

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

DATE: 1st August 2023

FROM: Naomi Hoyland

DISTRICT COUNCIL: Arun

Application Number: WA/56/22/PL

**The Provision of Service Infrastructure Related to: Land East of Fontwell Avenue
Fontwell**

Planning Application details – Variation of condition imposed under WA/48/19/RES relating to condition 1-plans condition to allow an amendment to the non residential floorspace building at the entrance to the site (Block A) and the provision of 5 No new flats. This site also lies within the parish of Barnham and Eastergate.

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, 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 2023 West Sussex County Council will increase the S106 monitoring fee to £240 per trigger, per year of monitoring. Financial triggers are monitored for an average of three years and will therefore produce a fee of £720 per trigger, with non-financial triggers taking around six years to fulfil and therefore costing £1440.

The advice is as follows:

1. School Infrastructure Contribution

The Education Authority for West Sussex County Council are objecting to this application because of the lack of availability of local pupil places. However, if the LPA is minded to grant planning permission for the site then the following obligations are required:

- 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.
- 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.

The secondary financial contribution sought by the County Council would be based on:

The estimated additional secondary aged pupil population that would be generated by the proposed development, and the cost of providing a 10FE secondary school for Arun plus land costs. This equates to a cost of £37,549 per secondary aged pupil generated as a result of the development, as stated in the Developer Obligations for Secondary Contributions in Arun Document 2019, which is a supporting document for the IDP.

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:-

$(\text{DfE figure (Primary)} \times \text{ACP} = \text{Primary Education Contribution}) + (\text{DfE figure (Secondary)} \times \text{ACP} = \text{Secondary Education Contribution}) + (\text{DfE figure (Further Secondary)} \times \text{ACP} = \text{Further Secondary Education Contribution}) = \text{Education Contribution where:}$

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 Housing Units, less any allowance for Affordable Housing Units, as approved by a subsequent reserved matters planning application. The current occupancy rates are as follows:

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 latest published occupancy rates from the census statistics published by the Office for National Statistics 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) Secondary/Further Secondary school building costs per pupil place) as adjusted for the West Sussex area applicable at the date when the School Infrastructure Contribution is paid (which currently for the financial year 2023/2024 is £20,567 – Primary, £37,549 – Secondary; £33,608 for Further Secondary, updated as necessary by the Royal Institute of Chartered Surveyors Building Cost Information Service All-In Tender Price Index.

- 1.3 The primary education contributions generated by this proposal shall be spent on additional facilities at Aldingbourne Primary School and/or Eastergate Primary School and/or Walberton & Binsted Primary Schools.
- 1.4 The secondary education contributions generated by this proposal shall be spent on a new secondary school serving Arun.

- 1.5 The further secondary education contributions generated by this proposal shall be spent on additional facilities at the new secondary school sixth form, or St Philip Howard RC Secondary School sixth form.

2. Library Infrastructure Contribution

- 2.1 The County Librarian advises that the proposed development would be outside the scope of existing facilities at Bognor Regis Library. Therefore, a contribution towards provision of facilities within a community facility in the vicinity of the proposal site is requested.

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; 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:-

$L \times AP$ = 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 Open Market Units and shared Ownership Affordable Housing Units as approved by a subsequent reserve matters planning application. Using the latest published occupancy rates from census statistics published by the Office for National Statistics with the current occupancy rates 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 = Extra library space in sqm. per 1,000 population x the library cost multiplier (which currently for the financial year 2023/2024 are [30/35 sq.m] and £6,027 per sqm respectively).

- 2.3 The contribution generated by this proposal shall be spent on providing an additional community facility in Bognor and Littlehampton areas.

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.

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:-

$Y \times Z$ = Fire and Rescue Service Contribution where:

Note: x = multiplied by.

Y = The estimated adjusted increase in population generated by the Development, calculated by reference to the total number of Housing Units, less any allowance for Affordable Housing Units as approved by a subsequent reserved matters approval. Using the latest published occupancy rates from census statistics published by the Office for National Statistics, with the current occupancy rates 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

Z = the estimated costs of providing additional Fire and Rescue Infrastructure per head in the Southern Service Division of West Sussex at the time of payment (which, for information, for 2023/2024 is £18 for Southern Division)

Fire and Rescue Service Contribution to be used towards the re-location of fire stations and vehicles and equipment in the Southern area.

Transport Infrastructure Contribution

To be dealt with by the West Sussex Highways Case Officer. Further information to follow.

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.

Appropriate occupancy rates using the latest available Census data will be used.

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.

cc: Russell Allen, WSCC Library Services (via email),
Tracey Dunn, WSCC Children and Young People's Services (via email),
Molly Lockett, James McGrath, WSCC Fire Services (via email),



From: Naomi Hoyland [REDACTED]
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Cc: Sue Field <Sue.Field@arun.gov.uk>; Tracey Dunn <[REDACTED]>; Russell Allen
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Subject: WA/56/22/PL - Land East of Fontwell Avenue, Fontwell

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Hi Sue,

Please find attached our S106 consultation response for the above application. Please do not hesitate to contact me if you have any questions.

Kind regards,
Naomi

Naomi Hovland | Senior Technician (S106 Monitoring), Planning Services, West Sussex County Council |
Location: Ground Floor, Northleigh, Chichester, West Sussex, PO19 1RH



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