



Norfolk County Council

Planning Obligations Monitoring Report

September 2020

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1.0 Introduction

Planning obligations represent an important funding stream for the provision of countywide services needed to deliver sustainable growth. These obligations are necessary to mitigate the impact of new developments.

The County Council is consulted by local planning authorities (LPAs) in Norfolk on all new developments on the possible requirement for additional County Council infrastructure, needed to support growth, such as; schools, transport, libraries, fire hydrants, green infrastructure and community services.

Contributions sought from developers are based on the County Council's Planning Obligations Standards, which were first introduced in 2000 and have subsequently been updated on an annual basis. The current Standards were last updated and agreed in March 2020, these Standards reflect the Community Infrastructure Levy Regulations (April 2010) and subsequent amendments.

This monitoring statement sets out the number and value of S106 agreements signed between 2000 and August 2020, the number of planning applications and pre-application enquiries dealt with during this time. Section 2-7 of this report focuses on education, library and fire hydrant provision and monitoring fees agreed through S106 agreements. Section 8 of this report states information on the maintenance of highways and other related transport schemes.

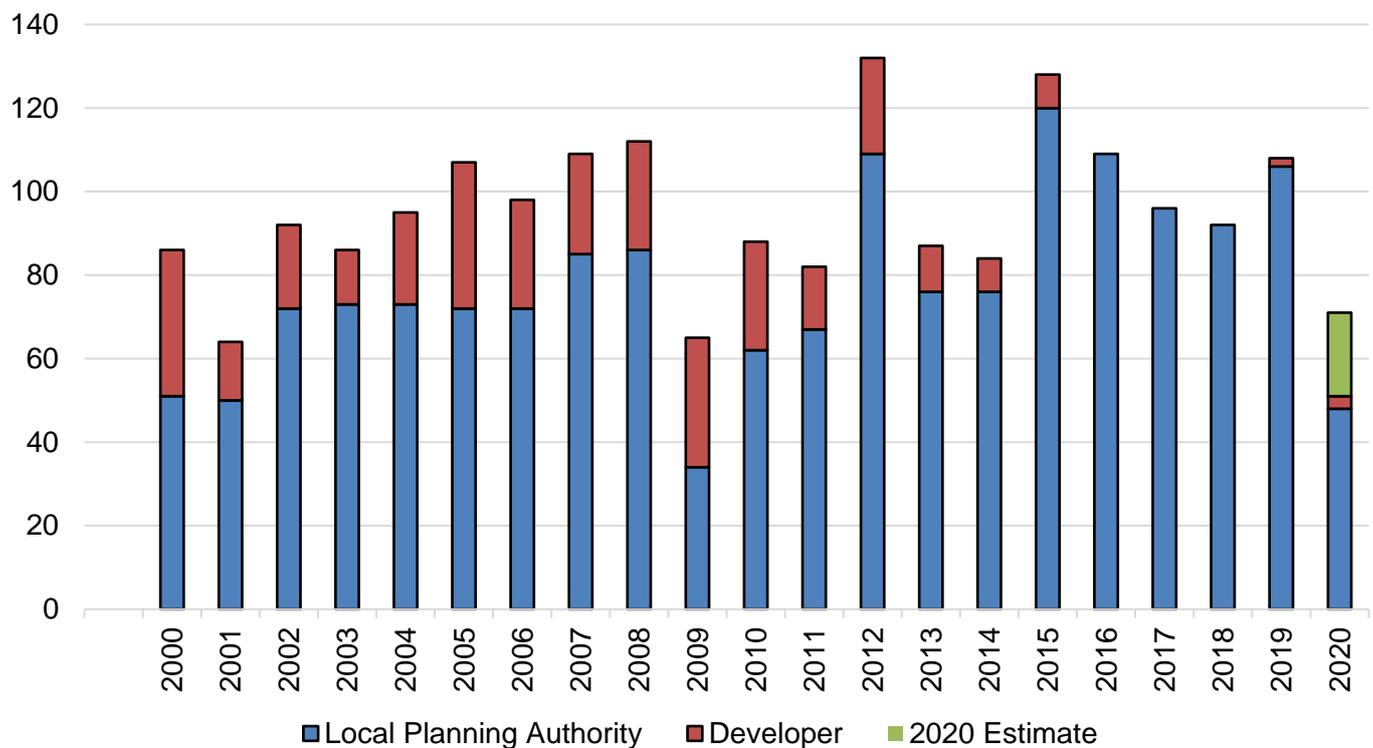
At the time of writing this monitoring statement, four of the LPAs in Norfolk have adopted the Community Infrastructure Levy (CIL) which is charged on new development in the area which is pooled to be spent on infrastructure projects in the local area. These LPAs are Broadland District Council, Norwich City Council, South Norfolk Council and King's Lynn and West Norfolk Borough Council, King's Lynn West Norfolk Borough Council has a hybrid approach to CIL where CIL is zero-rated within the urban area of King's Lynn. Where CIL is adopted it replaces the need for planning obligations. Even where CIL is adopted or planned to be introduced there will remain a need for S106 obligations to deliver land transfers associated with new or expanded schools or libraries, as well as delivering some onsite mitigation such as junction improvements. Planning obligations will continue to provide those infrastructure items not identified as being funded by CIL.

