

**WEST SUSSEX COUNTY COUNCIL
PLANNING SERVICES CONSULTATION**

DATE: 18th May 2018

FROM: Tim Townsend **TO:** Arun District Council
FAO: Andrew Amery

SUBJECT: AL/115/17/OUT - Outline application with some matters reserved for the erection of 55No. dwellings, sustainable drainage measures, public open space, children's play area, landscaping & all other associated works. This application is a Departure from the Development Plan.

LOCATION: Wings Nursery, Lidsey Road, Aldingbourne, PO20 3SU.

DATE OF SITE VISIT: 20th November 2017

RECOMMENDATION:

Advice	☒	Modification	☐	More Information	☐
Objection	☐	No Objection	☒	Refusal	☐

S106 contribution total - (see below for figures)

This is the third County Highway Authority (CHA) consultation response to the planning application for the erection of 55 dwellings on land currently known as Wings Nursery which is found west of the A29 Lidsey Road, Westergate, West Sussex. It responds to additional information provided on behalf of the applicant by their planning and highway consultants, namely:

1. Technical Note (Ref: ADMA/17/3711s) – December 2017, produced by Russell-Giles Partnership (RGP) transport consultants.
2. Letter dated 8th December 2017 from Whaleback Planning Consultants.
3. Email dated 9th January 2018 – Phillip Russell (RGP) to Steven Shaw (Team Manager Planning Services – Highways, WSCC)
4. Further technical appraisal – email from Alex Budd (RGP) to Tim Townsend dated 20th April 2018 including drawings: 2017-3711-001; 002 and 003 (all revision 'E') and 004 (revision 'A').

Summary position of Highway Authority.

The Highway Authority does not object to the proposal. It had previously objected to the application but in light of the BEW proposals forming part of the Strategic Allocation nearby for the Barnham – Eastergate – Westergate area and consideration of additional information, it considers that it would be difficult to resist this application as it is so close. Furthermore, it provides localised highway improvements to assist with access to the development and a contribution towards strategic infrastructure to support the aforementioned Strategic Allocation. Any permission should, however, be subject to the agreed mitigation and other improvements being secured by S106 Agreement and suitable planning conditions being attached to any consent granted.

Site location.

The site is located on the western side of Lidsey Road, the A29, an 'A' classification road serving as one of the main routes in and out of Bognor Regis. Vehicular access to the site is shown taken from two points – one to serve 4 homes and the other the remainder of the 55 homes. The northern-most part of the site is located approximately 90m south of a railway level crossing. Access to the 4 houses is approximately 100m south of the railway, whereas the site access serving the remaining 51 would be approximately 220m away from the crossing. Footways are shown either side of the main access with the secondary access serving the four units being designed as a private drive with highway users sharing the available space. It is understood that access is the only matter to be considered in detail with the application. All other matters, if planning permission is granted, would be considered at a reserved matters stage. However, some comments about internal access arrangements are made elsewhere in this report.

Lidsey Road is the A29 and is one of the main district distributor roads providing access in and out of Bognor Regis, running northwards into Surrey. The section the site fronts (and that generally south of the railway line) serves mainly residential dwellings – mainly to the east side of the road with approximately 9 on the western side (although there is some commercial to the rear). Also to the east, can be found Woodgate Road and Woodgate Close providing access to approximately 32 dwellings - mainly bungalows; Oak Tree Lane (approximately 35 homes – predominantly houses) and beyond that some commercial development on land known as the Woodgate Centre. Lee's Yard can be found on the eastern side of Lidsey Road which is also commercial. North and east of that can be found Willows Caravan Park.

The A29 in this location has a relatively straight alignment (albeit rising slightly where it crosses the railway), has a 30mph speed limit and street lighting (from the point northwards outside Lee's Yard). The carriageway is generally 6.5m wide, rising to 8.5m wide opposite the former 'Basket World' (the southern part of the site). It has footways on both sides of varying widths – approximately 1.0m along the western side of the road (the site side) but wider in places on the eastern side – approximately 1.0m up to 2.0m. Although running continuously northwards they terminate on the eastern side of the road on the northern side of the Willows caravan park access and on the western side, opposite Lee's Yard. There is a hatched area in the centre to assist turning vehicles using the Willows caravan park access.

Approximately 100m to the north of the site is a railway level crossing. This is closed regularly because of the high volume of rail traffic. When the level crossing is closed, traffic on the A29 is halted, and vehicles are typically queued back some distance on both sides of the crossing and often beyond the junction of Woodgate Road to the south. Occasionally (in peak periods) the queue extends back to the 'Lidsey Bends' (where a canal once crossed/ran).

