

Oldham

Local

Plan

**Oldham's Infrastructure
Funding Statement**

April 2022 to March 2023



Oldham
Council

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Introduction

- 1.1** This report provides a summary of financial contributions the council has secured through section 106 (s106) agreements from new developments for off-site infrastructure works and affordable housing, in addition to highway works completed as part of new developments through section 278 (s278) agreements.
- 1.2** In summary, the report provides:
 - an overview of s106 agreements;
 - the council's internal process relating to s106 contributions;
 - the s106 contributions paid to the council in the 2022/23 monitoring period;
 - s106 contributions estimated for future years; and
 - projects delivered in the borough via s106 agreements in the 2022/23 monitoring period.
- 1.3** The information included in the report will be updated annually and published on the council's website. This will ensure the most up to date information on the amount of developer contributions received from new developments, and where these monies have been spent, is readily available to members of the public and other interested parties.
- 1.4** The report does not include information on the infrastructure delivered on-site as part of new developments in the borough.
- 1.5** Please note that data on developer contributions should be treated with caution because it represents estimates at a given point in time and can be subject to change. However, the data reported within this document is the most robust available at the time of publication.

Section 106 Planning Obligations

- 1.6** Under section 106 (s106) of the Town and Country Planning Act 1990 a local planning authority (LPA) can seek planning obligations when it is considered that a development will have negative impacts that cannot be dealt with through conditions in the planning permission.
- 1.7** For example, new residential developments place additional pressure on existing social, physical and economic infrastructure in the surrounding area. Planning obligations aim to balance this extra pressure with improvements to the surrounding area to ensure that a development makes a positive contribution to the local area.
- 1.8** The obligations may be provided by the developers "in kind" – that is, where the developer builds, or provides directly, the matters necessary to fulfil the obligation. This might be to build a certain number of affordable homes on-site, for example. Alternatively, planning obligations can be met in the form of financial payments to the council to provide off-site infrastructure works or contributions towards providing affordable housing elsewhere in the borough. In some cases, it can be a combination of both on-site provision and off-site financial contributions.
- 1.9** The council cannot ask for contributions via section 106 planning obligations in certain circumstances. With regards to affordable housing, national planning guidance stipulates that planning obligations for affordable housing should only be sought for residential developments that are major developments.

- 1.10** For residential development, major development is defined in the National Planning Policy Framework as development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more.
- 1.11** Planning obligations should also not be sought from any development consisting only of the construction of a residential annex or extension to an existing home¹.

The council's S106 process for securing off-site financial contributions

- 1.12** Where it is determined that on-site infrastructure and/or affordable housing required by a particular policy is not appropriate, the council will request from developers a financial contribution to meet these needs outside of the development site through a s106 obligation.
- 1.13** The financial contribution requirement for off-site green infrastructure provision and maintenance is set via the [Core Strategy and Development Management Development Plan Document](#)² (Joint DPD) Policy 23, whilst Policy 10 of the Joint DPD sets the tariff for affordable housing contributions.
- 1.14** Contributions toward required highway works as a result of new development is agreed on a case-by-case basis, evidenced by an assessment of the impact the development will have on the local highways and mitigation works required to minimise this impact.
- 1.15** Once the s106 has been signed, it is an obligation, but it will only be realised if the planning permission is implemented and reaches the trigger point for payment, such as commencement or prior to occupation of a set number of homes. When the planning permission is granted, the s106 obligation is registered as a land charge which stays with the land, obligating any future owners until the terms are met.
- 1.16** The Head of Planning works with case officers, developers, and the council's legal department to instruct new s106 agreements.

¹ As set out in National Planning Practice Guidance 2019 Paragraph 023 '[Planning Obligations](#)'

² The Core Strategy and Development Management Development Plan Document (Joint DPD) can be viewed online at

<https://www.oldham.gov.uk/info/201229/current-local-planning-policy/978/joint-core-strategy-and-development-management-policies-development-plan-documents-dpds>

S106 Contributions Summary

Total amount of money secured through S106 during 2022-23

- 2.1** A total of 12 agreements were signed during 2022 - 2023. Commuted sums negotiated have a combined value of £521,148.65. However, one of the agreements also has an affordable housing provision for units on site – for which an economic value has not been provided in this report.
- 2.2** The agreements are summarised below.

