



## S106 Update – October 2021

Planning obligations under Section 106 of the Town and Country Planning Act 1990 (S106 Agreements), are a mechanism which make a development proposal acceptable in planning terms, that would not otherwise be acceptable. They are focused on site specific mitigation of the impact of development. S106 agreements are often referred to as 'developer contributions' along with highway contributions.

The aim is to balance the pressure created by the new development with improvements to the surrounding area ensuring that where possible developments make a positive contribution to the local area and community.

As of 31st March 2021, the Vale of Glamorgan Council had £21,984,515.38 in the main S106 account. In addition, £754,438.14 was held for on-going maintenance costs. The total in the overall Section 106 account was **£22,738,953.52**.

In addition to financial contributions, the Council has also worked with developers to deliver 'in kind' obligations on development sites. For example, 113 affordable housing units were completed during the last financial year.

The Vale Council's policies on affordable housing and planning obligations are set out in the Vale of Glamorgan Local Development Plan (LDP) (2011-2026) and the adopted Affordable Housing and Planning Obligations Supplementary Planning Guidance documents (SPGs).

Examples of how developer contributions from S106 money have been used:

- Tree planting scheme across Penarth
- Funding for Greenlinks and Community Transport;
- Improvements to footways and to the Coastal Path in Ogmore by Sea
- New bus shelters on A48 near Culverhouse Cross.

The following information has been collated from the Annual Report of the Vale of Glamorgan Council's Section 106 Accounts 2020-21 for the Members of the St Nicholas with Bonvilston Community Council for the meeting of the council, to be held on Tuesday 5th October, 2021. The information provided is related to development within our community, and external developments that have contributed S106 funds here.

There is also the reasoning given by the Vale Council as to why so little community benefit was derived from the new development at Sycamore Cross.

## Affordable Housing

Development name: Former ITV, Culverhouse Cross

Planning application reference: 2013/01152/OUT

Total amount: £2,193,238

Contribution being considered alongside affordable housing contributions received from Land to the East of St. Nicholas.

Committed to House Building Programme

Balance on 31/03/21: £2,193,238.00

Development name: Land to the East of St. Nicholas

Planning application reference: 2015/00249/FUL

Total amount: £439,599.33

Contribution being considered alongside affordable housing contributions received from ITV Studios. Committed to scheme at **Maes y Fynnon**, subject to planning approval.

Balance on 31/03/21: £439,599.33

Development name: Court Farm, A48, Bonvilston

Total amount: £27,770 – subject to self-build exemption

Development name: Land to South of A48, Bonvilston

Total amount: £27,770.40 – no construction work at this time

There is currently **£2,632,837** in the pot for new Affordable Housing targeted at building within our community.



## Sustainable Transport

Development name: Land to the East of St. Nicholas

Total amount: £175,313.28

£20k spent on Greenlinks in 2020/21

Balance on 31/03/21: £155,313.28

Update to 25/06/21: A number of dropped kerbs introduced along the main road.

Development name: Mink Hollow, St. Nicholas

Planning application reference: 2015/00662/FUL

Total amount: £36,407.81

£6,407.81 to Greenlinks in 2020/21

Balance on 31/03/21: £30,000.00

Update to 25/06/21: A number of dropped kerbs introduced along the main road.

**Activity to date:** Site visit undertaken with Community Council. Footway improvement schemes identified.

Design and feasibility to be undertaken.

**Status:** Awaiting outcome with regards to St. Nicholas CW Primary school.

From an original budget of £ 211,721.09, **£185,313.28** remained prior to the installation of dropped kerbs along the A48. £26,407.81 has gone to Greenlinks Community Transport – approved by the Vale Cabinet on 25, January, 2021 – no consultation with the Community Council.



## Education

Development name: Former ITV, Culverhouse Cross

Following the review of Band B 21st Century Schools Programme, the following has been allocated:

- St. Nicholas Primary School – £261,791.08 spent in 2019/20 on design and feasibility

Development name: Land to the East of St. Nicholas

Total amount: £745,227.57

Contribution committed to the Council's Band B 21<sup>st</sup> Century Schools Programme:

- Ysgol Gymraeg Bro Morgannwg – £191,482.40 allocated and spent in 2020/21
- Balance to St. Nicholas Primary – £553,745.17

Balance on 31/03/21: £553,745.17

Development name: Mink Hollow, St. Nicholas

Total amount: £145,911.24

Contribution committed to the Council's Band B 21<sup>st</sup> Century Schools Programme as follows:

- Ysgol Bro Morgannwg – £38,296.48 spent in 2020/21.
- Balance to St. Nicholas Primary – £107,614.76

Balance on 31/03/21: £107,614.76

Development name: Land at Sycamore Cross, Bonvilston

Total amount: £500,000 – payable on occupancy of 10<sup>th</sup> dwelling.

