

## **APPENDIX 1 (SUPPORTING DOCUMENTS)**

**Affordable Housing  
Local Employment and Training  
Education  
Open Space  
Transport and travel**

## **Affordable Housing**

The Council is committed to maximising the provision of affordable housing and this document sets out guidance on the requirements for affordable housing within the City. This aims to ensure that the Council achieves mixed, balanced and sustainable communities and to deliver high quality affordable housing for local people in housing need.

This document will be reviewed annually.

### **Policy Context**

#### **National Policy**

[Planning Policy Statement 3](#)<sup>1</sup> (CLG June 2010) identifies the role that affordable housing has in contributing to the achievement of mixed and sustainable communities.

PPS 3 states that the Government's key housing policy goal is to ensure that everyone has the opportunity of living in a decent home, which they can afford, in a community where they want to live. To achieve this, the Government is seeking:

- to achieve a wide choice of high quality homes, both affordable and market housing, to address the requirements of the community.
- to widen opportunities for home ownership and ensure high quality housing for those who cannot afford market housing, in particular those who are vulnerable or in need.
- to improve affordability across the housing market, including by increasing the supply of housing.
- to create sustainable, inclusive, mixed communities in all areas, both urban and rural

PPS3 (Paragraphs 27 – 30) and Delivering Affordable Housing<sup>2</sup>(CLG Nov 2006) set out the Local Authorities key role in the delivery of affordable housing through the planning system.

#### **Local Policy Guidance**

The Brighton & Hove Local Plan<sup>3</sup> identifies sites for housing development and mixed use sites where an element of housing will be required. The Local Plan also sets out the policies relating to 'windfall' development sites, dwelling type and size, housing

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<sup>1</sup> <http://www.communities.gov.uk/documents/planningandbuilding/pdf/planningpolicystatement3.pdf>

<sup>2</sup> <http://www.communities.gov.uk/documents/housing/pdf/152897.pdf>

<sup>3</sup> <http://www.brighton-hove.gov.uk/index.cfm?request=c1000488>

densities and the provision of private amenity and outdoor recreation space. The Local Plan will be incrementally replaced by the Local Development Framework (LDF). Developers should refer to the Council's website to view the policies and proposals in the Brighton & Hove Local Plan and supplementary planning guidance.

## **Meeting Affordable Housing Needs**

### **Definition of Affordable Housing**

As defined in PPS3, affordable housing includes social rented and intermediate housing that is provided to eligible households whose needs are not met by the market, available at a cost that is genuinely affordable to local people and which includes provision for accommodation to remain at an affordable price or for the subsidy to be recycled for alternative affordable housing provision.

## **Social Rented Housing**

Rented housing owned and managed by local authorities and registered providers for which guideline target rents are determined through the national rent regime. The proposals set out in the Three Year Review of Rent Restructuring (July 2004) were implemented as Policy in April 2006. It may also include rented housing owned or managed by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes & Communities Agency as a condition of grant.

## **Intermediate Housing**

Housing at prices and rents above those of social rent but below market price or rents and which meet the criteria set out above. These can include equity products (Homebuy) and other low cost homes for sale or intermediate rent.

## **Affordable Housing Delivery**

In Brighton & Hove, affordable housing will be delivered by a registered provider engaged with the City Council through the Brighton and Hove Housing Partnership and signed up to the City Council's Partnership Agreement (see Appendix 1 for current partners).

On suitable housing sites the Council will negotiate with developers to secure a 40% element of affordable housing on proposals for residential development capable of producing 10 or more dwellings. The policy applies to all proposed residential development including conversions and changes of use (Policy HO2 in the adopted Local Plan and Policy CP12 in the submission version of the Core Strategy).

## **Tenure Mix**

Across the City the required tenure split for affordable housing will typically be:

55% social rented;  
45% intermediate housing.

For individual sites the exact tenure split will be guided by up to date assessments of local housing need and site/neighbourhood characteristics.

### **Housing Type**

For the City as a whole the preferred affordable housing mix in terms of unit size and type to be achieved is:

30% one bedroom units;  
45% two bedroom units;  
25% three + bedrooms.

Up to date assessments of housing needs (for example, the Strategic Housing Market Assessment April 2008<sup>4</sup> ) show that although the greatest need (numerically) is for smaller, one and two bedroom properties there is significant pressure on larger, family sized homes. For this reason, the Council welcome proposals that include higher proportions of family sized homes.

When the development is completed the City Council will be able to nominate people from the housing register for 100% of the units on initial lets with 75% on subsequent lets.

### **Design Guide for Affordable Housing**

The Council will expect high standards of design, layout and landscaping for all developments which reflect the character of the area and reflect local distinctiveness.

To ensure the creation of mixed and integrated communities the affordable housing should not be visually distinguishable from the market housing on the site in terms of build quality, materials, details, levels of amenity space and privacy.

The affordable housing should be 'tenure blind' and fully integrated with the market housing. It should be distributed evenly across the site, or in the case of flats, in small clusters distributed evenly throughout the development.

All new schemes within the Homes & Communities Agency's National Affordable Housing Programme must be built to meet or exceed the HCA's current Design & Quality Standards (April 2007)<sup>5</sup>.

All residential units must be built to 100% Lifetime Homes Standard. At least 10% of the affordable homes must be built to the council's wheelchair accessible standard as set out in Planning Advice Note – Lifetime Homes and Accessible Housing (PAN03), adopted Jan 2008.

### **Alternative Developer Contributions**

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<sup>4</sup> [http://www.brighton-hove.gov.uk/downloads/bhcc/ldf/B\\_H\\_Strategic\\_Housing\\_Market\\_Assessment\\_April\\_2008.pdf](http://www.brighton-hove.gov.uk/downloads/bhcc/ldf/B_H_Strategic_Housing_Market_Assessment_April_2008.pdf)

<sup>5</sup> SPD08 Sustainable Building Design requires CfSH L4

As a general principle, on site provision of affordable housing is the Council's first priority. Off site provision of affordable housing on an alternative site or by way of a financial payment in lieu (or commuted sum) will only be sought in exceptional circumstances. A methodology for calculating contributions for such exceptional circumstances towards off site provision is included in this Interim Guidance.

Circumstances which might justify offsite provision or payment in lieu are set out below. As a general principle, there will need to be good planning or housing reasons to accept offsite provision or a commuted payment. Such justification will need to be carefully made as the presumption will remain for onsite provision unless circumstances indicate otherwise. This is a matter for the developer to demonstrate and for the planning authority in conjunction with Housing Commissioners to consider and agree.

