



# BOGNOR REGIS TOWN COUNCIL

TOWN CLERK Glenna Frost, The Town Hall, Clarence Road,

Bognor Regis, West Sussex PO21 1LD

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Dear Sir/Madam,

## **MEETING OF THE PLANNING AND LICENSING COMMITTEE**

I hereby give you Notice that a Meeting of the Planning and Licensing Committee of the Bognor Regis Town Council will be held at The Town Hall, Clarence Road, Bognor Regis at **6.30pm on TUESDAY 8<sup>th</sup> JANUARY 2019.**

All Members of the Planning and Licensing Committee are **HEREBY SUMMONED** to attend for the purpose of considering and resolving upon the Business to be transacted, as set out hereunder. An opportunity will be afforded to **Members of the Public** to put **Questions/Statements** to the Committee during an adjournment shortly after the meeting has commenced. (NOTE: Members of the public will be asked to provide their names and addresses and are encouraged to put questions/statements in advance, in writing. Priority will be given to written questions/statements. These should be restricted to the functions of this Committee.)

Refreshments will be available and any donations to the Mayor's Charity will be gratefully received.

**DATED this 24<sup>th</sup> day of DECEMBER 2018**

**CLERK TO THE COUNCIL**

### **THE AGENDA and BUSINESS to be TRANSACTED is:**

1. Chairman's Announcements and Apologies for Absence
2. Declarations of Interest  
Members and Officers are invited to make any declarations of Disclosable Pecuniary and/or Ordinary Interests that they may have in relation to items on this agenda and are reminded that they should re-declare their Interest before consideration of the item or as soon as the Interest becomes apparent and if not previously included on their Register of Interests to notify the Monitoring Officer within 28 days.  
Members and Officers should make their declaration by stating:
  - a) the item they have the Interest in
  - b) whether it is a Disclosable Pecuniary or Ordinary Interest
  - c) the nature of the Interest
  - d) if it is an Ordinary Interest whether they intend to leave the room for the discussion and vote
  - e) if it is a Disclosable Pecuniary Interest, and therefore must leave the room for the discussion and vote, whether they will be exercising their right to speak on this matter under Public Question Time
3. To approve the Minutes of the Planning and Licensing Committee Meeting held on 18<sup>th</sup> December 2018
4. Adjournment for public question time and statements
5. Clerk's Report from previous Minutes

6. To consider Premises Licence Applications including any variations and any other Licence Applications
7. To consider Planning Applications on Lists dated 21<sup>st</sup> December 2018 and 4<sup>th</sup> January 2019
8. To consider commenting on any significant Planning Applications outside the wards of Bognor Regis, that may impact on the infrastructure of Bognor Regis on Lists dated 21<sup>st</sup> December 2018 and 4<sup>th</sup> January 2019
9. Notification of any applications to be considered at the next ADC Development Control Committee Meeting
10. To consider a response to the Arun Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule Consultation 2018
11. To consider changes to WSCC parking management
12. Correspondence

**ALL MEMBERS OF THE PUBLIC ARE WELCOME TO ATTEND**  
**MEMBERS ARE REMINDED THAT PLANS ARE AVAILABLE FOR**  
**INSPECTION IN THE TOWN CLERK'S OFFICE**

**THERE IS A LIFT AVAILABLE AT THE TOWN HALL FOR ACCESS TO THE**  
**COUNCIL CHAMBER IF REQUIRED**



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## **MINUTES OF THE PLANNING AND LICENSING COMMITTEE MEETING**

**HELD ON TUESDAY 18<sup>th</sup> DECEMBER 2018**

**PRESENT:** Cllr. Mrs. J. Warr (Chairman), Cllrs: Mrs. S. Daniells,  
S. Goodheart (during Min. 155) and M. Stanley

**IN ATTENDANCE:** Mrs. J. Davis (Civic & Office Manager)  
1 member of the press

*The Meeting opened at 6.31pm*

### **150. CHAIRMAN'S ANNOUNCEMENTS AND APOLOGIES FOR ABSENCE**

The Chairman welcomed those present and went through the evacuation procedure in the event of a fire. Apologies for absence were received from Cllrs. Cosgrove, Dillon and Woodall who had prior engagements. Furthermore, in line with the report given at the November Town Council Meeting, Cllr. Enticott was also absent.

### **151. DECLARATIONS OF INTEREST**

Members and Officers were reminded to make any declarations of Disclosable Pecuniary and/or Ordinary Interests that they may have in relation to items on this Agenda.

Members and Officers should make their declaration by stating:

- a) the item they have the Interest in
- b) whether it is a Disclosable Pecuniary or Ordinary Interest
- c) the nature of the Interest
- d) if it is an Ordinary Interest whether they intend to leave the room for the discussion and vote
- e) if it is a Disclosable Pecuniary Interest, and therefore must leave the room for the discussion and vote, whether they will be exercising their right to speak on this matter under Public Question Time

They then need to re-declare their Interest and the nature of the Interest at the commencement of the item or when the Interest becomes apparent. They should request that it be recorded in the Minutes that they will leave the meeting and will neither take part in discussion, nor vote on the item.

In accordance with good practice, individual forms were available to those Councillors present in order that they could personally record

their Interests - both Disclosable Pecuniary and Ordinary. These forms should be returned to the Committee Clerk at the end of the meeting to enable all declarations of Interest to be accurately recorded in the Minutes. Members were reminded that it is their responsibility to notify the Monitoring Officer of all Disclosable Pecuniary Interests or Ordinary Interests notifiable under the Council's Code of Conduct, not already recorded on their Register of Interests Form, within 28 days.

The Chairman reminded Members to declare their Interests as any arise or again at the relative point in the meeting if they have already.

