

Tendring
District Council



**TENDRING DISTRICT COUNCIL
INFRASTRUCTURE FUNDING STATEMENT 2023/24**

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1. INTRODUCTION

Welcome to Tendring District Council's Infrastructure Funding Statement 2023/2024.

The Statement sets out income and expenditure relating to contributions secured with S.106 Agreements on developments throughout the Tendring District.

Councils are required to produce an Infrastructure Funding Statement (IFS) on an annual basis. The IFS provides information on S.106 contributions, both monetary and non-monetary, secured, received and spent on infrastructure.

S.106 agreements are used to mitigate the impacts of development and ensure that Tendring District Council's planning policy requirements are fully met.

Planning obligations or 'developer contributions' are used to help fund:

- The provision of, or improvements to, open space provision and affordable housing contributions accepted in lieu of on-site provision;
- Provision of on-site affordable housing; and
- Non-financial obligations, including requirements such as travel plans

The information included in this statement will be updated annually and published on the Council's website. The statement does not include information on open space provision delivered on-site as part of new development in the District.

The data on contributions is imperfect as it represents estimates at a given point in time and can be subject to change. However, it is the most robust available at the time of publication.

INFRASTRUCTURE FUNDING STATEMENT 2023/24

S.106 Contributions Summary

For the financial year 2023/24, the Council received a total of **£1,349,317.77** of S.106 contributions with **£762,880.51** spent across the District. The contributions that are received can be spent over a number of years and this enables the Council to plan ahead for the growth and future needs of the District and budget for larger scale, or more expensive, projects.

The following tables provide information on some of the types of contributions received and spent.



1. BEACH HUTS AT HARWICH

2023/24	
Infrastructure Type	S.106 Monies Received
Open Space	£ 510,413.66
Affordable Housing	£ 125,374.66
NHS*	£ 189,332.47

2023/24	
Infrastructure Type	S.106 Monies Spent
Open Space	£ 433,077.70
Affordable Housing	£ 308,300.00

*We collect obligations on behalf of the NHS that are then forwarded on.

3. GOING FORWARD

2024/25: The table below shows the S.106 monies held by the Council as at 31st July 2024.

S.106 MONIES AVAILABLE AT 31ST JULY 2024	
Infrastructure Type	S.106 Monies Available £
Affordable Housing	1,174,899.30
Open Space	2,671,348.67
Regeneration Programme & Other initiatives	339,000.64
Town Centre Improvements	21,507.85

S.106 OBLIGATIONS SECURED FOR FUTURE YEARS

Tendring District Council continues to secure S.106 obligations from development sites with planning permission which will be paid/delivered in future years when the developments progress and are built out. Developers will provide affordable Housing and Financial Contributions at specified “trigger” dates set out within the S.106 Agreement. Typically, these are once development has commenced or when a specified number of homes have been delivered on site. It is important to remember that the contributions/on site delivery will only be forthcoming if the planning permission is implemented and reaches the trigger point for payment.

The amount of developer contributions secured in previous years but not yet delivered stands at **£5,836,015.49**

This figure is broken down as follows:

Secured during 2019/20	£ 360,544.90
Secured during 2020/21	£1,040,817.20
Secured during 2021/22	£1,451,743.47
Secured during 2022/23	£1,134,735.78
Secured during 2023/24	£1,848,174.14

AFFORDABLE HOUSING

A S.106 Agreement will normally require that the developer delivers a proportion of the new homes as affordable housing or that a financial contribution is made in lieu of on-site provision.

Homes provided on site are made available to the Council or another registered provider to purchase at a discount for affordable housing.

In deciding whether to purchase homes through this mechanism, the Council will consider purchasing homes on sites where the number of affordable homes to be delivered will be 10 or less.

During the 2023/24 financial year, the Council has spent **£308,300**.

OPEN SPACE

Planned projects across the district include improvements to the play area and open space at Rush Green recreation ground, new activity and fitness equipment at Plough Corner and pathways to improve access at Bradfield Village Hall recreation ground.

S.106 contributions of over **£322,974** from various developments including but not exclusive to application references: **17/02055/FUL**, **21/01001/FUL** and **22/00342/FUL** are being used to fund the above.

Over **£355,000** is currently earmarked for open space projects throughout the District.