Table 1: Summary of agreements signed during 2022-2023 and amount of money secured

Ref No.	Planning Application	Location of Development	Date S106 Signed	S106 Description	Amount Due
459	347564	Land at 146B Broadway Chadderton	03/05/2022	The Planning Obligation required the landowner to pay the Council a commuted sum of £1800 for the planting and maintenance of 6 replacement trees on land shown edged red on plan 2. No Expiry	£6,750.00
460	346744	Land at Former Royton Health Centre, Rochdale Road, Royton	13/04/2022	The Planning Obligation requires the landowner to pay a commuted sum of £27,140.16 towards the improvement of existing public open space in the vicinity of the site, specifically a multi use games area tennis/basketball and skate park improvements plus infrastructure improvements at Royton Park, Bleasdale Street, Royton. The commuted sum is to be paid prior to occupation of the first dwelling. The Council is required to spend or allocated the commuted sum within 5 years from the date of receipt, otherwise any unused or unallocated money must be returned to the landowner with interest.	£540,000.00
461	346821	Land at Oldham Road and Hardman Street,	21/04/2022	The Planning Obligation requires the landowner to pay a commuted sum of £25,544.20 towards the	£45,915.03

Ref No.	Planning Application	Location of Development	Date S106 Signed	S106 Description	Amount Due
		Failsworth		improvement of existing public open space in the vicinity of the site, specifically improvements to Moston Brook. The commuted sum is to be paid prior to occupation of the first dwelling. 5 year expiry The Council is required to spend or allocated the commuted sum within 5 years from the date of receipt, otherwise any unused or unallocated money must be returned to the landowner with interest.	
462	346529	Land to the south of Denbigh Drive, Shaw	17/05/2022	UNILATERAL UNDERTAKING - Requires the landowner to pay a commuted sum of £100,000 towards the enhancement of existing open space provision at High Crompton Park Rochdale Road Shaw on or prior to the occupation of the first dwelling. NO EXPIRY.	£6,309.29
463	343003	Plots 11 and 12, Netherfield Close, Oldham OL8 4ET	08/06/2022	The Planning Obligation requires the landowner to pay a commuted sum of £6,309.29 on the commencement of development for the improvement of existing open space in the locality. No Expiry	£6,309.29
464	337710	Land off Hale Lane/Hughes Close, Failsworth	21/06/2022	The Planning Obligation requires the landowner to pay a commuted sum of £135,000 to be used for the enhancement and maintenance of Moston Brook public open space. No expiry	£6,309.29
465	347787	Land at Former High Barn House, High Barn Street, Royton OL2 6DW	24/06/2022	The Planning Obligation requires the landowner to provide a commuted sum of £85,000 towards the improvement of existing public open space in the vicinity of the Site, specifically improvements to the junior play provision at Shaw Road End/Broadway public open space, prior to the occupation of the first residential apartment at the development and the Council is required to use or allocate for use the commuted sum within 5 years of receipt. The obligation also contains provisions relating to the provision of on site affordable housing as detailed in the Second Schedule. (10 affordable housing units for people with disabilities and	£140,000.00

Ref No.	Planning Application	Location of Development	Date S106 Signed	S106 Description	Amount Due
				20 units for intermediate housing)	
466	345839	Land at 96 High Street, Lees, Oldham	27/07/2022	1. The unilateral undertaking required the landowner to pay a commuted sum of £900 towards the provision of 3 replacement trees on the completion of the undertaking.	£378,747.20
467	347083	Land at Hadfield Works, Hadfield Street, Oldham	17/10/2022	The Planning Obligation requires the landowner to pay a commuted sum of £78,535 to be used for the provision of play equipment at Copster Park, Hollins Road, Oldham. The commuted sum is to be paid prior to the occupation of the 14th dwelling. Subject to viability assessment which could be submitted prior to occupation of 14th dwelling. No expiry.	£2,200,000.00
				Total	£521,148.65

2.2 Total amount of money received through s106 during 2022-23:

- £1,011,06.87

2.3 Total amount of s106 receipts collected before the reported year but which have not been allocated:

- £1,075,748.50 including interest

2.4 Total amount of s106 expenditure for the reported year (including transferring it to another person to spend):

- £515,489.05, the schemes are listed in the table 2 below.

