

GUIDE TO DEVELOPERS CONTRIBUTIONS AND OTHER PLANNING REQUIREMENTS

August 2011



GUIDE TO DEVELOPERS' CONTRIBUTIONS

1.0 INTRODUCTION

- 1.1 This guide sets out, briefly, the District Council's requirements for developers' contributions towards infrastructure improvements and other means of reducing the impact of new development upon the area.
- 1.2 Tightened public expenditure controls in recent years have reduced the ability of Local Government to provide services and facilities for the community. These financial constraints and the high volume of building in East Hampshire have meant that the District Council has not been able to ensure that much-needed services and improvements (such as community halls, sports facilities, open space and affordable housing) have been provided at the same time as new private sector housing and employment.
- 1.3 More new development will add to East Hampshire's existing problems, therefore the District Council will require contributions from developers towards services and facilities.

2.0 TAKING REQUIREMENTS INTO ACCOUNT

- 2.1 Early notification of the District Council's requirements will allow landowners and developers to take account of the additional costs and resources when undertaking development appraisals of sites. Thus, they may have to take into account several commuted sums, (e.g. open space, affordable housing and community facilities) to calculate the development value of a site.
- 2.2 Staff in the Planning Development Section will be pleased to discuss the Council's requirements with developers at the preliminary stages of their development appraisals. This guide sets out the general level of requirements and contributions. However, some proposals may be subject to other requirements because of existing circumstances in their locality or new needs generated by the development.

- 2.3 The District Council's requirements will be covered by Planning Obligations prior to the granting of planning permission. Developers should be aware of possible delays caused by preparing such Planning Obligations, although the Council has a number of model agreements which may save time on standard contributions. In the interests of speed and to save the Council from unnecessary cost, the first draft of an agreement creating a planning obligation may be prepared by the applicant/developer.

3.0 ACTION BY THE COUNCIL

- 3.1 It must be stated at the outset that the Council will not fetter its judgement of planning applications because the developer has offered a contribution. A planning application linked with an offer of a contribution which is incompatible with the Council's policies will not be considered favourably. In other words, developers' contributions do not 'buy' planning permissions on unacceptable schemes or sites.
- 3.2 The Council will not accept any diminution of quality in submitted schemes because it has required contributions from developers. Thus, for example, the quality of building materials and landscaping shall not suffer in order for the developer to meet the Council's requirements for commuted payments or affordable housing.
- 3.3 Contributions paid by developers to the Council will be paid into a Fund so that money can be accumulated and the necessary activity can be undertaken when sufficient resources are available and the expenditure programme has been approved.
- 3.4 In some cases, the District Council's requirements are met by action from other agencies, such as the County Council and no contributions are paid to the District Council.

4.0 POLICIES

4.1 The District Council's East Hampshire District Local Plan: Second Review contains policies on requirements and contributions from developers. A key policy (GS4) says:

"Planning permission will be granted for development only in those locations where:

a) adequate infrastructure, services and/or facilities are available and would be used most efficiently; or

b) the developer has made arrangements that are necessary, fairly and reasonably related in scale and kind to the proposed development, and reasonable in all other respects, to provide or to improve infrastructure, services and facilities, on and/or off-site.

In seeking to enter into an agreement with the developer to provide infrastructure, services and facilities and/or environmental improvements, the Council will take into account any relevant cumulative effect of development."

4.2 The District Council's other policy documents, such as Development Briefs, contain requirements specific to individual allocated sites. Developers should check the Council's current published documents to establish whether their sites are covered by such policies.

5.0 CURRENT REQUIREMENTS AND CONTRIBUTIONS

5.1 The guide gives the current requirements and contribution levels in East Hampshire. It covers:

1. Public Open Space and Recreation Facilities
2. Affordable Housing
3. Community Facilities and Public Services
4. Transport Improvements
5. Drainage Requirements
6. Nature Conservation, Landscape, Heritage and Environmental Improvement

6.0 LEGAL POWERS

6.1 The District Council recognises the legal powers and advice contained in the following documents:

- Highways Act 1980 (Section 38 and 278)
- Housing Act 1985 (Sections 8, 9 and 17)
- Local Government Act 1972 (Section 111)
- DoE Circular 11/95
- Planning Policy Statement No. 3 Housing
- Town and Country Planning Act 1990 (Sections 106 and 227)
- DoE Circular 5/2005 (Planning Obligations)
- Water Industry Act 1991 (Sections 41, 98 and 104)
- DoE Circular 6/98

N.B. Other powers may also be appropriate for particular cases.

7.0 WHO TO CONTACT

7.1 Staff in the Planning Development Section act as the first point of contact. They will discuss individual costs in greater details and they will preserve confidentiality of such contacts.

