

Appendix 1

Brighton & Hove City Plan Part Two Scoping Document for Consultation

June 2016

City Plan Part Two Scoping Document

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Abbreviations:

AQAP	Air Quality Action Plan
ACV	Asset of Community Value
ANA	Archaeological Notification Area
CIL	Community Infrastructure Levy
Dph	Dwellings per hectare
GBCR	Greater Brighton City Region
GDPO	General Development Permitted Order
GTAA	Gypsy and Traveller Accommodation Assessment
HMO	Houses in Multiple Occupation
LGS	Local Green Space
LTP	Local Transport Plan
MCZ	Marine Coastal Zone
NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guidance
SA	Sustainability Appraisal
SHLAA	Strategic Housing Land Availability Assessment
SPD	Supplementary Planning Document
SSSI	Sites of Special Scientific Interest
SNCI	Sites of Nature Conservation Importance
PBSA	Purpose Built Student Accommodation
SDNP	South Downs National Park
UCO	Use Classes Order

1.Introduction

1.1 The Brighton & Hove City Plan Part One was adopted in March 2016 and sets out the strategic policy framework to guide the new development required across the city to 2030. The City Plan Part One sets the overall amounts of development to be planned for (e.g. housing, employment and retail) and the broad locations and Development Areas where new development will take place. It allocates key strategic sites and also sets out key strategic policies to guide future development including policies for urban design, transport, affordable housing, biodiversity and sustainability. This strategic framework is now part of the statutory Development Plan for Brighton & Hove.

1.2 The role of the City Plan Part Two is to support the implementation and delivery of City Plan Part One; to build on the strategic policy framework; to identify and allocate additional development sites and to set out a detailed development management policy framework to assist in the determination of planning applications. Once adopted, the policies in City Plan Part Two will replace the remaining 'saved' policies from the 2005 Local Plan.

1.3 The City Plan Part Two will:

- Be consistent with the vision, strategy and objectives and strategic policies set out in City Plan Part One; and it will cover the period up to 2030;
- Cover the administrative area of the city council that is not within the South Downs National Park (the South Downs National Park Authority is preparing a Local Plan which will cover the administrative area of Brighton & Hove that falls within the National Park);
- Contain additional site allocations (e.g. for housing and mixed use sites) so that the City Plan Part One strategy for accommodating development needs can be implemented;
- Contain amended/updated or new shopping centre boundaries and heritage/nature conservation designations;
- Contain a suite of development management policies that will replace some of the saved 2005 Local Plan policies and delete others to ensure there is a more streamlined and straightforward set of development management policies;
- Conform with the National Planning Policy Framework (NPPF) and respond to government changes to the planning system e.g. the introduction of brownfield site registers; and
- Result in one City Development Plan (Parts 1 and 2) which will be simpler to use for development management.

1.4 The Policies Map (March 2016) will also need to be updated and published to include additional site allocations and identify new and/or updated policy designations related to City Plan Part Two.

Scoping stage for City Plan Part Two

1.5 This 'scoping' stage is the first formal stage of consultation on Part Two of the City Plan. The aim of this Scoping Document is to outline the role and scope of City Plan Part Two, to clearly outline what Part Two might cover in terms of policy subject and geographical area and to invite representations on the proposed topics to be included and the policy issues to be addressed.

1.6 This stage of the Plan's preparation does not identify specific sites for proposed site allocations. It does however invite respondents to put forward sites for consideration as potential site allocations. A 'call for sites' exercise will also be undertaken as part of the Strategic Housing Land Availability Assessment update process.

1.7 Sites put forward for consideration during this consultation stage will be assessed as part of the plan preparation process. There will be full opportunity to comment on proposed site allocations at the Draft City Plan Part Two stage (see timetable below).

1.8 This early Scoping Paper for City Plan Part Two is structured around a number of policy topic areas e.g. housing, employment, retail, heritage, design, biodiversity, transport and open space¹. Each topic area identifies key policy issues and has a series of consultation questions which seek views on the scope and content of City Plan Part Two. There are also questions which seek to check that the shaping document has identified all the relevant issues or whether there are other issues that will also need to be addressed through City Plan Part Two.

Sustainability Appraisal Scoping Report

1.9 The preparation of a Local Plan is required to include an accompanying Sustainability Appraisal (SA). The role of the SA is to consider all the likely significant effects that the Local Plan may have on various environmental, economic and social factors. The SA process begins with a 'SA Scoping Report' which is also published for consultation at this early stage of plan preparation.

Timetable for the preparation of City Plan Part Two:

City Plan Part Two stage of plan preparation	Date
Scoping Document (Regulation 18)	June 2016
Draft Plan and SA (Regulation 18)	Autumn 2017
Publication stage (Regulation 19)	Summer 2018
Submission stage	Autumn 2018
Examination	Winter 2018
Adoption of City Plan Part Two	Spring 2019

¹ The final structure of City Plan Part Two may take a different format but for the purposes of this early consultation a topic based approach helps to identify key issues.

How to Comment on the City Plan Part Two Scoping Paper

1.10 The City Council would like to know what issues you think the City Plan Part Two should address. Questions are asked throughout this scoping document to help you to tell us what you think. You do not have to comment on everything in this paper. We want to hear your views on those aspects that are of most interest to you.

1.11 Responses to this consultation should be made in writing preferably using the formal representation form which can be completed online via the Council's consultation portal. A guidance note is available to help you do this.

1.12 You are also able to comment by email or letter, but please provide your personal contact details, or your agent's details, and focus your comments on the policy issues set out in the Shaping Document. This also applies if you wish to submit a petition.

1.13 The Scoping Document and copies of the response form are available on the Council's website and within customer service centres at Hove Town Hall and Bartholomew House Brighton and at Jubilee, Hove and Portslade libraries.

<https://www.brighton-hove.gov.uk/content/planning/planning-policy/city-plan-part-two>

1.14 Consultation on the City Plan Part Two Scoping Paper will run for **12 weeks from 30 June to 22 September 2016.**

1.15 Comments should be returned to Brighton & Hove City Council preferably using the consultation portal or by email:

Council's Consultation Portal

<http://consult.brighton-hove.gov.uk/portal>

Email: planningpolicy@brighton-hove.gov.uk (please respond using the Response Form)

Post:

City Plan Part Two: Scoping Document, Planning Policy, Brighton & Hove City Council, Room 201 King's House, Grand Avenue, Hove, East Sussex, BN3 2LS.

2. Housing

Introduction

2.1 A key objective for the City Plan is to provide people with a choice of decent quality housing to meet their need for a stable home at a cost they can afford. Improving housing supply within the city is a key issue identified in the council's 2015 Housing Strategy and particular emphasis is put on improving the supply of housing for key groups in the city such as families and older people and improving the supply of affordable homes.

2.2 In Part One of the City Plan, strategic policies set the overall amount of new housing to be built across the city to 2030 and the broad locations where new housing development will take place. Policies also indicate the need for a mix of new housing in terms of dwelling type, size and tenure. The aim is to ensure that development meets the needs of a growing and diverse range of local housing requirements and contributes to the creation of mixed and sustainable communities across the city.

2.3 The role for Part Two of the City Plan is to build on this strategic framework, to identify and allocate further sites for new housing, to set out a more detailed policy framework that will ensure a high standard of residential development is delivered which is of the type and mix to meet a range of local housing requirements and which can be delivered in a timely manner across the plan period.

Key housing 'policy areas' for City Plan Part Two

2.4 The following key housing policy areas have been identified for City Plan Part 2 to address.

A: General housing (Use Class C3) supply and additional site allocations

2.5 City Plan Part 1 sets a housing provision requirement for at least 13,200 new homes (classed as C3 dwelling houses) to be delivered over the plan period to 2030. Policy CP1 Housing Delivery identifies that approximately 6,000 new homes can be provided within the eight Development Areas set out in Part 1 (Policy DA1 – DA8) and that around 5,200 new homes can be provided across the rest of the city (including 1,000 new homes from the city's urban fringe). Development from very small sites² across the city is likely to contribute a further 2,000 units over the plan period.

2.6 Part 1 of the City Plan already allocates strategic sites for around 3,635 new homes. Significant further capacity for housing is identified in the council's Strategic Housing Land Availability Assessment (SHLAA). The 2014

² Small sites – 6 or less units.

and 2015 Urban Fringe Assessments³ identify there is housing potential for around 1,000 new homes on 39 of the city's urban fringe sites. Emerging Neighbourhood Plans are also able to identify additional housing sites. These sources, along with a further 'call for sites' exercise as part of an update of the SHLAA, will be used to propose site allocations for housing at the draft Plan stage of City Plan Part Two.

2.7 Additional site allocations made through Part 2 of the City Plan will help boost housing supply in the city and will provide more certainty both for communities and developers about where new housing development can be supported. Site allocations will also help to demonstrate how the strategic housing target set in City Plan Part 1 (13,200 new homes) will be met and will assist in demonstrating a sufficient deliverable and developable housing land supply in response to national planning policy requirements.

2.8 Part 1 of the City Plan identifies that the majority of new housing development (87%) will take place on previously developed land known as 'brownfield sites'. Through the Housing and Planning Act, the government is planning to introduce 'Brownfield Site Registers' which will identify brownfield sites suitable for housing. Sites on a Brownfield Register will be able to benefit from a 'permission in principle'⁴. Many brownfield sites in the city also offer the opportunity for mixed use types of development (e.g. a mix of office and housing) where an element of housing development can help deliver other development needs for the city. Because brownfield sites are so important for housing delivery in Brighton & Hove, it is still considered appropriate to identify and take forward many of the city's brownfield sites as proposed site allocations at the Draft Plan stage of City Plan Part Two. Site allocations in a statutory Development Plan will safeguard these sites for much needed new housing development over the Plan period.

2.9 Part 1 of the City Plan also identifies that some development on greenfield sites will be required to help meet the city's housing needs (e.g. development at Toads Hole Valley, Policy DA7 in City Plan Part 1). It also identifies that development on some of the city's urban fringe sites (Policy CP1 Housing Delivery in City Plan Part 1) will be required and that this can offer positive opportunities for securing more family sized housing and affordable housing to help meet the city's local housing needs. In 2015, the council commissioned further more detailed site assessments for those urban fringe sites identified as having potential for housing in the 2014 Urban Fringe Assessment⁵.

2.10 Where these more detailed assessments continue to indicate there is potential for housing development on some of the urban fringe sites, the

³ 2014 Brighton & Hove Urban Fringe Assessment, LUC June 2014, 2015 Further Assessment of Urban Fringe Sites (Landscape, Ecology and Archaeology).

⁴ A permission in principle will establish 'in principle' issues such as land use, location and amount of development.

⁵ 2015 Further Assessment of Urban Fringe Sites – Landscape and Ecology Assessments and 2016 Further Assessment of Urban Fringe Sites - Archaeology Assessment.

intention will be to consult on proposed site allocations as part of the Draft Plan stage of preparation for the City Plan Part 2.

Consultation Questions:

- Do you support the council's intention to allocate suitable brownfield sites for housing through City Plan Part Two and thereby safeguard their use for housing development over the Plan period?
(NB: Brownfield Site Registers will convey a 'permission in principle' for suitable sites but sites on the register will not have the development plan status that goes with a formal site allocation).
- The 2014 and 2015 Urban Fringe Assessment studies have already looked at a range of considerations (open space, landscape, heritage, ecology and environmental considerations) in establishing whether there is housing potential on some of the city's urban fringe sites. Are there other (i.e. different) assessment considerations that City Plan Part 2 should also consider to guide the allocation of urban fringe sites?
- Are there sites that you are aware of that you would like to see put forward as proposed housing site (Use Class C3) allocations in City Plan Part Two?

B: Housing mix – dwelling types, sizes and tenures

2.11 As well as planning to provide for a suitable amount of new housing development it is important to plan for a range and mix of housing types, sizes and tenures. This is reflected in City Plan Part 1, Policy CP19 Housing Mix and Policy SA6 Sustainable Neighbourhoods and Policy CP20 Affordable Housing. Indeed, national planning policy requires local planning authorities to have a good understanding of the housing needs of their areas and to plan appropriately to meet these needs.

2.12 A range of factors influence the demand/need for different types and sizes of homes. Evidence on the city's objectively assessing housing need⁶ indicates that for market housing the majority of future demand is likely to be for two and three bedroom homes (36% and 34% respectively) reflecting demand for housing from younger persons and from young families. There is also likely to be some demand for medium sized homes from older households looking to downsize but still retain flexibility for friends and family to come and stay. The analysis indicates that for smaller one bedroom properties and larger four bedroom properties demand is lower (14% and 15% respectively) but still notable.

2.13 For affordable housing, the analysis suggests that a greater proportion of one and two bedroom affordable properties will be required. However, the study notes that this does not reflect any specific priorities for family

⁶ Objectively assessed need for housing in Brighton & Hove, June 2015, GL Hearn.

households in need or that smaller homes typically offer more limited flexibility in accommodating changing requirements of households.

2.14 The challenge for Part 2 of the City Plan will be to identify a sufficient mix of sites that can be allocated for housing so that different types of housing development can be delivered to help meet the city's range of requirements. For example, urban fringe sites can offer opportunities for family sized homes to be delivered whereas on smaller brownfield urban sites it is more likely that smaller flats/apartments will be delivered. On some of the city's larger brownfield sites it may also be appropriate for site allocations to specify a broad mix to ensure that a good mix of housing types and sizes is achieved.

Consultation Questions:

- Should proposed housing site allocations in City Plan Part 2 seek to specify a range of dwelling types and sizes or should this be left to a more general criteria-based type of planning policy?
- On urban fringe site allocations, should the City Plan Part 2 seek to secure a specific proportion of family sized housing given the city's lack of suitable sites for family sized housing?
- Can you think of other ways in which City Plan Part Two could help to ensure that a good mix of housing gets delivered in the city?

C: Making full and effective use of sites

2.15 Making full and effective use of sites for housing is particularly important given the city's pressing housing needs and its constrained housing land supply. This issue was addressed through policies in the 2005 Local Plan (QD3 Design –Efficient and effective use of sites and HO4 Dwelling densities) which are now superseded by City Plan Part One Policy CP14 Housing Density.

2.16 CP14 sets minimum net density standards for residential development. Within the Development Areas DA1-DA6 and DA8, residential development is expected to achieve a minimum net density of 100 dwellings per hectare (dph) and outside of the Development Areas a minimum net density of 50 dph is expected. These standards are subject to a range of planning considerations which include criteria around design, townscape, neighbourhood character and accessibility.

2.17 The criteria set out in CP14 will help to ensure that inappropriate 'over-development' of sites is avoided. However, further policy guidance may also be required to ensure that 'under-development' of sites is also avoided so that the full capacity of sites can be achieved and that other important policy requirements (e.g. for affordable housing contributions) are not unduly avoided.

Consultation questions:

- Should City Plan Part Two introduce additional policy to ensure that new development maximises site potential (subject to appropriate criteria) and avoids the under-development of housing sites? If so, what might be appropriate planning considerations to include in such a policy?

D: Housing for key groups in the city

2.18 One of the key objectives of City Plan Part 1 is to achieve sustainable, inclusive and mixed communities (e.g. see policy SA6 Sustainable Neighbourhoods and CP19 Housing Mix). Planning for a mix of housing that reflects the needs of different groups in the community is an important part of this. Such groups will include families with children, older people, people with disabilities and support needs, smaller households and people wishing to build their own homes.

Consultation questions:

- Should City Plan Part 2 include development management policies which seek to address the accommodation needs of particular groups within the city's communities? For example, policies to specifically address and support housing options for older people; for families and for people with specialist housing needs?
- Is it appropriate for site allocations in City Plan Part 2 to specifically seek to address different housing needs? For example, would it be appropriate for some sites to be identified for older person's housing or for family housing or for specialist needs housing? Or, should this be left to the market to decide?
- Should policies and/or site allocations specify that development sites should also make provision for self-build plots and custom build housing?

E: Retaining housing

2.19 Policies in the 2005 Brighton & Hove Local Plan have sought to resist the loss of residential accommodation in the city including houses, flats and other types of residential accommodation such as residential care / nursing homes and supported housing. These policies were concerned with improving housing conditions and standards, bringing vacant housing back into use, resisting the loss or conversion of smaller family dwellings or various forms of supported housing and protecting residential amenity. Under the 2005 policies, where a loss is considered acceptable, then the priority is to secure

additional housing to meet a specific local housing need (including affordable housing or for housing for those with support needs). A further justification for this sort of policy approach is the city's constrained land supply and the need to make the best use of the sites and properties that are available for housing.

