/61st/121st/181st dwelling sold (25% each)			Development not yet started, therefore payment trigger not yet met for strategic highway network improvements to the Morton Palms Network			£ -		
				Bus Pass		NF	Not started	First occupation of each dwelling		Development not yet started, therefore payment trigger not yet met for Bus Pass scheme					£ -	
19	13/01001/FUL Croft House 2 Tees View HURWORTH PLACE	Broadacres Housing Associatiion	04/03/2015	Education	£ 18,330	Not started	Sale of 3rd dwelling		5 years	Awaiting details of start on site. Trigger not yet met.					£ -	£ 18,330.00
				Open Spaces	£ 5,460	Not started	Sale of 3rd dwelling		5 years	Trigger not yet met. Awaiting details of start on site.			£ -	£ 5,460.00		
				Sustainable Transport	£ 6,000	Not started	Sale of 3rd dwelling		5 years	Awaiting details of start on site. Trigger not yet met.			£ -	£ 6,000.00		
20	09/00731/OUT & 13/00244/FUL Site Of Former Corus Works (East Site) Whessoe Road	St Modwen Developments Ltd	26/06/2013	Highways		NF	Developer to implement		NF	Planning permission and agreement will lapse 25 June 2016. Off site highway works to provide improved pedestrian/cycle crossing facilities on Whessoe Road by the provision of toucan crossing or suitable alternative.					£ -	
				Bus Stops	£ 40,000		Commencement		0	Planning permission and agreement will lapse 25 June 2016. Four bus stops: one on the west side of Whessoe Road close to the junction with Longfield Road; one on the west side of Whessoe Road close to the Westmorland Street junction; and two adjacent to Elmtree Street on either side of Whessoe Road.			£ -	£ 40,000.00		
				Traffic Management		NF	Developer to implement		NF	Improvement works to mitigate the impact of increased traffic by the provision of a mini roundabout at the junction of Longfield Road and Whessoe Road .Planning permission and agreement will lapse 25 June 2016.			£ -			

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DEVELOPMENT COMPLETED AND OBLIGATIONS SATISFIED																
21	05/00067/FUL Ernest Bennett & Co (Darlington) Ltd MIDDLETON ST GEORGE	Clarion Homes Limited	07/02/2006	Off-site highway works - roundabout	£ 3,150	24/09/2005		13/04/2007	2007	Spent £3,000 scheme completed in 07/08					£ -	0
22	09/00706/FUL & 13/01038/FUL Site Of Former Darlington Football Club Ground South Terrace	Persimmon Homes (Teesside) Limited	03/07/2014	Affordable Housing		NF 27/03/2015			NF	Non financial obligation for affordable housing					£ -	

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23	09/00731/OUT & 13/00244/FUL Site Of Former Corus Works (East Site) Whessoe Road	St Modwen Developments Ltd	26/06/2013	Affordable Housing	NF			NF		Planning permission and agreement will lapse 25 June 2016. Non financial obligation for affordable housing				£	-	
24	08/00638/OUT Lingfield Point	Marchday Group Plc	18/08/2010	Affordable Housing	NF	Started 13/5/2013 - 85No units completed		NF		Non financial obligation for affordable housing				£	-	
25	06/00959/FUL Land At Snipe House Farm	Miller Homes Limited	02/07/2007	Affordable Housing	NF	Completed 30/4/2013		NF		Non financial obligation for affordable housing				£	-	
26	06/00634/FUL Thecla Buildings Allan Street	Yorvik Homes	18/12/2006	Affordable Housing	NF	Started 10/1/2007 Completed		NF		Non financial obligation for affordable housing				£	-	

NON FINANCIAL OBLIGATIONS ONLY

27	12/00100/FUL Piercebridge Village Hall The Green PIERCEBRIDGE	Rev John Dobson	30/09/2013	Community facilities	NF			NF		Non financial - the developer to make provision for alternative community facilities within the church of St Mary, Piercebridge subject to Ecclesiastic Exemption.				£	-	
28	06/00536/FUL Rockliffe Hall HURWORTH PLACE	Middlesbrough Football Club	06/07/2007	Protection of Listed Building & phasing	NF	Started 18/9/2007		NF		Non financial obligation				£	-	
29	06/00538/FUL Rockliffe Park HURWORTH PLACE	Middlesbrough Football Club	06/07/2007	Protection of Listed Building & phasing	NF	Started 18/9/2007		NF		Non financial obligation				£	-	

