LEEDS HISTORIC SECTION 106 DATA

JUSTIFICATION FOR THE COMMUNITY INFRASTRUCTURE LEVY

Introduction

- 1.1 The CIL Regulations set out that the CIL should be set high enough to ensure that (when combined with other sources of funding) sufficient money is available to pay for the community infrastructure needed to support growth. However, it should not be set so high that the growth ambitions of the development plan are rendered commercially unviable.
- 1.2 As the Government's intention is that CIL should unlock significant new capital funding, then matching the demonstrated performance of S106 agreements is the very least that should be considered. This paper sets out S106 data for previous years in order to determine this minimum level of CIL which should be collected, on the basis that this is a level which is viable.
- 1.3 Under statutory requirements S106 agreements have to be:
 - a. Necessary to make the development acceptable in planning terms,
 - b. Directly related to the development, and,
 - c. Fairly and reasonably related in scale and kind to the development.
- 1.4 S106 agreements are negotiated for site specific mitigation measures including affordable housing and other matters such as flood storage, junction improvements, on-site greenspace, travel plans and public transport travel cards, and anything else which is required in order to grant the planning permission. In Leeds S106 contributions are also collected on a tariff style basis through Supplementary Planning Documents/Guidance for three key areas of infrastructure provision; education, public open space, and public transport improvements. This means that the money is used across a wider area than in the immediate vicinity of the development site to provide for the cumulative impact of individual new developments on infrastructure requirements. After April 2014 or after the CIL is adopted if earlier, it will no longer be possible to collect these three tariff types of S106 contribution.

S106 Funds received

1.5 Tables 1 and 2 show the S106 monies received from all types of development in the past few years (excluding affordable housing S106s). The impact of the current recession has to be borne in mind in making assumptions about the continuation of these trends but the data is the best available. The average per year from the last two years of received S106s is £3.28m, and £3.5m from the last five years.

Table 1 - Section 106 funds received 2007/08 to 2011/12

Year S106 received	Amount	Average	Average
2007-8	£5.5m		
2008-9	£1.4m		_
2009-10	£4.2m	£3.5m	
2010-11	£4.5m		£3.3m
2011-12	£2.1m		23.3111

Table 2 - Section 106 funds received April 2010 – March 2012:

Type of S106 received	2010/2011	2011/2012	Average per year
Greenspace	£1,260,106	£473,519	£866,813
Public Transport Improvements	£1,515,419	£618,800	£1,067,110
Education	£0	£54,500	£27,250
Community Benefit	£13,136	£29,729	£21,433
Highways/ Other	£1,423,636	£536,525	£980,081
Public Realm	£185,000	£310,809	£247,905
Travel plan	£71,558	£75,315	£73,437
Total	£4,468,854	£2,099,197	£3,284,026

1.6 The Preliminary Draft Charging Schedule sets out the future relationship in Leeds between the CIL and ongoing use of S106s for site specific measures including potential pooling of up to five S106s. As an approximation, from Table 2 it is assumed that travel plans and highways would continue to be provided in future alongside the CIL and that the other types would be subsumed within the CIL. Therefore the minimum CIL income should be £2.23m per year, with an additional £1.05m to continue each year from site specific S106s.

S106s Signed

- 1.7 An alternative approach is to break down S106s into the amount which was signed per year, which can then be compared against floorspace, albeit that there is much less certainty that signed S106s will come forwards into actual payments, and in some instances developers may sign agreements which are then renegotiated at a later stage.
- 1.8 The year June 2011 to May 2012 was used for residential permissions, and as these schemes were primarily brownfield, they were balanced against Phase 2 and 3 UDP greenfield sites permitted (since November 2009) to better reflect the type of sites which will come forwards through the Core Strategy. Appendix 1 gives the full schedule of the relevant S106s.
- 1.9 The CIL is to be levied on the basis of floorspace, and so the calculations used an average of 88 sqm for a 3 bed house in Leeds. Table 3 shows that the average total from signed S106s was £5,096 per dwelling or £58 per sqm. As outlined above, the three current tariff style S106s for greenspace, education, and public transport improvements would be directly superseded by the CIL, which equate to an average of £4,535 per dwelling, or £52 per sqm. Although not a direct approximation of the amount which the CIL could be set at, as the CIL rates need to take into account geographic differences in viability plus the CIL will be charged on all residential units compared to the historic S106s only signed for schemes above 10 units, it is a very useful benchmark.