2. TENDRING PLAY AREA



4. OUR PROCESSES

The Planning Application:

S.106 Agreements are a mechanism that makes a development proposal, that would not otherwise be, acceptable in planning terms.

The tests for when a S.106 Agreement can be used are that it 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.

The application of these statutory tests means that Tendring District Council can only request developer contributions that are designed to address individual or cumulative impacts of development. Developer contributions cannot be used to remedy existing deficiencies or demands from population growth driven by other factors such as birth rates, they can only be used to deal with the impact of development.

Once signed, the S.106 Agreement is binding on successive owners of the land.

The Obligations:

Details of the obligations, and the point at which they become due, are detailed within the Agreement. For example, this may be on commencement of development or after a certain number, or percentage, of properties are built or sold.

Collection of Monies Due:

Where the obligation is financial, the amount due will be calculated and the developer invoiced. The sum due is usually index linked and when received is given a specific budget code to allow us to monitor spend and balance.

Requests to Spend:

Some S.106 Agreements contain specific covenants that details where the monies must be spent or provision of housing, located.

For open space monies, **Town & Parish Councils** are able to utilise S.106 contributions for the provision or upgrade of open space and play areas in accordance with Council policy.

When a request is received from the Town or Parish Council, it is checked to ensure it meets the appropriate criteria before being agreed.

Town & Parish Councils have been able to install new play equipment, benches, gardens and sports areas for the enjoyment of residents across the District.

Once a payment has been made, the financial database is updated to show the remaining amount available to spend.

The S.106 financial report is available by following this link [Section 106 Financial reports \(tendringdc.uk\)](https://www.tendringdc.uk/section-106-financial-reports)

5. OPEN SPACE

In 2023/24, **£433,077.70** of S.106 monies was spent on open space provision or improvement across the Tendring District. On the TDC website we publish a financial report that details the monies secured via S.106 agreements, monies spent on projects and the balance remaining for use across in Towns & Parishes across the Tendring District.

The S.106 financial report is available by following this link [Section 106 Financial reports \(tendringdc.uk\)](https://www.tendringdc.uk/section-106-financial-reports)



3. JAYWICK BEACH

Open Space projects delivered off-site by S.106 Contributions in 2023/24

Below we have detailed five of the off-site open space projects delivered in 2023/24.

Open Space Projects Delivered Off-Site in 2023/24		
Development Site	Amount	Project Delivered
18/00194/FUL - Land at Tokely Road, Frating	£142,486.22	Play Area, Tokely Road, Frating Creation of a new fully inclusive play area, with ball court, designed for children of all ages.
16/00036/FUL - Glebe Farm, The Green 20/01027/FUL - Fat Goose, Heath Road	£9,534.00	Heath Road, Tendring New activity equipment
19/00270/FUL - Hunters Moon, Colchester Road 19/00996/FUL - Land East of Chapelfields	£40,000.00	Play Area at Village Hall, Wix Installation of new play equipment to enhance the existing play area.
08/00999/OUT - 52 Harwich Road, Lt Oakley 21/01803/FUL - 70-72 Rectory Road, Lt Oakley 20/00342/FUL - Land south west of Hammonds Drive, Ramsey 21/01480/FUL - 21 Mayes Lane, Ramsey	£23,409.33	Coronation Park, Little Oakley (Lodge Road) Installation of new play equipment to create an additional play area/open space in Little Oakley.
21/01676/FUL - Land adj Stoney Acres, Robinson Road	£5,100.00	Brightlingsea- Pawsons Play Area New piece of equipment

**please note – spend may be over more than one financial year*

**4. TOKLEY ROAD
BEFORE**



TOKELEY ROAD - AFTER



5. VILLAGE HALL WIX - AFTER



6. CORONATION FIELD, LITTLE OAKLEY - AFTER



The S.106 agreement associated with each of the applications detailed above is located in the documents section of Public Access. Click on this link to [Public Access](#) and enter the application number in the search field to view the agreement.

On our website, we publish details of all the S.106 monies secured on developments, spent on projects and the balance remaining for Towns and Parishes across the Tendring District.