***Cllrs. Mrs. Daniells and Stanley stated that, as Members of Arun District Council, they will be voting on the matters before them having regard only to such information as placed before the Town Council. If they should come to consider any matters again at the District Council, and further information may be available, they will consider the information available at that time and may come to a different decision***

**152. TO APPROVE THE MINUTES OF THE PLANNING AND LICENSING COMMITTEE MEETING HELD ON 4<sup>th</sup> DECEMBER 2018**

The Committee **RESOLVED** to agree and approve the Minutes of the Meeting held on 4<sup>th</sup> December 2018 as an accurate record of the proceedings and the Chairman signed them.

**153. ADJOURNMENT FOR PUBLIC QUESTION TIME AND STATEMENTS**

There were no members of the public present.

**154. CLERK'S REPORT FROM PREVIOUS MINUTES**

There was nothing to report.

**155. TO CONSIDER PREMISES LICENCE APPLICATIONS INCLUDING ANY VARIATIONS AND ANY OTHER LICENCE APPLICATIONS**

There were none.

***Cllr. Goodheart arrived to the Meeting***

**156. TO CONSIDER PLANNING APPLICATIONS ON LISTS DATED 7<sup>th</sup> AND 14<sup>th</sup> DECEMBER 2018**

**156.1** The Committee noted that there were no views from other Town Councillors to report.

**156.2** The Committee noted that no representations had been received from the public, or from neighbouring parishes, in respect of these applications.

**156.3** The Committee, having considered the applications, **RESOLVED** that its representations be forwarded to ADC (Appended to these Minutes as **Appendix 1**).

**157. TO CONSIDER COMMENTING ON ANY SIGNIFICANT PLANNING APPLICATIONS OUTSIDE THE WARDS OF BOGNOR REGIS, THAT MAY IMPACT ON THE INFRASTRUCTURE OF BOGNOR REGIS ON LISTS DATED 7<sup>th</sup> AND 14<sup>th</sup> DECEMBER 2018**

There were none.

**158. NOTIFICATION OF ANY APPLICATIONS TO BE CONSIDERED AT THE NEXT ADC DEVELOPMENT CONTROL COMMITTEE MEETING**

There were none.

**159. TO NOTE THE RECOMMENDATION FROM THE COMMUNITY ENGAGEMENT AND ENVIRONMENT COMMITTEE MEETING HELD ON 12<sup>th</sup> NOVEMBER 2018 THAT CONCERNS BE RAISED WITH ARUN DISTRICT COUNCIL OVER THE NUMBER OF COMPLAINTS RELATING TO THE UNICORN PUB OVER THE BREACH OF LICENSING LAWS - MIN. 74.2 REFERS**

The Civic & Office Manager's report was noted.

Members of the Planning and Licensing Committee stated that they had also listened to complaints from members of the public in relation to the Unicorn Pub, particularly with regard to anti-social behavior.

During discussion it was acknowledged that ADC's Licensing Team had proved to be very proactive earlier this year when dealing with concerns regarding another premises in the High Street.

Members **AGREED** to formally submit their concerns about the Unicorn Pub to the Licensing Team at ADC, copying in Sussex Police and Nick Gibb MP, and to ask exactly what action is being taken to address this matter.

**160. TO NOTE THE RECOMMENDATION FROM THE COMMUNITY ENGAGEMENT AND ENVIRONMENT COMMITTEE MEETING HELD ON 12<sup>th</sup> NOVEMBER 2018 THAT WHEN THE PLANNING AND LICENSING COMMITTEE CONSIDERS FUTURE PLANNING PROPOSALS OR REGENERATION PLANS, RECOMMENDATION IS MADE TO ARUN DISTRICT COUNCIL THAT BEACH ACCESS IS INCORPORATED WHERE APPROPRIATE - MIN. 76.2 REFERS**

The Civic & Office Manager's report was noted. Furthermore, Members noted the request put forward by the Beach Access Topic Team, and

subsequently recommended by the Community Engagement and Environment Committee.

Members **AGREED** that when considering future planning proposals or regeneration plans that recommendation is made to Arun District Council that beach access is incorporated where appropriate, as detailed in Policy 7 of the Neighbourhood Development Plan 2015-2030.

**161. TO RESOLVE TO SUSPEND STANDING ORDERS TO CONSIDER PREVIOUS DECISION (S.O. 16.1)**

The Committee **RESOLVED** to Suspend Standing Orders (S.O. 16.1 refers) to enable them to give further consideration of the Listed Building application process.

Members **RESOLVED** to further consider their previous decision and Standing Orders were therefore reinstated.

**162. FURTHER CONSIDERATION OF LISTED BUILDING APPLICATION PROCESS - MIN. 97 REFERS**

The Civic & Office Manager gave a verbal update and Members discussed the recent changes in the building's ownership. Some Members of the Town Council had inspected the proposed plans for the building and had considered how Listed Building status may affect any future development.

Subsequently, Members **RESOLVED** to **AGREE** to rescind the decision made at the Planning and Licensing Meeting held on 18<sup>th</sup> September 2018 and withdraw the application, submitted to Historic England, for Listed Building status.

**163. CORRESPONDENCE**

The Committee noted receipt of correspondence previously circulated and the following was brought to Members attention:

Additional correspondence included: -

- 163.1 CPRE Sussex - response to Gatwick Airport's expansion Masterplan. Notification that the Airport have released the Masterplan which is out for consultation until 10<sup>th</sup> January 2019. Members were asked if they would like the matter as an agenda item at the January meeting if they might likely wish to comment, and this was declined**
- 163.2 Housing, Communities and Local Government Committee - Inquiry Launch: Modern Methods of Construction. Evidence Session: High Streets and Town Centres in 2030.**
- 163.3 Arun District Council - Hard copy of Arun Local Plan 2011-2031 (adopted July 2018).**

- 163.4** Reply from the Ministry of Housing, Communities & Local Government in response to a letter sent by BRTC regarding the Garden Town Initiative.
- 163.5** WSCC - Latest Planned Roadworks report 12<sup>th</sup>-26<sup>th</sup> December 2018. Emailed to Committee and uploaded to Facebook.

