PLANNING SERVICES DIVISION:
SECTION 106 CONSULTATION RESPONSE FOR ARUN DISTRICT COUNCIL

DATE: 27th October 2020

FROM: Naomi Hoyland

DISTRICT/BOROUGH COUNCIL: Arun

Application Number: BR/244/20/PL

The Provision of Service Infrastructure Related to Development at The Beach Hotel, former Mud Club, Waterloo Square, Bognor Regis, PO21 1SU

Planning Application details – Redevelopment into 11 No. 2 bed apartments & 2 No. commercial units (A1 Retail or A3 Restaurant/Cafe) (resubmission following BR/282/19/PL). This application affects the character & appearance of The Steyne, Bognor Regis Conservation Area & may affect the setting of listed buildings. This site is in CIL Zone 4 (Zero Rated) as flats & other development.

Summary of Density per Infrastructure Demands

Education			
School Planning Area	Bognor Regis/Felpham		
Population Adjustment	20.9		
	Primary	Secondary	6th Form
Child Product	0.1045	0.1045	0.0564
Total Places Required	0.7315	0.5225	0.1129
Library			
Locality	Bognor Regis		
East Preston / Ferring / Findon Valley / Tier 7 Sites	£0		
Contribution towards Rustington / Willowhale	£0		
Contribution towards Bognor Regis / Littlehampton	£3,479		
Population Adjustment	20.9		
Sqm per population	35		
Sqm Required	0.00		
Waste			
Adjusted Net. Households	11		
Fire			
No. Hydrants	TBC		
Population Adjustment	20.9		
£/head of additional population	£15		
TAD- Transport			
Net Population Increase	0.0		
Net Parking Spaces	0		
Net Commercial Floor Space sqm	0		
Total Access (commercial only)	0.0000		

Summary of Contributions

S106 type	Monies Due
Education - Primary	£13,849
Education - Secondary	£18,061
Education - 6th Form	£3,492
Libraries	£3,479
Waste	No contribution
Fire & Rescue	£314
No. of Hydrants	TBC
TAD	No contribution
Total Contribution	**£39,195**

Note: The above summary does not include the installation costs of fire hydrants. Where these are required on developments, (quantity as identified above) as required under the Fire Services Act 2004 they will be installed as a planning condition and at direct cost to the developer. Hydrants should be attached to a mains capable of delivering sufficient flow and pressure for fire fighting as required in the National Guidance Document on the Provision of Water for Fire Fighting 3rd Edition (Appendix 5)

The above contributions are required pursuant to s106 of the Town and Country planning Act 1990 to mitigate the impacts of the subject proposal with the provision of additional County Council service infrastructure, highways and public transport that would arise in relation to the proposed development.

Planning obligations requiring the above money is understood to accord with the Secretary of State's policy tests outlined by the in the *National Planning Policy Framework, 2019*.

The CIL Regulations 2010 (as amended by the CIL amendment Regulations 2019) came into force on 1st September 2019 and clarify that an authority collecting contributions through the use of S106 agreements may now lawfully charge a fee for monitoring the planning obligations they contain. From 1st April 2020 West Sussex County Council will implement a S106 monitoring fee of £200 per trigger, per year of monitoring. Financial triggers are monitored for an average of three years and will therefore produce a fee of £600 per trigger, with non-financial triggers taking around six years to fulfil and therefore costing £1200.

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

The secondary education contribution has been calculated in accordance with the Developer Obligations for Secondary Contributions in Arun Document 2019, which is a supporting document for the Arun Infrastructure Delivery Plan 2017 (IDP).

All TAD (Total Access Demand) contributions have been calculated in accordance with the stipulated local threshold and the methodology adopted as Supplementary Planning Guidance (SPG) in November 2003.

The calculations have been derived on the basis of an increase in 11 Net dwellings.

Please see below for a Breakdown and explanation of the WSCC Contribution Calculators. Also see the attached spreadsheet for the breakdown of the calculation figures. For further explanation please see the Sussex County Council website (http://www.westsussex.gov.uk/s106).

Deed of Planning Obligations

a) As a deed of planning obligations would be required to ensure payment of the necessary financial contribution, the County Council would require the proposed development to reimburse its reasonable legal fees incurred in the preparation of the deed.

b) The deed would provide for payment of the financial contribution upon commencement of the development.

c) In order to reflect the changing costs, the deed would include arrangements for review of the financial contributions at the date the payment is made if the relevant date falls after 31st March 2021. This may include revised occupancy rates if payment is made after new data is available from the 2021 Census.

d) **Review of the contributions towards primary and further secondary school building costs should be by reference to the DfF adopted Primary/ Further Secondary school building costs applicable at the date of payment of the contribution and where this has not been published in the financial year in**

which the contribution has been made then the contribution should be index linked to the DfE cost multiplier and relevant increase in the RICS BCIS All-In TPI. This figure is subject to annual review.

e) **Review of the contribution towards secondary education should be by reference to the information provided in the supplementary Developer Obligations for Secondary Contributions in Arun Document 2019, which is a supporting document for the IDP.**

f) **Review of the contribution towards the provision of additional library floorspace should be by reference to an appropriate index, preferably RICS BCIS All-In TPI. This figure is subject to annual review.**

g) **Review of the contribution towards the provision of fire service infrastructure (fire stations) should be by reference to an appropriate index, preferably RICS BCIS All-In TPI. This figure is subject to annual review.**

The contributions generated by this proposal shall be spent on additional facilities at Edward Bryant Primary School.

The contributions generated by this proposal shall be spent on Phase 1 of the new secondary school in Arun.

