

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

DATE: 6th November 2019

FROM: Naomi Hoyland

DISTRICT COUNCIL: Arun

Application Number: Y/83/19

The Provision of Service Infrastructure Related to: Clays Farm, North End Road, Yapton, BN18 0DT

Planning Application details – Outline application with some matters reserved for the erection of 33 No. dwellings, access roads, landscaping & associated works (resubmission following Y/62/18/OUT). 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 secondary education contribution has been calculated in accordance with the Developer Obligations regarding the 10FE secondary school requirement in Arun District Council Document 2019, which is a supporting document for the Arun Infrastructure Delivery Plan 2017 (IDP).

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 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 Primary and Further Secondary 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 (Primary) x ACP = Primary Education Contribution) + (DfE figure (Further Secondary) x ACP = Further Secondary Education Contribution) = Primary and Further Secondary 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) (Primary/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 2019/2020 is £18,370 – Primary, £30,019 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 contributions generated by this proposal shall be spent on internal alterations and reconfiguration to accommodate additional pupils and increase classroom provision at Yapton CofE Primary School (or its successor).

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

1.4 Secondary Financial Contribution

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 £33,538 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 secondary 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:-

$£33,538 \times \text{ACP} = \text{Secondary Education Contribution}$ 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, 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 5 year groups for secondary (years 7 to 11).

The secondary contributions generated by this development will be spent on phase 1 of the new secondary school serving Arun.

2. Library Infrastructure Contribution

- 2.1 The County Librarian advises that the proposed development would be within the area served by Arundel 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:-

$L \times AP = \text{Libraries Infrastructure Contribution}$ 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 Open Market Units and shared Ownership Affordable Housing Units, less any allowance for 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 2019/2020 are [30/35 sq.m] and £5,384 per sqm respectively).

- 2.3 The contributions generated by this proposal shall be spent on additional stock at Arundel 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:-

$Y \times Z$ = 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 2018/19 is £15 for Southern Division)

Fire and Rescue Service Contribution to be used towards new anti-ventilation and UHP (ultra-high pressure) equipment which allows the fire service to control access and smoke penetration within the Southern area serving the parish of Yapton.

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.

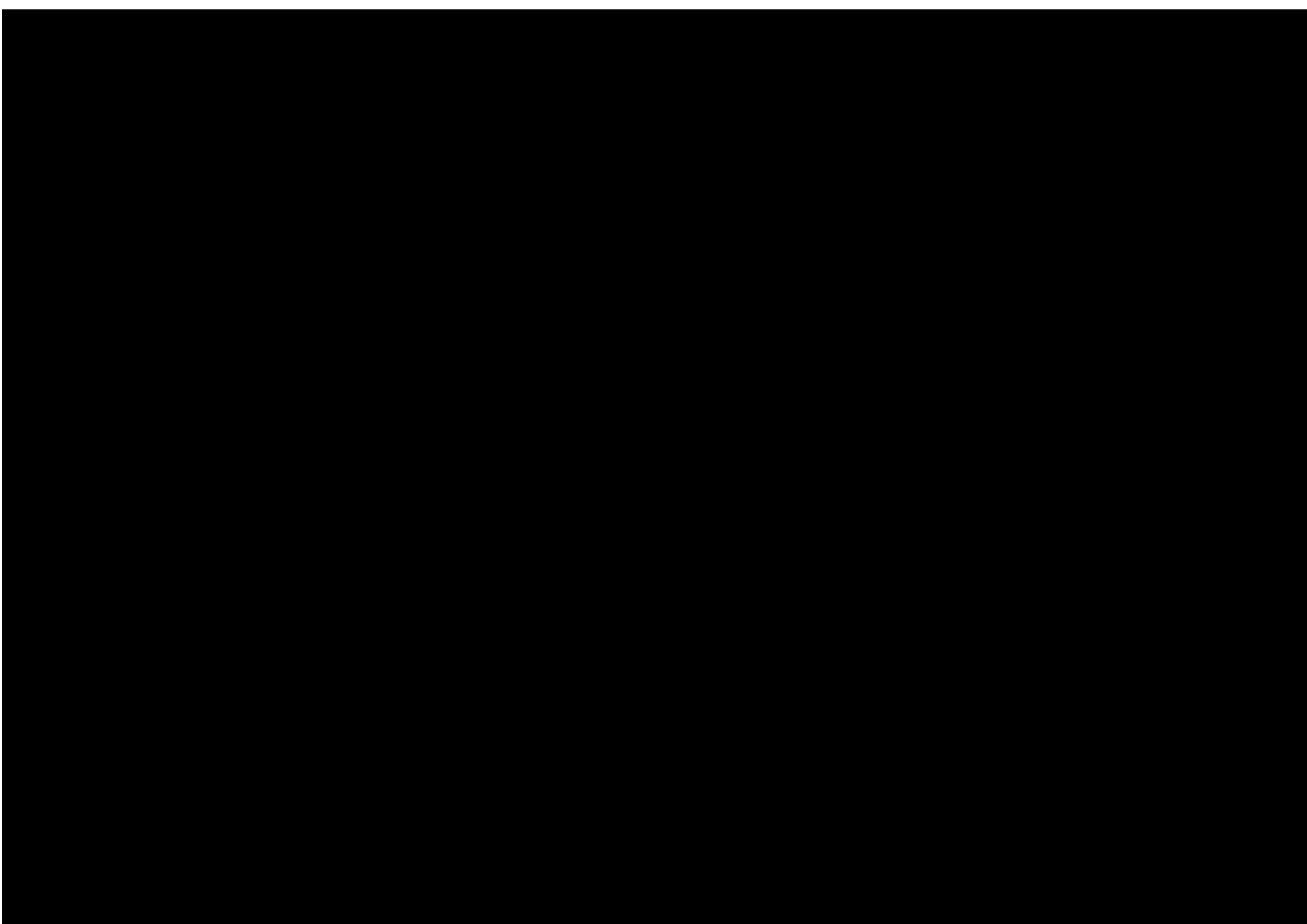
Appropriate occupancy rates using the latest available Census data will be used.