***The Meeting closed at 8.02pm***

**APPENDIX 1**  
**PLANNING AND LICENSING COMMITTEE MEETING HELD ON 18<sup>th</sup> DECEMBER 2018**  
**REPRESENTATIONS ON LISTS DATED 7<sup>th</sup> AND 14<sup>th</sup> DECEMBER 2018**

The Planning and Licensing Committee of Bognor Regis Town Council **RESOLVED** as follows:

<b>BR/297/18/T</b> 10 Newhall Close Bognor Regis PO21 5RG	Crown thin of 10% 1 No. Common Beech tree	<b>NO OBJECTION</b> subject to the approval of the ADC Arboriculturist. It is recommended, if approved, that no work should be carried out if any birds or bats are nesting.
<b>BR/310/18/HH</b> 71 Longford Road Bognor Regis PO21 1AE	Roof alterations to form gable end to new 2nd floor with rear dormer projection & 1 No. new window in ground floor south elevation	<b>NO OBJECTION</b>
<b>BR/311/18/PL</b> Land to the east of University of Chichester Upper Bognor Road Bognor Regis PO21 1HR	Erection of 176 bedroom student accommodation building with associated hard & soft landscaping. This application may affect the setting of listed buildings, may affect the character & appearance of the Upper Bognor Road, Mead Lane Conservation Area & is a Departure from the Development Plan	<b>OBJECTION</b> Although Members are keen to support the University, they wish to object to the design due to the impact the unsympathetic and austere design will have on its setting, adjacent to both listed buildings and a Conservation Area, also being detrimental to the gateway into Town. The proposed buildings are significant in their scale and massing, in relation to the Conservation Area and the listed buildings and will further erode the open landscape of the campus and conservation area in views from the north and from Felpham Way. It is felt that the design does not comply with Policy 8a (Design Excellence) of the Neighbourhood Development Plan which states that Development proposals that



<p><b>BR/311/18/PL</b>  <i>Land to the east of University of  Chichester  Upper Bognor Road  Bognor Regis  PO21 1HR</i></p>		<p>fail to take the opportunities available for enhancing the local character and quality of the area and the way it functions will not be supported. A central part of achieving excellence in design is responding to and integrating with local surroundings landscape and context as well as the build environment through: using good quality materials that complement the existing palette of materials used within the area. Justification of this Policy states that this policy aims to ensure that investments in key new buildings and spaces of our Town will contribute to planning, designing and delivering attractive and lasting buildings and spaces that demonstrate a design approach relating strongly to Bognor Regis' identity. This design also fails Policy 1 Delivery of the Vision of the Neighbourhood Development Plan which states that major developments should demonstrate how proposed changes will support the delivery of relevant Neighbourhood Development Plan objectives and our vision for Bognor Regis. Members felt that material considerations must be applied in respect of: - Highway safety and traffic: with problems already in existence with student cars being parked on surrounding streets, making access to residents of these roads difficult; Need</p>
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<p><b>BR/311/18/PL</b>  <i>Land to the east of University of Chichester</i>  Upper Bognor Road  Bognor Regis  PO21 1HR</p>		<p>to safeguard the countryside or protected species of plant or animal: with the application providing no evidence of a protected species survey having been undertaken; Effect on the level of daylight and privacy of existing property: concern expressed at the effects shown in Shadow Study 1 to properties in Hook Lane, Brooks Lane and Brooks Mead. In wishing to support and work with the University, Members would welcome open discussions with the applicant to discuss the design, amongst other concerns.</p>
<p><b>BR/273/18/PL</b>  The Gables Hotel  28 Crescent Road  Bognor Regis  PO21 1QG</p>	<p>Change of use from Hotel (C1 Hotels) to 4 No. Flats (C3 Dwelling House) including enlarged dormer &amp; additional door on SE elevation</p>	<p><b>OBJECTION</b> Members feel that the application goes against the Neighbourhood Plan, namely: - Policy 7 - Promotion of Tourism and Beach Service Points. The NP recognises the crucial importance of the tourism industry for the Bognor Regis economy. Development of new and existing tourist facilities will be supported as a crucial part of improving Bognor Regis as a visitor destination. Page 14 paragraph 3, highlights that beyond Butlins overnight visitors and would be visitors have a limited range of accommodation options to choose from particularly in terms of medium to higher end seafront hotels, B&amp;B s and Guest houses. This is possibly related to the high proportion of socially rented properties and associated tenancy</p>

<p><b>BR/273/18/PL</b>  <i>The Gables Hotel</i>  <i>28 Crescent Road</i>  <i>Bognor Regis</i>  <i>PO21 1QG</i></p>		<p>restrictions along the seafront, town centre and Bognor Regis as a whole. With regeneration on the cards for Bognor Regis, Members feel it is important to protect existing hotels, in this particular area, which will be much needed.</p>
<p><b>BR/315/18/T</b>            9 Pevensey Road            Bognor Regis            PO21 5NR</p>	<p>Crown reduction of 2m, Crown lift of 5m and Thin Epicormic 30% to 1 No. Oak tree</p>	<p><b>NO OBJECTION</b> subject to the approval of the ADC Arboriculturist. It is recommended, if approved, that no work should be carried out if any birds or bats are nesting.</p>

**BOGNOR REGIS TOWN COUNCIL  
PLANNING AND LICENSING COMMITTEE MEETING - 8<sup>th</sup> JANUARY 2019**

**AGENDA ITEM 10 - TO CONSIDER A RESPONSE TO THE ARUN  
COMMUNITY INFRASTRUCTURE LEVY (CIL) PRELIMINARY DRAFT  
CHARGING SCHEDULE CONSULTATION 2018**

**REPORT BY CIVIC & OFFICE MANAGER**

**FOR DECISION**

Consultation on Arun District Council's Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule is open until 5pm on 21<sup>st</sup> January 2019.

