





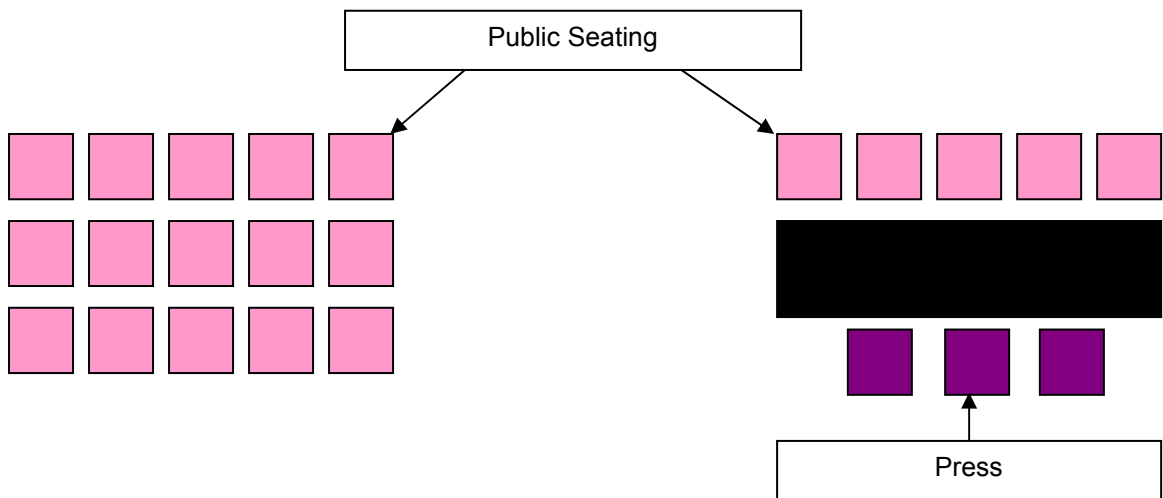
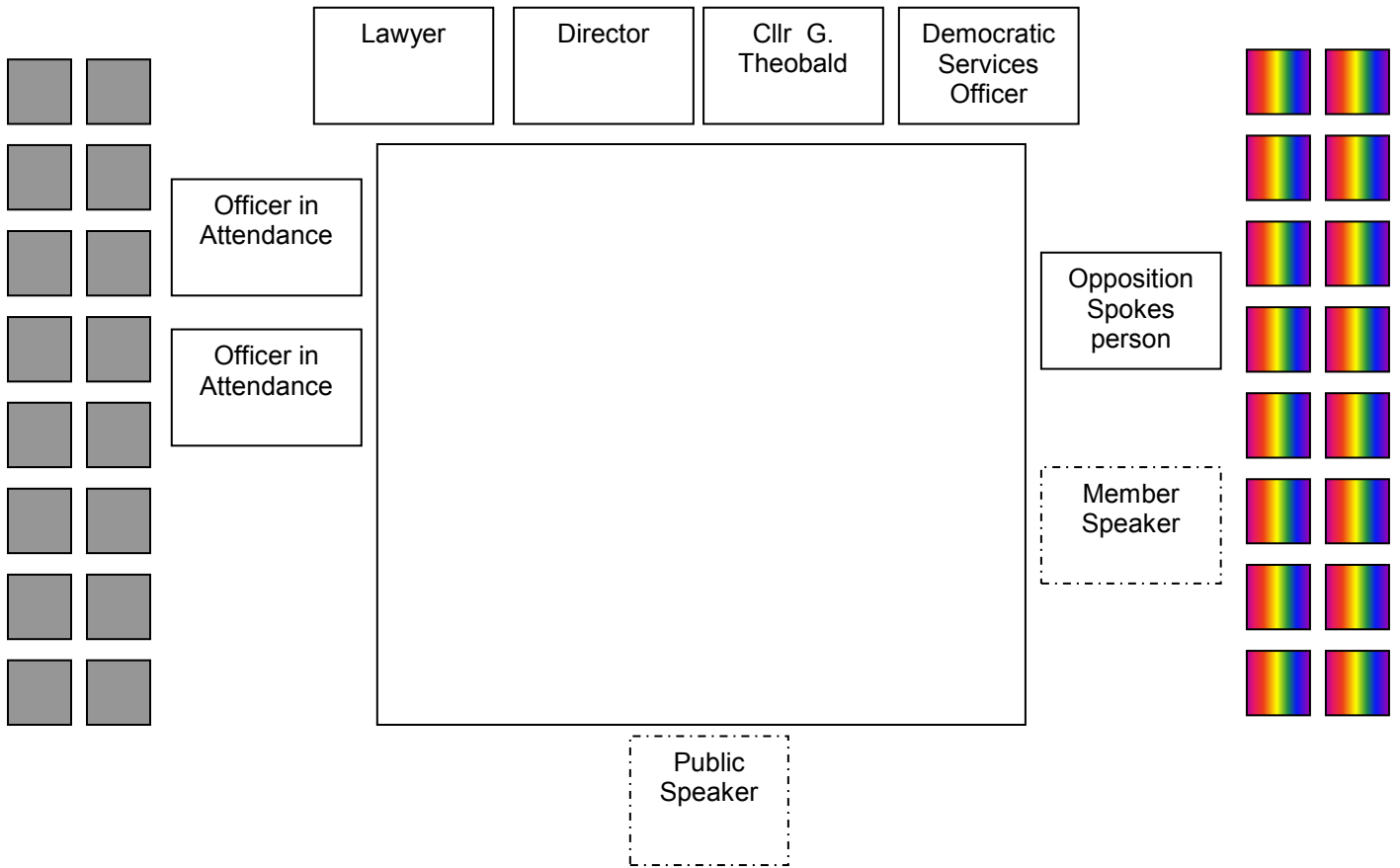
Brighton & Hove
City Council

Cabinet Member Meeting

| | |
|----------|---|
| Title: | Environment Cabinet Member Meeting |
| Date: | 27 January 2009 |
| Time: | 4.00pm |
| Venue | Council Chamber, Hove Town Hall |
| Members: | Councillor: G Theobald (Cabinet Member) |
| Contact: | Tanya Massey Democratic Services Officer 01273 291227 tanya.massey@brighton-hove.gov.uk |

| | |
|---|---|
|  | The Town Hall has facilities for wheelchair users, including lifts and toilets |
|  | An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter and infra red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival. |
| | FIRE / EMERGENCY EVACUATION PROCEDURE If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions: <ul style="list-style-type: none">• You should proceed calmly; do not run and do not use the lifts;• Do not stop to collect personal belongings;• Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and• Do not re-enter the building until told that it is safe to do so. |

Democratic Services: Meeting Layout



AGENDA

86. PROCEDURAL BUSINESS

- (a) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- (b) Exclusion of Press and Public - To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: Any item appearing in Part 2 of the Agenda states in its heading either that it is confidential or the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the categories of exempt information is available for public inspection at Brighton and Hove Town Halls.

87. MINUTES OF THE PREVIOUS MEETING

1 - 10

Minutes of the meeting held on 11 December 2008 (copy attached).