Given the volume of S106 agreements signed since 2000, there remains a need to effectively monitor these agreements to ensure that the monies agreed are transferred to the County Council in line with the phasing set out in the agreements.

The Government announced amended CIL Regulations, in June 2019, which came into force from 1st September 2019. As part of the new Regulations LPAs, including County Councils, need to produce an Infrastructure Funding Statement (IFS). This report will be superseded by the IFS in future years so 2019/20 is final year this report will be published.

2.0 Responses to Consultations

Graph 1: Planning Obligations Responses by Calendar Year 2000–2020



Graph 1 displays the number of planning obligation consultations, hereafter referred to as consultations, the County Council has responded to in the period 2000-2020.

Graph 1 shows:

- Since 2000 there has been a fluctuation in the number of consultations the County Council has responded to;
- From 2001 to 2008 there was a steady increase in responses, but there was a 50% reduction in consultations in 2009 which reflected the economy during the 2008 recession;
- Since 2009 there has been an increase in consultations, 2012 recorded the highest number of consultation responses (132 consultation responses);
- Since 2012 the County Council only responded to pre-applications which were led by the LPA which is why there were no developer consultations responded to in 2016-2018;
- 2019 saw an increase in consultations as 109 consultations were responded to, the majority of these were responded to LPAs, only two pre-application consultations were responded directly to developers;
- 2020 (up to August) 51 consultations were responded to. By the end of 2020, it is estimated that the County Council will have responded to 75 enquiries. This is a considerable decline and the lowest number of consultations since 2009.

3.0 Status of S106 Agreements

Table 1*: Status of S106 Agreements by LPA 2000–2020
(June 2020 shown in brackets for comparison)

LPA	Signed S106 Agreements	Outstanding Enquiries	Total
Breckland	124 (117)	22 (35)	149
Broadland (CIL Authority)	31 (33)	0 (0)	31
Broads Authority	3 (3)	0 (0)	3
Great Yarmouth	45 (43)	18 (15)	63
KLWN (CIL Authority)	83 (85)	16 (21)	100
North Norfolk	50 (52)	25 (27)	75
Norwich City (CIL Authority)	41 (41)	0 (0)	41
South Norfolk (CIL Authority)	74 (76)	0 (0)	74
Total	455 (450)	81 (98)	536

Table 1 displays the number of planning permissions and outstanding enquiries (sites without planning permission) the County Council has responded to since 2000, per LPA.

- 11 S106 agreements have been signed since July 2019.