The further consultation stage and timetable to examination and adoption of a charging schedule will be set out in a revised Local Plan Development Scheme to be adopted by the District Council on 9<sup>th</sup> January 2019 and subsequently uploaded to the Council's website.

Members are invited to note the consultation document (**Appendix 1**) and consider making a response to be submitted by the deadline on 21<sup>st</sup> January 2019.

**DECISION**

How do Members wish to proceed?

# Arun District Council Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule

## Consultation Version December 2018





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### 1 Consultation Details

**1.1** This consultation on the Arun Preliminary Draft Charging Schedule (PDCS) 2018 is the first stage in preparing a CIL Charging Schedule. All responses will be considered before a Draft Charging Schedule is prepared for further consultation and independent examination.

**1.2** Comments on the Preliminary Draft Charging Schedule should be made via the Objective Consultation portal at <http://arun.objective.co.uk/portal> or emailed to [Localplan@arun.gov.uk](mailto:Localplan@arun.gov.uk).

**1.3** Written comments can also be sent to the following address:

- Planning Policy and Conservation, Arun District Council, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

**1.4** For any queries, call 01903 737500 and ask for Planning Policy.

**1.5** This document will be published for a six week consultation period starting **10th December 2018 to 5pm on 21st January 2019.**



## 2 Introduction

**2.1** This consultation document sets out Arun District Council's proposed charging rates for its Community Infrastructure Levy (CIL). This mechanism for the collection of funding for infrastructure was introduced under the Planning Act 2008 and enables local authorities to make a charge on most forms of new development to fund infrastructure needed to support growth.

**2.2** Before a Charging Authority is able to adopt a Charging Schedule, it is required to undertake two formal rounds of consultation followed by an Independent Examination. The consultation process provides an opportunity for respondents to assist in shaping the Charging Schedule.

**2.3** This is the second time Arun District Council have published and consulted on a Preliminary Draft Charging Schedule (PDCS). The first PDCS went through a consultation period from March - April 2015. However, work on the CIL Charging Schedule was put on hold following the suspension of the Arun Local Plan examination in February 2016.

**2.4** The adopted Arun Local Plan 2011-2031 (July, 2018) included a number of main modifications to the original submitted Local Plan. These were supported by additional viability and infrastructure evidence and also included further strategic site allocations. Therefore, it is considered appropriate to prepare a new PDCS for consultation.

**2.5** Preparation of the PDCS has been informed by the Arun Infrastructure Capacity Study and Delivery Plan (February, 2017) (ICS DP, 2017), the Arun Local Plan Viability Assessment (HDH Planning and Development, February 2017) (LPVA, 2017) and the Arun CIL Viability Update (HDH Planning and Development, July 2018) (CILVU, 2018). Further detail is provided within this document regarding the preparation of the evidence base. These documents are also available on the council's website [www.arun.gov.uk/cil](http://www.arun.gov.uk/cil).

**2.6** The CIL Guidance requires that charging authorities will implement the levy where their evidence has been prepared based on a relevant Local Plan. Arun District Council adopted the Arun Local Plan 2011-2031 (ALP 2018) on 18th July 2018. The ALP 2018 identifies the quantum and type of development planned to meet housing and employment needs within the district over the Plan period. It also allocates strategic housing and employment sites. The ALP 2018 is underpinned by the ICS DP, 2017 which identifies the infrastructure required to achieve local development and growth needs.

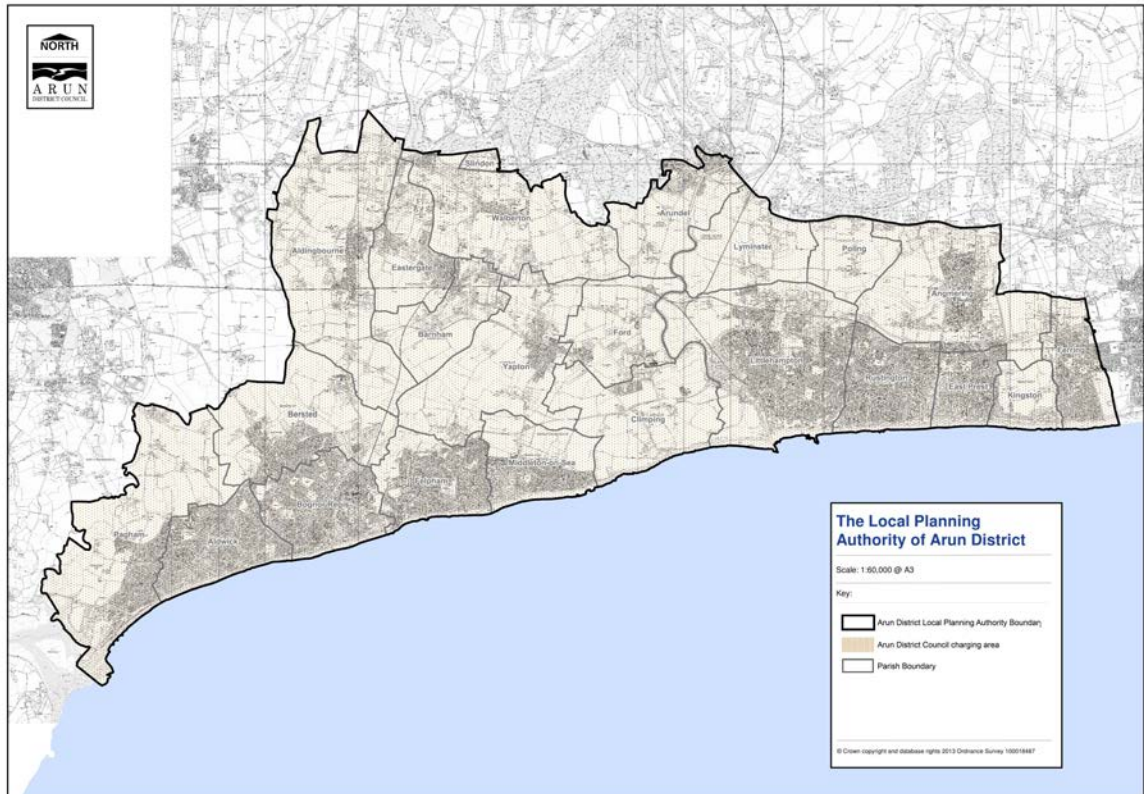
**2.7** This PDCS has been prepared in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) and CIL guidance. During the preparation of the CILVU, 2018, a number of consultations were published: National Planning Policy Framework - draft text for consultation (MHCLG, March 2018); Supporting Housing Through Developer Contributions (MHCLG, March 2018); NPPF -

