

**EAST HAMPSHIRE DISTRICT COUNCIL**  
**GUIDE TO DEVELOPERS' CONTRIBUTIONS**

**APRIL 2014**





# East Hampshire District Council: Guide to Developer Contributions

## 1.0 Introduction

1.1 This Guide sets out the District Council's and South Downs National Park Authority's requirements for developers' contributions towards infrastructure improvements and other means of mitigating the impact of new development upon the area. ***The Guide is a non-statutory planning guidance document which will be relied upon as a material consideration in the determination of planning applications.***

1.2 Early notification of the Local Planning Authorities' requirements will allow landowners and developers to take account of the additional costs and resources when undertaking development appraisals of sites. ***Scheme viability will be taken into consideration when determining S106 contributions/obligations, where valuation evidence is provided by the developer***

***With the adoption of the Local Plan: Joint Core Strategy (JCS) it has been necessary to update the Guide to reflect the policies in the JCS. This revised Guide will, however, be an interim document only as the Council is preparing to introduce CIL.***

### Policy background

1.3 The National Planning Policy Framework (NPPF) indicates that in Plan-making, strategic priorities for the area should be set out, including strategic policies to deliver:

“The provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk....and

The provision of health, security, community and cultural infrastructure and other local facilities...(paragraph 156)”

1.4 The East Hampshire District Local Plan: Joint Core Strategy (JCS) contains policies on infrastructure requirements and contributions from developers. Saved policies from the East Hampshire District Local Plan: Second Review may also be relevant.

1.5 The key policy from the Joint Core Strategy, CP30 Infrastructure, says:

***CP30 - Where the provision or improvement of infrastructure is necessary to meet community or environmental needs associated with new development or to mitigate the impact of development on the environment, the payment of financial contributions will be required through planning obligations and/or the Community Infrastructure Levy (CIL) to ensure that all such development makes an appropriate and reasonable contribution to the costs of provision.***

***The provision of infrastructure will be linked directly to the phasing of development to ensure that planned infrastructure is delivered in a timely fashion. This infrastructure will be co-ordinated and delivered in partnership***

*with developers, public agencies, such as Hampshire County Council, and other authorities. Infrastructure requirements to meet the growth proposals contained in this Local Plan: Joint Core Strategy are set out in the Infrastructure Delivery Plan.*

### **Infrastructure delivery**

- 1.6 The use of developer contributions in assisting in the provision of infrastructure is a crucial element in achieving the implementation of the policies and proposals in the JCS. The Council and South Downs National Park Authority (SDNPA) have identified the key infrastructure requirements with its partners and relevant bodies and these will be set out in the Infrastructure Delivery Plan (IDP). The IDP is a dynamic document and will constantly change as projects are completed or re-prioritised and other projects come along. A list of the most significant requirements are included within the IDP Interim Statement and Infrastructure Schedule (July 2013) which was subject to scrutiny at the JCS Examination in October 2013. The IDP will be reviewed on an annual basis or as necessary.

### **Legal powers**

- 1.7 The Local Planning Authorities' recognise the various legal powers and advice, in particular that contained in the Community Infrastructure Levy Regulations (as amended by the Community Infrastructure Levy [amendment] Regulations 2011). This states that a planning obligation should meet all of the following tests:

- necessary to make the development acceptable in planning terms
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

### **Content**

- 1.8 For ease of reference the guide is split into a number of sections which set out the specific requirements for all the following categories of infrastructure:

2. Public open space, built recreational facilities and green infrastructure
3. Affordable housing
4. Community facilities and public services
5. Landscape, biodiversity and built environment
6. Transport improvements
7. Flood protection, drainage and water
8. Local employment and training

It also sets out the following:

9. Administration of S106 legal agreements
10. Developer contribution spending process

**Appendix 1 sets out a summary list of developer contribution charges.**

## 2.0 Public Open Space, Built Recreational Facilities and Green Infrastructure

### Public open space and built recreational facilities

#### Policy background

- 2.1 The standards for the provision of public open space and built recreational facilities on new residential development sites are set down in the Joint Core Strategy Policy CP16.

### Public open space

#### Provision guidelines

- 2.2 All new residential developments will provide, as a minimum standard, the equivalent of 3.45 ha of public open space per 1,000 population to serve the needs generated by the new development. Public open space should be provided on site where appropriate.
- 2.3 All forms of residential development will be expected to provide public open space, including schemes for affordable housing. However, each application will be considered on its merits. In certain circumstances it may not be appropriate to apply the open space standards, or the full open space standards, for example, development for the accommodation of the elderly or redevelopments which do not result in a net increase of one dwelling or more. On developments of flats, communal gardens will count toward public open space requirements.
- 2.4 The open space provided must be well located in relation to the rest of the development and be of usable size and shape. Small pockets of open space often fail to serve a useful recreation purpose and are discouraged.
- 2.5 Developers will be required to make suitable provision for the adoption and maintenance of the open spaces. The parish councils will, in most cases, be the appropriate body to maintain such sites.

#### Calculating open space requirements

- 2.6 The 3.45ha of open space is made up of the following categories:

Parks, sports & recreation grounds	1.0ha
Natural green space	1.0ha
Informal green space	1.0ha
Equipped children's & young people's space	0.25ha
Allotments	0.2ha

- 2.7 The formula for calculating the amount of open space which needs to be provided on a development site is based on the standard occupancy rates of a one to five bedroom dwelling (2011).