Spent Section 106 April 1st 2022 to March 31st 2023

Reference number	Site Description	Planning App No.	Type of Scheme	Amount Spent	Date Done
19	Grotton Brickworks, Kiln Lane, Grotton	32991 & 36815	Annual maintenance of Grotton Brickworks site	£902.59	29/06/2022
50	Athens Way, Lees	33176	Annual maintenance landscaping handed over along Athens Way.	£119.55	29/06/2022
65	Chadderton Way, Gateway retail Park, Westhulme Avenue	36621	Annual maintenance and monitoring of CCTV system installed.	£424.51	29/06/2022
75	land at former Birch Hall, Lees	38816	Annual maintenance of landscaped strip	£883.91	29/06/2022
113	land off St Phillips Drive, Royton	28527 & 29364	Annual maintenance of public open space	£1,149.99	29/06/2022
115	Land at harmony Street, Oldham	42217	Annual Maintenance of landscaped area	£342.61	29/06/2022
143	land at Refuge street, former Osram's recreation al ground	42855	Annual maintenance of POS at Refuge Street	£1,216.00	29/06/2022
144	Land off Rosebay Close (development off High Barn Road, Royton)	43101	Annual maintenance of public open space	£3,000.00	29/06/2022
197	Royton Park, Royton	47733 & 52669	Annual Maintenance of improvements to Royton Park	£1,310.69	29/06/2022
198	Lees park, Kingsley Drive	45254	Annual Maintenance of Lees Park play scheme	£1,289.00	29/06/2022
200	St mary's Churchyard, Oldham	49296	Annual maintenance of improvements to the POS St Mary's Churchyard, Oldham	£721.49	29/06/2022
204	Limeside Park	45636	Annual Maintenance of MUGA in Limeside Park	£625.00	29/06/2022
212	Oldham Edge	50446	Annual Maintenance of Oldham Edge Playbuilder scheme	£1,294.86	29/06/2022
215	manor house, manor road	45486	Annual Maintenance of on-site POS	£1,028.00	29/06/2022
226	Cardigan Road, Hollinwood	51348	Annual Maintenance of the play area at Cardigan Road, Hollinwood	£2,600.00	29/06/2022
243	Granby Street playing fields, Chadderton	49108	Annual maintenance of Granby Street Playing fields	£344.93	29/06/2022

Reference number	Site Description	Planning App No.	Type of Scheme	Amount Spent	Date Done
247	Devon Street/Norfolk Street, Werneth	49951	Annual maintenance of the Devon Street Home Zone	£399.57	29/06/2022
251	Granby Street playing fields, Chadderton	49515	Annual maintenance of Granby Street playing fields	£292.90	29/06/2022
265	Werneth Park	52229 & 53570 & 54331	Installation of outdoor gym equipment and associated landscape works around the existing Werneth Park exercise route	£62,297.92	09/03/2023
277	Land off Lime Lane, Failsworth	38036	Annual maintenance of public open space following land transfer	£1,650.00	29/06/2023
279	Not applicable	53730	Permission not actually implemented as was varied under a number of MMA applications which then removed the S106 requirement. Money returned to developer.	£9,193.00	08/02/2023
292	Shaw memorial Gardens, Westway Shaw	48976 & 55434	Annual maintenance of Shaw Memorial Gardens	£500.00	29/06/2022
299	St mary's estate - Near Poppy Road, former Jespersion Way	57455	Annual Maintenance of on site POS	£4,000.00	29/06/2022
300	Moston Brook	54021	Annual maintennce of improvements at Moston Brook	£543.80	29/06/2022
301	Robert Street, Oldham	57174	Annual Maintenance of refurbished PC Armitage Memorial Garden	£850.00	29/06/2022
319	Crompton Hall, Off Buckstones Road, Shaw.	59220	Annual maintenance at Crompton Hall Wood	£1,869.00	29/06/2022
325	Public Open Space at Borough Mill, Neild Street.	58539	Annual maintenance of on site play facilities and Public Open Space at Borough Mill	£2,500.00	29/06/2022
333	Widdop Street, Oldham	59478	Annual Maintenance of Improvements to Widdop Street Play Area	£900.00	29/06/2022
340	Ladhill Bridge, Ladhill Lane, Greenfield	58938	Annual Maintenance of illuminated Signs at Ladhill Bridge	£100.00	29/06/2022
345	Ladhill Bridge, Ladhill Lane,	59208 &	Annual Maintenance of illuminated	£2,440.00	29/06/2022

Reference number	Site Description	Planning App No.	Type of Scheme	Amount Spent	Date Done
	Greenfield	59225	Signs at Ladhill Bridge		
350	Spencer street	59206	Annual maintenance of play area and POS transferred to Council	£7,000.00	29/06/2022
369	Cottom Street and Westwood MUGA	332891	Annual maintenance of play, MUGa dn associaed landscaping and lighting	£7,800.00	29/06/2022
382	Hollinwood Cremetorium	337221 & 337226	landscape and access improvements surrounding Hollinwood Crematorium	£152,568.52	09/03/2023
414	Counthill Road and Ripponden Roiad	341339	traffic calming scheme and associated improvement to the highway on couthill road including the junction at ripponden road	£87,127.65	20/06/2022
416	On site POS- Hawksmoor Drive and Bellingham Close	26894	Annual maintenance of POS	£1,000.00	29/06/2022
423	Churchill playing Fields	34222	Installation of exercise Equipment and surface improvements at Churchuill Playing Fields	£150,105.78	09/03/2023
425	Featherstal Road South	343071	Bollards to prevent traffic entering Porter Street from Featherstall Road South	£5,097.78	09/03/2023
				Total: £515,489.05	

- 2.5** The amount of S106 spent on repaying money borrowed, including any interest, with details of the items of infrastructure the money was used to provide was nil.
- 2.6** The council does not currently charge for the monitoring of S106 fees, therefore the amount of s106 spent in respect of monitoring is nil.
- 2.7** A total amount of £641,719.84 of s106 receipts were allocated but not spent in the reported year for funding infrastructure. Further details of the items of infrastructure and the amount of money allocated to each item are included in Table 3 below.