Access.

The proposed access arrangements comprise two junctions – one serving several dwellings in the form of a shared private drive with the other one a more formalised road junction with a footway leading into the site. The latter (referred to herein as the 'primary access') has a single lane approach to the A29 Lidsey Road. Residents of the new estate, when emerging, might have to wait at the junction to turn left (northbounds) out of Woodgate Close onto the A29 if a queue of traffic resulting from the railway crossing prevailed. Only when such queuing dissipated, could drivers easily emerge. Drivers wanting to turn right (southbounds) might experience frustration being blocked by the left turners and/or traffic queue although 'KEEP CLEAR' markings on the carriageway would assist in this regard. However, given that traffic movements are likely to be generally moderate to low during busy times, incidences of this are not likely to happen frequently. Even if they did, it would not necessarily be down to poor junction design.

The Highway Authority previously had a concern about movement of larger vehicles through the junction in-so-far that such vehicles may find it difficult to turn into the junction or their path might be blocked while traffic is queuing in the primary site access. However, this has been addressed

through slight widening of the junction and associated improvements to the turning lane on the A29 Shripney Road itself.

The risks of blocking at the secondary access are considered minimal given the small number of dwellings. Furthermore, 'KEEP CLEAR' marking will be applied to the carriageway at this location too.

Therefore, considering such impacts at the accesses alongside the NPPF, it is concluded that any detriment to movement cannot be considered severe on this occasion - subject of course to all Stage 1 Road Safety Audit recommendations being adhered to in any final design to the Highway Authority's satisfaction (covers both access points). Specifically with regard to the secondary access, the applicant has enlarged turning space within the communal driveway area and 'KEEP CLEAR' markings are to be painted on the carriageway on the northbound carriageway adjacent – both to be attended to at any detailed design stage following any grant of planning permission.

Proposed Primary access road junction details (including off-site road changes).

In an attempt to accommodate the traffic associated with the main part of the development, the applicant proposes a junction arrangement comprising the following:

- 6.0m wide access road
- A 2m wide footway along the northern side of the access road linking to existing footways on Lidsey Road
- 6m bellmouth radii
- Alteration to the current white lined hatching on Lidsey Road (by removing some of the hatching replacing it with a waiting area to serve the site)

The Highway Authority has reviewed the information provided (including swept-path diagrams of vehicles entering and leaving the junction) and the arrangements are found to be satisfactory.

Road Safety Audit.

A Stage 1 Road Safety Audit accompanies the planning application, prepared by the Safety Forum (September 2017). Three problems have been identified, a summary of which is provided below (full details can be read in the Transport Statement prepared by RGP Highways and Traffic Consultants):

1. Drainage at the proposed/upgraded point of access
2. Design of tactile paving at junction
3. Trees north of access obscuring visibility for emerging vehicles

In the Designer's Response, the applicant appears to agree with all the recommendations. These will be checked again at any detailed design stage, should the development proceed.

Accident history (personal injury accidents – PIA).

Four PIAs have occurred along this stretch of the A29 using data taken between 2009 and 2018. From interrogation of the details, two of these occurred at the junction of Woodgate Road with Lidsey Road; one occurred at the junction of Meadow Way and the A29 (all slight) with a further (serious) accident at the junction of Hook Lane with Lidsey Road, north of the railway crossing.

Trip generation.

Russell Giles Partnership Highways and Transport Planning Consultants have provided information to support the application. Section 4 of their Transport Statement (TS) suggests that the traffic generation would be as follows:

Trip rates per dwelling (TRICS):

- Morning peak period (08:00-09:00) – 0.159 arrivals; 0.345 departures
- Evening peak period (17:00-18:00) – 0.327 arrivals; 0.139 departures
- Daily – 2.331 arrivals; 2.313 departures (Total – 4.644)

This translates to:

Vehicle trip generation (TRICS):

- Morning peak period (08:00-09:00) – 9 arrivals; 19 departures
- Evening peak period (17:00-18:00) – 18 arrivals; 8 departures
- Daily – 128 arrivals; 127 departures (Total – 255)

The Highway Authority has looked again at the Appeal decision for the Woodgate Centre (AL/160/12) as the Inspector assessing that proposal was presented with – and accepted as robust – higher trip rates (apart from the AM arrivals where the rate was slightly lower).

