

# **A New Approach to Development Contributions**



**Interim Supplementary Planning Guidance  
to the East Sussex and Brighton & Hove Structure Plan on  
Development Contributions Towards  
East Sussex County Council Infrastructure And Facilities**

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# Foreword

A major concern in East Sussex is that the 18,000 homes planned for in the Structure Plan over the next decade could place unacceptable pressure on the County's already overstretched infrastructure, services and environmental resources by fuelling a projected 30,000 increase in the county's population. The Structure Plan recognises this and the County Council strongly supports the view that new development should, wherever practical, contribute towards the necessary costs of upgrading the County Council facilities required to serve it.

In this supplementary guidance to the Structure Plan, we set out our detailed proposals for determining "development contributions" from significantly sized development towards services for which the County Council has an important responsibility. The guidance was adopted by the County Council's Cabinet on 29 July 2003 after extensive public consultation. District Councils in East Sussex have also prepared or are preparing guidance to support their Local Plans on the Districts' potential requirements for development contributions – e.g. for open space and affordable housing.

By producing our guidance, we aim to alert developers and landowners to the County Council's requirements at an early stage, enabling these to be factored into the preparation of development schemes. The guidance will be a material consideration in all relevant planning decisions. We believe our approach is fair, consistent and transparent and are confident that it will improve the quality and sustainability of development schemes and, as a result, could make development proposals more acceptable to affected communities.

We believe "A New Approach to Development Contributions" heralds a more sustainable future for the County and commend the guidance to all those who care about the future of East Sussex.



Tony Reid,  
Lead Cabinet Member,  
Transport & Environment,  
East Sussex County Council



# Summary

This interim guidance sets out East Sussex County Council's main requirements for new development to provide for the infrastructure and services necessary to support it and to offset any harmful impacts. By alerting landowners and developers to these potential requirements, it will help to ensure that such costs can be factored into the development process at an early stage.

Although the guidance only covers County Council infrastructure, services and resources, details of the East Sussex District Council's potential requirements and those of other public agencies are highlighted in [Appendix 1](#).

This document is interim Supplementary Planning Guidance (SPG) to the "East Sussex and Brighton & Hove Structure Plan 1991-2011" and, in particular, to Policies S2 and S3 of the plan. It was formally adopted on 29 July 2003 by the County Council's Cabinet Committee, following public consultation in the latter part of 2002 on a draft version of the SPG ([see Part 1 and separately published documents](#)). The adopted SPG replaces the Council's previously issued guidance on the subject, "Supporting Infrastructure", published in 1994.

This SPG will be a material consideration in the determination of relevant planning applications. The County Council will seek appropriate contributions upon the basis of the interim guidance and refusal of planning permission may be justified where proposals do not comply with the SPG's requirements. However, compliance with the SPG does not override other relevant provisions of the development plan.

**Part 1** of the document explains the background to the SPG and its status, scope and purpose. It also outlines how the guidance relates to national policy guidance and the adopted Structure Plan, with further details also being given in [Appendix 2](#).

**Part 2** describes the County Council's approach to determining the development contributions, which are necessary to comply with relevant Structure Plan policies. Essentially, new development will be required to make appropriate provision where it would, otherwise, exhaust or overload the capacity of existing services/facilities, either because of its scale or particular characteristics or because such resources are already at capacity or overstretched. Where relevant, development contributions will also be required to provide appropriate compensation/mitigation wherever development would harm an environmental or community resource that is owned, operated or managed by the County Council.

The scale of development contributions required will relate to the impacts of the development. In determining the detailed requirements, account will be taken of all relevant circumstances, including any proven effect on the overall viability of proposed schemes. The SPG is most relevant to residential development but will also be applicable to other forms of development, particularly in respect of transport impacts.

To assist developers identify circumstances where development contributions are likely to be required, **Part 3** of this guidance identifies certain 'Stress Areas' where existing infrastructure and services are already operating at, or very close to, capacity. In these areas, even small-scale development proposals are likely to create problems and, therefore, may well be required to make specific provision to overcome such capacity difficulties. Stress Areas are also defined to include areas where there are important and sensitive environmental resources for which the County Council carries some important responsibility. The identified Stress Areas are listed by district and, where possible, by town and any other relevant area. [Appendix 4](#) maps the geographical areas covered by "School Organisation Plan" area commentaries.

For Stress Areas, interim minimum thresholds are proposed at, or above which, development contributions will generally be required. These thresholds are specifically related to certain types of development and vary for different types of Council infrastructure/service/resource. However, it should be noted that all of East Sussex is defined as a Stress Area in terms of development impacts on transport provision and no minimum development threshold is set, except for Local Sustainable Accessibility Improvement (development) Contributions.

Outside of Stress Areas, only development that is either large-scale or places special pressures on services/facilities will normally be required to make development contributions. The requirements for these will be determined on a case-by-case basis.

**Part 4** explains how the detailed form and scale of development contributions will be calculated for different County Council services, infrastructure and resources in both Stress Areas and, where appropriate, other areas. Detailed guidance is given in respect of the Council's responsibilities for Transport; Education; Libraries; Social Services; Waste Management; Environment, Countryside Management and Rights of Way; Economic Development and Archaeology. This includes details of qualifying types of development, the range of potential measures required, their costs, worked examples and development thresholds and relevant strategic background.

