

Subject:	Planning Brief for Edward Street Quarter		
Date of Meeting:	19 September 2013		
Report of:	Geoff Raw, Executive Director Environment, Development & Housing		
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Ward(s) affected:	Queens Park		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The report outlines the consultation process undertaken in relation to the development of a planning brief for the Edward Street Quarter and seeks formal approval of the planning brief which has been updated to take into account the results of stakeholder meetings and the public consultation.
- 1.2 The brief builds upon a previous draft approved for public consultation by this Committee on 7 March 2013. The consultation exercise has now been completed and has informed the preparation of 'Edward Street Quarter - Planning Brief' attached as Appendix 1. A copy of the Consultation Report is attached as Appendix 2.

2. RECOMMENDATIONS:

- 2.1 That members of the Economic Development and Culture Committee note the results of the public consultation exercise which have been taken into account in the preparation of the planning brief (see Appendix 2).
- 2.2 That the Economic Development and Culture Committee approves the planning brief (Appendix 1) for the purpose of providing planning guidance to developers and to assist the council in the assessment of future development proposals for the area that it covers.

3. RELEVANT BACKGROUND INFORMATION/ CHRONOLOGY OF KEY EVENTS:

- 3.1 In 2009, planning permission was granted for the construction of a new building for American Express's European operations immediately to the north of their existing building. The planning permission (ref: BH2009/01477) was subject to a Section 106 agreement which included a requirement for the demolition of the existing American Express Edward Street building, which is anticipated by 2016. This has highlighted the need for new planning guidance which, when approved for development control purposes, will effectively supersede the Edward Street

Quarter Supplementary Planning Document (SPD) 04 (adopted in March 2006 and now out-of-date).

- 3.2 The brief was prepared in partnership with American Express and is intended to provide a planning framework for development that integrates their new European HQ building into the surrounding area and secure a strategically important mixed use urban quarter including offices, residential units, ancillary retail and other services. In recognition of its status, a six week public consultation exercise was undertaken to support the development of the brief, the results of which are outlined in section 4 of this report.
- 3.3 With the exception of the new American Express building, the area is generally characterised by poor public realm and unattractive townscape. The brief directly addresses this by emphasising the importance of high quality architecture and public spaces, as well as the need for strong pedestrian and transport linkages. This is reflected in the vision for the Edward Street Quarter contained in the brief, which is to create:

...a dynamic first class business and residential district with a strong sense of place, distinguished by high quality townscape, architecture and public realm.

The planning brief identifies the following principles to guide future development proposals in the area:

General

An overall aim for a zero carbon development or – where that cannot be achieved – carbon neutral development.

Buildings of high quality design, layout, scale and massing – combining to form a coherent, legible and accessible development focussed around the new American Express building – and creating a true sense of place that integrates with and links the local neighbourhoods.

Development appropriately phased in order to provide a viable and successful community at each stage of completion that will integrate with, and benefit, the wider area.

Provision of the overall floorspace levels and land uses set out in the brief.

Connectivity and movement

Consolidation and strengthening of public transport connections to the bus and rail network, through enhancement of routes to existing stations and bus stops on this prominent east-west bus route.

Improved cycle and pedestrian access – both to and within the development area – including improved connections to the Peace Gardens, St James's Street and the wider neighbourhood.

Place making

A high quality public realm, including the creation of a series of successful social spaces at the heart of the development area, as well as John Street, William Street and the Dorset Gardens Peace Gardens.

Retail, commercial and other 'active frontage' uses at ground floor level to serve and assist the safety of the resident and working community and contribute to an attractive environment.

The creation of new public spaces i.e. squares, greenways etc. which will provide much needed sitting out areas and recreational space for the benefit of local residents and workers in the wider area.

Introduction of a greening strategy to improve the environment of key pedestrian routes in the area, including Edward Street, William Street, Carlton Hill and John Street.

