

Project Title: Land West of Bilsham Road, Yapton

Project No/ Document Reference: A361-TN006 Rev A

Date: 09 March 2022

Author: T. Moloney

Proposed S106 Contributions to Mitigate Development Impact at Comet Corner

1. Introduction

- 1.1. This Technical Note has been prepared in response to a request by West Sussex County Council (WSCC) for more information regarding the level of contributions the applicant is willing to provide towards improvements at the Comet Corner junction.
- 1.2. This report is therefore supplementary information to the Transport Assessment (TA) submitted as part of planning application Ref: Y/3/22/OUT, a *Hybrid Application comprising Phase 1 (Full application) 30 residential dwellings, new access from Bilsham Road, public open space, landscaping, sustainable urban drainage and associated works and Outline planning application for further phases of up to 110 dwellings and associated infrastructure (with all matters reserved)* on land located west of the B2132 Bilsham Road, Yapton.

2. Expected Development Impact

- 2.1. As set out in the TA, for which the trip generation, assignment & distribution and impact study area was agreed with WSCC at the pre-application stage, the development is expected to result in 50% of the two-way traffic generated by the development to route via Comet Corner during the AM and PM peak periods.
- 2.2. As a Hybrid application this equates to an increase of 7 and 8 two-way vehicle movements during the AM and PM peak respectively for the first phase (30 dwellings), with the overall development (140 units) generating 35 and 33 two-way vehicle movements when fully built out.
- 2.3. It is noted in the TA however, *“that the mainline arms along the A259 remain clear in all scenarios with queues being confined to the minor arm approaches. As such the impact upon the Major Road Network itself can be reasonably considered to be only marginal as traffic remains free flowing through the junction up to the end of the local plan.”*

3. Comet Corner Mitigation

- 3.1. The TA also noted that currently there is no scheme in place to improve capacity at the Comet Corner junction to which a proportional contribution can be calculated against. There is however a scheme in



place to improve highway safety at the junction, which according to WSP Report 0165-DR-D, December 2019 carries an estimated cost of £740,000, see extracts in **Appendix A**.

- 3.2. As such contributions provided by other recently approved developments on land to the north of the site (Y/91/17/OUT and Y/92/17/OUT) totalling 550 dwellings have been used as a basis for calculating a reasonable contribution amount.
- 3.3. **Table 3.1** summarises the agreed contributions, while the full S106 documents and extracts have been included in **Appendix B**.

Table 3.1 – Previously Agreed S106 Contributions

Application Ref	No. Units	Total S106 Highway Contributions	Ringfenced Contributions for Specific schemes	Remaining S106 Monies for other WSCC Schemes inc. Comet Corner	£ per unit
Y/92/17/OUT	300	£895,952	£590,500	£305,452	£1,018
Y/91/17/OUT	250	£746,625	£496,250	£250,375	£1,002
Total	550	£1,642,577	£1,086,750	£555,827	£1,010

- 3.4. As can be seen the two approved developments, provided a combined sum of £555,827 for use by WSCC on local improvement schemes, including Comet Corner once specific 'Ring fenced' contributions are deducted. This equates to £1,010 per dwelling when calculated based upon the combined contributions from both developments.
- 3.5. Following further investigations, it remains unknown if any other developments in the area have provided contributions towards this scheme at Comet Corner and so at this stage it is assumed therefore there is a deficit of £184,173.
- 3.6. Further to this however, it is important to note that contributions are sought from developments on an equitable basis. The contributions from the development of site SD7 had no element of contribution from the community infrastructure levy. There was a deliberate NIL rating on strategic development sites allocated in the local plan, whereas this application site will be fully CIL liable.
- 3.7. The receipts collected from CIL are allocated as follows: After 25% of the receipt is apportioned to Yapton Parish Council the remaining 75% is allocated for strategic infrastructure as follows:
 - 70% - West Sussex County Council
 - 20% - Arun District Council
 - 10% - other
- 3.8. The WSCC Infrastructure Funding Statement 20/21 confirms at Section 9.1 *"Highways and Transport Contributions will be secured for sustainable transport improvements to mitigate the impact of development which could include pedestrian and cycle improvement schemes, traffic calming, safer routes to school schemes, bus infrastructure improvements to include real time passenger information,*



traffic regulation orders and public rights of way improvements. For strategic development, larger infrastructure improvements will be sought alongside sustainable measures which may include roundabout and junction improvements, relief roads, major cycle ways and access to public transport.

