

Subject: Local Development Framework – Brighton & Hove
Core Strategy: Submission

Date of Meeting: 20 October 2009 Overview & Scrutiny
Commission
12 November 2009 Cabinet
10 December 2009 Council

Report of: Director of Environment

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Key Decision: Yes Forward Plan No: CAB3080

Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 This report seeks approval of the Core Strategy for formal submission to the Secretary of State. Before this the Core Strategy will be 'published' for a six week period to allow for representations to be made on the grounds of 'soundness' (see Appendix 4) Appendix 1 provides a summary version of the document and a full copy of the Core Strategy document will be placed in the Members' rooms along with supporting documents.

2. RECOMMENDATIONS:

2.1 That Cabinet notes the draft extract of the proceedings of the Overview & Scrutiny Commission meeting held on 20 October 2009.

2.2 That Cabinet notes the nature of the representations and officer responses made to the Revised Core Strategy Preferred Options (July 2008) document and the Proposed Amendments Paper (June 2009) (to be set out in appendix 2 and in the Statement of Consultation in Members' Rooms).

2.3 That Cabinet endorses the Core Strategy and supporting documents and recommends that Council gives approval for submission to the Secretary of State, preceded by a 6 week publication stage, subject to any minor editorial changes agreed by the Cabinet Member for Environment in consultation with the Director of Environment.

2.4 That Cabinet notes that the Core Strategy will be the subject of an Examination in Public in July 2010 followed by the Planning Inspector's binding report and adoption in January 2011.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The Core Strategy is the main planning policy document within the Local Development Framework (LDF - the new plan making system introduced by the Town and Country Planning and Compulsory Purchase Act 2004). Its role is to provide an overall strategic vision and policy framework for the city to 2026. It sets out the scale, location and timing of future development and identifies the supporting physical, social and environmental infrastructure that will be required. It is a spatial plan that will help to deliver a number of key strategies in the city including the Sustainable Community Strategy.
- 3.2 Four stages of consultation have been undertaken on the Core Strategy since 2005 (see paragraph 4.1 below). The most recent consultation was carried out this summer (June to August 2009) and was focused upon significant amendments to the spatial strategy and to 8 Core Strategy policies. The remaining 24 policies in the plan have been subject to minor changes only and therefore under the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008, re-consultation was not necessary. A summary of general representations and events held is in appendix 2. A complete schedule of representations, including responses made in June-August 2008 and June-August 2009, is published within the Statement of Consultation to be placed in Members' Rooms and on the city council's website.
- 3.3 The plan has been amended (since the Revised Preferred Options stage in June 2008) in response to the following:
- Completion of background evidence/studies
 - Engagement with stakeholders and the community
 - Consultation responses received at the Revised Preferred Options (June 2008) and Proposed Amendments (July 2009) stages
 - Council priorities
 - Guidance from the Planning Inspectorate and Government Office
 - National and regional policy change (e.g. publication of Planning Policy Statement 12: Local Spatial Planning, July 2008)
 - Shoreham Harbour provisional Growth Point announcement and background studies undertaken (November 08-July 09) many of which remain incomplete.
- 3.4 The Submission Core Strategy is the final version of the document and once agreed represents the city council's development plan that will go on to Examination in Public with an independent Planning Inspector (July 2010). After submission the document can only be challenged on the grounds of 'soundness' (see appendix 4). Officers will present the evidence to demonstrate that the tests of soundness have been met. Following the examination the Planning Inspector will publish a binding report that may require further changes to the Core Strategy prior to adoption.

Core Strategy - Vision

- 3.5 Sustainability is central to the spatial vision for the city. The Core Strategy directs development into areas with good sustainable transport access or in need of

regeneration where access can be improved. The vision aims to enhance the city's role as a regional centre for jobs, shopping, tourism and provision of further education and health services. There is a strong focus on strengthening the economy and directing new office development into the right places (for example Edward Street and the New England Quarter). Future housing development will be located within and enhance the built up area. Priorities are to reduce the ecological footprint of the city, reduce carbon emissions and prepare for climate change.

- 3.6 The Core Strategy recognises the exceptional quality of the built environment and attractiveness of Brighton & Hove. It aims to enhance the environment, accessibility and liveability of the city whilst improving the well-being of its residents. Key priorities are to reduce inequalities in the city and encourage healthier lifestyles. It is intended that Brighton & Hove will be a city where people feel safe in public places and where there is good and equal access to high quality local services, leisure and sports facilities. The highest standards of design will be required to respect and complement the city's rich architectural heritage and the distinctive townscape of the city's different neighbourhoods.

