

Infrastructure Funding Statement for Section 106 Agreements

Reporting Period 1st April 2022 to 31st March 2023

North Devon Council

Published December 2023



Contents

Infrastructure Funding Statement for Section 106 Agreements	1
1. Introduction	1
2. Developer Contributions.....	2
3. Financial Contributions	4
• Balance of financial contributions received before 1 st April 2022.....	4
• New financial contributions agreed through planning obligations during the financial year 2022/23	5
• New financial contributions received through planning obligations during the financial year 2022/23	9
• Financial contributions spent during the financial year 2022/23	11
• Financial contributions towards Monitoring of Planning Obligations	13
• Allocation of received financial contributions to particular infrastructure projects	13
• Summary of financial contributions held at the end of the financial year 2022/23	18
4. Non-Financial Contributions	20
• Non-financial contributions agreed through section 106 agreements during the financial year 2022/23	20
• Non-financial contributions delivered during the financial year 2022/23	20
• Outstanding commitments for non-financial contributions at the end of the financial year 2022/23	22
5. Future Spending Priorities	25
6. Conclusions and Future Work.....	28



1. Introduction

- 1.1 This Infrastructure Funding Statement (IFS) provides information on the financial and non-financial contributions sought and received by North Devon Council (NDC) from developers as a result of new planning permissions. These contributions are to secure provision of different types of new infrastructure to support the needs arising from these developments. It also sets out subsequent progress by the Council in showing where and on which projects those contributions have been spent or are proposed to be spent. It goes on to set out the future infrastructure priorities that the Council intends may be wholly or partly funded these contributions.
- 1.2 This IFS is the fourth to be prepared by North Devon Council. It covers the local planning authority area (the parts of the district outside Exmoor National Park) and covers the period for the financial year 1st April 2022 to 31st March 2023. Legislation requires Infrastructure Funding Statements to be published annually before the end of each calendar year.
- 1.3 Throughout the IFS, references may be made to the following definitions:
- The **Financial Year**: the year of 1st April 2022 to 31st March 2023, unless otherwise stated.
 - The **Council**: refers to North Devon Council, unless otherwise stated.
 - The **County Council**: refers to Devon County Council, unless otherwise stated.
 - The **Local Plan**: the North Devon and Torridge Local Plan (NDTLP) 2011-2031 adopted in October 2018.
 - **Allocated**: Contributions that have been assigned to a specific project, typically through a resolution by the Council's Strategy and Resources committee, or formally by the Council's Executive committee.
 - **Unallocated**: Contributions that have been received by the Council but are not yet assigned through a resolution of the Council's Strategy and Resources committee towards a specific infrastructure project on which they are to be spent.
 - **Spent**: Financial contributions that have been used by the Council with money transferred to the relevant delivery body, often the local parish or town council, with infrastructure having been delivered on site, or in the progress of being delivered.
- 1.4 Due to the report representing data at a given point in time, the content of this report may be subject to change. However, the data within this document is the most robust and correct available at the time of publication.

2. Developer Contributions

- 2.1 Planning obligations (also known as section 106 agreements) are legal agreements that can be attached to planning permissions being granted by a local planning authority (the Council) to mitigate the impact of development that would be unacceptable, in order to make it acceptable in planning terms. Under section 106 of the Town and Country Planning Act 1990, a local planning authority can seek planning obligations to address impacts where it is considered that a development would have negative impacts, the results of which could not be managed successfully through use of appropriate planning conditions attached to the planning permission.
- 2.2 The requirements for planning obligations are set out in government legislation and regulations, which can only be sought if the obligation is:
- 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.
- 2.3 Planning obligations can relate to financial or non-financial contributions.
- **Financial contributions** are where money is given to the Council by the developer to be spent on provision of relevant infrastructure in accordance with any restrictions in the relevant section 106 legal agreement.
 - **Non-financial contributions** relate to a legal commitment, as set out in the relevant section 106 agreement, for the developer to provide the relevant infrastructure directly, usually within the application site.
- 2.4 Planning obligations can include on-site and off-site contributions.
- **On-site contributions** are where the infrastructure necessary in order to fulfil the planning obligation is delivered within the boundary of the planning permission, such as the developer building affordable homes or providing public open space within their new development.
 - **Off-site contributions** are where the infrastructure necessary to fulfil the planning obligation is delivered outside the boundary of the planning permission. Planning obligations for off-site contributions are normally fulfilled as a financial payment, payable to the Council or other party, in order to provide necessary infrastructure works off-site. However, sometimes a developer commits to delivering the required infrastructure themselves on other land within their control beyond the application site.
- In some instances, a development may involve a combination of on-site and off-site contributions.
- 2.5 On-site and off-site contributions can relate to a range of different infrastructure requirements across the realms of physical, social, green and economic infrastructure. The Council's requirement for planning obligations are set out in the North Devon and Torridge Local Plan 2011-2031 (NDTLP) and the Infrastructure Delivery Plan.

- 2.6 Policy ST23: *Infrastructure* of the NDTLP sets out the following requirements for infrastructure and development:
- (1) Developments will be expected to provide, or contribute towards the timely provision of physical, social and green infrastructure made necessary by the specific and/or cumulative impact of those developments.
 - (2) Where on-site infrastructure provision is either not feasible or not desirable, then off-site provision or developer contributions will be sought to secure delivery of the necessary infrastructure, through methods such as planning obligations or the Community Infrastructure Levy.
 - (3) Developments that increase the demand for off-site services and infrastructure will only be allowed where sufficient capacity exists or where the extra capacity can be provided, if necessary through developer-funded contributions.
- 2.7 The Council is not a Community Infrastructure Levy (CIL) authority, therefore this report will only include details of developer contributions in relation to section 106 agreements and section 111 contributions.
- 2.8 All figures reported in this statement relate to the financial contributions received and spent by North Devon Council. In some instances, planning obligations will specify contributions that are transferred from the developer to external bodies, such as Devon County Council (DCC) in their role as the local education authority and local highway authority. DCC will be producing its own IFS so any agreements relating to contributions received by the County Council will be reported in its own IFS.
- 2.9 During the financial year 2022/23, no financial contributions were received by North Devon Council then transferred to the County Council nor any other relevant reporting body.