Table 3: Allocated S106 but not spent 2022-23

S106 reference	Development Name	Details of spend	Allocated to scheme	Allocated for Maintenance	
DB73	Land at Newport street	relining of school entrance markings	£1,690.50		
DB75	Birch Hall	Annual maintenance of POS		£261.71	
DB113	St Phillips Drive	Annual maintenance of POS		£1,397.27	
DB115	land at Harmony Street, Glodwick	Annual maintenance of POS		£101.41	
DB143	Former Cape Mill, Refuge Street	Annual maintenance of POS		£9,808.49	
DB144	Land off High Barn Road	Annual Maintenance of POS		£27,822.31	
DB155	Village Manor, High Street, Uppermill	Annual maintenance of trim trail		£16,704.08	
DB183	Oldham Road/Hirons Lane	Sinking fund for Grotton Play area		£11,086.03	
DB196	Coverhill Road, Grotton	Sinking fund for Grotton Play area		£11,024.49	
DB197	Sandy Mill, Royton	Annual maintenance of POS		£388.03	
DB198	Acorn Mill, Mellor St	Annual maintenance of POS		£1,748.73	
DB200	The Victory, Union Street	Annual maintenance of POS		£975.74	
DB204	Former St Chads, Limeside	Annual maintenance of MUGA		£842.39	
DB212	Land at Booth Hill Lane	Annual maintenance of play scheme		£1,785.20	
DB215	Former Manor House, manor Road	Annual maintenance of POS		£7,534.09	
DB226	Byron Street/Cardigan Road	Annual maintenance of play area		£8,292.33	
DB238	Fields New Road, Gem Mill	Sinking Fund for Coalshaw Green MUGA		£19,159.89	
DB265	Suthers Street/Alfred	Maintenance of outdoor gym		£66,182.00	

S106 reference	Development Name	Details of spend	Allocated to scheme	Allocated for Maintenance	
	Street, Werneth	equipment			
DB277	Land at Lime Lane	Annual maintenance of POS		£2,004.79	
DB292	Lyon Mill, Crompton Way	Annual maintenance of POS		£3,206.41	
DB299	Land at St Mary;'s Way	Annual maintenance of POS		£93,308.23	
DB300	52-56 Old Road	annual maintenance of POS		£2,931.66	
DB301	Land at Byron Street	Sinking fund for play area and annual maintenance of POS		£34,576.32	
DB305	Land at Barry St/Huddersfield Rd	Implementation and maintenance of Prohibition of waiting order	£2,008.09		
DB319	Crompton Hall	Annual maintenance of woodland		£6,173.32	
DB325	Land at Borough Mill	Annual maintenance of POS and play area		£16,941.95	
DB325	Land at Borough Mill	Sinking fund for play area		£22,000.00	
DB333	Land adj Medina Mosque	Annual maintenance of play area		£6,182.44	
DB340	former Greenfield Bowling Club, Oak View Rd.	Annual maintenance of illuminated signs		£252.80	
DB344	Land at 62-70 Oldham Road Grasscroft	Annual maintenance of trim trail		£33,889.88	
DB345	Former Lumb Mill, Huddersfield Rd	Annual maintenance of woodland		£15,586.03	
DB350	Land at Spencer Street, Oldham	Annual maintenance of on-site Play area and POS		£58,611.09	
DB369	land at Westwood Park	Annual maintenance of play park and MUGA		£76,785.13	
DB372	Lnd at Foxdenton Lane	Traffic calming scheme	£90,392.78		
DB377	Land at Leonard Way, Salmon Fields	path infastructure improvements and signage	£28,000.00		

S106 reference	Development Name	Details of spend	Allocated to scheme	Allocated for Maintenance	
DB395	Land at former Rose Mill, Rose Street, Chadderton	New Community changing facility at Granby Street playing fields	£204,769.33		
DB416	land at Hawk Mill	Annual maintenance of POS		£7,162.69	
DB423	Land at Shaw Hall bank Road	Prohibition of waiting order	£4,500.00		
DB427	Land at 165 Medlock Riad, woodhouses	Stamford Drive Play area refurb and future maintenance	£6,827.84	£4,189.44	
DB432	Land rear of dog and Partridge PH Woodhouses	Stamford Drive Play area refurb and future maintenance	£58,591.32	£55,000.00	
		TOTAL	£396,779.86	£623,916.37	£1,020,696.23

2.8 Summary of non-monetary contributions secured during the reported year:

- The total number of affordable housing units: 30.
- The number of school places and category of school: none

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