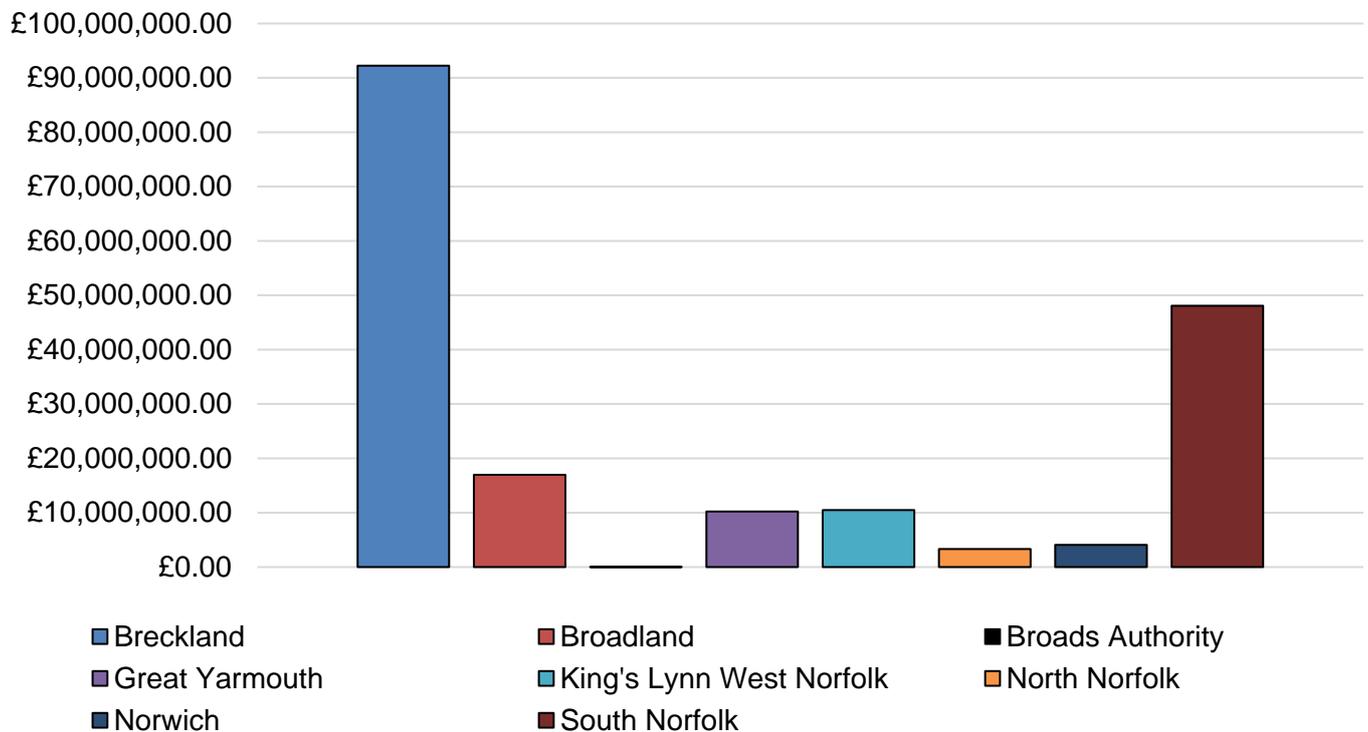
Table 1 shows that:

- 455 S106 agreements have been signed since 2000;
- The LPA with the highest number of S106 agreements is Breckland District Council with 124 signed S106 agreements followed by the Borough Council of King's Lynn and West Norfolk with 83 signed S106 agreements;
- The LPA with the lowest number of agreements is the Broads Authority with 3 signed S106 agreements, reflecting the limited amount of developable land in the area;
- There are currently 81 outstanding enquiries, these are planning applications the County Council has provided its infrastructure requirements on, but the sites have not yet received planning permission from the LPA.

**The quantum of signed S106 agreements have altered since 2018/2019 as numerous planning applications were withdrawn by the developer or by S106 planning applications being superseded by CIL planning applications.*