## Open Space Requirement by Dwelling:

	3.45ha per 1000 persons (ha's)	1 bed 1.4 persons (sq.m)	2 bed 1.9 persons (sq.m)	3 bed 2.5 persons (sq.m)	4 bed 2.8 persons (sq.m)	5+ bed 3.2 persons (sq.m)
Parks, sports & recreation grounds	1	14	19	25	28	32
Natural green space	1	14	19	25	28	32
Informal green space	1	14	19	25	28	32
Equipped children's & young people's space	0.25	3.5	4.75	6.25	7	8
Allotments	0.2	2.8	3.8	5	5.6	6.4
<b>Total</b>	<b>3.45</b>	<b>48.3</b>	<b>65.55</b>	<b>86.25</b>	<b>96.6</b>	<b>110.4</b>

### Developer contributions

- 2.8 On small developments, or in other circumstances; e.g. where it is not practical for open space, or all elements of the open space, to be provided on site or existing facilities nearby could most effectively be enhanced, a commuted payment may be accepted to purchase, layout and maintain open space or to improve existing provision in lieu of the provision of the full standard on site.
- 2.9 This figure includes costs for purchase, laying out and maintenance of open space and is subject to annual review. The figure is included in the summary list of developer contribution charges set out in Appendix 1.

## Developer Contribution by Dwelling:

	1 bed. 1.4 persons (£)	2 bed. 1.9 persons (£)	3 bed. 2.5 persons (£)	4 bed. 2.8 persons (£)	5+ bed. 3.2 persons (£)
Parks, sports & recreation grounds	242	329	433	484	554
Natural green space	242	329	433	484	554
Informal green space	242	329	433	484	554
Equipped children's & young people's space	61	82	108	121	138
Allotments	48	66	87	97	111
<b>Total</b>	<b>836</b>	<b>1134</b>	<b>1492</b>	<b>1671</b>	<b>1910</b>

- 2.10 Where it is not appropriate to apply the open space standards, or the full standards, a commuted payment may be accepted for facilities more appropriate to the development (e.g. benches in the vicinity of an elderly persons scheme).

### **Built Recreational Facilities Provision**

#### Developer contributions

- 2.11 The Local Planning Authorities' may seek developer contributions for specific built recreational facility projects where justified. Projects may include larger schemes of a strategic nature, such as a sports centre.

- 2.12 Alton Sports Centre building has reached the end of its life and requires replacement. The sports facilities in Alton have long been part of the town's attractiveness and in order to maintain the cultural heritage of Alton it is essential that the Sports Centre is replaced. The Council has carried out studies into the options and costs for replacement of the facility. The District Council is looking at all funding options for a replacement and has concluded that there is a significant gap. It is anticipated that Alton and surrounding area is likely to see housing and employment growth during the Joint Core Strategy plan period up to 2028. It is appropriate, therefore, that this growth should contribute to the town's prime sports facility. Developer contributions will be sought for a replacement facility based on the costs of replacement and the catchment area for the use of the facility. A contribution of £10,000 per dwelling will be sought on developments of 10 dwellings or more in the catchment area shown on the Map at Appendix 2. (*Revised Map*)

### **Green Infrastructure**

#### Policy background

- 2.13 The standards for the provision of Green Infrastructure is set down in the Joint Core Strategy Policy CP26.

#### Provision guidelines

- 2.14 The policy indicates that development will be permitted provided that it maintains, manages and enhances the network of new and existing green infrastructure.

#### Developer contributions

- 2.15 A key aspect of green infrastructure is its multi functionality - e.g. it could serve as flood mitigation (SuDs), access/cycle ways, significant landscaping or other recreational open space. New green infrastructure must be provided either through on-site provision or financial contributions. The size of contribution will be linked to the scale of the development and the resulting new green infrastructure must be located as close as possible to the development it is intended to serve. Each application received will be considered on its merits with respect to any contributions required for green infrastructure provision.

### **Key infrastructure requirements**

- 2.16 The Council and South Downs National Park Authority (SDNPA) have identified the key infrastructure requirements with its partners and relevant bodies and these will be set out in the Infrastructure Delivery Plan (IDP). The IDP is a dynamic document and will constantly change as projects are completed or re-prioritised and other projects come along. A list of the most significant requirements are included within the IDP Interim Statement and Infrastructure Schedule (July 2013) which was subject to scrutiny at the JCS Examination in October 2013. The IDP will be reviewed on an annual basis or as necessary.

### 3.0 Affordable Housing.

- 3.1 The policies for the provision of affordable housing are set out in Joint Core Strategy Policies CP11 and CP12.

#### **Affordable Housing on Residential Development Sites**

##### Policy background

- 3.2 Policy CP11 specifically deals with the provision of affordable housing within settlement policy boundaries or in circumstances where an Interim Housing Policy Statement is in force.