88. CABINET MEMBER'S COMMUNICATIONS

89. ITEMS RESERVED FOR DISCUSSION

- (a) Items reserved by the Cabinet Member
- (b) Items reserved by the Opposition Spokesperson
- (c) Items reserved by Members, with the agreement of the Cabinet Member.

NOTE: Public Questions, Written Questions from Councillors, Petitions, Deputations, Letters from Councillors and Notices of Motion will be reserved automatically.

90. PETITIONS

No petitions received by date of publication.

ENVIRONMENT CABINET MEMBER MEETING

91. PUBLIC QUESTIONS 11 - 12

(The closing date for receipt of public questions is 12 noon on 20 January 2008)

i) **Public Question from Mr C Hawtree** (copy attached).

92. DEPUTATIONS

(The closing date for receipt of deputations is 12 noon on 20 January 2008)

No deputations received by date of publication.

93. LETTERS FROM COUNCILLORS

No letters have been received.

94. WRITTEN QUESTIONS FROM COUNCILLORS

No written questions have been received.

95. NOTICES OF MOTION

No Notices of Motion received by received by date of publication.

SUSTAINABLE TRANSPORT MATTERS

96. Pedestrian Signing Strategy 13 - 22

Report of the Director of Environment (copy attached).

Contact Officer: Abby Hone Tel: 29-3813
Ward Affected: Regency; St Peter's & North Laine;

97. Pedestrian Network - Phase 1 23 - 34

Report of the Director of Environment (copy attached).

Contact Officer: Abby Hone Tel: 29-3813
Ward Affected: Regency; St Peter's & North Laine;

CITY PLANNING

98. Supplementary Planning Document - Architectural Features 35 - 38

Report of the Director of Environment (copy attached).

Contact Officer: Tim Jefferies Tel: 29-3152
Ward Affected: All Wards

ENVIRONMENT CABINET MEMBER MEETING

99. Brunswick Estate Paint Review 39 - 60

Report of the Director of Environment (copy attached).

Contact Officer: Lesley Johnston Tel: 29-2104

Ward Affected: Brunswick & Adelaide

100. Saving of Waste Local Plan Policies 61 - 74

Report of the Director of Environment (copy attached).

Contact Officer: Lyndsey Beveridge Tel: 29-2108

Ward Affected: All Wards

101. Shoreham Harbour Interim Planning Guidance (IPG) 75 - 80

Report of the Director of Environment (copy attached).

Contact Officer: Mike Holford Tel: 29-2501

Ward Affected: Hangleton & Knoll; South
Portslade; Wish;

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact Tanya Massey, (01273 291227, email tanya.massey@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Monday, 19 January 2009

BRIGHTON & HOVE CITY COUNCIL

ENVIRONMENT CABINET MEMBER MEETING

4.00PM 11 DECEMBER 2008

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor G Theobald (Cabinet Member)

Also in attendance: Councillor Mitchell (Opposition Spokesperson)

Other Members present: Councillors Davey, Kennedy, Lepper, K Norman and Oxley

PART ONE

70. PROCEDURAL BUSINESS

70a Declarations of Interests

70.1 Councillor Davey declared a personal, but non-prejudicial interest in Item 83, as he worked for a cycle training organisation.

70b Exclusion of Press and Public

70.2 In accordance with section 100A of the Local Government Act 1972 ('the Act'), the Cabinet Member for Environment] considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press or public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100I(1) of the Act).

70.3 **RESOLVED** – (1) That Item 85 listed in Part 2 of the agenda be brought into open session.

(2) That the press and public be not excluded from the meeting.

71. MINUTES OF THE PREVIOUS MEETING

71.1 **RESOLVED** – The minutes of the meeting held on 6 November 2008 were approved and signed by the Cabinet Member as a correct record.

72. CABINET MEMBER'S COMMUNICATIONS

72.1 There were none.

73. ITEMS RESERVED FOR DISCUSSION

73.1 **RESOLVED** – That with the exception of the items reserved (and marked with an asterisk), the recommendations and resolutions contained therein be approved and adopted without debate.

74. PETITIONS**74(i) Petition – Brighton Pier to Marina Cycle Route**

74.1 Councillor Steedman had submitted a petition signed by 108 people concerning the cycle route between Brighton Pier and the Marina.

74.2 Councillor Davey presented the petition on behalf of Councillor Steedman who was unable to attend the meeting.

74.3 The Cabinet Member stated that the cycle route proposals to provide a strategic and continuous cycle link along the seafront between Brighton Pier and the Marina were still currently being progressed. He gave assurance that officers would put a scheme into place as soon as possible, subject to the outcome of the forthcoming public consultations with key stakeholders and residents.

74.4 **RESOLVED** – That the petition be noted.

74(ii) Petition – Parking in Stanford Ward

74.5 Councillor Bennett had submitted a petition signed by 425 people concerning parking issues in Stanford Ward.

74.6 Councillor Bennett was unable to attend the meeting and had requested that the petition be deferred until the next Cabinet Member Meeting.

74.7 **RESOLVED** – That the petition be deferred.

74(iii) Petition – Parking in Shirley Drive

74.8 Councillor Bennett had submitted a petition signed by 72 people concerning parking issues in Shirley Drive.

74.9 Councillor Bennett was unable to attend the meeting and had requested that the petition be deferred until the next Cabinet Member Meeting.

74.10 **RESOLVED** – That the petition be deferred.

74(iv) Petition – Traffic calming in Stanmer Villas

74.11 Councillor Lepper presented a petition signed by 88 people concerning requests for traffic calming in Stanmer Villas.

74.12 The Cabinet Member stated that whilst the current accident and safety criteria hadn't been met by the relatively good record in Stanmer Villas, the council did take such matters seriously. In response to the petition, officers had contacted the Sussex Police Roads Department and requested that they undertake additional speed monitoring and enforcement in the road.

74.13 **RESOLVED** – That the petition be noted.

74(v) Petition – Parking in the Dyke Road/Millers Road/The Drove area

74.14 Councillor Norman presented a petition signed by 285 people concerning the proposed parking scheme in the Dyke Road/Millers Road/The Drove area.

74.15 The Cabinet Member confirmed that a report would be presented to Cabinet on 12 February 2009 and would include all the consultation results and recommendations for the way forward. He added that members of the public had until 12 December 2008 to put their comments to the council and all petitions received would be included in the Cabinet report.

74.16 **RESOLVED** – That the petition be noted.

74(vi) Petition – Mobile phone mast on Brangwyn Way

74.17 Councillor Mrs Theobald had submitted a petition signed by 307 people concerning the removal of a mobile phone mast on Brangwyn Way.

74.18 Councillor Mrs Theobald was unable to attend the meeting.

74.19 **RESOLVED** – That the petition be noted a written response be provided.

75. PUBLIC QUESTIONS

75.1 There were none.

76. DEPUTATIONS

76.1 The Cabinet Member reported that one deputation had been referred from Council on 4 December 2008. It concerned heritage in the Kemp Town area (for copy see minute book).

76.2 The Cabinet Member referred to the response he had provided at Council.

76.3 **RESOLVED** – That the deputation be noted.