Table 3 - Residential Section 106s signed (excluding affordable housing):

	Residential <50 units June 11 - May 12	Residential >50 units June 11 - May 12	UDP Phase 2 & 3 - since Nov 2009	OVERALL TOTAL
Total S106 Value	£0.52m	£4.00m	£6.75m	£11.28m
Total No. dwellings	231	771	1,212	2,214
S106 per dwelling	£2,271	£5,196	£5,571	£5,096
Average per sqm				
from all S106s	£26	£59	£63	£58
S106 tariff value:				
Greenspace	£0.48m	£0.17m	£0.94m	£1.59m
S106 tariff value:				
Education	£0.00m	£1.54m	£4.03m	£5.570m
S106 tariff value: Public Transport Imps	£0.00m	£1.88m	£1.00m	£2.88m
Total to be replaced by CIL (tariff S106s)	£0.48m	£3.59m	£5.97m	£10.04m
S106 per dwelling to be replaced by CIL	£2,066	£4,656	£4,929	£4,535
Average per sqm from tariff S106s	£23	£53	£56	£52

1.10 Information was also gathered on the <u>commercial</u> schemes with signed S106s between June 2011 to May 2012, although it is more difficult to identify averages due to the small numbers of some uses and especially because many schemes are mixed use and it has not been possible to break down the S106 payments against the different floorspace and uses within them. The full schedule of the relevant commercial S106s are contained within Appendix 1.

Table 4 - Commercial Section 106s Signed

	Average per sqm from all S106s	Average per sqm from tariff S106s
Hotels (C1)	£5 - £23	£4 - £19
Care homes (Class C2)	£7 - £10	£6 - £8
Gyms (D2)	£16	£9
City centre office (B1a)	£11	£10
Large retail (A1)	£57 - £74	£46 - £69
	Average per bed space*	Average per bed space*
	from all S106s	from tariff S106s
Student accommodation	£77 - £670	£43 - £617
(5 signed)	Average £324	Average £281
*Student accommodation sch	emes range greatly in size per t	pedroom plus size of circulation
areas and shared facilities an	d therefore bed space is used in	n this calculation.

1.11 This broad data has been included within the assumptions in the Economic Viability Study by GVA.

<u>APPENDIX 1 – SCHEDULE OF SIGNED SECTION 106 AGREEMENTS</u>

- (a) Overall S106 value excludes affordable housing
- (b) Economic Viability Assessment (DTZ 2010) and Economic Viability Study (GVA 2012) assumptions, using average 88 sqm (3 bed house)

SUMMARY OF RESIDENTIAL SIGNED S106s

	Overall S106 Value (a)	Total No. dwlgs	S106 per dwlg	S106 tariff: G'space / Public Realm	S106 tariff: Education	S106 tariff: Public Transport Imps	Total to be replaced by CIL (Gspace/ Educ / PTI)	S106 per dwlg to be replaced by CIL	Average from all S106s psm (b)	Average tariff S106s psm (b)
UNDER 50 UNITS 01/06/11 - 31/05/12	£524,661	231	£2,271	£477,167	£0	£0	£477,167	£2,066	£26	£23
OVER 50 UNITS 01/06/11 - 31/05/12	£4,005,894	771	£5,196	£174,820	£1,536,557	£1,878,168	£3,589,545	£4,656	£59	£53
UDP PHASE 2 & 3 since Nov 2009	£6,751,722	1212	£5,571	£941,323	£4,033,671	£998,482	£5,973,476	£4,929	£63	£56
OVERALL TOTAL	£11,282,277	2214	£5,096	£1,593,310	£5,570,228	£2,876,650	£10,040,188	£4,535	£58	£52
Total under 50 units (including Phase 2 & 3)	£781,380	363	£2,153	£676,862	£20,000	£0	£696,862	£1,920	£24	£22
Total over 50 units (including Phase 2 & 3)	£10,500,897	1851	£5,673	£916,448	£5,550,228	£2,876,650	£9,343,326	£5,048	£64	£57