2.20 The current intention is for Part 2 of the City Plan to continue with a similar policy approach to retain housing in the city but to allow for appropriate exceptions.

Consultation questions:

- Should policies in City Plan Part 2 resist the loss of housing from within the existing housing stock?
- Are there any particular types of housing which you think should be protected e.g. self-contained dwellings (flats and houses), family homes and residential accommodation for those with various support needs ?

F: Private outdoor amenity space in new housing development

2.21 One of the 'saved' local plan policies from the 2005 Brighton & Hove Local Plan (Policy HO5) requires that all new residential development include the provision of private amenity space. Depending on the type of development this could be in the form of ground floor gardens, balconies or roof terraces. Outdoor amenity space is an essential part of the character and quality of the environment of residential properties. The provision of some outdoor private amenity space allows residents to enjoy some outdoor space and this is recognised as having important health and well being aspects. It can also provide important functional benefits such as an area to dry washing.

Consultation questions:

- Should housing policies in City Plan Part 2 include a requirement for the provision of appropriate outdoor private amenity space?
- Should such a policy provide guidance on the issues that will be considered when assessing whether appropriate amenity space has been provided to ensure it is useable and accessible?

G: Access and space standards in new housing development.

2.22 Last year the government introduced a new approach for the setting of technical standards for new housing⁷. The new system comprises new additional 'optional' Building Regulations on water and access, and a new national space standard for new housing. The new approach will complement the existing set of Building Regulations which are mandatory and will replace local technical standards for new housing.

2.23 In order to secure the higher new technical standards for access and adaptability⁸ together with the new space standards for new housing appropriate policies need to be clearly set out in up to date Local Plans. Any such policies also need to be well justified in terms of setting out an evidenced need for requiring the higher standards. Planning authorities must also consider whether development viability will be affected.

2.24 Standards for sustainable buildings are already set out in Policy CP8 of City Plan Part 1 and these include water and energy efficiency standards. City Plan Part 1 policies CP19 Housing Mix and Policy SA6 Sustainable Neighbourhoods support the introduction of policies in Part 2 of the City Plan to secure high quality and sustainability in new residential development. These policies indicate that Part 2 of the City Plan will seek to include the requirements of the nationally described space standard and the new higher technical standards for access in new homes. Policy CP12 Urban Design addresses the need for all new development to be inclusive, adaptable and accessible.

2.25 'Saved' policy HO13 in the 2005 Local Plan has sought to address accessibility and adaptability in new residential development by requiring new homes to be built to 'Lifetime Homes' standards where feasible. It also seeks an appropriate proportion of wheelchair accessible housing in new development. However, under the government's approach 'Lifetimes Homes' standards no longer apply. Therefore to achieve similar technical standards in new residential development new policies will need to be set out in Part 2 of the City Plan.

Consultation questions:

- Should City Plan Part 2 seek to introduce the new nationally described space standards for new housing development?
- Should City Plan Part 2 seek to introduce the higher optional technical standards for 'access and adaptability' in new housing and an appropriate proportion of wheelchair user dwellings?
- Are there any other issues in relation to the national technical standards for new housing development that you would like to see

⁷ Written Ministerial Statement, Planning Update, March 2015. See also 2015 edition of Approved Document M, Building Regulations Access to and use of buildings.

⁸ Building Regulations Part M Access to and use of buildings. Higher optional standards are Part M4(2) Accessible and adaptable dwellings and M4(3) Wheelchair user dwellings.

H: Houses in Multiple Occupation (HMOs)

2.26 An HMO (Houses in Multiple Occupation) is a property rented out by at least three people who are not from one 'household' but share facilities like a bathroom and kitchen. Examples include bedsits, shared houses, lodgings, hostels, accommodation for workers/employees and refugees.

2.27 Brighton & Hove has a high proportion of HMOs and it is estimated that there are a total of 6,460 HMOs in the city, representing 1 in 35 of all HMOs in England and Wales and nine times the national average⁹. This high proportion is partly due to high house prices in the city and a constrained housing supply. It is also partly due to the supply of Purpose Built Student Accommodation (PBSA) not matching the expansion of student numbers in the city. The city's housing market has responded to increasing student numbers through increasing numbers of family dwellings being converted to HMOs.

2.28 However, it is important to note that not all HMOs accommodate students. The cost of housing in the city means that many younger working people and other people on low incomes are living in HMOs. HMOs can therefore play an important role in terms of providing an alternative form of affordable housing. This was recognised in the 2005 Brighton & Hove Local Plan which has a policy resisting the loss of HMOs (Policy HO14).

2.29 High concentrations of HMOs can cause a number of negative impacts on local communities¹⁰, for example more frequent noise nuisance, depopulation of neighbourhoods during academic vacations, increased pressure on parking due to higher population densities and higher levels of population transience (or turnover) which can contribute to a breakdown of community cohesion.

2.30 Policy tools which seek to mitigate the negative impacts of HMOs have emerged from the recommendations of the City Council's Student Housing Strategy 2009-2014. For example, in April 2013, an 'Article 4 Direction' relating to HMOs came into force within five wards of Brighton and Hove¹¹. Within these wards, the Article 4 Direction means that a planning application is required to change the use of a single dwelling house (defined as Use Class C3 in planning legislation) to a small house in multiple occupation (C4 Use Class). Alongside the implementation of the Article 4 Direction, an extended HMO licensing scheme for small HMOs was also introduced in November 2012.

⁹ Brighton & Hove Housing Strategy 2015

¹⁰ Brighton & Hove Student Housing Strategy 2009-2014

¹¹ Hollingdean & Stanmer, Moulsecoomb and Bevendean, Queen's Part, St. Peters and North Laine and Hanover and Elm Grove.

2.31 Part 1 of the City Plan (see Policy CP21 Student Housing and Houses in Multiple Occupation) sets out how an application for a change of use to HMO will not be permitted where more than 10 per cent of dwellings within a radius of 50 metres of the application site are already in use as a HMO. Within the five wards covered by the Article 4 direction this applies to both small and large HMOs. Elsewhere in the city the policy only applies to large HMOs as permitted development rights for small HMOs still apply outside the Article 4 Direction area. This policy approach has helped to prevent further over-concentration of HMOs in areas of the city with already high densities.

2.32 A key challenge for the City Plan Part 2 is to consider how to balance the continuing demand for HMO accommodation with the need for the city to maintain and deliver a good stock of general housing in order to ensure there are sustainable and balanced communities. City Plan Part 2 will therefore need to consider whether further market intervention through planning policy can make a positive difference to the housing mix and balance between HMOs and more general types of housing, including family housing.

2.33 Part 2 also provides an opportunity to consider whether further steps through planning policy could help mitigate against the negative aspects of HMO concentrations. Extending the Article 4 Direction to other parts of the city would require clear evidence of the need to do so and different options would need to be considered.

Consultation Questions:

- Should the City Plan Part 2 include a policy that seeks to protect existing HMOs? Or, should the loss of HMOs be a matter left to the market?
- Should the City Plan Part 2 seek to include a policy that encourages the conversion of existing HMOs to family-sized dwellings?
- Are there any other ways that the negative impacts associated with concentrations of HMOs could be further mitigated through planning policy?

Are there any other housing issues?

- Can you think of any other policy issues that relate to new housing development (and are not already covered in the sections above) that you think City Plan Part Two should seek to address?

NB: This consultation also includes separate sections on Student Housing and Traveller Accommodation.

**Existing 2005 Local Plan Policies to be replaced / deleted by City Plan
Part Two:**

HO1 Housing sites and mixed use sites with an element of housing
HO5 Provision of private amenity space in residential development
HO8 Retaining housing
HO9 Residential conversions and the retention of smaller dwellings
HO10 Accommodation for homeless people
HO11 Residential care and nursing homes
HO12 Sheltered and managed housing for older people
HO13 Accessible housing and lifetime homes
HO14 Houses in Multiple Occupation
HO15 Housing for people with special needs

3. Economy and Employment

Introduction

3.1 The Brighton & Hove economy has grown significantly over the past decade across a wide range of sectors, but notably advanced service sectors such as finance, digital and media. Public administration, education and health remains the highest employment sector. The city and its partners in the sub-region¹² want to build on that success and develop a city region that is attractive to businesses with the necessary amenities and infrastructure businesses need to thrive. An ongoing priority is to create new space for our businesses to start-up and grow.

3.2 The government requires Local Plans to proactively meet the development needs of business; to provide a policy framework that supports business needs, clusters and growth sectors and to regularly review land allocations¹³.

3.3 The recently adopted employment policies in the City Plan Part 1 reflect the role of the city as a successful regional employment hub, the positive forecast growth in jobs to 2030 and the continuing demand by businesses for good quality employment floorspace¹⁴. The 2016 adopted City Plan Part 1 set out how the council will protect employment land (office, industrial, warehouse and storage sites and premises) to 2030 (see **Policy CP3 Employment Land** and **SA2 Central Brighton and Development Area proposals DA2- DA8**). The City Plan Part 1 identifies and safeguards 13 industrial sites and business parks and 5 employment sites for mixed use employment-led redevelopment. The City Plan Part 1 identifies opportunities for 91,000 – 96,000 sq. m of new office floorspace (B1a, B1b uses) and 9,500 sq. m of Industrial floorspace (B1c, B2 and B8 uses) to be delivered through the Strategic Allocations within the defined Development Areas (DA2-DA8)¹⁵.

3.4 However the City Plan Part 1 was not able to identify sufficient sites to meet all the forecast demand for employment floorspace to 2030 that was identified in the 2012 Employment Land Study Review. There is a shortfall of between 16,240 to 21,240 sq. m of office floorspace and 33,930 sq. m of industrial floorspace.

3.5 The role for Part 2 of the City Plan is to build on this strategic framework; to identify and allocate additional employment sites and mixed use site allocations to help ensure employment land delivery is maintained over the City Plan timeframe.

Key employment ‘policy areas’ for City Plan Part Two

¹² Greater Brighton City Deal; C2C LEP Strategic Economic Plan, Devolution Bid

¹³ National Planning Policy Framework, paragraphs 20-22 in particular

¹⁴ Employment Land Study 2012, NLP

¹⁵ Table 4, City Plan Part 1 identifies the amount of employment floorspace to be delivered.

3.6 The following remaining employment policy areas have been identified for City Plan Part 2 to address:

A: Offices

1. Identifying further sites/ opportunities for new office development

3.7 Whilst the general availability of development sites generally in the city is constrained, further office site allocations could help boost the supply and range of the office space in the city. Offices are classed by the government as 'main town centre' uses so the search for opportunities would need to start with town centre locations first. Central Brighton is the core business area for the city¹⁶ but there are clusters of office space elsewhere in the city in other retail centres, close to good transport routes and in residential locations. Through this consultation the council wants to investigate whether there are further opportunities to bring forward new office floorspace and whether there are further sites or clusters of sites that would be suitable for new office development/ redevelopment.

3.8 This consultation therefore includes a call for sites for additional sites/ clusters of sites that could deliver a range of site sizes and types of office floorspace in central Brighton and other accessible locations which are attractive to the market and suitable for a range of office building types such as managed starter units, affordable business space; co-working spaces and flexible formats suitable for single or multiple lets and suitable for all stages of start-up and growth.

2. Supporting Office Delivery

3.9 An office supply trajectory was prepared to support the City Plan Part 1¹⁷. Monitoring of office delivery to date for the period 2014-2019 indicates that only c.10,000 sq m of the projected 29,559 sq. m office is due to be delivered¹⁸ by 2019. This shortfall could increase if the office sites identified in City Plan Part 1 do not deliver all their identified office space allocation.

3.10 The council therefore needs to ensure that additional office development particularly in Central Brighton and adjacent areas comes forward to help provide a range and choice of supply to meet the needs of different types of occupiers and to provide greater flexibility to meet market requirements to ensure that the supply of new office space does not become constrained. Levels of vacant office space are at their lowest for 10 years¹⁹. Failure to bring forward and unlock the job generating capacity of employment sites will hinder the city's aspirations for job growth.

¹⁶ Exemption Request evidence

¹⁷ Brighton & Hove Employment Land Supply Trajectory: Final Report, NLP June 2013

¹⁸ Figure includes Sussex Innovation Brighton, Brighton Station (the construction will commence in early 2017). City View, Brighton Station site (nearing completion) and Circus Street (office element due to be completed by 2019).

¹⁹ South East Office Focus, Q1 2016 Stiles Harold Williams

3.11 The following barriers to office delivery were identified in 2012²⁰:

- a market perception of a lack of supply of suitable sites in central Brighton for new office development;
- the demand profile for smaller firms in Brighton & Hove means weaker covenant strengths in conventional funding markets and limited prospects for pre-letting; and
- development viability and pressure for higher value uses (e.g. residential) within mixed used schemes.

3.12 However demand for office space remains strong, interest in office investments remains strong, achieved office rental levels have steadily increased and there are examples of speculative office development²¹. Brighton & Hove is one of a number of cities identified as having the greatest opportunity for investment in the office market over the next five years²².

3.13 Through this consultation the council wishes to find out what supporting mechanisms could help deliver office sites which are not coming forward through normal market processes such as:

- Whether a particular mix of uses can help enable office delivery on particularly sites;
- Use of public funding (e.g. Regional Growth Fund) and joint ventures to unlock barriers to sites (such as infrastructure)
- Encourage assembly and development of sites – to make them more attractive to market.
- Marketing strategy – to de-risk speculative development.

3. Safeguarding office sites/clusters outside Central Brighton

3.14 Although new sites and premises are an important component of ensuring economic growth, most new jobs will be created within existing businesses on their current sites and premises. It is therefore also important to ensure an appropriate stock of existing good quality offices remain in employment use across the city. Policy CP3.5 of the recently adopted City Plan Part 1 sets out the managed approach to loss of unallocated office buildings.

3.15 Government changes to the planning system have had an impact on the supply of offices, with a number of office buildings being converted to housing. Monitoring has shown that since the permitted development right to convert offices to residential use came into effect there have been a total of 134 'prior approval' applications²³ and 15,612m² of office space has been lost so far²⁴. The impacts will be kept under review and the potential for the existing Article

²⁰ BHCC Employment Land Study 2012, NLP

²¹ See footnote 6 and 'Focus South East: Brighton – Getting back in the water', Estates Gazette 18 July 2015.

²² The New Geography of Office Demand, Where next in the UK Jones Lang LaSalle, 2015

²³ For the monitoring period 1 June 2013 – 31 March 2015

²⁴ This figure comprises floorspace data for those schemes completed and those conversion schemes that are started at 31 March 2015.

4 Direction²⁵ (removing the permitted development right for conversion to housing) to be extended will be explored. This consultation therefore asks for views on extending the Office to Residential Article 4 direction and asks for nominations of potential office clusters to include.

Consultation Questions:

- Are there additional sites/clusters of sites that could deliver a range of size and type of new office floorspace that you would like to be considered as office site allocations through the preparation of City Plan Part Two?
- How can we better support the delivery of office sites in the city?
- In light of the permitted development right (which allows offices to be converted to residential use) becoming permanent, should the council's office to residential Article 4 direction be expanded? Which other office clusters should be included?

B: Mixed Employment Areas and mixed use allocations

3.16 Employment generating uses such as education, recreation, health, residential care, social work and retail account for approximately 71% of all jobs in Brighton & Hove and according to 2012 Experian job forecasts this proportion is expected to remain broadly constant over the period to 2030²⁶. The land use requirements of these employment sectors are usually estimated and planned for on a different basis than the traditional office and industrial uses ('B Class Uses') and many of them are identified by the government as 'town centre' uses and the preference is given to these being located in town centres. The City Plan Part 1 at Policy CP2 Planning for Sustainable Economic Development (part 6) recognised the importance of employment generating non-B Class uses to the local economy and indicated that appropriate allocations would be made through City Plan Part 2.

3.17 Allowing some higher value development as part of smaller scale mixed use site allocations could also be a potential way of securing office development where speculative office development is seen as high risk. Typical uses that have been allowed for this purpose include education and training uses and private healthcare uses. These 'other' employment generating uses can often bring positive economic benefits in their own right and make the employment site a more attractive proposition. However this approach needs to be applied carefully so that the new office floorspace is provided alongside the other uses.