- Ysgol Bro Morgannwg: £229,778.88 (46% of total contribution)
- St. Nicholas CIW School: £193,571.12 (38.7% of contribution)
- Ysgol Gymraeg Bro Morgannwg: £76,650 (15.3%)

Details on expenditure on St Nicholas CIW School are not clear. £261,791.08 was apparently spent in 2019-20. It's not known how much was spent in 2020-21. Prior to the work at the current time, including the Cottrell Park contribution, £854,931.05 of S106 money was available for the development of St Nicholas CIW School, plus the money detailed below.



## Community Facilities

Development name: Land to the East of St. Nicholas

Total amount: £104,124.64

Contribution committed to 21st Century Schools Programme – to be spent at providing a dual community facility at St. Nicholas

Balance on 31/03/21: £104,124.64

Development name: Mink Hollow, St. Nicholas

Total Amount: £17,644.73

Contribution committed to 21st Century Schools Programme – to be spent at providing a dual community facility at St. Nicholas.

Balance on 31/03/21: £17,644.73

St Nicholas CIW School is supposed to be developed into a “Community School”, with dual education-community use. We’ve heard very little about the community side of the school development.

There is **£121,7769.37** for making the new school building offer an accessible facility to residents.

## Public Open Space

Development name: Mink Hollow, St. Nicholas

Total Amount: £14,461.90 – plus interest: £332.62

Member approval for 2 replacement benches outside St. Nicholas Church, 1 replacement bench outside Maes Y Fynon. £3,279.91 spent in 2018/19.

£1,738.39 spent in 2020/21

Remainder to be allocated to St. Nicholas Primary School for play facilities

Balance on 31/03/21: **£9,776.22**

Update to 25/06/21: On-going as part of 21st Century Schools Programme.



## Financial contribution: Land at Sycamore Cross, Bonvilston

The following is an explanation on the unusual S106 agreement gained from **Cottrell Gardens**.

Planning application comments/report summary:

“Based upon the Council’s formula and capacity at local schools, the Council would under normal circumstances seek to secure the following as a section 106 contribution for Education provision:

- Nursery school children – 11 children x £14,463.26 = £159,095.86
- Primary school children – 30 children x £14,463.26 = £433,897.8
- Secondary (aged 11-16) children – 20 children (English Medium) x £21,793.42 = £435,868.4
- Secondary (aged post-16) children – 4 children (English Medium) x £23,653.40 = £94,613.6

In total, the Council would require the developer to pay a contribution of £1,123,475.66 towards education facilities (based on the SPG requirement at the time the application was submitted).”

This site had issues with viability, and the Officer’s report states:

“The evidence shows no viability, however, the applicant has agreed a contribution of £500,000 to use for education purposed, with priorities identified in consultation with the Council’s Education department to meet the needs of the development as identified at the time.”

Section 106 Definition: “to provide or enhance secondary, primary and nursery educational facilities likely to be used by future occupiers of the development”

**The planning application set out that additional capacity would be required for nursery, primary and secondary education, however, due to viability, a reduced Section 106 package was agreed.**

The developer carried out the work to widen the southern section of the unnamed lane to Pendoylan, paid £151,421.05 for “Drainage Detailed Design Fee”, £1.2m for the upgrade of the waste water plant by Dwr Cymru, and will provide on-site public open space.

- 3x LAP – Local Area for Play – Primarily for under-6s
- 1x LEAP – Local Equipped Area for Play – For children who are beginning to go out and play independently
- 37m x 55m playing surface



Only 20% of the housing will be “Affordable”, 75% of which will be “Social Rented Housing” (18 out of 24)

- 4x 1-bed flats
- 11x 2-bed houses
- 3x 3-bed houses

What the developers Sustainable Transport contribution would have been is not reported. It’s possible that this would have been a similar amount to that obtained from the two developments at St Nicholas.