The contributions generated by this proposal shall be spent on additional equipment at Felpham Community College Sixth Form.

The contributions generated by this proposal shall be spent on a project to enhance library space with improved digital access at Bognor Regis Library

The contributions generated by this proposal shall be spent on the supply and installation of additional fire safety equipment/smoke alarms to vulnerable persons homes in West Sussex Fire Rescue Services Southern Area serving Bognor Regis.

Recent experience suggests that where a change in contributions required in relation to a development or the necessity for indexation of financial contributions from the proposed development towards the costs of providing service infrastructure such as libraries is not specifically set out within recommendations approved by committee, applicants are unlikely to agree to such provisions being included in the deed itself. Therefore, it is important that your report and recommendations should cover a possible change in requirements and the need for appropriate indexation arrangements in relation to financial contributions.

Please ensure that applicants and their agents are advised that any alteration to the housing mix, size, nature or tenure, may generate a different population and thus 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.

Any payment required for a Traffic Regulation Order (TRO) in respect of the proposed development is due either on the commencement of development or receipt of a TRO application to the County Council, whichever is the earlier.
Please see below for a Breakdown of the Contribution Calculators for clarification of West Sussex County Council's methodology in calculating Contributions. For further explanation please see the Sussex County Council website (http://www.westsussex.gov.uk/s106).

Breakdown of Contribution Calculation Formulas:

1. School Infrastructure Contributions

The financial contributions for school infrastructure are broken up into three categories (primary, secondary, sixth form). Depending on the existing local infrastructure only some or none of these categories of education will be required. Where the contributions are required the calculations are based on the additional amount of children and thus school places that the development would generate (shown as **TPR- Total Places Required**). The TPR is then multiplied by the Department for Children, Schools and Families school building costs per pupil place (**cost multiplier**).

School Contributions = TPR x cost multiplier

a) TPR- Total Places Required:

TPR is determined by the number of year groups in each school category multiplied by the child product.

TPR = (No of year groups) x (child product)

Year groups are as below:

- Primary school- **7** year groups (aged 4 to 11)
- Secondary School- **5** year groups (aged 11 to 16)
- Sixth Form School Places- **2** year groups (aged 16 to 18)

Child Product is the **adjusted education population** multiplied by average amount of children, taken to be 14 children per year of age per 1000 persons (average figure taken from 2001 Census).

Child Product = Adjusted Population x 14 / 1000

Note: The adjusted education population for the child product excludes population generated from 1 bed units, Sheltered and 55+ Age Restricted Housing and Social Rented Housing as a nil child product is assumed for these dwellings. However, this does not apply to calculating the child product for secondary education, where the population from Social Rented Dwellings is included in the Child Product, as per the Developer Obligations for Secondary Contributions in Arun Document 2019.

b) Cost multiplier- Primary and Further Secondary Education Services

The cost multiplier for primary and further secondary is a figure released by the Department for Education. It is a school building costs per pupil place as at 2020/2021, updated by Royal Institute of Chartered Surveyors' Building Cost Information Service All-In Tender Price Index. Each Cost multiplier is as below:

- Primary Schools- **£18,933 per child**
- Sixth Form Schools- **£30,939 per child**

c) Cost multiplier – Secondary Education Services

The cost multiplier for secondary is the cost of providing a new 10FE secondary school for Arun, plus land costs, as outlined in the Developer Obligations for Secondary Contributions in Arun Document 2019. The cost of every additional pupil attending the school is **£34,566**, which is used as the cost multiplier.

2. Library Infrastructure

There are two methodologies used for calculating library infrastructure Contributions. These have been locally tailored on the basis of required contributions and the nature of the library in the locality, as below:

Library infrastructure contributions are determined by the population adjustment resulting in a square metre demand for library services. The square metre demand is multiplied by a cost multiplier which determines the total contributions as below:

Contributions = SQ M Demand x Cost Multiplier

a) Square Metre Demand

The square metre demand for library floor space varies across the relevant districts and parishes on the basis of library infrastructure available and the settlement population in each particular locality. The **local floorspace demand (LFD)** figure varies between 30 and 35 square metres per 1000 people and is provided with each individual calculation.

Square Metre Demand = (Adjusted Population x LFD) / 1000

b) Cost Multiplier- Library Infrastructure
WSCC estimated cost of providing relatively small additions to the floorspace of existing library buildings is **£5,549** per square metre. This figure was updated by Royal Institute of Chartered Surveyors' Building Cost Information Service All-In Tender Price Index for the 2020/2021 period.

3. Fire & Rescue Service Infrastructure

The Fire and Rescue Services infrastructure contribution is determined by the population adjustment multiplied by the relevant cost multiplier for the provision of services.

Fire and Rescue Contributions = Adjusted Population x Cost Multiplier

a) Adjusted Population
This is the sum of the occupancy rates for the net dwelling increase with the exclusion of social housing increase.

b) Cost Multiplier- Fire Rescue
There are two cost multipliers for WSCC which relate to the Southern Division and the Northern Division. The cost multiplier is calculated by dividing the total cost of necessary fire and rescue infrastructure within the division by the projected population for 2016. The cost multipliers are as below:

Southern Division (Chichester, Arun, Worthing and Adur): £15 per person

Northern Division (Horsham, Crawley, Mid Sussex): £57 per person in Horsham, £105 per person in Crawley

Note: The installation costs of fire hydrants are excluded from the above and will continue to be required on developments as a direct cost to the developer as required under the Fire Services Act 2004

cc: **Andrew Lowing, WSCC Fire Services (via email)**
Karen Wallace, WSCC Library Services (via email)
Tracey Dunn, WSCC Children and Young People's Services (via email)