²⁵ In July 2014 the council introduced an office to Residential Article 4 Direction which means that developers must obtain planning permission to change the use of their offices to residential space in central Brighton, New England Quarter and London Road, as well as the Edward Street Quarter and City Park office sites. Further details can be found on the council's website: <http://www.brighton-hove.gov.uk/content/planning/planning-applications/offices>

²⁶ 2012 Experian job forecasts, Employment Land Study Review 2012 - Appendix 5 categorises those sectors that fall into Non B use class

3.18 This consultation therefore includes a ‘call for sites’, for any sites or premises (not currently allocated in City Plan Part 1) that the council should consider for a mixed employment use allocation in City Plan Part Two.

3.19 The City Plan Part 1 encourages in Policy CP2 Planning for Sustainable Economic Development (at part 3) the bringing forward of a mix of employment floorspace to support the city’s key employment sectors. Is further guidance required to promote/ guide the provision of specific types of new employment floorspace such as managed starter units, live/work units or co-working space, and creative industries workspace?

3.20 The 2005 Brighton & Hove Local Plan sought to manage areas of the city²⁷ that had particular characteristic of a mix of employment uses (creative, IT or media related businesses) such as the North Laine area or provided a particular type of employment floorspace such as Mews premises (former stables and garages/ workshops) as these that were attractive for affordable accommodation for local businesses and start- up businesses. Of particular importance was the retention of ground floor employment floorspace as part of a mix of uses if sites came forward for redevelopment in these areas. The CPP2 will need to consider if certain mixed employment areas do still need protecting through a specific policy or whether the approach set out in the City Plan Part 1 is sufficient protection.²⁸

Consultation Questions:

- Should the City Plan Part 2 seek to identify new mixed use site allocations and indicate a range of appropriate ‘other’ employment uses such as education and training uses and private healthcare uses alongside B1a office use?
- Are there any sites you are aware of that would be suitable for mixed use employment uses and that you would like to see considered for allocation through City Plan Part 2?
- Is there a need for a specific policy to promote/ guide the provision of specific types of employment building types such as managed starter units, live/work or co-working space, and creative industries workspace or is there sufficient guidance in the City Plan Part 1 at CP2?
- Are there existing mixed employment areas that need a specific protection policy or is the approach set out in City Plan Part 1 at CP3.5 sufficient?

C: Industrial

²⁷ Policy EM10 North Laine Area – mixed uses and EM11 Mews – mixed uses

²⁸ see CP3.5 of and SA2.6 in relation to the North Laine

3.21 Despite not being considered an important industrial location, demand for industrial floorspace in the city remains strong with existing local firms looking to expand and businesses who want to be located closer to the main focus of economic and business activity within Brighton & Hove and its immediate periphery. Modest growth in jobs in this sector is forecast to 2030. The advanced manufacturing and engineering sector is identified as a priority sector²⁹. These issues are reflected in the employment land policies in City Plan Part 1.

3.22 Apart from the refurbishment of some existing industrial estates and new build at Woodingdean Business Park, Brighton and at St Joseph's Close, Hove there have been no significant new warehouse/ light industrial schemes developed in the last ten years. Local agents are concerned with this lack of floorspace³⁰ and the council's Economic Development Team regularly receive enquiries for new space/ freehold opportunities for industrial sites/ premises from businesses.

3.23 Recent analysis for the Greater Brighton and Coastal West Sussex area³¹ has indicated that there is a 'missing middle' in terms of a lack of suitable employment space to support the growth needs of small-to-medium sized businesses that have outgrown small commercial units, but do not require large-scale strategic sites to support their space needs.

3.24 Alongside the site allocations in the City Plan Part 1, a number of potential options could be considered to specifically address this shortfall of industrial floorspace through the preparation of City Plan Part 2:

- Intensifying existing industrial estates;
- Identifying a new site or sites;
- Working with neighbouring authorities through duty to cooperate and through the Greater Brighton Greater Brighton and Coastal West Sussex partnership to address the 'missing middle' and to consider how 'spill-over' business needs can be best accommodated.

3.25 Permitted development rights have been introduced by the government to allow the change of use of existing storage & distribution centres to residential use³². A new temporary permitted development right for the change of use of buildings in light industrial use to residential use has also been introduced by the government. However this permitted development right does not take effect until 1 October 2017³³. These permitted development rights have the potential to further erode the lack of supply of industrial sites in the city. The impacts will be kept under review and the

²⁹ Coast to Capital Strategic Economic Plan March 2014

³⁰ Brighton & Hove increasingly an 'industrial desert', Stiles Harold Williams, 2 November 2015: <http://www.shw.co.uk/news/news.asp?id=329>

³¹ Greater Brighton & Coastal West Sussex Background Papers : Background Paper 1 – Economy, NLP

³² This is subject to limitations and conditions including the prior approval of the council in respect of certain matters: see Planning Portal:

³³ Introduced 6 April 2016, subject to limitations and conditions including the prior approval of the LPA in respect of certain matters. See Planning Portal:

potential for introducing Article 4 Directions for strategic industrial areas and business parks will be considered.

Consultation Questions

- Are there any opportunities to identify and safeguard land/site for a new industrial estate in the city? If yes, where?
- Are there opportunities to intensify existing industrial estates to bring forward new industrial floorspace? If so, which estates?
- Should the council consider introducing an Article 4 direction to protect strategic industrial estates and business parks from the new permitted development rights to residential use?
- Are there any other opportunities to bring forward new industrial floorspace in the city?

Are there any other employment issues?

- Can you think of any other policy issues that relate to employment (not already covered in the sections above) that you think City Plan Part Two should seek to address?

Existing 2005 Local Plan Policies to be replaced / deleted by City Plan Part Two:

EM4 New Business Floorspace on Unidentified Sites
EM7 Warehouses
EM8 Live-work units on redundant industrial business and warehouse sites
EM9 Mixed Uses and Key Mixed Use Sites
EM10 North Laine Area
EM11 Mews

4. Retail and town centre uses

Introduction

4.1 The appearance and performance of our town centres continues to evolve and change over time due to a variety of influences (e.g. online shopping, market and economic trends and changing legislation). The aim of the City Plan is to ensure that our town centre locations remain attractive and vibrant places that businesses want to invest in and people want to visit to shop and socialise.

4.2 Policy CP4 Retail Provision, in City Plan Part 1 sets out how the city's shopping centres are positioned in a city-wide retail 'hierarchy'. For Brighton & Hove, this consists of one regional centre, two town centres, three district centres and seventeen local centres. The policy sets out how the hierarchy of shopping centres will be maintained and enhanced through securing a range of facilities and uses, consistent with the scale and function of the centre, to meet people's day-to-day needs, whilst preserving the predominance of A1 (shops) use classes. Policy CP4 is also clear that new centres may come forward; particularly local centres in currently underprovided for areas of the city.

4.3 The role for City Plan Part 2 will be to consider the approach for determining planning applications for main town centre uses in light of national planning policy and guidance and the recently introduced changes to the Use Classes Order and the General Development Permitted Order (GDPO). For information, the table below summarises the main 'uses classes' commonly found in town centres and their current permitted development rights³⁴

Permitted Development From	Permitted Development To
A1 (shops)	<p>A2, or up to 150m²</p> <p>A3 subject to Prior Approval, or up to 200m²</p> <p>D2 subject to Prior Approval and only if the premises were in A1 use on 5th December 2013.</p> <p>A mixed use comprising an A1 or A2 use and up to 2 flats may also be permitted subject to meeting certain conditions.</p> <p>C3 if the cumulative floorspace of the building is under 150m² and subject to Prior Approval.</p>
A2 (professional and financial services) when premises have a display window at ground level, but excluding betting offices or pay day loan shops	<p>A1, or up to 150m²</p> <p>A3 subject to Prior Approval, or up to 200m²</p> <p>D2 subject to Prior Approval and only if the premise was in A2 use on 5th December 2013.</p> <p>A mixed use comprising an A1 or A2 use and up to 2 flats may also be permitted subject to meeting certain conditions.</p>

³⁴ Permitted development rights means that planning permission is not required for certain types of development or changes of use – they are already 'permitted'.

Permitted Development From	Permitted Development To
	C3 if the cumulative floorspace of the building is under 150m ² and subject to Prior Approval.
A3 (restaurants and cafes)	A1 or A2
A4 (drinking establishments)	A1 or A2 or A3 except buildings that may be defined as “community assets”.
A5 (hot food takeaways)	A1 or A2 or A3
B1 (business)	Up to 500m² B8.

More information available via

https://www.planningportal.co.uk/info/200130/common_projects/9/change_of_use/2

Key policy Issues for City Plan Part 2:

A: Boundaries of Primary and Secondary shopping frontages

4.4 Shopping frontage policy designations are an important planning policy tool for ensuring that retail uses, particularly A1 uses, are maintained within defined shopping centres. In Brighton and Hove the frontages set out on the Policies Map are defined as Primary or Secondary.

4.5 Primary frontages have tended to include a high proportion of A1 retail uses which may include food, clothing and household goods and which provide an active street frontage, contributing towards a lively street scene and enabling shoppers to make comparisons between goods when they go shopping.

4.6 Secondary frontages provide for more diversity of uses such as restaurants, betting shops and leisure activities whilst maintaining their primary retail role. Both types of frontage are likely to contain few retailers who do not have window displays, (e.g. Banks) or ‘takeaways’ which may only open during evenings creating a ‘dead frontage’ during daytime and reducing interest for pedestrians using the street.

4.7 Health checks of shopping centres within the retail hierarchy are undertaken annually by the local planning authority and these show that there are some parts of the primary and secondary frontage area which have not improved their retail offer over time. Some of these frontages have a large number of residential and office uses on the ground floor. Other areas of the retail frontage do not benefit from sufficient footfall to sustain retail uses within these areas.

4.8 An option for the City Plan Part 2 to consider is whether to consolidate some of the shopping frontages within certain centres and remove other areas which are not considered to offer an active frontage. Similarly, over recent years, some sites have been developed which could now be included within

the shopping frontages of some defined centres. An example is the Jubilee Street development in central Brighton within the Regional Centre boundary. Potential additions to and deletions from retail frontages could be consulted upon at the Draft Plan stage of preparation.

Consultation Questions:

- Should City Plan Part 2 seek to amend / remove some less successful sections of defined shopping frontage from designated shopping centres?
- Are there successful stretches of shops (not currently protected) that should be included in defined primary or secondary frontages of defined shopping centres?

B: Updating Retail Frontage Policies

4.9 The 'saved' local plan policies in the 2005 Local Plan which address changes of use in primary and secondary shopping frontages now need updating to align with the National Planning Policy Framework and to reflect changes in permitted development rights and use class order definitions. Since 2010, the Government has introduced many new 'permitted development rights'³⁵. Many of these rights are subject to the prior approval process and can include shops being converted to residential or other uses subject to prior notification with the planning authority (as indicated in the table above).

4.10 Local planning authorities have the ability to restrict permitted development rights through the making of 'Article 4 Directions'. An Article 4 Direction can be introduced where the authority considers that development would be prejudicial to the proper planning of their area or constitute a threat to the amenities of their area. The authority may wish to consider Article 4 Directions to remove Permitted Development rights where monitoring of centres in the retail hierarchy show concern in terms of the retail offer.

4.11 The particular benefits of retail frontage policies are that they support the strength of the retail offer within shopping frontages and provide clear planning policy for developers and the public. Alternatively, some may argue that frontage policies restrict a more diverse mix of uses within the frontage areas and this may not reflect the changing nature of the retail industry and how this impacts on shopping centres.

4.12 A number of saved policies in the 2005 Local Plan focus on addressing changes of use within the shopping centres identified in the retail hierarchy (e.g. policies SR4, SR5 and SR6). The criteria listed specify the acceptable breaks in the retail frontage and the proportion of non-retail uses.

³⁵ Through the General Development Permitted Order

4.13 A different approach for City Plan Part 2 could be to set out policy criteria for primary and secondary frontages for all shopping centres (rather than different approaches for each level of centre) to ensure a consistent approach through the city. This would also help to streamline the amount of policies contained within City Plan Part 2.

Large Format Stores

4.14 The city has a good supply of larger retail premises (above 1,000 sqm) both within the primary frontage of the Brighton Regional Centre in Churchill Square and also along Western Road and North Street. Any future loss of these units could have an impact on the vitality and viability of the regional centre as these larger units typically contain the anchor or destination shops which attract shoppers. Some of these premises also have several upper floors of A1 retail space such as Marks and Spencer, H&M, C&H Fabrics, Primark, and New Look on Western Road.

North Laine and The Lanes – Special Retail Areas

4.15 The North Laine and The Lanes are a unique part of the city's retail offer. North Laine is an area home to over 400 independent retailers. These include shops, cafes and entertainment venues offering a mix of comparison, convenience and service units. Likewise 'The Lanes' provides a mix of antique jewellery, boutique fashion and design shops as well as restaurants and cafes, representing a mix of both multiple and independent retailers. In both the North Laine and the Lanes, many of the streets are pedestrianised which gives these areas a different feel to other parts of the Regional Shopping Centre. One option for City Plan Part 2 would be to differentiate between the rest of the Regional Centre and the North Laine and the Lanes by having a different policy approach which sought to restrict amalgamation of units to ensure that the character of the area remains attractive to small format town centre uses and continues to attract independent retailers and start-up businesses as well as multiples.

Consultation Questions:

- Would it be better to have a single policy setting out the criteria for changes of use in Primary and Secondary Frontages within all defined shopping centres rather than separate policies for each type of centre in the retail hierarchy?
- Should there be policy to restrict the loss of large retail units (more than 1,000sqm which includes all retail trading floors) in Primary Frontages?
- Do we need a separate policy for special retail areas such as the North Laine and the Lanes or could these areas be dealt with by a general frontage policy?
- Should policy seek to restrict changes of use to new large³⁶ A3/A4 uses to service seated customers only?

³⁶ For units above 150sqm

C: Brighton Marina – Special Retail Area Policy

4.16 The commercial area at Brighton Marina does not have any retail policy designation at present. Policy DA2 Brighton Marina, Gas Works and Black Rock Area in Part 1 of the City Plan explains that the Marina currently lacks the full range of shops and services such as banks and post offices to support the proposed expansion in residential population. The aim is to enhance the choice and performance of retail activity at the Marina by encouraging mixed retail activity and improvements to the public realm. The supporting text to policy DA2 sets out that a detailed policy regarding the appropriate type and mix of A1 and non-A1 uses in the Marina will be set out in Part 2 of the City Plan.

Consultation Questions:

- Should Part 2 of the City Plan have a special retail area policy for the Marina? If yes, what criteria should be considered in the policy?
- Alternatively, could changes of use within the Marina area be addressed through a general frontage policy as set out in section d) below?

D: Local Centres and Parades

4.17 Local centres and parades within the city do not have defined primary and secondary frontages. There are also other retail areas of the city, e.g. the seafront area which are outside of any town centre designation. To address these areas, one option might be to have a general policy to assess changes of use in these types of location.

4.18 As identified in the City Plan Part 1 Policy CP4, some new centres could come forward in the retail hierarchy which would need to be allocated in Part 2 of the City Plan e.g. a new shopping centre designation to support the Toads Hole Valley development (Policy DA7, Part 1 City Plan)

Consultation Questions:

- Is there a need for a separate policy for assessing changes of use in local centres and parades?
- Alternatively, could there be a general policy to assess changes of use in these and other retail areas in the city which fall outside of town/district centre designations? (e.g. the seafront)
- Should Part 2 designate any additional local centre's coming out of large scale housing developments such as at Toads Hole Valley?

E: Important Local Parades

4.19 Local parades are typically located within residential areas, varying in size, providing walk-in convenience shopping and limited local services. Stores in these parades tend to be small and provide for top-up / distress purchases with a high number being independent in operation. Parades in Brighton and Hove differ in their size, vacancy rates and shopping function and some parades have a significant evening economy role whilst others serve less accessible or deprived areas where car ownership may be lower.

4.20 The 2005 Local Plan sought to protect local parades. An initial assessment of parades indicates there may be several local parades, which could be designated as 'Important Local Parades' to offer further protection to their significance in local neighbourhoods. A parade would need to offer a good range of local services, including a high proportion of retail uses, low vacancies and a high footfall to be considered for the designation. It is intended that a full assessment of the parades in the city will be undertaken to assess their strengths and weaknesses.