- 3.9. It is necessary therefore to introduce a discount to the current application against the SD7 site contributions, based on part of the scheme being funded from CIL as without such a discount the applicant will in effect be paying for the same mitigation twice.
- 3.10. The CIL receipt for each dwelling is not yet known as the scheme is not fixed in its entirety. However, an estimate based on the 30 dwellings for which detailed consent is requested would generate a CIL receipt on average of £6,345/ dwelling.
- 3.11. Taking account of the other recipients of CIL, WSCC would retain £3331.25 per dwelling. A proportion of this is available for transport schemes and a proportion of the transport budget could be used for junction improvements.
- 3.12. The split between WSCC CIL projects for education, transport and libraries is currently unknown and will vary according to needs at each location, however for this exercise it is assumed that transport would receive at least a third of the receipt i.e. £1,111 per dwelling.
- 3.13. The list on page 24 of the 2020/21 WSCC infrastructure statement identifies schemes where S106 contributions have been secured, most of which are for bus shelters, footway improvements and cycle routes in Arun. The average contribution per dwelling for the schemes listed, all of which were consented prior to CIL, is c.£327 per dwelling. We therefore calculate that there would be approximately £784 per dwelling available for junction improvements which in this instance would total £109,76.
- 3.14. Based upon these previously agreed contributions from site SD7 of £1,010 per dwelling and deducting £784 collected via CIL, this leaves £226 per dwelling to be made up via this additional S106 payment.
- 3.15. Therefore, the proposed development of 140 dwellings seeking to mitigate its impact at Comet Corner via the current improvement scheme lead by WSCC would be £31,640, bringing the total S106 and CIL contributions from this development potentially available for Comet Corner to £697,227.

4. Proposed S106 Contributions

- 4.1. Based on the above calculations the proposed level of S106 contributions the applicant is willing to pay towards a WSCC improvement scheme at Comet Corner in addition to CIL is £31,640.



Appendix A



West Sussex County Council

COMET CORNER & OYSTERCATCHER



5. OUTLINE COST ESTIMATE

5.1. PREAMBLE

An outline cost estimate has been prepared for the proposed layouts and a detailed cost breakdown is included in **Appendix E**. A cost summary is shown in Table 5 below. Exclusions and assumptions have been revised to take account of requests from WSCC in order to ensure all elements are priced to some extent, although such items would not normally be considered at this stage of scheme development.

Table 5: Cost Summary

Ref	Scheme	Cost
1	Oystercatcher Junction	£5,800,000
2	Comet Corner Junction	£740,000

5.2. ASSUMPTIONS

Due to the nature of this work being at a very early stage in the design process, a number of high level assumptions have been made. At WSCC's request, these are broad assumptions based on limited available information. It is possible that there is an element of double-counting, and the cost of these schemes will reduce following more detailed consideration. Areas of uncertainty are expected to be covered by a detailed Quantitative Costed Risk Analysis in the next phase of scheme development, which would replace the current 20% risk contingency. The following additional assumptions should be noted in response to comments raised by WSCC.