Consultation Proposals (MHCLG, March 2018) and; the Draft Planning Practice Guidance (PPG) for Viability (MHCLG, March 2018). Paragraphs 2.14-2.34 of the CILVU, 2018 explain how the methodology used in the study is consistent with the consultations.

## 3 The Charging Area

### 3 The Charging Area

**3.1** The charging area covers all of Arun District with the exception of the areas of the South Downs National Park located to the north of the district. This is due to the fact that the National Park Authority is a local planning authority in its own right.



### 4 What is CIL?

**4.1** The legislative framework for CIL is provided by Part II (Sections 205-225) of the Planning Act 2008 and the CIL Regulations 2010 subject to subsequent amendments.

**4.2** CIL is a mandatory charge on development, calculated on the change in net additional floorspace (m<sup>2</sup>), which local authorities can introduce. The charge is non-negotiable in most circumstances. It applies to development of over 100m<sup>2</sup> of gross internal floorspace or the creation of one or more dwelling(s).

**4.3** Charges are set by the Council through publication of a Charging Schedule. The charges must be supported by evidence that an infrastructure funding gap exists (taking into account other funding sources) and that it does not prejudice the viability of development across the district as a whole. Charges are index linked to build costs which means that CIL payments must be increased or decreased (index linked) to reflect changes in the costs of building houses and delivering infrastructure between the year that CIL was introduced to the year that planning permission is granted. The index used is the national All-in Tender Price Index published by the Build Cost Information Service (BCIS).

**4.4** The CIL Guidance (Last updated, March 2018) states that in setting CIL rates, the charging authority "will need to be able to show why they consider that the proposed levy rate or rates set an appropriate balance between the need to fund infrastructure and the potential implications for the economic viability of development across their area."

**4.5** The process through which an authority needs to go through in order to adopt a CIL is as follows:

- the charging authority prepares its evidence base in order to prepare its draft levy rates, and collaborates with neighbouring/overlapping authorities (and other stakeholders)
- the charging authority prepares a preliminary draft charging schedule and publishes this for consultation
- consultation process takes place
- the charging authority prepares and publishes a draft charging schedule
- period of further representations based on the published draft
- an independent person (the "examiner") examines the charging schedule in public
- the examiner's recommendations are published

## 4 What is CIL?

- the charging authority considers the examiner's recommendations
- the charging authority approves the charging schedule

**4.6** There is a considerable degree of flexibility permitted in the spending of CIL monies. It must be spent on the provision of new infrastructure (rather than remedying existing deficiencies) to support the delivery of the adopted Local Plan. Infrastructure is defined widely in the Planning Act 2008 and includes transport, education, health, open space/green infrastructure, police/community safety, flood defences for example.

**4.7** Revenues can be passed to other bodies to deliver infrastructure. A schedule of infrastructure to be funded by CIL should be published alongside the Charging Schedule, at examination, in accordance with Regulation 123 of the CIL Regulations 2010. CIL guidance (2014, last updated March 2018) sets out that when an authority introduces the levy, Section 106 requirements should be scaled back to those matters that are directly related to a specific site, and are not set out in a Regulation 123 list. Section 106 agreements will still be used to cover non-infrastructure requirements such as the provision of affordable housing, local open space, access roads, habitat protection etc.

**4.8** Transparency on the spending of CIL is required by the CIL Regulations 2010. Further detail regarding monitoring of CIL spending is set out in Section 10 of this document.

**4.9** The CIL Guidance sets out the neighbourhood portion of CIL which means that a portion of CIL money is passed back to the Town or Parish Council's where development takes place. The portion of CIL money passed back differs based on whether the Parish or Town Council has an adopted neighbourhood plan as follows:

Neighbourhood Plan?	Portion of Levy
Yes	25% uncapped, paid to parish/town council
No	15% capped at £100/dwelling, paid to parish/town council

**Table 4.1**

### 5 Infrastructure Evidence

**5.1** As set out above, in preparing a charging schedule, there is a need to demonstrate that there is a funding gap in the provision of infrastructure required to support new development.

**5.2** The CIL Guidance states that: "Charging authorities must identify the total cost of infrastructure they wish to fund wholly or partly through the levy...Information on the charging authority area's infrastructure needs should be drawn from the infrastructure assessment that was undertaken as part of preparing the relevant Plan...".

**5.3** The infrastructure evidence which underpins the ALP, 2018 was published in February 2017. The ICSDP, 2017 identifies site specific infrastructure requirements as well as district wide infrastructure needs resulting from planned growth in the district. Based on total estimated infrastructure costs and existing funding secured, there is a total infrastructure funding gap of approximately £270 million. However, based on estimated S106 contributions from the eleven strategic sites, allocated in the ALP, 2018, this funding gap reduces to £49 million.

**5.4** Table 5.1 shows a significantly high level of S106 expected to fund infrastructure requirements. This is due to the fact that the infrastructure required for each strategic allocation will largely be delivered by means of S106 agreements. Although, there may be challenges involved in delivering strategic infrastructure for the larger strategic sites in light of the pooling restrictions set out by Regulation 123 of the CIL Regulations, it is anticipated that changes to the pooling restrictions in the future (as proposed in the Supporting housing delivery through developer contributions consultation) will assist with the council's approach. Table 5.1 below summarises the main infrastructure items needed to support the ALP, 2018 and shows the approximate funding gap.