Consultation Questions:

- Should Part 2 of the Plan seek to name some local parades in the city as 'Important Parades' due to their neighbourhood significance? If so, which ones?

F: Individual Shops and Small Clusters of Shops outside Protected shopping centres and parades

4.21 The 2005 Local Plan currently has policy SR8 which refers to Individual Shops and policy SR7 which refers to Local Parades. A general policy which considers how to address the loss of shops outside of protected shopping centres and parades may also be appropriate for City Plan Part 2.

4.22 An important consideration is that the GDPO (as amended 6 April 2016) now allows shops to change to residential use with prior notification provided a number of criteria are met. These include, that the loss of the retail unit does not have an undesirable impact on an adequate provision of shops and financial and professional services and secondly, that there is no reasonable prospect of the building be used for such services. The authority therefore would not be able to apply a criteria based policy for the protection of shops to any shop premises below 150sqm.

Consultation questions:

- Given changes to the GDPO, is there a need for policy to protect shops and parades outside of existing centres? Should the City Plan Part 2 include a policy that covers larger shops over the 150sqm threshold of the GDPO?

G: Floorspace above shops and commercial premises

4.23 Appropriate uses for space above shops and commercial premises might include leisure, community, commercial or residential uses. Policy SA2 Central Brighton in City Plan Part 1 indicates that the council welcomes proposals to create flats over shops and commercial premises as these would contribute to increasing natural surveillance during the daytime and night time.

4.24 Policy SA2 only relates to the central Brighton area; so a broadening of this type of policy to all town, district and local centres could be a consideration for City Plan Part 2.

Consultation questions:

- Should the City Plan Part 2 include a policy to guide appropriate uses for floorspace above shops and commercial premises in shopping centres outside of the Central Brighton Area?

H: Markets

4.25 Local planning authorities are encouraged to retain and enhance existing markets and where appropriate re-introduce or facilitate new ones. The city has a successful permanent market operating in London Road at the Open Market site. Aside from this the city has a number of temporary markets operating throughout the year at various locations around the city³⁷. A matter for City Plan Part 2 might be to consider whether there is scope for any additional permanent markets in the city.

Consultation questions:

- What are the key criteria that should be taken into account when assessing proposals for additional permanent markets?
- Are there any sites that might be considered for allocation for a permanent market use?

Are there any other retail issues?

General Question

- Are there any other retail and town centre issues that should be addressed through City Plan Part 2?

Retained Local Plan 2005 policies that CPP2 will replace (or may be deleted)

- SR4 Regional Centre
- SR5 Town and District Centres
- SR6 Local Centres

³⁷ Temporary markets do not generally need planning permission to operate.

- SR7 Local Parades
- SR8 Individual Shops
- SR9 Brighton Post Office, 51 Ship Street
- SR11 Markets and car boot sales
- SR12 Large Use Class A3 (food and drink) venues and Use Class A4 pubs and clubs)
- HO20 Retention of Community Facilities

5. Tourism

Introduction

5.1 The City Plan Part One sets out the overarching objective to develop Brighton & Hove as a major centre on the South Coast for sustainable business growth and innovation, for creative industries, retail provision and tourism. A key objective is to enhance the seafront as a year round place for sustainable tourism, leisure, recreation and culture whilst protecting and enhancing the quality of the coastal and marine environment.

5.2 The adopted City Plan Part One Policy CP5 Culture and Tourism sets out the approach to supporting improvements to existing tourism facilities and the approach to assessing new visitor attractions. Policy SA1 The Seafront sets out a coordinated overarching strategy for the seafront and identifies a number of major development sites along the seafront such as Black Rock and the King Alfred site. The role for Part 2 of the City Plan is to build on this overarching strategy and to consider whether there are any further seafront development sites that need to be allocated and whether further detailed policy guidance is required to guide and assess planning applications.

5.3 As part of the evidence gathering to support the preparation of the City Plan Part Two, an updated Hotel Futures Study will be commissioned. This will ensure that the application of the adopted Policy CP6 Visitor Accommodation is supported by an up to date evidence base. If the updated study indicates a need to allocate sites for hotel development this will be addressed through Part 2 of the City Plan.

The Seafront

5.4 The seafront is of considerable importance to the city as a much visited recreational resource by both residents and visitors alike. The seafront plays a major part in the cultural and tourism offer of the city and therefore contributes significantly to the visitor economy of the city, which is valued at £800 million per year and supports 20,000 jobs (15,000 full time equivalents). Therefore, it is essential that the seafront is well maintained and managed and remains an attractive place to visit.

5.5 The heritage structures and infrastructure managed by the council along the seafront require significant investment (estimated in the region of £100 million). Key issues include the condition of the seafront arches which provide structural support to the A259 and are now in need of ongoing renewal, but also house many businesses, and Madeira Terrace which needs extensive renovation. The seafront railings and retaining walls are also priorities for investment in coming years. Maintaining seafront infrastructure is currently a high priority issue for the council.

5.6 The City Plan Part 1 sets out a coordinated overarching strategy for the seafront with identified priorities; defined areas and a strategic allocation for

the King Alfred Site. This coordinated approach is supported by city-wide policies. Through Strategic Allocations, major regeneration proposals are made for Brighton Marina, the Black Rock site, Brighton Centre and Churchill Square Redevelopment area and Shoreham Harbour through the Development Area policies.

5.7 Positive recent progress has been made in relation to the major regeneration projects along the seafront development sites allocated in the City Plan Part 1. This includes construction commencing on the Brighton i360, progress with the procurement of a development partner for the King Alfred site, and the ongoing progress with the Brighton Waterfront project.

5.8 The City Plan Part 2 will need to support future investment plans; and ensure development supports the co-ordination of improvements to seafront infrastructure, including transport infrastructure and flood defences whilst protecting heritage and natural environment assets. In particular the Plan will need to reflect the recommendations of the emerging Regeneration Strategy/ Investment Plan for the area east of Palace Pier to the Marina³⁸;

5.9 The City Plan Part 2 will also need to consider the potential for development opportunities that will support the city's visitor and tourist economy in relation to the area of the seafront between Palace Pier and Black Rock.

Consultation Questions:

- Are there any further seafront development sites, in particular in the area East of Palace Pier to Brighton Marina, that need to be allocated?
- Is there sufficient guidance in the City Plan Part 1 to assess planning applications that come forward on the seafront?

Visitor Accommodation

5.10 The City Plan Part One sets out the planning policy framework (Policy CP6 Visitor Accommodation) for assessing planning applications for new visitor accommodation and is guided by national policy and guidance which identifies hotels as 'main town centre uses' and the 2007 Hotel Futures Study.

5.11 The central Brighton seafront and streets and squares running immediately off it account for the majority of the city's current supply of hotel and guest accommodation. In recent years a number of new hotel

³⁸ The Eastern Seafront Strategy study is due for completion in Summer 2016 and will outline a range of options for the maintenance and renewal of the Brighton Eastern seafront including high level assessment of potential transport improvements and potential development opportunities.

developments have opened up around Brighton station. New hotel developments are directed firstly to central Brighton. Policy CP6 recognises there may be the potential to locate new development outside central Brighton either for a destination offer or to permit a hotel to serve a particular market or to help regenerate an area.

5.12 Whilst there remains continued interest in new hotel development in the city, the 2007 Hotel Futures Study projections for future requirements for hotel development indicated that the Council did not need to identify additional hotel sites over and above those that were proposed/ planned to 2016³⁹. Nor did it need to prioritise specific types and standards of hotel in terms of hotel investment marketing. The study indicated that much of the long term future growth in demand for the additional accommodation was likely to relate to the redevelopment of the Brighton Centre and the implementation of planned major leisure development major projects such as the i360 and Black Rock.

5.13 As part of the evidence gathering to support the preparation of the City Plan Part 2 an updated Hotel Futures Study will be commissioned. This will ensure that the application of CP6 Visitor Accommodation is supported by an up to date evidence base and will inform how the Council should be planning for future hotel growth and responding to hotel investment enquiries post 2016. If the study indicates a need to allocate sites for hotel development this will be addressed through Part 2 of the City Plan. However, site availability in Central Brighton is constrained and opportunities for new hotel development may have to come forward as part of a range of acceptable uses on new mixed use sites.

Consultation Questions:

- Should further need for hotel accommodation be identified, how best should this be accommodated within the Central Brighton area?

Are there any other issues relating to tourism?

Consultation Questions:

- Do you have any other issues for this topic area to consider?

Existing 2005 Local Plan Policies to be replaced/ deleted by City Plan Part Two:

SR18 Seafront Recreation

³⁹ The Hotel at Block J is nearing completion and will be a 98 bedroom hotel operated by Indigo. The outstanding allocation for a new hotel in the City Plan Part One is identified in the Strategic Allocation for the New Brighton Centre and Expansion of Churchill Square DA1.B.1 where a new hotel would be permitted as part of the mix of uses.

6. Transport and Travel

Introduction

6.1 Transport and travel is a key issue for Brighton & Hove. To create a sustainable city an important strategic objective in the City Plan Part One is to facilitate and accommodate planned development by providing an integrated, safe and sustainable transport system to improve air quality, reduce congestion, reduce noise and promote active travel⁴⁰.

6.2 Improving accessibility and mobility is a consistent feature of policies in City Plan Part 1, especially Policy CP9 Sustainable Transport, and the Development and Special Area policies (DA1-8 and SA1-6) and the Attractive City policies (policies CP12 and 13).

6.3 Policy CP9 provides the policy basis for providing integrated, safe, sustainable and efficient movement around the city. This policy sets out the broad basis by which this will be achieved at a regional and local level, through land use planning. Within this approach, measures and interventions related to new development will need to be consistent or comply with other council policies or strategies (e.g. the fourth Local Transport Plan (LTP4) and the Air Quality Action Plan).

6.4 Policy CP9 also sets out how transport and travel in the city will be managed and improved to 2030 in response to additional journeys and activities arising from new development. The policy addresses the requirements of national planning policy and is wide ranging providing a strategic framework for future planning decisions. As a consequence, and given the overarching aim to reduce the amount of policy in the development plan, it is considered that only the areas set out below will need to be addressed through further policies in City Plan Part 2.

Key policy areas for City Plan Part Two

A: Improving public health

6.5 Transport has a significant impact on air quality and noise pollution in the city. Roadside levels of nitrogen dioxide are a significant problem and the council has a statutory duty to meet the Government's Air Quality Objective for nitrogen dioxide. In some areas of the city, road transport can contribute up to 80 per cent of localised nitrogen dioxide levels and this can cause significant health problems. The council's Air Quality Action Plan (AQAP), agreed in October 2015, sets key aims to target the most polluting traffic emissions that happen in high density retail and residential areas that have limited land and space.

⁴⁰ Strategic objective SO11, City Plan Part 1, March 2016.

6.6 Land use planning is an important mechanism for introducing measures to address and deliver improvements to air quality and this is reflected in the sustainable transport objective (SO11) and policies (CP9 and CP18 Healthy City) in the City Plan Part 1. Policy CP9 provides a strategic framework for addressing how transport and travel will be managed in a way that will contribute towards reducing emissions and addressing air quality issues.

6.7 Noise pollution can have a detrimental impact on public health, such as sleep disturbance, psychological problems, cognitive impairment and a general diminished quality of life. Within the city, noise mapping undertaken by the Government's DEFRA has identified that there are 38 Important Areas (locations where the effects of noise may need further investigation and action) within the wider Brighton area (which includes parts of Adur, Arun, Lewes and Worthing). It was estimated that 1,400 dwellings and 2,600 associated people within Brighton & Hove could be adversely affected by noise.

6.8 The key issue for City Plan Part Two therefore is whether more detailed policy is needed to tackle these issues more effectively and how this should be done.

Consultation Questions:

- Do you think there should be more detailed policy on transport/travel and air quality and noise issues or is Policy CP9 in Part 1 of the City Plan sufficient?
- What issues could a more detailed policy include that are not already covered by Policy CP9?
- If you consider a more detailed policy is the best option, what might be your preferred approach, for example:
 - **A single focused policy on air quality and noise** - Introduce a new sustainable transport policy with a set of criteria against which new development (by size/scale of development) should be assessed?
 - **A Zonal approach to air quality and noise** – identify priority zones for air quality and noise improvement that will include a set of criteria against which new development will be assessed and identifies priorities for mitigation via future developer contributions/CIL payments.
 - **An Holistic approach** – a single policy combining health, safety, air quality and noise priorities relating to transport and travel in the city that may combine zones and criteria.
- Is there scope for a general transport mitigation policy in the City Plan Part 2 linked to developer contributions/CIL to cover a number of issues, e.g. improved air quality, reduced noise, cycling, walking, better public realm, sustainable transport?

B: Transport Information requirements for New Development/Uses

6.9 Policy CP9 Sustainable Transport in City Plan Part One sets out the framework for requiring the submission of transport assessments for all new major development schemes (CP9.2c) and for Travel Plans (CP9. 5). These are important tools for assessing, addressing and mitigating travel impacts of new development and are a requirement of national policy.

6.10 The development management process often requires additional information, processes or activities to be carried out in order to enable the implementation of a planning permission. This can include the submission of a Construction and Environmental Management Plan (CEMP) or the completion and implementation of a legal agreement e.g. a Section 278 or 38 Agreement.

6.11 The key issue for City Plan Part Two is whether more detailed guidance is required to provide more clarity on the interpretation and implementation of the framework in Policy CP9 and whether it is appropriate to capture this through a single policy.

Consultation Questions:

- Should policy require more clarity regarding the submission, thresholds and content for Transport Assessments, Statements and Travel Plans?
- If yes, could this be provided through a policy in Part Two of the City Plan or would this be better provided through planning guidance (Supplementary Planning Document or Planning Advice Note)? Can you please explain why?

C: Increasing Active Travel

6.12 A number of strategies in Brighton & Hove and the wider Greater Brighton City Region [GBCR]⁴¹, aim to promote active modes of travel (cycling and walking). There are two key benefits to promoting active travel – it reduces the amount and need for some car journeys especially those made over short distances and it can lead to demonstrable benefits in terms of health and well-being both personally and in local neighbourhoods .

6.13 Positive outcomes can include the increased efficiency of the city's transport network which helps to support the growth of its economy; greater equality of access to jobs and services; reduced CO2 emissions; reduced costs for the NHS; improved air quality and helping people to be happier and healthier by incorporating physical activity into their everyday life. These benefits can be maximised by providing the right kind of encouragement and

⁴¹ Eg. Health and Well Being Strategy, Local Transport Plan 4. GBCR Active Travel Strategy

information and infrastructure and support, especially to people who are not already travelling actively, but who are prepared to do so.

6.14 The priority is to make cycling and walking an attractive and safer option by improving the public realm and its design and by providing facilities (e.g. pedestrian way-finding and crossings and dedicated cycle routes). Land use planning can have an important role in delivering these priorities. Policy CP9 in the City Plan (specifically part 4) sets out a number of measures to help encourage cycling and walking as active forms of travel, when development proposals come forward. These include:

- A list of priority areas for public realm improvements (key routes and areas);
- Implementation of a citywide cycle network by 2030; and
- Improving Rights of Way and access to the South Downs National Park

6.15 The key issue for Part Two of the City Plan is whether further policy or guidance is required to assist with promoting and enabling greater active travel as part of a development proposal and making stronger links to priorities for a healthy city.

Consultation Questions:

- Is there a need for a new policy in City Plan Part 2 to set out how new development will assist in promoting and enabling more active travel? Or, is this better delivered through new planning guidance (SPD or Planning Advice Note)?
- Is there already sufficient policy on active travel through existing policy including CP9 Sustainable Transport, healthy city policy (CP18), developer contributions/CIL policy (CP7) and guidance (Developer Contributions Technical Guidance)?
- Is there scope for a general transport mitigation policy in the City Plan Part 2 linked to developer contributions/CIL to cover a number of issues, e.g. cycling, walking, better public realm, improved air quality and noise levels, sustainable transport?

D: Increasing Equality, Mobility and Accessibility

6.16 A key strategic objective in City Plan Part 1 is to reduce inequalities for different groups of people within the city (SO20), especially those with 'protected characteristics' as defined in the Equalities Act.

