



Brighton & Hove

PLANNING – TEMPORARY MEASURES TO ASSIST THE DEVELOPMENT INDUSTRY

Pre-application advice

As a service we will continue to focus on the pre-application advice that we offer and encourage as much community consultation as possible. Clear and concise pre-application advice is the best way to avoid unnecessary expense and applications. It should create an environment where as far as possible the likely recommendation on an application is known.

The Local Planning Authority does not currently charge for any of its pre planning application advice service. There is a full service review currently underway and as a consequence we will consider whether it is appropriate to levy a charge for pre application advice other than that for householders.

On larger schemes we will prepare and consult on Development Briefs. These will prioritise the need to bring development forward as quickly as possible.

s106 Priorities where viability is an issue

Where viability is an issue, usually on major applications, the LPA will consider whether it is appropriate to be flexible with respect to s106 contributions or through a flexible approach to the implementation of policy. The services of the District Valuer will be used to assess viability. As set out in both the adopted Brighton & Hove Local Plan and the emerging City Plan, there are many potential areas where a contribution for securing works or infrastructure in mitigation might be appropriate. The priorities are:

- Affordable Housing
- Securing on site construction apprenticeships and payment towards Local Employment Scheme training
- Transport
- Open Space
- Education
- Sustainable Buildings
- Nature Conservation & Development

Operational Arrangements

Where a scheme is acceptable and a s106 is considered to be necessary to mitigate impact the following operation arrangements will apply:

- **Waiving** “indexation” on financial contributions;
- For major schemes a move to **phased payment of contributions** rather than an up front lump sum;
- **Deferral** of payment of contributions or provision of infrastructure to a later date in the development or on occupation of the development;
- **Raising the bar** on transport contributions for s106 purposes from all schemes to schemes of 5 residential units and above and with non-residential schemes to those with a floor area greater than 500sq.m;
- Where possible the requirement to secure Car Free Housing in accordance with policy H07, financial contributions for amendments to Traffic Regulation Orders (TRO’s) will not be sought.
- A move towards **allowing developers, where appropriate, to carry out highways works under s278** agreements rather than through a financial contribution;
- Contributions section of SPD 08 Sustainable Building Design **suspended** until adoption of the City Plan – Summer 2014;
- Contributions section of SPD 11 Nature Conservation and Development **suspended** until adoption of the City Plan – Summer 2014.

As a matter of practice the Local Planning Authority will cease to secure s106 contributions through conditioned s106’s. The Local Planning Authority will though continue to discharge these conditions.

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Date issued: 11/05/10
 Implementation: 17/05/10
 Reviewed: 17/01/11
 17/07/11
 02/02/12 & 10/01/13
 23/01/14
 Next Review: January 2015