- Where mixed community objectives/housing priorities could be better met in an alternative location (for example where family sized (3 + bedroom, outdoor space) housing cannot easily be provided for on the development site itself or where there is already a concentration of social housing in an area, then it may be preferable to seek offsite provision or a commuted sum to fund affordable housing elsewhere).
- Where there are high housing costs for occupiers associated with the development (for example, in expensive flatted developments such as conversions of listed buildings leading to high service/maintenance charges and where this cannot be satisfactorily overcome or avoided by alternative design, massing or separate new build for the affordable housing).
- Where on small sites it is not practical, from a management perspective, to provide and manage a small number of on-site affordable housing units.
- Where the location of the development is less suitable for those on lower incomes (because it is remote from public transport, local facilities, employment, etc).

It is important to note that economic viability is not the key test for whether there should be on- or off-site provision. Viability determines the overall amount of affordable housing contribution – i.e. the appropriate percentage and the type (tenure, size mix) of affordable housing sought - whether provided onsite, offsite or as a commuted payment. Any concerns regarding viability should be reflected in the proportion of affordable housing sought.

The decision of the local authority to accept offsite provision or a commuted payment in lieu will be based on the acceptability or otherwise of on-site provision as a housing and spatial planning solution. This approach accords with the general principle that financial contributions should be of 'broadly equivalent value' – the commuted sum should be equivalent to the developer/landowner contribution if the affordable housing was provided on-site. Neither off-site provision or financial contributions will be a less expensive option than on-site provision, but will be equitable. In such circumstances where the proportion of affordable housing is being

negotiated the Council may require the developments financial information be provided on an open book basis which will be required as part of the process.

### **Offsite provision on an alternative site**

Where the case for no on-site provision is agreed, then the council may consider offsite affordable housing provision on an alternative development site. An example may be where a private developer can 'pair' up development sites. Provision of affordable housing on an alternative development site will be in addition to any requirement arising from the alternative site. Where an alternative site is insufficient in area to accommodate all the affordable housing requirement then financial contributions to remedy the shortfall will be sought.

### **Commuted Payments Formula**

The Council will seek a sum equal to the difference between an Open Market Value and Social Housing Value at either commencement or practical completion.

- **Open Market Value (OMV)**

The OMV will be required to be undertaken by an independent valuer, the cost of which would be borne by the developer.

- **Social Housing Value (SHV)**

SHV is calculated on the basis that a tenant has security of tenure. The Council's Housing Stock is valued each year for accounting procedures and the way in which this is done is by using Wilks Head and Eve (independent chartered surveyors and specialists in rating) valuing the OMV and then discounting for the fact that a tenant is in place. The discounting figure is currently set at 50%. This figure will be taken from the latest statement of accounts.

### **Commuted Payments: Proposed Uses**

The use of any commuted sum will be secured via a section 106 legal agreement. Sums will be negotiated for planning sites where affordable housing is required, but where the provision cannot easily be made on site, nor can it be provided on an alternative site within the locality.

For maximum flexibility it is proposed that the Council would use commuted payments to fund affordable housing in the City in the following ways:

- To fund the costs of building new affordable housing on Council owned land where the site is considered to be available, suitable and achievable;
- To fund the costs of area regeneration of Council Housing Revenue Account housing estates that would provide new affordable housing;
- To fund the provision of new affordable housing through Registered Social Landlords (RSL's) and/ or other social housing providers;
- To purchase land for new affordable housing schemes either directly by the Council or through RSL's.

## Appendix A

### Preferred Partners for the Provision of New Affordable Housing

The Council has established a good relationship through the Brighton & Hove Housing Partnership with a number of Housing Associations and works in partnership with these preferred partners to provide affordable housing which meets local housing needs.

The current preferred Housing Association partners are signed up to the Brighton & Hove Housing Strategy and actively contribute to the Council's strategic housing objectives. As such, the Council requires developers to meet their affordable housing obligations by working in partnership with these preferred partners.

#### Preferred Partners

##### **Affinity Sutton**

[www.affinitysutton.com](http://www.affinitysutton.com)

Over 55,000 homes across England

**Contact:** Kath Kane, Development Manager

01273 431893

[Kath.Kane@affinitysutton.com](mailto:Kath.Kane@affinitysutton.com)

##### **Hyde Group (Hyde Martlet Housing Association)**

[www.hyde-housing.co.uk](http://www.hyde-housing.co.uk)

The Hyde Group has over 40,000 affordable homes, mainly in the South East of England & in London.

Joanne Maunders; Principle Development Manager

01273 234284

[joanne.maunders@hyde-housing.co.uk](mailto:joanne.maunders@hyde-housing.co.uk)

##### **Southern Housing Group**

[www.shgroup.org.uk](http://www.shgroup.org.uk)

The Southern Housing Group has approx. 24,000 affordable homes throughout the south of England and in London.

Jeremy Barkway

Regional Development Manager;

01403 224850

[jeremy.barkway@shgroup.org.uk](mailto:jeremy.barkway@shgroup.org.uk)

Liz Hills, Area Development Manager;  
01403 224813  
[Liz.Hills@shgroup.org.uk](mailto:Liz.Hills@shgroup.org.uk)

**Guinness Trust**

[www.guinnesspartnership.com](http://www.guinnesspartnership.com)

The Guinness Trust has over 50,000 affordable homes throughout England.

Michael Gray, Area Development Manager  
01293 874203  
[michael.gray@guinness.org.uk](mailto:michael.gray@guinness.org.uk)

**Moat Housing Group**

[www.moat.co.uk](http://www.moat.co.uk)

Owns and manages over 20,000 homes throughout Kent, Sussex, Essex, Hertfordshire and South London

Sarah Paxton, Senior Development Manager  
0845 3596887  
[sarah.paxton@moat.co.uk](mailto:sarah.paxton@moat.co.uk)



## Local Employment and Training

The Local Plan outlines the need to ensure development through investment and jobs in a way that is consistent with the principles of sustainable development. A key aim of sustainability is to maintain economic growth and employment, and 'Getting People into Work' is one of the Council's strategic priorities.