6.17 In terms of transport and travel, disabled people are amongst those who are the most vulnerable and/or have the greatest need. The planning process enables the council to ensure that the day-to-needs of disabled people are provided for as part of new development and that improved mobility and access are secured for as many forms of transport as possible e.g. car, bus,

train, taxi and pedestrian and wheelchair-friendly routes. This can be achieved through a well-designed public realm, in accordance with national policy and legislation, and local guidance. Internal layouts and accessibility within buildings is now addressed through Building Regulations. However in the case of major and strategic development schemes, particularly with a commercial or public element, there are likely to be public realm, parking and access issues that need to be addressed through land use planning.

6.18 A key issue for City Plan Part Two is whether there is the need for additional policy to draw together and provide a more detailed policy framework to address transport and disabled access (within the requirements of national policy and guidance). An example would be a policy to address Shopmobility which seeks to improve disabled access and mobility in shopping centres (District, Town and Sub-Regional).

Consultation Questions:

- Should there be a new transport/travel policy that is focused on equality/mobility accessibility in Part 2 of the City Plan? Or, can this be addressed by a wider/general policy on public realm and/or developer contributions/CIL that address priorities for disabled people and other important matters?
- Should Shopmobility be incorporated into a new policy focused on equality/mobility accessibility for disabled people or public realm/developer contributions policy?
- Should the amount or content of existing policies be reduced and these matters addressed through planning guidance?

E: Sustainable Transport Site Allocations

6.19 This consultation seeks your views about whether there should be any proposals for site specific allocations to meet identified sustainable transport priorities. Any such proposals would need to be justified in terms of demonstrating the need for site specific allocations e.g. explaining why alternative methods/management cannot deliver the associated policy objectives and outlining how the allocation would then meet citywide strategic priorities. Sustainable Transport site allocations in the City Plan Part Two could therefore include:

- Park and Ride
- Lorry Park
- Coach Park

Park and ride

6.20 The Submission City Plan (2013) enabled informal, rather than purpose-built, Park and Ride to be implemented from existing large car parks on the periphery of the city. Any such scheme could serve the city centre and the National Park. Therefore, when testing the impacts of the city's planned growth to 2030 on the transport network and identifying necessary mitigation measures, Park and Ride was not required to enable the Plan to be found 'sound' ⁴². Since then, the city council has been a significant partner in the development of proposals for the Greater Brighton City Region (GBCR) that are expected to be considered as part of the Government's emerging Devolution process. The GBCR's Devolution prospectus 'Platforms for Prosperity' includes transport proposals for better bus and rail connections and Park and Ride to serve the wider GBCR. Therefore, should circumstances change in terms of conditions on the city's transport network and levels of development in the city, then Park and Ride may offer an effective transport option for some journeys to the city that could be further considered through Part Two of the City Plan.

Coach and lorry parking

6.20 Through the development of its LTP4, the council has recognised that issues relating to the operational needs of coach and lorry drivers require further consideration. In November 2015, the council agreed to consider coach facilities as part of a broader Transport Interchange Strategy, and freight and deliveries as part of the Citywide Traffic Network Management Strategy. These strategies could include the provision of dedicated parking facilities, but given the limited availability of suitable sites for transport activities it may be appropriate to consider if they are required and, if so, how these may be provided across the wider GBCR area i.e. outside Brighton & Hove.

Consultation Questions:

- Are there any site allocations required in City Plan Part Two that would be suitable to provide the sustainable transport facilities described above? If yes, can you explain why they are required both in terms of city priorities and any evidence of need?
- Should the solution to providing site specific transport facilities for Brighton & Hove involve looking across the wider city region (beyond the boundary of Brighton & Hove)?

Are there any other transport / travel issues

General Question:

- Are there any other transport / travel matters that should be addressed through a policy in Part Two of the City Plan?

⁴² As evidenced in the City Plan Part 1 Strategic Transport Assessments (2012 and 2014).

**Existing 2005 Local Plan Policies to be replaced / deleted by City Plan
Part Two:**

TR4 Travel Plans – should be superseded by CP9
TR7 Safe Development;
TR9 Pedestrian Priority areas
TR11 Safe Routes to School and school safety zones
TR12 Independent movement of children
TR14 Cycle access and parking - should be superseded by CP9
TR15 Cycle network
TR17 Shopmobility
TR18 Parking for people with Mobility related disability
TR20 Coach parking
TR21 Long term coach and overnight lorry park

7. Biodiversity and Open Space

Introduction

7.1 The natural environment provides a wide variety of important functions and contributes to the health and quality of life of residents, workers and visitors to the city. It plays a key role in the delivery of sustainable development; forms one of the three 'dimensions' of sustainable development defined in national planning policy and is intrinsically linked to the other two: economic and social.

7.2 Strategic policies in Part One of the City Plan emphasise a need to protect and enhance the biodiversity⁴³ and open space of the city. Part One sets out open space standards and establishes that there is an increased demand for open space during the plan period. Nearly all the Development Areas in City Plan Part One seek the extension and strengthening of Green Infrastructure⁴⁴ (DA3-DA7) and new public open space is allocated within Toads Hole Valley (DA7). Policy CP10 Biodiversity sets a strategic approach to nature conservation, its restoration and enhancement. It seeks the linking and repairing of habitats and sites to achieve landscape scale improvements to biodiversity.

7.3 The aim is to ensure development mitigates for any harm to the natural environment and contributes to the provision of additional features and spaces creating sustainable communities across the city. The role for Part Two of the City Plan is to build on this strategic framework. It needs to ensure the natural environment's full multi-functional offer can be protected and enhanced.

Key 'policy areas' for City Plan Part Two

7.4 The following key policy areas have been identified for City Plan Part Two to address:

A: Landscape Scale Approach

7.5 National policy indicates that local plans should set a strategic approach for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure. In order to minimise impacts on biodiversity and geodiversity⁴⁵ planning policy should plan for biodiversity at a 'landscape-scale' across local authority boundaries.

⁴³ The City Plan Part One defines Biodiversity as: "The range and variety of life (including plants, animals and micro-organisms), ecosystems and ecological processes."

⁴⁴ The NPPF defines Green Infrastructure as: "A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities. "

⁴⁵ The NPPF defines Geodiversity as: "The range of rocks, minerals, fossils, soils and landforms."

7.6 National policy also indicates that Local Plans must contain a clear strategy for enhancing the natural, built and historic environment, and support Nature Improvement Areas (NIA)⁴⁶ where they have been identified. Where a NIA has been identified in a Local Plan consideration should be given to specifying the types of development that may be appropriate in the area.

7.7 The city has an identified NIA which is shown on the City Plan Part 1 policies map. The South Downs Way Ahead NIA⁴⁷ is one of twelve NIA's that were announced by Government in February 2012⁴⁸. Its focus is on safeguarding endangered chalk grassland which is vital for rare and endangered wildlife and the provision of clean drinking water and green space. The NIA covers the downland in the National Park and has links extending into the city. The most noticeable NIA project within Brighton and Hove is the creation of bee and butterfly banks.

7.8 Policy CP10 Biodiversity in City Plan Part One requires development proposals to provide net gains for biodiversity, taking account of the wider ecological context of the development and of local Biosphere objectives⁴⁹. Policy CP10 sets a strategic approach to nature conservation enhancement within the NIA. It indicates that 'within the setting' of the NIA, development will be encouraged to incorporate innovative approaches to nature conservation enhancement, such as biodiverse roofs/walls. Off-site nature conservation provision is to be directed to the NIA wherever possible.

7.9 Policy C16 Open Space in Part One of the plan expects development to improve access and the links to the city's open space framework including the NIA. It sets a strong positive approach to the retention and enhancement of the open space identified on the policies map. Policy CP16 does not specify what development will be appropriate in the NIA, the majority of which forms identified open space or highway land.

7.10 The South Downs Way Ahead NIA does not cover the whole of the National Park. The South Downs National Park Authority (SDNPA) has been working on a South Downs Green Infrastructure Framework⁵⁰ which is a landscape scale approach greater than the NIA to inform its own Local Plan. The SDNPA has been working jointly on the framework with surrounding local

⁴⁶ The NPPF defines NIA as: "Inter-connected networks of wildlife habitats intended to re-establish thriving wildlife populations and help species respond to the challenges of climate change."

⁴⁷ The South Downs Way Ahead NIA was one of twelve NIA projects announced and given funding from DEFRA between April 2012 to March 2015. Most of the core area lies within the National Park with linear corridors and stepping stones extending into the city.

⁴⁸ The 12 NIA announced in February 2012 were pilot partnership projects and funded for three years.

⁴⁹ The Biosphere Reserve area extends between the River Adur and the River Ouse and includes Countryside; City/Towns and Coast – two nautical miles out to sea. It seeks three outcomes: conserve and enhance nature; sustainable human development; and, encourage environmental knowledge and engagement. It is not a restrictive protected area but an area that seeks improvements in quality of life and the local economy whilst improving the environment.

⁵⁰ South Downs Green Infrastructure Framework Consultation Draft was published January 2016 for consultation purposes and sets out what green infrastructure includes.

authorities, including Brighton & Hove City Council, to facilitate strategic delivery of green infrastructure across local authority boundaries. This will help attract the scale of funding only achievable through partnership working, helping to deliver a joint landscape-scale approach as sought in government policy⁵¹. The Green Infrastructure Framework is aimed as much at delivery of green infrastructure, including blue infrastructure, outside of the South Downs National Park as it is about delivering it in the National Park.

7.11 City Plan Part Two is therefore in a position to take the opportunity to progress and reflect the joint work on the South Downs Green Infrastructure Framework helping to set out a cross authority planned approach to green infrastructure. The findings of the Council's emerging Open Space Strategy could inform this future work.

Consultation Questions:

- Should the City Plan Part Two provide a policy to guide the types of development that may be appropriate within the NIA or is this appropriately addressed within policies CP10 and CP16 in Part One of the plan?
- If you think a policy is needed, what types of development should be included?
- Should the City Plan Part Two include a Green Infrastructure landscape scale approach that reflects the joint work led by the South Downs National Park Authority with other authorities?

B: Nature Conservation, Geodiversity and Landscape Sites:

7.12 Local planning authorities are required to set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions are made between the hierarchy of international, national and locally designated sites⁵². Planning policies should also promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan⁵³.

7.13 Policy CP10 in Part One addresses the need to conserve, restore and enhance biodiversity. It states that criteria based policies will be set out in City Plan Part Two. The policies are to distinguish between the relative importance of nature conservation features and provide clarity about when development may be permitted and about any mitigation, conservation and enhancement which may be required.

⁵¹ See paragraph 117 of the NPPF

⁵² International and National sites include: Site of Special Scientific Interest (SSSI); Special Protection Areas (SPAs); Special Areas of Conservation (SACs); Ramsar sites; and, where relevant their compensatory sites. See paragraphs 113, NPPF

⁵³ See paragraphs 9, 109 and 117 of the NPPF

7.14 The locally determined Sites of Nature Conservation Importance (SNCI) designations have been subject to a technical review. This review was completed in 2013 and was undertaken in accordance with DEFRA guidance. The intention is to update the SNCI designations based on the findings of the 2013 review, which also recommended a change in name to 'Local Wildlife Sites' (LWS).

7.15 The 2005 Local Plan provides a number of retained policies setting out criteria based policies in respect of designated sites and species protection (policies NC2-NC4 and QD18). City Plan Part Two will need to consider in what form these policies are taken forward.

Consultation Questions:

- How should the City Plan Part Two set out criteria-based policies to distinguish between the hierarchy of different nature conservation designations? For example, could a single policy establish appropriate criteria relative to a hierarchy of designations? Please indicate what you think would be appropriate criteria.
- Should there be a specific policy to address the general protection and enhancement of species?
- Should the City Plan Part Two update the locally designated SNCIs in accordance with the 2013 SNCI technical review and rename them Local Wildlife Sites?
- Are there any other sites or features that should be included or specifically addressed through planning policy? (e.g. Ancient woodland, aged/veteran trees, local geological/geodiversity sites?)

C: Open Space, Local Green Space and Gateways to the National Park:

7.16 Open space has been identified on the City Plan Part One policies map⁵⁴ and is addressed in City Plan Part One policy CP16 Open Space. Other City Plan Part 1 policies are also relevant: CP10 Biodiversity; CP17 Sports Provision and also SA6, CP12, CP13 and CP18⁵⁵.

7.17 Policy CP16 sets a strong positive approach to the retention of existing open space. This is because opportunities to deliver additional open space are limited, despite there being a significant objectively assessed need for

⁵⁴ Based on Open Space, Sport and Recreation Study 2008 and Open Space Study Update 2011

⁵⁵ SA6 Sustainable Neighbourhoods; CP12 Urban Design; CP13 Public Streets and Spaces; CP18 Healthy City .

open space. CP16 indicates the council will seek to allocate new open space in City Plan Part Two. The council recognises that it may not be in a position to manage and maintain any increases in open space and therefore consideration needs to be given to alternative methods for securing, managing and maintaining additional open space. For example, this could be through community, trusts or privately held.

7.18 The NPPF introduced a new form of open space designation called 'Local Green Spaces' (LGS). These can be designated through Local and Neighbourhood Plans and the designation rules out new development other than in very special circumstances⁵⁶. Where a LGS is designated, the local policy for managing development within LGS should be consistent with policy for Green Belts. The LGS should be capable of enduring beyond the end of the plan period. National policy makes clear the LGS designation should only be used:

- where the green space is in reasonably close proximity to the community it serves;
- where the green space is demonstrably special to a local community and holds particular local significance for example because of its beauty, historic significance, recreational value (including playing fields), tranquillity or richness of its wildlife; and
- local in character and not an extensive tract of land.

7.19 There are a variety of sites throughout the city which the local community may consider to be special and important to them. For example: the key public spaces in the city referenced in the Parks and Green Spaces Strategy Plan 2006: and the Quiet Areas referenced in the Pollution, Water and Energy section offer some tranquillity - Quiet Garden, St Ann's Well Gardens, Kipling Gardens and the Royal Pavilion Gardens. These spaces already benefit from their designation as public open space and significant protection is afforded through existing planning policy.

7.20 The 2014 Urban Fringe Assessment⁵⁷ identified four urban fringe areas as having potential for designation as Local Green Spaces. The study notes "these are the 'green wedges' into the urban area, which act as wildlife corridors and important routes for people wishing to access the South Downs." The four areas identified were: Benfield Valley; Three Cornered Copse; Ladies' Mile; and, Hollingbury Park.

7.21 Key to the setting of the city is the wider South Downs landscape and its importance is nationally recognised through its National Park status. The city's location, adjacent to the national park, is one of its positive attributes and it is important that this is recognised and an understanding of and access to the South Downs National Park appropriately promoted. The sites identified in the Urban Fringe Assessment, as indicated, provide routes through the city into the National Park. There is therefore potential for them to be identified as

⁵⁶ See paragraphs 76 to 78 of the NPPF

⁵⁷ Brighton & Hove Urban Fringe Assessment, LUC, June 2014

Gateway's to the National Park in addition to Stanmer Park which is promoted in City Plan Part One policy SA5 The South Downs.

Consultation Questions:

- Are there sites/spaces that you feel should be allocated as new open space? If yes, please indicate the site, its current use and the type of open space you feel it should form. Suggestions regarding alternative methods for securing, managing and maintaining are also welcome.
- Are there any green spaces that you think should be designated as a 'Local Green Space'? (Please provide clear location details and how the space meets the NPPF criteria outlined above (e.g. why it is special and of local significance).
- Do you consider the following green spaces should be designated Local Green Spaces?
 - Benfield Valley;
 - Three Cornered Copse
 - Ladies' Mile Open Space
 - Hollingbury Park.
- Should the City Plan Part Two identify and promote the sites listed above as gateways to the South Downs National Park?

Are there any other biodiversity and open space issues?

Consultation Question:

- Can you think of any other policy issues that relate to the natural environment (not already covered in the sections above or topic areas) that you think City Plan Part Two should seek to address?

Existing 2005 Local Plan Policies to be replaced / deleted by City Plan Part Two:

- QD18** - Species Protection
- QD21** - Allotments
- NC2** - Sites of national importance for nature conservation
- NC3** - Local Nature Reserves (LNRs)
- NC4** - Sites of Nature Conservation Importance (SNCIs) and Regionally Important Geological Sites (RIGS)
- NC9** - Benfield Valley
- NC10** - Benfield Barn
- NC11** - Land and buildings in the vicinity of Benfield Barn.