##### Provision guidelines

- 3.3 The policy indicates that in order to meet affordable housing needs, all residential development, which results in 1 or more additional dwellings (net), should contribute towards the provision of affordable housing. A target of 40% of affordable housing will be sought on such sites (35% in Whitehill & Bordon Policy Zone). The affordable housing should be provided on-site, other than on small sites of four dwellings or less (net) where a developer contribution in lieu of on-site provision will be sought. **Further information can be found in the document, 'Implementation of the Policy for Affordable Housing' (currently under preparation).**

##### Developer contributions

- 3.4 The Local Planning Authorities' will negotiate with developers for the provision of affordable housing as indicated above. ~~For small sites of 4 dwellings or less (net) the Affordable Housing Viability study recognised that site specific circumstances could have a marked impact on viability. This will be taken into consideration when negotiating for a developer contribution in lieu of on-site provision. Further information can be found in the document, 'Implementation of the Policy for Affordable Housing'.~~ **The East Hampshire District Council Affordable Housing Viability Study 2013 (Viability Study) assessed the viability of commuted payments on housing schemes of four dwellings or less. The document formed part of the Councils evidence base for the Joint Core Strategy and was examined at the hearings in October 2013. The commuted payments have been assessed for small sites, against both residential and employment alternative uses. These were considered to be the most relevant alternative uses for these smaller sites. However, the circumstances on such redevelopment sites can vary considerably and it is recognised that site specific circumstances can have a marked impact on viability. The Council will, therefore, consider each application on its merit. Where a developer is proposing a lower sum they will need to clearly demonstrate to the planning authority why such a variation is necessary. The following table is based on the findings of the Viability Study and relevant appendices.**

**(Add commuted sums table)**

#### **Affordable Housing for Rural Communities**



### Policy background

- 3.5 Policy CP12 deals with the provision of affordable housing in rural communities through 'rural exception sites'.

### Provision guidelines

- 3.6 Policy CP12 enables further housing to come forward where a proven affordable housing need is identified in settlements with a settlement policy boundary. The policy allows for a proportion (up to 30%) of market housing to be included for those settlements with a settlement policy boundary to assist in bringing these sites forward. However, the intention on such sites is to maximise the percentage of affordable housing provided. For sites adjacent to settlements without a settlement policy boundary the development will be required to provide 100% affordable housing, unless exceptional circumstances can be proven.
- 3.7 Further information can be found in the document, 'Implementation of the Policy for Affordable Housing'.

## 4.0 Community Facilities and Public Services

- 4.1 The policy for provision of community facilities and public services is set out in the Joint Core Strategy Policy CP14.
- 4.2 The policy indicates that the provision or improvement of facilities and services, required as a result of new development, will be secured through developer contributions either through S106 or the Community Infrastructure Levy (CIL) mechanism.
- 4.3 Where possible the provision of community facilities and public services will be sought as part of a development site.

### Community Facilities

- 4.4 Community facilities include, for example, meeting halls, community centres, pavilions, youth clubs, public conveniences and places of worship.

### Developer contribution

- 4.5 If some development sites are unsuitable for construction of proposed community facilities, the Local Planning Authorities' may agree to accept a commuted payment to facilitate provision of the facilities in the locality. A contribution will be sought from developers of sites which clearly affect an identified local need.
- 4.6 Elsewhere in Hampshire a rate of £600,000 per 1000 population (£600 /person) has been calculated as a standardised charge. This has been derived from known costs (excluding land purchase) of providing new facilities, including community buildings and other community infrastructure provision.

### Developer Contribution by Dwelling:

	1 bed. 1.4 persons (£)	2 bed. 1.9 persons (£)	3 bed. 2.5 persons (£)	4 bed. 2.8 persons (£)	5+ bed. 3.2 persons (£)
Community facilities	840	1140	1500	1680	1920

- 4.7 The figure is included in the summary list of developer contribution charges set out in Appendix 1.

### Community project worker

- 4.7 The Local Planning Authorities' work with Housing Associations to ensure that affordable housing is fully integrated with the market housing and that larger developments are integrated with the wider community. Housing associations have employed community project workers to work on sites such as the Ramshill, Petersfield; Treloar Hospital, Alton and Green Lane, Clanfield developments. The project worker schemes have proved to be very successful.

#### Developer contribution

- 4.8 The costs of employing the community project workers are currently met solely by the housing associations. This is inequitable as the project workers work across all **tenants occupiers**, including owner occupiers **and private rented tenants**. Private developers should meet some of the costs. For this reason developer contributions of £250 per dwelling will be sought to fund a community project worker on all sites of 60 units or more.

#### **Public services**

- 4.9 Public services include, for example, education establishments, health care facilities, doctors surgeries and libraries.

#### Developer contributions

- 4.10 The Local Planning Authorities' may seek developer contributions for specific public service schemes. Each application received will be considered on its merits with respect to any contributions required.

#### **Educational provision**

- 4.11 The provision of the appropriate educational needs is critical to the future prosperity of an area. Where new development will either create a shortfall in education provision, or result in existing facilities becoming overstretched, contributions from developers towards the provision of new or enhanced existing education facilities will be sought.
- 4.12 The Education Authority provide the evidence of need and determine the level of payment which would be appropriate. They have produced a document titled 'Developers' Contributions towards Children's Services Facilities, December ~~2011~~ **2013**', which sets out the requirements for education provision. For further information regarding the background to the contributions required developers are advised to contact the Education Authority (Mr Martin Shefferd, School Organisation Officer 01962 845746).