77. LETTERS FROM COUNCILLORS**77(i) Letter – Charges for Parking Permits**

77.1 A letter was received from Councillor Oxley regarding the condition of pavements in Portland Road, Hove (for copy see minute book).

77.2 The Cabinet Member stated that he understood that Councillor Oxley had been contacted by residents who felt the area would benefit from Portland Road being resurfaced, and that Councillor Oxley had already discussed the potential for improvements with officers. The Cabinet Member confirmed that he had asked officers to consider Portland Road for inclusion in a future Highway Maintenance Programme if funding could be identified for the works. He added that officers had been asked to contact Councillor Oxley in order to address the detailed sites and areas that were currently of concern.

77.3 **RESOLVED** – That the letter be noted.

78. WRITTEN QUESTIONS FROM COUNCILLORS**78(i) Question – 20 mph speed limit at Southern Cross**

78.1 Councillor Hamilton had submitted a question asking:

“At a meeting of the Environment Committee last year I submitted a letter seeking a 20 mph zone at Southern Cross, from the traffic lights up to the entrance to Loxdale. In this section there are two primary schools attended by over 500 children. I was told that there were several similar applications and they were being prioritised.

I have now been approached by the police expressing concern about traffic speed in this area. Please could urgent consideration be given to nominating this section of highway as a school safety zone with a 20 mph limit?”

78.2 The Cabinet Member circulated the following written reply:

“Thank you for your request for the introduction of a 20mph speed limit in the Southern Cross area, from the traffic lights up to the entrance to Loxdale.

There are two primary schools along this stretch of road and you are aware of similar requests from residents. I have asked that officers consult with Sussex Police about the concerns that have been expressed to you regarding the speed of traffic in this area. I have also asked officers to investigate what measures might be taken to encourage speed reduction, and consider any measures that the Police may recommend.”

79. NOTICES OF MOTION**79(i) Notice of Motion – Green Spaces and Health Inequality**

79.1 The Cabinet Member considered the following Notice of Motion proposed by Councillor Duncan and referred from the Council Meeting on 4 December 2008 under procedural rule 8.2:

“This Council notes:

- a. The 2008 report of The Director of Public Health for Brighton and Hove, which reported that health inequality persists in the city, and that this manifests itself in wide variations in life expectancy, with an average resident of Moulsecomb, Bevendean or Queen’s Park being likely to live a significantly shorter life than an average resident of Rottingdean, Withdean or Patcham.
- b. The recently-published findings of researchers at Glasgow University and the University of St Andrews that green spaces near homes can reduce such variations in life expectancy, and the November 2008 comments in *The Lancet* journal of Dr Terry Hartig of *The Institute for Housing and Urban Research* at Uppsala University in Sweden that: *‘Green space does more than ‘pretty up’ the neighbourhood – it appears to have real effects on health inequality, or a kind that politicians and health authorities should take seriously’.*

And therefore resolves

To take into account this impact on life expectancy and health generally whenever it considers removing, developing, or granting landlord’s consent for development on any green spaces under its control in the city, however small.”

- 79.2 The Cabinet Member invited Councillor Duncan to speak to the motion.
- 79.3 Councillor Kennedy addressed the Cabinet Member Meeting on the substantive points of the motion on behalf of Councillor Duncan who was unable to attend the meeting.
- 79.4 The Cabinet Member stated that the Administration acknowledged the health benefits of green open space and the importance of facilitating active lifestyles. He asked the Assistant Director for City Planning to clarify the procedures already inherent in the planning system for assessing the development of green spaces.
- 79.5 The Assistant Director for City Planning clarified that the most appropriate planning ‘tool’ was the use of Health Impact Assessments (HIAs). He confirmed that following the pilot work undertaken as part of the Healthy Living programme, it was the intention to undertake more HIA’s on major proposals. Including all minor schemes would however, be impractical. He maintained that there could be an opportunity within the Core Strategy for ensuring that the benefits of open spaces would be fully recognised.
- 79.6 The Opposition Spokesperson spoke in support of the Notice of Motion and commented on the importance of preserving all green spaces.

79.7 The Cabinet Member affirmed that while the Administration was committed to preserving green spaces, he could not support the Notice of Motion for the reasons given by the Assistant Director for City Planning.

79.8 **RESOLVED** – That the motion be dismissed.

80. 2 ST GEORGE'S PLACE - URGENT WORKS IN DEFAULT

80.1 The Cabinet Member considered a report of the Director of Environment concerning urgent works required to secure the preservation of an unoccupied listed building (for copy see minute book).

80.2 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:

- (1) That the carrying out of urgent preservation works to number 2 St George's Place, Brighton under Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 be agreed.
- (2) That action be taken to recover the costs of carrying out urgent preservation works from the owner of number 2 St George's Place, Brighton under Section 55 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

81. TRAFFIC REGULATION ORDERS ASSOCIATED WITH CAR FREE DEVELOPMENTS

81.1 The Cabinet Member considered a report of the Director of Environment concerning access to parking for disabled people living in car-free developments (for copy see minute book).

81.2 The Cabinet Member explained that the report had been prepared in response to a request from the Planning Committee to address concerns expressed by the city's Federation of Disabled People.

81.3 The Opposition Spokesperson welcomed the alteration to the policy and paid tribute to Roy Pennington and the Federation of Disabled People.

81.4 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:

- (1) That it be agreed that, when planning permission is granted for a car free housing development inside a residents' parking zone, residents in that development who are blue badge holders will be able to apply for a resident's parking permit.
- (2) That such amendments as are necessary to existing Traffic Regulation Orders so as to allow resident disabled drivers living in a car free development to apply for a residents parking permit be authorised.

82. SECOND LOCAL TRANSPORT PLAN PROGRESS REPORT 2008

- 82.1 The Cabinet Member considered a report of the Director of Environment concerning the council's progress on the objectives and targets for transport within the Local Transport Plan (for copy see minute book).
- 82.2 The Cabinet Member reported that the council is making good progress against the majority of the targets at present, but recognised that it clearly needed to continue working hard to reduce the number of fatal and serious casualties that were occurring.
- 82.3 In response to questions from the Opposition Spokesperson, the Assistant Director for Sustainable Transport made the following points:
- The business case for the Rapid Transport System had been revised recently, but it was possible that any failed development plans could have an impact; officers would therefore be looking again at this.
 - While roadworks in the city were partly responsible for the decline in bus patronage, officers had been working in partnership with Southern Water to ensure minimal disruption. It was likely that Overview & Scrutiny would be looking at issues around public transport, but if this did not materialise, officers would report back to the Cabinet Member Meeting on the implications of the Public Transport Act.
 - Officers would be considering new locations for the Safer Routes to School scheme.
 - Officers are already incorporated revised health and safety and minimum requirements when undertaking maintenance on the seafront railings as standards have moved on since they were installed in the Victorian era.
 - To combat above threshold NO₂ emissions at locations in the city a comprehensive overarching strategy was needed rather than a location-specific approach. The Air Quality Action Plan could be found in an appendix to the progress report.
 - There was no mention of progress on the Valley Gardens scheme in the report as we are only documenting activity on the first half of the current LTP. The valley Garden scheme is programmed to commence from 2009/10 in the second half of the LTP.
- 82.4 In response to comments from Councillor Davey the Assistant Director for Sustainable Transport agreed that while the council was making good progress on most targets, the issue of road safety needed further attention and officers had been involved in discussions with the Government Office for the South East (GOSE) about this. He added that speed was only one of the factors in tackling road safety, but that officers would be engaging in a statutory review of speeds on all A and B roads, to be completed by 2010; after this they would be able to consider other possibilities.
- 82.5 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:

- (1) That the positive progress that the council has made in delivering sustainable transport and maintenance through the capital funding provided by the Local Transport Plan during 2006/07 and 2007/08 be endorsed.
- (2) That the responses made on the Progress Report by the Environment & Community Safety Overview & Scrutiny Committee on 10 November 2008 be noted.
- (3) That the Director of Environment be authorised to finalise the completion of the Progress Report document and submit it to the Government Office of the South East before the end of December 2008.