8. Addressing Pollution, Water and Energy Resources

Introduction

8.1 National planning policy sets out that the planning system should contribute to conserving and enhancing the natural environment and reducing pollution. It should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change and encourage the reuse of existing resources and the use of renewable resources⁵⁸. It should recognise the wider benefits of 'ecosystem services'⁵⁹; minimise impacts on and provide net gains in biodiversity; prevent existing and new development affecting or being adversely affected by soil, air, water or noise pollution or land instability and remediate and mitigate despoiled, degraded, derelict, contaminated and unstable land⁶⁰. The impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation should also be limited⁶¹.

8.2 The City Plan Part One sets a number of overarching strategic objectives for the City Plan to address:

- The need to minimise pollution and actively seek improvements in water, land and air quality and reduce noise pollution;
- The need to protect and enhance the quality of the coastal and marine environment;
- The need to make full and efficient use of previously development land; and
- Contribute to a reduction in the ecological footprint of Brighton and Hove and champion the efficient use of natural resources and environmental sustainability.

Key Issues to be addressed through the preparation of City Plan Part Two:

A. Polluted Land and Buildings

8.3 Industrial activity, waste disposal, accidental spillages and transportation can cause the contamination of land. Whilst the legacy of industrial activity is limited in Brighton & Hove when compared to other cities of similar size and population, contaminated and potentially contaminated land does not depend

⁵⁸ Core Planning Principles, NPPF and Sections 10 and 11 of the NPPF

⁵⁹ Ecosystem Services are defined as the benefits that a healthy natural environment provides for people, either directly or indirectly. These range from the essentials for life, including clean air and water, food and fuel, to things that improve quality of life and wellbeing, such as recreation and beautiful landscapes. They also include natural processes, such as climate and flood regulation.

⁶⁰ See paragraph 109 of the NPPF

⁶¹ See paragraph 125 of the NPPF

on industrial size or diversity for its existence. The presence of even small-scale undertakings can leave land in a contaminated state.

8.4 The role of the planning process is to ensure that land is made suitable for its proposed future use. The NPPF aims to encourage sustainable development and the reuse of brownfield land but also recognises that the effects (including cumulative effects) of pollution on health, the natural environment or general amenity and the potential sensitivity of an area or proposed development to adverse effects from pollution should be taken into account. It also requires that after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990. The City Council's Contaminated Land Strategy for Brighton & Hove sets out the council's approach to its legal duties regarding contaminated land⁶². The City Plan Part Two will update the Local Plan Policy SU11 Polluted Land and Buildings.

Consultation Question:

- Are there any planning issues that you consider a Polluted Land and Buildings policy should address?

B. Land Stability

8.5 Land stability can, where appropriate, be a material consideration in the determination of applications for development⁶³. When dealing with land that may be unstable, the planning system works alongside Building Regulations, which seek to ensure that any development is structurally sound.

8.6 When planning permission is applied for it is the developer and/or landowner, who is responsible for ensuring that the land is physically suitable for development or can be made so. Therefore, in appropriate cases the council may require planning applications to be accompanied by supporting information describing and analysing the issues relevant to ground instability and indicating how any foreseeable problems would be overcome.

Consultation Question:

- Should the City Plan Part Two include a development management policy regarding unstable land or is this sufficiently addressed by national planning policy guidance and through Building Regulations?

⁶² The Contaminated Land Strategy for Brighton & Hove was originally published in June 2001 and updated in September 2005 with an addendum published in 2015: <https://www.brighton-hove.gov.uk/content/community-and-life-events/noise-and-pollution/land-contamination>

⁶³ See <http://planningguidance.communities.gov.uk/blog/guidance/land-stability/land-stability-guidance/>

C. Pollution and Nuisance Control

8.7 Unacceptable levels of pollution can have a detrimental impact on the amenity of areas as well as serious health impacts on people and the environment.

8.8 The planning system works alongside a number of other regulatory regimes⁶⁴. Planning needs to ensure that development proposals should include measures to address air and water quality issues, reduce adverse noise, vibration, and/or odour impacts and minimise unnecessary light pollution, particularly close to light and noise sensitive areas, the public realm and open space.

Air

8.9 Improving air quality is a strategic objective in the City Plan Part One, and the council's Air Quality Action Plan (AQAP) 2015 sets out a series of measures that aim to improve local air quality and comply with legally binding limits for nitrogen dioxide⁶⁵. The City Plan Part One has addressed air quality issues in a number of policy areas – CP8 Sustainable Buildings, CP9 Sustainable Transport and CP18 Healthy City. Furthermore, Development Area policies have identified where air quality issues need addressing due to the Air Quality Management Area. The transport section of this Scoping Paper considers air quality issues in relation to transport. However there may be remaining air quality issues that need to be addressed in an updated pollution and nuisance control policy.

Water Resources and their quality

8.10 Drinking water for Brighton & Hove is supplied from groundwater sources in the form of underground chalk aquifers and there are number of groundwater source protection zones. There is a need to improve groundwater quality status. Sea water quality is of equal importance in terms of environmental quality and its value as a key recreational asset. The city is within a 'highly water stressed' region with above regional average per capita water consumption. The European Water Framework Directive provides clear objectives for protecting and enhancing water quality, both surface and ground water, A River Basin Management Plan for the South East has been prepared by the Environment Agency under the European Water Framework Directive. The plan focuses on the protection, improvement and sustainable use of the water environment.

⁶⁴ The role of the local planning authority, as described in paragraphs 120 and 121 of the National Planning Policy Framework, is distinct from the role of pollution control authorities and building regulation regime.

⁶⁵ Action to manage and improve air quality is largely driven by EU legislation. The [2008 Ambient Air Quality Directive](#) sets legally binding limits for concentrations in outdoor air of major air pollutants that impact public health such as particulate matter (PM₁₀ and PM_{2.5}) and nitrogen dioxide (NO₂).

8.11 The City Plan Part 1 requires that all new development reduces air, land and water pollution and safeguards water supplies if development is within groundwater Source Protection Zones (CP8.l). Policy CP8 Sustainable Buildings also aspires towards water neutrality in all new development by requiring high water efficiency standards and incorporating facilities to recycle, harvest and conserve water resources. However there may be remaining water quality issues that need to be addressed in an updated pollution and nuisance control policy/ policies.

Light

8.12 Although appropriate lighting in and around buildings and roads may help to enhance community safety and reduce the fear of and incidence of crime, caution must be taken to ensure that lighting only illuminates the intended areas or structures and should not negatively impact on surrounding areas. Light pollution causes nuisance from unnecessary obtrusive light and this occurs either by penetrating into facing rooms or by impeding views of the sky at night. It can also have adverse impacts on biodiversity.

8.13 Whilst floodlighting can help enable land to be used more effectively (e.g. the extended use of a sports field), the impact of floodlighting can be harmful to sensitive areas and their settings (e.g. listed buildings and conservation areas, sites important for nature conservation and the South Downs National Park). Policy CP16 requires that lighting proposals for open spaces, including floodlighting will be required to minimise light pollution, reduce crime and not cause significant harm.

8.14 The dark skies of the South Downs National Park are a receptor of light pollution from adjoining towns and cities. The South Downs National Park Authority has launched a project to get International Dark-Sky Reserve status for parts of the South Downs National Park and is seeking a shared approach to protecting dark skies within the area. The South Downs Local Plan preferred options draft contains a policy to control and reduce light pollution, in all parts of the national park⁶⁶. The City Plan Part Two will need to take this into consideration in drafting an updated policy that covers light pollution.

Noise

8.15 Noise nuisance and vibration can come from a range of uses. Some examples include from industrial processes, transport, construction activities, or even the proposed means of ventilation. As such it can have a detrimental impact on the amenity of areas as well as serious health impacts on people and the environment.

⁶⁶ See Strategic Policy SD9 https://www.southdowns.gov.uk/wp-content/uploads/2015/08/Local_Plan_Master_240815_Whole_Document.pdf

8.16 Noise needs to be considered when new developments may create additional noise and when new developments would be sensitive to the prevailing acoustic environment⁶⁷.

8.17 The Noise Action Plan for the Brighton Agglomeration⁶⁸ was produced by Defra in 2010 and covers noise issues arising from road, railway, aviation and industrial sources). The Council's Local Transport Plan recognises the link between traffic levels on main roads and the highest levels of transport noise in the city. The need to control and mitigate the noise effect of the city's transport system is reflected in CP9 Sustainable Transport and Development Area priorities (DA3, DA4, DA7, DA8 and SA1) and discussed further in the Transport Section in this Scoping Paper. However there may be remaining noise/ noise nuisance issues that need to be addressed in an updated policy in the City Plan Part 2.

Consultation Questions:

- Should the City Plan Part Two address air, land, and water pollution control and noise nuisance issues separately or in one combined policy?
- How can the City Plan Part Two support the South Downs National Parks Dark Skies Initiative?
- Is it necessary to have a detailed policy to protect the quality and potential yield of water resources to guide all future new development?
- Is a detailed policy still required to address the location or storage of hazardous substances or is there sufficient national policy and guidance?
- Are there other pollution issues that the City Plan should address?

D. Water and Waste Water Infrastructure

8.18 Southern Water is the statutory water and sewerage undertaker in Brighton and Hove City. New and improved water and wastewater infrastructure will be needed to serve the development proposed in the City Plan Part One.

8.19 New development must be co-ordinated with provision of new and improved infrastructure. This will help to ensure that a high level of service can be maintained to both new and existing customers, and that unsatisfactory levels of service such as sewer flooding or poor water pressure are prevented.

⁶⁷ See paragraph 123, National Planning Policy Framework and guidance set out at: <http://planningguidance.communities.gov.uk/blog/guidance/noise/noise-guidance/>

⁶⁸ [http://present.brighton-hove.gov.uk/Published/C00000707/M00004049/AI00033014/\\$20130318161417_003688_0014644_DEFRANoiseActionPlanBrightonAgglomeration.pdfA.ps.pdf](http://present.brighton-hove.gov.uk/Published/C00000707/M00004049/AI00033014/$20130318161417_003688_0014644_DEFRANoiseActionPlanBrightonAgglomeration.pdfA.ps.pdf)

8.20 City Plan Part 1 Policy CP7 addresses infrastructure provision, and the phasing of development with necessary infrastructure. Water and wastewater Infrastructure is included in the list of infrastructure or service provision where planning obligations/ CIL may potentially be sought. Relevant Development and Special Area policies make specific provision for the protection of water resources related to particular strategic allocations.

Consultation Questions:

- Is it necessary to have a detailed policy to support the provision of water and wastewater infrastructure and co-ordinates development with its provision?

E. Sustainable Drainage

8.21 The Flood and Water Management Act (FWMA) 2010⁶⁹ requires that all new developments incorporate sustainable drainage – often know as Sustainable Urban Drainage or ‘SuDs’. Sustainable drainage systems slow the rate of surface water run-off and improve infiltration, by mimicking natural drainage in both rural and urban areas. This reduces the risk of ‘flash-flooding’ which occurs when rainwater rapidly flows into the public sewerage and drainage systems.

8.22 The National Planning Policy Framework (NPPF) states that development should give “priority to the use of sustainable drainage systems” and recognises the important role sustainable drainage plays in addressing other priorities such as climate change, flood risk, water quality and biodiversity. Policy CP8 Sustainable Buildings in the City Plan Part 1 sets out that all new development should reduce surface water run-off and Policy CP11 Flood Risk references the role and responsibility of the council as Lead Local Flood Authority for surface water management.

8.23 Sustainable drainage systems must now be provided in all appropriate new developments⁷⁰. In addition, non-statutory technical standards for the design, maintenance and operation of sustainable drainage systems have been published⁷¹. Unless otherwise agreed at the pre-application stage, any major planning application must now be supported with a detailed drainage strategy, including any arrangements for sustainable drainage, with reference

⁶⁹ The FWMA places a requirement on LLFAs to ‘develop, maintain, apply and monitor a strategy for local flood risk management in its area (a “[local flood risk management strategy](#)” or “[Local Strategy](#)”). The strategy highlights those areas in the city that are at risk of surface water flooding.

⁷⁰ See Written Ministerial Statement: <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2014-12-18/HCWS161/> and <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/>

⁷¹ <https://www.gov.uk/government/publications/sustainable-drainage-systems-non-statutory-technical-standards>

to the non-statutory technical standards and a maintenance plan for the lifetime of the development. Guidance is available to support developers⁷².

Consultation Questions:

- Given the existing national guidance and approach, is it necessary to have an updated policy on sustainable drainage in the City Plan Part Two?

F. Coastal/ Marine Planning

8.24 The City Plan Part One provides clear reference to the need to protect and enhance the marine environment (Policy SA1 The Seafront. Policy DA2 Brighton Marina, Gas Works and Black Rock Area, DA8 Shoreham Harbour and the need to manage flood risk, Policy CP11). The Tourism section of this Scoping Paper further considers potential for development opportunities that could support the development of the city's visitor and tourist economy.

8.25 One of the priorities of Policy SA1 The Seafront is to monitor, conserve and expand designated coastal habitats and secure nature conservation enhancements to the marine and coastal environment. In January 2016 the Beachy Head West Marine Coastal Zone (MCZ) was designated⁷³, the MCZ runs parallel to the East Sussex Coastline extending from the west side of Brighton Marina, around its walls, and beyond to Beachy Head. Specific features within this area are protected and, where necessary, regulators will manage marine activities. It is important that the City Plan Part Two gives appropriate regard to this designation.

8.26 The city's coastal location also means that the council must also have regard to the UK Marine Policy Statement and the emerging South East Marine Plan to ensure policies across the land/sea boundary are integrated⁷⁴. There may therefore be a role for City Plan Part Two to reflect the emerging South East Marine Plan and to provide greater clarity on the need to appropriately manage land based activities which influence sea based activities such as jet skiing, surfing and boat facilities.

8.27 There is also a need for the City Plan Part Two to provide further guidance to guide development that comes forward within the coastal zone (identified as 'the Seafront' on the 2016 Policies Map) to ensure that development takes account of the particular conditions experienced within the coastal zone and that coastal defences are appropriate and adequately maintained .

8.28 The supporting text to SA1 The Seafront indicates that there is a presumption against increase in hard surfacing of the seafront at or in the vicinity of the sites of city-wide nature conservation importance. However

⁷² <https://www.brighton-hove.gov.uk/content/environment/coast-defence-and-flood-management/sustainable-drainage>

⁷³ <https://www.gov.uk/government/publications/marine-conservation-zones-offshore-brighton>

⁷⁴ The City Council is not responsible for planning beyond the coasts mean low water mark.

building hard surfacing on the shingle beach can help improve access for ambulant disabled, wheel chair users and young and elderly beach users and is a positive way to improve the public realm and provide shelter, shade, signage and lighting. Consideration will be given as to whether further clarity should be given on the presumption against encroachment onto the shingle beach.

Consultation Questions:

- Is there sufficient policy guidance in the City Plan Part 1 (in terms of the need to protect and enhance the marine environment) to assess planning applications that come forward on the seafront?
- Is there a need for further policy guidance to ensure adequate and maintained coastal defences and to ensure that development in the coastal zone takes account of the particular conditions experienced within the area?
- Is there a need for further policy regarding the presumption against encroachment onto the shingle beach?

G: Low carbon and renewable energy

8.29 Central to the delivery of sustainable development is the need for planning to support the transition to a low carbon future. Development of low carbon and renewable energy is a crucial part of this ⁷⁵.

8.30 City Plan Part 1 identified the need to deliver energy infrastructure to support the reduction of carbon emissions and reliance on fossil fuels. Policy CP8 Sustainable Buildings asks all proposals to demonstrate how they facilitate on-site low or zero carbon technologies, and connects or makes contributions to low and zero carbon decentralised energy schemes. City Plan Part 2 provides the opportunity to further develop policy to support this. An approach whereby appropriate sites for energy are identified and safeguarded could provide clearer direction and guidance for potential developers.

i) Supporting further opportunities for renewable energy

8.31 Government statistics⁷⁶ indicate renewables capacity in Brighton and Hove is below comparator cities. There are local constraints that make renewable installation challenging in the city e.g. heritage designations and other planning designations such as the National Park; air quality considerations; and site constraints due to the nature of smaller urban infill sites. On the positive side, the city benefits from good solar and wind resource, and opportunities for water based technologies have not yet been

⁷⁵ NPPF paragraph 17. Renewable and low carbon energy is defined as including energy for heating, cooling and electricity generation. Renewable energy covers energy flows that occur naturally and repeatedly (e.g. from wind, water, sun, biomass and geothermal heat). Low carbon technologies are those that reduce carbon emissions compared to fossil fuel use.