#### Developer contributions

- 4.13 Contributions will be sought from developments of 10 units or more. One bedroom units and those for the elderly persons are excluded from the calculations.
- 4.14 Current charges are:

##### **Primary Education:**

~~where a new 1 form entry school is required – £7,288 per eligible dwelling~~

~~where a new 2 form entry school is required – £5,733 per eligible dwelling~~

~~where an existing school needs to be extended – £5,834 per eligible dwelling~~

~~Secondary Education, for extensions – £6,452 per eligible dwelling~~

~~Additional charges may be sought where required.~~

##### **Primary Education:**

***where a new 1 form entry school is required - £6,278 per eligible dwelling***

***where a new 2 form entry school is required - £4,944 per eligible dwelling***

***where a new 3 form entry school is required - £4,674 per eligible dwelling***

***where an existing school needs to be extended - £5,057 per eligible dwelling***

***Secondary Education:***

***where a new school is required - £6,990 per eligible dwelling***

***where an existing school needs to be extended - £6,154 per eligible dwelling***

***Further information can be found at:***

***[http://www3.hants.gov.uk/education/schools/school\\_places.htm](http://www3.hants.gov.uk/education/schools/school_places.htm)***

- 4.15 The figures are included in the summary list of developer contribution charges set out in Appendix 1.

**Key infrastructure requirements**

- 4.16 The Council and South Downs National Park Authority (SDNPA) have identified the key infrastructure requirements with its partners and relevant bodies and these will be set out in the Infrastructure Delivery Plan (IDP). The IDP is a dynamic document and will constantly change as projects are completed or re-prioritised and other projects come along. A list of the most significant requirements are included within the IDP Interim Statement and Infrastructure Schedule (July 2013) which was subject to scrutiny at the JCS Examination in October 2013. The IDP will be reviewed on an annual basis or as necessary.

## **5.0 Landscape, Biodiversity and Built Environment**

### **Landscape**

#### Policy background

- 5.1 The policy for landscape protection and enhancement is set out in Policy CP18.

#### Provision guidelines

- 5.2 New development should be in keeping with the character and appearance of the site with good landscape. Planning applicants will be required to provide significant elements of landscaping within the scheme. A comprehensive landscaping scheme, including details of planting and long-term maintenance, will generally be required when planning applications are submitted. In some cases landscaping schemes could be part of the green infrastructure requirements.
- 5.3 In exceptional circumstances, the Local Planning Authorities' may agree to a limited amount of landscaping to be provided off the site, but in close proximity to the development. Whenever this is agreed, the developer will be required to provide the land and commuted payments for landscape planting and long term maintenance. The sum will be calculated on current prices at the time of payment.

#### Developer contributions

- 5.4 Where schemes for the improvement of the landscape are likely to be of relevance and benefit to a development, a developer contribution will be sought. Such schemes are most likely to come forward through Green Infrastructure provision (See Policy CP26 Green Infrastructure under Section 2. Public Open Space, Recreational Facilities and Green Infrastructure).

### **Biodiversity**

#### Policy background

- 5.5 The policy for biodiversity is set out in Policy CP19.

#### Provision guidelines

- 5.6 New development will be required to maintain, enhance and protect district wide biodiversity, in particular the nature conservation designations. Opportunities may arise for new sites of nature conservation interest on the development site, for example new or supplementary planting schemes carried out as part of the new development. However, if provision cannot be made on the site, then the habitat lost should be recreated in another appropriate location.
- 5.7 Developers will be required to make proper provision for the long-term future and maintenance of the areas of nature conservation value of the site.

### Developer contributions

- 5.8 Where schemes for the improvement of biodiversity are likely to be of relevance and benefit to a development, a developer contribution will be sought. Such schemes are most likely to come forward through Green Infrastructure provision (See Policy CP26 Green Infrastructure under Section 2. Public Open Space, Recreational Facilities and Green Infrastructure).

### **Internationally Designated Sites**

#### Policy background

- 5.9 The policy for development proposals in relation to the internationally designated sites is set out in Policy CP20.

#### Provision guidelines

##### Wealden Heaths Phase II Special Protection Area

- 5.10 With respect to the Wealden Heaths Phase II Special Protection Area (SPA), Policy CP20 states:

“Any new housing that is proposed to be located within 400m of the boundary of the Wealden Heaths Phase II Special Protection Area (SPA) will be required to undertake a project-specific Habitats Regulations Assessment (HRA). This must form a part of the planning application process to demonstrate that either no adverse effect on the ecological integrity of the SPA will occur or that adequate measures will be put in place to avoid or (as a secondary solution) adequately mitigate any adverse effects. Such measures must be agreed with Natural England and the planning authority. In order to undertake such an assessment, it is likely that information on the distribution of birds for which the SPA is designated would be required.”

- 5.11 In addition, if housing proposals are capable of affecting the SPA no matter how distant from the site, they will be considered on a case-by-case basis as to whether a project-specific HRA is required (this should be assessed at the HRA Screening Assessment stage). The requirement is likely to vary depending on the size of the site, the ‘in combination’ effects and its distance from the SPA. Advice on this should be sought from Natural England at the earliest opportunity.
- 5.12 East Hampshire District Council (EHDC) and Waverley Borough Council are in the process of producing an ‘Information Note for applicants for proposed residential development within 400 metres of the Wealden Heaths Phase II SPA’. However, in the first instance guidance produced in ‘A quick guide to the Habitats Regulation Assessment’ should be followed. This can be found on the EHDC website.

##### Solent Natura 2000 sites

- 5.13 The District Council is working with other South Hampshire authorities to monitor the progress of ongoing assessments and recreational management studies being undertaken by the Solent Forum on the Solent SPA, SAC and Ramsar sites along the south coast.