Using these trip rates, the following figures arise:

Trip rates per dwelling (TRICS):

- Morning peak period (08:00-09:00) – 0.152 arrivals; 0.364 departures
- Evening peak period (17:00-18:00) – 0.388 arrivals; 0.235 departures
- Daily – 2.500 arrivals; 2.445 departures (Total – 4.950) (approx.)

This translates to:

Vehicle trip generation (TRICS) (figures in red show increases over applicant's figures):

- Morning peak period (08:00-09:00) – 9 arrivals; 20 (+1) departures
- Evening peak period (17:00-18:00) – 21 (+2) arrivals; 13 (+5) departures
- Daily – 130 (+2) arrivals; 131 (+4) departures (Total – 261 (+6)) (approx.)

The Highway Authority concludes that the development would, based on previously accepted traffic impact information, generate approximately 261 vehicular trips per-day. This level of additional traffic using the site access and Lidsey Road would not itself normally generally trigger the need to consider junction upgrading on the adjacent road (i.e. right hand turning lane). However, given the issues referred to in this report as a consequence of the railway crossing, this does make it necessary to ensure that an appropriately designed turning lane and 'KEEP CLEAR' markings be provided at the main access and 'KEEP CLEAR' marking at the secondary access in an attempt to minimise congestion on the A29 at the site and close to the railway crossing.

Impact of railway crossing on traffic queues.

The Highway Authority's 'Methodology for Transport Assessments' historically required developments to demonstrate nil-detriment or better be achieved. In light of the NPPF the County Council has reviewed this guidance. The test now looks to see whether any additional impact could be considered severe.

In order to establish what might be considered severe on this occasion, the Highway Authority has looked at a number of factors. Clearly, where traffic flows at a junction reach or exceed theoretical capacity then junction performance can become unstable. In some instances, blocking effects, increased delay and queuing could occur. This is relevant here as junction operation is influenced by the nearby railway crossing. Also, delays of over two minutes begin to have a negative effect on driver state of mind and tolerance, while delays of over three minutes may lead to adoption of behaviours such as 'u' turning and overtaking (the latter to reach a certain destination and to avoid waiting in a queue) – again a consideration for this application given the queues brought about by the railway crossing closures. Such delays might be classed as severe, typically requiring traffic management measures in an attempt to mitigate.

In-line with good planning practice and guidance, the responsibility for resolution of such matters associated with a development proposal rests with the applicant. As such, the applicant has now provided assessment of vehicular impact of the development on queueing on Lidsey Road.

Paragraph's 60-64 of the Inspector's Appeal Decision Notice for AL/69/11 for the nearby Woodgate Centre included discussion and conclusions about the impact of the development on queueing. Paragraph 60 states the likely impact of 100 homes (the subject of that application) would increase peak queues by about seven vehicles, or about 40m in length. The result would then be instead of a single vehicle waiting to cross the railway when the gates rise there would be three or four. While the later application (AL/60/12) sought permission for 15 less homes, the impact on the queue length (including any markings and other alterations on the A29) would be similar. However, at that time, the Inspector concluded that the impact in vehicular terms could not be considered severe. Upon re-visiting this information and based on the Wings Nursery site proposing less dwellings (55 compared to 85), the Highway Authority concurs with the Inspector's conclusion for the Woodgate Centre – essentially that the vehicular impact of the development in the locality, whilst resulting in some conflict with the Framework, could not be classed as severe.

Transport Sustainability.

The development site is located in the village of Woodgate which forms the southern part of an almost continuous ribbon development northwards along the A29 and eastwards along the B2223 comprising the villages of Westergate, Eastergate and Barnham. It is remote from existing major employment centres in Bognor Regis, Chichester and Littlehampton although there are a number of smaller local employment centres and other facilities (schools, shops etc.) in the aforementioned villages. In terms of transport sustainability, the site is on the edge of the settlement boundary and some distance from the nearest railway station at Barnham. The level of bus service passing the site is also limited and the main cycle and pedestrian routes are along the busy A29. Cyclists have to share limited road space with other traffic. Pedestrians have to walk adjacent to traffic along the main road and currently have only limited assisted ways to cross the A29 (although improvements from other developments are proposed).

