

Summary Guide to Developers Contributions in Havant Borough

1.0 Introduction

- 1.1 The principle of developers making financial contributions to provide additional infrastructure because of their developments is well established. The Council needs to ensure that all new development doesn't increase the pressure on existing services and this could require a financial contribution to cover the additional costs. Council officers will therefore negotiate with developers to seek the required contribution to cover the costs so that both the new and existing community will not be disadvantaged. It is important to discuss the likely level of contributions with Council officers at an early stage in the development process so the costs can be built into developers' and landowners' financial appraisals before property transactions are completed. With all developer contributions the Council will negotiate the level of contribution in order to balance the needs of the community with the viability of the development.
- 1.2 In order to seek contributions from developers there must be a clear planning policy justification. The Havant Borough District Wide Local Plan (HBDWLP) sets out the policy background for the Council to seek developer's contributions for the following:

2.0 Provision and Improvement of Playing Space (Policy R17 of HBDWLP)

- 2.1 Supplementary Planning Guidance (SPG) was adopted by the Council on the 26th October, 2004 and seeks to implement the requirements of Policy R17 of the HBDWLP. The principle of the policy is that most residential development isn't large enough to enable viable on-site provision of playspace. Therefore contributions will be collected in area based financial 'pots' that will be spent on either creating new facilities or improving existing facilities when sufficient funds have been accumulated.
- 2.2 In general, contributions will be sought towards equipped children's playspace, casual children's playspace and playing fields, pitches and courts on all new permanent residential developments of more than 5 dwellings, excluding supported housing and care/nursing homes. The playspace calculation is undertaken on the **net number of dwellings** being proposed in a development. This means that if 10 new dwellings are proposed on a site where 5 dwellings will be demolished to make way for the new ones, then the net development is only 5 and the policy does not apply.
- 2.3 On sites that fall within the threshold for applying the policy, the amount of money that will be sought will be calculated on the number of **bedrooms** being proposed in the overall development. The sum that will be sought per bedroom is currently £543.50, which includes a sum for maintenance over a 20-year period.
- 2.4 Where there is sufficient land to allow the playing space to be provided on-site, then the Council will normally expect the land to be transferred to its ownership along with a financial contribution to cover maintenance for 20 years (based on the calculation in paragraphs 2.2-2.3 above).

3.0 Transport (Policies T10 & IMP1 of HBDWLP)

- 3.1 Hampshire County Council adopted a Transport Contributions Policy in September 2007. Financial contributions will be spent on improvements to transport and the highway developed through the Area Transport Strategies produced under the auspices of the Local Transport Plan. Priorities for spending will be determined through the Hampshire Action Team for each district, and money collected from development in Havant will only be spent in the Borough and not elsewhere in the County.
- 3.2 The policy is based upon an identical formula applicable across the whole County based upon the transport impact of each new development. The measurement of transport impact will be quantified by the net increase in the number of multi-modal trips that a development is expected to generate. A multi-modal rate per development has been derived for residential

uses and those in B Use Class. For all other types of development, for instance leisure, retail or a nursing home, the multi-modal trip rate will be determined by the Transport Assessment or Transport Statement submitted with the planning application and the cost per trip used for the employment uses will be applied. The contribution must be secured under the provisions of Section 106 of the Planning Act.

3.3 The formula is relatively complex and officers can provide further advice. Further guidance and information can be found at www.havant.gov.uk/havant-9204#appforms.

4.0 **Affordable Housing (Policy H8 of HBDWLP)**

4.1 Affordable Housing is housing that is available for people who cannot afford to buy or rent from the open market in Havant. It includes social rented and shared ownership housing, intermediate housing, key workers' housing and low cost market housing.

4.2 The site size threshold that the Council applies through Policy H8 of the HBDWLP is that affordable housing will be sought on development proposals of 15 or more dwellings or on sites of 0.5 hectares or more. The Council will apply a **gross calculation method** to assessing the number of dwellings being proposed. This means that if 15 dwellings are proposed on a site where 4 dwellings are to be demolished the net increase is only 11, the gross figures is 15, therefore the proposal would fall within the site size threshold. On schemes that fall within the site size threshold the Council will seek a 30% proportion of the dwellings proposed as affordable. Affordable housing is usually required to be provided on-site but exceptionally financial contributions may be accepted to be spent on other sites within the Borough. It is intended to produce a more detailed Supplementary Planning Document in the near future.

5.0 **Broadmarsh Transportation Strategy (Policy EMP2 of HBDWLP)**

5.1 The Broadmarsh Transportation strategy seeks transport contributions to largely meet highway deficiencies arising from development proposals in the Broadmarsh area. Officers will advise you when this contribution will be required.

6.0 **Nature Conservation (Policies NC2, NC4 & NC5 of HBDWLP)**

6.1 PPS9 – (Biodiversity and Geological Conservation) sets out planning policies on protection of biodiversity and geological conservation through the planning system. In exceptional circumstances development may be permitted which would adversely affect interests of nature conservation as identified in Policies NC2 – NC5 of the HBDWLP. In such cases the Council will seek mitigation and compensatory measures which may involve financial contributions as well as works on site. On such proposals the developer must take full and detailed account of its critical environmental importance.

7.0 **Percent for Art (Policy D3 of HBDWLP)**

7.1 Public art aims to enhance the quality of the environment and make places better through providing identity, character and sense of place through community engagement and responses to specific sites. Policy D3 requires a contribution of 1 per cent of the capital cost of the development for all major development proposals. Further guidance will be produced on this policy.

8.0 **Education (Policy IMP1 of HBDWLP)**

8.1 HCC is the education authority and contributions may be needed to meet any capacity deficits in number of places available or sufficiency deficits in facilities that would be needed due to a development. HCC will be consulted on all residential development of 10 dwellings or more.

9.0 **Collecting Contributions**

- 9.1 Developer contributions are normally secured under the provisions of Section 106 of the Planning Act. This means that a legal agreement must be signed. Due to the increasing pressure to meet planning application deadlines the Council will encourage the use of fast track unilateral legal agreements and/or the payment of any financial sums prior to the granting of planning permission. If applicants have not resolved the financial contributions by the time the application reaches the deadline **then it is likely that the application will be refused**. On more complex applications a bilateral legal agreement is more usual. In order to meet application targets it is essential that applicants are fully aware of their obligations and have sorted them out prior to formal submission. For further information please contact the Development Control team.

REVISION 2