4.0 Value of S106 Agreements

Graph 2: Value of Agreed S106 Agreements by LPA 2000–2020

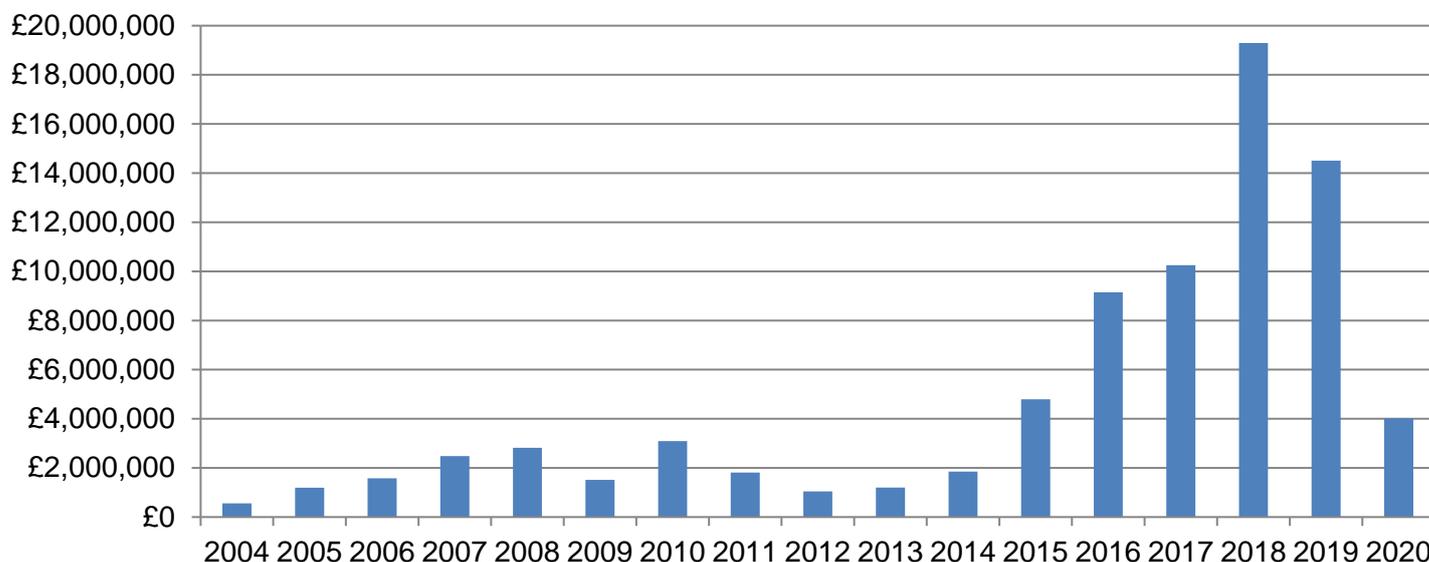


Graph 2 shows that:

- The S106 agreements, signed since 2000, amount to £183.5 million for education, library, fire service provision and monitoring fees, this is an increase of £4 million since 2019;
- Breckland has had the highest number of signed S106 agreements since 2000 these agreements total (over £90 million), this reflects that the majority of S106 agreements are for housing sites in Breckland. There are also several strategic housing sites permitted in Breckland including the 4,000 dwellings approved in Attleborough as part of the strategic urban extension (SUE);
- Planning permissions in South Norfolk Council have S106 agreements totalling £48 million;
- Broadland District Council's planning permissions S106 agreements are worth over £16 million;
- The Borough Council of King's Lynn and West Norfolk and Great Yarmouth Borough Council's planning permission S106 agreements respectively total £10 million;
- Norwich City's planning permission S106 agreements total over £4 million;
- North Norfolk planning permission S106 agreements total over £3 million;
- The Broads Authority S106 agreements total £14,125;
- The majority of signed S106s, by value, are for education contributions as 97% of the total contributions secured since 2000 are for the provision of education across Norfolk;
- 11 S106 agreements have been signed in the last year (July 2019 - August 2020) amounting to 5,101 dwellings. These S106 agreements total over £31.1 million in secured obligations.

5.0 Monies Received

Graph 3: Total Contributions Paid 2000-August 2020



Graph 3 displays the value of S106 contributions received annually by the County Council since 2004.

Graph 3 shows that:

- Between 2004-2014 S106 contributions received, per year, were below £3.1 million;
- Since 2014 there has been an increase in S106 contributions received. The highest number of S106s contributions were received in 2018 with monies received totalling over £19 million;
- S106 contributions received since July 2020 total £4 million which is a considerable decline, this could be due to a slowdown in completion rates due to the restrictions imposed on the building industry during the lock-down associated with the Covid-19 pandemic.