- 5.14 The current status of the Solent Mitigation and Disturbance work is that planning permission will only be granted for residential development within 5.6km of the Solent that avoid or mitigate a likely adverse effect on these sites, caused by recreational disturbance through the in-combination effect of net additional dwellings. This mitigation can be provided through:
- a) a financial contribution (~~£170~~ **£172** per dwelling on developments of one dwelling net or more), or
  - b) a developer provided package of measures associated with the proposed development designed to avoid or mitigate any significant effect subject to meeting the tests of the Habitats Regulations, or
  - c) a combination of measures in (a) and (b) above.

***Further details are set out in the Solent Disturbance and Mitigation Project, Phase 111 Mitigation<sup>1</sup>***

- 5.15 The above does not preclude the possibility that some residential schemes, due to their size and/or location, may require individual assessment under the Habitats Regulations on advice from Natural England and additional site specific avoidance or mitigation measures.
- 5.16 The District Council will continue to engage with the other local authorities, Natural England and the Environment Agency to develop the appropriate means of reducing the impact of recreational pressures from new housing on these coastal Natura 2000 sites.

***Built and Historic Environment***

Design

- 5.17 The policy for design in the built environment is set out in Policy CP27.
- 5.18 The policy indicates that new development will be required to seek exemplary standards of design and architecture and should respect the character, identity and context of the district's towns, villages and countryside.

Historic environment

- 5.19 The policy for the historic environment is set out in Policy CP28.
- 5.20 East Hampshire contains a wealth of buildings and areas of heritage interest which contribute greatly to the appearance and character of the built environment. The Local Planning Authorities' are resolved to protect and enhance as much of this heritage as possible.
- 5.21 Conservation Area Character Appraisals are being undertaken for all Conservation Areas in the District. These will identify areas which require enhancement and for which improvement schemes will be drawn up.

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<sup>1</sup> **Footnote: This research is available at:**  
[www.solentforum.org/forum/sub\\_groups/Natural\\_environment\\_Group/Disturbance\\_and\\_Mitigation\\_Project/](http://www.solentforum.org/forum/sub_groups/Natural_environment_Group/Disturbance_and_Mitigation_Project/)

Schemes for the improvement of town and village centres have, and will continue to be drawn up as resources allow.

Developer contributions **for built and historic environment**

- 5.22 Proposals for built environment improvement are supported by Policy CP30 and those policies referred to above. Where schemes for the improvement of the built environment are likely to be of relevance and benefit to a development, a developer contribution will be sought.

**Key infrastructure requirements**

- 5.23 The Council and South Downs National Park Authority (SDNPA) have identified the key infrastructure requirements with its partners and relevant bodies and these will be set out in the Infrastructure Delivery Plan (IDP). The IDP is a dynamic document and will constantly change as projects are completed or re-prioritised and other projects come along. A list of the most significant requirements are included within the IDP Interim Statement and Infrastructure Schedule (July 2013) which was subject to scrutiny at the JCS Examination in October 2013. The IDP will be reviewed on an annual basis or as necessary.



## 6.0 Transport Improvements

### Policy background

- 6.1 The policy for the provision of transport infrastructure is set out in the Joint Core Strategy Policy CP29.
- 6.2 The policy indicates that through implementation of the Hampshire Local Transport Plan (2011 – 2031), the fullest possible use of sustainable modes of transport (including cycling, walking and public and community transport) and reduced dependence on the private car will be encouraged.

### Provision guidelines

- 6.3 Hampshire County Council is the Highway Authority for most of the roads in East Hampshire with the Highways Agency being responsible for the A3/A3(M). The County Council is also the highway authority responsible for the majority of transport and highway policies and proposals within the District, excluding those relating to motorways and trunk roads which are the responsibility of the Department for Transport (DfT).
- 6.4 The Local transport Plan (LTP) 2011-2031, prepared by the County Council, contains a long-term strategy and a short-term implementation plan, which taken together provide the transport policy context for the Core Strategy. East Hampshire is covered by two transport strategies within the LTP3: Chapter 6: Central Hampshire and New Forest and Chapter 7: South Hampshire Joint Strategy covering Horndean, Clanfield and Rowlands Castle. This is supported by the East Hampshire District Transport Statement (September 2012) which sets out the transport objectives and delivery priorities for the District.
- 6.5 Transport Assessments (NPPF, paragraph 32) or Travel Plans (NPPF, paragraph 36) will be required in support of planning applications where development will have significant transport implications.

### Developer contributions

- 6.6 Planning obligations may be sought to achieve **highway improvements and** improvements to public transport, community transport, pedestrian and cycle networks, cycle parking and other associated infrastructure
- 6.7 The County Council is responsible for most highways and transport improvements and for *arranging agreeing and authorising the* legal agreements with developers under Section 278 of the Highways Act. Developers are advised to contact the **Economy, Transport and Environment** Department at an early stage, in order to reach an early agreement on ~~the matter~~ **highway and transport requirements**.
- 6.8 The Local Planning Authorities' apply the transport contributions as set out in the County Councils document, Transport Contributions Policy, A new Approach to Calculating Transport Contributions in Hampshire, September 2007.
- 6.9 The following payments are set out in the document:

C3 Residential	Cost per dwelling
1 bed dwelling	£1980
2-3 bed dwelling	£3745
4+ bed dwelling	£5457

B Employment	Cost per 100 sqm
B1 business	£4301
B2 general industry	£1725
B8 warehouse & distribution	£2162

Further details can be found on the County Councils website:  
[http://www3.hants.gov.uk/transport\\_contributions\\_policy.pdf](http://www3.hants.gov.uk/transport_contributions_policy.pdf)

- 6.10 These figures are included in the summary list of developer contribution charges set out in Appendix 1.