83. NATIONAL CYCLE NETWORK ROUTE 2 CYCLE LINK

- 83.1 The Cabinet Member considered a report of the Director of Environment the proposed consultation on the National Cycle Network Route 2 (NCN2) capital programme works (for copy see minute book).
- 83.2 The Cabinet Member explained that the scheme would provide a route for cyclists where a gap in formal provision for NCN2 currently existed along the Brighton seafront and that it would enhance east/west movements made by cyclists and improve accessibility into the city for commuters, residents, shoppers and visitors.
- 83.3 The Opposition Spokesperson welcomed the consultation and hoped that cycle groups would be included early on in the process.
- 83.4 Councillor Davey welcomed the report and was interested to know whether the route would be located along Madeira Drive (lower route), as a natural continuation of the route, or along Marine Parade (upper route), to avoid disruption for cyclists when events were held on Madeira Drive. He was also concerned that the route be safeguarded in the event of future transport schemes in the area.
- 83.5 The Cabinet Member confirmed that the proposed route was located along Madeira Drive and that the necessary modifications would be made to ensure that it was the best option for cyclists. He stated that as events only took place on a small number of days each year, the disruption to cyclists would be minimal, and such events meant that any future transport systems were unlikely to threaten the preservation of this route.
- 83.6 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendation:
- (1) That approval be given for Officers to conduct public consultation with key stakeholders and residents on the NCN2 Cycle Link proposal detailed in this report. Members will be informed of the outcome of consultation and permission to proceed with the scheme will be sought at a future Environment Cabinet Member Meeting following public consultation.

84. PEDESTRIAN NETWORK PHASE 2

- 84.1 The Cabinet Member considered a report of the Director of Environment the proposed consultation on the second phase of the Pedestrian Network capital programme works (for copy see minute book).
- 84.2 The Cabinet Member explained that the proposals were designed to improve access to the seafront and enhance the appearance of an area with undeveloped potential which had become tired and worn; the second phase of the pedestrian network scheme sought to create a legible pedestrian route along East Street, connecting The Lanes and the seafront. He added that city centre retail, restaurant, beachfront and cultural establishments were key to Brighton and Hove's economy, and that the proposed works would contribute to the economic vitality of the city by improving access and movement for visitors, workers and shoppers.
- 84.3 Councillor Rufus welcomed the proposed improvements and sought assurance that the proposal to change traffic access from Kings Road on to East Street would not mean that access for cyclists would also be lost.
- 84.4 The Assistant Director for Sustainable Transport confirmed that the proposal preserved the cycle route, but that all proposals would be subject to safety audits.
- 84.5 The Cabinet Member added that it was important to await the results of the consultation before making decisions on the best options for both cyclists and pedestrians.
- 84.6 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendation:
- (1) That approval be given for officers to conduct public consultation with key stakeholders and residents on Phase 2 of the Pedestrian Network proposals detailed in this report. Members will be informed of the outcome of consultation and permission to proceed with the scheme will be sought at a future Environment Cabinet Member Meeting following public consultation.

85. AWARD OF MINOR HIGHWAYS WORKS CONTRACT NO 790

- 85.1 The Cabinet Member considered a report of the Director of Environment concerning the award of the Minor Highways Works framework Contract for the period 2009 – 2012 (for copy see minute book).
- 85.2 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendation:
- (1) That the award of the Minor Highway Works Framework Contract No 790 be approved.

The meeting concluded at 5.05pm

Signed

Chair

Dated this

day of

WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

A period of not more than fifteen minutes shall be allowed at each ordinary meeting for questions submitted by a member of the public who either lives or works in the area of the authority.

The question will be answered without discussion. The person who asked the question may ask one relevant supplementary question, which shall be put and answered without discussion. The person to whom a question, or supplementary question, has been put may decline to answer it.

The following written questions have been received from members of the public.

(i) Mr. C Hawtree

"Would Councillor Theobald please tell us how many more of the new street signs will be erected in this authority's area?"

ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 96

Brighton & Hove City Council

| | | | |
|-------------------------|------------------------------------|--------------------------------|----------------------------|
| Subject: | Pedestrian Signing Strategy | | |
| Date of Meeting: | 27 January 2009 | | |
| Report of: | Director of Environment | | |
| Contact Officer: | Name: | Abby Hone | Tel: 29-3813 |
| | E-mail: | abby.hone@brighton-hove.gov.uk | |
| Key Decision: | No | | |
| Wards Affected: | Regency; St Peter's & North Laine | | |

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 Brighton & Hove is one of the main tourist and shopping destinations in the south-east and attracts 8 million visitors a year, bringing in £480 million to the local economy (2006). Visitors to Brighton & Hove, especially when visiting the city for the first time, need assistance to help them understand what the city has to offer and where key destinations and attractions are located. Current pedestrian signing, is incomplete and inconsistent. Research has indicated that if people feel well orientated in a city and thus able to find their destination or attraction quickly they are more likely to return to that city. People who become lost and frustrated as a result are less inclined to return.
- 1.2 For Brighton & Hove to remain competitive as a preferred tourist and shopping destination it is important that visitors are able to negotiate the city and its attractions using a consistent and coherent signing system.
- 1.3 This report is intended to inform the Cabinet member of the proposed Pedestrian Signing Strategy and request approval to implement the first phase.

2. RECOMMENDATIONS:

- 2.1 (1) That the Cabinet Member for Environment approves the Pedestrian Signing Strategy and authorises implementation of the proposed implementation area.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The proposal for a pedestrian signing programme was agreed by Policy & Resources Committee as part of a package of capital schemes in the current Local Transport Plan 2006/7-2010/11.
- 3.2 Currently pedestrian signing in the city is incomplete, inconsistent, and of poor quality. The objective of the pedestrian signing programme is to deliver a comprehensive signing system that will provide high quality wayfinding guidance to visitors, workers and residents.