7.2 Appointments should be arranged by telephone to make sure that an appropriate Planning Officer will be able to deal with the contact.

Tel: 01730 234246

1. PROVISION OF PUBLIC OPEN SPACE AND RECREATION FACILITIES ON RESIDENTIAL DEVELOPMENT SITES

1.0 INTRODUCTION

1.1 The District Council's standards for the provision of public open space on new residential development sites are set down in the East Hampshire District Local Plan: Second Review (see Policy R3). This section explains how the standards will normally be applied across the District. For further information developers are advised to contact the Planning Development Section in the first instance.

- b) situated, equipped and landscaped to provide a variety of exciting and safe environments for play;
- c) located so as to not cause nuisance to residents of neighbouring properties; and
- d) located to minimise conflict with vehicles.

2.0 STANDARD OF PROVISION

2.1 The overall standard of provision of public open space in new residential developments is 3.0 hectares (ha's) per 1,000 people. This is made up as follows:

- | | |
|------------------------------|-------|
| i) Playing fields | 1.6ha |
| ii) Children's playing space | 0.6ha |
| iii) Informal open space | 0.8ha |

2.2 The open space provided must be well located in relation to the rest of the development and be of usable size and shape.

i) **Playing fields** Except on very large sites, provision may be more appropriately provided away from the site, particularly if they can be provided in conjunction with, or located close to existing or proposed playing fields. However, these off-site locations should be within a reasonable distance of the residential development providing it.

ii) **Children's playing space.** The children's play areas should be provided on the development site, and:

- a) located where they can be overlooked from adjoining homes, and designed to allow supervision from adults in the surrounding area;

iii) **Informal open space** should be provided as an integral part of all development sites, where practicable. It should be well planned and not awkward areas of land out of sight of the main development. Grass verges and areas of purely visual amenity value will not form part of the informal open space provision. Part of the informal open space provision may be better located away from the development site, particularly if it can be provided in conjunction with, or located close to existing or proposed informal open space. Where dense urban forms of development are proposed it may be acceptable for the informal open space to be provided off-site. However, these off-site locations should be within a reasonable distance of the residential development providing it.

2.3 The District Council recognises that many proposed residential developments are too small to enable the provision of recreation space to the full standard. Small pockets of open space often fail to serve a useful recreation purpose and are discouraged. In these cases, developers will be requested to provide a suitable site in the vicinity. If this is not possible or practicable, the developer will be required to make a commuted payment to the District Council in lieu of the provision of the full standards of open space within the development (see paragraph 4.4 and 4.5).

- 2.4 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. Open space requirements will be based on the number of additional dwellings following development. On developments of flats, communal gardens will count toward public open space requirements.
- 2.5 A District-wide survey 'Open Space, Sports and recreation Study' was completed in 2008. Copies of the study are available on the Council's website. Policy R4 allocates a number of sites for open space provision which will help to meet existing shortfalls.
- 2.6 Within areas of open space deficiency, the Council will seek a higher provision of open space to offset existing deficiencies.
- 2.7 Where sufficient playing fields and informal open space exist in a settlement, developers will normally be requested to provide an enhancement to an existing facility or an alternative form of recreation provision.
- 2.8 In the exceptional circumstances where more than the standard requirement of any one of the forms of open space is provided and which is of exceptional benefit to the residents of the scheme and wider community, such provision may be discounted against the other requirements within the standards. Maintenance payments on adoption of such open space will be calculated within the context of the provision of the standard open space requirements.
- 2.9 Developers should ensure that prospective purchasers of the dwellings are clear as to the specific use of areas of open space within the development. Application drawings should clearly show the use of proposed open space areas and on larger schemes, where a phased occupation of the dwellings is intended, a

schedule for the implementation of the open space areas will be required.

- 2.10 Developers will be required to make suitable provision for the adoption and maintenance of the open spaces (see paragraphs 4.1 and 4.2). The parish councils will, in most cases, be the appropriate body to maintain such sites.

3.0 CALCULATING OPEN SPACE REQUIREMENTS

- 3.1 The formula for calculating the amount of open space which needs to be provided on a development site is based on a standard occupancy rate of 2.6 persons per household. An example of a calculation is set out below:

i) A development of 50 houses is proposed. With a standard occupancy rate of 2.6 persons per household this development would result in 130 residents.

ii) The amount of open space required for the development would, therefore be $130/1000 \times 3.0\text{ha}$, i.e. 0.39ha (3,900sqm) in total.

- 3.2 For ease of reference the Council has calculated the open space requirements per dwelling, based on the above formula. These are as follows:

i) Playing field	41.6
sqm/dwelling	
ii) Childrens playing space	15.6
sqm/dwelling	
iii) Informal open space	20.8
sqm/dwelling	
Total (sqm/dwelling)	78.0

4.0 PAYMENTS

i) Adoption and maintenance

- 4.1 Developers will normally be required to provide and lay out the open space to a standard to be agreed with the District Council, and to enter into a Planning Obligation to maintain the land for a period of at least 12 years, or make a commuted payment for its maintenance.