The key objectives of Chapter 5 of the Local Plan, 'Supporting the local economy and getting people to work' are:

- Improve the competitiveness of the local economy;
- Support and retain existing businesses;
- Promote Brighton and Hove for internal, national and local business investment opportunities;
- Develop a portfolio of high quality premises to meet the needs of expanding local businesses and companies wishing to relocate to Brighton and Hove;
- Improve the skills level of the local workforce; and
- Maintain and strengthen the visitor economy.

### The Brighton & Hove Local Employment Scheme (BHLES)

A key aim of sustainability is to maintain economic growth. Employment and training contributes towards this aim. Developments depending on their size may be required to provide direct provision of employment and training initiatives by the developer or a financial contribution towards an agreed and established programme with a local partnership.

Agreements relating to employment matters and specifically the provision of construction and post –construction training can make a measurable contribution to reducing social exclusion within the city and achieving sustainable development. The training would be required to be for people living within the administrative boundary of Brighton and Hove, and directly related to the employment needs of the development.

Contributions may be sought from all major developments to maximise opportunities to develop local skills and business performance. Training contributes to this aim and developer contributions will be sought to expand appropriate training and employment provision.

Development in the city should involve supporting local employment and training for the benefit of the construction industry as a whole, and suitably trained individuals are required for construction services for new development. The Council is keen to ensure ongoing developer support for the provision of local training and employment agreements for all major developments.

Seeking contributions for training co-ordination benefits all parties by providing employment, training, enabling sustainable development and mitigating the potential for delays to the construction process. A local workforce will enable easier recruitment and retention and will reduce the environmental impact of a commuting workforce. The advertising of all jobs, which relate to the development, should be accessible to local

people through local, approved employment agencies such as Job Centre Plus and its partners.

An obligation will ensure contributions towards the city-wide coordination of training and employment schemes to support local people to employment within the construction industry. Development also directly contributing towards a workplace co-ordinator further facilitates easy routes to employment with contributions directly relating to the construction of developments and training for local people benefiting the city's major development sites across the city.

The methodology for securing contributions towards employment and training will enable the Council and delivery organisations to:

- engage in long term planning of the scheme;
- benefits residents and trainees, who are then able to develop their skills and qualifications both on and off site;
- support developers in achieving a commitment to local employment and training;
- support the development industry;
- support long-term monitoring and compliance with obligations.

A planning obligation for employment and training may include a number of elements, such as;

- a contribution by the developer towards pre- and post- construction training;
- a commitment to recruit residents for jobs pre- and post development;
- the provision of waged construction training placements on the development site;
- larger schemes to include the provision of a serviced, on site recruitment and/ or training facility and/or workplace coordinator;
- the provision of information that the Council can use to monitor the success of the scheme;
- the developer to enter into a partnership with a local college or training provider.

### Financial Contributions

Financial contributions may also be sought towards a local employment training off-site programme and its running costs, including the provision of an appropriately qualified tutor. These contributions will support capital and revenue costs on the 'Futures' programme for residents and small businesses.

### Threshold and provisions

Contributions may be required from development on or above the thresholds detailed below. Provision of contributions on all development will need to be agreed in detail by the Council and the developer and be met prior to the commencement of development.

<b>Brighton &amp; Hove Local Employment Scheme</b>
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All major developments may provide an agreed percentage of local employment on site in negotiation with the Local Employment Scheme Co-ordinator.
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Type	Threshold	Contribution Sum	Note
Commercial	500m2	£10.00 per m2	All including office, retail (except

			light industrial/warehouse)
Light industrial / Warehouse	235m2	£5.00 per m2	
Residential	10 units and above	£500 per unit	
<b>Change of Use</b>			
Office to residential	All	£250 per unit	
Light industrial /warehouse to residential	All	£500 per unit	
Commercial to other uses (excluding residential)	500m2	£10.00 per m2	
Light industrial to other uses (excluding residential)	235m2	£5.00 per m2	

Example of development contribution:-

750 m<sup>2</sup> commercial space x £10 per m<sup>2</sup> = £7,500

50 residential units x £500 per dwelling =£25,000

The proposed thresholds and formula applied would be negotiated taking into account wider considerations linked to the development of the scheme.

## **Education - Provision and Facilities**

The Council will ensure that the impact of new residential development does not create additional pressure on local schools that do not have capacity. In stress areas (see below) contributions will be required where new development impacts on primary and secondary school places. Development that generates a need for primary school places will require provision that is very local to the development whereas developments that generate a need for additional secondary school places may require additional places some distance from the development owing to the location of the secondary schools in the City.

To ensure that the impact of new residential development does not create additional demands on schools that do not have the capacity, the Council will seek contributions for education provision:

- where the scale of the development will create a significant impact on existing residents attending local schools;
- or, where there is an identified shortage of school places;
- or, the development is in the vicinity of a school with temporary classrooms.

Education requirements are calculated using standard formulae, as set down by the Department for Education (DfE) in the relevant Building Bulletin. This sets out standards of provision for education facilities, including the size and number of classrooms needed to accommodate a specific number of children and the cost multiplier for building costs per pupil places in schools in the city. The need for development to provide for additional school places will be guided by adjusted pupil forecasts produced by the Council from General Practitioner registration data provided by the Health Authority.

### **How Contributions are Calculated**

The cost multipliers per dwelling used to calculate developer contributions for the expansion of existing schools are derived from the relevant, regionally adjusted DfE Basic Need cost multiplier figures of costs of provision per pupil. These figures are updated annually and are calibrated to take account of the differing costs of building across the country.

The Council has produced a pupil product ratio for different types and tenures of dwelling and this informs the number of additional pupils that residential development is likely to generate. Pupil product ratios are derived from local studies and apply to developments for both market and affordable housing and the number of school age children generated by varying sized properties. The method of calculating contributions is by multiplying the likely pupil product ratio generated by the intended development by the cost per pupil place which for the purpose of this Interim Guidance is also shown as cost per unit.

To accurately reflect the demographic situation and projections within the City the Council's Housing Needs Survey 2005/06 is used to demonstrate that flats and apartments in the City generate up to 80% of the numbers of children as terraced and semi-detached housing. In calculating requirements, account will be taken of this and the development mix and the size of proposed dwellings.

### **Thresholds & When Contributions will be Sought**

Potentially all residential development creates new demand for education provision and requiring contributions from all development is reasonable and based on the findings of the Housing Needs Survey 2005/06. However, the requirement for development to provide contributions to school places will only be required across specified stress areas on large developments of 10 units net gain and above and where there is insufficient school capacity to support the development.