3. Financial Contributions

Balance of financial contributions received before 1st April 2022

- 3.1 At 1st April 2022, the Council held a balance of financial contributions towards new infrastructure totalling £2,731,834 that had been collected over previous years but had not yet been spent. The relevant planning obligations (section 106 legal agreements) set out restrictions on where and on what these financial contributions can be spent. The breakdown of this total figure is set out in Tables 1 and 2. Some of this money had been allocated to specific projects prior to 1st April 2022 but had not yet been spent.

Table 1: Unspent capital financial contributions received before 1st April 2022 by infrastructure type

Type of Infrastructure	Financial Contributions received before 1 st April 2022
Public Open Space	£2,024,424
Affordable Housing	£409,654
Flood Defences	£22,188
Heritage	£50,108
Community Facilities	£17,334
CCTV	£11,170
TOTAL	£2,534,878

Table 2: Unspent revenue financial contributions received before 1st April 2022 by infrastructure type

Type of Infrastructure	Financial Contributions received before 1 st April 2022
Public Open space maintenance	£196,956
TOTAL	£196,956

New financial contributions agreed through planning obligations during the financial year 2022/23

3.2 Table 3 below sets out the new planning obligations agreed during the financial year 2022/23 where they contain new financial contributions. These figures do not consider indexation (inflation/deflation) that may be applied when the money becomes due.

Table 3: New financial contributions agreed through planning obligations during the financial year 2022/23

Application Number	Address	Type of infrastructure	Financial Contribution
55503	Land Off Broadclose Road, Sticklepath, Barnstaple, Devon	Education Land	£9,945
55503	Land Off Broadclose Road, Sticklepath, Barnstaple, Devon	Recreation	£29,022.00
55503	Land Off Broadclose Road, Sticklepath, Barnstaple, Devon	Primary Education	£43688
55503	Land Off Broadclose Road, Sticklepath, Barnstaple, Devon	Secondary Education	£30392
55503	Land Off Broadclose Road, Sticklepath, Barnstaple, Devon	SAC Mitigation*	£760.00
60823	Transfer Station	SAC Mitigation*	£25000
60823	Transfer Station	Bus Shelter	£1,000
60823	Transfer Station	Monitoring contribution	£1,100
60823	Transfer Station	Ecology Mitigation	£1,120,000
60823	Transfer Station	Ecology Warden	£63,125
60823	Transfer Station	Highways	£335,500
60823	Transfer Station	Medical	£103,915
60823	Transfer Station	Pedestrian Crossing Maintenance	£20,000
60823	Transfer Station	Primary Education	£840,417
60823	Transfer Station	Secondary Education Transportation	£ 143,568
60823	Transfer Station	SEN Education	£ 36,391
60823	Transfer Station	Traffic Regulation Order	£5,000
64000	Land at Chivenor Cross, Chivenor	Education (secondary in Braunton)	£317,433
64000	Land at Chivenor Cross, Chivenor	Recreation	£275,006
64000	Land at Chivenor Cross, Chivenor	Traffic Signals Commuted Sum	£60,000
64000	Land at Chivenor Cross, Chivenor	Toucan Crossing Commuted Sum	£20,000
64000	Land at Chivenor Cross, Chivenor	TRO Contribution	£5,000

Application Number	Address	Type of infrastructure	Financial Contribution
64000	Land at Chivenor Cross, Chivenor	SAC Mitigation*	£190
64051	Land at Cross Park Farm, Burrington	Primary School Transport	£43,890
64051	Land at Cross Park Farm, Burrington	Secondary Education	£54,031
64051	Land at Cross Park Farm, Burrington	Secondary School Transport	£7,113.6
64051	Land at Cross Park Farm, Burrington	Recreation	£79,646.2
65448	Land at Westacott (North of A361), Barnstaple	Bus Service	£1,290,000
65448	Land at Westacott (North of A361), Barnstaple	Community Facilities	£344,000
65448	Land at Westacott (North of A361), Barnstaple	Early Years Education	£205,000
65448	Land at Westacott (North of A361), Barnstaple	Medical Centre	£298,870
65448	Land at Westacott (North of A361), Barnstaple	Primary Education	£3,235,838
65448	Land at Westacott (North of A361), Barnstaple	Secondary Education	£ 2,652,441
65448	Land at Westacott (North of A361), Barnstaple	SEN Education	£ 121,305
65448	Land at Westacott (North of A361), Barnstaple	Public Rights Of Way Works (Landkey)	£81,343.54
65448	Land at Westacott (North of A361), Barnstaple	Public Rights Of Way Works (Westacott)	£76,824.46
65448	Land at Westacott (North of A361), Barnstaple	Recycling	£29,520
65448	Land at Westacott (North of A361), Barnstaple	SAC Mitigation*	£155,800
66372	Land west of North Molton Primary School, Fore Street, North Molton	Affordable Housing contribution (0.5 of a dwelling)	£50,000
66372	Land west of North Molton Primary School, Fore Street, North Molton	Traffic Order contribution	£5,000
70713	Fairleigh and adjacent land, Georgeham	Education	£30,392
70713	Fairleigh and adjacent land, Georgeham	Affordable housing	£23,270
70713	Fairleigh and adjacent land, Georgeham	Recreation	£29,805
70713	Fairleigh and adjacent land, Georgeham	School Transport	£3,796
71066	Springfield Nurseries, Twinney House Georgeham	Recreation	£ 7,314
71251	Land off Nadder Lane, South Molton	Offsite Public Open Space	£304,682
71251	Land off Nadder Lane, South Molton	Medical Centre	£ 60,749