- 3.3 The programme has been designed for city-wide implementation. The first implementation phase will focus on the central areas of North Laine and The Lanes. Any further expansion of pedestrian signing will be brought to cabinet for approval.
- 3.4 The system will consist of a combination of Monoliths (map boards), Miniliths (narrower versions of Monoliths) and fingerposts. Signs will be positioned along the key pedestrian routes with the signs that contain the most information (monoliths) placed at key decision points, miniliths at minor decision points and a minimal number of fingerposts used where appropriate.
- 3.5 Information included on the maps and signs has been selected from a pedestrian's point of view. Places included are those that are most recognisable, useful or attract a wide audience. The city's most prominent buildings have been depicted in 3D, helping the user to imagine themselves 'in the map' and consequently visualise their journey better.
- 3.6 The programme is focussed on contributing towards the city council's Tourism Strategy 2008/18, specifically:
- Promotion of sustainable transport options to and from the city region and within. (pg 19)
 - Improve accessibility through signage (pg 22)
 - Ensure a quality standard of materials and design are used in all infrastructure improvements and new developments in particular focussing on street furniture, street pavements and signage. (pg 27)
 - Develop a pedestrian network that takes the visitor around the main cultural quarter of Brighton to include the Royal Pavilion Estate, New Road, Theatre Royal, Dome Complex etc. (pg 33)
 - Develop new signage/tourism routes in line with the Public Space Public Life Study especially to encourage visitors to experience the city away from the established routes. This includes the North Laine area from Brighton station, George Street from Hove Station and Kemptown from the bus station. This could include signage and interpretation improvements for significant buildings and spaces to lead from the main gateways to cultural areas, attractions and retail neighbourhoods. (pg 43)
 - Signage is essential with a consistent approach throughout the city. Brighton city centre behind the main streets can be a maze of narrow lanes and it is essential the visitors can find the key visitor attractions easily without feeling unsafe or lost. (pg 44)
- 3.7 The programme is focussed on contributing towards the city council's Economic Strategy 2005/08 objectives, specifically:
- Improve access to and from and within the city and, where possible, encourage a modal shift to more sustainable forms of transport. (3a)

- Link key sites to support the business and leisure economy (3c)
 - Improve the effectiveness of street and business area management (4b)
- 3.8 The programme will also contribute towards achievement of the LTP objective to increase walking trips by 10% by 2011.

4. CONSULTATION

- 4.1 Development of the strategy has required regular engagement with stakeholders and on-street user testing.
- 4.2 Representatives from the Economic Partnership, the Local Strategic Partnership, the Brighton & Hove Bus Company, the Brighton & Hove Hotels Association, tourist and cultural attractions, cycling groups, pedestrian groups, disability groups, and conservation groups have all been consulted.
- 4.3 All relevant internal Brighton & Hove City Council officers have been consulted.
- 4.4 If approval to implement is granted then Advertisement Consent will be required for each sign. Additionally Listed Building Consent will be required for signs in certain locations. Officers will also consult directly with key stakeholders from representing visually impaired groups in the city to ensure the exact location of signs on public highway ensures access and appropriate thoroughfare is maintained.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 Any costs associated with the pedestrian signing strategy will be covered by the allocation of funding to Pedestrian Wayfinding and Signing within the Local Transport Plan. This amounts to £158k for 2008-9 and has already been identified for spend in this financial year.

Finance Officer Consulted: Karen Brookshaw Date: 03/12/08

Legal Implications:

- 5.2 Part V11A of the Highways Act 1980 contains powers enabling highway authorities to carry out works and place objects or structures in the highway for the purposes of, inter alia, enhancing the amenity of the highway and its immediate surroundings and providing a service for the public or a section of the public.
- 5.3 Any consents required for the signage under planning legislation will need to be the subject of listed building/advertisement consent applications as appropriate.

Lawyer Consulted: Hilary Woodward Date: 04/12/08

Equalities Implications:

- 5.4 The signs will be designed to provide information in a way that reflects the latest accessible design guidance within the constraints of an information-rich, on-street system.
- 5.5 For those who are blind or severely visually impaired an audio description service is being investigated. In this implementation phase a pilot of a wayfinding system for visually impaired will be tested. Options to work with the existing REACT system being used at bus stops is being investigated, as is the potential to test the Legible London audio information system.

Sustainability Implications:

- 5.6 The majority of the city's existing signage is corroded and in a state of disrepair. In order to prevent a repeat of this problem the signs have been designed using durable materials specifically able to withstand Brighton & Hove's atmospheric conditions and remain in good condition whilst requiring minimal maintenance.

Crime & Disorder Implications:

- 5.7 The durable design of the signs will help reduce the risk of vandalism.

Risk and Opportunity Management Implications:

- 5.8 There are no significant risks attached to this scheme.
- 5.9 There is the opportunity to co-ordinate arrival point information at places such as stations and car parks with the signing system. Negotiations are on-going with the Parking Team to integrate the system with the car park refurbishment programme.

Corporate / Citywide Implications:

- 5.10 The Pedestrian Signing Strategy will encourage residents and visitors to walk, provide confidence to explore the city, and highlight areas of economic activity. All contributing to the council priority to 'protect the environment whilst growing the economy.'

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 Development of the scheme was an iterative process, with each stage subject to user testing and stakeholder consultation. Details of options considered during the design process can be seen in the Pedestrian Signing Strategy document.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 Over the last five years a number of British cities have sought to improve their city for visitors, residents and businesses by developing a consistent, high quality pedestrian signing system. The proposals in this report seek to achieve the same for Brighton & Hove by replacing the disparate and dilapidated existing signs with a single effective system.
- 7.2 The system has been designed specifically to benefit pedestrians and will allow people the freedom to walk in the city safe in the knowledge that they will receive regular and accurate wayfinding information when they need it.
- 7.3 The system will also act as a promotional tool for the city, demonstrating the breadth of attractions on offer. The signs themselves have been designed to reflect and enhance the character of Brighton & Hove and their presence will reinforce the identity of the city.
- 7.4 The Strategy has provided a good opportunity for BHCC to reassess the amount of unnecessary street clutter in the implementation area to improve the aesthetic qualities of the city by simplifying the public realm.

SUPPORTING DOCUMENTATION

Appendices:

1. Existing signs
2. Impression of proposed signing system

Documents In Members' Rooms

None

Background Documents

1. Brighton & Hove Pedestrian Signage: Audit, Strategy and Concepts
2. Local Transport Plan 2006/7-2010/11
3. Legibility Study – Public Space Public Life – Brighton & Hove