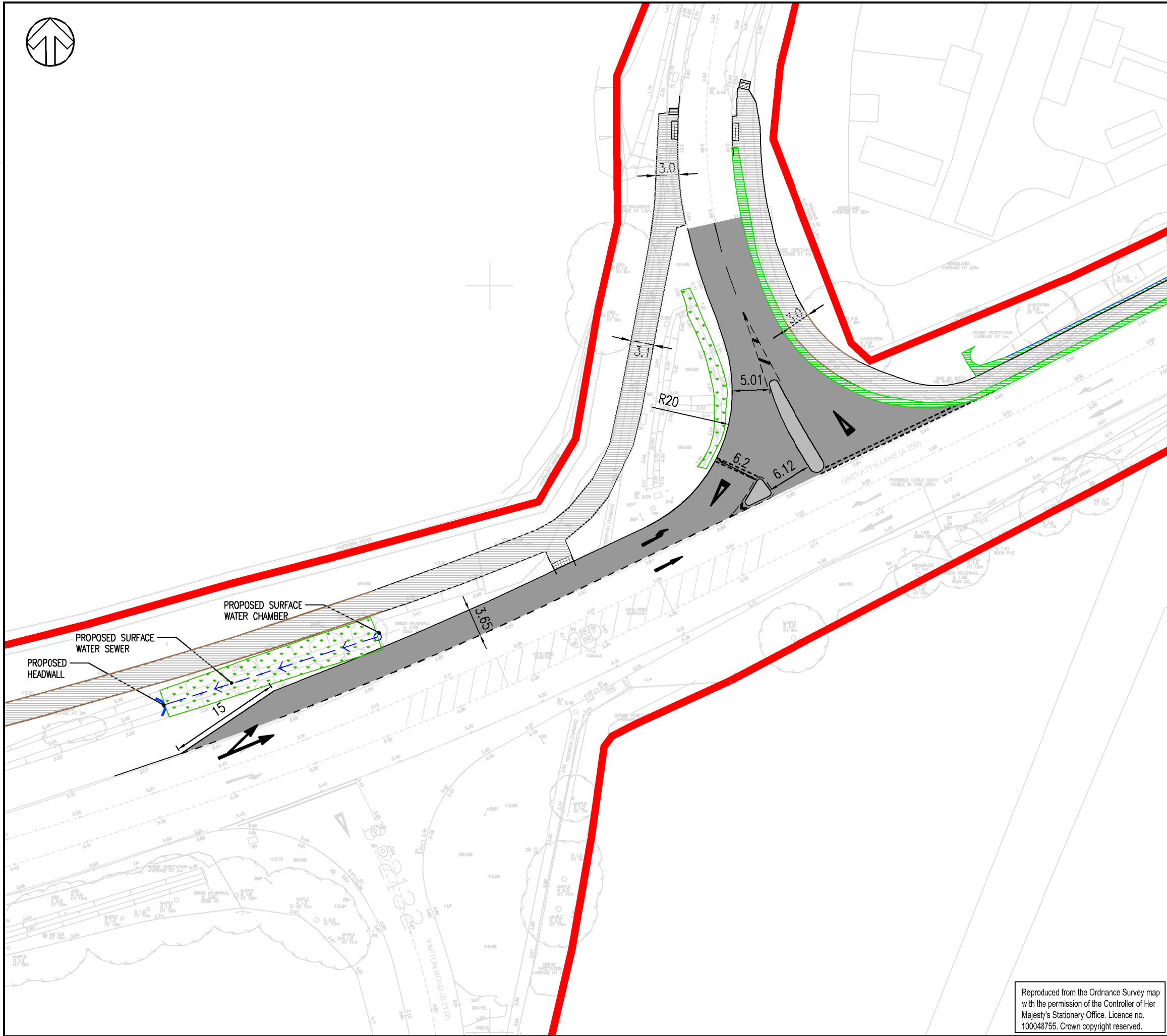
- The outline cost estimates are based at 1st Q 2019
- VAT has not been included
- Wider resurfacing in the locality of the site as not been included, since this is undefined, and is considered to be covered by the risk allowance
- The outline cost estimates have been based upon WSP's drawings No. 0165-SK-100 – P01, 0165-SK-200 - P01 dated January 2019 and use of Google maps.
- Site compound and welfare facilities are included in the 45% prelims allowance
- The earthworks estimate includes an allowance for disposal of some tarbound materials
- Kerbs are assumed to comprise 50% precast concrete and 50% Beany Kerbs
- Use of traffic management is assumed in the rates for working in a live carriageway
- An allowance of 25% has been included for future surveys and investigations
- Optimism bias is assumed at 44%
- A land cost risk of 20% is included

Appendix B

COMET CORNER GENERAL ARRANGEMENT PLAN



File name \\UK.WSPGROUP.COM\CENTRAL_DATA\PROJECTS\70050\XXI\70050165 - WSCC - COMET CORNER & OYSTERCATCHER DESIGN\02 WIPIDE DEVELOPMENT\02 DRAWING\0165-SK-100.DWG, printed on 27 March 2019 11:13:30, by Bah, Oury



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DO NOT SCALE

NOTES:

1. ALL DIMENSIONS ARE IN METRES UNLESS STATED OTHERWISE.
2. THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH ALL OTHER RELEVANT ENGINEERING DETAILS, DRAWINGS AND SPECIFICATIONS.

