

## PLANNING SERVICES DIVISION: SECTION 106 CONSULTATION RESPONSE

DATE: 10<sup>th</sup> November 2023

FROM: Naomi Hoyland

DISTRICT/BOROUGH COUNCIL: Mid Sussex

Application Number: DM/23/2610

**The Provision of Service Infrastructure Related to Land South of Hanlye Lane,  
Longacre Crescent, Cuckfield, West Sussex**

**Planning Application details – Residential development of 55 dwellings with  
vehicular and pedestrian access, car parking, open space, play space, landscaping  
and all other associated works**

### Summary of Contributions

| Education                                                 |                |           |          |
|-----------------------------------------------------------|----------------|-----------|----------|
| School Planning Area                                      | Haywards Heath |           |          |
| Population Adjustment                                     | 125.1          |           |          |
|                                                           | Primary        | Secondary | 6th Form |
| Child Product                                             | 1.2786         | 1.2786    | 0.6904   |
| Total Places Required                                     | 8.9502         | 6.3930    | 0.0000   |
| Library                                                   |                |           |          |
| Locality                                                  | Haywards Heath |           |          |
| Contribution towards Hassocks/<br>Hurstpierpoint/Steyping | £0             |           |          |
| Contribution towards Burgess Hill                         | £0             |           |          |
| Contribution towards East<br>Grinstead/Haywards Heath     | £22,619        |           |          |
| Population Adjustment                                     | 125.1          |           |          |
| Sqm per population                                        | 30/35          |           |          |
| Waste                                                     |                |           |          |
| Adjusted Net. Households                                  | 55             |           |          |
| Fire                                                      |                |           |          |
| No. Hydrants                                              | TBC            |           |          |
| Population Adjustment                                     | N/A            |           |          |
| £/head of additional population                           | N/A            |           |          |
| TAD- Transport                                            |                |           |          |
| Net Population Increase                                   | 125.1          |           |          |
| Net Parking Spaces                                        | 140            |           |          |
| Net Commercial Floor Space sqm                            | 0              |           |          |
| Total Access (commercial only)                            | 0.0000         |           |          |

### Summary of Contributions

| S106 type                        | Monies Due              |
|----------------------------------|-------------------------|
| Education - Primary              | £184,078                |
| Education - Secondary            | £198,112                |
| Education - 6 <sup>th</sup> Form | No contribution         |
| Libraries                        | £22,619                 |
| Waste                            | No contribution         |
| Fire & Rescue                    | No contribution         |
| No. of Hydrants                  | secured under Condition |
| TAD                              | £208,789                |
| Total Contribution               | £613,598                |

*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*

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 *National Planning Policy Framework, 2019*.

The CIL Regulations 2010 (as amended by the CIL amendment Regulations 2019) came into force on 1<sup>st</sup> 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 1<sup>st</sup> 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 proposal falls within the Mid Sussex District and the contributions comply with the provisions of Mid Sussex District Local Development Framework Supplementary Planning Document- Development Infrastructure and Contributions July 2018.

All TAD 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 55 net dwellings, and an additional 140 car parking spaces.

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 West Sussex County Council website (<http://www.westsussex.gov.uk/s106>).

## 5. 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 2024. 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 school building costs should be by reference to the DfE adopted Primary/Secondary 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 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.**

The primary education contribution generated by this proposal shall be spent on additional facilities at Holy Trinity C of E Primary School, or another primary school in the planning area of Haywards Heath/Cuckfield should this be more suitable at the time that the contribution is made.

The secondary education contribution generated by this proposal shall be spent on additional facilities at Warden Park Secondary Academy.

The library contribution will be spent on additional facilities at Haywards Heath Library.

The TAD contribution will be spent on cycle, pedestrian and Public Rights of Way improvements which promote sustainable movement between the development and local infrastructure in accordance with the West Sussex Walking and Cycling strategy.

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 include indexation arrangements whereby all financial contributions will be index linked from the date of this consultation response to the date the contributions become due.

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.

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 WSCC.

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.

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**

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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.

$$\text{TPR} = (\text{No of year groups}) \times (\text{child product})$$

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).

$$\text{Child Product} = \text{Adjusted Population} \times 14 / 1000$$

Note: The adjusted education population for the child product excludes population generated from 1 bed units, Sheltered and 55+ Age Restricted Housing. Affordable dwellings are given a 33% discount.

b) Cost multiplier- Education Services

The cost multiplier is a figure released by the Department for Education. It is a school building costs per pupil place as at 2023/2024, updated by Royal Institute of Chartered Surveyors' Building Cost Information Service All-In Tender Price Index. Each Cost multiplier is as below:

- Primary Schools- **£20,567 per child**
- Secondary Schools- **£30,989 per child**
- Sixth Form Schools- **£33,608 per child**

## 2. Library Infrastructure

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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:

$$\text{Contributions} = \text{SQ M Demand} \times \text{Cost Multiplier}$$

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.

$$\text{Square Metre Demand} = (\text{Adjusted Population} \times \text{LFD}) / 1000$$

b) Cost Multiplier- Library Infrastructure

WSCC estimated cost of providing relatively small additions to the floorspace of existing library buildings is **£6,027** per square metre. This figure was updated by Royal Institute of Chartered Surveyors' Building Cost Information Service All-In Tender Price Index for the 2023/2024 period.

## 3. TAD- Total Access Demand

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The methodology is based on total access to and from a development. An **Infrastructure Contribution** is required in respect of each occupant or employee provided with a parking space, as they would be more likely to use the road infrastructure. The **Sustainable Transport**

**Contribution** is required in respect of each occupant or employee not provided with a parking space which would be likely to rely on sustainable transport.

**TAD = Infrastructure contribution + Sustainable Transport contribution**

a) Infrastructure Contribution

Contributions for Infrastructure are determined by the new increase in car parking spaces, multiplied by WSCC's estimated cost of providing transport infrastructure per vehicle Infrastructure cost multiplier. The Infrastructure cost multiplier as at 2023/2024 is £1,575 per parking space.

**Infrastructure contributions = Car parking spaces x Cost multiplier**

b) Sustainable Transport Contribution

This is derived from the new car parking increase subtracted from the projected increase in occupancy of the development. The sustainable transport contribution increases where the population is greater than the parking provided. The sustainable transport figure is then multiplied by the County Council's estimated costs of providing sustainable transport infrastructure cost multiplier (£786).

**Sustainable transport contribution = (net car parking – occupancy) x 786**

Note: occupancy is determined by projected rates per dwelling and projected people per commercial floorspace as determined by WSCC.

cc: **Peter Sugden/Russell Allen, WSCC Library Services (via email)**  
**Vanessa Cummins, WSCC Children and Young People's Services (via email)**