North Laine and station area



1



1



2



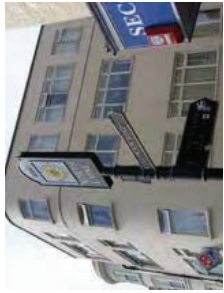
2



3



4



5



5



6



7



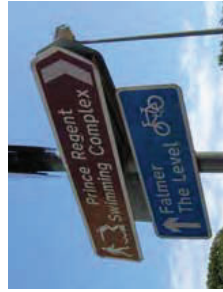
7



8



12



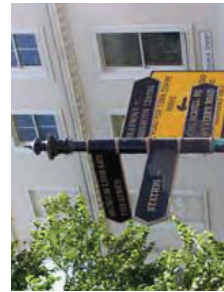
10



11



11



12



13



14

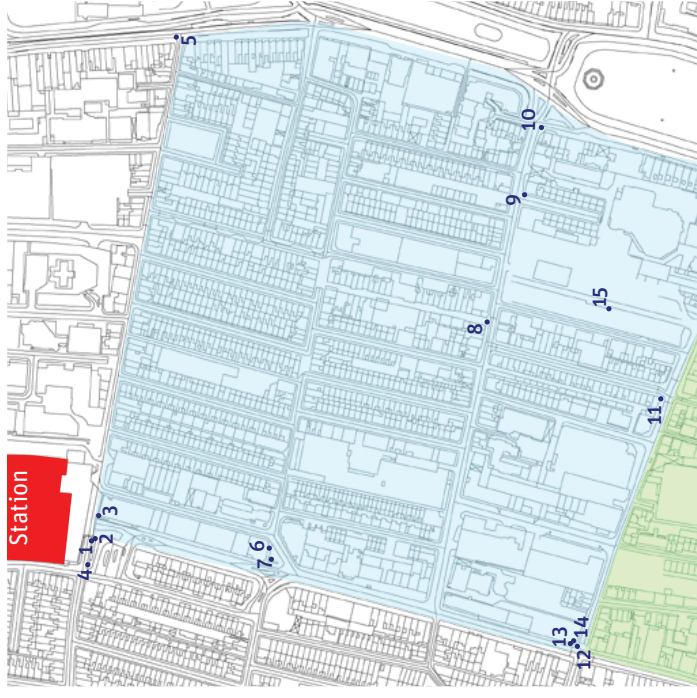


15

2.2 Detailed sign audits

A detailed audit of the existing signing was carried out in the area where the first signs will be installed. A record was made of where information and signs are currently located, where pedestrians need wayfinding information, if there might be a problem with any of the proposed locations and the level of clutter removal.

A thorough evaluation of each proposed sign and possible clutter removal item location will be undertaken as part of the implementation phase.

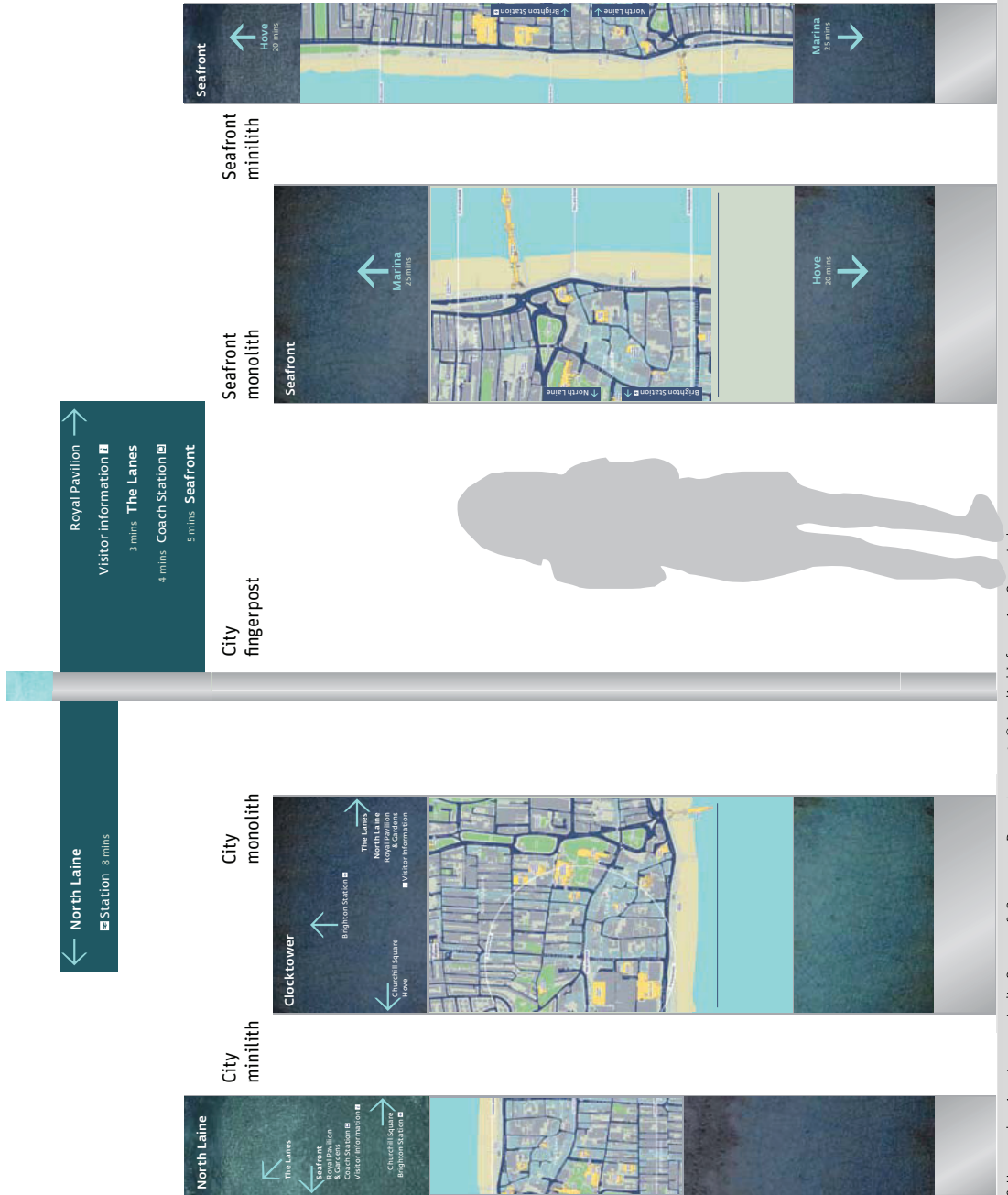


15

5.4 Sign family

The approach incorporating ceramic panels is intended to give Brighton & Hove signs their unique, creative and locally relevant 'voice'.

On city signs, the panel colours can be controlled to produce a subtle difference between city and sea, respectively at top or bottom of signs. The signs look and feel a part of Brighton, whether on the seafront, in the Pavilion Gardens or in the diverse street settings of the city centre.



ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 97

Brighton & Hove City Council

| | | | |
|-------------------------|-------------------------------------|------------------------------------|----------------------------|
| Subject: | Pedestrian Network – Phase 1 | | |
| Date of Meeting: | 27 January 2009 | | |
| Report of: | Director of Environment | | |
| Contact Officer: | Name: | Abby Hone | Tel: 29-3813 |
| | E-mail: | abby.hone@brighton-hove.gov.uk | |
| Key Decision: | Yes | Forward Plan No. <i>ENV6463</i> | |
| Wards Affected: | All | Regency St. Peter's & North Laine; | |

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To inform the Cabinet Member of the results of consultation on the Pedestrian Network Phase 1 proposals and request permission to implement the scheme.

