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# INFRASTRUCTURE FUNDING STATEMENT

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2021-22



DECEMBER 2022  
EXMOOR NATIONAL PARK AUTHORITY

## Infrastructure Funding Statement 2021-22

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## Introduction

Local Planning Authorities are required under the Community Infrastructure Levy (Amendment) (England) Regulations 2019 to publish an Infrastructure Funding Statement (IFS). The IFS is an annual report published by December each year, which provides a summary of the financial and non-financial developer contributions relating to section 106 legal agreements (s106) and the Community Infrastructure Levy (CIL) within Exmoor National Park for a given financial year. Exmoor National Park Authority has not adopted CIL charges and therefore this IFS will only report on s106 agreements.

### 1 The purpose of an IFS

- 1.1** This IFS covers the period 1<sup>st</sup> April 2021 to 31<sup>st</sup> March 2022, otherwise referred to as the reporting year. The report must detail any financial contributions from s106 agreements that have been secured, received, retained, or spent during the reporting year. The report must also detail any non-financial contributions and physical infrastructure to be provided, such as affordable housing.
- 1.2** Additionally, the IFS should include a statement of any intended infrastructure projects in Exmoor National Park that are, or may be, wholly or partly funded by s106 contributions. However, no potential projects are outlined in this statement.
- 1.3** The information included in this report will be updated annually and published on the Authority's website.

## 2. What are Developer Contributions

### Section 106 Planning Obligations

**2.1** Planning Obligations (also known as S106 Agreements) are legal agreements which can be attached to a planning permission to mitigate the impact of development to make it acceptable in planning terms. A Local Planning Authority can seek obligations where it is considered that the development would have adverse impacts, and these impacts cannot be mitigated through conditions imposed on the planning permission.

**2.2** Obligations can only be sought where they are directly related to the development, fairly and reasonably related in scale and kind to the development, and necessary to make the development acceptable in planning terms.

**2.3** The Exmoor National Park Local Plan 2011 **General Policy GP5 Securing Planning Benefits – Planning Obligations**, specifically details the purposes of and circumstances when planning obligations will be required.

Figure 1: Policy GP5 of the Exmoor National Park Local Plan 2011-2031

### GP5 Securing Planning Benefits – Planning Obligations

1. Planning obligations will be required where they are considered reasonable, necessary and appropriate to:
  - a) ensure that development can be made acceptable in the context of conserving and enhancing the National Park and its special qualities;
  - b) address infrastructure capacity deficits; and
  - c) bring development in line with policy objectives.
2. Where a financial contribution is required for affordable housing in accordance with other policies in this Plan, the financial contribution will, at minimum, be of an equivalent value to the affordable housing which would have been provided on site and secured through a planning obligation.
3. The need for a Community Infrastructure Levy will be reviewed periodically through the Infrastructure Delivery Plan.

**2.4** S106 contributions can either be provided financially or non-financially and may be provided either on-site or off-site. A development may involve a combination of on-site and off-site contributions. These types of contributions are outlined as follows:

**Financial contributions:** where a developer contribution is given to the Authority to fund needed infrastructure or a financial contribution is required for affordable housing in accordance with the signed section 106 legal agreement.

**Non-financial contributions:** are a legal commitment for the developer to provide infrastructure directly, in accordance with the signed section 106 legal agreement.

**On-site contributions:** where the required infrastructure contribution is delivered within the boundary of the planning permission, for example by providing affordable housing.

**Off-site contributions:** where the infrastructure contribution is delivered outside of the planning permission boundary and is usually in the form of a financial payment payable to the Authority or an external body. Occasionally, the off-site contribution may be delivered as physical infrastructure on land beyond the application site.

**2.5** A s106 agreement may include contributions that are due from the developer to an external body, including contributions towards education, transport and highways. Where such contributions are required, they are usually paid by the developer directly to the County Council. County Councils are required to publish their own IFS and for the area of Exmoor National Park, these are Devon County Council and Somerset County Council. Therefore, where any agreements have been made, such contributions will be detailed within each Council's IFS.

#### Community Infrastructure Levy (CIL)

**2.6** In contrast to s106 obligations, CIL is intended to fund more generalised infrastructure requirements across a Planning Authority in order to support new development. It is a mechanism to secure financial contributions from developers on certain viable developments. CIL monies can be used to fund the provision, improvement, replacement, operation, or maintenance of infrastructure to support the development of the area. Exmoor National Park Authority has not adopted a CIL tariff and therefore this does not apply.

### 3. S106 Contributions

#### Financial Statement

**3.1** At the start of the reporting year on 1<sup>st</sup> April 2021, the Authority did not hold any funding in relation to s106 contributions which had been carried forward from previous years. Therefore, the Authority also did not spend, nor transfer, any money during the reporting year which was received from previous s106 contributions.

**3.2** During the reporting year, no income was received by the Authority in relation to s106 agreements that had either been signed prior to, or during, the reporting year.

#### S106 Received

**3.3** This section details any s106 agreements which have been signed and agreed during the reporting year. The following tables detail contributions that have been agreed with a signed legal document. However, these contributions have not been collected or delivered and if the planning applications are not implemented, they will not be received. Individual s106 agreements can be viewed online via the [Authority's Planning Portal](#).

**3.4** During 2021/22, the Authority agreed the following s106 contributions which sought to secure financial or non-financial contributions.

#### Financial

**3.5** During the reporting year, one s106 agreement was signed that requires a monetary contribution. Table 1 outlines the financial contribution that has been agreed, although the figure does not consider indexation (inflation/deflation) that may be applied when the money becomes due.

Table 1: S106 agreements entered into that require monetary contributions in 2021/22

Location & Planning Reference	Contribution total	Status of contribution	Further information
The Tors Hotel, Tors Park, Lynmouth, Devon, EX35 6NA  62/41/20/021	£102,000	To be received	For affordable housing, due in instalments following first occupation.
<b>Total</b>	<b>£102,000</b>		

#### Non-financial

**3.6** During the reporting year, three s106 agreements were signed that secured affordable housing. These agreements are detailed in Table 2. It only includes affordable housing that has been secured via a legal agreement. The table does not include any planning applications either during or prior to the reporting year that are awaiting an s106 agreement to be signed.

Table 2: S106 agreements entered into that require affordable housing contributions in 2021/22

<b>Location &amp; Planning Reference</b>	<b>Affordable Housing Provision</b>	<b>S106 Restrictions</b>
Ash Lane, Winsford, Minehead, TA24 7JH  6/40/20/114	1	The Authority's approval required for sales or lettings and the maximum asking price of the dwelling.
The Tors Hotel, Tors Park, Lynmouth, Devon, EX35 6NA  62/41/20/021	2	The Authority's approval required for sales or lettings and the maximum asking price of the dwellings. The 36 apartments to be occupied as either principal residence homes or holiday lets.
Former Porlock Abattoir, Porlock Hill Road, Porlock, Somerset  6/27/18/117	4*	The Authority's approval required for sales or lettings and the maximum asking price of the dwellings. The 7 other dwellings to be occupied as principal residences.
<b>Total</b>	<b>7</b>	

\*Outline planning permission. This is the minimum number of affordable housing units to be provided.