

**Town and Country Planning Act 1990**

**Appeal Ref: APP/D3830/W/23/3344121**

**Local Planning Authority: Mid Sussex District Council**

**Local Authority Ref: AP/24/0030 and DM/23/3114**

**Appeal by: Churchill Retirement Living**

**Appeal Site: 68 and 70 Keymer Road, Hassocks, West Sussex, BN6 8QP**

**Proposal: Redevelopment for retirement living accommodation for older people comprising 41no. apartments including communal facilities, access, car parking and landscaping. (Amended plans received including revised fenestration and internal layout. Additional plans including sections and boundary treatments 10/04/24).**

**Written CIL Justification by West Sussex County Council**

**Date: 21<sup>st</sup> June 2024**

## 1. West Sussex County Council Requirements

West Sussex County Council ("WSCC") were consulted by Mid Sussex District Council ("MSDC"), acting as Planning Authority, on planning application DM/23/3114. WSCC considered the implications of the proposed development upon the highway network and assessed the level of contributions required to mitigate the impact of the development upon the local County Council infrastructure. The WSCC consultation response dated 4<sup>th</sup> January 2024 was forwarded to MSDC and provided advice on levels of contributions required at the site. In addition the Highway Authority, within West Sussex County Council, identified a requirement for a Travel Plan in their response dated 25 April 2024. The following contributions were identified to be secured by way of a Section 106 planning obligation:

- (a) Libraries: £13,015;
- (b) Highways (TAD): £57,175;
- (c) Travel Plan Statement;
- (d) Travel Plan Statement monitoring fee £1,635.

The contributions listed above assume that CIL is **not** adopted at the time of the Appeal and the Local Planning Authority's existing Section 106 policies are still in force.

## **2. Libraries Contribution**

### **2.1 Library services within Hassocks**

Library facilities in towns with catchment populations between 5-20,000 are provided by means of a main library within the town centre in an accessible location, which is in line with the standards laid out by the International Federation of Library Associations and Institutions (IFLA). In Hassocks the nearest library is within Hassocks itself and which serves the town and surrounding population, and which is the nearest library for the Appeal Site.

As a result of the proposed development within Hassocks and the surrounding area, the library will need expanding in order to cope with the higher demands placed on it by a larger population. The current size of the library does not have the space to cope with the development proposed at the Appeal Site. The recommended level of space required is 35m<sup>2</sup> per 1000 population (IFLA data) and the aim of WSCC is to expand the facilities at the existing library in order to cope with the extra demand.

The additional floor space required for library provision is 35m<sup>2</sup> per 1000 persons so using Office for National Statistics data to determine the average occupancy rates of the dwellings in the proposal will give an Additional Space Required figure from the new population from the proposed development at the Appeal Site of 2.16. For a care home occupancy rates are assumed to be single-occupancy bedrooms. This figure is then multiplied by the cost multiplier which currently stands at £6,027 to give a contribution of **£13,015** (rounded) for Libraries to mitigate the impact of the proposed development at the Appeal Site.

### **2.2 How the contribution will be used**

The contribution will be utilised on providing extra facilities at Hassocks library to cope with the demands of a growing population from development.

## 2.3 Satisfying statutory tests

This methodology satisfies the three statutory tests in the Community Infrastructure Levy Regulations (SI 2010/948), and endorsed in Paragraph 56 in the NPPF (2018) in the following ways:

- (i) *Necessary to make the development acceptable in planning terms* – the current library facilities in Hassocks cannot cope with the extra demand from an increasing population;
- (ii) *Directly related to the development* – the Hassocks library is the nearest library for the Appeal Site and the contribution is to be used for a project relevant to the type of development proposed;
- (iii) *Fairly and reasonable related in scale and kind to the development* – as demonstrated above in the formula-based approach to calculating the contribution.

## 3 Highways (TAD) contribution

### 3.1 TAD Methodology

TAD is based on a formula to improve transparency and predictability. The TAD methodology formula has two elements that consider 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**

#### Infrastructure Contribution

Contributions for Infrastructure are determined by the net increase in car parking spaces, multiplied by WSCC's estimated cost of

providing transport infrastructure per vehicle known as the Infrastructure cost multiplier. The Infrastructure cost multiplier as at 2023/24 was £1,575 per parking space.