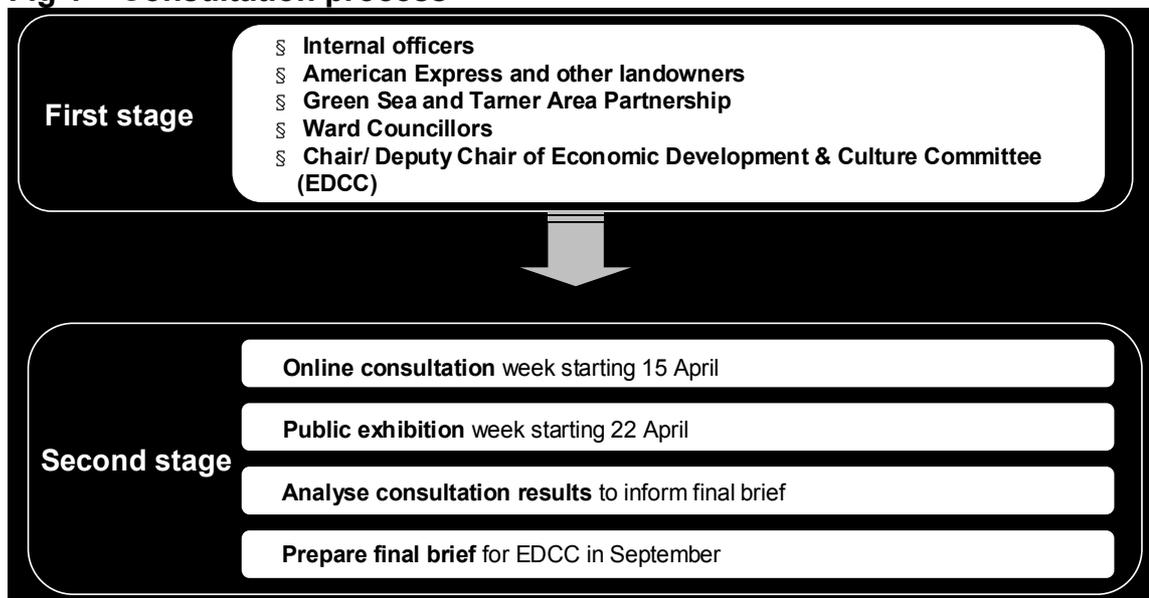
- 3.4 The brief also includes advice on heights and massing of new buildings, together with an indication of the mix of uses and quantum of development likely to be acceptable. In line with best practice identified in paragraph 173 of the National Planning Policy Framework (NPPF), a capacity assessment of the site has been undertaken in support of the brief. The preferred development option identified in section 10 of the brief is considered viable and appropriate within the context of the site’s location and surrounding buildings.
- 3.5 The brief therefore embodies the positive aspects of planning in providing clarity and certainty for sustainable and viable development. This will provide much needed jobs, housing, community and informal recreational facilities in an exciting and attractive new urban quarter that will greatly benefit both the local area and the city as a whole.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

Consultation process

- 4.1 The preparation of the planning brief for the Edward Street Quarter has followed a two stage consultation process with stakeholders summarised in Fig 1.

Fig 1 – Consultation process



The full details of the consultation process, methodology and results are documented in the Consultation Report attached as Appendix 2 of this report. However, there are some key points which officers would like to draw to Members attention.

Extent of consultation

- 4.2 A letter advertising the consultation and public exhibition on the draft brief was sent to:
- 3,381 properties (both private households and commercial premises) in the vicinity of the development area, 56 streets in total. This represented a much more extensive catchment area than, for example, the statutory consultation undertaken in relation to the American Express planning application;
 - all landowners within the development area;
 - approximately 100 groups and organisations – including all of the Brighton & Hove Partnerships (i.e. Local Economic Partnership, Housing Partnership etc.), infrastructure organisations such as the Voluntary and Community Sector Forum (who have circa 500 groups on their membership list), statutory organisations (Natural England, English Heritage etc), utilities, amenity and civic organisations as well as residents associations.
- 4.3 Other publicity measures included:
- displaying approximately 20 A4 laminated posters advertising the public exhibition in the area around Edward Street;
 - issuing a council Press Release advertising the consultation;
 - advertising the consultation on the Home Page of the council's website with a link to the consultation portal, during the six week consultation period (165 online responses submitted).

Stakeholder involvement

- 4.4 Over the past 10 months, the council has held meetings with CBRE, the planning consultants acting on behalf of American Express (the main landowner of the site) and their architects, to explore their aspirations for the site. A capacity and viability assessment of the site was undertaken to test the amount of development that could reasonably come forward on the site without compromising the integrity and appearance of their new HQ building. The results of this capacity and viability assessment have informed changes to the draft brief and the strategic allocation for Edward Street Quarter in policy DA5 of the City Plan.
- 4.5 The council was also aware that there were some important interest groups in the vicinity of Edward Street that had expressed an interest in the development of the draft planning brief. Two community organisations (Tarnar Area Partnership and Green Sea) were particularly keen to establish a dialogue with the council and to express their views about the future redevelopment opportunities for the site. Their concerns about the transport infrastructure, construction noise and greening strategy in relation to the wider development area (including Edward Street) have helped inform the content of the draft brief. Engagement with both organisations has continued throughout the consultation process, with officers attending two Tarnar Area Partnership meetings to update members on the development of the brief.
- 4.6 Regular meetings to discuss the draft brief have also been held with local ward councillors as well as the Chair and Deputy Chair of the council's Economic Development & Culture Committee. These meetings have been extremely useful in informing the communication strategy and approach to consultation on

the brief. Concerns about the local area, expressed by councillors at these meetings, have also been addressed in the brief.

