

NOTE :- ALSO FOUND ON BONVILSTON VILLAGE WEBSITE

VILLAGERS VOICE – BONVILSTON HOUSING DEVELOPMENT

PETITION MADE TO CHANGE COUNCIL'S DECISION

(A). SUMMARY

The following is a summary of the process taken and outcome of those opposed to the Council approved Bonvilston Housing Development. The group named - "Villagers Voice – Bonvilston Development" led the response following the Council approval.

The basis of the opposition to the development can be summarised as follows - significant financial loss of pre-stated 106 monies, the inherent transport problems which will undoubtedly occur, and not to forget that this will double the size of the village in one hit creating its own set of problems.

To this end volunteers asked residents to sign a petition if they felt the Council's decision was flawed due these reasons. In total eighty-eight signatures were recorded (note: this could have been greater due to signatures achieved in one exercise and not all houses visited) and it was decided by the group that this number was "significant" in a village with only approximately 120 houses.

A letter (see below) and the petition was hand delivered to the Council Offices on the 2nd April 2017. This was also sent to Andrew Cairns (MP), Andrew RT Davies (AM) and Jane Hutt (AM).

Andrew Cairns and Andrew RT Davies both agreed that the decision was flawed.

A response was received from Jane Hutt's office but this was only a response from the Council similar to the letter received below. No actual comment was received by Jane Hutt.

A letter of response was received from the Council (see below) which re-iterated the process that they had been through and confirmed that the Council will not be re-visiting the decision.

The outcome of the exercise has not achieved the goal of instigating a review of the decision to approve the development or address the significant financial loss of pre-stated 106 monies and affordable homes. However, we as a village have registered our concerns and disappointment with the Council and can only hope that the Council will reflect on this level of disapproval when making their decisions in the future.

(B). LETTER TO COUNCIL

2nd April 2017

Operational Manager Development Management

The Vale of Glamorgan Council

Dock Office, Barry Docks, Barry CF63 4RT

Dear Mrs Robinson,

I am writing to you as a representative of "Villagers Voice – Bonvilston Development".

Further to the various correspondence relating to this Development and the current Council decision to give approval please find attached a petition of local residents which lists various concerns which are a real issue for the people living in Bonvilston. You will note that there are over eighty signatures on the petition, all of whom are directly affected by Council's decision to approve planning along with significant financial loss of pre-stated 106 monies, the inherent transport problems which will undoubtedly occur, and not to forget that this will double the size of the village in one hit creating its own set of problems.

In effect the residents feel extremely angry that the voices of the local peoples' concerns have been completely ignored and the Council Planners has taken very little consideration for the long term consequences of their decisions.

The eighty plus Villagers are expecting a full and detailed response to each of the concerns raised in the petition to which they have placed their signatures.

The feelings are so strong that in parallel with this appeal to you as the Council to remedy these issues we have also sort counsel from the following representatives of the people in our community:

- Alun Cains MP
- Jane Hutt AM
- Andrew RT Davies AM.

Your response to this letter is eagerly anticipated as we are in the process of making our concerns known to the following media organisation and we will be stating that we are asking you as the Council to review and change / modify your decision on this particular development:

- GEM
- Western Mail
- Echo
- BBC.

Please also be assured that, just saying that you have been through a process, and the decision is what it is will not be acceptable to the people of Bonvilston who are more than prepared to take this further if need be and to take legal advice.

Due to your recent responses to "individual" local residents concerns over how the Council's decision has been made, the Ombudsman has also been contacted and we are awaiting their response.

We think it reasonable to expect a written response within four working weeks from the date on this letter which will dictate our next course of action.

