

Subject:	Consultation on Policy Options Papers for the new City Plan		
Date of Meeting:	13 October 2011		
Report of:	Strategic Director, Place		
Lead Member:	Cabinet Member for Planning, Employment, Economy & Regeneration		
Contact Officer:	Name:	Helen Gregory	Tel: 29-2293
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Key Decision:	Yes	Forward Plan No: CAB23385	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 To seek approval for consultation on Policy Options Papers to inform the preparation of the new City Plan. In July 2011, Council agreed to withdraw the Core Strategy to allow it to be updated and amended. This has been agreed by the Secretary of State and the Core Strategy has been withdrawn. In September 2011, Cabinet agreed a new work programme to prepare the City Plan.
- 1.2 As part of preparing the draft City Plan it is considered necessary to undertake a period of consultation to start in October 2011. The consultation will focus on four specific policy areas where important changes are proposed. These policy areas are: Housing targets and housing delivery, Park and Ride Transport policy, Employment Policy and Student housing policy. This will be followed by consultation on the draft City Plan (to replace the Core Strategy) early next year (March and April 2012).

2. RECOMMENDATIONS:

- 2.1 That Cabinet approves the Policy Options Papers and preferred options set out in the appendices.
- 2.2 That Cabinet approves the publication of the Policy Options Papers and associated Sustainability Appraisal document for a period of focussed consultation to inform the preparation of a draft City Plan subject to minor grammatical or editorial alterations approved by the Strategic Director, Place.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 In July 2011, Council agreed to withdraw the Core Strategy to allow it to be updated and amended. This has been agreed by the Secretary of State and the Core Strategy has been withdrawn. The need to amend the document arose from soundness issues raised at an Exploratory Meeting with the appointed Planning

Inspector in May 2010. This concerned the housing delivery strategy in the submitted document and the government's subsequent proposed removal of regional housing targets.

- 3.2 The need to update the document also arises from the number of significant changes that have happened since the document was submitted to the Secretary of State a year ago. These include proposed changes to national legislation and guidance (Localism Bill and draft National Planning Policy Framework), reduced availability of government funding for capital projects and the completion of an updated housing capacity study (Strategic Housing Land Availability Assessment). Reflecting these changes will help to secure an effective, up to date and sound document.
- 3.3 The need to amend the Core Strategy presents a real opportunity to prepare a City Plan with greater potential (than the previously submitted Core Strategy) to plan for the future of the city. The City Plan will be an important tool for attracting and directing investment in the city. It will provide an imperative for delivering much needed affordable homes and for encouraging the most sustainable forms of development with the highest quality of design. The City Plan will provide the strategic planning framework to guide the preparation of neighbourhood plans and will allow issues of local importance to be addressed appropriately and innovatively.
- 3.4 There will be consultation on a full version of the draft City Plan early next year. As part of preparing the draft Plan it is considered necessary to undertake a period of consultation to start in October 2011 on four specific policy areas where important changes are proposed. These four policy areas are: housing targets and housing delivery, park and ride transport policy, employment policy and student housing policy. The reasons why these policy areas are considered in need of a separate consultation are set out below along with the council's preferred approach. The Options Papers have been subject to a Sustainability Appraisal (SA), a separate independent document, which critically examines the issues and options and tests them against the principles of sustainable development. As a result, the SA has informed the preferred options. The full Policy Options Papers are attached as appendices with this report.

Housing Targets and Housing Delivery

- 3.5 The Housing targets and housing delivery Option Paper outlines the changing policy context for local authorities regarding the setting of future housing targets. The proposed removal of regionally set housing targets (as in the South East Plan) provides a welcome opportunity for local targets to be set. Nevertheless the emerging National Planning Policy Framework sets an unprecedented new requirement on local authorities to assess and plan to meet the full range of current and future housing requirements (in terms of needs/ demands) in the context of a presumption in favour of sustainable development.
- 3.6 Two studies have informed the development of a number of housing target options and the delivery scenarios that would be required to achieve those targets. These are the Strategic Housing Land Availability Assessment (SHLAA), which examined the capacity of the city to absorb additional new housing provision, and a draft Local Housing Requirements Study, an assessment of

local housing requirements for the City based on demographic and economic performance factors, The studies indicate that the demand/need for housing over the 2010-2030 plan period falls within the range of 16,000-19,000 new homes. The SHLAA identifies sites within the urban area with a capacity for 8,000 dwellings and points to additional sources of housing supply which could be further considered to enable the provision of more housing over the plan period.