The current situation is one of varying capacity in different locations, and in specific parts of the city, particularly the central, southern and western areas, there is no additional educational capacity and therefore these areas are highly susceptible to the future demands generated by new development.

The need for contributions towards education requirements applies to all types of residential development, excluding sheltered housing and student accommodation. For major schemes, where there is a specific and identified need, a development should bear the full cost of education facilities needed to support it, including where appropriate, the acquisition and provision of a fully serviced site, the design and construction of buildings, fitting out costs and any necessary transport measures. These requirements will be sought on a case-by-case basis, guided by the relevant DfE guidelines and pupil forecasts.

In areas where predominately small developments occur, this will be the subject of further investigation into the application of a lower threshold for contributions. Contributions in the form of commuted sums, which may be pooled, will enable resources, equipment or improvement works at schools affected by any development, or groups of unrelated developments, in the given area.

Contributions will also take into account the adequacy of existing playing fields and indoor recreational space, communal space (e.g. school hall) and specialist teaching space (e.g. laboratories) and the additional pressures new development places on these. Generally, such facilities should be located with or close to other community facilities and should also be conveniently and safely accessible on foot, by public transport and bicycle and for people with disabilities, as well as by car. Additionally the council will require contributions for special needs and youth facilities, which are also clearly linked with new development.

### **Site Provision**

#### **Nursery Provision**

The need for nursery provision will be guided by the Early Years Development and Childcare Plan. Physical requirements will be determined in consultation with nursery school providers/operators and the Children & Young Peoples Trust. This will include the provision of land and buildings within a primary school where a new facility is justified.

#### **Primary School Provision (Pupils aged 4-11)**

A new one form of entry school providing 210 places has a space requirement of 10,500m<sup>2</sup>, including a minimum of 5,000m<sup>2</sup> for playing fields. A new two form entry

school providing 420 places has a space requirement of 18,500m<sup>2</sup>, including a minimum of 10,000m<sup>2</sup> for playing fields.

Secondary School Provision (Pupils aged 11-16)

A new six form entry school providing 900 places has a space requirement of 65,000m<sup>2</sup>, including a minimum of 45,000 m<sup>2</sup> for playing fields. A new eight form entry school providing 1,200 places has a space requirement of 82,000m<sup>2</sup>, including a minimum of 55,000 m<sup>2</sup> for playing fields.

Thresholds and Cost Multiplier per Pupil

This table illustrates the development thresholds at which contributions will be sought together with the pupil costs per housing unit.

These figures will be applied should contributions be required

<u>Education calculation multiplier</u>	<b>1 bedroom</b>	<b>2 bedroom</b>	<b>3 bedroom</b>	<b>4+ bedroom</b>
<b>Nursery provision</b>	Pupil yield	Pupil yield	Pupil yield	Pupil yield
Private owned / rented	0.02	0.06	0.14	0.23
Affordable rented or shared ownership	0.03	0.15	0.27	0.28
	£	£	£	£
<b>Houses</b>	£259	£779	£1,818	£2,988
<b>Flats</b>	£207	£623	£1,455	£2,390
<b>Primary provision</b>	Pupil yield	Pupil yield	Pupil yield	Pupil yield
Private owned / rented	0.02	0.07	0.16	0.26
Affordable rented or shared ownership	0.05	0.22	0.40	0.41
	£	£	£	£
<b>Houses</b>	£259	£813	£1,858	£3,020
<b>Flats</b>	£207	£650	£1,486	£2,416
<b>Secondary provision</b>	Pupil yield	Pupil yield	Pupil yield	Pupil yield
Private owned / rented	0.02	0.06	0.15	0.24
Affordable rented or shared ownership	0.04	0.19	0.35	0.36
	£	£	£	£
<b>Houses</b>	£391	£1,174	£2,936	£4,698
<b>Flats</b>	£313	£939	£2,349	£3,758

<b>Sixth Form provision</b>	Pupil yield	Pupil yield	Pupil yield	Pupil yield
Private owned / rented	0	0.01	0.03	0.05
Affordable rented or shared ownership	0	0.02	0.03	0.03
	£	£	£	£
<b><u>Houses</u></b>	0	£212	£636	£1,061
<b><u>Flats</u></b>	0	£169	£509	£849



## **Open Space, Sport and Recreation**

As the population increases in Brighton & Hove this creates a need not just for housing but also for job opportunities, services and community facilities. This includes a need for open space which in view of the physical constraints upon the city, the sea to the south and a National Park to the north and east, is becoming increasingly important to take into account in new developments. The cumulative impact from the incremental loss of existing open space and shortfalls in open space provision within developments can be significant.

A failure to take into account the need for open space can lead to a reduction in quality of life and have negative impacts on health, social integration/inclusion, micro-climate, economic stability and educational attainment. Trees and soft landscaping help reduce air and noise pollution and surface water run off. Physical activity is also important for health, social inclusion and educational attainment. Open space, sport and recreation are therefore something that is very much part of sustainable communities. It is becoming increasingly important to ensure open space is appropriately planned into any new development scheme at an early stage to ensure it is effective and its use optimised.

New residential development will be required to provide open space in accordance with policy requirements of the adopted Local Plan. The policies relevant to open space, sport and recreation are: HO5 Provision of private amenity space in residential development; HO6 Provision of outdoor recreation space in housing schemes; QD15 Landscape design, QD16 Trees and hedgerows, QD17 Protection and integration of nature conservation features, QD20 Urban open space, QD28 Planning Obligations. This Interim Guidance sets out more detailed guidance on what is considered to constitute appropriate provision. Only in exceptional circumstances will alternative provision be considered and in such circumstances alternative facilities must be provided to the satisfaction of the council.

In situations where the provision of open space cannot be provided on site (either in totality or part thereof) a financial contribution will be sought for the shortfall taking into account government guidance and guidelines on costings to help secure the provision elsewhere.

### **Open Space Sport and Recreation Study 2008/9**

The Citywide Open Space, Sport and Recreation Study assesses the quantity, quality, accessibility and demand for open space including existing indoor sport facilities in the City and recommends standards appropriate to Brighton & Hove. It was informed by the findings of public consultation and was prepared by consultants in accordance with PPG17. The Study forms a background study for the Local Development Framework and has been adopted as such by Brighton & Hove City Council (Environment Cabinet Member Meeting of 30 July 2009). The recommended local open space and indoor sports facilities standards have been included in the submitted Core Strategy.