RESTRICTIVE CONDITION IMPOSED

30	14/00486/FUL Allied Carpets Russell Street	Lateral Property Group	25/07/2014	Restrictive condition (food)	NF	N/A		NF		Restrictive condition				£	-	
	10/00439/FUL Skerningham Manor Low Skerningham Lane BARMPTON	Mr & Mrs Martin Grey	27/02/2012	Restrictive covenant only	NF			NF		Restrictive covenant only				£	-	
31	08/00429/CU Alexander Le Skerne, Unit 37 Cleveland Trading Estate	Ward Bros (Steel) Limited	11/09/2012	Restrictive condition (use of site)	NF	N/A		NF		Restrictive condition				£	-	

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PLANNING PERMISSION LAPSED																					
32	11/00397/FUL St Clares Abbey Carmel Road North	Hospitaller Order Of St John Of God	15/01/2013	Open Space	£ 17,500	Not started	75% on completion & 25% re care home certificate			Planning permission lapsed January 2016				£	-	£ -					
33	08/00703/FUL Proposed Business Park Durham Tees Valley Airport MIDDLETON ST GEORGE	Sven Investments	02/12/2008	Highways (mini bus shuttle service)	£ 20,000		Commencement		3 years	Planning permission lapsed 2011.				£	-	£ -					
34	07/00388/FUL Land Rear Of Heron Drive	McInerney Homes North East	07/03/2011	Open Space/Play Area	£ 32,400	Not started	50% on occupation of 24th unit & 50% on occupation of 40th unit		5 years	Planning permission lapsed.				£	-	£ -					
35	07/00152/OUT Croft House 2 Tees View Hurworth Place	Mr And Mrs J Hindmarsh	17/07/2007							Planning permission lapsed. Revised application 13/01001/FUL with S106 granted 23/4/2015 (see above entry)				£	-	£ -					
	07/00041/OUT Dean & Chapter Land Adjoining Morton Park	PPG Land Limited And Durham Cathedral	25/03/2011	Highways	£ 639,100	Not started	Commencement of the relevant phase			Planning permission lapsed.				£	-	£ -					
	11/00644/FUL Church House Farm MIDDLETON ST GEORGE	Mr Jack Havakin	12/02/2013	Affordable Housing	NF			NF		Planning permission lapsed. Non financial obligation for affordable housing				£	-	£ -					
36	06/00812/FUL Land Adjoining Faverdale West	Argon Faverdale Ltd	12/09/2008	Highways	£ 1,000		Commencement		3 years	Planning permission lapsed				£	-	£ -					
				Ecology	£ 80,000		Commencement		3 years	Planning permission lapsed. To be renegotiated with a new application currently in discussions.			£	-	£ -						
				Highway Safety TRO	£ 1,500		Commencement		3 years	TRO at road junction			£	-	£ -						
37	04/01427/FULE Durham Tees Valley Airport MIDDLETON ST GEORGE	Durham Tees Valley Airport Limited	21/12/2007	Highways	£ 20,000				3 years	Planning permission lapsed				£	-	£ -					
Totals											-£ 2,696,279	£	1,441,066	-£	1,255,213	£	1,109,283	-£	145,929	£	3,588,427

TOTAL £ 6,217,705

Notes:

If planning permission expires before the commencement of development the agreement shall cease to have effect

Affordable Housing - agreements requiring on site provision may be varied to allow a financial contribution as Registered Providers are finding it more difficult to deliver on site.

For Outline applications where details of the dwellings are reserved the calculations cannot be finalised until the Reserved Matters Application has

It is now common practice to require affordable homes through conditions rather than Section 106 agreement so not all schemes are shown here.