An analysis of each mode of transport is as follows:

Bus Services – Bus stops are located immediately outside the site on Lidsey Road. Both the north and southbound stops are directly opposite one-another. The applicant proposes facilities to assist pedestrians crossing to and from them (and improvements to the stops themselves). With regard to services, the 66A and 66C Stagecoach services operate along the A29 between 7.10am and 18.14pm. Buses call at the stops approximately once in the morning and evening peak periods and then every 1.5 hours (approx.) at other times (Mon-Fri). The route provides travel between Bognor Regis and Yapton (via Walberton). Passengers for Chichester or destinations further away would have to use further public transport services, either at Barnham or Bognor Regis.

The latest Technical Note prepared by the applicant's transport consultants makes reference in paragraph 2.20 to several other bus services, namely:

- 85
- 85A
- 228*
- 658, and
- 665

With regard to service frequencies and where they call, the 85 and 85A - Chichester – Westergate – Arundel – run approximately two hourly Mondays to Saturdays (WSCC Contracted). The 658 - Chichester – Westergate (School service), provides one return journey on schooldays. The 665 - Littlehampton – Westergate – Chichester - is again a school service and again runs one return journey on schooldays.

(*228 was a closed school contract not open to the general public and no longer exists).

Bus Infrastructure - No bus shelters or real-time passenger information (RTPI) displays are located close to the site. However, the applicant has agreed to provide suitable infrastructure. Therefore, if planning permission were to be secured for this site, the Highway Authority recommend that as part of any mitigation package that bus shelters and real-time passenger - or in the event the Parish Council express a wish not to maintain shelters – new bus stop poles with real-time passenger information be secured. Furthermore, provision for pedestrians to cross the road between stops will also be secured.

Cycling - The immediate area surrounding the proposed new development is limited in terms of off-road and/or segregated cycling routes. Cyclists do, therefore, have to use part of the A29 to gain access to most employment centres and local facilities such as Aldingbourne Primary School and Ormiston Six Villages Academy to the north. The A29 Lidsey Road south of Lee's Yard leading to Bognor Regis and its industrial estates is largely rural in nature, unlit and has a series of tight bends with restricted visibility close to the location of the old canal. No footways are present between Lee's Yard (found south of the site) and Marigold's Caravan Park – the latter found approximately opposite the Robin Hood public house. There is no off-road cycle infrastructure until one reaches the Bognor Regis/Felpham Relief Road found further south. As a consequence and given the amount of traffic present, which includes considerable numbers of large vehicles such as HGVs, PSV's, service and delivery vehicles, the route does not cater well for non-motorised users. However, such opportunities will present themselves as part of the nearby BEW Strategic Allocation as proposed in the emerging Arun Local Plan.

In response to current limitations for walking and cycling, the applicant is offering improvements in the form of a widened footway on the western side of the road between the main site access up-to the start of the car park serving the Prince of Wales Public House. On the eastern side of the road, the applicant proposes a new footway running from the junction with Willows Caravan Park running south to connect to Lee's Yard. Alongside this, opportunities to cross the road in the form of pedestrian ramps with tactile paving are also offered.

In an attempt to encourage cycling, cycle racks have been offered on land adjacent to the local shop found north of the railway line on highway land. However, given changes proposed at this junction brought-about by development at Hook Lane (also found north of the railway line), the final detail of this would have to be looked-at at any detailed design/reserved matters stage. If it didn't prove feasible then to provide these, any monies lodged with the LPA or CHA would be returned to the applicant.

Rail - The nearest railway station to the proposed development is located in Barnham, approximately 4km away by road. It is possible to walk to the station and the route (as the crow flies) is shorter but this does involve users to walk along a series of largely rural footpaths. As for the walking/cycling comments made above, improvements to access to the station will present themselves as part of the nearby BEW Strategic Allocation as proposed in the emerging Arun Local Plan. In the meantime though, residents would have to use either the bus service, cycle, get dropped-off at the station or use their private car and park at the station (or close to).

Pedestrians and Local Services - Due to location of the site, there are limited local facilities in the immediate area. Those within a short walking distance are Aldingbourne Primary School, a local convenience shop, 'The Prince of Wales' public house, and further north, the Aldingbourne Community Centre and Ormiston Six Villages Academy. The high frequency of railway crossing closures (and associated length of barrier 'down time') do – and will continue to - delay pedestrian access journey times to local facilities until such time as the railway crossing is by-passed by the creation of a re-aligned/new A29 secured as part of the Barnham, Eastergate, Westergate Strategic Development Location as proposed in the emerging Arun Local Plan. Footway widening and extension of a footway to Lee's Yard (one of the closest employment centres) is proposed and will be secured by S106 Agreement.

Travel Plan.