⁷⁶ <https://www.gov.uk/government/statistics/feed-in-tariff-commissioned-installations-january-2016>

maximised. The community energy sector is buoyant with many community owned renewable energy assets⁷⁷ and there is further opportunity to support this.

Consultation Questions:

- Should City Plan Part 2 include further policy to incentivise delivery of low carbon and renewable energy?
- Are there any types of energy that should be particularly supported e.g. community energy or particular technologies?

i) Allocated energy sites

8.32 Brighton & Hove Renewable & Sustainable Energy Study⁷⁸ explored opportunities and constraints for energy technologies and heat networks. It recommended further investigation of sites and guidance to indicate where technologies could be appropriate. City Plan Part 1 includes some area policies referring to energy uses, e.g. DA2 Brighton Marina which encourages large-scale technologies that take advantage of the coastal location. This approach could be strengthened in City Plan Part 2 by identifying sites suited to specific types or scales of energy infrastructure.

Consultation Questions:

- Having regard to the findings of the Renewable and Sustainable Energy Study 2012 should City Plan Part 2 seek to identify and allocate sites for renewable and low carbon energy generation, storage or networks?
- If yes, what sites should be investigated for energy uses? (taking into account the areas with opportunity indicated in the 2012 Renewable and Sustainable Energy Study)

ii) Renewable energy policy

8.33 Local planning authorities can require a proportion of energy used in developments to be from renewable or low carbon sources⁷⁹. This approach is usually applied to major development. The London Plan⁸⁰, for example, combines targets for renewables and carbon reduction. City Plan Part 1 adopted a carbon reduction approach rather than a renewables policy. This approach was defined before the government withdrew the national zero carbon new build policy. Additional approaches could help ensure growth is sustainable. Viability assessment will need to inform this approach.

⁷⁷E.g. Brighton Energy Co-operative has installed community owned solar energy arrays at several city sites.

⁷⁸https://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/downloads/ldf/BrightonandHove_Energy_Study_Jan2013.pdf

⁷⁹ Planning and Energy Act 2008 www.legislation.gov.uk/ukpga/2008/21/section/1

⁸⁰ www.london.gov.uk/what-we-do/planning/london-plan/current-london-plan/london-plan-chapter-5/

Consultation Questions:

- Should a renewable energy policy be explored for City Plan Part 2?
- What factors should be considered when exploring this approach?

iii) Heat Networks

8.34 Heat networks provide an important means to assist transition to a low carbon economy, providing heat more efficiently and affordably. National policy directs planning authorities to identify opportunities for networks and set out strategic area priorities to deliver heat and energy infrastructure⁸¹. Using evidence from the city Energy Study, strategic priorities for heat networks were set out in Development Area policies in Part 1 of the City Plan. Heat networks exist in the city in large public sector estates, e.g. Sussex University, and are planned at some larger development sites e.g. Circus Street. Further policy to encourage heat network delivery could be carried forward in City Plan Part 2 or through supplementary planning guidance.

Consultation Questions:

- Should the City Plan Part 1 policy CP8 be supplemented with further clarification/policy in support of district heating? Or, could this best be dealt with in a supplementary planning document?

iv) Energy efficiency

8.35 National policy asks planning authorities to actively support energy efficiency. Under City Plan Part 1 all development is asked to address energy efficiency, but smaller developments and those in existing buildings may fall below the thresholds set for minimum energy efficiency targets in Policy CP8. Policy could be clarified in Part 2 to seek minimum standards through an affordable and straightforward means e.g. Energy Performance Certificate standards. This would help to ensure residents do not suffer fuel poverty and carbon impact is minimised.

Consultation Questions:

- Should targets for energy efficiency be explored for City Plan Part 2 for smaller developments and those in existing buildings?

Are there any other issues that relate to this topic area?**Consultation Questions:**

- Are there other pollution, water resource or low carbon and renewable

⁸¹ NPPF paragraphs 97, 156, and 162.

energy matters that you think City Plan Part 2 should seek to address?

Existing 2005 Local Plan Policies to be replaced / deleted by City Plan Part Two:

SU3 Water resources and their quality
SU5 Surface water and foul sewage disposal
SU6 Coastal defences
SU8 Unstable land
SU9 Pollution and nuisance control
SU10 Noise nuisance
SU11 Polluted land and buildings
SU12 Hazardous substances.
QD25 External Lighting
QD26 Floodlighting
SR18 Seafront Recreation

9. Design and Amenity

Introduction

9.1 A key objective for the City Plan is to raise the standard of architecture and design in the city so that the delivery of growth is matched by high quality new development and a public realm that contributes to its attractiveness. In a context of constrained land supply, challenging housing targets and rising densities, the issue of how to make the best use of sites and integrate new development into the existing built environment is ever more pressing. This is particularly relevant in areas of the city where significant new development is being directed and where significant change is anticipated (Development and Special Areas, Strategic Site Allocations in City Plan Part One).

9.2 In Part One of the City Plan, Policies CP12 (Urban Design) and CP13 (Public streets and spaces) provide a strategic policy framework. The aim for new development in the city is to create inclusive, adaptable, accessible, sustainable and attractive new places. Policy CP12 identifies the need for the council to produce further guidance in the form of an Urban Design Framework Supplementary Planning Document (UDF SPD) to provide more detailed information about areas for positive enhancement and boundaries for tall building areas. This document will be prepared in the next three years.

9.3 Chapter 3 of the 2005 Brighton & Hove Local Plan sets out 'design, safety and the quality of development' policies generally referred to as the QD policies. Part Two of the City Plan provides an opportunity to streamline the number of design policies, identify new/emerging design issues and to consider whether these would be best addressed through Part Two or the UDF SPD.

Key design 'policy areas' for City Plan Part Two

9.4 The following key policy areas have been identified for City Plan Part Two to address.

Place making

9.5 Place making is about identifying and making provision for the features that make places great. It is about creating successful buildings and open spaces that are secure and distinctive and function for the people who live, work and use them. It is about encouraging new development to engage with communities and design expertise to improve the everyday quality of buildings and spaces and help to address some of the most pressing and important issues for Brighton & Hove. Such issues include, for example, the city's pressing housing need and the need to improve affordability; the need to provide flexible working spaces and improved open space facilities, reduce carbon emissions and improve resilience to extreme climate events.

9.6 The 2013 Farrell Review advocates that design quality is more about creating places that work well, than it is about architectural style and that an integrated approach to Planning, Landscaping, Architecture, Culture/Conservation, and Engineering/Environment is needed.

9.7 The current design policy framework in the City Plan Part One (CP12 and CP13) focuses on the city-wide and neighbourhood dimensions of place making. It asks new development to take account of context, architecture, sustainability, built and archaeological heritage, patterns of movement and access, landscaping, opportunities for deterring crime and impact upon long views.

9.8 Part Two of the Plan provides an opportunity to streamline the range of policies in Chapter 3 of the 2005 Local Plan (also known as QD policies) which focus on the street and site dimensions of place making and also to incorporate new/emerging guidance on the need for an integrated approach to development design.

9.9 Policies in the 2005 Local Plan outlining design principles (QD1-QD7) and the incorporation of landscape features (QD15-QD21) satellite dishes and telecom equipment (QD22-QD24) will need to be incorporated into a policy in Part Two. Where adopted supplementary planning guidance exists, such as in the case of Shopfronts (SPD2) and Advertisements (SPD7), there is no need for the replacement of policies but rather the need for a “policy-hook” to be provided in Part Two.

9.10 City Plan Part Two also offers the opportunity to incorporate guidance on new and emerging integrated design issues. This might include, for example, instances when the review of a scheme by a panel of experts would be recommended or how biodiversity features could be designed in tandem with transport/movement and water management infrastructure (often referred to as integrated grey-blue- green infrastructure) to help create attractive places and reduce the risk to people and property posed by extreme climate events.

9.11 To meet these objectives and support the creation of successful, good quality, active, attractive and safe places a ‘Place Making Policy’ that encompasses both building and landscape design with regard to biodiversity, climate resilience, linkages, passive surveillance and the other issues raised in this section could be included in Part Two.

Consultation Questions:

- Should City Plan Part Two include a Place Making Policy that complements those set out in City Plan Part One by focusing on the assessment of proposals on a street/site scale?
- Should the Place Making Policy seek to incorporate guidance on new and emerging design issues such as expert review and integrated infrastructure design?
- Are there other streetscape and/or new, emerging design issues apart

from those identified above that should be included in a Detailed Place Making Policy?

Extensions and alterations

9.12 In Brighton & Hove, planning applications for residential /commercial extensions and alterations represent a very high proportion of all applications processed by the council's planning service. As such, this is a key policy area that needs to be covered in Part Two of the City Plan.

9.13 Policy QD14 of the 2005 Local Plan accompanied by Supplementary Planning Document (SPD) 12 currently sets out the design parameters to guide proposals for extensions and alterations to existing buildings in the city. This is a well-used policy that remains highly relevant. City Plan Part Two provides an opportunity to improve the policy and explore options around reducing or replacing some of the current guidance by incorporating aspects of SDP12 (Design Guide for Extensions and Alterations) into a new Extensions and Alterations Policy.

Consultation Questions:

- Should the Extensions and Alterations Policy incorporate aspects of SPD12 and should the policy seek to supersede it?
- Are there any other design issues that this policy should provide guidance on?

Protection of Residential Amenity

9.14 Protecting the amenity of existing and future residents from harmful impacts of new development and uses is a key issue for planning. In terms of new development, impacts may include the effects of development on sun-lighting, daylighting, outlook and privacy on existing and future residents. New uses may impact on noise, levels of activity, odour or cause pollution (air quality, noise or light). This important issue is currently addressed by a number of policies in the 2005 Local Plan with QD27 being the overarching amenity policy. Protection of amenity is also an important consideration in a number of use specific policies that are the basis for assessing new planning applications.

9.15 There is therefore an opportunity to consolidate policy on protecting amenity in City Plan Part Two by tackling all amenity issues through a single comprehensive policy. This would also offers the opportunity to ensure that amenity matters are not used as a means to prevent the effective use of sites.

Consultation Questions:

- Should the protection of amenity be addressed through a single consolidated policy? If not, can you explain why and suggest an

alternative approach?

- Are there any further issues you consider an amenities policy should address?
- Would it be appropriate for an amenity policy to explore parameters for assessing the effective use of sites?

Are there any other design issues?

Consultation question:

- Can you think of any other policy issues that relate to the design of new development (not already covered in the sections above) that you think City Plan Part Two should seek to address?

Existing 2005 Local Plan Policies to be replaced / deleted by City Plan Part Two:

QD5 Design – street frontages
QD8 Shopshutters
QD9 Boarding up of flats, shops and business premises
QD10 Shopfronts
QD11 Blinds
QD12 Advertisements and signs
QD13 Advertisement hoardings
QD14 Extensions and alteration
QD 15 Landscape design
QD16 Trees and hedgerows
QD18 Species protection
QD21 Allotments
QD22 Satellite dish aerials
QD24 Telecommunications apparatus (general)
QD24 Telecommunications apparatus affecting important areas
QD25 External lighting
QD26 Floodlighting
QD27 Protection of amenity

10. Heritage

Introduction

10.1 The heritage of Brighton & Hove is rich and extensive, dating from Neolithic remains to late 20th century architecture and includes the renowned Regency and Victorian developments that make the city so distinctive. The City Plan aims to promote the city's heritage, through partnership working, and to ensure that the historic environment plays an integral part in the wider social, cultural, economic and environmental future of the city.

10.2 Part 1 of the City Plan sets out the strategic policies to achieve this for all types of heritage asset and refers, in particular, to prioritising positive action for those assets that may be at risk through neglect, decay, vacancy or other threats. Policies also seek to ensure that the city's built heritage guides local distinctiveness in new development and that an appropriate balance is struck between environmental sustainability and conserving heritage. The council's Conservation Strategy, which is referred to in City Plan Part 1, was reviewed in 2015 and sets out the future programme and priorities for action for the next ten years.

10.3 Part 2 of the City Plan will need to build upon this strategic framework. It can set out more specific policy for the different types of heritage asset and focus on those vulnerabilities and opportunities, whether thematic or geographic, that are key to ensuring the long term conservation of Brighton & Hove's heritage. National planning policy and guidance stresses that heritage assets are an irreplaceable resource but at the same time makes clear that policy makers should recognise that conservation is not a passive exercise.

Key heritage 'policy areas' for City Plan Part Two

10.4 The following key policy areas have been identified for City Plan Part 2 to address.

A: Policies for different types and groups of Heritage Asset

10.5 There are nearly 3,400 Listed Buildings in Brighton and Hove, six Registered Parks or Gardens of Special Historic Interest, 33 Conservation Areas and around 400 locally listed heritage assets (buildings and parks/gardens). In terms of archaeology there are 15 Scheduled Monuments and more than 80 Archaeological Notification Areas (ANAs).⁸²

10.6 Of the listed buildings approximately 14% of these are graded I and II*, which is notably greater than the national figure of around 8%. The

⁸² These are sites that have been compiled by the County Archaeologist as part of the Historic Environment Record. These areas are judged to have county and city wide importance and are known to have archaeological remains or features

conservation areas together cover around 18% of the built up area, including much of the city centre and most of the seafront.

10.7 Policy on the conservation of the historic environment is set out in national planning policy⁸³ and in Part 1 of the City Plan (Policy CP15 Heritage) and is intended to cover all types of heritage asset.

10.8 The Royal Pavilion is an internationally renowned listed building and a major tourist draw. It forms part of a wider heritage grouping with associated listed buildings and a registered park and garden, as well as lying within a conservation area and within an ANA. It is recognised that the importance of this 'royal estate' has not always been properly reflected in the way changes to the area have been planned; often with elements considered separately and that the significance of this historic grouping has not always been well communicated.

Consultation Questions:

- Should there be a specific policy for each type of heritage asset? (e.g. listed buildings, conservation areas, archaeological sites etc.) If not, what other approach could be taken?
- What are the key local heritage issues with long term implications that need to be addressed in the Part 2 policies?
- Are there important groupings of heritage assets that require a site-specific policy approach? (e.g. the Royal Pavilion estate).
- How much detail should be in the City Plan policies and how much should be left to other documents, such as Supplementary Planning Documents or planning briefs?

B: Evidence and Understanding

10.9 National planning policy requires that in making decisions on proposals affecting heritage there needs to be sufficient understanding of their importance and 'significance'⁸⁴.

10.10 The majority of the listed building entries consist of a simple and brief description of the building for identification purposes. Interiors and rear elevations have often not been inspected and their 'significance' is therefore not always fully apparent. Whilst the history and past development of some of these listed buildings is clearly understood there are others that have undergone changes over time but have been subject to comparatively little research or investigation.

⁸³ In paragraphs 126 - 141 of the National Planning Policy Framework.

⁸⁴ Significance is what is important about the building and may include its architectural, historic, artistic or archaeological interest.

10.11 There is also potential heritage that is not yet known or fully known including those that may be especially valued by local communities. This potential applies particularly, but not exclusively, to below ground archaeological remains.

10.12 As well as works affecting a heritage asset itself control over development must also consider the 'setting' of the asset, which is the surroundings in which the asset is experienced. This setting is not defined in the listing and may change over time. Elements of a setting may make a positive or negative contribution to the significance of an asset. Setting often includes important views of the heritage asset but other factors may be equally important.

Consultation Questions:

- What are the gaps in our knowledge and understanding of the heritage of Brighton & Hove?
- How could policy accommodate and overcome those gaps in knowledge? Is current national policy sufficient?⁸⁵
- What are the particular factors in Brighton & Hove that may be especially relevant to the setting of heritage assets?

C: Local pressures and vulnerabilities

10.13 Many listed buildings have been converted to flats, are houses in multiple occupation or are in a use other than that for which they were originally designed. This can lead to issues of trying to reconcile a building's architectural or historic interest with the sometimes conflicting demands of other statutory acts and regulations.

10.14 With the shortage of land for development in the city and the pressing need for more housing, heritage assets of all types are under increasing pressure for development which may involve changes of use or intensification of uses as well new infrastructure such as roads and services.

10.15 There are also listed buildings that have been vacant for a notable period of time often because it is difficult to find an appropriate and viable use for them, and they may be in a deteriorating state of repair.