Application Number	Address	Type of infrastructure	Financial Contribution
71251	Land off Nadder Lane, South Molton	Primary Education	£509,844
71251	Land off Nadder Lane, South Molton	Secondary Education	£4,19120
71251	Land off Nadder Lane, South Molton	SEN Education	£58,112
71782	2 South Molton Street, Chumliegh	Recreation	£9,545
71956	Land known as The Orchard, Gunswell Lane, South Molton	Recreation	£7,314
72536	Former Ebberley House, Avenue Road, Ilfracombe	Recreation	£10,080
72588	Land to the south of Arley House, High Street, Combe Martin	Recreation	£8, 606
72698	Land Adjacent The Stables, Patchole, Kentisbury	Recreation	£9,325
72675	St Johns Garden Centre, Barnstaple	Biodiversity Net Gain	£10,000
72859	Lee Bay Hotel, Lee. Ilfracombe	Education	£67,089
72859	Lee Bay Hotel, Lee. Ilfracombe	Public Conveniences	£35,000
72859	Lee Bay Hotel, Lee. Ilfracombe	Recreation	£41275.68
72878	Crokers Farm, Miltown, Barnstaple	SAC Mitigation*	£190
73159	Land at Liberty Road, Barnstaple	Biodiversity Offset	£15,500
73303	Land at South Hill Farm, Fileigh	Recreation	£8,058
73467	Former Civic Centre, North Walk, Barnstaple	Recreation	£133,834
73467	Former Civic Centre, North Walk, Barnstaple	SAC Mitigation*	£14,250
73606	North Devon Leisure Centre, Barnstaple	Allotment Provision	£16,469.1
73606	North Devon Leisure Centre, Barnstaple	Secondary Education	£472,333
73606	North Devon Leisure Centre, Barnstaple	GP Surgery	£87,264
73606	North Devon Leisure Centre, Barnstaple	Highways	£4,000
73606	North Devon Leisure Centre, Barnstaple	Play Area Provision	£43,551.62
73606	North Devon Leisure Centre, Barnstaple	SEN Education	£66,362
73606	North Devon Leisure Centre, Barnstaple	Strategic Leisure Provision	£342,557.28
73606	North Devon Leisure Centre, Barnstaple	Sustainable Transport	£500,000
73681	Land West of Mead Park, Bickington	Early Years provision	£17,250
73681	Land West of Mead Park, Bickington	GP Surgery Contribution	£46,285
73681	Land West of Mead Park, Bickington	Highway	£67,799.25

Application Number	Address	Type of infrastructure	Financial Contribution
73681	Land West of Mead Park, Bickington	Primary Education	£314,847
73681	Land West of Mead Park, Bickington	Primary School Land Contribution	£71,670
73681	Land West of Mead Park, Bickington	Recreation	£160,992
73681	Land West of Mead Park, Bickington	SAC Mitigation*	£15,200
73681	Land West of Mead Park, Bickington	Secondary Education	£233,009
73697	Land adjacent Springfield, Four Oaks Close, Landkey	Education	£13,507
73697	Land adjacent Springfield, Four Oaks Close, Landkey	Highways	£4,000
73697	Land adjacent Springfield, Four Oaks Close, Landkey	Recreation	£12,251
73769	Land off Church Hill Lane, Knowle	Education	£16,884
73769	Land off Church Hill Lane, Knowle	Recreation	£17,627
73769	Land off Church Hill Lane, Knowle	SAC Mitigation*	£950
73904	Land at Park Farmhouse, Lower Park Road, Braunton	Recreation	£9,325
73914	Lundy House Hotel, Chapel Hill, Morteohoe	Primary Education	£20,540
73914	Lundy House Hotel, Chapel Hill, Morteohoe	Secondary Education	£2,272
73914	Lundy House Hotel, Chapel Hill, Morteohoe	Recreation	£11,032
74245	Land at Anchorwood, Barnstaple	Additional Flood Defence contribution (in lieu of providing an Insurance Policy)	£500,000
74393	Blue Horizon and Beach Break, Upper Claypark, Morteohoe	Recreation	£8,058
74565	Brookfield, Tanners Road, Landkey	Recreation	£8,777
74880	Hobbs Lea, Road from Deptford Bridge to Townsend Cottages, Chittlehampton	Recreation	£10,422
75397	25 Wrafton Road, Braunton	Education	£17,655
75397	25 Wrafton Road, Braunton	Recreation	£16,274

*S111 financial contribution

3.3 The majority of the financial contributions secured through new planning obligations relate to the provision of new public open spaces near the approved development sites and/or the enhancement of existing public open spaces and associated facilities. The policies in the adopted North Devon and Torridge Local Plan require on-site provision of affordable housing for eligible developments unless there are exceptional justification for off-site provision and this has been the case for one planning permissions during this monitoring period. A schedule of new affordable housing delivered on-site is set out in Table 14.

- 3.4 All of the figures in Tables 3 are liable to change because they are index-linked to the relative annual changes in BCIS index to reflect changes in build costs arising because of future inflation.

New financial contributions received through planning obligations during the financial year 2022/23

- 3.5 Tables 4 to 6 set out the financial contributions received by the Council during the financial year 2022/23. Table 4 shows those contributions received towards provision of new public open spaces, including enhancements of existing public open spaces. Table 5 shows the financial contributions received towards provision of affordable housing. Table 6 provides details the financial contributions received for flood defences in Barnstaple.

