



Annex 1

MOSA Building Works Charging Schedule

1. General

Members will be aware that the Middleton on Sea Association (MOSA) owns the estate verges and roads and is responsible, on your behalf, for their upkeep and safety.

Whilst MOSA makes annual charges for the general maintenance of its road surfaces and footpaths, the carrying out of construction work and new development (with its need for the use of HGV's and commercial vehicles) can have significant impacts on the fabric of the roads and infrastructure as well as the amenity of residents.

The damage to the road structure may not be immediately apparent but may well result in the need for repair work some years earlier than would otherwise be the case with normal road usage. It is of course unreasonable that the wider body of residents should bear the cost of this.

Accordingly, it has been MOSA's custom and practice for many years to require a resident who proposes to carry out building works on his property to pay a non-returnable financial bond to cover the cost of any potential damage to the estate roads during and after the completion of those works. Indeed, this practice has been enshrined in the current and previous editions of our Constitution going back to 2002. However, this has not always provided a clear, transparent and consistent mechanism to address the issue. A new approach that better reflects the impact and scale of a proposed development on the estate roads/infrastructure has therefore been required.

As a consequence, in May 2020, the Association adopted a Building Works Charging Schedule designed to offset the impact of development (and in particular the effect of HGV traffic and construction activity upon the Estate infrastructure). This will help to ensure that the road charges paid annually by residents are kept proportionate to normal road usage and maintenance requirements. These charges will be reviewed annually in line with BCIS (Building Cost Information Service) inflation rates.

The focus of the charging policy is based on the extent (in square meters) of new useable floorspace created at a property. This might occur in the form of extensions, loft conversions, Annexes, or new build development on existing or subdivided plots and will be known as the “**Building Works Charge**”. It is also recognised that some building works such as major refurbishment, replacement roofs or the installation of swimming pools can also lead to significant HGV traffic and hence this will also fall within the charging schedule, as will the removal of a garage, lean-to, or conservatory and its replacement with a traditional build extension or replacement garage. However, smaller scale building work such as like-for-like conversion of integral garages to living space, minor internal modifications, replacement kitchens/bathrooms, guttering, summerhouses, sheds, etc will not normally be subject to the charge.

Where demolition of an existing property is involved prior to a new build development, an additional charge will be levied in order to reflect the additional impact and HGV traffic (related to demolition and site clearance) that will occur prior to the commencement of construction work and will be known as the “**Demolition Charge**”.

Furthermore, since the introduction of the charging policy it has become apparent that a number of development projects have impacted the Estate significantly longer than their estimated build time, resulting in prolonged impact to the amenity of the Estate and its infrastructure. Accordingly where projects extend beyond 12 calendar months from the date of the Building Works Charging Agreement, MOSA reserve the right to make an additional proportional charge based on the Building Works Charge for that category of development.

2. Procedure

It is a requirement of the MOSA constitution that when any new development work is being proposed that discussions are held between the property owner and MOSA about the scale and nature of the project proposed. This discussion will provide an early indication of the category of project, any new useable floorspace to be created and hence the scale of the charge to be applied. That initial contact should be with their Road Representative who will then inform the MOSA Planning and Infrastructure leads.

Most development work will require planning permission with details published and visible through the Arun District Council Planning Portal and this will provide confirmation of the useable floorspace details and hence Building Works (and where applicable Demolition) charges to be applied.

Some developments however do not require express planning permission and can be undertaken under Permitted Development rights. In such instances charges will still apply, based on the scale of new useable floorspace created and will be derived from the discussions held with MOSA or from any details of Lawful Development submitted to Arun District Council. The replacement of a roof will be addressed by way of a single flat rate charge.

Prior to the commencement of the development a formal Building Works Charging Agreement will need to be completed setting out the nature of the development, the

charge agreed and the developer's responsibilities in terms of road cleaning and parking of vehicles and waste containers. This Agreement will be accompanied by a Construction Management Plan, which will require input from those undertaking the construction work and will set out the works programme along with various working practices to protect the environment and the amenity of neighbours.

In addition it will be the responsibility of the property owner/developer to agree with MOSA any on-road parking provisions and to arrange for the access and egress routes to be kept clear of dust, mud and debris throughout the development period.

On the completion of the work the applicant must advise MOSA, who will then check the road/s, verges etc. to assess any damage and agree any remediation requirements.

It should be noted that an additional Agreement (via a Deed of Grant) will also be required from MOSA to be lodged with the Land Registry where increased driveway widths, new access points or relocation of an existing access would impact its verges and landholdings. The cost of this will be at the owners expense. Furthermore, where this would facilitate access to a new property on a subdivided plot an uplift payment of 20% of the property value will be charged by MOSA in exchange for the right of access across MOSA land. Further details can be found on the MOSA website.

In the development of this policy, MOSA has attempted to balance the needs of the resident making the changes to their property with the costs of maintaining road/infrastructure standards and amenity of the Estate for the benefit of all residents. Whilst we have identified a number of potential building scenarios or options, there may be circumstances whereby a proposal does not fall within any of the categories or written criteria. In these circumstances, or where there is a dispute between the resident and MOSA, the matter will be referred to the Chairman, Planning and Infrastructure leads, who will make the final decision.

3. Charges

Non-refundable charges for Building and Demolition Works are set out below and will be applied at the commencement of development.

Charges quoted apply from 22nd November 2023 and will be subject to annual review.

The charges come in two parts: **Demolition Charge** and **Building Works Charge**.

See Page 4 for the Charging Schedule.

CHARGING SCHEDULE		Charge £	
Demolition Charge			
Demolition of property prior to new build		£5,000	
Building Works Charge			
Extensions/conversions with new useable floor space less than 40 sq.metres		£500	
Extensions/conversions with new useable floor space over 40 sq.metres but less than 75 sq.metres		£1,000	
Extensions/conversions with new useable floorspace over 75 sq.metres but under 100 sq.metres		£1,500	
Extensions/conversions with new useable floorspace in excess of 100 sq.metres.		£3,000	
New build property - sub-divided plot.		£10,000	

New build property - following demolition		£10,000	
Replacement of Roof		£350	
Swimming Pool new/replacement		£350	

NB 1. Additional floor space should be measured in accordance with the RICS code of measuring practice for Gross Internal Area (GIA). This would not include external walls.

NB 2. Previous charges have generally been adjusted by c10% to reflect BCIS Construction Inflation rates (2022 - 2023). New Build charges have been increased above this to reflect additional HGV and amenity impacts on Estate/infrastructure.

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