- 3.7 Given the shortfall between the assessed housing requirements for the city and the existing identified site capacity, potential additional sources of supply will need to be considered to present a robust and defensible housing target when the plan is examined by an independent planning inspector. Therefore, the preferred housing target for 2010-2030 of 11,200 new dwellings will secure a similar amount of housing development to that set out in the submission version of Core Strategy.
- 3.8 The preferred housing delivery scenario maximises development opportunities within the built up area, retains a strong base of employment sites within the city and affords greater protection for urban open space. It also relies on the strategic allocation of a large, privately owned greenfield site at Toad's Hole Valley on the northern edge of the city for a mixed use development including a significant amount of new housing (750 units). Toad's Hole Valley provides an opportunity to plan positively for more family sized and affordable housing, new open space provision, enhanced site of nature conservation importance and opportunities for links with the South Downs National Park.

Park and Ride Transport Policy

- 3.9 Park and ride was one of a package of measures proposed in the submitted version of the Core Strategy to promote modal shift from cars to sustainable transport modes. It was considered and tested through the Transport Assessment that underpinned the Core Strategy. The approach in the submission Core Strategy sought to provide three to five smaller park and ride sites as part of a wider package of measures to manage parking in the city centre. The Park and Ride Transport Policy Options Paper sets out the reasons for reviewing the approach to park and ride to be taken in the City Plan, that include financial context, a new Transport Strategy for the city and objections made to the earlier policy approach.
- 3.10 The Park and Ride Transport Options Paper sets out three options for park and ride policy including an option to remove proposals for park and ride from the City Plan and an option to retain proposals for park and ride facilities in the form of a revised criteria- based policy incorporated into a city wide sustainable transport policy. The preferred option is to remove Park and Ride from the transport policy in conjunction with increasing alternative measures to mitigate the impact of traffic entering the city.

Employment Policy

- 3.11 The Employment Policy Option Paper sets out the opportunity to clarify and strengthen the council's preferred approach towards supporting sustainable economic growth in the city. This responds to consultation responses received during the last consultation on the Core Strategy. It also reflects the current

financial difficulties in securing finance for office developments, potential changes to the national planning policy framework and the need to consider the role some sites can play in delivering additional housing supply. Maintaining a portfolio of employment sites provides the opportunity for the targeting and support of growth sectors such as environmental technologies to support a low carbon economy.

The preferred options propose to:

- Specifically identify and safeguard Central Brighton as the city's primary office area to accord with the council's aspirations for central Brighton to be a vibrant employment location and respond to the need to safeguard commercial space in suitable locations to allow the city to grow as an economic base for the wider economic area.
- Identify and allocate a ranges of sites to accommodate the forecast need for an additional 20,000 sq m of office floorspace within the New England Quarter and London Road Development Area as a more flexible and viable way of bringing forward new office floorspace.
- Allocating strategic employment sites and identify their proposed role within the Development Areas to clarify and provide certainty to landowners and developers on the council's preferred approach to securing regeneration, inward investment and high quality modern employment floorspace and, where appropriate employment-led mixed use development.
- Identify a hierarchy of industrial estates/ premises by allocating those sites which will continue to be safeguarded for business, manufacturing and warehouse use and where refurbishment and improvement will be encouraged and also allocating those assessed as suitable for employment-led mixed use development where the twin benefits of high quality of modern business floorspace and additional housing requirements can be achieved.

Student Housing Policy

3.12 The Student Housing Option Paper outlines the need for the City Plan to help to address the aims of the council's Student Housing Strategy 2006-2014 by addressing a new policy area; planning for student accommodation in the city. The study identified various issues related to student housing which the paper addresses:

- Firstly the emergence of concentrations of students in Houses in Multiple Occupation (HMOs) particularly close to existing university campuses in the city which has brought about rapid changes to the local populations, housing markets and residential environments.
- Secondly, the increased interest by the development industry in building 'speculative' purpose-built student housing at a time when the viability of building market/ affordable housing has declined. This is putting pressure on sites the council wants to see developed for needed market/ affordable housing.

3.13 The proposed preferred approach to addressing these issues is firstly to reduce the over-concentration of HMOs in certain neighbourhoods by promoting and enabling the development of appropriate purpose-built student accommodation at suitable locations in the city (specific sites have been proposed in consultation with the Universities). Secondly, the proposed approach to controlling the spread of HMO's in specific areas of the city is through introducing a policy in the City Plan. This policy would allow for an Article 4 direction to be used to remove permitted development rights for family houses to change to HMOs without the

need for planning permission. The proposed preferred approach is to include within this policy a threshold above which no further HMOs would be permitted within a particular area.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