The S.106 financial report is available by following this link [Section 106 Financial reports \(tendringdc.uk\)](https://www.tendringdc.uk/section-106-financial-reports)

In addition to the financial contributions received to be used towards open space and play, when new allotments are provided as part of new housing developments, these facilities can be transferred to Town and Parish Councils for them to manage on behalf of the community.



Planned open space projects to be delivered by S.106 Contributions

Planned Open Space Projects		
Development Site	Amount £	Project to be Delivered
17/02055/FUL - Land at Sacketts Grove Holiday Park 20/00780/FUL - Rear of 98 Jaywick Lane	£252,190.85	<u>Rush Green Recreation Ground, Clacton</u> Improvements to the play area and open space at Rush Green recreation ground to include a new play zone.
19/00698/FUL - Thorpe House, 149 Harwich Road 21/01001/FUL - Land between Hawthorne House 7-15 Weeley Road 22/00569/VOC - Land adj Batemans Lane 22/00196/FUL - Former Methodist Church 23/00551/FUL - Land at Maymead & Albert, Talbot Road	£40,000.00	<u>Plough Corner Playing Field, Little Clacton</u> Installation of new activity and fitness equipment
19/01937/FUL - Fieldley House, Steam Mill Road 21/01754/FUL - Bradfield Methodist Church 19/00738/FUL - Land rear 1 & 2 The Paddocks, Windmill Road 22/00034/FUL - Plot between Alcha & Kings Lodge	£30,784.63	<u>Bradfield Village Hall, The Street, Bradfield</u> To improve the public open space at the recreation ground by installing good access to wheelchair users and for those using pushchairs. The pathways will also link the existing pieces of equipment.

6. AFFORDABLE HOUSING

The Strategic Housing Market Assessment for the district (published in December 2015) concluded that there is a requirement for the Council to deliver 550 homes per annum, of which 165 should be affordable homes. These numbers have been incorporated into the Council's Local Plan 2013-2033 and beyond.

As part of the Local Plan Review, it will be necessary to revisit the Strategic Housing Market Assessment and the affordable housing requirement. This work will need to take account of national policy requirements, as well as any revised housing targets established by the Government.

In 2023/24, a total of **£308,300** was spent across the District on affordable housing, which included the purchase of two properties. In addition, **97 affordable units** were delivered via S.106 Agreements.

Examples of Gifted Affordable Housing Dwellings from S.106 Agreements 2023/24	
Development Site	Project Delivered
Tye Road, Elmstead	2 x 2 bed
Harwich Road, Mistley	30 Dwellings – 7 x 1 bed, 19 x 2 bed and 4 x 3 bed
Ramsey Road, Ramsey	12 Dwellings – 6 x 1 bed, 4 x 2 bed and 2 x 3 bed



Affordable Housing: Financial Obligations secured 2023/24 to be delivered by S.106 Contributions	
Development Site	Amount
21/01560/FUL – Michael Wright Way, Great Bentley	£91,350
22/01746/FUL – Halstead Road, Kirby Cross	£130,528
19/00003/FUL – Rumours, Clacton	£92,000
Total	£313,878

Affordable Housing: On-site Obligations secured 2023/24 to be delivered by S.106 Contributions	
Development Site	Number of Units
22/01010/FUL – Robinson Close, Great Bromley	6
17/01229/OUT – Rouses Farm, Clacton	189
21/02164/FUL – Crockleford Grange, Ardleigh	4
22/01818/FUL – Weeley Road, Great Bentley	47
Total	246

The S.106 agreement associated with each of the applications detailed above is located in the documents section of Public Access. To view the agreement, click on this link to [Public Access](#) and enter the application number in the search field.

On our website, we publish details of all the S.106 monies secured on developments, spent on projects and the balance remaining for Towns and Parishes across the Tendring District. The S.106 financial report is available by following this link [Section 106 Financial reports \(tendringdc.uk\)](#)

7. REGENERATION PROGRAMME & OTHER INITIATIVES



REGENERATION PROGRAMME & OTHER INITIATIVES: £339,000.64

No S.106 Contributions have been received or spent during 2023/24

District-Wide Business Support

The Council, as part of its Tendring4Growth initiative, is keen to explore the potential to provide a comprehensive range of business support and outreach services to emerging and established businesses across the District.

Services to be made available under this scheme will respond to, and align with, the aims and objectives of the Council's Economic Development Strategy and with the ambitions of the North Essex Economic Strategy.