4.2 The commuted maintenance charges made by the Council (July 2005) are:

- £6.75 per sqm for grassed areas
- £10.12 per sqm for landscaped hard and soft areas

This figure is subject to annual review.

4.3 For further information on maintenance charges developers should contact the Engineering Services Group of the District Council (01730 234297).

ii) Commuted payments

4.4 In certain circumstances the Council may accept a commuted payment:

On small developments where it is not practical for open space to be provided on site as it would be too small to be usable for the purpose intended. 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. It is not possible to set predetermined levels at which the size of the various elements of open space become usable. This will be a matter for determination depending on the individual character of a scheme.

Even on large developments it may not be practical to provide for playing fields within the new development. As indicated in paragraph 2.2(iii), part of the informal open space may be better located away from the development site. Where it is not possible or practical for a developer to provide a suitable site in the vicinity, a commuted payment may be accepted to purchase, lay out and maintain areas of playing fields and informal open space, or to improve existing provision, elsewhere in the settlement.

Where sufficient playing fields and larger areas of informal open space exist elsewhere in the settlement, a commuted payment may be accepted to provide for the enhancement of an existing facility, or for an alternative form of recreation provision elsewhere in the settlement (see paragraph 2.7).

Where it is not appropriate to apply the open space standards, or the full standards as indicated in paragraph 2.4, a

commuted payment may be accepted for facilities more appropriate to the development (e.g. benches in the vicinity of an elderly persons scheme).

4.5 The payments per dwelling in lieu of the provision of open space to the required standards are:

i) Playing fields per dwelling	£682
ii) Children's playing space per dwelling	£254
iii) Informal open space per dwelling	£341

Total (per dwelling) £1,277

These figures include costs for purchase, laying out and maintenance of open space and are subject to annual review.

Strategic recreation projects

4.6 The Council may seek developer contributions in addition to the above payments for specific projects where justified. Projects may include larger schemes of a strategic nature, such as a sports centre.

5.0 LAND OF HIGH ECOLOGICAL OR LANDSCAPE VALUE

5.1 In certain circumstances an area of land to be provided as part of the open space provision may be of high ecological or landscape value, for example, waterside landscapes, wetland or ancient woodland. The Council may consider it appropriate that such land be conserved in its original state (subject to any necessary management works) to protect its intrinsic value. In these circumstances the Council would wish to be assured that there is sufficient usable open space to serve the site.

5.2 Developers will normally be required to provide and carry out any necessary management works to the land (subject to an ecological survey), and enter into a Planning Obligation for the area's future maintenance for a period of at least 12 years.

6.0 PLANNING OBLIGATIONS

- 6.1 Developers will be required to make proper provision for the maintenance of the open spaces created by their development. Most developers prefer to enter into a Planning Obligation with the Council to secure the future maintenance of the open spaces.
- 6.2 If the Council accept a commuted payment instead of the provision of open space, this payment will also be subject to a Planning Obligation.

2. PROVISION OF AFFORDABLE HOUSING

1.0 INTRODUCTION

1.1 The District Council's policies for the provision of affordable housing are set out in East Hampshire District Local Plan: Second Review, Policies H11 and H12.

1.2 This section specifically deals with the provision of affordable housing within settlement policy boundaries. Information about requirements on rural exception and independent schemes can be found in the document 'Implementing the Policy for Affordable Housing' which the Council publishes as Supplementary Planning Guidance.

b) Developments of 5 dwellings or more.

iii) Where the site is within a Special Housing Area or Area of Special Housing Character covered by Policies H9 or H10 of the Second Review Local Plan, then the national site size thresholds, as set out below, apply:

- a) Sites of one hectare or more; or
- b) Developments of 25 dwellings or more.

2.0 REQUIREMENTS FOR AFFORDABLE HOUSING PROVISION WITHIN SETTLEMENT POLICY BOUNDARIES

2.1 The District Council will negotiate with developers to ensure that a proportion of all new housing built on housing sites complying with the criteria set out below, is made available at affordable prices. The current percentage sought is 35%. The Council believes that there are exceptional local constraints to providing adequate levels of affordable housing in East Hampshire. The Council believes that in accordance with Circular 6/98 there is justification to negotiate an element of affordable housing with the developer on the following sites:

2.2 The District Council will negotiate with developers for the provision of affordable housing within schemes meeting the site size criteria specified above. Further information can be found in the Council's document, 'Implementation of the Policy for Affordable Housing'.

i) In settlements with a (parish) population of more than 3,000:

- a) Sites of 0.5ha or more; or
- b) Developments of 15 dwellings or more.

ii) In settlements with a (parish) population of 3,000 or less:

- a) Sites of 0.15ha or more; or

3. PROVISION OF COMMUNITY FACILITIES AND PUBLIC SERVICES

1.0 INTRODUCTION

- 1.1 The District Council's Policies for provision of community facilities and public services is set out in the East Hampshire District Local Plan: Second Review (see policies GS4 and HC2).
- 1.2 Policy GS4 sets out the general policy of directing new development, wherever possible, to areas where social and physical infrastructure is already available to meet the needs of the population. However, new development, particularly housing development, may put pressure on existing facilities. Where the need for any type of new community facility or public services can be attributed to a particular development, developers will be expected to fund the provision or improvements needed.
- 1.3 This section explains how the requirements for community facilities and public services will normally be applied across the District. For further information developers are advised to contact the Planning Development Section in the first instance.

2.0 COMMUNITY FACILITIES

- 2.1 Community facilities include, for example, meeting halls, community centres, pavilions, youth clubs, public conveniences and places of worship.
- 2.2 The East Hampshire District Local Plan: Second Review identifies sites for community facilities under Policy CF1.
- 2.3 In addition to the requirements highlighted by the East Hampshire District Local Plan: Second Review a District-wide survey has been undertaken by parish which identifies the local need for additional community facilities. This is contained in the document 'Town and Parish Survey of Community Provision 2003'. Surveys by other agencies, or for the preparation of village appraisals, may also identify the need for community facilities

- 2.4 The District Council will seek contributions from developers of sites which clearly affect an identified local need.
- 2.5 In seeking a contribution, the District Council will not apply a rigid formula to the provision of community facilities. A number of factors will influence negotiations between the Council and developers. These include the size and type of the development, the cumulative effects of a number of developments in the same area and the estimated running costs of some facilities.
- 2.6 If some development sites are unsuitable for construction of proposed community facilities, the Council may agree to accept a community payment to facilitate provision of the facilities in the locality. The commuted sum charged by the Council will be related to the need for a particular facility identified by the Authority. The sum will be calculated on current prices at the time of payment.
- 2.7 Developers of sites which include provision of community facilities will be required to give the facility to the Council. This will be of a type, size and standard agreed with the District Council. The Authority's specification will be according to the identified local needs. The standard will be normally be suitable for immediate occupation/use by a community group, i.e. fully equipped and decorated with sufficient parking spaces.
- 2.8 Further information on type, size and standards of community facilities in East Hampshire may be obtained from the Community Team.

Community Project Worker

- 2.9 The Council works 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 and Treloar Hospital, Alton developments. The project worker schemes have proved to be very successful.

2.10 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, including owners/occupiers. 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.

3.0 PUBLIC SERVICES

- 3.1 Public services include, for example, education establishments, health care facilities, doctors surgeries and libraries.
- 3.2 The East Hampshire District Local Plan: Second Review identifies sites for public services under Policy PS1.
- 3.3 In addition to the requirements highlighted by the East Hampshire District Local Plan: Second Review surveys, or information held, by the service agencies may also identify the need for public service facilities.
- 3.4 The District Council will seek contributions from developers of sites which clearly affect an identified local need.
- 3.5 In seeking a contribution the District Council will not, in general, apply a rigid formula to the provision of public service facilities. A number of factors will influence negotiations between the Council and developers. These include the size and type of the development, the cumulative effects of a number of developments in the same area and the estimated running costs of some facilities.

Educational provision

3.6 Of particular concern is the provision of the appropriate educational needs. 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 by the Council.

3.7 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 Education Facilities, March 2003' (Revised September 2004), which sets out the requirements for education provision. Planning Control Officers at East Hampshire District Council can provide advice on education contributions which may be required for development proposals. For further information regarding the background to the contributions required developers are advised to contact the Education Authority (Mr Ian Lawson, Strategic Planning Officer 01962 846350).

4.0 PLANNING OBLIGATIONS

- 4.1 Developers will be required to enter into a Section 106 Obligation or another suitable agreement with the Council to safeguard provision of the community or public service facility or commuted sum.
- 4.2 The Council has standard forms of agreement and it imposes a nine month time limit for document preparation in order to minimise delays in the process.