10.16 Some conservation areas can be at risk of harm to what makes them special through gradual loss of architectural and historic features or from pressures arising from traffic, car parking, advertising, climate change or lack of maintenance.

⁸⁵ In paragraphs 128, 129 and 141 of the National Planning Policy Framework.

Consultation Questions:

- Is there a need for a policy on 'Heritage at Risk' or is policy CP15 in City Plan Part 1 adequate in this respect?
- What are the greatest threats to the special appearance and character of the city's Conservation Areas and how can policy in City Plan Part 2 address these threats?
- Is there a need for specific policy on energy efficiency and flood protection measures as they may impact on heritage assets?

D: Opportunities for enhancement

10.17 In the city's many historic areas and heritage settings there are sites and properties that either make little positive contribution or cause actual harm to the area's character, and which would benefit from new development.

10.18 Much new development in the city will inevitably be accommodated within conservation areas and close to listed buildings. The Strategic Housing Land Availability Assessment has identified many sites within conservation areas whilst some identified urban fringe sites are close to conservation areas and listed buildings. Such sites may also be high in archaeological potential. National planning policy makes clear that new development in conservation areas, and within the setting of heritage assets, should take the opportunity to enhance the significance of those areas or settings or better reveal their significance, wherever possible.

10.19 Some of the city's historic areas are very cohesive in scale and appearance whilst other areas are more diverse in character and may present greater opportunities for new development to enhance an area. National planning policy states that design policies should avoid unnecessary prescription or detail. Policies can seek to promote or reinforce local distinctiveness but must not attempt to impose architectural styles.

Consultation Questions:

- Should there be specific design policy for historic areas and heritage settings or could this be covered within city-wide design policy?
- What is key to the local distinctiveness of Brighton & Hove's historic areas and how should this be promoted or reinforced through policy?
- Are there any specific sites that have such great potential to enhance a conservation area that they warrant a specific heritage policy?
- Is there a need for policy on historic parks and gardens that seeks enhancement as well as conservation?

Are there any other heritage issues?

Consultation Question:

- Can you think of any other policy issues that relate to heritage (not already covered in the sections above) that you think City Plan Part Two should seek to address?

Existing 2005 Local Plan Policies to be replaced / deleted by City Plan Part Two:

HE1 – Listed buildings
HE2 – Demolition of a listed building
HE3 – Development affecting the setting of a listed building
HE4 - Reinstatement of original features on listed buildings
HE6 - Development within or affecting the setting of conservation areas
HE8 - Demolition in conservation areas
HE9 - Advertisements and signs within conservation areas and on, or in the vicinity of a listed building
HE10 - Buildings of local interest
HE11 - Historic parks and gardens
HE12 - Scheduled ancient monuments and other important archaeological sites

11. Community facilities

11.1 The term ‘community facilities’ encompasses a wide range of facilities and services which are defined in national policy as being social, recreational and cultural in nature⁸⁶. The term also includes important social infrastructure (e.g. emergency services facilities). National policy emphasises the importance of accessible local services that reflect the community’s needs and support its health, social and cultural well-being. It requires planning policies to plan positively for the provision and use of community facilities⁸⁷.

11.2 The need for additional community facilities arises where there is an existing shortfall in meeting current needs (e.g. a lack of school places in some areas of the city) and from the demands arising from planned growth over the life of the City Plan (e.g. from additional housing growth of 13,200 new homes to 2030). The Infrastructure Delivery Plan, (Annex 2 to the City Plan Part One), identifies existing infrastructure, current shortfalls and existing and future infrastructure needs to support new development in the city over the plan period up to 2030.

11.3 Provision of new community facilities is a matter that will need to be addressed through City Plan Part 2. There is also a need to protect existing community facilities from change to alternative uses where important needs are being met. Relevant policies covering these issues in City Plan Part One include Development Area policies, SA6 Sustainable Neighbourhoods, CP5 Culture and Tourism and CP17 Sports Provision.

Key Issues for the City Plan Part Two

A. Retention of Existing Community Facilities, Assessing New Proposals for D1 Use Community Facilities, Other Facilities and Community Infrastructure.

11.4 As indicated above, community facilities are outlined in national policy as social, recreational and cultural facilities. The NPPF expanded the definition of these facilities to include uses like local shops and public houses. It requires local authorities to plan positively for facilities; to guard against the unnecessary loss of valued facilities; and ensure an integrated approach to new strategic development and community facilities. There are a wide range of uses that fall within the term community facilities and this complexity is a key issue that policies in the City Plan Part 2 will need to address.

11.15 Community facilities can be broadly separated into the following types of use:

⁸⁶ National Planning Policy Framework – paragraph 70

- **Non-residential Institutions (Use Class D1)** – these are defined by the Use Classes Order⁸⁸ and include education uses (non residential), health clinics/GP surgeries, day nurseries/crèches, law courts, training centres, museums, public libraries, public halls and places of worship
- **Cultural and social facilities** – those which perform an important role in the health and wellbeing and ‘quality of life’ of the city’s residents. These include theatres, cinemas, public houses, social clubs, night-time venues, bingo halls, and sport facilities.
- **Essential city-wide community infrastructure** to meet the needs of the city. This includes:
 - Facilities for the emergency services including Fire Service, Police and Ambulance Service
 - Public toilets
 - Prison and custody facilities

11.6 The 2005 Brighton & Hove Local Plan has policies that address the need to retain existing community facilities and set out criteria to assess proposals for new community facilities (HO20, 21 and 22 and HO26 Day Nurseries).

11.7 New policies for community facilities in the City Plan Part Two will need to respond to recent legislation including the introduction of Community Right to Bid/Assets of Community Value and Neighbourhood Planning. There are two policies in Part One of the City Plan that already address some of these issues and these matters will therefore not need to be repeated in the Part Two Plan (CP5 Culture and Tourism protects cultural facilities and CP17 protects and supports new sports facilities).

Consultation Questions:

- In the context of seeking to streamline policy in City Plan Part Two, what might be the most effective approach to setting out policies for community facilities? Different approaches could include, for example:
 - A single policy to address all types of community facility; their retention and how to consider new proposals?
 - Policies to address the retention of and consideration of new facilities which are organised around the three main groups of community facility (as described above)?
 - Separate policies for each individual type of community facility in particular where there is a difference in character between the uses and their impact?

Please provide your views on the above.

- What are the key planning issues that will need to be taken into account when considering the retention of existing community facilities?

⁸⁸ Use Classes Order categorises uses into different classes by type for the purpose of identifying when planning permission is required.

- What are the key issues for assessing development proposals for new community facilities? Should policy seek new community uses to meet a variety of community needs?
- Are there any types of community facility that due to their particular nature might warrant a separate/unique policy?

B. Site Allocations for Community Facilities

11.8 The City Plan Part 2 presents an opportunity to identify and allocate additional sites for community facilities to meet the infrastructure needs of the city. The City Plan Part One provides a strategic policy framework for this with policies SA6 Sustainable Neighbourhoods and CP18 Healthy City (health facilities) which support the need seek to address shortfalls in community infrastructure by identifying sites in future plans. In addition there are direct allocations for facilities in some of the City Plan Part One strategic allocations e.g. Toad's Hole Valley (Policy DA7) and Brighton Marina (Policy DA2).

11.9 The Infrastructure Delivery Plan (Annex 2 to the City Plan Part One) identifies priorities and specific needs based on evidence from public sector providers. This will duly be updated through an Assessment of Community Facilities Needs study (to be completed in the summer). A number of the Development Area Policies identify priorities for community facilities. These are:

DA3	Lewes Road.	Community Building at Bevendean
DA5	Edward Street and Eastern Road	A multi-practice GP's surgery for Kemptown; a community building for Queens Park and Craven Vale
DA6	Hove Station	Possible location for a school and public health provision
DA8	Shoreham Harbour	General infrastructure needs identified.

Consultation questions:

- Do you have any evidence of the need for any community facilities in the city that are not currently identified? Are you aware of sites that may be suitable to meet those needs?
- Are there sites you are aware of that you would like to see put forward as community facilities allocations in City Plan Part Two?

Are there any other issues that relate to Community Facilities?

Consultation question:

Can you think of any other policy issues relating to community facilities that City Plan Part Two should address?

Local Plan Policies to be superseded

HO19 New community facilities

HO20 Retention of community facilities

HO21 Provision of community facilities in residential and mixed use schemes

HO23 Community centre at Woodingdean

HO26 Day nurseries and child care facilities

SR26 Hangleton Bottom

12. Student housing

Introduction

12.1 The city's two universities and other educational establishments make an important contribution to the economic and cultural life of the city. The two universities combined host approximately 27,000 students, with the British and Irish Modern Music Institute and a significant number of language schools further adding to the city's total student population that requires accommodation⁸⁹.

12.2 Between the 2001 and 2011 UK censuses, the total number of student households in the city increased from 1,365 to 2,873, reflecting the significant expansion from both universities in recent years. Between 2001 and 2013 the University of Brighton and University of Sussex student numbers increased by 37% and 50% respectively and further increases are anticipated in future years.

12.3 Despite a number of developments recently granted planning permission, the demand for Purpose Built Student Accommodation (PBSA) currently outstrips supply. Approximately 8,000 purpose built student bed-spaces existed in in 2015 and, whilst there is no expectation that all students would be accommodated in this way, data suggests there is a significant unmet need in terms of targets for accommodating first year students in PBSA⁹⁰. This shortfall in PBSA puts significant and sustained pressure on the city's general housing stock.

12.4 National planning policy⁹¹ requires local planning authorities to plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. In terms of student housing, guidance advises that local planning authorities should plan for sufficient student accommodation and that encouraging more dedicated student accommodation may take pressure off the private rented sector and increase the overall housing stock.

12.5 There is no policy on student housing in the 2005 Brighton & Hove Local Plan. Part 1 of the City Plan, through Policy CP21 - Student Housing and Housing in Multiple Accommodation, supports the provision of additional purpose built accommodation and allocates five sites for PBSA. Policy CP21 also includes criteria to guide and assess proposed developments on non-allocated sites. The criteria are intended to ensure that schemes are developed to a high standard, are in appropriate locations and consider matters including residential amenity, sustainable transport and parking as

⁸⁹ The 2011 Census reported a total of 32,294 full time students aged 16 and above living in the city.

⁹⁰ Only 20% of University of Brighton first year students reside in PBSA compared to a target of 80%.

⁹¹ See NPPF paragraph 50

well as ensuring that sites identified for general residential development are protected.

12.6 The policy also identifies that the cumulative impact of PBSA developments will be a matter to be considered in the determination of applications for PBSA. The City Plan Part 2 provides an opportunity to further elaborate on this issue and to clarify the issues which will be taken into account.

Key Issues for City Plan Part Two

12.7 The City Council has commissioned research to look at the balance between the supply and demand for PBSA in the longer term and is awaiting the research study findings⁹². This research is likely to indicate that, despite the site allocations in City Plan Part 1 for PBSA and the additional development of a number of PBSA on unallocated sites in recent years, there will remain a significant unmet need for PBSA. This may increase over the Plan period if the trend of university expansion continues.

12.8 The key overarching issue therefore is how to balance the need to identify more sites for additional PBSA against the pressing need to also identify more sites for general housing provision. Pressures on the limited number of sites available for development in the city mean that it is unlikely that the full need for PBSA could be met solely within the city's administrative area.

12.9 The extent of the need to be planned for will depend on establishing appropriate targets for the proportion of students to be accommodated in PBSA. For instance, it is estimated that 20% of university students do not require accommodation, for reasons such as living at home or having a property purchased for them by their parents. Of the remainder, some may prefer to live outside PBSA. The research referred to above will consider a number of options for establishing targets. Lower targets would require less new PBSA development but then more students would require alternative living arrangements, putting more pressure on the city's general housing stock.

12.10 The City Plan Part Two will need to consider locational options for PBSA, for instance whether it is better to concentrate PBSA along the city's academic corridor as is currently the case, or whether the Plan's policies encourage a more dispersed approach. Additional locations along Lewes Road, near the university campuses, could be appropriate, despite the existing high student concentrations provided they are able to retain a degree of separation from existing residential areas in order to minimise effects on amenity. Locations across the wider Greater Brighton region, both within and outside the city's administrative boundary could also be considered as long as transport infrastructure is in place to provide relative proximity and accessibility to the place of study.

⁹² Brighton & Hove Student Housing Study, Draft June 2016.

Consultation questions:

- Should the City Plan Part 2 seek to establish a target for the amount of student housing need to be met through purpose built student accommodation?
- Should the City Plan Part Two seek to allocate additional sites for purpose built student accommodation?
- Are there any locations/sites that could be considered for purpose built student housing development?
- Should City Plan Part Two seek a more dispersed approach to suitable locations for purpose built student accommodation around the city?
- What barriers are there to locating purpose built student accommodation outside the Lewes Road academic corridor and how could these be overcome?
- How can the cumulative impacts of purpose built student accommodation developments best be assessed and mitigated?

Are there any other issues relating to Student housing:

Consultation question:

- Are there any other issues regarding student accommodation that would like to see addressed in City Plan Part 2?

13. Traveller accommodation

Introduction

13.1 The city's Traveller Commissioning Strategy⁹³ provides the local context for planning to meet the accommodation requirements of travellers either living in or passing through the city. The Strategy aims to promote community cohesion and protect the rights and needs of both the settled and travelling communities. It acknowledges that traveller communities have a right to a nomadic lifestyle, to equal access to services (such as health, education and accommodation) and to protection from discrimination and harassment.

13.2 Policy CP22 Traveller Accommodation in Part 1 of the City Plan commits the council to providing traveller accommodation in accordance with appropriate assessments of local need. At the time of preparing City Plan Part 1, the need for pitch provision up to 2019 was set at 18 permanent pitches for the city. This figure (for 2014-2019) was based on an assessment of need established through the Partial Review of the South East Plan process⁹⁴.

13.3 For the longer term, Policy CP22 acknowledges that an updated review of Traveller accommodation needs would be important to cover the plan period beyond 2019. The policy states that additional or outstanding traveller pitch requirements will be facilitated through site allocations in Part 2 of the City Plan or through a separate Development Plan Document which could involve working with adjacent local authorities. The policy also sets out the criteria to guide and assess the suitability of new traveller sites (or extensions to existing sites).

Key issues for City Plan Part 2

13.4 An updated Gypsy and Traveller Accommodation Assessment (GTAA) has now been published⁹⁵ and was undertaken jointly between the City Council and the South Downs National Park Authority. Based on information that was available at the time of the study, this assessment indicates a need for 32 additional permanent pitches across the administrative area of Brighton & Hove. This 'administrative area' includes that part of Brighton & Hove which falls within the South Downs National Park. Because two local planning authorities are involved for this geographical area, the needs assessment was split between Brighton & Hove City Council (19 pitches) and the South Downs National Park Authority (13 pitches).

13.5 It is important to note that the figure of 32 pitches is an 'objectively assessed need' figure and has not yet been tested to see to what extent this could be accommodated within Brighton & Hove. As both local planning

⁹³ Traveller Commissioning Strategy (March 2012)

⁹⁴ South East Plan Partial Review process 2007 – 2010.

⁹⁵ Gypsy and Traveller Accommodation Assessment – Brighton & Hove and South Downs National Park Authority, Salford University, November 2014.

authorities are producing local plans for their areas, the intention is to undertake a joint site search with the South Downs National Park Authority and this will indicate any potentially suitable sites which could then be taken forward as proposed site allocations. In assessing the suitability of sites the criteria set out in Policy CP22 Traveller Accommodation will be applied.

13.6 Should the site search indicate that the full objectively assessed need for traveller pitches cannot be met within the administrative area of Brighton and Hove then options for meeting any shortfall will need to be explored through the 'Duty to Co-operate' plan making processes and by working with neighbouring local authorities.

Consultation questions:

- Is it better to try and make traveller site provision for smaller individual family-sized sites (e.g. 3-5 pitches) or larger sites (e.g. 10-15 pitches) that can accommodate a number of families?
- Should new site provision be public site provision, or private or both?
- Should future pitch requirements for Traveller Accommodation be addressed through City Plan Part 2 or would this matter be better addressed through a separate Development Plan Document?

Are there any other issues relating to Traveller accommodation?

Consultation question:

- Are there any other issues regarding Traveller Accommodation that you would like to see addressed?