The consultation response

4.7 In total, 199 consultation responses to the draft planning brief were received:

- 165 people commented online via the council's consultation portal;
- 34 people submitted written comments on the feedback forms provided at the public exhibitions, via email or by letter.

This represents a good response rate, when compared to other consultations on planning briefs. For example, the consultation on planning briefs for the former Royal Alexandra Hospital site and Park House site generated 147 and 70 written representations respectively.

4.8 Sixty six per cent (109) of the total online responses were from individuals who were keen for the council to find suitable, alternative premises for the Brighton & Hove Wood Recycling Project. The project, a social enterprise which specialises in recycling wood, is currently located in Circus Street just outside of the development area for Edward Street Quarter. A planning application is currently being prepared by Cathedral Group on behalf of the city council, who owns the freehold of the Former Municipal Market site in Circus Street. The redevelopment plans for the site will entail the permanent relocation of the Wood Recycling Project to an alternative site. The strategic allocation for Edward Street Quarter is principally B1a office development with some supporting residential and retail development. It is therefore not a suitable location for the Wood Recycling Project which is mainly B1c (light industrial) use. However, the city council's Economic Development team is actively exploring alternative premises and sites which would be suitable for this type of use in the locality.

4.9 The responses from individuals supporting the re-location of the Wood Recycling Project have been eliminated from the analysis of the results because they did not relate to the planning brief and its content. However, their views have been fed back to the Chair of Economic Development & Culture Committee, ward councillors and officers in the Major Projects & Regeneration and Economic Development Teams, in order to highlight the existence of this petition.

The results

4.10 The results of the public consultation on the planning brief revealed that there was general support for the brief's aspirations for the Edward Street Quarter, particularly the provision of green spaces and a greening strategy for the development area. The key issues identified through the consultation are summarised below:

- Support for the provision of green spaces and a greening strategy (24%)
- Support for the brief's aspirations for the area (14%)
- Need for more housing, including affordable homes (11%)
- Inclusion of St James's Street in plans for the area (10%)
- Requests that the former Amex House Edward Street building be retained and converted (9%)

- Support for improved bus services (9%)
- Peaceful character of Dorset Gardens should be retained (8%)
- Need a new community hall/ facilities (8%)

4.11 The council's response to all the issues raised as a result of the public consultation together with any suggested amendments to the draft planning brief are summarised in a table in Section 5 of the Consultation Report (see Appendix 2). However, there are two issues which have been a source of contention throughout the consultation that would benefit from clarification:

Retention of former Amex HQ building

4.12 Nine per cent of respondents thought that the former Amex HQ building was architecturally interesting, worthy of retention and should be re-used as offices for local SMEs or for education purposes. However, the demolition of the former Amex HQ building by 2016, is a requirement of the S106 agreement for the new Amex building which was granted planning permission in 2009. This requirement was in recognition that the old building not only directly compromises the integrity and visual appearance of the new building but also has a negative impact on the setting of the Carlton Hill Conservation Area and the adjoining listed buildings. In their comments concerning the planning application for the new Amex building, the South East Regional Design Panel noted that AMEX House was 'architecturally undistinguished' (2 September 2009). English Heritage also raised no objection to its demolition.

4.13 Leaving the building in situ would also affect the marketability and value of the rest of the Amex site and would probably render any future development unviable and therefore undeliverable, which would be contrary to the guidance provided in paras 173-177 of the NPPF. The demolition of the former Amex HQ building remains a requirement of the planning brief.

Include St James's St in development area

4.14 Nine per cent of respondents thought that St James's Street should be included within the development area. However, the core purpose of the planning brief is to give certainty to American Express and other future developers of the site about the planning framework to drive forward development in the area. The council does not have plans specifically relating to St James's Street at the moment. So the development area identified in the planning brief remains unchanged, although it should be noted that St James's Street would be expected to benefit from elements of the brief including the increased customer base afforded by the proposed new office floor space, housing and other land uses, improved connectivity across Edward Street, the improvements to Dorset Gardens Peace Park and further enhancements planned in the area such as the Better Bus Programme Initiative designed to improve bus journey times on Edward Street (making the whole area a more attractive public transport destination). Any proposed changes to St James's Street, including the possible introduction of shared space, would have to be the subject of a separate in-depth consultation exercise in the future to ensure that the varying needs of the local economy, transport movements, environment, community safety and cohesion issues are fully taken into account.