Table 4: New public open space financial contributions received through planning obligations during the financial year 2022/23

Application Number	Address	Financial Contribution
60762	49 Boutport Street, Barnstaple	£5,000
59589	Land adjoining The Parsonage Bishops Nympton	£20,000
71858	Farthings, Sanders Lane, Bishops Tawton	£10,422
61139	Land East of South Park, Braunton	£66,372
70859	Elliot Gallery, Hills View, Braunton	£5,516
60985	West of Mead Park, Bickington	(3,199)
50265	Land South of Yelland Road, Fremington	£73,143
64203	50 Oakland Park South, Sticklepath, Barnstaple	£76,793
71660	Land at Chivenor Cross	£151,668
73697	Land adj Springfield, 4 Oaks Close, Landkey	£12,251
64405	Beech House, North Road, South Molton	£56,000
61119	Larkbear, Tawstock	£77,228
57953	Narracott Hotel, Beach Road, Woolacombe	£13,428
59371	Sealands, Station Road, Woolacombe	£14,140
72000	Gonville House, The Esplanade, Woolacombe	£2,206
74393	Blue Horizon and Beach Break, Upper Claypark, Morteohoe	£8,281
TOTAL		£589,249

Table 5: New affordable housing financial contributions received through planning obligations during the financial year 2022/23

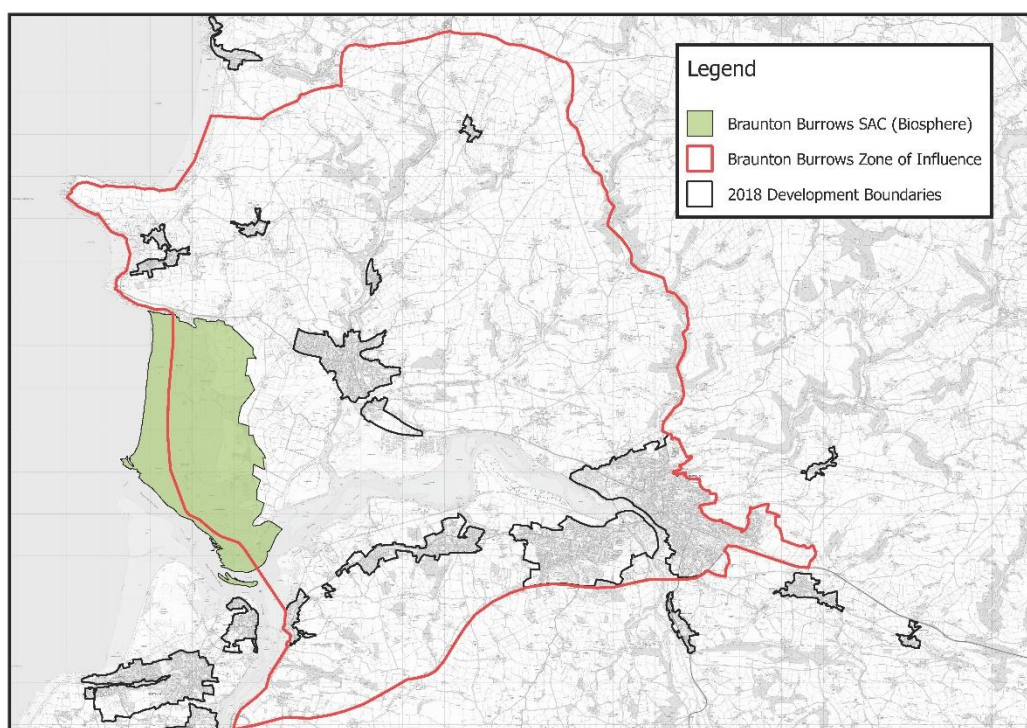
Application Number	Address	Financial Contribution
64405	Beech House, North Road, South Molton	£24,000
61139	Land East of South Park, Braunton	£67,712
66349	Land adj Filleigh Village Hall, Filleigh	£60,000
TOTAL		£151,712

Table 6: New flood defence financial contributions received through planning obligations during the financial year 2022/23

Application Number	Address	Financial Contribution
53302	Anchorwood Bank, Barnstaple	£1,150,000
TOTAL		£1,150,000

- 3.6 As for new financial contributions secured through new planning obligations (Table 3), the majority of financial contributions received by the Council during the financial year 2022/23 relate to the provision of new public open spaces and/or the enhancement of existing public open spaces and associated facilities.
- 3.7 The new financial contributions received during 2022/23 have been in relation to settlements across the local planning authority area, both in urban and rural areas.
- 3.8 Notwithstanding that exceptional justifications are required for off-site provision of affordable housing, there was £151,752 collected for off-site provision of affordable housing to help meet the needs of South Molton, Filleigh and Braunton.
- 3.9 In addition to financial contributions collected towards delivery of new infrastructure, the Council has collected financial contributions to mitigate the adverse recreational impact on the Braunton Burrows Special Area of Conservation (SAC) arising from new residential and tourism development. The decision to start collecting such financial contributions was taken in July 2019 at £100 per unit and subsequently increased to £190 per unit in May 2021. These contributions are collected under section 111 of the 1972 Local Government Act and/or as section 106 agreements for new residential and tourism development within an identified zone of influence. The extent of this zone of influence is shown in Figure 1, alongside the extent of Braunton Burrows SAC and the development boundaries for identified settlements in the Local Plan.

Figure 1: Branton Burrows Zone of Influence



3.10 At 31st March 2023, a total of £90,740 had been collected (£24,290 in 2022/23). A mitigation strategy action plan to prioritise how the contributions should be spent to deliver the required mitigation was approved by the council in May 2021.

Financial contributions spent during the financial year 2022/23

3.11 Table 7 below summarises out the financial contributions spent by the Council during the financial year 2022/23. This includes some of the financial contributions brought forward from the end of the previous financial year (Table 1) and some of the financial contributions collected during this financial year (Table 3).