4. TRANSPORT IMPROVEMENTS

1.0 INTRODUCTION

- 1.1 This section explains how policies for improvements to the District's transport infrastructure will normally be applied. For further information, developers are advised to contact the Planning Control Section in the first instance.
- 1.2 Hampshire County Council is 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).
- 1.3 The County Council's approach to transport is to implement integrated transport strategies for various areas of the County. The aim of these strategies is to reduce the heavy reliance on the car by helping to reduce demand for car travel and by encouraging a range of reliable and accessible alternatives.
- 1.4 The County Council, together with East Hampshire District Council and Winchester City Council, has prepared the Central Hampshire Rural Transport Strategy (CHARTS) which covers most of East Hampshire and much of the rural district of Winchester. The South East Hampshire Transport Strategy (SEHTS) covers the eastern part of the south Hampshire urban area and includes the Horndean and Clanfield areas of East Hampshire. The SEHTS has been prepared by the County Council, together with East Hampshire District Council, Havant, Gosport and Fareham Borough Councils and Portsmouth City Council.
- 1.5 The CHARTS and the SEHTS encourage public transport and community transport, cycling and walking as acceptable alternatives to the car and thus reduce the impact of traffic on the environment. They emphasise that new development should be located and designed so that the need to travel is reduced and should be served by a choice of transport modes.
- 1.6 Part of the work on the CHARTS includes studies of transport issues in Alton, Petersfield and Whitehill/Bordon. The Petersfield Area Transport Strategy (PATS) has been completed following transport studies by consultants and the

involvement of the community through workshops and public consultation. The PATS includes a programme of improvements to help build on the existing transport provision in and around Petersfield. It also identifies ways in which developments can contribute to the Strategy's proposals.

2.0 TRANSPORT ASSESSMENTS

- 2.1 Where development will have significant transport implications, planning applications should be accompanied by a transport assessment, giving details of the modes of transport to be used. This should include the potential for those trips to be made by public transport, cycling and walking. An evaluation of the environmental impact of traffic generated by the development will also be required. Further details are provided in PPG:13, paragraphs 23–27. Where appropriate, a travel plan should be included.

3.0 TRAVEL PLANS

- 3.1 The District Council will require travel plans to be submitted in support of planning applications for new developments that are likely to have significant transport implications in order to work towards the sustainable transport targets of the CHARTS and the SEHTS areas. The introduction of a travel plan can minimise the potential traffic impact of development by optimising the use of alternative forms of transport. The travel plans should be drawn up in conjunction with the County Council.
- 3.2 A travel plan will not be used to allow a permission to be granted that would otherwise have been refused; it cannot put right something that is contrary to policy. Arrangements for the regular review of the travel plan will be built in to the Section 106 Agreement, to ensure that it is working and so that it can be adjusted if necessary to ensure that its objectives are achievable. Modal shift targets and monitoring are therefore essential and arrangements for these will be built in to the travel plan. The monitoring will always be carried out by the Council, but will be paid for by the developer. Travel plans should incorporate a financial bond as a

penalty to be drawn on should the plan prove not to work and used to enhance sustainable transport facilities and/or traffic management.

- 3.3 Further information on travel plans, including those development proposals that will require travel plans, is provided in PPG:13, paragraphs 87–91 and Annex D. Guidance on how to develop travel plans is available from the County Council or the DfT.

4.0 PUBLIC TRANSPORT / COMMUNITY TRANSPORT

- 4.1 Public transport and community transport can perform an important role in reducing social exclusion by helping many households people to meet their economic and social needs. Improvements to the public and community transport networks can therefore encourage reduction in the use of the car as well as reducing social exclusion.
- 4.2 Bus services are the most widely available form of public transport. The County Council and the District Council have powers, through a system of competitive tendering, to subsidise bus services not provided by the free market, but which are considered to be socially necessary.
- 4.3 Where passenger demand is low, more emphasis is placed on more flexible unconventional forms of transport, such as community-based schemes, shared taxis, the Post Bus, the Liphook Shuttle and Dial-a-Ride. These schemes can also be subsidised by the County Council and the District Council.
- 4.4 Policy T2 of the Second Review Local Plan requires development to be located and designed to maximise use of the public transport systems, thereby reducing reliance on the car. The provision of suitable infrastructure including bus stops and shelters within, and where appropriate close to, larger developments will further assist the promotion of public transport as a viable alternative to the private car.
- 4.5 Planning obligations may therefore be sought to achieve improvements to public transport, community transport and associated infrastructure where such

measures would be likely to influence travel patterns by encouraging users of the site to reduce the use of the private car.

5.0 WALKING AND CYCLING

- 5.1 The encouragement of walking and cycling as modes of transport for short journeys is part of the overall strategy for reducing the level of use of private cars.
- 5.2 Almost all journeys include a pedestrian element, making walking an essential part of the total transport system.
- 5.3 Through the cycle plan the District Council is promoting a District-wide network of cycle routes which will connect the main settlements, as well as shorter routes within the urban areas to link residential areas with schools, shops, railway stations and other public places.
- 5.4 Development proposals should therefore provide safe and convenient pedestrian and cyclist facilities which should link, where feasible, with the existing or proposed pedestrian network and the District-wide cycle network. Contributions towards the improvement of the existing pedestrian and cycle networks will also be sought where appropriate. (Policy T3 of the Second Review Local Plan).