Structure of the Core Strategy

- 3.7 The 'spatial strategy' for the city is to accommodate future development on brownfield sites within the built-up area of the city whilst directing significant development into areas with good existing or potential sustainable transport links. The spatial strategy also acknowledges that there may be the need for some managed land release within the urban fringe for residential development, as a last resort contingency after 2020, to help meet the city's strategic housing requirements set by the South East Plan.
- 3.8 Seven 'Development Areas' (DA1-7) are proposed to accommodate a significant amount of development because they are in accessible locations, they contain opportunities for change, they can deliver development of citywide or regional importance and/or because they are in need of regeneration. Proposals for these areas and indicative amounts of development are set out in policies DA1- DA7 alongside local 'place shaping' priorities (see Appendix 1 for summary version of the document).
- 3.9 In terms of Shoreham Harbour (DA7), the role of the Core Strategy is to indicate the strategic direction and aims for future development, to set out the process required to achieve the aims and to clearly set an 'agenda' for a more detailed 'Joint Area Action Plan'¹ to develop and deliver policy.
- 3.10 Additional areas of the city are also identified in the plan as requiring a special or coordinated approach to managing future change (SA1-6). These areas include the Seafront (SA1), Central Brighton (SA2), Valley Gardens (SA3), The Urban Fringe (SA4) and the South Downs National Park (SA5). Proposals are also set out to improve the sustainability of residential areas of the city with the priority to reduce inequality (SA6). As with other special area policies this will require effective partnership working and the coordination of policy and strategies in the city.

¹ A Joint Area Action Plan will be prepared by the City Council, Adur District Council and West Sussex County Council.

- 3.11 A set of 'Citywide Policies' (CP1 – CP18) set out the preferred approach to strategic policy issues such as housing, the economy, transport and shopping. The Core Strategy is part of the Local Development Framework (LDF), which will replace the Local Plan. It is the main planning document that will provide the overall strategic vision for Brighton and Hove through to 2026. It will supersede a large part of the Local Plan and later Plans must conform to it. The Core Strategy is required to comply with national and regional planning policy and is a spatial plan that will help to deliver the Sustainable Community Strategy and other city-wide plans and strategies.
- 3.12 The Core Strategy includes a **key diagram**, which shows the main strategic elements of Brighton & Hove and illustrates the spatial strategy in broad diagrammatic terms. Changes to the current Local Plan Proposals Map resulting from the Core Strategy have been subject to consultation and will be issued in January 2010 at publication stage.
- 3.13 There are two annexes published with the Core Strategy that will be published in a separate document. This will allow regular updating. These are:
1. **Monitoring and Implementation Tables** – these set out how effectively each of the Core Strategy policies is implemented. These are aligned as closely as possible to Local Area Agreement indicators and targets and will be monitored yearly through the Annual Monitoring Report.
 2. **Infrastructure Delivery Plan** – sets out the infrastructure to be provided as well as required in the city by 2026. It is set out under three headings – social, environmental and physical infrastructure. It has been produced in consultation with public sector service providers.

Other Supporting Documents

- 3.14 **Sustainability Appraisal** - The aim of the Core Strategy is to deliver sustainable development of the city in accessible locations and to help create cohesive and sustainable communities. The Sustainability Appraisal tests the extent to which the Core Strategy meets identified sustainable development principles. This is a separate independent document produced alongside the Core Strategy, which critically examines its objectives and options and tests them against the principles of sustainable development. As a result, the SA has led to a series of amendments to the Core Strategy policies.
- 3.15 **Supporting Evidence Document** - The Core Strategy is underpinned by a significant number of background studies. The Supporting Evidence Document summarises the key findings of all the studies as well as relevant strategies in the city and where the full studies can be found.
- 3.16 **Statement of Consultation** – As described in paragraph 3.2 this document sets out the consultation undertaken on the document and how the city council has responded (appendix 2 includes a summary of the consultation representations and responses in 2008 and 2009).
- 3.17 **Equalities and Health Impact Assessment** – A Health & Equalities Impact Assessment was carried out to determine the potential health and equalities outcomes of the Core Strategy. The assessment found the policies to present an

opportunity to improve the health and well-being of local communities through delivery of a range of key health determinants as well as present opportunities to address inequality. The H/EQIA did not make any recommendations to change policy.