RESIDENTIAL - Schemes under 50 units - 1st June 2011 - 31st May 2012

Site	Date	Plan App Ref	Overall S106 Value (a)	Total No. dwlgs	S106 per dwlg	S106 tariff: G'space / Public Realm	S106 tariff: Education	S106 tariff: Public Transport Imps	Total to be replaced by CIL (Gspace/ Educ / PTI)	S106 per dwlg to be replaced by CIL	Average from all S106s psm (b)	Average tariff S106s psm (b)
30-34 Barrowby Lane, Austhorpe	15-Jun-12	12/00646/FU (revised from 11/01963/EXT to 08/01087/FU)	£37,563	11	£3,415	£30,882	£0	£0	£30,882	£2,807	£39	£32

		10/03728/EXT										
Pepper Road Hunslet	17-Jun-11	to 06/06269/FU	£32,814	14	£2,344	£32,214	£0	£0	£32,214	£2,301	£27	£26
1 - 41 And 2 - 20	17 0011 11	00/00203/10	202,014	17	22,044	202,214	20	20	202,214	22,001	LLI	220
St Lukes Green,												
Beeston	28-Jul-11	10/05219/RM	£2,500	19	£132	£0	£0	£0	£0	£0	£1	£0
Leeds Girls High												
School - Rose Court	23-Jun-11	08/04214/OT	£1,653	12	£138	£1,053	£0	£0	£1,053	£88	£2	£1
St Vincents	20 0011 11	00/01211/01	21,000	12	2100	21,000	20	20	21,000	200	~_	~ 1
School, Church		11/01086/EXT										
Street, Boston	10 lum 11	to 08/02322/FU	£37,492	40	£2,884	£36,492	£0	£0	020 402	£2,807	£33	£32
Spa Bramley Gardens,	16-Jun-11	08/02322/FU	£37,492	13	£2,004	£30,492	£U	£U	£36,492	£2,807	£33	£32
Skeltons Lane	06-Jun-11	11/00934/FU	£21,970	14	£1,569	£14,162	£0	£0	£14,162	£1,012	£18	£11
The Tannery,												
Leeds Road,	00 1 40	44/04000/511	C2C 407	40	C2 C44	000 000	00	00	000 000	00.000	044	007
Otley Manor House	09-Jan-12	11/04382/FU 10/03358/EXT	£36,107	10	£3,611	£23,902	£0	£0	£23,902	£2,390	£41	£27
Farm, Great North		to										
Road, Micklefield	19-Jul-11	07/01571/FU	£35,549	14	£2,539	£35,549	£0	£0	£35,549	£2,539	£29	£29
Methley Infants	40 0 44	44/04000/511	004.400	40	00.070	000 000	00	00	000 000	00.007	000	000
School Carlisle Road,	19-Dec-11	11/04226/FU	£34,439	12	£2,870	£33,689	£0	£0	£33,689	£2,807	£33	£32
Pudsey	29-May-12	11/01860/FU	£73,820	23	£3,210	£64,570	£0	£0	£64,570	£2,807	£36	£32
Land North of			, , , , , , , , , , , , , , , , , , , ,		, , ,	,				,		
Morrisons,												
Swinnow Road Elder Road,	30-Jun-11	11/00991/OT	£72,685	25	£2,907	£70,185	£0	£0	£70,185	£2,807	£33	£32
Bramley	05-Mar-12	08/05924/FU	£47,514	22	£2,160	£46,514	£0	£0	£46,514	£2,114	£25	£24
Broad Lane,	00 11101 12	00/0002 11/10	211,011		22,100	210,011	~~	~~	210,011	~=,	~20	~= :
Bramley	12-Jan-12	11/04358/FU	£40,087	19	£2,110	£39,087	£0	£0	£39,087	£2,057	£24	£23
The Former		44/00400/57/7										
Weasel Public House, 94 Roker		11/00108/EXT to										
Lane, Pudsey	11-Aug-11	07/03657/FU	£28,306	12	£2,359	£27,706	£0	£0	£27,706	£2,309	£27	£26
St Lawrence			,			,	-		,	,		-
House, Crawshaw	44 4 - 40	44/05005/511	COO 4CO	44	CO 045	004.400	60	00	004.400	64.004	000	000
Road, Pudsey	11-Apr-12	11/05295/FU	£22,162	11	£2,015	£21,162	£0	£0	£21,162	£1,924	£23	£22
		TOTAL	£524,661	231	£2,271	£477,167	£0	£0	£477,167	£2,066	£26	£23