### **Key infrastructure requirements**

- 6.11 The Council and South Downs National Park Authority (SDNPA) have identified the key infrastructure requirements with its partners and relevant bodies and these will be set out in the Infrastructure Delivery Plan (IDP). The IDP is a dynamic document and will constantly change as projects are completed or re-prioritised and other projects come along. A list of the most significant requirements are included within the IDP Interim Statement and Infrastructure Schedule (July 2013) which was subject to scrutiny at the JCS Examination in October 2013. The IDP will be reviewed on an annual basis or as necessary.

## 7.0 Flood Protection, Drainage and Water

### Flood protection

#### Policy background

- 7.1 The policy for flood protection is set out in the Joint Core Strategy Policy CP23.
- 7.2 Guidance is provided in the NPPF, Section 10. Through this guidance, the Government is looking to local planning authorities to ensure that flood risk is properly taken into account in the planning of developments to reduce the risk of flooding and the damage which floods cause.

#### Provision guidelines

- 7.3 In addition to the risk of flooding to the proposed development itself, development in some locations may increase the risk of flooding elsewhere by reducing the storage capacity of areas where water flows are held at times of flood, such as functional flood plains, and/or by impeding the flow of flood water. Consequently the developer will be responsible for:
- a) Providing an assessment of whether any proposed development is likely to be affected by flooding, including the possibility of groundwater flooding due to a high water table, **by the overwhelming of sewers and drainage systems** and whether it will increase flood risk elsewhere and of the measures proposed to deal with these effects and risks; and
  - b) Satisfying the Local Planning Authorities' that any flood risk to the development or additional risk arising from the proposal will be successfully managed with the minimum environmental effect, to ensure the safe development and secure future occupancy of the site.
- 7.4 The developer must consult the Environment Agency (0845 933 3111 [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)) on any such proposals and collect any local evidence on previous groundwater flooding in order to establish flood risk and the means to minimise it. Development proposals with potential flooding implications will only be accepted where the Local Planning Authorities', in conjunction with Environment Agency, is satisfied that the risk has been evaluated and that any necessary flood protection measures approved by the Environment Agency and the Local Planning Authorities' will be fully funded, including provision for long-term maintenance, by the developer.

#### Developer contributions

- 7.5 The Local Planning Authorities' may seek developer contributions for specific flood protection schemes. Each application received will be considered on its merits with respect to any contribution required.

### Drainage and water

#### Policy background

- 7.6 The policy for water and drainage is set out in the Joint Core Strategy Policy CP24.
- 7.7 The policy indicates that development will be required to protect the quality and quantity of water, and make efficient use of water. The developer must show whether additional provision or improvement of local infrastructure is required and demonstrate that adequate funding is available for that infrastructure in advance of development taking place.

#### Requisition and infrastructure charges

- 7.8 Under the Water Industry Act 1991, an infrastructure charge may be levied on new and existing property connected to the public sewerage and water system for the first time. The Water Companies are responsible for fixing the scale and payment methods of the requisition and infrastructure charges. If the existing infrastructure is not adjacent to a development site, the developer may have to requisition a new off-site sewer or water main under Section 41 or 98 of the Act. Any cost associated with the requisition would be additional to the infrastructure charge and would be borne by the developer.
- 7.9 The provision of extensive and efficient foul and surface water drainage systems is critical to the proper functioning of settlements and individual's homes. In several parts of the District the Water Companies are having to upgrade the sewerage system. These improvements have been planned on the basis of the likely increase of dwelling stock of the catchment area over a certain period of time **or to meet stricter environmental standards**. Developers are advised to contact the relevant Company to seek details of planned **strategic** improvements.
- 7.10 In cases where development cannot proceed in advance of off-site infrastructure improvements, then developers, **where appropriate, will be required ~~may be requested~~** to contribute towards the cost of the improvements **or phase their development to co-ordinate with the provision of infrastructure**.

#### Developer contributions

- 7.11 The Local Planning Authorities' may seek developer contributions for specific water and drainage schemes. Each application received will be considered on its merits with respect to any contributions required.

#### **Key infrastructure requirements**

- 7.12 The Council and South Downs National Park Authority (SDNPA) have identified the key infrastructure requirements with its partners and relevant bodies and these will be set out in the Infrastructure Delivery Plan (IDP). The IDP is a dynamic document and will constantly change as projects are completed or re-prioritised and other projects come along. A list of the most significant requirements are included within the IDP Interim Statement and Infrastructure Schedule (July 2013) which was subject to scrutiny at the JCS Examination in October 2013. The IDP will be reviewed on an annual basis or as necessary.

## 8.0 Local Employment and Training

### Policy background

- 8.1 The policy for employment and training is set out in the Joint Core Strategy under the new policy 'Employment and Workforce Skills' in Chapter 5. Sustainable Economic Development.
- 8.2 The National Planning Policy Framework requires a net gain in all aspects of sustainable development. In order to achieve sustainable economic growth, East Hampshire has to tackle key issues and challenges such as skills, training and employment, alongside provision of housing and commercial floorspace.