KEY:

- HIGHWAY BOUNDARY
- EXISTING DITCH TO BE BACKFILLED
- EXISTING CYCLEWAY AND FOOTWAY
- EXISTING GRASS VERGE

P02	27/03/2019	OB	ISSUED FOR INFORMATION	N	N
P01	18/02/2019	OB	FIRST ISSUE	N	N
REV	DATE	BY	DESCRIPTION	CHK	APP

DRAWING STATUS: S2 - FOR INFORMATION



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CLIENT: WSCC

ARCHITECT: -

PROJECT: COMET CORNER & OYSTERCATCHER

TITLE: COMET CORNER

SCALE @ A3: 1:500	CHECKED: AH	APPROVED: AH
PROJECT No: 70050165	DESIGNED: OB	DRAWN: OB
DRAWING No: 0165-SK-100	DATE: January 19	REV: P02

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Appendix B

DATED THIS 3rd DAY OF April

2019

- (1) ARUN DISTRICT COUNCIL
- (2) WEST SUSSEX COUNTY COUNCIL
- (3) FRANCIS CHARLES NEWBOULD,
JEREMY CHARLES LOVEYS AND
MARTYN JOHN COLIN LOVEYS
- (4) RICHARD WILLIAM WESTRON AND
SHIRLEY WESTRON

Agreement pursuant to Section 106 of
the Town and Country Planning Act 1990
and other powers relating to Land at
Bisham Road, Yapton West Sussex
Planning ref: Y/91/17/OUT

Arun District Council
Maltravers Road
Littlehampton
West Sussex
BN17 5LF
DX 57406 LITTLEHAMPTON

"CPI"	means the Consumer Price Index published from time to time by the Office of National Statistics
"Cycleway Contribution"	means a financial contribution of £46,250 (forty-six thousand two hundred and fifty pounds) to be used towards a cycleway between Yapton and Barnham and payable in accordance with paragraph 8 of the Fourth Schedule of this Agreement;
"the Development"	means the development of the Land for the erection of up to 250 residential dwellings (Class C3), vehicular access, public open space, ancillary works and associated infrastructure pursuant to the Permission
"Dwelling Unit"	means a residential dwelling unit to be constructed on the Land pursuant to this Permission and "Dwelling Units" shall be construed accordingly.
"Early Years Contribution"	means a financial contribution of £329,786.82 (three hundred and twenty nine thousand seven hundred and eighty six pounds and eighty two pence) as a contribution towards a new nursery facility for Yapton and payable in accordance with paragraph 1 of the Fourth Schedule of this Agreement;
"Fire and Rescue Contribution"	means a financial contribution to be calculated by reference to the following formula: $Y \times Z = \text{Fire and Rescue Contribution}$ Where: 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 (which for Arun District is 100% only for Affordable Rented Units and for the avoidance of doubt no allowance is made for Intermediate Housing

Units) as approved by a subsequent reserved matters approval.

Using the latest published occupancy rates 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 which is £15 for Southern Division

to be used towards the re-development of the Littlehampton Fire Station and payable in accordance with paragraph 6 of the Fourth Schedule of this Agreement;

“Highways Contributions”

means financial contributions of:

- 1 £450,000.00 (four hundred and fifty thousand pounds) contribution towards full delivery of WSCC's preferred junction improvement scheme at the Oystercatcher junction; and

- 2 £296,625.00 (two hundred and ninety six thousand six hundred and twenty five pounds) contribution towards improvements at Comet Corner, link improvements on the A259 from the western approach to Comet Corner junction to Littlehampton or traffic calking and public realm improvements in Barnham Village centre delivery of proposed improvement scheme in lieu of any other details

"Homes England"	means Homes England or any bodies undertaking the existing functions of Homes England within the meaning of Part I of the Housing and Regeneration Act 2008 (or as redefined by any amendment, replacement or re-enactment of such Act);
"Indicative Dwelling Mix"	means the indicative dwelling mix set out at the Seventh Schedule;
"Index"	means the "All Items" index figure of the Index of Retail Prices published by the Office for National Statistics or any successor government office, ministry or department
"Interest Rate"	means the rate 4% above the base rate from time to time of Bank of England applicable at the date the relevant contribution under this Agreement is paid
"Intermediate Housing Units"	means 25% of the Affordable Housing Units comprising Affordable Housing for sale and rent provided at a cost above social rent but below market levels which can included shared equity (shared ownership and equity loans) other low cost homes for sale and intermediate rent but not Affordable Rented Units;
"Land"	means all that land at Bilsham Lane, Yapton, as shown for identification purposes only edged red on the Plan and being registered at the Land Registry under the title numbers WSX85205, WSX62060 and WSX402437