Table 2 Total Contributions Agreed and Paid 2000-August 2020

Status	Education	Library	Fire	Monitoring Charge	Total
Agreed S106	£177,480,682.33	£4,445,095.00	£1,543,024.78	£92,800.00	£183,561,602.11
Paid (up to) August 2020	£65,623,516.73	£1,346,452.82	£292,512.92	20,500.00	£67,282,982.47

Table 2 shows the total amount in agreed S106s, the amount paid between July 2019 and August 2020:

- Between 2000-2020 over £183 million has been secured in S106 agreements, over £67 million has been paid to the County Council (36%);
- Over £151 million (85%) of the total £183 million has been agreed in the last nine years. And only 37% of monies secured have been paid.
- An overview of how monies have been spent by education and library services is set out in [Appendix 2 and 3](#).

6.0 Building Progress

The County Council monitors all sites with signed S106 agreements once a year to ensure that, when appropriate, the developer pays the County Council for the contributions owed promptly.

Table 3: Building Progress on Sites with Agreed Section 106 2000-September 2020
(June 2019 shown in brackets for comparison)

LPA	Permitted (but not started)	Site Commenced	Complete	Total
Breckland**	49 (42)	17 (12)	63 (61)	129 (117)
Broadland	2 (4)	5 (5)	24 (24)	31 (33)
Broads Authority	0 (0)	0 (1)	3 (2)	3 (3)
Great Yarmouth	10 (10)	9 (9)	25 (24)	44 (43)
Kings Lynn & West Norfolk	26 (38)	18 (10)	39 (37)	83 (85)
North Norfolk	4 (13)	18 (18)	28 (21)	50 (52)
Norwich City	0 (0)	2 (4)	39 (37)	41 (41)
South Norfolk	1 (11)	14 (25)	59 (40)	74 (76)
Total Sites	92 (118)	84 (86)	279 (246)	455 (450)
Total Dwellings	11,537 (9,098)	17,948 (20,327)	21,707 (16,444)	51,314 (45,869)

Table 3 shows that:

- Breckland has the most sites permitted at 47% (49 sites);
- North Norfolk has the most sites under construction 22% (18 sites);
- Breckland has the most completed sites 22% (63 sites);
- Breckland has the most sites overall at 28% (129 sites);
- Over 20% of sites across Norfolk have yet to start, including two strategic sites with over 500 dwellings which will bring in significant contributions once construction begins;
- 18% of sites, across Norfolk, have commenced building and as such may not have reached their critical trigger points for payments of S106 monies;
- 61% of sites, across Norfolk, (2000- August 2020) are complete and 87% of these sites are of 100 dwellings or less.

**LPA housing monitoring surveys have been carried out at different times due to Covid-19*

*** Data for 2019/20 not provided*

7.0 Community Infrastructure Levy

The Community Infrastructure Levy (CIL) is a levy that local authorities charge on new developments if the authority is a CIL charging authority. CIL funds can be used fund infrastructure that the council, local community and parish councils require.

Even when CIL is implemented there may still be a need to use S106 agreements to secure some infrastructure provision and land transfer (e.g. where there is a need for a new school).

CIL has been introduced by four LPAs in Norfolk, table 4 shows the total number of CIL planning application consultations the County Council has responded to.

Table 4: Number of applications responded to under CIL by the County Council 2013-2020

LPA	2013	2014	2015	2016	2017	2018	2019	2020 (Sept)
Broadland	3	15	4	9	15	16	12	8
KLWN	0	0	0	0	12	12	5	3
Norwich City	0	1	3	5	3	5	7	3
South Norfolk	0	5	9	18	14	13	26	7
Total	3	21	16	32	44	46	50	21

Table 4 shows that:

- Since 2013 there has been an increase in the number of CIL applications responded to, by the County Council, this increase is due to CIL being implemented in four LPAs between 2013 and 2017.
- Since 2019 there has been a reduction in CIL applications.

Table 5: Building progress on sites permitted under CIL (September 2020)

LPA	Permitted	Commenced	Complete	Total
Broadland	24	9	11	44
KLWN	8	1	0	9
Norwich City	2	2	3	7
South Norfolk	18	1	0	19
Total	52	23	14	79

Table 5 shows that:

- 79 sites have been permitted under CIL with the majority of sites being in Broadland (43%);
- 41% of CIL sites are yet to commence construction;
- 18% of CIL sites have commenced;
- 11% of CIL sites are complete.