RESIDENTIAL - Schemes over 50 units - 1st June 2011 - 31st May 2012

Site	Date	Plan App Ref	Overall S106 Value (a)	Total No. dwellin gs	S106 per dwelling	S106 tariff: Greenspac e / Public Realm	S106 tariff: Education	S106 tariff: Public Transport Improvem ents	Total to be replaced by CIL (Gspace/ Educ / PTI)	S106 per dwlg to be replaced by CIL	Average from all S106s psm (b)	Average tariff S106s psm (b)
Albert Road,	00 No. 44	40/004 44/07	6455 407	70	60.047	000 000	00	00	000 000	04 400	005	040
Morley	30-Nov-11	10/03141/OT	£155,187	70	£2,217	£99,960	£0	£0	£99,960	£1,428	£25	£16
Netherfield Road, Guiseley (Factory												
site)	23-Mar-12	11/01843/FU	£509,075	74	£6,879	£74,860	£347,757	£44,400	£467,017	£6,311	£78	£72
Saxton Lane	02-Aug-11	11/01442/EXT for 08/01844/FU	£37,367	80	£467	£0	£0	£27,107	£27,107	£339	£5	£4
Former Bellows Engineering Site, East Street	22-Jun-11	10/03179/EXT to 07/04987/FU	£19,596	147	£133	£0	£0	£13,661	£13,661	£93	£2	£1
Clariant, Calverley Lane, Horsforth	21-Mar-12	10/04068/OT	£3,284,669	400	£8,212	£0	£1,188,800	£1,793,000	£2,981,800	£7,455	£93	£85
		TOTAL	£4,005,894	771	£5,196	£174,820	£1,536,557	£1,878,168	£3,589,545	£4,656	£59	£53
Haigh Moor Road,												
West Ardsley	14-Mar-12	11/01014/OT*	£23,750	32	£742	£0	£20,000	£0	£20,000	£625	£8	£7

RESIDENTIAL - Schemes on UDP Phase 2 and 3 Greenfield Sites - since Nov 2009

Site	Date	Plan App Ref	Overall S106 Value (a)	Total No. dwlgs	S106 per dwlg	S106 tariff: Greenspace / Public Realm	S106 tariff: Education	S106 tariff: Public Transport Imps	Total to be replaced by CIL (Gspace/ Educ / PTI)	S106 per dwlg to be replaced by CIL	Average from all S106s psm (b)	Average tariff S106s psm (b)
Bagley Lane, Farsley	08-Mar-12	09/01601/OT	£81,441	45	£1,810	£64,584	£0	£0	£64,584	£1,435	£21	£16
Greenlea, Yeadon	15-Dec-11	11/02980/FU	£98,840	30	£3,295	£84,223	£0	£0	£84,223	£2,807	£37	£32
Netherfield Road, Guiseley (Phase 3 site)	07-Feb-12	11/02690/FU following 10/02762/OT	£706,053	87	£8,116	£136,538	£414,452	£106,662	£657,652	£7,559	£92	£86
Queen Street, Allerton Bywater	26-Jan-11	09/04353/OT	£755,955	120	£6,300	£150,380	£356,679	£94,680	£601,739	£5,014	£72	£57