Yours sincerely,

Coordinator of "Villagers Voice – Bonvilston Development"

(C). COUNCIL'S RESPONSE

Date of journal: 7 April 2017

The Vale of Glamorgan Council
Civic Office, Bery, Docks Basin, CF93 4BT



Case Reference: 175 D Butler

Case File No: 01446 104624

Case Name:

Planning and Building
Planning and Building
Civic Office, Bery, Docks Basin, CF93 4BT

www.valeofglamorgan.gov.uk

My Name: RICHARD 2015 102610 FUL

My Email: Richr10@valeofglamorgan.gov.uk

Dear Sir

Town and Country Planning Act, 1990 (as amended)

Planning Application Reference: 2015/00960/FUL

Location : Land at Sycamore Cross, Pendoylan Lane and North of A48, Bonvilston

Proposal : Development of 120 homes including affordable homes, new vehicle, pedestrian and cycle access, improvement works to Pendoylan Lane, regrading of site, drainage, landscape works, provision of public open space, demolition of existing modern timber stables and all associated works

I refer to your letter dated 2 April 2017, written as the representative of "Villagers Voice – Bonvilston Development" and the attached petition of names, which lists a number of concerns. You have stated that local peoples' concerns have been completely ignored and that you consider that very little long term consideration has been given to the long terms consequences of granting permission.

The issues you have raised relate to the scale of the development, traffic problems and the reduced Section 106 planning obligations.

As you are aware the application was reported to Planning Committee on 2 February 2017, and the Members of Planning Committee, following a lengthy discussion, made a resolution to approve the application, subject to the applicant first entering into a S106 Legal Agreement.

The report presented to Planning Committee fully details all matters in the determination of the application, including both national and local planning policy, the status of the emerging Local Development Plan and other material considerations. Whilst all of the concerns raised in your letter have been addressed in detail in the Committee Report, I can advise of the following.

In respect of doubling the size of the village, whilst the emerging LDP was not afforded significant weight in the determination of the application, the background evidence gathered in preparation of the LDP was afforded weight alongside other matters, including national planning policy. You will be aware that the site was part of an allocation for residential development within the Deposit Local Development Plan. This indicates that the site is,

considered to be 'in principle' a suitable site for development, due to the significant level of assessment that has been undertaken, that has led to its continued inclusion of the site up to this stage of the LDP process. A relevant background paper on this issue is the 'Findings of the Site Assessments Process' (2013). This includes the land at Bonvilston (2544/CS5, CS6 and CS7) and assesses it from a sustainability perspective. The application site showed a positive outcome to the sustainability appraisal, including positive scores to 'provide opportunity to meet housing need' and 'maintain, promote and enhance local facilities'. Furthermore, the 2016 revised 'Sustainable Settlements Appraisal' concludes that Bonvilston remains a sustainable minor rural settlement capable of accommodating housing growth.

In this context, the proposed dwellings were considered a sustainable form of development, contributing new housing (including much needed affordable housing) in a location immediately adjacent to existing residential development. As such, it is considered on balance that the development of the land for residential use was acceptable in principle and outweighs any conflict with current UDP policies.

The specific issue of the scale of the housing allocation at Bonvilston within the Deposit LDP was raised at the LDP Hearing Session 1, in respect of minor rural settlements generally, and Hearing Session 11, with specific regard to Bonvilston. The Council's response (Hearing Session 11 – Action Point 1) considered these issues and provided justification for the Bonvilston allocation. The development would be immediately adjacent to the eastern side of the village of Bonvilston. It would be positioned primarily to the north of, and at the rear of the existing dwellings that front the A48, and to the east of the dwellings at Maes-y-Ffynnon. It was considered that the proposal respects the pattern of built development in the vicinity and would be physically adjoining the existing settlement, representing a logical extension to the village. As the Council's response notes at paragraph 16 of "Hearing Session 11-Action Point 1":-

"The site effectively fills the gap between the existing village and the road to the east, filling the frontage of the A48 and continuing the linear form of the village."

It is acknowledged that the development of the site will increase the size of the village and extend the settlement limits further east and north of existing development into the countryside. The overall site area is significant, and indeed, an ES was been submitted with the application. Despite this, the proposal was considered to represent an appropriate increase to the village that would not unacceptably impact upon its character and rural setting. Paragraph 17 of Action Point1 states:-

"The site is relatively large in the context of the existing settlement and will urbanise the undeveloped fields to the east of the settlement. The development will be clearly visible from the A48 (albeit partially screened by existing buildings along the A48 frontage) and the adopted highways to the north and east of the site. The development will also be visible more generally from the countryside (and Golf Course) to the north and east of the site and from the south. The development of the site will increase the size of the village and extend the settlement limits further east into the existing countryside, however, it does not extend as far north as the existing

village. The Council contend that this will result in a logical extension to the village that takes its lead from the existing pattern of development in Bonvilston, which will help to retain the existing character of the area."