2. RECOMMENDATIONS:

- 2.1 (1) That the Cabinet Member notes the consultation results and instructs Officers to begin implementation of the scheme

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The proposal for a Pedestrian Network was agreed by Policy & Resources Committee as part of a package of capital schemes in the current Local Transport Plan 2006/7-2010/11. The scheme will contribute towards achievement of the LTP objective to increase walking trips by 10% by 2011. The schemes will also contribute to the city council's Economic Strategy 2005/08 objectives and the objectives of the Tourism Strategy 2008/18.
- 3.2 Brighton & Hove is one of the main tourist and shopping destinations in the south-east and attracts 8 million visitors a year, bringing in £480 million to the local economy (2006). Those areas of greatest economic activity tend to be where people populate the street scene and move around on foot, such as the very popular seafront and the attractive shopping areas of The Lanes and North Laine.
- 3.3 All people who visit, reside and work in Brighton & Hove will at some point in their journey be a pedestrian, whatever mode of transport they choose when travelling to or from Brighton & Hove.
- 3.4 A legibility study for Brighton & Hove, Public Space, Public Life (Gehl Architects 2007) has identified the number of pedestrians using city centre routes in Brighton & Hove (see appendix). 2001 census data used in the study highlighted that 17% of residents in Brighton & Hove walk to work and that walking for pleasure is popular in the city. Visitors to Brighton & Hove make good use of

walking opportunities on the seafront. However, the study also highlights an incomplete pedestrian network with poor connections and accessibility. The seafront area between the Aquarium roundabout and West Street records almost 30, 000 pedestrians from 10am-6pm on a summer weekend day.

- 3.5 The principle of the Pedestrian Network is to create a more accessible and safer pedestrian environment in which people feel confident and safe to move in. The proposals aim to enhance key pedestrian routes in the city by making improvements to existing footways and crossing points on the public highway. These routes incorporate areas of the city, which are at the economic and retail heart of Brighton & Hove and the Pedestrian Network therefore seeks to create greater legibility of Brighton & Hove for both visitors and residents.
- 3.6 Providing improvements and coherent routes for people who choose to walk in Brighton & Hove will help achieve a more balanced transport system and assist with LTP targets of reducing congestion, better air quality, greater accessibility and safety. Streets which are populated by people are more lively and vibrant and create an environment in which people feel safe and included.
- 3.7 LTP funding for the project is divided over 2 financial years. £730k is available in 2008/09 and £500k is available in 2009/10.
- 3.8 The following works will be carried out in this first phase of the programme:

Kings Road (northern footway from Middle Street to Brills Lane)

Accessibility and pedestrian movement will be increased along the length of the route through improvements to the footway surfacing, kerb re-alignment, raised loading bay and taxi rank. Entry and exit treatment at crossing points will be enhanced to improve pedestrian access and safety for all users

Black Lion Street

Pedestrian crossing improvements to provide improved accessibility to the seafront and east-west movement across the southern end of Black Lion Street

- 3.9 A plan of the scheme, numbers of pedestrians counted on key routes on a summer weekend between 10am-6pm and an artist's impression are attached in appendices to this report.
- 3.10 As part of the scheme tables, chairs, and A-board licences will be reviewed.
- 3.11 If approval to implement is granted, work will commence in early February 2009 and will last for approximately 12 weeks.

4. CONSULTATION

- 4.1 A public exhibition of the proposed scheme was held from 20th until 22nd November at Jubilee Library. Local residents, businesses and stakeholders received personal invitations and the exhibition was publicised through local media.
- 4.2 The proposed works are located in an area with few residential units. It is therefore positive that the exhibition was visited by 23 people, of which 13 completed feedback forms. The majority were supportive of the scheme (11 of

13) and only one was not in support. Informal feedback from consultees was that the scheme would be particularly welcome as the area was in need of improvement. Introducing trees to the area was a popular feature and several requests to extend the scope of the planting were received.

- 4.3 All relevant internal departments at the city council have been consulted. The city council's design panel have been consulted on all locations, materials and street design. Public Safety were particularly keen to see improvements to the physical environment which will improve safety and public perception of safety as has been achieved in New Road and Black Lion Street.
- 4.4 Officers conducted individual consultation meetings with managers of The Old Ship Hotel, Queens Hotel and The Brighton Thistle Hotel and all were in favour of improvements to the area which will enhance the appearance of the areas around the hotel and provide guests with good access to the seafront and retail areas of The Lanes and North Laine.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 Any costs associated with the implementation of this scheme will be covered by funding already identified for Walking Networks in the Local Transport Plan. This amounts to £730k in 2008-9 and £500k in 2009-10.

Finance Officer Consulted: Karen Brookshaw

Date: 04/12/08

Legal Implications:

- 5.2 Section 2 of the Local Government Act 2000 gives local authorities power to promote the economic, social or environmental well being of their communities. This project can be perceived to fall under promotion/improvement of the social and environmental well being of members of the community.
- 5.3 The works are to be carried out within the existing public highway and fall under the general powers of improvement available to the highway authority under the Highways Act 1980. Moreover the works, being works carried out by the highway authority within the confines of existing public highway, do not amount to development for the purposes of the Town and Country Planning Act 1990.

Lawyer Consulted: Hilary Woodward

Date: 04/12/08

Equalities Implications:

- 5.4 The scheme will increase accessibility for residents and visitors, particularly for the mobility impaired. Improving awareness and provision for walking will increase the overall transport choice for residents and visitors, particularly for those without access to private motorised transport.

Sustainability Implications:

- 5.5 Creating a better pedestrian environment along the Pedestrian Network will encourage people to walk instead of using less sustainable means of transport

thus reducing carbon emissions, improving air quality and health, and reducing congestion.

Crime & Disorder Implications:

- 5.6 Increasing the number of pedestrians, and the associated passive surveillance, has been shown to improve public safety and the public's perception of safety.

Risk and Opportunity Management Implications:

- 5.7 During the implementation stage user audits will be carried out to ensure the safety of the designs.

Corporate / Citywide Implications:

- 5.8 The Pedestrian Network improvements will improve the appearance, accessibility and legibility of the commercial areas around The Lanes, contributing towards the council priorities to 'protect the environment whilst growing the economy' and 'reduce inequality by increasing opportunities.'

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 Alternative options to improve the route for pedestrians have been considered and rejected throughout the design process. The consultation process was designed to identify any preferable options but consultees were overwhelmingly in favour of the design as it stood, with the exception of the number of trees.
- 6.2 The Design Team will continue to examine the feasibility of increasing the number of trees in the scheme.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 The Pedestrian Network improvements will target key areas in the city which are heavily used by pedestrians but fail to offer adequate pedestrian facilities. This project will benefit local businesses, residents and visitors by creating a more attractive, accessible and legible route along the seafront and enhance the pedestrian connection between The Lanes and the seafront.