Haigh Moor Road,	07.0 40	44/04044/07	600.750	20	67.40	60	000 000		600.000	6605	60	67
West Ardsley	27-Sep-12	11/01014/OT	£23,750	32	£742	£0	£20,000	£0	£20,000	£625	£8	£7
Syke Lane, Scarcroft	01-Feb-11	09/05551/OT	£21,206	14	£1,515	£20,006	£0	£0	£20,006	£1,429	£17	£16
Pudsey Road, Swinnow	29-Nov-09	08/06785/OT	£31,482	11	£2,862	£30,882	£0	£0	£30,882	£2,807	£33	£32
Church Fields, Boston Spa	08-Mar-11	09/04531/FU	£793,195	153	£5,184	£115,815	£454,765	£101,597	£672,177	£4,393	£59	£50
Selby Road, Garforth	27-Nov-09	11/03814/FU following from 08/06019/OT	£547,464	78	£7,019	£97,158	£322,938	£79,016	£499,112	£6,399	£80	£73
Milner Lane, Robin Hood	31-Mar-10	12/00161/FU following from 08/04184/OT	£505,724	72	£7,024	£141,777	£214,007	£88,207	£443,991	£6,167	£80	£70
Holt Lane, Adel	09-May-11	09/04190/FU	£599,244	70	£8,561	£99,960	£308,946	£85,820	£494,726	£7,068	£97	£80
Grimes Dyke, York Road	26-May-11	09/03238/OT	£2,587,368	500	£5,175	£0	£1,941,884	£442,500	£2,384,384	£4,769	£59	£54
		TOTAL	£6,751,722	1,212	£5,571	£941,323	£4,033,671	£998,482	£5,973,476	£4,929	£63	£56

STUDENT HOUSING SCHEMES - 1st June 2011 - 31st May 2012

Site	Date	Plan App Ref	Overall S106 Value (a)	Number beds	S106 per bed	S106 tariff: Greenspace / Public Realm	S106 tariff: Public Transport Imps	Total to be replaced by CIL (Gspace/ PTI)	S106 per bed to be replaced by CIL	Notes
Calverley Street	17-Jan-12	11/04138/FU (mod To 10/05541/FU)	£60,805	577	£105	£0	£29,780	£29,780	£52	
St Marks Road, Woodhouse	16-Jan-12	11/04449/FU	£162,945	526	£310	£147,945	£0	£147,945	£281	
Phase 3 The Gateway East Street	31-May-12	12/00828/FU (mod to 08/06681/FU)	£39,056	508	£77	£0	£22,056	£22,056	£43	Includes 3,521 sqm A1 retail
22 Lovell Park Hill	22-May-12	12/00684/FU	£42,760	66	£648	£38,260	£0	£38,260	£580	
Servia Road	15-Mar-12	11/05195/FU	£201,109	300	£670	£136,975	£48,134	£185,109	£617	
		TOTAL / AVERAGE	£282,925	874	£324	£175,235	£70,190	£245,425	£281	-