Detailed arrangements for the implementation of the SPG will be set out in a protocol between the County and East Sussex District Councils. Generally, development contributions involving off-site works, transfer of funds or assets or which entail complex arrangements should be secured by a "planning obligation" involving the County Council. A worked example, detailing the calculation of the required development contributions arising from one illustrative proposal, is outlined in **Appendix 3**.

The SPG's main provisions are summarised in the **table right**.

#### Executive summary table: notes

- 1 See Part 3 for local designations.
- 2 Development at or above threshold triggers need for assessment of potential impacts.
- 3 See Part 4 for details.
- 4 Or 0.5 hectares of land where numbers of dwellings unspecified.
- 5 Major development typically comprises 15 dwellings or more, or 1,000 sq ms floorspace or more of employment/retail/leisure/tourism floorspace or any large scale generator of County Council facility users such as special needs residential development, as appropriate.
- 6 In the interim, this will be determined on a case-by- case basis.
- 7 Large scale development typically comprises 100 dwellings or more, or 5,000 sq ms floorspace or more of employment/retail/leisure/tourism floorspace or any large scale generator of County Council facility users, as appropriate.
- 8 Excludes one bedroom flats.
- 9 As a guide, 840 houses will trigger the need for a new one form entry primary school providing 210 places; the cost of provision of a new nursery unit as part of new primary school provision would be calculated at £780 per house or £117 per two or more bedroom flat.
- 10 All relevant types of development which adversely impact on an identified stress.

### Executive summary table: SPG development contributions requirements to meet Structure Plan policies

County Council Facility	Development Type/Minimum Threshold		Contribution Requirement <sup>s3</sup>		
	Stress Areas <sup>1</sup>	Other Areas <sup>2</sup>			
<b>Transport</b>					
Enabling measures	Any development types generating travel demand. No minimum	All county is Stress Area	As required by Transport Assessment		
Local Sustainable Accessibility Improvement	15 dwellings <sup>4</sup> /major development <sup>5</sup> /any scheme requiring Transport Assessment	All county is Stress Area	Methodology to be prepared <sup>6</sup>		
<b>Education</b>					
<b>Expand existing</b>			<b>House</b>	<b>Flat<sup>8</sup></b>	<b>Other uses</b>
Nursery	15 dwellings Large scale employment use <sup>7</sup>	100 dwellings Large scale employment use <sup>7</sup>	£187	£28	Case-by-case
Primary school	15 dwellings	Depends on local capacity	£1,949	£292	
Secondary school	15 dwellings	Depends on local capacity	£1,981	£297	
6th form	30 dwellings	Depends on local capacity	£454	£68	
Special needs	100 dwellings	Depends on local capacity	£113	£17	
Youth facility	100 dwellings Large scale retail, leisure or tourism use <sup>7</sup>	Depends on local capacity Depends on local capacity	£1,981	£297	Case-by-case
<b>New facility<sup>9</sup></b>	Depends on local capacity	Depends on local capacity	Case-by-case		
<b>Library</b>					
Main (strategic)	15 dwellings Large scale employment use <sup>7</sup>	Large scale residential <sup>7</sup> Large scale employment use <sup>7</sup>	£170 per dwelling	Case-by-case	
Community (strategic)	15 dwellings Large scale employment use <sup>7</sup>	Large scale residential <sup>7</sup> Large scale employment use <sup>7</sup>	£120 per dwelling	Case-by-case	
Satellite	15 dwellings	Large scale residential <sup>7</sup>	£120 per dwelling		
Mobile	15 dwellings	15 dwellings	£187 per dwelling		
Computer point	15 dwellings	15 dwellings	Case-by-case		
<b>Social Services</b>					
	100 dwellings/major <sup>5</sup> special needs development	All county is Stress Area	Case-by-case		
<b>Household waste</b>					
Raise site capacity	15 dwellings	Large scale residential use <sup>7</sup>	£21 per dwelling		
Site extension	15 dwellings	Large scale residential use <sup>7</sup>	£41 per dwelling		
New site	15 dwellings	Large scale residential use <sup>7</sup>	£59 per dwelling		
<b>Environment, Countryside Management and rights of way</b>					
Direct impact on parks, nature reserves or rights of way	All harmful development <sup>11</sup>	All harmful development <sup>11</sup>	Remedial action: case-by-case		
Pressure on parks & nature reserves	Large scale development	Large scale development <sup>7</sup>	Remedial action: case-by-case		
Pressure on rights of way	15 dwellings Non-residential large scale development <sup>7</sup>	Large scale residential use <sup>7</sup> large scale development <sup>7</sup>	£20 per dwelling	Case-by-case	
<b>Economic Development</b>					
Viable business land loss	3,000 sq ms/1 hectare site	Case by case	Remedial action: case-by-case		
Economic regeneration	Large scale development <sup>7</sup>	See above	Remedial action: case-by-case		
<b>Archaeology</b>					
	All harmful development <sup>10</sup> : no minimum	No requirement except where unexpected remains found	Remedial action: case-by-case		



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