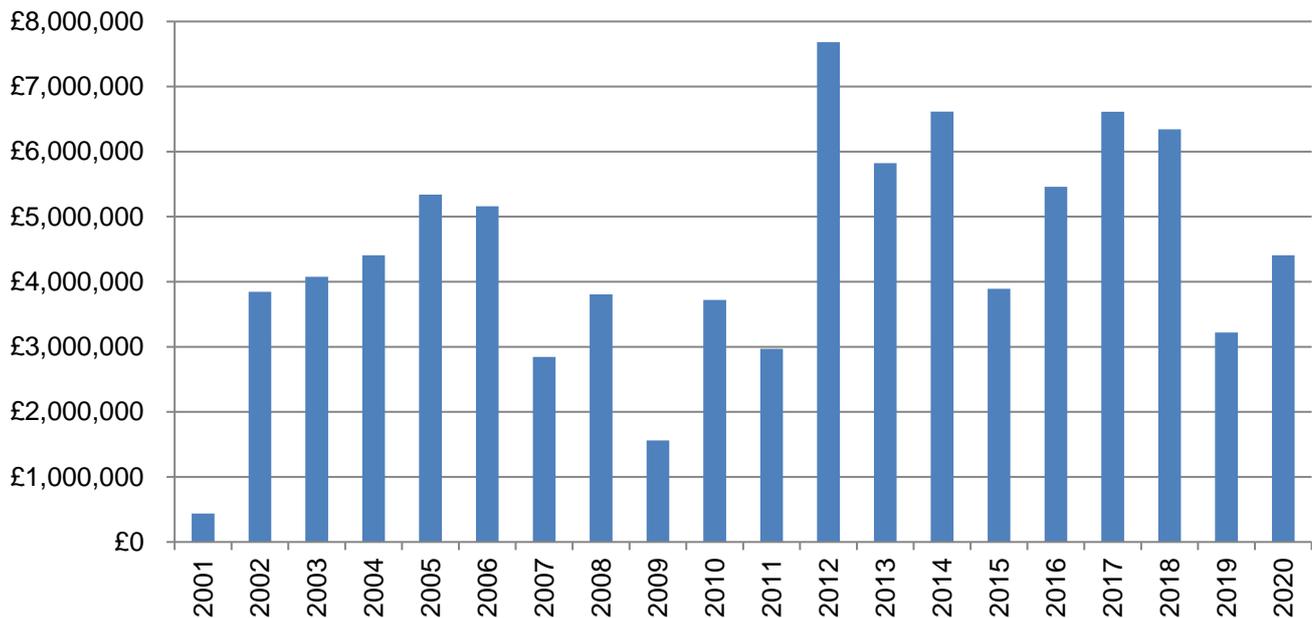
8.0 Transport Contributions

Transport contributions are collection from Section 278 and S106 agreements these monies are used to provide:

- Improvements to public transport and public transport infrastructure;
- Improvements to walking and cycling routes; and
- Upgrading of existing junctions and provision of new vehicular routes.

Since 2001 developer contributions towards transport improvements have totalled over £88 million.