3.12 Tables 8 and 9 split this financial expenditure into expenditure of capital and revenue funds, as well as between those contributions spent on provision of new public open spaces, including enhancements of existing public open spaces, and financial contributions spent on provision of affordable housing

Table 7: Summary of capital and revenue financial contributions spent during the financial year 2022/23

Type of Infrastructure	Capital Financial Contribution spent	Revenue Financial Contribution spent
Public Open Space	£454,275	£6,848
TOTAL	£454,275	£6,848

Table 8: Capital financial contributions spent during the financial year 2022/23

Type of Infrastructure	Application Number	Application Site Address	Financial Contribution spent
Public Open Space	62837	Transco, Barbican Close, Barnstaple	£29,342*
Public Open Space	56158	Land off Leigh Road, Chulmleigh	£38,000*
Public Open Space	63055	Lavercombe, Combe Martin	£9,789*
Public Open Space	66349	Land adj Filleigh Village Hall	£16,112*
Public Open Space	49653	Brynsworthy Lodge, Old Bideford Road, Barnstaple	£7
Public Open Space	60854	Glenwood Farm, Old Bideford Road, Barnstaple	£71,360*
Public Open Space	63553	Glenwood, Old Bideford Road, Barnstaple	£26,885*
Public Open Space	65847	The Ilfracombe Arms, 71 High Street, Ilfracombe	£5,600
Public Open Space	66937	Higher Westaway, Newton Tracey	£1,862*
Public Open Space	54923	Land west of Portmore Golf Club	£7,900*
Public Open Space	65169	Trayne Farm, Barnstaple	£56,225*
Public Open Space	62450 / 64494	Land Greenacres, Poltimore Road, South Molton	£1,980*
Public Open Space	63210	Land adj Clarendon Gardens, Old Torrington Road	£12,001*
Public Open Space	59085	Land at Eastacombe	£9,712*
Public Open Space	72235	Wick House, Harracott	£6,469
Public Open Space	63392	Land at Oakwood Close, Roundswell, Barnstaple	£7,031*
Public Open Space	62777	Land South of Butts Close, Witheridge	£154,000*
TOTAL			£454,275

* Indicates the original financial contribution has not yet been spent in full

Table 9: Revenue financial contributions spent during the financial year 2022/23

Type of Infrastructure	Application Number	Application Site Address	Financial Contribution spent
Public Open Space		Parsonage Lane, South Molton	£2,121*
Public Open Space		Pathfields Industrial Estate	£426*
Public Open Space	45777	Former Brannoc Fibres, Braunton	£1,390*
Public Open Space		Aspen Grove, Barn Park Road, Fremington	£330*

Type of Infrastructure	Application Number	Application Site Address	Financial Contribution spent
Public Open Space	48593	Land adjacent South Molton Hospital	£125*
Public Open Space		Transfer POS to Cleave Road, Barnstaple	£1,531*
Public Open Space	28379	Land off Longmeadow Drive, Barnstaple	£381
Public Open Space	49961	Former St Joseph's nursing home, Newport, Barnstaple	£544*
TOTAL			£6,848

* Indicates the original financial contribution has not yet been spent in full

3.13 Tables 7, 8 and 9 indicate that the majority of financial contributions spent during the financial year 2022/23 related to capital expenditure (85%), all of which related to delivery of off-site public open space provision.

3.14 During the financial year 2022/23, no financial contributions were transferred to any other relevant delivery body.

Financial contributions towards Monitoring of Planning Obligations

3.15 During the financial year 2022/23, the Council received £9,650 through planning obligations, which has been spent during the year on monitoring the delivery of requirements set out within all planning obligations.

Allocation of received financial contributions to particular infrastructure projects

3.16 Funds are allocated by the Strategy and Resources committee as a commitment for spending on particular projects. Table 10 provides details of what resources have been allocated during the monitoring period and how much of these funds had been spent by the 31st March 2023.

Table 10: Details of the allocation of funds in 2022/23

Organisation	Project description	Allocation 22/23	Type of Infrastructure	Month allocated at S & R committee	Spend in 22/23	Allocated not spent in 22/23
Chulmleigh Town Hall	Enhancement of Chulmleigh Town Hall	£6,000	Open Space	July 2022	£6,000	£0
North Devon Council	Purchase of new goalposts and grass pitch improvements at Tarka Tennis Centre, Barnstaple	£14,203.35	Open Space	July 2022	£7,030.59	£7172.76
Barnstaple Pilot Gig Club CIO	Enhancement of their boathouse on Rolle's Quay, Barnstaple;	£3,475	Open Space	July 2022	£,3476	£0
United Services Bowls Club	Enhancement of their clubhouse on Mill Road, Barnstaple.	£40,000	Open Space	July 2022	£32,000	£8,000
Fremington Parish Council	Construction of a Multi-Use Games Area at Queen Elizabeth II Playing Field, Tews Lane, Roundswell	£111,099.60	Open Space	September 2022	£111,099.60	£0
Tawstock Parish Council	Enhance Tower View Recreation Area, Barnstaple.	£15,002.19	Open Space	September 2022	£3,001.19	£9,000

Organisation	Project description	Allocation 22/23	Type of Infrastructure	Month allocated at S & R committee	Spend in 22/23	Allocated not spent in 22/23
North Devon Crematorium	Creation of a memorial garden at North Devon Crematorium, Barnstaple.	£39,7030.60	Open Space	September 2022	£0	£39,7030.60
North Devon District Council	Public realm improvements at Library Square, Barnstaple.	£62,636.92	Open Space	September 2022	£29,342.72	£33294.20
Barnstaple and Pilton Cricket Club	Enhancements of their clubhouse at Raleigh Meadow, Barnstaple.	£25,937.55	Open Space	September 2022	£20,750	£20,750
Landkey Town Football Club	Access and storage improvements at Millenium Green, Landkey.	£7,900	Open Space	September 2022	£7,900	£0
Tawstock Village Hall	Enhancement of Tawstock Village Hall.	£16,181.29	Open Space	September 2022	£16,181.29	£0
Berrynarbor Parish Council	Construction of a Boulodromes at the Recreation Field, Pitt Hill, Berrynarbor.	£3,359	Open Space	February 2023	£0	£3,359
Atherington Parish Council	Construction of an Adventure Trim Trail and Sensory Garden	£23,744.27	Open Space	March 2023	£0	£23,744.27