Include Kingswood and Milner flats in development area

- 4.15 Two responses were received requesting that Kingswood and Milner flats be included within the development area. As referenced above, the core purpose of the planning brief is to give certainty to American Express and other future developers of the site about the planning framework to drive forward development in the area. The brief has therefore not included the Kingswood and Milner Flats which fall outside this development area. The council's housing department has begun talking to residents of Milner and Kingswood flats regarding their views of the estate, how they think it might be improved, and whether the estate should be included in the new housing estate regeneration programme. The council would not seek to redevelop the estate without residents support and a financially viable solution.

Amendments to the brief

- 4.16 A total of 41 comments were received covering 14 main issues (see Section 5 of Appendix 2). An evaluation of the comments in relation to these issues has resulted in over half of the content of the planning brief being amended. The changes to the brief have been recorded in detail in the Consultation Report.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 There are no financial implications arising from the recommendation in this report. The costs of consultation and production of the Planning Brief will be met from within existing revenue budgets.

Finance Officer Consulted: Name: Steven Bedford Date: 6/9/13

Legal Implications:

- 5.2 Although the planning brief does not have the status of a statutory planning document, once adopted it will nonetheless be accorded weight as a material planning consideration in the determination of relevant planning applications.

It is not considered that any adverse human rights implications arise from the report.

Lawyer Consulted: Name: Hilary Woodward Date: 6/9/13

Equalities Implications:

- 5.3 An Equalities Impact Assessment (EQIA) of the Planning Projects service was undertaken in 2010. This included good practice in relation to the preparation and consultation on planning briefs. An EQIA has also been conducted in support of the Proposed Submission City Plan Part One Feb 2013, which has involved an extensive consultation programme. Officers have followed this best

practice to ensure that the consultation on the draft brief does not exclude people from the process and encompasses hard-to-reach groups.

Sustainability Implications:

- 5.4 Sustainability is an integral element of the brief, which includes a section specifically on sustainability expectations with regard to such aspects as energy efficiency, district heating etc. The brief aspires towards zero carbon - or where that cannot be achieved – carbon neutral development across future sites with the development area in order to provide exemplars of sustainable development and assist the city's bid to achieve UNESCO Biosphere Reserve status.

Crime & Disorder Implications:

- 5.5 The draft brief promotes the creation of a safe and successful new urban quarter of the city by encouraging greater accessibility, active frontages at ground floor and 'passive' surveillance of public spaces. It also suggests a range of measures to enhance the use of Dorset Gardens Peace Park which is intended to provide an attractive and accessible environment for the use by all members of the public that should help to deter anti social behaviour.

Risk and Opportunity Management Implications:

- 5.6 There is a risk that planning briefs may advocate development options which are unviable to develop and thereby fail to meet the requirements of the National Policy Framework. To mitigate this risk, the draft brief identifies a preferred development option that is considered viable and appropriate within the context of the site's location and surrounding buildings.

Public Health Implications:

- 5.7 The planning brief incorporates a greening strategy for Edward Street, John Street and William Street, as well as improvements to Dorset Gardens Peace Park. The public health benefits of improving access to green spaces and creating a greener environment in urban areas are well documented. The brief provides guidance to developers on how best this can be achieved. This greening strategy for the development area is supported by environmental groups such as Green Sea. The planning brief also advocates a mix of uses in the development area, including residential development. The brief requires all residential units to be built to lifetime homes standards and, in line with the Local Plan/ City Plan, 40% affordable housing units. Where appropriate, financial contributions will be sought from developers, to mitigate the impact of development on the local area e.g. through open space, health, education contributions etc.

Corporate / Citywide Implications:

- 5.8 As a large brownfield site, the Edward Street Quarter is of significant importance to the city. With precious few sites available in the city, it offers a rare opportunity to deliver a genuine mixed use development capable of generating substantial employment and inward investment opportunities.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 An alternative option is to “do nothing” i.e. not to produce a planning brief. This option has been discounted because of the need to address the future regeneration of this area in a comprehensive manner. Under the existing Section 106 Agreement, there is a requirement for the former American Express building to be demolished by no later than 2016. This has highlighted the need for new planning guidance to provide clarity to developers regarding the appropriate scale of development, potential land uses and other material planning issues with regard to any future proposals and planning applications in the development area.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 Public consultation in respect of planning documents is an integral element in ensuring that wide ranging views are taken into account and inform the council’s decision-making process. The consultation exercise has now been completed and has informed the preparation of ‘Edward Street Quarter - Planning Brief’ attached as Appendix 1. A copy of the Consultation Report is attached as Appendix 2.

SUPPORTING DOCUMENTATION

Appendices:

1. Edward Street Quarter Planning Brief
2. Edward Street Quarter – Consultation Report

Documents in Members’ Rooms

None

Background Documents

1. Brighton & Hove Local Plan (2005)
2. Proposed Submission City Plan Part One Feb 2013
3. National Planning Policy Framework 2012

