



LRM
PLANNING
LIMITED

PLANNING OBLIGATIONS – DRAFT HEADS OF TERMS

LAND WEST OF PAGHAM ROAD, PAGHAM

On behalf of Hallam Land Management Limited

December 2021



Report Control

Project: Land west of Pagham Road, Pagham

Client: Hallam Land Management Limited

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1 Introduction

1.1 Hallam Land Management Limited has submitted an outline planning application for residential development on land west of Pagham Road, Pagham.

1.2 The submitted application seeks planning permission for:

The construction of up to 106, the formation of access onto Pagham Road, the laying out of open space, landscaping, habitat creation, drainage features and associated ground works and infrastructure.

1.3 Matters not reserved for subsequent approval relate to vehicular access from Pagham Road.

1.4 It is intended that a Section 106 Agreement under the Town and Country Planning Act 1990 (as amended) will be prepared as part of the planning permission. This will be entered into by the Applicant, the landowner, Arun District Council and West Sussex County Council. The purpose of this document is to serve as a live record of Heads of Terms suggested for this proposed Agreement which will be required to be entered into.

1.5 The Heads of Terms are in draft form and are therefore themselves subject to further discussion and/or agreement. They reflect the planning obligations that were discussed between the Applicant, the District Council and County Council during the consideration of application P/6/17 and form the bases upon which Officers of the Council recommended that planning permission be granted. The obligations proposed will be in accordance with Community Infrastructure Levy (CIL) Regulation 122 and the NPPG. The obligations will also take into account evidence contained in the various documents submitted to the local planning authority with the planning application.



2 Community Infrastructure Levy

- 2.1 The Community Infrastructure Levy (CIL) in Arun come into force on the 1st April 2020. The proposed development is therefore liable for CIL.
- 2.2 The Application Site is situated within Zone 5 - not within the urban boundaries in the Coastal Area - being that area to the south of the A259.¹
- 2.3 The CIL Rate in this Zone for residential development in £100 per m².²
- 2.4 Social Housing development can seek relief for the CIL charge.³
- 2.5 The CIL Regulations (Regulation 40) require that collecting authorities apply an index of inflation to keep the levy rate responsive to market conditions. The index figure is referred to as the "BCIS All-in Tender Price Index. The District Council has listed on its website the indexed figure for 1st January to 31st December 2022 as £99.40 per m². (<https://www.arun.gov.uk/annual-cil-rate-summary>)
- 2.6 The Charging Schedule explains that once CIL is operational (i.e., from the 1st April 2020 onwards) the number of Section 106 obligations will "significantly reduce" because those developments will be expected to pay CIL. Only a very low level of Section 106 contribution may be needed to address on-site mitigation.
- 2.7 The Council's Infrastructure Funding Statement 2020/2021 lists the infrastructure which the CIL receipt from this and other proposed development could be spent on. This has been reproduced below for convenience:
- Public transport services improvements.
 - Education contributions to meet the education capacity shortfall that non-strategic sites create beyond cumulative impact of the strategic housing allocations.
 - Leisure and Recreation projects including a new leisure centre to make up capacity shortfall that non-strategic sites create beyond the cumulative impact of strategic housing allocations.
 - Green Infrastructure Priority projects, including Active Travel route priorities and Arundel to Littlehampton Walking and Cycling Route (Policy T SP2 Littlehampton to Arundel Green Link).
 - Waste Management projects: Contributions towards the Districts Household Waste Recycling Sites and a joint project between Arun District Council and Chichester District Council to reconfigure the Westhampnett Transfer station/Household Waste Recycling Site to increase capacity.
 - Emergency services, including expansion and improvements to Bognor Police Station and Littlehampton Police Station; Relocation or redevelopment of Littlehampton Fire Station;
 - Strategic flood alleviation schemes and flood prevention measures; maintain Black Ditch flood defences; maintain Arundel to Littlehampton flood defences; sustain flood defences at

¹ Table 5.1 of the Charging Schedule (April 2020)

² Table 6.1 of the Charging Schedule (April 2020)

³ Para 8.2 of the Charging Schedule (April 2020)



Arundel; Adaptive management measures at Pagham Beach; SuDS implementation other than site specific requirements.

- 2.8 The planning obligations listed in the following section for the proposed development do not therefore propose funding of these types of infrastructure and are limited to securing on-site mitigation that is directly related to the proposed development and necessary to make it acceptable in planning terms.



3 Draft Heads of Terms and Obligations

- 3.1 Having regard to the extent of infrastructure that will be funded by CIL, the following represents a list of the likely planning obligations that will be required in conjunction with the grant of planning permission for the proposed development.

Affordable Housing

- 3.2 30% of the dwellings within the development to be provided as affordable housing. The Affordable Housing Statement provides detail in respect of this.

Access and Management Contribution at Pagham Harbour

- 3.3 A financial contribution towards the established Strategic Access and Management measures at Pagham Harbour in accordance with Policy ENV DM2.

Open space and green infrastructure

- 3.4 The parameter plan identifies areas of open space and green infrastructure; an open space and green infrastructure scheme will be required to set out the specification and management and maintenance regimes