

Eastleigh Borough Local Plan (2016-2036)

April 2022

Implementation

Policy DM38, Funding infrastructure

- 1. Development will be permitted provided that the developer has made arrangements for the provision of, or for contributions to the improvement of, any infrastructure, services, facilities or amenities necessitated by the development proposed, by means of either:**
 - a. a planning obligations agreement under section 106 of the Town and Country Planning Act 1990, and/or**
 - b. should it be introduced in the Borough in the future, the Community Infrastructure Levy under the Planning Act 2008.**

- 5.170 Increasing restrictions on public sector expenditure mean that public funds for development and related infrastructure are unlikely to be available to implement all of this plan. Many of the plan's proposals will be implemented by developers through development proposals and contributions to related infrastructure. Currently most such contributions are secured as planning obligations through the provisions of section 106 of the Town and Country Planning Act 1990. However, more recent legislation introduced the Community Infrastructure Levy which has imposed strict limits on the use of the section 106 process.
- 5.171 The Community Infrastructure Levy Regulations came into force in April 2010 and have since been amended a number of times. The Regulations allow local authorities to impose a charge (known as the Community Infrastructure Levy; hereafter referred to as the "levy") on development in their area to provide funds to contribute to the cost of providing infrastructure. The levy provides for a strategic view of infrastructure needs rather than the site-specific requirements of the section 106 planning obligations regime. Revenue from the levy can be used to fund a wide range of infrastructure needed to support development, including new road schemes, transport improvements, flood defences, schools, health and social care facilities, park improvements, green spaces and leisure centres.
- 5.172 The levy is charged in pounds per square metre on the net increase in floorspace of any given development. The charging rate is defined in a charging schedule prepared by the local authority. The schedule is subject to public consultation and to public examination by an independent examiner whose recommendations will be binding.
- 5.173 The Borough Council is aware of the restrictions on the future use of section 106 planning obligations to secure financial contributions towards the cost of providing infrastructure to support development. The Government has introduced a number of other proposed changes to the operation of CIL since its introduction in 2010 with the prospect of further changes in the pipeline. In view of this changing regulatory climate and other uncertainties the Borough Council is not proposing to implement CIL alongside this local plan. This situation may be reviewed in the future.
- 5.174 In the meantime, the Council will maintain its current approach to securing developer contributions through the section 106 process. The Borough Council recognises that whilst development brings benefits and prosperity to the Borough it also frequently imposes costs on existing residents and businesses. It brings pressures on existing infrastructure, including roads, services and community facilities, and on the environment generally. In the past, the community at large has had to bear those pressures or meet the cost of necessary improvements, but as noted above, public funds are now increasingly limited.

- 5.175 This plan proposes a variety of new developments and in addition, it is recognised that further development will continue to take place within existing built up areas. The Council will seek to secure funding from development for the provision of new or improved infrastructure, services, facilities and amenities made necessary by the proposed development. The policy set out below will therefore apply to all proposals for development within the Borough.
- 5.176 Prospective developers are advised to seek the Council's advice on the nature and scale of the contributions that are likely to be sought before purchasing land or property for development. The Council intends to revise its Planning Obligations Supplementary Planning Document as soon as possible. This will provide guidance on the contributions that the Council will seek to negotiate to support new development.

Site and policy reference	New roads and strategic links DM13, S12	Public open space and play space DM33	Community infrastructure DM36	Education and schools S10	Health facilities S10	District or Local Centres DM36
Policy FO1, West of Durlay Road, Horton Heath	✓	✓				
Policy FO2, East of Allington Lane	✓	✓				
Policy FO3, Lechlade, Burnetts Lane, Horton Heath	✓					
Policy BU1, Land north of Providence Hill	✓					
Policy BU2, Heath House Farm	✓	✓				
Policy BU3, Land lying south east of Windmill Lane	✓	✓				
Policy CF3, Central Precinct, Chandler's Ford						
Policy E4, Urban Renaissance Quarter, Eastleigh						
Policy AL1, Land east of Allbrook Way	✓	✓				
Policy AL2, Land west of Allbrook Way	✓					
Policy HE1, Land west of Woodhouse Lane, Hedge End	✓	✓	✓	✓		✓
Policy HE2, Land at Sundays Hill and Land north of Peewit Hill Close	✓	✓				
Policy HE3, Land at Home Farm, St John's Road	✓					
Policy BO1, Land south of Maddoxford Lane and east of Crows Nest Lane	✓					

Site and policy reference	New roads and strategic links DM13, S12	Public open space and play space DM33	Community infrastructure DM36	Education and schools S10	Health facilities S10	District or Local Centres DM36
Policy BO2, Land north east of Winchester Street (Uplands Farm), Botley	✓	✓				
Policy BO3, Land east of Kings Copse Avenue and east of Tanhouse Lane	✓	✓				
Policy BO4, Land north of Myrtle Cottage, Winchester Road	✓					