6.0 PARKING

- 6.1 Car parking is a key component in any strategic transport policy designed to reduce dependence on the private car and promote sustainability. When considering applications for new development or redevelopment, developers will be expected to provide cycle and vehicle parking facilities in line with published standards (see Policy T12 of the Second Review Local Plan). The Highway Authority's parking standards, which are prepared on a countywide basis and revised from time-to-time are set out in supplementary planning guidance, 'Hampshire Parking: Strategy and Standards (Summer 2002)' and have been adopted by this Council.
- 6.2 Operational cycle and lorry parking requirements generated by proposed

developments and redevelopments should normally be met on site. Car and non-operational parking demands will be met either on site, by the provision of an equivalent car parking area close to the development site, or by other modes of transport being used to access the site.

- 6.3 Cycle parking facilities should be provided within new developments to encourage greater use of cycles for work, school, shopping, leisure and other purposes. These should be covered and secure, and in the case of places of employment, provision should be made for associated showers and changing facilities.
- 6.4 In addition, the District Council is seeking the provision of secure, well designed and conveniently located cycle parking facilities in town and local centres and public areas such as transport interchanges. Planning obligations may therefore be sought to achieve improvements to off-site cycle parking facilities where the development is likely to increase the demand for such facilities.

7.0 HOUSING LAYOUT

- 7.1 Hampshire County Council document 'Movement Access Streets and Spaces' provides local design guidance for roads, footways and cycleways. It also gives advice on the accommodation of busses in developments based on the principle of slow speed roads. It is a code of practice which is based upon, and amplifies, the advice given in Design Bulletin 32. In cases of doubt, 'Movement Access Streets and Spaces' will take precedence in Hampshire.
- 7.2 Home zones are residential streets in which the road space is shared between drivers of motor vehicles and the public, with the wider needs of residents and children (including people who walk or cycle) in mind. Meeting areas and play areas are an integral part of the design and the layout of the street, ensuring that motorists clearly perceived that they do not have priority. The provision of home zone schemes will be a requirement of some new residential developments. The schemes will include a combination of signs, physical measures and the fostering of high levels of community support and involvement. The projects will also be

subject to full consultation with the police, the other emergency services and statutory bodies.

8.0 LEGAL AGREEMENTS

- 8.1 Where improvements to off-site transport infrastructure is made necessary by the additional travel demands generated by the new development, developers will be required either to undertake the works themselves to the standard specified by the District or County Council, or to enter into a legal agreement for contributions to fund the work.
- 8.2 The off-site improvements could include highway works, new or enhanced facilities for cyclist and pedestrians, contributions towards public transport infrastructure and services and community transport. In certain areas, the contributions will be towards specific proposals set out in the CHARTS or SEHTS or a specific transport strategy such as the PATS.
- 8.3 Further information on the use of planning conditions and obligations to deliver more sustainable transport solutions is set out in PPG:13, paragraphs 81-86.
- 8.4 Contributions towards alternative transport provision to the car, such as improvements to public transport, community transport, pedestrian and cycle networks and associated infrastructure will be sought where appropriate. A number of alternative transport scheme are proposed and programmed for implementation in the District. The programme of schemes is set out in the Local Transport Plan 2006-2011 and are identified in more detail in the Scheme Tracking Report document published by Hampshire County Council. The document, A Cycle Plan for East Hampshire 2005 also identifies a number of schemes for cycle paths, including certain priority schemes.
- 8.5 The schemes are likely to be of relevance and benefit, to all residential and commercial development proposals within certain geographical areas. Due to the nature of alternative transport provision, proposed schemes are likely to be of relevance to a wider area than one settlement. The vast majority of the schemes proposed are, however, likely to be restricted to within each of the District's

Sub Areas. It is therefore appropriate for all new development proposals within a Sub Area to contribute towards the cost of the schemes proposed within that Sub Area. The charges paid in each Sub Area will be retained for funding schemes within that Sub Area.

- 8.6 The charges required should be reasonable in relation to the development proposal. For residential development it is proposed that the cost be based on the percentage rise in new dwellings per year taken as a part of the total costs of the schemes. In broad terms it is estimated that the increase in dwellings represents a growth of 1% per year. For example, if the total cost of the transport schemes in a Sub Area is £500,000 and the programme period is 5 years then the cost per year is £100,000. 1% of £100,000 is £1,000 which is considered to be an equitable level of contribution to pay per new dwelling.
- 8.7 For commercial development it is considered that the contribution required would be a matter of negotiation depending on the nature and scale of the proposal and the level of alternative transport provision requirement generated.
- 8.8 The above contributions do not preclude the requirement for additional specific transport or highway contributions, which may be necessary in order that the development be granted permission.
- 8.9 Sub Areas: Each of the four Sub Areas of the District (South, Central, North East and North West) have schemes which form part of the accessibility programme for the main settlements in the area. The programmes also include cycle route provision and Safer Routes and School Schemes. Total costs of these schemes have not been fully costed, but programme costs are likely to be in the region of £500,000 per Sub Area over a 5 year period.
- 8.10 Contribution requirements in the Sub Areas based on the above calculation method would be £1,000 per dwelling (plus inflation). For commercial development the contribution requirement would be a matter for negotiation.

