

Chapter 14
Implementation and Resources

Policy Objective

To ensure that appropriate resources are in place before development commences.

Introduction

- 14.1 This chapter has two purposes:
- To provide a policy framework to ensure that appropriate infrastructure is in place before development can commence;
 - To appraise the policies and proposals of the Plan to establish the likely financial implications for the Council, and other public bodies. There would be little point in producing a Plan that cannot be implemented because it is too costly for the Council to resource.

Infrastructure Provision

- 14.2 Infrastructure may be defined as capital works and facilities needed to support development. Some of these matters are the responsibility of utility companies and potential developers should contact these companies directly about their specific requirements. However both the Borough Council and East Sussex County Council have a wide range of responsibilities as well. Both Councils wish to ensure that the additional demands on infrastructure and services resulting from development are provided or financed by the developers. It is a principle of good planning that from the outset development is properly served by necessary infrastructure and services and the Council will normally expect provision to be in place before development can go ahead.

Policy IR1: Provision of Capital Works for Development

Development will not be permitted before the capital works directly required to service the development are provided or will be provided.

- 14.3 In order to ensure that appropriate provision is made the Borough Council will usually seek a planning obligation, under section 106 of the Town and Country Planning Act 1990, that restrains development until the appropriate provision has been made. The Borough Council generally favours direct provision of infrastructure by the developer but recognises that there will be occasions where this will not be appropriate. In these instances the Council will accept a commuted payment in lieu of the direct provision. Commuted payments may be required for capital works or for necessary revenue to run or maintain the infrastructure required directly as a result of the development.
- 14.4 A number of instances have been highlighted in the Plan where infrastructure provision will be required but there will also be sites with particular needs. Likely infrastructure requirements are set-out in Policy IR2 below. In interpreting these requirements the Council will have regard to particular site conditions, including the economics of provision, and the nature of the proposed development. Where it can be demonstrated to the satisfaction of the Council that full provision cannot be made an assessment will be made as to the priority requirements for the site. It is likely that infrastructure requirements will vary greatly between sites depending on specific circumstances.

Policy IR2: Infrastructure Requirements

Where appropriate and necessary planning obligations will be sought to secure one or more of the following infrastructure requirements:

- a) transport, including public transport infrastructure (Policy TR4); provision of cycle parking facilities and contributions toward pedestrian and cycle route infrastructure (Policies TR5 and TR7); off-site highway improvements and traffic calming measures, and requirements arising from development adjacent to the operational railway line;
- b) flood storage compensatory measures including arrangements for necessary land raising (Policy US4);
- c) affordable housing (Policy HO13);
- d) community or other infrastructure facilities, including educational (Policy LCF17); cultural (Policy LCF23 applies to library provision); health and social facilities;
- e) public art (Policy UHT14);
- f) environmental improvements and their maintenance, including the provision and/or enhancement of open space and nature conservation features (Policies NE19 and NE20), particularly in Eastbourne Park (Policies NE21, NE24 and NE25);
- g) leisure and recreation facilities, including the provision of outdoor playing space (Policy LCF4).

If infrastructure is required before development can proceed, approval will be subject to a legal agreement (or a condition) which restrains development until appropriate provision has been made. Developers may be required to make financial contribution towards infrastructure costs in certain circumstances. Contributions sought will be directly, fairly and reasonably related in scale and kind to the development proposed.

Note: East Sussex County Council and the District and Borough Councils are jointly preparing Supplementary Planning Guidance on Developer Contributions.

Resource Implications

- 14.5 This plan will be implemented in two distinct ways:
- The Borough Council will use the Plan as a basis for decisions on development proposals and for initiating and co-ordinating public and private investment (indicated by the term 'development control' in the implementation column of Appendix 1).
 - Positive action by some public and many private agencies will be required to implement specific site proposals.
- 14.6 It is important to understand that the Plan is not a financial programme. It establishes the way the Council would wish to see the Borough develop up to 2011 but it is impossible to foresee with any certainty what resources will become available in future years. This means the ability to finance the Plan's policies and proposals may be restricted. Financial resources will be delivered through the Corporate Plan, which establishes the Council's financial priorities for a given period; and the provisions of this Plan will need to be considered against the priorities established for other Council commitments before they can be included. Nevertheless the Council, in conjunction with other agencies, will explore all sources of finance available to realise the Plan, including assistance from European Regional Funds, grants and gap funding from Government Agencies and National Lottery awards.
- 14.7 Throughout the Plan preparation process a cautious approach has been taken to the likely availability of funds and only a limited number of proposals are suggested that would require a significant financial commitment. This cautious approach is reflected in the analysis of resource implications of each policy and proposal set-out in Appendix A. The following definitions are used in the analysis:
- 'existing': work being carried out at present within existing budgets;
 - 'enhanced': existing work which may need additional finance to increase the level of work;
 - 'minor': a new project needing funding, often a one-off study or review which can be completed over a short period;

- 'major': projects with substantial financial implications.
- 14.8 Primarily, the policies and proposals having substantial implications are associated with the provision of transport infrastructure necessary to ensure use of alternatives to the private car (see Chapter 8: Transport and Chapter 10: the Town Centre). Much of this infrastructure will be sought as part of the bidding process associated with the Local Transport Plan but the land use policies of this Plan will complement this process by seeking developer contributions for implementation, improvement and maintenance of facilities in appropriate circumstances where they are directly, fairly and reasonably related in scale and kind to the proposed development.
- 14.9 Appendix 1 also shows significant financial implications associated with the following projects: arts exhibition space and other cultural facilities in Devonshire Park; playing fields and improvements to the Crumbles Sewer. However these are projects where other sources of finance may be forthcoming over the period of the Plan. Indeed Single Regeneration Budget (SRB) funding has already been secured towards the facility at Devonshire Park.