**5.5** The CIL Guidance requires that the charging authority should set out at Examination a draft list of the projects or types of infrastructure that are to be funded in whole or in part by the levy as well as those known site specific matters where section 106 contributions will be sought. The ICSDP, 2017 including any further updates, resulting from this consultation will enable this list to be prepared, and consulted on at the Draft Charging Schedule stage.

**5.6** The funding gap demonstrates that there is a sufficient funding shortfall that must be filled in order to deliver the infrastructure to support growth in the district (based on the Infrastructure Delivery Plan, 2017). This justifies the preparation of a CIL charging schedule. The council will actively seek additional sources of funding where they may be available in order to reduce the infrastructure gap. It should be noted that the ICSDP, 2017 is a 'living document' and can be updated on a rolling basis. In particular, the evidence will need to take account of local infrastructure

## 5 Infrastructure Evidence

requirements as the council moves forward with the preparation of the Non-Strategic Sites DPD (the NSS). It is anticipated that most infrastructure needs will be on-site S106 but cumulative/strategic infrastructure may require CIL receipts.

Category	Total estimated cost (£million)	Existing Funding Available/Secured (£million)	Expected S106 Funding (£million)	Funding Gap (£million)
Primary Education	£77	£0	£77	£0
Secondary Education	£47	£0	£47	£0
Early years/childcare facilities	£14	£0	£14	£0
Social and Leisure facilities	£46	£15	£0	£31
Healthcare	£14	£0	£14	£0
Green Infrastructure and Habitats	£16	£0	£4	£12
Waste Management	£6	£0	£0	£6
Emergency Services	tbc	tbc	tbc	tbc
Flood Risk Mitigation	£35	£0	£35	£0
Utilities	£3	£0	£3	£0
Transport	£38	£13	£25	£0
Totals	£296	£28	£219	£49

**Table 5.1**



### 6 Viability Evidence

**6.1** CIL is expected to have a positive economic effect on development across the area by providing additional infrastructure to support development. In deciding the rates of the council's levy, a key consideration is the balance between securing additional investment for infrastructure to support development and the potential economic effect of imposing the levy upon development across their area.

**6.2** Charging Authorities are therefore required to arrive at an appropriate balance between the desirability of funding infrastructure through CIL and not adversely impacting on the deliverability of planned development. To inform this judgement, the District Council has commissioned viability evidence.

**6.3** In January 2015 GL Hearn prepared the Arun Viability Report which informed the council's first PDCS (consulted on in 2015). Since 2015, further viability evidence has been commissioned to underpin the Arun Local Plan main modifications.

**6.4** The Local Plan Viability Assessment Update (LPVU, 2017) was prepared by HDH Planning and Development in January 2017 and assessed the viability of the Arun Local Plan, in particular taking into account policy requirements including affordable housing and the viability of the strategic allocations within the plan in light of policy and infrastructure requirements. The LPVU, 2017 was examined during the Local Plan hearings and the Inspector made numerous references to it. On this basis the viability evidence is sound and an appropriate starting point for the preparation of an update to the CIL viability evidence base.

**6.5** Subsequently, an annex to the LPVU, 2017 was prepared in July 2018 to consider the scope for CIL rates for those parts of Arun District outside of the South Downs National Park. This is called the CIL Viability Update, July, 2018 prepared by HDH Planning and Development (CILVU, 2018). These studies are available to view at [www.arun.gov.uk/cil](http://www.arun.gov.uk/cil)

**6.6** The CILVU, 2018 uses the methodology set out in Chapter 3 of the LPVU, 2017 which uses a residual value calculation to assess a range of different development typologies represented within the council's Housing and Employment Land Availability Assessment (HELAA). The CILVU, 2018 ensures that all factors involved in the viability assessment are up to date by reviewing the impact of policy and market change since the LPVU, 2017. This includes changes to national and local policy, market changes such as residential values, affordable housing values, older people's housing, student housing, non residential values and development land values. The report also considered changes to development costs including construction costs, developer returns and strategic infrastructure and mitigation costs.

**6.7** The CILVU, 2018 models a number of development sites (residential and non-residential) and considers variations in land values and development costs across the district. From this the impact of CIL is inferred and variable rates have



## 6 Viability Evidence

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been identified. The CIL Guidance is clear that CIL should not be set at the limits of viability. In considering the rates of CIL it has been assumed that the Residual Value should generally be 50% above the Viability Threshold.

**6.8** The consultants conclusions resulting from the evidence identify five geographical zones within the district with significantly different viability characteristics as set out in Table 2 below. In particular, the study identifies differential values between sites within and outside the urban areas (shown on the Local Plan policies maps as the Built Up Area Boundaries, excluding the strategic allocations) and between the northern and the coastal parts of the district (north and south of the A259). The consultants have also undertaken a more detailed viability assessment of the strategic housing allocations in the ALP, 2018 and have identified that infrastructure costs associated with these sites justify a separate charging zone.<sup>(1)</sup> The study has also found that on sites where the provision of affordable housing is a policy requirement (sites of 11 units or more), viability varies across the district.

**6.9** In respect of commercial development, the evidence resulting from the viability study recommends that the majority of uses are unable to pay CIL with the exception of supermarkets and the retail warehouse format. Table 6.1 overleaf shows and describes the zones.