8.11 TRANSPORT CONTRIBUTIONS

South Area:

Residential development – £1,195 per dwelling.

Commercial development – the contribution required would be a matter of negotiation depending on the nature and scale of the proposal and the level of alternative transport provision requirement generated.

Central Area:

Residential development – £1,195 per dwelling.

Commercial development – the contribution required would be a matter of negotiation depending on the nature and scale of the proposal and the level of alternative transport provision requirement generated.

North East Area:

Residential development – £1,195 per dwelling.

Commercial development – the contribution required would be a matter of negotiation depending on the nature and scale of the proposal and the level of alternative transport provision requirement generated.

North West Area:

Residential development – £1,195 per dwelling.

Commercial development – the contribution required would be a matter of negotiation depending on the nature and scale of the proposal and the level of alternative transport provision requirement generated.

- 8.12 The County Council is responsible for most highways and transport improvements and for arranging the legal agreements with developers under Section 278 of the Highways Act. Developers are advised to contact the Environment Department at an early stage, in order to reach an early agreement on the matter.

8.13 The County Council's Environment Department can be contacted at:

Environment Department
Hampshire County Council
The Castle
WINCHESTER
Hampshire SO23 8UD

Tel: 01962 846802 or 846912

Fax: 01962 847055

Email: env.enquiries@hants.gov.uk

5. DRAINAGE REQUIREMENTS

1.0 INTRODUCTION

1.1 The District Council's policy for improvements to off-site drainage and water systems is set down in the East Hampshire District Local Plan: Second Review. This section explains how the standards will normally be applied across the District. For further information, developers are advised to contact the Planning Development Section in the first instance.

2.0 REQUISITION AND INFRASTRUCTURE CHANGES

2.1 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. 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.

2.2 An area of particular concern at the present is the provision of extensive and efficient foul and surface water drainage systems. 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. Developers are advised to contact the relevant Company to seek details of planned improvements.

2.3 In cases where development cannot proceed in advance of off-site infrastructure improvements, then developers may be requested to contribute towards the cost of the improvements.

3.0 SCALE AND PAYMENTS OF CHARGES

3.1 The Water Companies are responsible for fixing the scale and payment methods of the requisition and infrastructure charges under the Water Industry Act 1991.

Developers are advised to contact the relevant Company at an early stage in order to reach an early agreement on this matter.

3.2 The Water Companies operating in East Hampshire are:

Drainage

Thames Water Utilities Limited
Tel: 0118 373 8056

Southern Water Services Limited
Tel: 0845 278 0845

Water Supply

South East Water
Tel: 0845 301 0845

Portsmouth Water Company
Tel: 023 9249 9888

4.0 FLOOD PROTECTION

4.1 The Government has recognised that the experience of recent years suggest that the incidence of problems due to river and ground water flooding may be getting worse, both in frequency and in scale. This arises to changes to river hydrology due to human activity, changes in land management, variations in the intensity of rainfall and the increase of development in areas of risk. In addition, climate change is expected to increase the risk of flooding of both coastal and rivers as a result of sea-level rise and more intense rainfall.

4.2 In recent years, increased incidences of flooding problems have led to the Government's publication of revised PPG25: Development and Flood Risk in July 2001. Through this revised 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.

4.3 In PPG25, the Government looks to local planning authorities to apply a risk-based approach to the preparation of development plans and their decisions on development control through a sequential

test (paragraphs 27 to 34). The guidance adds that planning decisions should recognise the importance of functional flood plains, where water flows, or is held in times of flood, and avoid inappropriate development on undeveloped and undefended flood plains. In this respect, the Environment Agency has a lead role to play in providing advice on flooding issues.

4.4 The Environment Agency has made flood plain maps available on the internet. The limits of the flood plain shown are indicative of the area, which could be affected by floods, overtopping, or breaching of flood defences. They are based on the appropriate extent of floods with a 1% annual probability of occurrence for rivers and a 0.5% annual probability of occurrence for coastal areas under present expectations or, where this is greater, the extent of the higher known flood. Where a flood defence exists that protects to a higher standard, the flood plain is the area that is protected to that standard. The maps represent the best available current information on the extent of flood risk. They are being revised and updated over time. The Environment Agency are currently progressing work on the definition of the outer flood area showing the likely extent of extreme floods (probably of 0.1% annual probability or less).