DATED THIS 30 DAY OF May 2019		
(1)	ARUN DISTRICT COUNCIL	
(2)	WEST SUSSEX COUNTY COUNCIL	
(3)	LANDLINK ESTATES LIMITED	
(4)	DAVID WINSTON LANGMEAD and SANDRA ANN LANGMEAD and DENTON & CO TRUSTEES LIMITED	
	Agreement pursuant to Section 106 of the Town and Country Planning Act 1990 and other powers relating to Land east of Drove Lane, Yapton, West Sussex, BN18 0EB Ref: Y/92/17/OUT	
	Arun District Council Maltravers Road Littlehampton West Sussex BN17 5LF DX 57406 LITTLEHAMPTON	

	c.	the location
	"CCG"	means the Coastal West Sussex Clinical Commissioning Group;
	"CIL Regulations"	means the Community Infrastructure Regulations 2010 (as amended)
	"Commencement"	means the carrying out of a material operation as defined in section 56(4) of the Act in respect of the Development but excluding for the purposes of this Agreement and for no other purpose) any operation relating to works of investigations in respect of land contamination or remedial action in respect thereof enabling works site clearance demolition archaeological investigations and digs exploratory boreholes operations permitted by the Town and Country Planning General Permitted Development) Order 1995 the erection of hoardings and fencing temporary diversion of services and signage (including the formation of temporary construction accesses) and "Commence " shall be construed accordingly;
	"Commencement Notice"	means notice in the form annexed to this Agreement as the First Schedule;
	"CPI"	means the Consumer Price Index published from time to time by the Office of National Statistics
	"Cycleway"	means the potential alignments of an addition to the Yapton to Barnham cycle route as shown indicatively coloured in green on the Plan attached to this Agreement at Appendix 2 which cycleway shall be dedicated pursuant to S.25 Highways Act 1980 pursuant to paragraph 8.1 of the Fourth Schedule of this Agreement;
	"Cycleway Contribution"	means a financial contribution of £40,500.00 (forty thousand five hundred pounds) towards the provision of the Cycleway by the County Council and payable in accordance with paragraph 8.2

		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 2018/19 is £15 for Southern Division) and to be used towards the re-development of the Littlehampton Fire Station and payable in accordance with paragraph 6 of the Fourth Schedule of this Agreement;				
	"Highway Contribution"	means a financial contribution of: <table><tr><td>1</td><td>£550,000.00 (five hundred and fifty thousand pounds) as a contribution towards delivery of WSCC Preferred junction improvement scheme for the Oystercatcher Junction</td></tr><tr><td>2</td><td>£345,952.00 (three hundred and forty-five thousand nine hundred and fifty two pounds) as a contribution towards improvements at Comet Corner , link improvements on the A259 from the western approach to Comet Corner junction to Littlehampton or towards traffic calming and public realm improvements in Barham village centre</td></tr></table> and payable in accordance with paragraph 7 of the Fourth Schedule of this Agreement;	1	£550,000.00 (five hundred and fifty thousand pounds) as a contribution towards delivery of WSCC Preferred junction improvement scheme for the Oystercatcher Junction	2	£345,952.00 (three hundred and forty-five thousand nine hundred and fifty two pounds) as a contribution towards improvements at Comet Corner , link improvements on the A259 from the western approach to Comet Corner junction to Littlehampton or towards traffic calming and public realm improvements in Barham village centre
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	"Homes England"	means Homes England or any bodies undertaking the existing functions of Homes England within the meaning of Part I of the Housing and Regeneration Act 2008 (or as redefined by any amendment, replacement or re-enactment of such Act);				
	"Improvement Works"	means the provision of the following on the existing public highway:				

Transport
Development Planning
Sustainable
Deliver
Trusted
Enable
Site Appraisal
Hydrology
Highways
Civil Engineering
Successful
Travel Planning
Support
Drainage
Dynamic
Masterplanning
Flood Risk Assessment
Infrastructure Design

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