

**APP/20/00376 Fowley Cottage, 46 Warblington Road, Emsworth, PO10 7HH**

Retain the existing 'Fowley Cottage' dwelling and tennis court and construct nine new dwellings and 1No. garden studio. (Revised).

**Comments - HBC Community Infrastructure Officer:**

**CIL**

The CIL rate is set out in our Charging Schedule:

<http://www.havant.gov.uk/sites/default/files/documents/HBC%20CIL%20Charging%20Schedule%20Full%20Document%20Feb%202013.pdf>

The amounts in the Charging Schedule are indexed according to the year in which permission is issued. If the permission is issued in 2020 the amount of indexation will be 49.107%. It is expected to increase if permission is issued in 2021.

We note that on CIL Form 1 the applicant has indicated that CIL Form 7 (1) will be submitted to obtain Self Build Relief in respect of Plot 1, this form is awaited to consider granting the relief. We also require the GIA for both plot 1 and the incidental building 'attached to this plot' to be itemised on CIL Form 1.

The GIA for the remaining 6 plots should also be itemised on CIL Form 1.

An updated CIL Form 1 is therefore required along with CIL Form 7 (1).

**S106**

Subject to statutory consultee responses we would expect the S106 to include (amongst any other site specific obligations necessary):

1. Affordable Housing
2. Monitoring Fees\*
3. Solent Recreation Mitigation Strategy (see further information)\*\*
4. Highway Works (HCC)
5. Others? Nutrient neutrality - See [www.havant.gov.uk/nitrogen](http://www.havant.gov.uk/nitrogen)

**SEE THE HBC DEVELOPER CONTRIBUTIONS GUIDE FOR ADDITIONAL INFORMATION ON DEVELOPER CONTRIBUTIONS:**

<https://www.havant.gov.uk/sites/default/files/documents/Update%20Apr%202020.pdf>

**\*Monitoring Fees:** As part of the 'Heads of Terms' it would be necessary to include monitoring fees. The amended CIL Regulations effective 1/9/19 legitimise the collection of S106 monitoring fees. We already have an agreed schedule of charges and these are currently:

|                                                                                                                                                                                                                                                                                                    | Prices<br>2020/2021                    | VAT | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>S106 Monitoring Fees</b><br><br>The Council charges a fee to monitor all planning obligations as set out in the CIL Regulations and this is decided at a cost per head of term contained within the obligation and is in addition to the legal charge for drafting and checking the obligation. | £739.00 per non-financial head of term | O   | Monitoring fee capped at a maximum of £10,670 <sup>1</sup> per application                                                                                                                                                                                                                                                                                                                                                                             |
|                                                                                                                                                                                                                                                                                                    | 5% of cost per financial head of term  | O   |                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Solent Recreation Mitigation Partnership</b>                                                                                                                                                                                                                                                    |                                        | O   | Payment for management of Internationally protected Habitat. Contribution per dwelling plus monitoring and administration charge <sup>2</sup> .<br><br>Further details: <a href="http://www.havant.gov.uk/planning-and-environment/planning-services/solent-recreation-mitigation-partnership-financial-contribution">www.havant.gov.uk/planning-and-environment/planning-services/solent-recreation-mitigation-partnership-financial-contribution</a> |

O = Outside the scope

Footnotes: 1 – This cap applies to major applications without long term ecological management which may be subject to separate negotiation. 2 – The administration charge applies only to Unilateral Undertakings

## **\*\*Solent Recreation Mitigation Strategy**

The current charges (last updated 1/4/20) are set out below, based on the maximum number of dwellings and bedroom sizes; contribution will be indexed (RPI), these rates will be updated 1/4/21: <http://www.havant.gov.uk/unilateral-undertaking-solent-recreation-mitigation-strategy>

| No of Bedrooms | Amount | Monitoring Fee                                                                  |
|----------------|--------|---------------------------------------------------------------------------------|
| 1              | £356   | Plus 5% of total (sum may be included in 'Monitoring Fees' outlined at point 2) |
| 2              | £514   |                                                                                 |
| 3              | £671   |                                                                                 |
| 4              | £789   |                                                                                 |
| 5+             | £927   |                                                                                 |