8. TOWN CENTRE IMPROVEMENTS



7. CLACTON TOWN CENTRE

TOWN CENTRE IMPROVEMENTS: £21,507.85

No S.106 Contributions were secured during 2023/24, however £21,502.81 was spent on the new Orwell Place car park in Dovercourt town centre (on the former Starlings site).

The council has adopted its new Corporate Plan for the years 2024-2028, Our Vision. Work has been underway to identify specific projects and priorities to take forward in the first year of that plan. [Corporate Plan 2024 - 2028 \(Our Vision\)](#)

Priorities include delivering projects such as the major long-term sustainable projects in Dovercourt and Clacton around town centres.

9. EDUCATION

Larger developments may secure S.106 contributions for Educational Purposes. Essex County Council calculates the requirement for additional school places, in differing age groups, that the development will necessitate.



2023/24 Applications with an Education element	
Application Reference	Application Site
21/01560/FUL	Land south of Michael Wright Way, Great Bentley
17/01229/OUT	Rouses Farm Development, Clacton
22/01746/FUL	Land east of Halstead Road, Kirby Cross
22/01818/FUL	Land south of Weeley Road, Great Bentley

If you require additional information about obligations given to Essex County Council in respect of education, including amounts secured, please contact development.enquiries@essex.gov.uk

This following is a link to [Developers' Guide for Infrastructure Contributions \(essex.gov.uk\)](#)

10. HEALTHCARE

Larger developments may also secure S.106 contributions for Healthcare Purposes. In 2023/24, the following planning applications contained a healthcare element which is yet to be delivered.

List of applications in 2023/24 with a Healthcare element		
Application Reference	Application Site	Monies Secured
23/00373/FUL	Elm Tree Close, Frinton	£17,000
17/01229/OUT	Rouses Farm, Clacton	£554,900
22/01818/FUL	Weeley Road, Great Bentley	£29,863
	TOTAL	£601,763

During 2023/24 a total of **£189,332.47** was received in relation to Healthcare from the following applications:

21/01397/FUL	£17,374.97	Henderson Road, Thorpe	Improve surgery High Street, Thorpe
17/02168/OUT	£68,900.94	Low Road, Dovercourt	Improve Fronks Road surgery
17/01881/OUT	£30,670.23	Weeley Road, Great Bentley	Improve the Hollies, Great Bentley
18/01994/OUT	£41,280.34	Harwich Road, Mistley	Improve Riverside Health Centre
17/02055/FUL	£31,105.99	Sacketts Grove Caravan Park, Clacton	Improve Green Elms Health Centre

The healthcare funds collected are held by Tendring District Council until a formal request for release is received from NHS England, at which point they are released to be used for the purposes outlined within the individual S.106 Agreements.

11. SECTION 278 AGREEMENTS

Section 278 agreements (S.278) under the Highways Act 1980 are legally binding agreements between the Local Highway Authority (Essex County Council) and the developer to ensure delivery of necessary highway works resulting from new development.

S.278 Agreements may allow for items such as:

- Roundabouts;
- Improved facilities for pedestrians and cyclists;
- Improvements to existing junctions;
- Traffic calming measures.



HIGHWAY IMPROVEMENTS

The following funds were secured on behalf of Essex County Council in 2023/24 but are yet to be delivered:

20/00594/FUL	Ipswich Road, Ardleigh	Pedestrian/cycle improvements/speed restrictions	£25,000
23/00373/FUL	Elm Tree Close, Frinton	Bus stop improvements/parking restrictions	£13,500
21/02129/FUL	Oaklands Holiday Village, St Osyth	Speed reduction measures	£10,000
22/01947/DISCON	Brook Park West, Clacton	St Johns Road crossing improvements	£35,000
21/00386/FUL	121-123 High Street, Harwich	Waiting/parking restrictions	£5,000
23/00136/FUL	Crown Business Centre, Ardleigh	Waiting/parking restrictions	£8,000

If you require additional information regarding obligations given to Essex County Council in respect of Highways works and their delivery, please contact development.enquiries@essex.gov.uk

12. RECREATIONAL DISTURBANCE AVOIDANCE MITIGATION STRATEGY (RAMS)

The Essex coast Recreational disturbance Avoidance and Mitigation Strategy (the “Essex coast RAMS”) aims to deliver the mitigation necessary to avoid significant adverse effects from ‘in-combination’ impacts of residential development that is anticipated across Essex; thus protecting the Habitats (European) sites on the Essex coast from adverse effect on site integrity.