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

#### Sustainable Transport Contribution

This is derived from the net 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 at the time of the consultation).

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

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

Based upon the above formula, a contribution of **£57,175** would be sought.

The TAD methodology was adopted as Supplementary Planning Guidance (SPG) in November 2003.

### **3.2 How the contribution will be used**

Paragraph 102 of the NPPF (2018) states that, “opportunities to promote walking, cycling and public transport use [should be] identified and pursued”. The purpose of the TAD Contribution is therefore to be used to achieve measures that would promote and influence travel patterns for new residents of the proposed development. For the current development this will include employees, carers and visitors to the care home. Such improvements would also potentially confer a wider benefit to the surrounding community. The schemes identified below all fulfil this criterion.

The Highway Authority has identified a sustainable project within the vicinity of the Appeal Site that could be delivered by way of contributions from development:

#### Active Travel Improvements in Hassocks

This project would provide improved public transport/pedestrian/cycle facilities to encourage less car dependency and the use of sustainable transport modes. This is in accordance with the NPPF.

### **3.3 Satisfying statutory tests**

This methodology satisfies the three statutory tests in the Community Infrastructure Levy Regulations (SI 2010/948) and endorsed in Paragraph 56 in the NPPF (2018) in the following ways:

- (i) *Necessary to make the development acceptable in planning terms* - the proposed TAD contribution would enable the provision of improved infrastructure at identified locations, which would encourage and promote the use of sustainable transport modes.
- (ii) *Directly related to the development* – the identified scheme will be situated close to and would directly benefit occupants, their

visitors and their carers at the proposed development, should the appeal be permitted.

- (iii) *Fairly and reasonable related in scale and kind to the development*  
– the contribution is based upon a formula and is hence influenced by the size of the proposed development.

#### **4 Travel Plan Statement and Travel Plan Statement monitoring fee**

The requirement for a Travel Plan is considered to accord with both national and local planning policy. Paragraph 113 of the National Planning Policy Framework states, "All developments that will generate significant amounts of movement should be required to provide a travel plan." The Mid Sussex District plan 2014-31, under Policy DP21: Transport, states, "Development which generates significant amounts of movement is supported by a Transport Assessment/ Statement and a Travel Plan that is effective and demonstrably deliverable including setting out how schemes will be funded" It is therefore considered to be policy compliant, and in accordance with both national and local planning policy to seek a Travel Plan in this instance.

The Travel Plan auditing fees reflect the amount of local authority officer time required to evaluate the initial plan, assess the monitoring data and participate in on-going review and agreement to any amended plans in the future, including post planning once the development is built out and occupied. The costs have been benchmarked against fees charged by other Local Authorities and are considered to be proportionate and reflective of the costs incurred.

Based on the information above WSCC, as Highway Authority, considers that the need to produce a Travel Plan Statement, to promote and encourage active and sustainable transport and the monitoring fee to cover the additional resource implications placed on the Highway Authority for the ongoing review on this travel plan statement, through the lifetime of the plan satisfies the three statutory tests in the

Community Infrastructure Levy Regulations (SI 2010/948) and endorsed in Paragraph 56 in the NPPF (2018) in the following ways:

*(i) necessary to make the development acceptable in planning terms* – the proposed Travel Plan Statement will increase sustainable travel within the development and encourage and promote the use of sustainable transport methods;

*(ii) directly related to the development* – the Travel Plan Statement will directly benefit occupants and carers of the Appeal Site; and

*(iii) fairly and reasonably related in scale and kind to the development* – the Travel Plan Statement requirements are proportionate to the size and type of the development and benchmarked against other local authorities.

There is a clear planning policy basis for the request; the Travel Plan Statement is directly related to seeking to mitigate the impact of travel to and from the development and therefore directly related to the development and the scale of the travel plan statement and the auditing fee have been bench marked with other authorities and therefore is considered to relate to the scale of the proposals.

#### **4. Conclusion**

WSCC contends that the infrastructure contributions and obligations set out are in full accordance with the requirements set out in the National Planning Policy Framework (2018) and in Regulation 122 and 123 of the Community Infrastructure Levy Regulations 2010 and, as such, requests that the Inspector includes these requirements, should it be determined that planning permission is granted.