- 4.1 A 'two-stage' consultation approach is proposed in order to focus attention on new and significantly changed policy issues as part of the first consultation, and then to provide consultees with an opportunity to comment on the preferred approach (and detailed wording) of the draft City Plan through the second consultation period in March and April next year. Both these stages fall within Regulation 25 (pre-submission consultation) of the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended). Under Regulation 25 the requirement to consult the public includes specific and general bodies, as well as consulting those residents and/or businesses the local authority considers appropriate.
- 4.2 The benefit of consulting on Policy Options Papers is that it allows the full consideration of new and changed issues (that must be addressed in the City Plan) to be set in the context of new evidence and the changing national policy framework and the need for a sound plan. Planning Policy Statement 12 advises that the community should be involved in the process of refining and improving the options in order to help demonstrate the justification of the development plan document. Through the Policy Options Paper consultation the opportunity remains open for consultees to express a preference for any option. These responses will then inform the preparation of the draft City Plan. It is considered that the Policy Options Papers along with the Sustainability Appraisal of the Policy Options Papers will provide consultees with sufficient information about the various options for them to state their preference.
- 4.3 The consultation will start week beginning 17 October and the technical papers will be accompanied by a leaflet and questionnaire which will be made available at the council's main deposit points and on the council's website. A press release will be prepared and Local Development Framework consultees will be notified. The technical papers will be discussed with the relevant city partnerships that sit below the local strategic partnership.
- 4.4 The Cross-Party Working Group on the City Plan has been advised of the two stage approach to consultation and the need for option papers for policy areas requiring significant change. The city's Strategic Partnership has been made aware of the forthcoming consultation.
- 4.5 Consultation on the Policy Option Papers will accord with the approach and standards set out in the council's adopted Statement of Community Involvement (the city council's policy for involving people, communities and stakeholders in preparing plans).

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 There are no Capital Expenditure implications. The costs of preparation and consultation for the preparation of the City Plan will be met from within the existing Planning Strategy and Projects revenue budget.

Finance Officer Consulted: Karen Brookshaw Date: 08/09/11

Legal Implications:

- 5.2 The draft City Plan will update and amend the withdrawn Core Strategy which is one of a series planning documents introduced under the Planning and Compulsory Purchase Act 2004. Once adopted the City Plan will be the development plan for the city against which planning applications will be assessed. Procedural requirements for drafting and adopting such documents are contained in the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended) and, as stated in this Report, the consultation proposed will be carried out under Regulation 25 of the aforesaid Regulations..
- 5.3 No human rights implications arise from the Report.

Lawyer Consulted: Hilary Woodward Date: 08/09/11

Equalities Implications:

- 5.4 Equalities issues have been and will continue to be relevant to a number of issues within the development plan document, particularly in relation to reducing inequalities, providing community facilities and providing housing for all, including gypsies and travellers. Previous community involvement specifically attempted to reach the various communities of interest and a previous version of the Core Strategy was subject to an Equality and Health Impact Assessment.

Sustainability Implications:

- 5.5 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 Policy Options Papers have been subject to a Sustainability Appraisal.

Crime & Disorder Implications:

- 5.6 The City Plan will address crime and disorder through development areas, special area policies and a number of citywide policies.

Risk and Opportunity Management Implications:

- 5.7 The risks within this project are regularly reviewed through quarterly highlight reports. Consulting on the council's preferred approach to policies requiring significant change will help ensure a sound development plan document can be justified and should ensure that there are fewer objections to the plan, or issues arising at a late stage. A Cross Party Working Group has been established to

enable these policy options to be discussed at an early stage therefore reducing uncertainty when key decisions are made.

Public Health Implications:

- 5.8 The City Plan will address the healthy planning agenda through a city wide healthy city policy. A previous version of the Core Strategy was subject to an Equality and Health Impact Assessment.

Corporate / Citywide Implications:

- 5.9 The City Plan will be a significant factor in steering development in the city for the next 20 years. It 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 development plan document is to test alternative policy options. This testing includes consultation, a robust evidence base and a Sustainability Appraisal. Given the significance of change proposed to four policy areas it was considered necessary for these to be fully tested through an additional 'issues and options' stage.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 To progress the preparation of the City Plan to ensure the council has an up to date strategic planning framework for the city to replace the current Local Plan.
- 7.2 To ensure that there is effective consultation on four key policy areas that are subject to significant change in accordance with the statement of community involvement and planning regulations.

SUPPORTING DOCUMENTATION

Appendices:

1. Policy Option Paper - Housing Targets and Housing Delivery
2. Policy Option Paper – Park and Ride Transport Policy
3. Policy Option Paper - Employment Policy
4. Policy Option Paper - Student housing Policy

Documents in Members' Rooms

1. Sustainability Appraisal of Policy Options Paper

Background Documents

1. July Council Withdrawal of Core Strategy
2. 22 September Cabinet Revised Local Development Scheme 2011-2014
3. Submitted Brighton & Hove Core Strategy
4. PPS 12 Local Spatial Planning