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1 It should be noted that in the case of the CIL charging schedule zones, the strategic housing allocation sites included in Zone 1 are shown separated from the built up area boundary (BUAB). This is in contrast to the Local Plan Policy Maps which include the strategic allocations within the BUAB. This differentiation only applies for the purposes of illustrating the CIL Charging Schedule and does not infer changes to the Local Plan policies maps

Zone	Characteristics
Zone 1	The strategic sites at Pagham South, Pagham North, West of Bersted, BEW, Fontwell, Yapton, Ford, Climping, LEGA and Angmering North
Zone 2	Within the urban boundaries in the Northern Area - being that area to the north of the A259
Zone 3	Not within the urban boundaries in the Northern Area - being that area to the north of the A259
Zone 4	Within the urban boundaries in the Coastal Area - being that area to the south of the A259
Zone 5	Not within the urban boundaries in the Coastal Area - being that area to the south of the A259

**Table 6.1**

**6.10** Paragraph 7.52 and Table 7.3 of the CILVU, 2018 set out the recommended CIL charging zones and CIL charging rates.

## 7 The Preliminary Draft Charging Schedule

### 7 The Preliminary Draft Charging Schedule

**7.1** Having had regard to all the evidence produced to support the preparation of the Preliminary Draft Charging Schedule, as summarised above, the Council's proposed charging rates are as follows:

Development Type	Site Size	Zone	Maximum Rate of CIL
<b>Residential</b>			
	N/A	Zone 1	£0/m <sup>2</sup>
	Sites of 10 and fewer units	Zone 2 and 3	£150/m <sup>2</sup>
	Sites of 10 and fewer units	Zone 4 and 5	£100/m <sup>2</sup>
	Sites of 11 and more units	Zone 2	£70/m <sup>2</sup>
	Sites of 11 and more units	Zone 3 and 5	£100/m <sup>2</sup>
	Sites of 11 and more units	Zone 4	£0/m <sup>2</sup>
<b>Flats</b>			
	N/A	Zone 2 and 3	£100/m <sup>2</sup>
	N/A	Zone 4 and 5	£0/m <sup>2</sup>
<b>Older People's Housing Sheltered Housing and Extracare housing</b>			
	N/A	Zone 2 and 3	£70/m <sup>2</sup>
	N/A	Zone 4 and 5	£0/m <sup>2</sup>
<b>Retail</b>			
Town Centre Shops	N/A	N/A	£0/m <sup>2</sup>
Supermarkets and Retail Warehouse	N/A	N/A	£110/m <sup>2</sup>
<b>All other development</b>	N/A	N/A	£0/m <sup>2</sup>

**Table 7.1**

### NOTES

**7.2** The Charging Zones are mapped on the plan in Appendix 1 - Charging Zones Map.

## 7 The Preliminary Draft Charging Schedule

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**7.3** Older People's Housing is discussed in the LPVU, 2017. Paragraphs 4.67 - 4.70 of the report provides descriptions of the types of accommodation that this includes: "Sheltered or retirement housing is self-contained housing, normally developed as flats and other relatively small units. Where these schemes are brought forward by the private sector there are normally warden services and occasionally non-care support services (laundry, cleaning etc.)...Extracare housing is sometimes referred to as very sheltered housing or housing with care...".

**7.4** Supermarket should be defined as shopping destinations in their own right where weekly food shopping needs are met and which can also include non-food floorspace as part of the overall mix. The majority of custom at supermarkets arrives by car, using the large adjacent car parks provided. (see paragraph 7.11 of CILVU, 2018).

**7.5** Retail warehouse should be defined as large stores specialising in the sale of comparison goods (such as carpets, furniture, and electrical goods) DIY items and other ranges of goods catering mainly for car borne customers. (see paragraph 7.11 of CILVU, 2018).

**7.6** These rates have been prepared with a viability buffer of 50% over and above the viability threshold.

**7.7** The rates have also been calculated as a proportion of land value (less than 25%) and as a proportion of Gross Development Value (less than 5%).

## 8 Draft Instalments Policy

### 8 Draft Instalments Policy

**8.1** The importance of allowing CIL to be paid through the life of a project was raised. The analysis in the CIL Update Report (July, 2018) is therefore based on the assumption that CIL is paid through the life of the schemes. The following instalment policy is suggested in the report and presented below for comment:

Amount of CIL	Number of Instalments	Payment periods and amount
Any amount less than £10,000	One payment	Total amount payable within 60 days of commencement of development
Amount equal to £10,000 or less than £50,000	Three instalments	60 days, 120 days and 180 days
Amount equal to £50,000 or less than £100,000	Four instalments	60 days, 180 days, 360 days and 540 days
Amount higher than £100,000	Five instalments	60 days, 180 days, 360 days, 540 days and 720 days
In any event CIL will be paid before a unit is occupied.		

**Table 8.1**

### 9 Exemptions and Relief

**9.1** In accordance with the CIL Regulations, certain types of development are exempt from liability to pay a CIL charge. These include the following:

- minor development eg. an extension to an existing building where the gross internal area of new build will be less than 100 square metres,
- residential annexes or extensions,
- self build housing and
- charitable development eg. where a development is occupied or under the control of a charitable institution.

**9.2** Social Housing development is eligible for relief from liability to pay CIL. This means that although social housing is not exempt from liability to pay a CIL charge, relief from the CIL charge can be applied for a development which qualifies under the definition of social housing.

**9.3** Finally, charging authorities are able to give certain other types of development relief from liability to pay a CIL charge. This is called discretionary relief. Discretionary relief can be given on the following types of development:

- discretionary charitable relief: investment activities
- discretionary relief for exceptional circumstances
- discretionary social housing relief

**9.4** The council will consider whether to implement discretionary relief following adoption of the Charging Schedule.

### 10 Annual Monitoring

**10.1** The council will monitor CIL income on an annual basis and publish a report in accordance with Regulation 62A of the CIL (Amendment) 2013 Regulations.