A Travel Plan accompanies the application. Some key components of this are set-out below:

1. The Travel Plan now provides further commitment to and/or information about the measures that will be provided and the mechanism for delivery etc.
2. The Travel Plan does now appear to contain trip rate reduction targets in accordance with WSCC requirements. Any successful plan should demonstrate modal shift milestones that will need to be reached in order to achieve a 5 year trip rate reduction figure and how they would assist with reducing private travel and traffic impact.
3. Commitment is now given to vouchers being provided to residents (WSCC currently request that £150 vouchers be offered to new households towards bus travel, cycle purchase etc.).
4. Grocery home delivery services are shown to be incentivised (e.g. x% off first shop) and a voucher included in the welcome pack.
5. Commitment to, and details about, recovery measures that would be implemented in the event that targets are missed are now included. Examples being to provide personal journey planning services; incentives to existing residents within 1km of this development and an additional round of travel/bike vouchers.
6. The Highway Authority prefers an experienced external consultant in the role of Travel Plan Coordinator (TPC). The TPC's role should also include provision of a Personal Journey Planning service to all residents of the development.

Internal layout and parking.

Although not forming part of the detailed submission for this application, the Highway Authority makes the following observations about the internal layout. If this current outline application is successful, at any detailed/reserved matters stage, the applicant should attend to what is said below (list should not be considered exhaustive):

- There appears to be lack of convenient visitor parking throughout the layout.

- Turning for vehicles – particularly service vehicles – is lacking in certain areas of the site. This could make it difficult to access dwellings for purposes of refuse collection and, more importantly, fire appliance access.
- Given the proposed form of drainage (permeable surfacing etc.) and surfacing proposed for footways inside the development, both the internal roads and footpaths will not be adopted by the Highway Authority and will need to remain private.

Adoption/non-adoption and management of private estate roads.

If any of the roads within the development are not to be offered for adoption to the Highway Authority, a management company will need to be secured in a S106 Agreement for maintenance of the development (particularly roads and footways etc.) in perpetuity. In addition to this, a non-adoption clause would also need to be included in any S106 Agreement to prevent post-development adoption.

Public Rights of Way (PRoW).

Comments will be sent directly from the PRoW team to the LPA.

Surface water drainage.

Comments will be sent directly from the drainage team to the LPA.

The emerging Arun Local Plan and Barnham – Eastergate – Westergate (BEW) Strategic Location and contributions thereto.

The emerging Arun Local Plan includes within it the BEW Strategic Location for 2000 homes, including A29 realignment. Although the Wings Nursery site is outside of this proposed allocation, it is very close to it. In looking at the proposal, the Highway Authority (CHA) considers that the Wings site should contribute to the Local Plan allocation. As such, the CHA seeks to secure a financial contribution of £390,500 (£7,100 per-dwelling) from the applicant which, through discussion, they have agreed to. This will be used to support the strategic infrastructure required to deliver development in-and-around the BEW Strategic Location.

Conclusion.

Following review of additional information and agreement by the applicant to a package of mitigation and contribution towards the Strategic Allocation known as BEW, the Highway Authority does not raise objection to the application subject to the following:

S106:

- Widened footway on western side of the A29 from the main (southern) site access up-to the southern edge of the car park serving the Prince of Wales Public House
- Footway on eastern side of road taken from junction of Willows Caravan Park access road to Lee's Yard
- Strategic Infrastructure Contribution of £390,500
- Bus stops, shelters and real-time passenger information contribution (and/or works)
- Travel Plan
- Contributions towards other non-highways infrastructure (education, libraries etc.)
- Cycle stands adjacent to nearby convenience store

Conditions:

1. **Access(es) to development (details approved)** – No part of the development, hereby permitted, shall be occupied until the accesses as generally shown on drawings 2017-3711-001; 002 and 003 (all revision 'E') and 004 (revision 'A') have been constructed to a final specification to be agreed with the local Highway Authority through a formal S38 and/or S278 process (including right hand turning lane on A29).

Reason – To ensure fit-for-purpose accesses constructed to appropriate design and safety standards.

2. **Internal road layouts (to be approved)** – No development shall be commenced until plans and details showing internal access road layouts have been submitted to and approved by the LPA after consultation with the CHA.

Reason – To ensure fit-for-purpose roads constructed to appropriate design and safety standards.

3. **Parking and turning (to be approved)** - No development, hereby approved, shall be occupied until provision for parking and turning of cars associated with the development has been provided in accordance with plans to be submitted to and approved by the LPA after consultation with the CHA. Provision should thereafter be maintained solely for the purpose of the parking and turning of vehicles clear of the highway.