4. CONSULTATION

4.1 The Core Strategy has been subject to four main stages of consultation:

- Issues and Options Consultation – October 2005-May 2006
- Preferred Options Consultation – November –December 2006
- Revised Preferred Options Consultation - June – August 2008
- Core Strategy – Proposed Amendments Paper – June – August 2009

The nature and extent of engagement at each stage, representations received and how the Core Strategy has been amended in response are set out in the Statement of Consultation. The level of consultation undertaken meets with the Town and Country Planning Regulations June 2008 and the requirements of the Statement of Community Involvement (the city council's policy for involving people, communities and stakeholders in preparing plans).

4.2 The Core Strategy has been prepared in consultation with the Government Office for the South-East and key statutory consultees such as the Highways Agency and Environment Agency. Furthermore, the Core Strategy has been the subject of two Planning Inspectorate Advisory Visits.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 There are no Capital Expenditure implications. Preparation and consultation costs for the Core Strategy have been identified and a budget has been made for this within the City Planning Division. The Core Strategy and future vision for the city will have a number of property implications that will embrace wider issues and future requirements in the city. These will include regeneration of areas and sites, design quality of proposals affecting the condition and suitability of city sites/properties in general and as part of the council's own portfolio.

Finance Officer Consulted: Patrick Rice

Date: 12/10/09

Legal Implications:

5.2 The Planning and Compulsory Purchase Act 2004 introduced a new local planning policy system, generally known as the local development framework. Further legislation is contained in The Town and Country Planning (Local Development) (England) Regulations 2004 (as amended). Under the local development framework existing local plans are to be replaced by "Development Plan Documents". The Core Strategy is a Development Plan Document setting out, inter alia, statements and general policies on the development and use of land in the Council's area. Development Plan Documents and the Regional Spatial Strategy (The South East Plan) will make up the development plan

against which, by virtue of s38(6) of the 2004 Act, planning applications will be determined unless material considerations indicate otherwise.

- 5.3 The final form of any Development Plan Document must be submitted to the Secretary of State for approval following a period of publicity of not less than six weeks. The Secretary of State must consider any representations made during the publicity period.
- 5.4 More detailed information on the above is set out in the Report.
- 5.5 No adverse human rights considerations are considered to arise from this report.

Lawyer Consulted:

Hilary Woodward

Date: 12/10/09

Equalities Implications:

- 5.6 Equalities issues are relevant to a number of the Core Strategy issues, particularly in relation to reducing inequalities, providing community facilities and providing for housing for all, including gypsies and travellers. Community involvement specifically attempted to reach the various communities of interest and the preferred options document was subject to an Equality and Health Impact Assessment.

Sustainability Implications:

- 5.7 The planning system has a clear purpose to contribute towards the achievement of sustainable development. All planning documents will be appraised for their economic, social and environmental impacts. The Core Strategy has been subject to a full Sustainability Appraisal.

Crime & Disorder Implications:

- 5.8 The Core Strategy addresses crime and disorder through development areas, special area policies and a number of citywide policies.

Risk & Opportunity Management Implications:

- 5.9 The risks within this project are regularly reviewed through quarterly highlight reports.

Corporate / Citywide Implications:

- 5.10 The Core Strategy will contribute to delivering plans and strategies across the city council directorates, along with the Sustainable Community Strategy. It will also help to deliver city-wide strategies of public and voluntary sector partners.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The process of preparing a Core Strategy is to test alternative options for accommodating growth and development in the city to 2026. This testing includes consultation, a robust evidence base and a Sustainability Appraisal.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 To ensure that Cabinet is aware of the extent and nature of comments received on the Core Strategy in 2008 and 2009 and the responses made.
- 7.2 To progress the Core Strategy towards adoption and thus ensure the council has an up to date strategic planning framework for the city to replace the current Local Plan. This will assist in bringing forward other local development documents and for the council to meet the Best Value Performance indicator BV200b. Progress towards adoption of the Core Strategy will also facilitate the implementation of other city-wide strategies.
- 7.3 To advise Cabinet of the status of the Core Strategy and the next steps it will follow towards adoption.

SUPPORTING DOCUMENTATION

Appendices:

1. Core Strategy – Summary of Submission Version and main changes
2. Summary of Representations in 2008 and 2009
3. Core Strategy – Timetable towards adoptions
4. Tests of Soundness
5. Draft extract of the proceedings of the Overview & Scrutiny Commission held on 20 October 2009.

Documents in Members' Rooms

1. Core Strategy – Submission Version and Annex (Monitoring and Implementation, Infrastructure Delivery Plan)
2. Sustainability Appraisal of the Core Strategy
3. Supporting Evidence Document
4. Statement of Consultation
5. Equalities and Health Impact Assessment

Background Documents

1. Background Studies and Strategies
2. Core Strategy - Revised Preferred Options June 2008
3. Core Strategy – Proposed Amendments Paper June 2009