### **Breakdown of the Standard**

The breakdown of the standards are broadly defined as follows. The full text can be read in the Open Space, Sport and Recreation Study 2008/9 (and erratum2010) or click here: [http://www.brighton-hove.gov.uk/downloads/bhcc/ldf/Open\\_Space\\_\\_Sport\\_and\\_Recreation\\_Study\\_-\\_Final\\_Report\\_Mar\\_2009\\_3.pdf](http://www.brighton-hove.gov.uk/downloads/bhcc/ldf/Open_Space__Sport_and_Recreation_Study_-_Final_Report_Mar_2009_3.pdf)

[http://www.brighton-hove.gov.uk/downloads/bhcc/ldf/Open\\_Space\\_Rec\\_Study\\_Apr10.pdf](http://www.brighton-hove.gov.uk/downloads/bhcc/ldf/Open_Space_Rec_Study_Apr10.pdf)

<b>Open Space Standards</b>		
	<b>Quantity Standard*</b> (hectare / 1,000 pop)	<b>Accessibility Standards</b>
Parks and Gardens	0.92	15 minute walk time (720m)
Amenity Greenspace (AGS)	0.582	10 minute walk time (480m)
Natural Semi-Natural (NSN)	2.8	15 minute walk time (720m)
Outdoor Sport	0.47	20 minute walk time (960 metres)
Children & Young People (equipped play)	0.055	15 minute walk time (720m)
Allotments	0.23	15 minute walk time (720m)
Total	5.057 hectares/1,000 pop	

\* The 2008 Open Space, Sport and Recreation Study contains detailed information on Quality Standards expected.

<b>Indoor Sports</b>	
<b>Quantity (indoor sport)</b>	
Modelling undertaken in line with Sport England parameters. Standards to comply with national best practice.	The Open Space, Sport and Recreation Study recommends the council should aim to provide a new multi-sports wet/dryside leisure centre (in addition to the replacement of provision currently made at the King Alfred Leisure Centre) and indicates a further potential need for additional pool space and indoor sports halls. The study also indicates a demand for an indoor arena and ice rink.
<b>Accessibility (indoor sport)</b>	

Standards to comply with national best practice.
<b>Quality (indoor sport)</b>
All facilities should be built or provided in accordance with national best practice and meet the minimum specifications of the appropriate National Governing Body of sport and meet Equality Act 2010 guidance (formerly Disability Discrimination Act).

### **Government guidance PPG17: Planning for Open Space, Sport and Recreation (July 2002)**

PPG17 states that 'Planning Obligations should be used as a means to remedy local deficiencies in the quantity or quality of open space, sports and recreational provision. Local authorities will be justified in seeking Planning Obligations where the quantity or quality of provision is inadequate or under threat, or where new development increases local needs'.

Calculations for contributions for open space provisions are set out below and the table in the Appendix table of Contribution Costs. This Technical Paper and the following calculations have incorporated the provisions set out in the Brighton & Hove Open Space, Sport and Recreation Study 2008/9.

### **Calculating Commuted Payments for Off-Site Provision**

On-site provision will be sought and only in exceptional circumstances will alternative provision be considered acceptable. However there are minimum sizes in respect of achieving effective useable areas of open space. These are detailed below:

<b>Typology</b>	<b>Minimum Size (hectares)</b>
Parks and gardens	0.4
Natural/Semi-Natural	0.05
Amenity Green Space	0.04
Outdoor Sport	0.28
Children and Young People Equipped	0.04 + buffer
Allotments	0.05

In most cases the demands generated by a development proposal will not meet the minimum size. In such cases it is likely provision will be achieved more effectively by an off-site contribution.

Where a development proposal generates demands equal to or greater than these minimum size guidelines for achieving useable space then on-site provision will be

expected. The inability to provide such space on-site could be an indication of over development.

### **Scope of Contributions**

The level of contribution required will depend upon the nature of the facility to be provided. The financial contributions secured will be used to provide new facilities, additions to existing facilities and where the opportunity arises the provision of additional new open space. The types of schemes to be funded include:-

- New playground equipment
- New pitches etc
- Safety surfacing to accommodate / enable the respective increase in usage
- Changing facilities to accommodate / enable the respective increase in usage
- Access enhancements to accommodate / enable the respective increase in usage
- Improvements to existing respective typologies to increase their offer
- New planting
- Enhancements to the green network
- On larger schemes it may also be appropriate to secure part of a contribution for respective open space co-ordinators whose duties will include promotion and the running of activities, information on provision etc.

### **Threshold**

Provision will be sought from all residential developments. Residential proposals for 9 or fewer units will not be required to provide the full extent of open space requirements unless the site is capable of accommodating 10 residential units or forms part of a larger developable site for residential units. Residential proposals of 9 or fewer units will be expected to have regard to the need to provide private amenity space, landscaping and communal areas to enable informal play/social interaction. Developments of 10 or more will be required to provide/contribute to all forms of open space and indoor sport provision. Calculations for contributions are set out on the following page.

### **When Contributions will be Sought.**

Typology					
	Bedsits	Open Market Residential Units (excluding bedsits)	Affordable Housing (excluding Bedsits)	Student accommodation and hostels	Housing for the active elderly (excluding bedsits)
Parks and gardens	✓	✓	✓	✓	✓
Amenity greenspace (AGS)	✓	✓	✓	✓	✓

Natural semi natural Open space (NSN)	✓	✓	✓	✓	✓
Outdoor sport facilities	✓	✓	✓	✓	✓
Children and Young People (Equipped Playgrounds)	X	✓	✓	X	X
Allotments	✓	✓	✓	✓	✓
Indoor Facilities	✓	✓	✓	✓	✓

**Key:**

- ✓ Provision or contribution for net additional units provided will be sought.  
X Provision or contribution will not normally be sought.

Housing for the active elderly applies to schemes providing accommodation for the elderly including sheltered housing schemes. In respect of extra care sheltered housing and nursing care accommodation which specifically caters for the less active regard will be given to ensuring appropriate on-site landscaping in order to secure a pleasant outlook and opportunities for activity (e.g. to assist with gardening, food growing etc)

**Occupancy levels**

The occupancy levels detailed below will therefore be assumed for the purposes of calculating the level of open space and indoor sport contribution required for a development.