Reason – To ensure that adequate provision for the parking and turning of vehicles is provided for the development to accord with approved policy.

4. **Reinstatement of disused crossovers and/or accesses (details to be approved)** – No development shall be occupied until any disused crossovers and/or accesses no longer required as part of the development, have been permanently removed and reinstated in accordance with plans to be submitted to and approved by the LPA for consultation with the CHA.

Reason – To ensure that any access points not required to serve the development are permanently removed to avoid risk of inappropriate re-opening in the future and also in the interests of road safety.

5. ***Prevention of surface water draining onto the public highway (details to be approved)*** – The development, hereby approved, shall not be occupied until provision has been made within the site in accordance with details to be submitted to and approved by the Local Planning Authority after consultation with the Highway Authority to prevent surface water draining onto the public highway.

Reason – In the interests of road safety.

6. ***Street lighting (details to be approved)*** – The development, hereby approved, shall not be occupied until a scheme for street lighting has been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority after consultation with the Highway Authority.

Reason – In the interests of road safety.

7. ***Landscaping on parts of the proposed adopted road network (details to be approved)*** – The development, hereby approved, shall not be occupied until a scheme for landscaping has been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority after consultation with the Highway Authority.

Reason – In the interests of road safety.

8. ***Construction management plan (details to be approved)*** - Prior to development commencing, a Construction Management Plan shall be submitted to and be approved in writing by the Local Planning Authority after consultation with the Highway Authority. This shall require the applicant and contractors to minimise disturbance during demolition and construction and will include (but not be limited to) details of the following information for approval:

- the phased programme of construction works;
- the means of access and road routing for all construction traffic associated with the development;
- provision of wheel washing facilities and details of their operation and location;
- Details of street sweeping;
- construction working times including delivery times;
- details of a means of suppressing dust arising from the development;
- details of all proposed external lighting to be used during construction;
- details of areas for the loading, unloading, parking and turning of vehicles associated with the construction of the development;
- details of areas to be used for the storage of plant and materials associated with the development;
- details of the temporary construction site enclosure to be used throughout the course of construction (including access gates).
- Contact details for the site contractor, site foreman and CDM co-ordinator (including out-of-hours contact details).
- Evidence of consultation with neighbours prior to works commencing.
- Details of any temporary traffic management that may be required to facilitate the development including Chapter 8 traffic signage.

Details of how measures will be put in place to address any environmental problems arising from any of the above shall be provided. A named person shall be appointed by the applicant to deal with complaints, shall be available on site and their availability made known to all relevant parties.

Reason - To ensure safe and neighbourly construction in the interests of amenity and road safety.

Informatives.

Informative to Planning Officer – Applications for S38 and/or S278 Agreements should be made to WSCC as Highway Authority. Full details are available on the WSCC website.

Informative to Planning Officer – Roads not forming part of the adopted highway network and/or not intended to be offered for adoption, will not be inspected by the Highway Authority during or after any construction phases. Such roads should, however, be assessed and formally signed-off/approved by a suitable Chartered Civil Engineer to the satisfaction of the LPA.

Informative – S59 Agreement – If deemed necessary, the applicant should contact West Sussex County Council Legal Services to obtain necessary information to enter into the Section 59 Agreement under the Highways Act 1980. This Agreement is would be required in the event that extraordinary traffic required to build the development is generated during the construction phase/s in order to provide a means of making good the public highway following the cessation of construction traffic and building work on the site. Full details of the process can be obtained from the Local Highways Manager WSCC.

Tim Townsend
Planning Services - Highways

**WEST SUSSEX COUNTY COUNCIL
LOCAL DEVELOPMENT DIVISION: SECTION 106 CONSULTATION RESPONSE (excluding
Transport (known as TAD) contributions)**

DATE: 1st November 2017

FROM: Eloise Short, Monitoring and Records Team

TO: Tim Townsend, Planning Applications Team

DISTRICT COUNCIL: Arun

Application Number: AL/115/17

**The Provision of Service Infrastructure Related to: Wings Nursery, Lidsey Road,
Aldingbourne, PO20 3SU**

Planning Application details – Outline application with some matters reserved for the erection of 55No. dwellings, sustainable drainage measures, public open space, children's play area, landscaping & all other associated works. This application is a Departure from the Development Plan.