4.5 Policy C8 of the Second Review Local Plan sets out the Council's policy in relation to new development and flood risk.

4.6 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, and whether it will increase flood risk elsewhere and of the measures proposed to deal with these effects and risks; and

b) Satisfying the District Council 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.

4.7 The developer must consult the Environment Agency 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 Council, 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 Council will be fully funded, including provision for long-term maintenance, by the developer.

Environment Agency
Tel: 0845 933 3111
Web: www.environment-agency.gov.uk

6. NATURE CONSERVATION, LANDSCAPE, HERITAGE AND ENVIRONMENTAL IMPROVEMENT

1.0 INTRODUCTION

1.1 The District Council's policies for nature conservation, the protection and enhancement of the landscape, heritage and environmental improvement are set out in the East Hampshire District Local Plan: Second Review (see Policies C1 – C11, HE1 – HE19 and paragraphs 3.153 – 3.155)

1.2 This section explains how the policies for nature conservation, landscape, heritage and environmental improvement. For further information, developers or advised to contact the Planning Control Section in first instance.

2.0 NATURE CONSERVATION

2.1 The District Council's policies for nature conservation are set out in Policies C2, C3 and C4. Each of these policies indicates that where a development is permitted which results in loss or harm to any of those sites of nature conservation interest mentioned in the policy, compensating provision of habitat will be provided.

2.2 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.

2.3 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.

2.4 Some developments may result in increased human or domestic animal activity in nearby areas of designated nature conservation value. Such activity can adversely affect the nature conservation value of these areas. In these circumstances the developer will be expected to contribute towards the management and maintenance of these areas in order to minimise such adverse impact. Where schemes for the

improvement of an area of nature conservation value are likely to be of relevance and benefit to a development, a developer contribution will be sought

3.0 LANDSCAPE PROTECTION AND ENHANCEMENT

3.1 The Local Plan's principle policy for protecting local landscape features is Policy C5.

3.2 The need for new development to be in keeping with the character and appearance of the site with good landscape is set out in Policy HE1. The District Council will, therefore, require planning applicants 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.

3.3 In exceptional circumstances, the District Council 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 Council will require the developer to provide the land and commuted payments for landscape planting and long term maintenance. The sum will be calculated by the District Council on current prices at the time of payment. 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

Replacement tree policy

3.4 The District Council's adopted policy applies to trees affected by development proposals and also trees covered by Tree Preservation Orders. If the applicant can demonstrate it is impractical to retain trees or to plant replacements on-site, the Council may accept planting of replacement trees off-site. The location for replacement trees must be in close proximity to the site and the new stock, but be of suitable species, size and number.

3.5 The Council will require payment by the developer of a commuted sum to cover the Council's costs of planting, maintenance and any replacements during a five year period. The sum will be calculated by the Council on current prices at the time of payment.

- c. improve areas of poor environmental quality; and
- d. improve the surrounding landscape and increase the amount of tree cover.

4.0 HERITAGE

4.1 The heritage policies are set out in the Local Plan under policies HE4 to HE19. These include policies for conservation areas, listed buildings, ancient monuments and historic parks and gardens.

4.2 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 Council is resolved to protect and enhance as much of this heritage as possible.

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

4.4 Where improvements to the heritage of an area or of a building is made necessary by a development or where schemes for improvement are likely to be of relevance and benefit to a development, a developer contribution will be sought.

5.0 ENVIRONMENTAL IMPROVEMENT

5.1 Proposals for environmental improvement are included in paragraphs 3.153 to 3.155 of the Local Plan. The text indicates that the Council will continue to make finance available for conservation and environmental improvement work through its various grant schemes in order to:

- a. maintain and enhance the Conservation areas and other areas and features of historic, architectural or archaeological interest;
- b. improve the street scene;

5.2 Policy GS4 of the Local Plan deals with matters relating to developer contributions. Paragraph 2.52 indicates that

"Where appropriate, the developer should implement, or make financial contributions towards providing or improving:

e. environmental improvements (including countryside and landscape management, tree and hedge planting, town and village centre improvements, public art)."

6.0 DEVELOPER CONTRIBUTIONS

6.1 The Council will seek developer contributions of £527 per dwelling toward the provision of environmental, heritage and countryside management/improvement schemes as outlined in sections 2 to 5 above.

7.0 PLANNING OBLIGATIONS

7.1 Developers will be required to enter into a Section 106 Obligation, or other suitable agreement with the Council to safeguard provision of landscaping, or replacement planting and its subsequent maintenance.

7.2 The Council has standard forms of agreement and it imposes a nine month time limit for document preparation in order to minimise delay in the process.