Bedsit	= 1 person per unit
1 bedroom dwelling	= 1.5 persons per unit
2 bedroom dwelling	= 2.5 persons per unit
3 bedroom dwelling	= 3.5 persons per unit
4 bedroom dwelling+	= 4 persons per unit

If the proposal is in outline form and only the total number of units is known, the occupancy will be assumed to be 2.2 persons per unit. This is intended to provide an initial guide to the likely open space and sport requirements. This initial figure will in all circumstances be updated by a detailed calculation based on the number of bedrooms; once a reserved matters/detailed application is submitted.

**Thresholds and calculation of contributions**

Open Space Requirement per person:

<b>Typology</b>	<b>Local quantity standard per person</b>
Parks and gardens	9.2m <sup>2</sup> per person (0.00092 ha)

AGS	5.82m <sup>2</sup> per person (0.000582 ha)
NSN	28m <sup>2</sup> per person (0.0028 ha)
Outdoor sport	4.7m <sup>2</sup> per person (0.00047 ha)
Children and young people equipped	0.55m <sup>2</sup> per person (0.000055 ha)
Allotments	2.3m <sup>2</sup> per person (0.00023 ha)
<b>Total</b>	<b>50.57m<sup>2</sup> per person (0.005057 ha)</b>

### **Maintenance**

There is no statutory duty on a local authority to provide open space (except cemeteries and 'statutory' allotments). In view of the future implications of the current public sector austerity measures it is considered reasonable to include maintenance costs. These will address initial troubleshooting and setting up costs in amending maintenance site specifications etc. Common practice has sought to take into account the cost of maintenance over a period of at least one generation. This will be at least 10 years up to a 25 year period. For the purposes of this document 10 years has been applied.

### **Contributions per Person and per Dwelling:**

The following table details the cost per person. The Open Space, Sport and Recreation Study calculated the cost per person for the provision of assessed future needs for indoor sport. This figure is £196 per person.

Category	Cost per Hectare (£)	Cost per person	Maintenance Per 10 years	Total cost per person
Parks and garden	374,200	£344	£100,000	£436
Amenity Green Space (AGS)	49,600	£29	£10,500	£35
Natural/ Semi Natural areas (NSN)	59,300	£166	£10,500	£195
Outdoor sport	576,200	£271	£58,000*	£298
Children and Young people Equipped space	520,800	£28.60	£52,080*	£32
Allotments	186,000	£43	-	£43
<b>Open space Sub Total</b>		<b>£882</b>		<b>£1,039</b>
Indoor Sport				£196
<b>TOTAL Open Space Sport and Recreation</b>				<b>£1,235</b>

\* Assumed maintenance cost of 25% of cost per hectare (as applied in draft SGPBH9).

The following table details the contributions per dwelling.

<b>Dwelling size:</b>	<b>Open Space Contribution</b>	<b>Indoor Sport Contribution</b>	<b>Total Contribution Per Dwelling</b>
Studio/bedsit (1person) (n.b. No contribution towards children & young people)	£1,007	£196	<b>£1203</b>
1 bed unit (1.5 persons)	£1,558.50	£294	<b>£1,852.50</b>
2 bed unit (2.5 persons)	£2,597.50	£490	<b>£3,087.50</b>
3 bed unit (3.5 persons)	£3,636.50	£686	<b>£4,322.50</b>
4 + bed unit (4 persons)	£4,156	£784	<b>£4,940</b>

**PLEASE NOTE:** Base date April 2010 – future contributions will be adjusted to reflect changes in costs.

Click this link to access the full Recreation, play, sport calculator: (to be set up once technical paper adopted)

**Further Information:**

Sport England Kitbag, advises on standards and calculations for assisting in securing contributions towards sport and recreation facilities. For further information on Sport England kitbag click the link below:

[http://www.sportengland.org/facilities\\_planning/planning\\_tools\\_and\\_guidance/planning\\_kitbag.aspx](http://www.sportengland.org/facilities_planning/planning_tools_and_guidance/planning_kitbag.aspx)

## **Transport and Travel**

### **Introduction**

When considering development proposals, securing developer contributions to improve transport is an important tool for dealing with the total traffic impact that all development has on the city. Issues including the site layout and safety of the access, and changes that are required to make proposals acceptable locally, as well as potentially over a wider area, are addressed during the planning application process. Ensuring both are resolved satisfactorily through appropriate transport measures will support the overall objective of achieving sustainable growth.

Depending on the location, size and type of development, transport measures can include schemes to improve the management of traffic and parking, improvements to access, works to provide for and encourage the use of sustainable forms of travel such as pedestrian, cycle and buses, e.g. bus stop improvements, and measures to raise awareness and provide information such as Travel Plans. In addition, contributions may be sought for measures that improve safety and reduce or prevent casualties caused by collisions. In seeking to minimise the transport impacts of development, contributions will be required towards measures that enable access to sustainable forms of transport and can therefore maximise their use and increase people's choices.

Separate legal agreements may be required for larger developments to secure necessary mitigation measures during construction. For example, construction traffic routing restrictions may be required and included as part of Construction Environmental Management Plans [CEMPs] especially to lessen any impacts in the City's Air Quality Management Area [AQMA] and residential areas.

All new developments are required to bear the full costs of transport infrastructure, initiatives and/or services that are required, including future maintenance requirements, and all associated costs of drafting legal agreements.

The size of contribution is calculated with a simple-to-use formula based on the scale of the development proposal. The contribution sought is based on the net increase [if any] in transport impact. With major development, any required highway works that contribute to achieving the Council's transport and wider policy objectives will be off set against the contribution. Agreement to specific measures and the overall contribution will be subject to negotiations with the developer prior to, or during, the planning application process.

## **THE FRAMEWORK FOR DELIVERING IMPROVEMENTS**

### **Transport Assessments**

The adopted Brighton & Hove Local Plan requires that major planning applications should be submitted with a Transport Assessment [TA]. The TA should be prepared with reference to the Department for Transport [DfT] document – "Guidelines on Transport Assessment" published March 2007 or any successor document. Where necessary, developers may also be required to provide a



Transport Statement [TS], in line with the same DfT guidelines. The DfT thresholds that trigger the requirement for the submission of these documents are reproduced in Appendix B of this Interim Guidance.

Applications for smaller scale development will not usually require a full TA but must still demonstrate that the transport impact complies with Local Plan policies. The Council will confirm the type of assessment required to support a planning application during pre-application discussions with developers. The Council may request a TA or TS if it is considered that the proposal will create a material impact in a location or area, such as a junction that is over or near capacity or where there is an existing safety concern, or within the City's Air Quality Management Area [AQMA].