Without prejudice to the informal representations of the County Council in respect of the above planning proposal, I am writing to advise you as to the likely requirements for contributions towards the provision of additional County Council service infrastructure, other than highways and public transport that would arise in relation to the proposed development.

The basis for my advice is contained in the adopted Supplementary Planning Guidance document "The Provision of Service Infrastructure Related to New Development in West Sussex – Part 1.

The planning obligation formulae below are understood to accord with the Secretary of State's policy tests outlined by the in the *National Planning Policy Framework, 2012*.

The advice is as follows:

1. School Infrastructure Contribution

1.1 The Director for Children and Young People's Services advises that it appears that at present primary/secondary/further secondary schools within the catchment area of the proposal currently would not have spare capacity and would not be able to accommodate the children generated by the assumed potential residential development from this proposal. Accordingly, contributions would need to be requested. However, the situation will be monitored and further advice on all of the main education sectors, (i.e. Primary/Secondary/Further Secondary) should be sought if this planning application is to be progressed.

1.2 Financial Contribution

The financial contribution sought by the County Council would be based on: the estimated additional population that would be generated by the proposed development, reduced to reflect any affordable dwellings (by which we mean Social Rented dwellings, but NOT Shared Equity, Intermediate or Key Worker status dwellings) for occupation by persons already residing in the education catchment area; the County Council's adopted floorspace

standard for education provision; and the estimated costs of providing additional education floorspace. As the housing mix is not known at this stage, I propose the insertion of a formula into any legal Agreement in order that the school infrastructure contribution may be calculated at a later date. The formula should read as follows:

The Owner and the Developer covenant with the County Council that upon Commencement of Development the Owner and/or the Developer shall pay to the County Council the School Infrastructure Contribution as calculated by the County Council in accordance with the following formula:-

DfE Figure x ACP = School Infrastructure Contribution where:

Note: x = multiplied by.

ACP (Additional Child Product) = The estimated additional number of school age children likely to be generated by the development calculated by reference to the total number of dwellings, less any allowance for affordable dwellings, as approved by a subsequent reserve matters planning application. The following criteria are used to generate a child product:

Dwelling Size		Occupancy	
		House	Flat
1 bed	=	1.5	1.3
2 bed	=	1.9	1.9
3 bed	=	2.5	2.4
4+ bed =	3.0	2.8	

Using the above occupancy rates to determine an overall population increase the following factors are applied. According to 2001 census data, there are 14 persons per 1000 population in each school year group for houses and 5 persons per 1000 population in each school year group for flats. There are 7 year groups for primary (years R to 6) and 5 for secondary (years 7 to 11). For Sixth Form, a factor of 0.54 is applied to the Child Product figure as this is the average percentage of year 11 school leavers who continue into Sixth Form colleges in West Sussex.

DfE Figure = Department for Education (DfE) school building costs per pupil place (for pupils aged 4 to 16) as adjusted for the West Sussex area applicable at the date when the School Infrastructure Contribution is paid (which currently for the financial year 2017/2018 are – Primary £15,666, Secondary £23,604, Further Secondary £25,600), updated as necessary by the Royal Institute of Chartered Surveyors Building Cost Information Service All-In Tender Price Index.

- 1.3 The contributions generated by this proposal shall be spent on additional facilities at Aldingbourne C of E Primary School.

The contributions generated by this proposal shall be spent on additional facilities at St Philip Howard Catholic High School.

The contributions generated by this proposal shall be spent on a restructure of the sixth form to cater for the additional student population at St Philip Howard Catholic High School Sixth Form.

2. Library Infrastructure Contribution

- 2.1 The County Librarian advises that the proposed development would be within the area served by Bognor Regis Library and that the library would not currently be able to adequately serve the additional needs that the development would generate.

However, a scheme is approved to provide additional floorspace or facilities at the library. In the circumstances, a financial contribution towards the approved scheme would be required in respect of the extra demands for library services that would be generated by the proposed development.

2.2 Financial Contribution

The financial contribution sought by the County Council would be based on: the estimated additional population that would be generated by the proposed development, reduced to reflect any affordable dwellings (by which we mean Social Rented dwellings, but NOT Shared Equity, Intermediate or Key Worker status dwellings) for occupation by persons already residing in the library's catchment area; the County Council's adopted floorspace standard for library provision; and the estimated costs of providing additional library floorspace. As the housing mix is not known at this stage, I propose the insertion of a formula into any legal Agreement in order that the library contribution may be calculated at a later date. The formula should read as follows:

The Owner and the Developer covenant with the County Council that upon Commencement of Development the Owner and/or the Developer shall pay to the County Council the Libraries Infrastructure Contribution as calculated by the County Council in accordance with the following formula:-

$L/1000 \times AP = \text{Libraries Infrastructure Contribution where:}$

Note: x = multiplied by.