All new residential developments within the evidenced Zone of Influence where there is a net increase in dwelling numbers are included in the Essex coast RAMS. The Essex coast RAMS identifies a detailed programme of strategic mitigation measures that are to be funded by developer contributions from residential development schemes.

Natural England recommended a strategic approach to mitigation along the Essex coast and the Essex sites are below (sites in **dark green** have been identified for use in relation to specific developments within Tendring. The location of the development will determine which site is allocated the payment).

8. MISTLEY AND MANNINGTREE



List of Essex Habitat Sites
Essex Estuaries SAC
Hamford Water SAC, SPA and Ramsar
Stour & Orwell Estuaries SPA and Ramsar
Colne Estuary SPA and Ramsar
Blackwater Estuary SPA and Ramsar
Dengie SPA and Ramsar
Crouch and Roach Estuaries SPA and Ramsar
Foulness Estuary SPA and Ramsar
Benfleet and Southend Marshes SPA and Ramsar
Thames Estuary and Marshes SPA and Ramsar

Twelve Essex LPAs have been working together, for several years, on a mitigation strategy to protect the internationally designated Essex Coast from the effects of increased recreational disturbance as a result of population growth throughout Essex.

The Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) sets out the necessary measures to avoid and mitigate the effects from increased recreational disturbance. The RAMS tariff per dwelling during 2023/24 was £156.76 which is index linked. The tariff will be reviewed periodically and published accordingly. This tariff will apply to all residential proposals, even proposals for one dwelling. This is because the whole of the District is within the Zone of Influence and the RAMS seeks to avoid and mitigate the in-combination effects from all new dwellings.

Bird Aware Essex Coast (formerly known as RAMS) is an initiative to raise awareness of the birds that feed and breed on the Essex coast, so that people can enjoy the coast and its wildlife without disturbing the birds. The website can be found here. [Home - Essex Bird Aware](#)

Chelmsford City Council (CCC) became the Accountable Body for the project on 1 November 2020. CCC hold all contributions from the 12 LPA partners and employ the project Delivery Officer who manages and co-ordinates the project.

The vision for Bird Aware is for a coastline where human recreation does not impact overwintering and beach nesting birds or their habitat. Over the past 12 months Bird Aware has undertaken a number of projects to achieve this. The key aim is to increase visitor awareness and improve understanding of coastal birds - the causes and impacts of disturbance to them and their environment.

Bird Aware has partnered with Share Our Shores on a 2-year project to increase engagement and communication activities. As well as volunteer engagement. There has been a focus on increasing awareness around breeding birds in both the summer and winter months. This has been delivered through signage at a new zoned coastal site and monitoring.

Ten locations have been identified for leaflet boxes to continue the awareness raising and engagement. Monitoring of specific coastal path locations has been carried out with the installation of 9 people counters.

A physical presence at various events throughout the County, including the Mayflower Primary School Careers Day, Brightlingsea Regatta, Summer Safety Tour in Dovercourt and a Multi-Agency Event in Mistley also took place

Contributions have been collected since December 2018 and are transferred to CCC on a quarterly basis. A total of **£143,461.49** was collected during 2023/24.

The Essex Planning Officers Association (EPOA) Chief Officer's group are the Project Board, with the role of governing and overseeing the project. The Essex Coastal Forum form part of the governance arrangements and provide a high-level elected member oversight into the project. A steering group of Officers is responsible for managing the project.

More information regarding RAMS, is available on our website using the following link [Tendring District Council \(tendringdc.uk\)](https://www.tendringdc.uk)

List of Contributions Transferred to CCC in 2023/24 by Site	
Habitat Sites	Contributions transferred to CCC
Essex Estuaries SAC	£ 8,263.00
Hamford Water SAC, SPA and Ramsar	£ 29,616.55
Stour & Orwell Estuaries SPA and Ramsar	£ 93,614.93
Colne Estuary SPA and Ramsar	£ 11,967.01
Total	£143,461.49