Graph 4: Totals for Transport Contributions S106 and S278 2001-June 2020



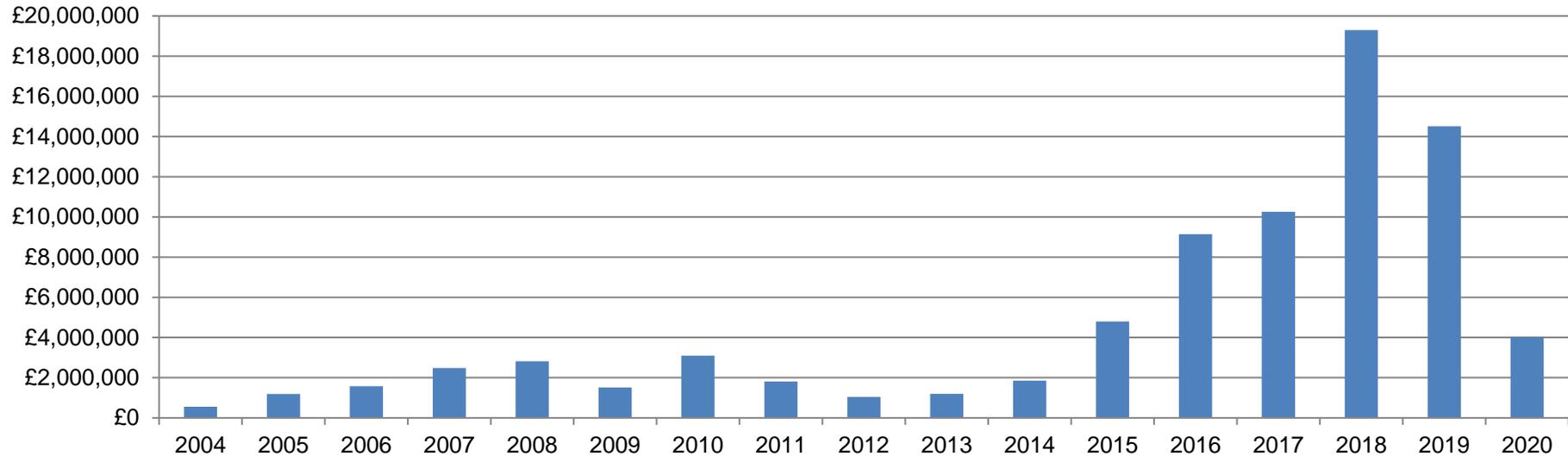
Graph 4 displays the total transport contributions secured since 2001.

Graph 4 shows that:

- Total transport contributions secured have fluctuated since 2001;
- Since 2019 transport contributions secured have increased.

8.0 Transport Contributions

Graph 5: Monies Received for Transport Contributions S106 and S278 2004-2020



Graph 5 displays the total monies received for transport contributions since 2004. Graph 5 shows that:

- Monies received increased since 2014;
- Since 2019 monies received have decreased.

Since the last monitoring statement, produced in 2019:

- Highways have agreed S106 contributions of £2,731,950 for miscellaneous Highways matters (including green infrastructure contributions) plus £2,287,900 for Travel Planning which is delivered through planning condition. In total £7.89 million has been secured towards Travel Plans since 2015;
- The total S278 Agreements have been completed with a works value of £3,201,802.50;
- Highways have completed 45 Small Highway Works Agreements and 21 S278 agreements.

Details of how monies have been spent by highways, including green infrastructure, are available in [Appendix 4](#).

9.0 Summary

Overall Summary

- Since 2000 the County Council has secured developer contribution, through S106 and S278 agreements, funding worth nearly £272 million towards education, transport, library and fire service infrastructure and monitoring fee contributions;
- There has been a reduction in monies received and the number of consultations in 2019/2020 this may be due to the impact Covid-19 has had on the house building industry.

Education, Library, Fire and Monitoring Fee Summary

- The County Council has secured developer funding worth nearly £183.5 million between 2000 – August 2020 relating to over 51,314 dwellings;
- £104.8 million of the total amount agreed has been agreed in the last eight years reflecting that several major sites have been agreed in this period including the Thetford SUE and Attleborough SUE;
- 20% of sites (11,537 dwellings) have yet to start, 18% of sites are under construction (17,327 dwellings) and the majority of site are complete (61%);
- To date £67.3 million, of monies secured, have been paid (37%). As the majority of the monies secured has been within the last eight years it is likely that these sites have not yet started or payments are not yet due, which is most likely why the amount paid is less than 40%.

Transport Summary

- Total transport contributions from S106/S278 agreements between 2001 and July 2020 total in excess of £88 million;
- Since August 2019 £4.4 million has been secured for transport improvements. These ensure the use of sustainable travel choice is maximised as well as encouraging residents and employees to explore active and healthier ways to travel in line with the National Planning Policy Framework objectives of achieving sustainable development.

Norfolk County Council exists to represent and serve the people of Norfolk; to contribute to the County's growth and prosperity and make Norfolk a great place to live and work.

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