AP (Additional Persons) = The estimated number of additional persons generated by the development calculated by reference to the total number of dwellings, less any allowance for affordable dwellings, as approved by a subsequent reserve matters planning application. The following figures are given as a guideline:

Dwelling Size		Occupancy	
		House	Flat
1 bed	=	1.5	1.3
2 bed	=	1.9	1.9
3 bed	=	2.5	2.4
4+ bed =	3.0	2.8	

$L/1000$ = Extra library space in sqm. per 1,000 population x the library cost multiplier (which currently for the financial year 2017/2018 are 30sq.m and £4,591 per sqm respectively).

- 2.3 The contributions generated by this proposal shall be spent on expansion of the facilities at Bognor Regis Library.

3. **Fire & Rescue Service Infrastructure**

3.1 Fire Stations

The County Fire Officer advises that a financial contribution from the proposed development towards the cost of fire and rescue infrastructure, principally fire stations and services serving the area within which the proposal stands, would be required. This is necessary due to proposed development in the Southern division and the resultant need to improve service provision across the area. The proposed development should proportionately contribute towards the cost of necessary infrastructure needed to support development.

3.2 Financial Contribution (excluding provision of fire hydrants)

The financial contribution sought by the County Council would be based on: the estimated additional population that would be generated by the proposed development, reduced to reflect any affordable dwellings (by which we mean Social Rented dwellings, but NOT Shared Equity, Intermediate or Key Worker status dwellings) for occupation by persons already residing in the fire service provision area; the County Council's adopted standards of fire service cover provision; and the estimated costs of providing additional fire stations. As the housing mix is not known at this stage, I propose the insertion of a formula into any legal Agreement in order that the fire service contribution may be calculated at a later date. The formula should read as follows:

The Owner and the Developer covenant with the County Council that upon Commencement of Development the Owner and/or the Developer shall pay to the County Council the Fire and Rescue Infrastructure Contribution as calculated by the County Council in accordance with the following formula:-

$Y \times (Z / M) = \text{Fire and Rescue Infrastructure Contribution where:}$

Note: / = divided by, x = multiplied by.

Y = The estimated adjusted increase in population generated by the development using the following figures as a guideline:

Dwelling Size		Occupancy	
		House	Flat
1 bed	=	1.5	1.3
2 bed	=	1.9	1.9
3 bed	=	2.5	2.4
4+ bed =	3.0	2.8	

Z = the estimated costs of providing additional Fire and Rescue Infrastructure in the Southern Service Division of West Sussex at the time of payment (which, for information, for 2007/2008 was £5,530,000).

M = the projected population of the Fire and Rescue Service Southern Service Division of West Sussex in 2016 at the time of payment (which, for information, for the 2007/2008 financial year was 429,647).

3.4 Fire and Rescue Service Contribution to be used towards supply and installation of additional fire safety equipment to vulnerable persons homes in West Sussex Fire Rescue Services Southern Area serving Aldingbourne.

General points

Please ensure that the applicants and their agents are advised that any alteration to the housing mix, either size, nature or tenure, may generate a different population and require re-assessment of contributions. Such re-assessment should be sought as soon as the housing mix is known and not be left until signing of the section 106 Agreement is imminent.

It should be noted that the figures quoted in this letter are based on current information and will be adhered to for 3 months. Thereafter, if they are not consolidated in a signed S106 agreement they will be subject to revision as necessary to reflect the latest information as to cost and need.

Review of the contribution towards the provision of additional County Council services should be by reference to an appropriate index, preferably RICS BCIS All-In TPI. This figure is subject to annual review.

Should you require further general information or assistance in relation to the requirements for contributions towards the provision of County Council service infrastructure please contact, in the first instance, the Planning Applications Team officer, named above.

Where the developer intends to keep some of the estate roads private we will require provisions in any s106 agreement to ensure that they are properly built, never offered for adoption and that a certificate from a suitably qualified professional is provided confirming their construction standard.

Where land is to be transferred to the County Council as part of the development (e.g. a school site) that we will require the developer to provide CAD drawings of the site to aid design/layout and to ensure that there is no accidental encroachment by either the developer or ourselves.