In respect of the stated traffic problems on Pendoylan Lane, as part of the allocation of the site within the emerging LDP, off-site highway improvements were also to Pendoylan Lane. Policy MG16 (18) of the Deposit LDP identifies improvements north of the A48, with Appendix 5 noting that such improvements will contribute to the safe access to the site and serve to mitigate the harmful effects of the development on the local highway network.

The scheme for the off-site highway works initially showed a number of passing places only along Pendoylan Lane. Following negotiations with the developer this was amended to identify a more substantial widening of the Pendoylan lane from the A48 up to the junction for Pendoylan/Peterston-Super-Ely, to provide the identified improvements. However, following an assessment of the costs, the improvements for the full length (circa 700m) would be around £2.4m. This would have had a significant impact on the viability of the scheme, and the ability to deliver any Affordable Housing. As a result, following further negotiations with the developer a further revision was submitted which has reduced the overall length of the road improvements to approximately 400m. It was considered that the reduced length of road improvement, would still deliver meaningful improvements to Pendoylan Lane, whilst securing land to facilitate the remainder of the improvements at a later date, and would also allow the Council to secure an element of Affordable Housing.

As set out above and as detailed in the Committee Report, there were a number of abnormal development costs that had to be factored into the development of this site, being unique to this site. The Council can accept reduced contributions, in accordance with national guidance, where an applicant can robustly demonstrate that planning obligations would adversely affect the viability of a development.

Following the submission of a viability appraisal and following independent review, it was agreed, that the full requirement of affordable housing and S106 contributions could not be met. The build costs took into account the cost of the improvements Bonvilston Welsh Water Treatment Works (£1.2m) and the improvements to Pendoylan Lane.

Viability and prioritising of planning obligations was discussed at length during the consideration of the application at Planning Committee and the decision was made having regard to all material considerations.

The Council maintain that the improvements to the Sewage Treatment Works (to ensure a safe environment for the community and future occupiers) must be prioritised to enable the development of the site to the required density. However, should the costs of the improvements to the Sewage Treatment Works be less than the identified £1.2m, the Council will receive the difference which will be used and prioritised based on identified needs within Bonvilston at the time.

In terms of affordable housing provision, the viability evidence showed that 40% affordable housing cannot be achieved. In this instance it is considered that the best balance would be to secure 20% AH whilst providing meaningful improvements to Pendoylan Lane.

Whilst no financial contributions were sought in respect of Community facilities (due to viability), the development of the site will deliver strategic open space provision to meet the current shortfall with Bonvilston, in addition to open space to serve the development. I would therefore argue that the scheme is delivering a community enhancement on site.

Notwithstanding the above, whilst the evidence showed no viability for any other S106 contributions, the applicant nevertheless agreed a contribution of £500,000 for education purposes, with priorities identified in consultation with the Council's Education department to meet the needs of the development as identified at the time.

In respect of a determination being made before the end of the consultation period, I can advise you that planning permission was not granted at Planning Committee on 2 February 2017, only a resolution to approve, subject to the applicant first entering into a S106 Legal Agreement. This was also on the proviso that no further comments were received, which were materially different from the issues addressed in the Committee Report before 7th February 2017 (being the date the re-consultation expired). Whilst further comments were received between Planning Committee and 7th February 2017, following consideration of those letters, no additional issues were raised over and above those already considered in the Planning Committee Report.

I trust the above clarifies our position, which should also be read in conjunction with the Committee Report as to why the recommendation made to Planning Committee was to accept reduced Affordable Housing Provision and S106 contributions.

Finally I can confirm that the decision made by Planning Committee was duly made, and the Council will not be re-visiting the decision.

Yours faithfully,

Mr. S. D. Butler
for Operational Manager Development Management