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: Karen Wallace, WSCC Library Services (via email),
Tracey Dunn, WSCC Children and Young People's Services (via email),
David Boarer, WSCC Fire Services (via email),



From: Eloise Short [REDACTED]
Sent: 06 November 2019 11:55
To: Simon Davis <Simon.Davis@arun.gov.uk>
Cc: Elaine Munns [REDACTED]; Naomi Hoyland [REDACTED]; Jamie Brown [REDACTED]
Subject: RE: Y/83/19/OUT - Outline Application for 33 dwellings at Clays Farm, North End Road, Yapton

Hi Simon,

There is a change in the response, which is due to the new approach to calculating the secondary contribution in Arun. I have attached the consultation response for Y/83/19 here. The schemes and formula approach for the primary, sixth, libraries and fire contributions remain the same as for Y/62/18 (the cost multipliers have been updated for this financial year in the attached response).

Please contact me if you have any questions.

Kind regards,

Eloise Short
Assistant Planner | Planning Policy and Infrastructure | Planning Services
Ground Floor, Northleigh, County Hall, Chichester, PO19 1RH



From: Elaine Munns
Sent: 31 October 2019 09:13
To: Naomi Hoyland; Eloise Short; Jamie Brown
Cc: simon.davis@arun.gov.uk
Subject: FW: Y/83/19/OUT - Outline Application for 33 dwellings at Clays Farm, North End Road, Yapton

Hi Naomi/Eloise

Could you take a look at this and advise? Should we now be applying the new secondary education formula to the site? I'm on leave after tomorrow so would you be able to respond directly to Simon?

Jamie – could you verify your highway requirements too?

Many thanks everyone

Elaine.

From: Simon Davis [<mailto:Simon.Davis@arun.gov.uk>]
Sent: 30 October 2019 12:53
Subject: Y/83/19/OUT - Outline Application for 33 dwellings at Clays Farm, North End Road, Yapton

Dear All,

You have had consultation requests for this application which is a resubmission of Y/62/18/OUT.

We are currently finalising a S.106 Agreement for the previous application (pending an expected appeal) and I wanted to know whether your requested contributions/provisions will be different to those requested on the last application. I provide below summary tables of the requests for financial/non-financial obligations from the last application which are in the S.106 which is being finalised. Can you advise whether your requests will be different for this new application? If they are the same, then there is no need for you to provide a new consultation response (a reply to this email will suffice) and we won't need to draft up a new S.106 Agreement. However, if they are to change, then that is fine and I will instruct our solicitor to prepare a second Agreement.

Financial obligation(s) summary or change	Trigger Point	Amount	Due to (ADC, WSCC, NHS, other)	Destination/ project	5% or £15,000 for related projects	Spend by restriction
Healthcare contribution	Prior to occupation of 10th market housing unit	£41,957 Index Linked	NHS	For the needs of managing "on the day demand" at The Croft (preferred option) or alternative site (linked to where patients register/receive services)	n/a	n/a

				Likely used to assist with the creation of a new integrated community hub facility at the Croft Medical Centre on Barnham Road in Eastergate		
Primary Education Contribution	Prior to occupation of 10 th market housing unit	Formula - see WSCC Response for full text	WSCC	Internal alterations and reconfiguration to accommodate additional pupils and increase classroom provision at Yapton C of E Primary School (or its successor)	n/a	n/a
Secondary Education Contribution	Prior to occupation of 10 th market housing unit	Formula - see WSCC Response for full text	WSCC	On additional facilities at St Philip Howard Catholic High School.	n/a	n/a
6th Form Education Contribution	Prior to occupation of 10 th market housing unit	Formula - see WSCC Response for full text	WSCC	Additional facilities at St Phillip Howard Catholic High School Sixth Form;	n/a	n/a
Libraries Contribution	On or before commencement	Formula - see WSCC Response for full text	WSCC	On additional stock at Arundel Library;	n/a	n/a
Fire & Rescue	On or before commencement	Formula - see WSCC Response for full text	WSCC	Towards new anti-ventilation and UHP (ultra-high pressure) equipment which allows the fire service to control access and smoke penetration within the Southern area serving the parish of Yapton	n/a	n/a
Public Open Space/LAP Maintenance Contribution	Within 2 months of completion of POS/LAP	£13.51 per m2 (only if to be passed to ADC for adoption. Otherwise then a management plan to be submitted	ADC (Sue Howell)	n/a	n/a	n/a

NON-FINANCIAL Obligation Summary	Trigger Point	Due To (ADC, WSCC, Other)	Department/Officer to Confirm Compliance
Affordable Housing - 30% (10) affordable homes on-site. Arjan de Jong to advise on mix	Not to occupy or cause to allow to occupy more than 50% of the market housing units in the	ADC	ADC – Arjan de Jong

	development until the affordable housing is provided on the land		
Provision of POS area and a LAP & LEAP within it	Completed no later than occupation of 25th market housing unit	ADC	ADC – Sue Howell
Where the developer intends to keep some of the estate roads private, WSCC 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.	n/a	WSCC	WSCC

Kind Regards

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, Arun District Council |
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Please note that I typically work from home on Thursdays when I am unreachable on my work phone

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