Organisation	Project description	Allocation 22/23	Type of Infrastructure	Month allocated at S & R committee	Spend in 22/23	Allocated not spent in 22/23
	at Atherington Playing Field.					
Bishops Nympton Parish Hall	Purchase and installation of an Air Source Heat Pump and Solar PV.	£20,000	Open Space	March 2023	£0	£20,000
North Devon Homes	Purchase and installation of new adventure play equipment and safety surfacing at Barn Park Play Area, Hart Manor, Branton	£17,122.95	Open Space	March 2023	£0	£17,122.95
Mortehoe Parish Council	Purchase and install new play equipment at Woolacombe Play Area and Mortehoe Play Area; and improved skate facilities at Meadow Playing Fields, Woolacombe.	£30,117.06	Open Space	March 2023	£0	£30,117.06
Witheridge Parish Council	Purchase and install play area fencing at Witheridge Village Hall.	£17,000	Open Space	March 2023	£0	£17,000

Organisation	Project description	Allocation 22/23	Type of Infrastructure	Month allocated at S & R committee	Spend in 22/23	Allocated not spent in 22/23
Braunton Parish Council	Purchase and install new play equipment and make public realm improvements at Recreation Ground, Braunton	£66,371.77	Open Space	March 2023	£0	£66,371.77
Braunton Parish Council	Purchase and install new play equipment at Knowle Play Park, Winsham Road, Knowle	£6,928.90	Open Space	March 2023	£0	£6,928.90

Summary of financial contributions held at the end of the financial year 2022/23

3.17 Table 11 summarises the overall s106 financial contributions collected and those spent by the Council during the financial year 2022/23, as well as the balances held at the end of March 2023. For information, table 12 summarises the overall s111 financial contributions collected and spent by the Council during the financial year.

Table 11: Summary of s106 financial contributions held at the end of the financial year 2022/23

	Capital Funds	Revenue Funds	Total Funds	Source Tables
Unspent financial contributions held at 31 st March 2022	£2,534,878	£196,956	£2,731,834	Tables 1 & 2
New financial contributions received during 2022/23	£1,890,960	£0	£1,890,960	Tables 4, 5 & 6
Financial contributions spent during 2022/23	£454,275	£6,848	£461,123	Table 8 & 9
Unspent financial contributions held at 31 st March 2023	£3,971,563	£190,108	£4,161,671	

Table 12: Summary of s111 financial contributions held at the end of the financial year 2022/23

Funds for Braunton Burrows SAC (source: para 3.11)	
Unspent financial contributions held at 31 st March 2022	£66,450
New financial contributions received during 2022/23	£24,290
Financial contributions spent during 2022/23	£0
Unspent financial contributions held at 31 st March 2023	£90,740

3.18 In terms of balances, reports are taken to committee on an almost monthly basis. Once allocated we issue funding agreements and only make payments once due diligence checks have been made, which can result in partial payment until all funds have been spent.

3.19 North Devon Council work closely with town and parish councils as well as sports clubs and community groups to deliver infrastructure in accordance

with S106 agreements. These projects can take time to full cost and go out to the market with deliverable schemes, which can result in lag between the receipt of funds and spend.

4. Non-Financial Contributions

Non-financial contributions agreed through section 106 agreements during the financial year 2022/23

- 4.1 A number of new planning obligations were signed during the financial year 2022/23 attached to granting of new planning permissions. Table 13 sets out the new non-financial contributions agreed during the financial year 2022/23 that are to be delivered on-site by developers. These commitments all related to delivery of affordable housing. On-site provision of public open spaces are not identified explicitly in planning obligations apart from references to approved plans and would be too numerous to list. As such, they have not been included in Table 13. The County Council has reported on-site provision of new educational infrastructure in its own Infrastructure Funding Statement.

Table 13: Non-financial contributions agreed through planning obligations during the financial year 2022/23

Application Number	Address	Number of affordable homes	% of affordable homes
65448	Land at Westacott (North of A361), Barnstaple	82	10%
64051	Land at Cross Park Farm, Burrington	4	25%
73681	Land West of Mead Park (Phase II), Bickington, Barnstaple	24	30%
64000	Land at Chivenor Cross, Chivenor, Braunton	28	30%
66372	Land west of North Molton Primary School, Oakford Cross, North Molton	13	29%
74080	Garage Site B, Oakford Villas, North Molton	2	100%
71251	Land between Gunswell Lane & Nadder Lane, South Molton (Area 2)	37	20%
TOTAL		190	

- 4.2 Table 13 demonstrates a commitment for a total of an additional 190 new affordable homes. Policy ST18 of the Local Plan requires on-site provision of 30% affordable homes, although lower proportions were negotiated where justified by marginal development viability.

Non-financial contributions delivered during the financial year 2022/23

- 4.3 Table 14 below sets out the non-financial contributions delivered on-site by developers during the financial year 2022/23. They are shown against the planning permission numbers and site addresses on which they were delivered.

Table 14: Non-financial contributions delivered during the financial year 2022/23

Type of infrastructure	Number of dwellings	Application Number	Address
Affordable Housing	2	63290	Fair Oak Farm, Braunton Road, Barnstaple
Affordable Housing	2	56685	Land off Westaway Plain (West of Shearford Lane), Pilton, Barnstaple
Affordable Housing	4	55809	Leaderflush & Shapland Site, Raleigh Works, Taw Wharf, Sticklepath, Barnstaple
Affordable Housing	3	59589	Land adj. The Parsonage, Bishop's Nymton
Affordable Housing	4	66349	Land adj. Filleigh Village Hall, Filleigh
Affordable Housing	13	60985	Land west of Mead Park, Bickington, Barnstaple
Affordable Housing	2	64203	Land west of Oakland Park South, Sticklepath, Barnstaple
Affordable Housing	2	57663	Land adj. B3233, West Yelland
Affordable Housing	1	50080	Lower Poole Barns, Fore Street, North Molton
Affordable Housing	49	61119	Land at Larkbear (PHASE I), Barnstaple
Sub-total	82		