Developers will also need to demonstrate consistency with the current Local Transport Plan [LTP] and may be required to contribute to relevant proposals identified in the LTP, such as measures proposed on Sustainable Transport Corridors, walking and cycling networks, and at local railway stations or other transport interchanges.

The current LTP (2006/07-2010/11) can be viewed at City Direct offices, all libraries in Brighton & Hove, and on the Council's website. A new LTP will be in place by April 2011. For further information on the Council's website, search for citydirect or Local Transport.

## **The Process for Securing Funding**

### Legislation and Policy

Planning Policy Statement 1 (PPS1) Delivering Sustainable Development states that in preparing development plans, planning authorities should seek to; *"provide improved access for all ... by ensuring that new development is located where everyone can access services or facilities on foot, bicycle, or public transport rather than having to rely on access by car"*.

Government Policy Note PPG 13 states that planning obligations should be based around securing improved accessibility to sites by all forms of transport with the emphasis on achieving the greatest degree of access by public transport, walking and cycling.

The City's current transport objectives are set out in the Brighton & Hove LTP (2006/07 – 2010/11), and are as follows:-

- Tackling congestion - To reduce the impact of car journeys and encouraging the use of other means of transport in such a way that the City can grow and improve its economy.
- Improving road safety - To improve levels of safety and reduce casualties for all road users.

- Improving air quality - To reduce transport-related emissions and therefore, improve the health of residents and the environment of the City, especially within the AQMA.
- Increasing accessibility – To improve access to services and activities within the City by the various forms of sustainable transport available to the community, whilst ensuring that locations that attract large numbers of visitors or employees have adequate facilities for cyclists and pedestrians to encourage healthier lifestyles.
- Maintenance – To improve the condition of roads, footways, streetlights, bridges and street furniture, and improve the street scene and enhance the living environment for the whole community.

A new LTP is currently under development and will be in place by April 2011.

These objectives are aimed at supporting the policies in the adopted Brighton & Hove Local Plan (July 2005), especially those set out in Chapter One *Making the connection between land use and transport* which include :

- TR1 – states that development proposals should provide for the demand for travel they create and maximise the use of public transport;
- TR2 – notes that if a development increases on-street parking a residents' controlled parking zone may need to be funded and implemented by the developer;
- TR4 – notes that travel plans will be required for developments that are likely to have significant transport implications;
- TR14 – notes that where developers are unable to provide cycle parking on-site contributions will be sort for improvements to the infrastructure elsewhere.

Emerging future planning policies are set out in the Council's approved Local Development Framework [LDF] Core Strategy (February 2010).

Together these planning policies provide the Council with the framework to implement the wider strategic goals for the city. There is only limited funding available for the programmes of work included in the LTP and therefore local authorities seek to work in partnership with developers to secure additional funding to ensure that these policy objectives and thus the wider goals of the LTP are achieved.

The vast majority of new development will create additional movement and activity and therefore place additional pressure on the existing transport network. If the City is to achieve the goals set out above it is essential that

appropriate measures are funded or infrastructure enhanced and improved as an integral part of new development proposals.

Development proposals must demonstrate how they can reduce the need to travel and be accessible by all forms of transport. Smaller developments will have a cumulative impact and therefore, it is appropriate that developments of even a single dwelling which would result in a material increase in movement on the transport network, should contribute in some way towards meeting the transport needs they create.

### **Section 278 Highways Agreements**

If the highways works are to be carried out on the public highway, the Council as Highway Authority will enter into a Legal Agreement with a developer under Section 278 of the Highways Act 1980. This allows developers to carry out the works to the public highway at their full expense whilst insuring the Council against poor or in-complete workmanship. A bond covering the full costs of the works is secured and released on completion of the works to the Council's satisfaction. The developer will be required, to pay for maintenance for a 12-month period following completion of the works after which the Council will then be responsible.

### **Contribution Methodology for Transport/Highways Works**

Anyone wishing to submit a planning application should consult the Highway Authority in the first instance to discuss transport requirements and any likely associated measures or contributions. Planning applicants can comply with the policy framework by making financial contributions to enable the City Council to improve and enhance facilities for public transport, walking, cycling and parking, thereby helping to meet the Council's specific transport objectives and policies, as well as those related to wider issues such as the economy and health.

The contribution will be sought to improve transport infrastructure and services in the immediate vicinity of the development site. To maintain transparency, the exact scheme will be identified and referenced in the legal agreement. Locations that are less accessible by sustainable transport will need higher levels of investment than areas that are well served. Levels of accessibility are shown in the current 2006 LTP and indicate that journey times of up to 10 minutes to the City Centre (central zone) would benefit from the existing sustainable transport infrastructure. The intermediate zone benefits from good quality passenger transport services on the primary routes but these services are not well connected to the wider residential areas. The outer zone is where journey times to the City Centre can be up to an hour during peak periods.

The amount of the financial contribution is generally based upon the net increase in movement by all forms of transport which is created by the development. This demand is based on the net change in the number of person trips. Person trips have been used as the most appropriate unit as this indicates the total likely level of demand placed upon the City's entire

transport infrastructure. Table 1.1 summarises average person trip rates for the most common forms of development.

**Table 1.1 Development Person Trip Rate**

<b>Development Type</b>	<b>Person Trip Rate*</b>
Residential – Houses**	10 per dwelling
Residential – Flats**	5 per dwelling
Office space	18 per 100m <sup>2</sup> Gross Floor Area
Industrial space	14 per 100m <sup>2</sup> Gross Floor Area

\*Based on TRICS version 2007(b)

\*\*Privately owned

The initial level of the contribution per person trip is £200. This figure is consistent with Government Circular 5/05 and Local Plan policy, and has been previously established and accepted as being fair and reasonable. This figure can also be factored to reflect the accessibility of the development location shown in the current 2006 LTP and thereby provide encouragement to deliver sustainable development across the City.

If a development is located in the central zone of Brighton & Hove (defined as having all amenities associated with the city centre within easy walking distance), there will be a 50% reduction on the maximum level of the calculated financial contribution to reflect the higher quality accessibility associated with the City Centre.

In the intermediate zone (where access to more sustainable forms of transport is less available) there will be a 25% reduction on the maximum level of the calculated financial contribution.

In the outer zone (identified as those parts of the City where access to the City Centre is greater than 30mins during the off-peak period) developments will be required to make the full calculated contribution.

