

**WEST SUSSEX COUNTY COUNCIL  
PLANNING SERVICES DIVISION: SECTION 106 CONSULTATION RESPONSE**

**DATE: 19<sup>th</sup> August 2022**

**FROM: Naomi Hoyland**

**DISTRICT COUNCIL: Mid Sussex**

**Application Number: DM/22/2416**

**The Provision of Service Infrastructure Related to: Land South of Henfield Road, Albourne, West Sussex**

**Planning Application details: Outline planning permission for the erection of up to 120 residential dwellings including 30% affordable housing, public open space and community facilities. All matters are reserved except for access**

**S106 Contributions Sought**

Primary Education  
Secondary Education  
Libraries  
Total Access Demand

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 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 2020 West Sussex County Council will implement a S106 monitoring fee of £200 per trigger, per year of monitoring. Financial triggers are monitored for an average of three years and will therefore produce a fee of £600 per trigger, with non-financial triggers taking around six years to fulfil and therefore costing £1200.

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.

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 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 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, with a 33% discount, 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:-

ACP x number of year groups = TPR (Total Places Required)

TPR x (DfE figure (Primary) = Primary Education Contribution) + (DfE figure (Secondary) x TPR = Secondary Education Contribution) + (DfE figure (Further Secondary) x TPR = Further Secondary Education Contribution) = 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 2022/2023 is £20,229 – Primary, £30,480 – Secondary; £33,056 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 contributions generated by this proposal shall be spent on additional facilities at Albourne CofE Primary school.
- 1.4 The contributions generated by this proposal shall be spent on additional facilities at Downlands Community school.

## **2. Library Infrastructure Contribution**

- 2.1 The County Librarian advises that the proposed development would be within the area served by Hurstpierpoint 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 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; 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 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 2022/2023 are [30/35 sq.m] and £5,928 per sqm respectively).

- 2.3 The contributions generated by this proposal shall be spent on additional facilities at Hurstpierpoint Library.

## 3. **Transport (TAD) Contribution**

- 3.1 The Total Access Demand Contribution will be calculated by the County Council in accordance with the following formula:

Total Access Demand Contribution = Sustainable Access Contribution + Infrastructure Contribution, where:

Sustainable Access Contribution =  $(C - D) \times E$ , where:

C (Total Access) =  $(A \text{ (number of dwellings)} \times B \text{ (Occupancy per dwelling)})$  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
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		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

D = Parking Spaces provided by the residential development element of the Proposed Development

E = Standard multiplier of £773

Infrastructure Contribution = D x F, where:

D = Parking Spaces provided by the residential development element of the Proposed Development

F = Standard multiplier of £1,549

Where affordable dwellings are involved, the appropriate discount is applied to the population increase (A x B) before the TAD is formulated.

3.2 The contributions generated by this proposal shall be spent on:

- A scheme which improves the safety of road users and pedestrians along the Albourne stretches of the B2118 and B2116 roads and/or
- Cycle improvements in accordance with the West Sussex Walking and Cycling Strategy which improve sustainable links from Albourne to Sayers Common, Hurstpierpoint and Hassocks and/or
- Traffic management improvements across the Parish in accordance with the Albourne Neighbourhood Plan.

### **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.

Any payment required for a Traffic Regulation Order (TRO) in respect of the proposed development is due either on the commencement of development or receipt of a TRO application to the County Council, whichever is the earlier.

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.

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