### Developer contributions

- 8.3 Measures to mitigate for job losses, skills shortages, increase apprenticeship opportunities, reduce unemployment and provide career opportunities for residents will be sought. Such measures include:
- Secure an economic contribution aimed at mitigating the impact of loss of employment land and enabling the unemployed to get into local jobs. The contributions can support existing or new programmes carried out by the council, the developer or others as agreed by the council and the developer.
  - Implement a Unilateral agreement to create jobs and training (for the unemployed from the local area) during the construction phase of the development and in the final development. The process involves negotiating obligations including; direct labour agreements, training, work experience and apprenticeships to be implemented during the construction phase of the project and following completion to date (if required).
- 8.4 The council may also seek to negotiate additional contributions, depending on the context of the site, including: relocation assistance for existing businesses, provision of affordable business space, local procurement and supply chain measures, direct labour agreements and work experience and/or apprenticeship schemes facilitated by appropriate local training.

See attached tables.

Type of contribution	Trigger	Standard charge formula	Formula sources
S106 Economic Contribution	Change of use development proposal resulting in loss of employment land	<p>The contribution to enable unemployed people to access jobs locally <b>and/or create new business floorspace elsewhere in the area</b> is calculated as follows:</p> <p><b>Office use:</b></p> <p>Number of jobs lost x employment wage + cost of training &amp; support = Contribution required.</p> <p><b>All other employment uses:</b></p> <p><b>Either</b></p> <p><b>Amount of floorspace lost ÷ 120 sq.m x baseline contribution = Contribution required</b></p> <p><b>Or</b></p> <p><b>Proposed number of residential units x baseline contribution = contribution required.</b></p> <p><b>Note: The higher of the two figures will be applied.</b></p>	<p><b>Number of jobs lost :</b></p> <p>This based on either:</p> <ul style="list-style-type: none"> <li>the existing jobs as stated in the change of use planning application; or</li> <li>the total floorspace lost as a result of the development converted into number of jobs using HCA guidance.</li> </ul> <p>The higher of the two figures is applied in calculation of the contribution.</p> <p><b>Employment wages</b></p> <ul style="list-style-type: none"> <li>16 – 18 years = national apprenticeship wage X 37hours x 52 weeks.</li> <li>19 years plus = national minimum wage for the age group x 37 hours x 52 weeks.</li> </ul> <p><u>Note:</u> Jobs lost by age groups based on proportion of unemployed in the area</p> <p><b>Cost of training</b></p> <p>To provide training and support into employment through the existing Get East Hants Working Initiative for one person costs approximately £2500* per person. The contribution is used to cover (in full or in part) training costs, transport costs to/from employer and training provider and job matching.</p> <p><u>Note:</u> *The figure is based on recent employment initiatives carried out by East Hampshire District Council. <b>The baseline contribution formula is intended to ensure that developments with the same amount of floorspace as Office uses (with high employment densities) and resulting in the same number of residential units make an equal contribution.</b></p>

<b>Type of contribution</b>	<b>Trigger</b>	<b>Standard charge formula</b>	<b>Formula sources</b>
<p>Local Employment and Training Agreement</p> <p>(Unilateral Undertaking)</p>	<p>Major developments</p> <p>Threshold to be specified after pilot project is completed.</p> <p>Provisional: Schemes providing a net increase of <del>1,000</del> <b>1,500</b> sq metres or more of commercial floorspace and residential schemes of 50 or more units.</p>	<p>Employment during construction phase and occupation phase of the development.</p> <p><b>Calculation of jobs:</b></p> <p>The Construction Industry Training Board (CITB) model, the Construction Futures or other methods of job estimate as agreed with the Council will be applied.</p> <p><b>Planning obligation</b></p> <p>The Developer will complete a Unilateral Undertaking to deliver the jobs as agreed with the Council.</p> <p>Developer is required to submit and Employment &amp; Training Plan prior to implementation of the Development.</p> <p><b>Economic contribution (if applicable)</b></p> <p>Following granting of planning permission, if the Developer is not able to deliver the jobs and training as per the planning obligation, the Developer will be required to make an Economic Contribution towards a local skills initiative using the following formula:</p>	<p><b>Costs</b></p> <p>As part of the Employment and Training Plan the Developer may be required to provide financial contributions to the Council to cover specific costs incurred by the council in the implementation of the Employment and Training Plan and shall set out the matters on which the expenditure may be incurred together with the timings for such expenditure and triggers for these payments.</p> <p><b>Economic contribution (following granting of planning permission)</b></p> <p>The Initial Occupants of the Development can benefit from the Economic Contribution through the scheme as the funds will be available to them for two years from the Date of Completion of the Development and after the two-year period the funds will be made available to other enterprises within the area wishing to recruit apprentices.</p> <p>The prospect of match funded apprenticeship jobs is viewed as an incentive to attract Initial Occupants to the Development</p> <p><b>Employment wages</b></p> <ul style="list-style-type: none"> <li>• 16 – 18 years = national apprenticeship wage X 37 hours x 52 weeks.</li> </ul>

		<p>Number of jobs*  x employment wage  + cost of training &amp; support  = Contribution required.</p> <p>* Number of jobs will be restricted to those included in the Unilateral Undertaking or planning obligation.</p>	<ul style="list-style-type: none"> <li>• 19 years plus = national minimum wage for the age group x 37 hours x 52 weeks.</li> </ul> <p><u>Note:</u> Jobs lost are split into age groups based on proportion of unemployed in the area</p> <p><b>Cost of training</b></p> <p>To provide training and support into employment through the existing Get East Hants Working Initiative for one person costs approximately £2500 per person.</p> <p>The contribution is used to cover (in full or in part) training costs, transport costs to/from employer and training provider and job matching.</p>
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## **9.0 Administration of S106 Legal Agreements**