- 4.4 All of the on-site provision of infrastructure listed in Table 14 relates to the delivery of new affordable housing. Relevant policies in the adopted North Devon and Torridge Local Plan require on-site provision of affordable housing for eligible developments unless there are exceptional justifications for off-site provision. This has the benefit of creating mixed communities as well as avoiding the need to identify and secure provision on alternative sites.
- 4.5 82 new affordable homes were delivered during the financial year 2022/23. Most of these homes were delivered on larger scale developments, which are delivered usually over a number of years. Consequently, further affordable homes are expected on some of these sites in future years and/or were built on some of these sites in previous years.
- 4.6 There were four further new open market dwellings built during the year to meet 'local housing need' in a rural settlement where planning obligations restricted their occupancy to households with a local connection, thereby suppressing their price to more affordable levels. However, these dwellings does not qualify as affordable dwellings as defined by the government in the National Planning Policy Framework.

- 4.7 In addition to affordable housing, other non-financial contributions included on-site provision of other types of infrastructure including public open space, which is required for most new residential developments. Where it is delivered on-site, it does not normally require a planning obligation, such as a section 106 agreement, because its provision can be secured through an appropriate planning condition. Consequently many residential developments have delivered informal open spaces and local play areas on-site forming part of the development. Provision of such public open spaces is not reported here because they are too numerous to list.
- 4.8 Nevertheless, where financial contributions are required to deliver the public open spaces (or larger types of public open spaces such as sports pitches), then a planning obligation is normally required to secure financial contributions. Details of financial contributions received and spent are set out in Tables 4 to 10 in the previous sections of this statement.

Outstanding commitments for non-financial contributions at the end of the financial year 2022/23

- 4.9 At the end of March 2023, the outstanding commitments for non-financial contributions relate to where planning permissions were granted for delivery of new infrastructure on a site, but where development had not yet started, or it had started but had not yet been completed.
- 4.10 Tables 15 and 16 show outstanding commitments towards future on-site provision of new affordable housing, separating those developments that were under construction at 31st March 2023 (Table 15) and those where development had not yet commenced (Table 16). The latter commitments include new affordable homes with both full and/or with outline planning permission.

Table 15: Outstanding commitments at the end of March 2023 for on-site provision of affordable housing on sites that were under construction

Application Number	Address	NDTLP policy	Number of dwellings
59566	Mount Sandford Green, Landkey Road, Barnstaple	BAR04	42
57503	Land South of North Devon Hospital, Raleigh Park , Barnstaple	BAR06	37
57649	Land adj. 86 Velator, Velator Bridge , Braunton	N/A	12
55662	Blackerton Care Village, Blackerton	N/A	9
58335(70) 61482(3)	Land at Allenstyle, Yelland	N/A	11
59996 (8) 63390 (2)	Fairleigh, Crowborough Road, Georgeham	SHA/GEO/563	2
64973	Land at Coombe Cross, (south of Village Hall) Goodleigh	GDL01	5
57699	Land at The Shields	ILF02	11

Application Number	Address	NDTLP policy	Number of dwellings
50080	Lower Poole Barns, Fore Street, North Molton	N/A	5
61953	Land off North Road, South Molton	SM01a	26
62919	Land West of Parklands, South Molton	SM01c	15
71251	Land between Gunswell Lane & Nadder Lane, South Molton (Area 2)	SM01b	37
61119	Land at Larkbear Barnstaple, (PHASE I),	BAR02	21
Sub-total			213

Table 16: Outstanding commitments at the end of March 2023 for on-site provision of affordable housing, where construction of the development had not commenced

Application Number	Address	NDTLP policy	Number of affordable dwellings
62187	Land adj. Westacott Grange, Westacott, Barnstaple	BAR01	45
65448	Land at Westacott (North of A361, Barnstaple	BAR01	82
57600	Land at River Bend (off Exeter Road), Bishop's Tawton	BTA02	4
70562	Land adj. Eastwinds, Pail Park, Knowle	N/A	1
58133	Land off Whitestone Lane, Knowle, Braunton	N/A	2
64051	Land at Cross Park Farm, Burrington	BUR01	4
56351	Land off North Lane, Bickington, Barnstaple (Phase II)	BAR07	8
73681	Land West of Mead Park (Phase II), Bickington, Barnstaple	N/A	24
71660	Land at Chivenor Cross, Chivenor, Braunton	N/A	17
64000	Land at Chivenor Cross, Chivenor, Braunton	N/A	28
56675	Land South of Ilfracombe (Bowden Farm, Channel Farm & Winsham Farm) (Phase A)	ILF01	83
66372	Land west of North Molton Primary School, Oakford Cross, North Molton	N/A	13
74080	Garage Site B, Oakford Villas, North Molton	N/A	2
61689	Land adj. Station Hill & Archipark, Swimbridge	N/A	4
Sub-total			317

4.11 Overall, Tables 15 and 16 demonstrate a commitment for 530 additional affordable homes with outstanding planning permission (either full or outline) towards meeting future needs for affordable housing. Several of the sites listed in Table 15 are known to have started construction after the end of the monitoring period.

- 4.12 Many residential developments that were under construction at 31st March 2022 proposed provision of some public open space on-site, especially the larger developments. The on-site provision of additional public open space is secured usually through an appropriate planning condition, so does not required a formal planning obligation. Their provision is often completed as the final phase of a new development after construction works have been completed on a site and construction infrastructure has been removed. Provision of such public open spaces is not reported here.
- 4.13 Relatively few developments will deliver new infrastructure on-site beyond the provision of affordable housing and public open spaces. Delivery of new infrastructure for education, whether on-site or off-site through financial contributions, is co-ordinated by Devon County Council (DCC) in their role as the local education authority. DCC have produced their own Infrastructure Funding Statement, which will set out any outstanding commitments towards provision of educational infrastructure. Similarly, in their role as the local highway authority, DCC will report on any progress towards on-site provision of any outstanding commitments for key highway infrastructure including contributions to strategic footpath and cycle networks.