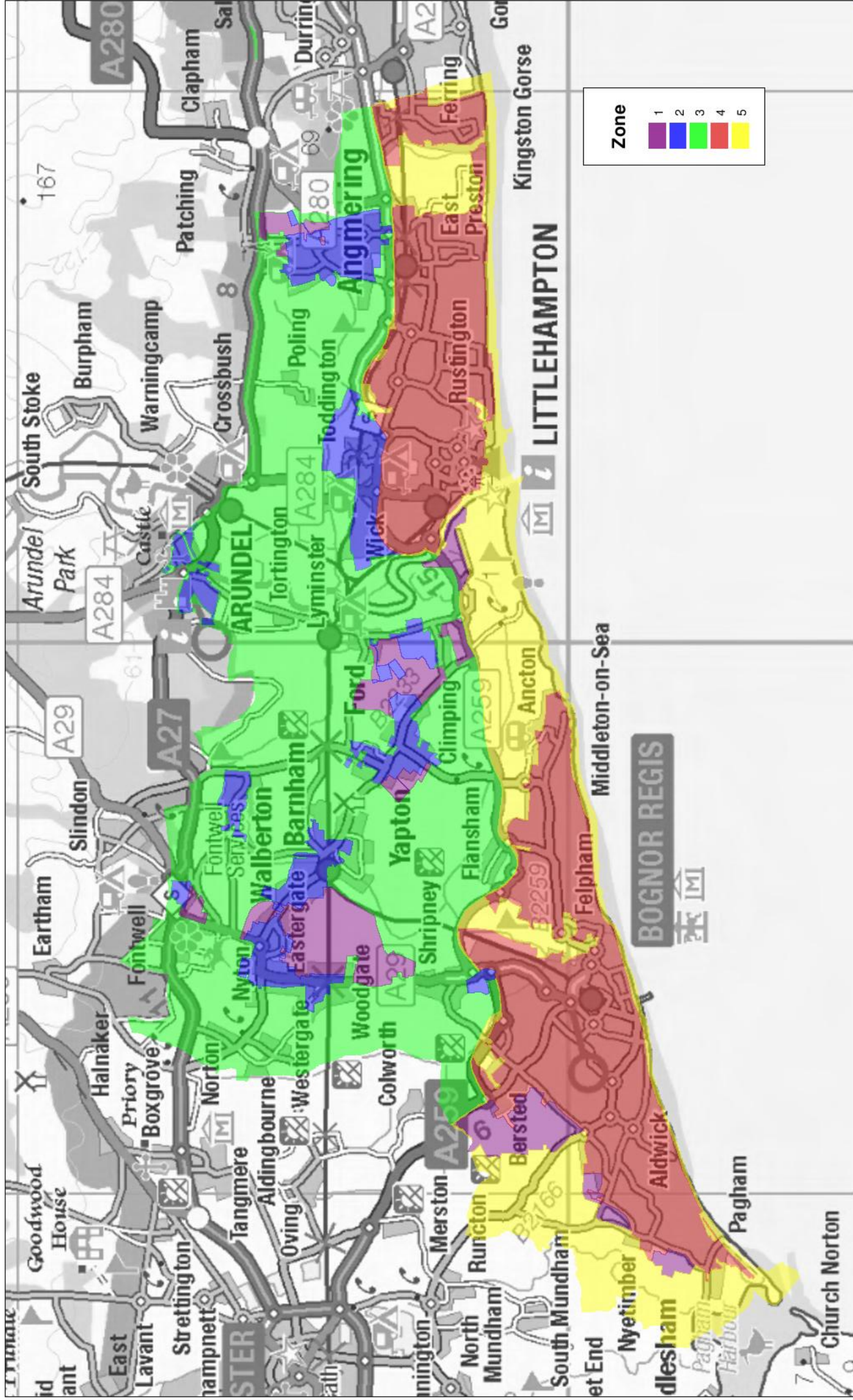
**10.2** Where the council have pooled the levy and/or combined it with other sources of funding for investment in strategic infrastructure, the council will show how the various contributions have been committed.

**10.3** Where parish and town councils receive a portion of the levy, the income and spending must be reported by the Parish and Town councils in accordance with regulation 62A of the CIL (Amendment) 2013 Regulations.

### 11 Appendix 1 - Charging Zones Map



# CIL CHARGING ZONES



SCALE 1:90000 @ A4 LANDSCAPE

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**BOGNOR REGIS TOWN COUNCIL  
PLANNING AND LICENSING COMMITTEE MEETING - 8<sup>th</sup> JANUARY 2019**

**AGENDA ITEM 11 - TO CONSIDER CHANGES TO WSCC PARKING  
MANAGEMENT**

**REPORT BY CIVIC & OFFICE MANAGER**

**FOR CONSIDERATION**

West Sussex County Council have announced plans to delegate parking management powers to one cabinet member for highways and infrastructure and there are fears that the new proposals would see County Local Communities (CLCs) relegated to the sidelines.

It has been reported in the press that during a meeting of the WSCC Environment, Communities and Fire Select Committee, held on 6<sup>th</sup> December 2018, members voted against the proposal, but the decision will be made by the cabinet member (Minutes of the meeting not yet available).

**DECISION**

How do Members wish to proceed?

# **BOGNOR REGIS TOWN COUNCIL**

## **PLANNING AND LICENSING COMMITTEE MEETING**

**8<sup>th</sup> JANUARY 2019**

### **AGENDA ITEM 12 - CORRESPONDENCE**

### **FOR INFORMATION**

- 1.** WSCC - Latest Planned Roadworks report 19<sup>th</sup> December 2018 - 2<sup>nd</sup> January 2019. Circulated to Committee and uploaded to Social Media.
- 2.** ADC - Non-Strategic Site Allocations Development Plan Document and Neighbourhood Plans Summary Position. Circulated to all Council Members.
- 3.** WSCC - Public Notice: Temporary Traffic Regulation for York Road, Bognor Regis. The use of (and parking on) York Road, Bognor Regis from junction with Belmont Street is temporarily prohibited from 14/01/2019 at 09:00 until 18/01/2019 at 17:00. This closure is necessary to allow Portsmouth Water to install new services in footway and carriageway. Shared on Social Media.