- 9.1 In order to process legal agreements the Council incurs costs at the preparation stage and in monitoring such agreements, for example by collecting payments or administering received funds.
- 9.2 The review of legal agreements will ordinarily require the Council's solicitor(s) to act on the Local Planning Authorities behalf to review or prepare an S106 agreement or undertaking. These costs will ordinarily be expected to be met by the applicant.
- 9.3 In line with the provision of the 2010 CIL regulations the Council will seek to impose a proportionate administration fee on all agreements. Where an agreement is relatively straightforward (e.g. where it only concerns the payment of developer contributions) then a flat rate fee of 5% will ordinarily be put forward. On larger or more complicated developments where the fee would itself become significant as a proportion of contributions the Council will impose an upper cap of ~~£5,000~~ **£10,000** which is index linked.

## **10.0 Developer Contribution Spending Process**

- 10.1 The Council has determined a process for the spending of S106 developer contribution funds. This is set out in Appendix 3.

## Guide to Developer Contributions

## Appendix 1.

### Summary list of developer contribution charges.

Provision Type	Area and/or threshold	Contribution					
<b>Residential</b>		<b>Contribution per dwelling</b>					
Public open space	District wide. One dwelling net or more.		1 bed. 1.4 persons (£)	2 bed. 1.9 person s (£)	3 bed. 2.5 persons (£)	4 bed. 2.8 persons (£)	5+ bed. 3.2 persons (£)
		Parks, sports & recreation grounds	242	329	433	484	554
		Natural green space	242	329	433	484	554
		Informal green space	242	329	433	484	554
		Equipped children's & young people's space	61	82	108	121	138
		Allotments	48	66	87	97	111
		Total	836	1134	1492	1671	1910
Alton Sports Centre	Within the catchment area as shown on the map at Appendix 2. 10 dwellings or more.	£10,000					
Affordable Housing	District wide. Commuted sum for 1 to 4 dwellings (net)	<b>See table at paragraph 3.4</b>					
Community facilities	District wide. One dwelling net or more.		1 bed. 1.4 persons (£)	2 bed. 1.9 persons (£)	3 bed. 2.5 persons (£)	4 bed. 2.8 persons (£)	5+ bed. 3.2 persons (£)
		Community facilities	840	1140	1500	1680	1920

Community project workers	District wide. Sites of 60 dwellings or more	£250
Education	Area subject to specific requirement. Ten dwellings or more. Excluding one bedroom units and elderly accommodation.	<b>Primary Education:</b> <b>where a new 1 form entry school is required - £6,278 per eligible dwelling</b> <b>where a new 2 form entry school is required - £4,944 per eligible dwelling</b> <b>where a new 3 form entry school is required - £4,674 per eligible dwelling</b> <b>where an existing school needs to be extended - £5,057 per eligible dwelling</b>  <b>Secondary Education:</b> <b>where a new school is required - £6,990 per eligible dwelling</b> <b>where an existing school needs to be extended - £6,154 per eligible dwelling</b>
Internationally designated sites: Wealden Heaths Phase II SPA	Subject to impact of development proposal on SPA	Mitigation requirements to be negotiated where necessary
Internationally designated sites: Solent Natura 2000 sites	Within 5.6km of the Solent Natura 2000 sites One dwelling net or more.	<b>£172</b>
Transport	District	1 bed = £1,980 per dwelling 2 and 3 bed = £3,745 per dwelling 4 + bed = £5,457 per dwelling
Local Employment and Training	District wide. Threshold subject to confirmation	See Section 8
<b>Other residential contributions subject to identified requirement. (1)</b>		
Built recreational facilities	Subject to individual specification	Subject to identified requirement and case by case negotiation (see Alton Sport Centre above)
Green Infrastructure (includes landscape and	Subject to individual specification	Subject to identified requirement and case by case negotiation

biodiversity)		
Public services	Subject to individual specification	Subject to identified requirement and case by case negotiation
Built environment	Subject to individual specification	Subject to identified requirement and case by case negotiation
Flood protection	Subject to individual specification	Subject to identified requirement and case by case negotiation
Water and drainage	Subject to individual specification	Subject to identified requirement and case by case negotiation
<b>Economic and Employment</b>		
Transport	District	B Employment use B1 business = £4301 per 100 sqm B2 general industry = £1725 per 100 sqm B8 warehouse & distribution = £2162 per 100 sqm
Local Employment and Training	District wide. Threshold subject to confirmation	See Section 8

**Notes:**

1. The Council and National Park Authority have identified the key infrastructure requirements with its partners and relevant bodies and these will be set out in the Infrastructure Delivery Plan (IDP) currently under preparation. A list of the most significant requirements are included within the IDP Interim Statement and Infrastructure Schedule (July 2013) which was subject to scrutiny at the JCS Examination in October 2013. The final IDP will be reviewed on an annual basis or as necessary.
2. Where payment of the contributions is to be made by means of an Agreement/Undertaking under S.106 of the Town and Country Planning Act 1990:
  - a. The Transport contribution will be index linked up to the date of payment,
  - b. A checking fee of £500 will be made by the EHDC Legal Services team.

Guide to Developer Contributions  
Alton Sports Centre Catchment Area (10 minute drive time)

Appendix 2