COMMERCIAL - Schemes 1st June 2011 - 31st May 2012

Site	Date	Plan App Ref	Overall S106 Value	Uses	Floor space (sqm)	Breakdown of floor space (sqm)	S106 per meter against total floor space	S106 tariff: G'space / Public Realm	S106 tariff: Public Transport Imps	Total to be replaced by CIL (Gspace / PTI)	S106 per meter to be replaced by CIL
Otley Road, Guiseley	02-Feb-12	11/02169/FU	£78,302	A1	1,385	-	£57	£0	£64,302	£64,302	£46
Land off Carr Crofts, Armley	18-Jan-12	10/02363/OT	£711,556	A1	9,595	-	£74	£0	£660,756	£660,756	£69
Sweet Street	09-Dec-11	20/430/04/OT (20/534/05/RM)	£463,368**	A1, B1a	1	1	1	£461,868	£0	£461,868	
Trinity Quarter	07-Oct-11	11/00382/FU changes to 20/149/03/FU	£329,000**	A1, A2-5	1	1	,	£0	£326,500	£326,500	
28 New Briggate, City Centre	17-May-12	11/01993/FU	£36,246	A3/A4	1,000	-	£36	£0	£36,246	£36,246	£36
Trinity West	01-Nov-11	11/03290/FU	£70,495	A3, A4, D1 clinic, D2 gym	4,170	-	£17	£30,850	£34,895	£65,745	£16
Former City Square House Wellington Street	29-Jul-11	10/05681/EXT to 07/04127/FU	£179,925	B1a	16,012	-	£11	£0	£168,000	£168,000	£10
Land Off Sandbeck Lane	23-Nov-11	10/00279/OT	£241,180	B1a, B8	8,085	5,570 B1a, 2,515 B8	£30	£0	£200,000	£200,000	£25
Whitehall Road	23-Dec-11	11/04023/FU	£106,996	B1a, C1 office and hotel	11,355	6,005 B1a, 5,350 C1	£9	£0	£97,496	£97,496	£9
Thorp Arch Trading Estate	20-Dec-11	11/03150/OT	£33,057	B2	5,327	-	£6	£0	£29,057	£29,057	£5
1 Pilot Street, Sheepscar	03-Oct-11	11/02158/FU	£15,641	B8, B2, D1 college	2,010	550 B8, 690 B2, 770 D1	£8	£0	£12,391	£12,391	£6
Hepworth Point, Clay Pitt Lane, Sheepscar	30-Jun-11	11/01048/FU	£34,191	C1 hotel	6,660	-	£5	£0	£29,441	£29,441	£4
Car Park "D" Site Portland Crescent	29-Jul-11	11/01979/EXT to 08/05664/FU	£267,207	C1 hotel	11,590	-	£23	£40,000	£185,217	£225,217	£19
Elland Road.	16-Jun-11	08/06739/FU	£286,826	C1 hotel, A1, A3, A4, B1a, nightclub	22,025	2,240 A1, 1,605 A3, 1,530 A4, 1,215 B1a, 725 nightclub, 14,710 (347 bed) hotel	£13	£0	£285,326	£285,326	£13

Grove Lane, Headingley	08-Sep-11	12/00687 (amendment to 11/00915/FU)	£34,525	C2 79 bed care home	3,605	46 sqm per bed	£10	£0	£22,025	£22,025	£6
Springfield Healthcare, The Grange,	29-Sep-11	10/04942/FU	£29,682	C2 96 bed care home	4,156	43 sqm per bed	£7	£0	£24,782	£24,782	£6
Shaftesbury Hotel York, Road	02-Nov-11	11/02883/OT	£34,618	C2 84 bed care home	3,500	42 sqm per bed	£10	£0	£22,118	£22,118	£6
Waterloo Manor, Selby Road, Swillington	01-Sep-11	10/05315 (amendment to approval 09/00327/FU)	£21,566	C2a 33 low secure beds	2,275	69 sqm per bed	£9	£0	£0	£19,006	£8
Alf Cooke Print Works	10-Jan-12	11/04293/FU	£305,700	D1 college	16,170	1	£19	£15,000	£109,000	£124,000	£8
Former Job Centre, Pepper Road	28-Jun-11	10/05129/FU	£2,500	D1 college	561	-	£4	£0	£0	£0	£0
Unit 1 Kirkstall Industrial Estate	09-Dec-11	11/03248/FU	£54,443	D2 gym	3,330	-	£16	£0	£30,443	£30,443	£9
		TOTAL	£1,752,288	-	132,811	-	£13	£547,718	£2,337,995	£2,904,719	£22

^{**} Not included in total as not possible to break down by floorspace