5. Future Spending Priorities

- 5.1 Infrastructure Funding Statements should set out the projects and types of infrastructure that the authority intends to fund either wholly or partly by planning obligations. This is not binding on how such funds will be spent in the future, but instead sets out the Council's intentions and ambitions for the district, in line with the North Devon and Torridge Local Plan 2011-2031 (NDTLP).
- 5.2 The principal physical, social and green infrastructure required to support the levels and distribution of development proposed by the North Devon and Torridge Local Plan 2011-2031 (NDTLP) are set out in the Infrastructure Delivery Plan (IDP) published jointly with Torridge District Council in June 2016. The infrastructure listed within the IDP is classified by necessity; some are essential to allow development to take place, whereas others, desirable as they may be, are more aspirational and dependent on the availability of funding.
- 5.3 The IDP sets out the range of identified infrastructure requirements for the various settlements within North Devon, all of which are assigned a priority ranking as follows:
- Priority 1: Infrastructure that is fundamental to the delivery of the strategic vision, objectives and development strategy for the area as set out in the development plan.
 - Priority 2: Infrastructure that is necessary to meet the needs arising from development and/or support the strategic vision, objectives, policy aims and overall development strategy for the area as set out in the development plan and related guidance and strategies.
 - Priority 3: Infrastructure that is aspirational and would secure the achievement of higher sustainability standards, higher quality development and may contribute towards longer-term aspirations for the area.
- 5.4 For all key infrastructure listed within the IDP, the estimated cost and primary funding sources for each are identified since availability of funding is critical to infrastructure delivery. Section 106 agreements (planning obligations) were identified as a key funding source for many forms of required infrastructure.
- 5.5 The NDTLP recognises the important role of infrastructure in the development of northern Devon over the period up to 2031. The plan has the delivery of infrastructure threaded throughout its visions, objectives, strategies and policies including Policy ST23: *Infrastructure*. This policy sets out the general overarching requirement for the delivery of infrastructure in accordance with development. In addition, many development management policies within the NDTLP focus on specific items of infrastructure that need

to be delivered in accordance with the delivery of sites allocated for housing or employment.

- 5.6 This IFS sets out the projects and types of infrastructure that the Council intends to be funded either wholly or partly by planning obligations, although. It is not binding on how such funds are spent in the future.
- 5.7 The IDP sets out over 110 individual items relating to infrastructure requirements for the towns, local centres and villages within North Devon. A number of North Devon's towns, local centres and villages share similar infrastructure requirements as set out in Table 17. Many of these will serve the needs of the residents of the identified settlements, as well as meeting the needs of the wider population across North Devon. These identified infrastructure priorities will form the focus for securing infrastructure delivery through future planning obligations.
- 5.8 The need for affordable housing is a key priority for the Council as a whole so has not been identified separately for individual towns, local centres and villages in North Devon within the IDP. It will be addressed through planning obligations from all qualifying developments above national size thresholds.
- 5.9 A number of the infrastructure requirements identified in the IDP relate to infrastructure co-ordinated by DCC as the local education, highway and waste management authorities. The identified education, transport and waste requirements have been excluded from the list of identified priorities in Table 17.

Table 17: Future spending priorities for identified infrastructure requirements

Infrastructure Requirement	Identified within specified towns, local centres and villages
Affordable housing	All towns, local centres and villages
Extra care housing	Barnstaple, Ilfracombe, South Molton
Elderly care provision	Witheridge
Cemetery extension	Ilfracombe, Bratton Fleming, Combe Martin, Witheridge
Accessible natural greenspace	Barnstaple
Sports pitches	Barnstaple, Ilfracombe, Combe Martin
Leisure centre / sports hall	Barnstaple, Ilfracombe
Village hall / community centre	Bishops Tawton, Landkey, Rackenford
Village car park	Bishops Tawton, Kings Nympton, Rackenford
Flood defence improvements	Barnstaple, Braunton & Wrafton, Bishops Tawton

Infrastructure Requirement	Identified within specified towns, local centres and villages
Sewage Treatment capacity	North Molton, Witheridge, Bishops Nympton, Bishops Tawton, Burrington, Goodleigh, Lower Lovacott & Newton Tracey
Superfast Broadband	Combe Martin, Witheridge, Berrynarbor, Bishops Nympton, Burrington, Chittlehampton, Georgeham & Croyde, East Anstey, East Worlington, Filleigh, Goodleigh, Kentisbury & Kentisbury Ford, Kings Nympton, Knowle, Landkey, Lower Lovacott & Newton Tracey, Rackenford, Shirwell, Swimbridge, Umberleigh, West Down

6. Conclusions and Future Work

- 6.1 The Council considers that the introduction of the requirements to prepare an annual IFS provides an opportunity to understand better the extent of future funding available and required for delivery of necessary infrastructure. Thereby, anticipated future funding and delivery can be co-ordinated better.
- 6.2 The delivery time line for infrastructure provided through planning obligations can be variable; for example, it depends on the level and speed of development that an individual site is experiencing. It is recognised that many contributions only become due at certain 'trigger' points during development, such as when 50% of dwellings are completed on the development. Therefore, there will be a range of infrastructure that is secured for delivery through planning obligations signed prior to 1st April 2022 relating to sites that have either not yet commenced development or are at an earlier stage of doing so. As such they have not yet met the relevant 'trigger' point for delivery of on-site provision or receipt of financial contributions.
- 6.3 The Council is currently upgrading its database to improve monitoring systems and get better systems for reporting of proposed and future infrastructure delivery. This will facilitate improved monitoring and reporting on all outstanding contributions from planning obligations that may be due at some time in the future.