## **Thresholds**

### *Residential*

Contributions for sustainable transport measures will be required on a per unit basis for all residential schemes. The incremental impact of smaller development sites in the City is significant and therefore, contributions will be sought from these sites towards sustainable transport initiatives.

The annual completion rates of residential developments of 1-5 dwellings have averaged 40% of the total completions during the period 2001-2006. The Government Circular 5/05 now advises that where the combined impact of a number of developments creates the need for infrastructure, it may be reasonable for the developers' contributions to be pooled.

### *Commercial*

200m<sup>2</sup> of business use is considered a sufficient size to justify a contribution towards wider transport improvements. A condition will be applied to any such development proposals to ensure that applications on larger-scale sites are not phased to avoid making contributions.

#### Contribution Formula

A formula for evaluating the levels of financial contribution has been developed to assist applicants in understanding the contribution required. For clarification a worked example has been set out below. The example is based

**Number of residential units \* person trip rate \* £200.00 \* reduction factor**  
(or GFA/100m<sup>2</sup> of business space)

on a mixed-use development of two residential flats with 200m<sup>2</sup> of office use in a city centre location.

#### **Investing Contributions From Development**

**Table 1.2 Transport Financial Contribution (Worked Example)**

Development	Person Trip Rate	Contribution Per Trip	Central Factor	Total Contribution
2 Flats (privately owned)	10	£200.00	50%	
200m <sup>2</sup> B1c Office space	36	£200.00	50%	£4,600

The contributions secured will be used for/put towards improvements to public transport accessibility and services, new public transport, walking and cycling infrastructure, bus stop facilities, cycle parking, park and ride schemes, on-street parking controls (including all means of management and enforcement such as CCTV and improvements to street lighting) or other suitable measures such as variable message signs. Contributions to these measures are already accepted and justified, and ongoing improvements to the transport network will be required to address the impact of future development in the city.

Contributions will be sought where appropriate for the costs of improving facilities to an appropriate standard (as agreed by the Highway Authority) and, if necessary, for the costs of bringing forward existing proposals from the LTP e.g. to improve priority walking routes and sections of the cycle network in the

area. For site-specific contributions, the timing of implementation will be specified within the Section 106 agreement. If the funds are not spent within the specified period they will be refunded to the developer where this is defined in the Section 106 agreement. Some larger transport schemes may require contributions from a number of developments.

The transport contributions will usually fund projects that are located on a transport corridor or route serving the development, or within the vicinity of the site. The City Council will keep detailed records of all transport contributions received and where those contributions are used.

The methodology for calculating transport contributions will assist developers and ensure that all contributions are used in an appropriate and relevant way. The programme of LTP or other improvement schemes against which these contributions are considered will be kept under review by the Council and as such could be subject to change over time.

Some examples of schemes/measures where contributions can be sought include:-

- Road safety improvements, walking and cycling network and facilities;
- Public transport services and passenger facilities ;
- Shopmobility;
- Car free housing.

Further general information about transport proposals and schemes in the City can be found on the Council's website.

## APPENDIX B

### Thresholds for Transport Assessments

The thresholds below are indicative and for guidance purposes only. Brighton & Hove City Council may apply the thresholds in light of local circumstances that affect the highway network. There are several qualitative factors that need to be taken into account that are not addressed by this document. There may also be some site specific issues that affect which banding the development comes under. Discussions with the Highway Authority are therefore essential in considering this matter.

**Table 1**

	<b>Land use</b>	<b>Band 1</b>	<b>Band 2</b>	<b>Band 3</b>
1	A1 Food retail	<800 sq. m	≥ 800 sq. m to 1199 sq. m	≥ 1200 sq. m
2	A1 Non-food retail	<1500 sq. m	≥ 1500 sq. m to 2249 sq. m	≥ 2250 sq. m
3	A2 Financial and professional services	<2500 sq. m	≥ 2500 sq. m to 3749 sq. m	≥ 3750 sq. m
4	A3 Restaurants and cafés	<2500 sq. m	≥ 2500 sq. m to 3749 sq. m	≥ 3750 sq. m
5	A4 Drinking establishments	<600 sq. m	≥ 600 sq. m to 899 sq. m	≥ 900 sq. m
6	A5 Hot food takeaway	<500 sq. m	≥ 500 sq. m to 749 sq. m	≥ 750 sq. m
7	B1 Business	<2500 sq. m	≥ 2,500 sq. m to 3749 sq. m	≥ 3,750 sq. m
8	B2 General industrial	<4000 sq. m	≥ 4000 sq. m to 5999 sq. m	≥ 6000 sq. m
9	B8 Storage or distribution	<5000 sq. m	≥ 5000 sq. m to 7499 sq. m	≥ 7500 sq. m
10	C1 Hotels, Boarding and Guest Houses	<100 bedrooms	≥ 100 to 149 bedrooms	≥ 150 bedrooms
11	C2 Residential institutions - hospitals, nursing homes	<50 beds	≥ 50 to 74 beds	≥ 75 beds
12	C2 Residential institutions – residential education	<150 students	≥ 150 to 224 students	≥ 225 students
13	C2 Residential institutions – institutional hostels	<400 residents	≥ 400 to 599 residents	≥ 600 residents
14	C3 Dwelling houses	<80 units	≥ 80 to 119 units	≥ 120 units
15	D1 Schools, Colleges and Universities		All developments	

16	D1 Other Non –residential Institutions	<1000 sq. m	≥ 1000 to 1499 sq. m	≥ 1500 sq. m
17	D2 Assembly and leisure	<1500 sq. m	≥ 1500 to 2249 sq. m	≥ 2250 sq. m

**Table 2 - Thresholds for TA/TS/TP(Travel Plan) based on other considerations**

1 Any development that is not in conformity with the adopted development plan.

2 Any development generating 30 or more two-way vehicle movements in any hour.

3 Any development generating 100 or more two-way vehicle movements per day.

4 Any development proposing 100 or more parking spaces.

5 Any development that is likely to increase accidents or conflicts among motorised users and non-motorised users, particularly vulnerable road users such as children, disabled and elderly people.

6 Any development generating significant freight or HGV movements per day or significant abnormal loads per year.

7 Any development proposed in a location where the local transport infrastructure is inadequate. – for example, substandard roads, poor pedestrian/cyclist facilities and inadequate public transport provisions.

8 Any development proposed in a location within or adjacent to an Air Quality Management Area [AQMA].