SUPPORTING DOCUMENTATION

Appendices:

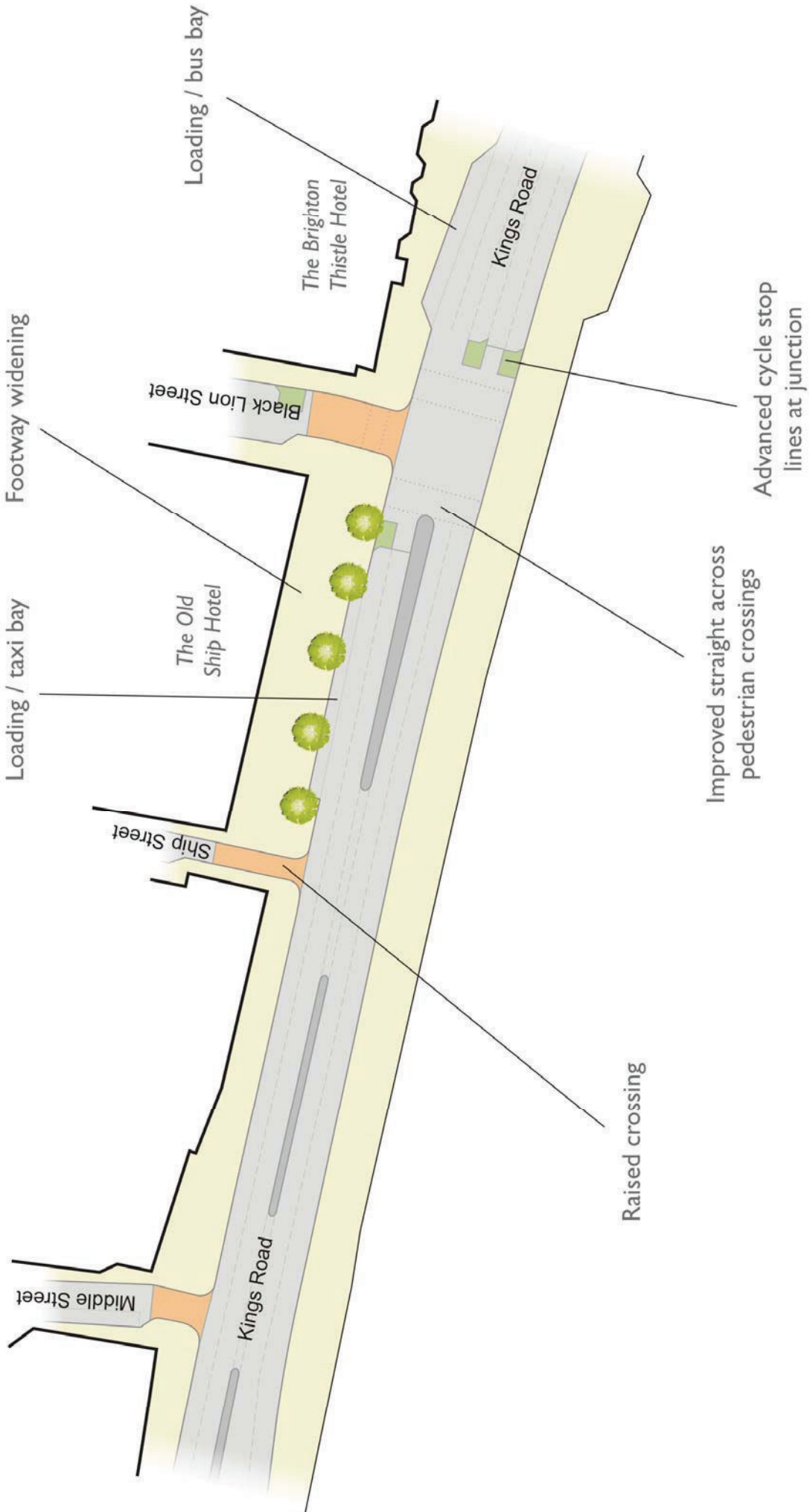
1. Scheme Plan
2. Pedestrian counts
3. Artists impression

Documents In Members' Rooms

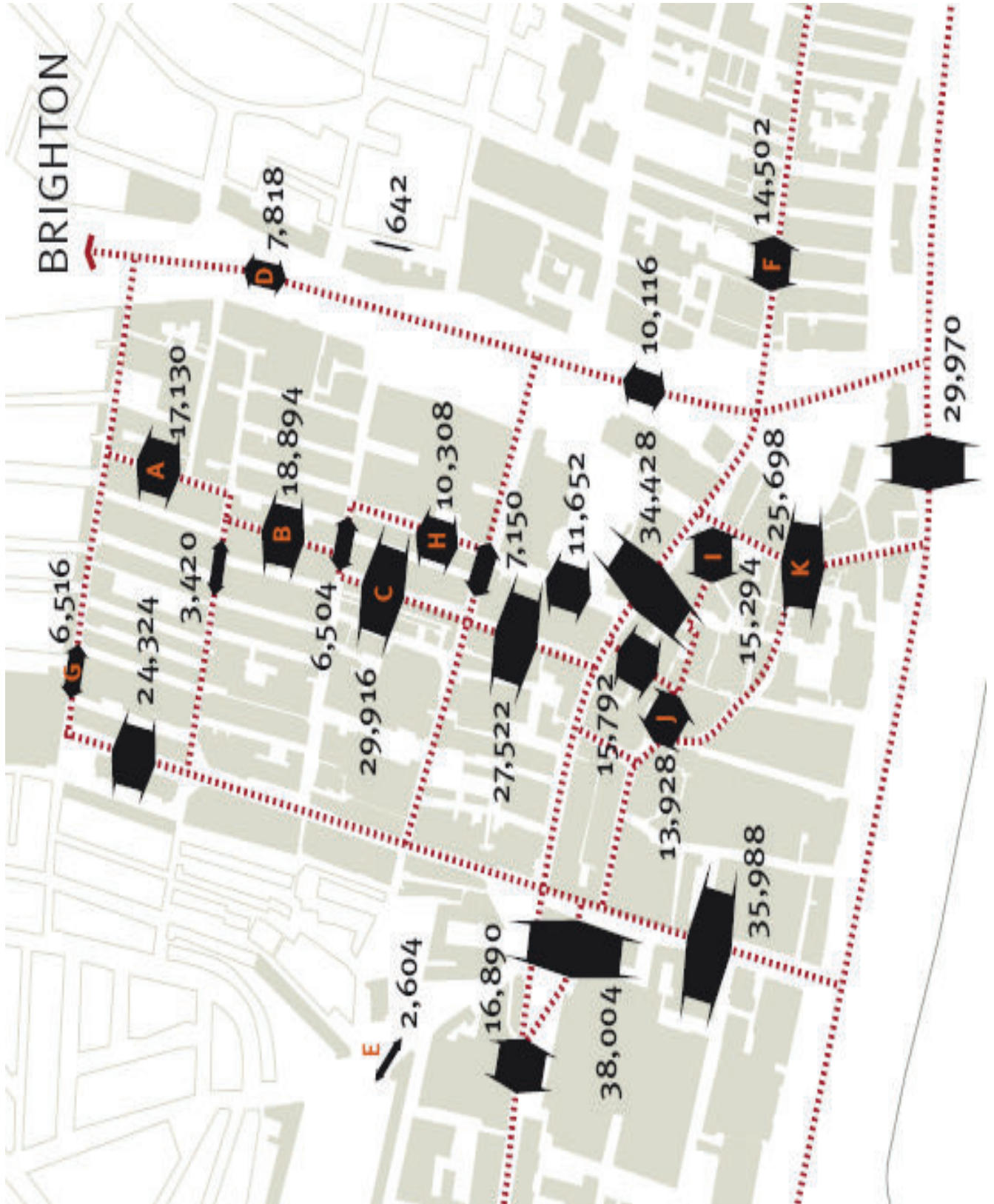
None

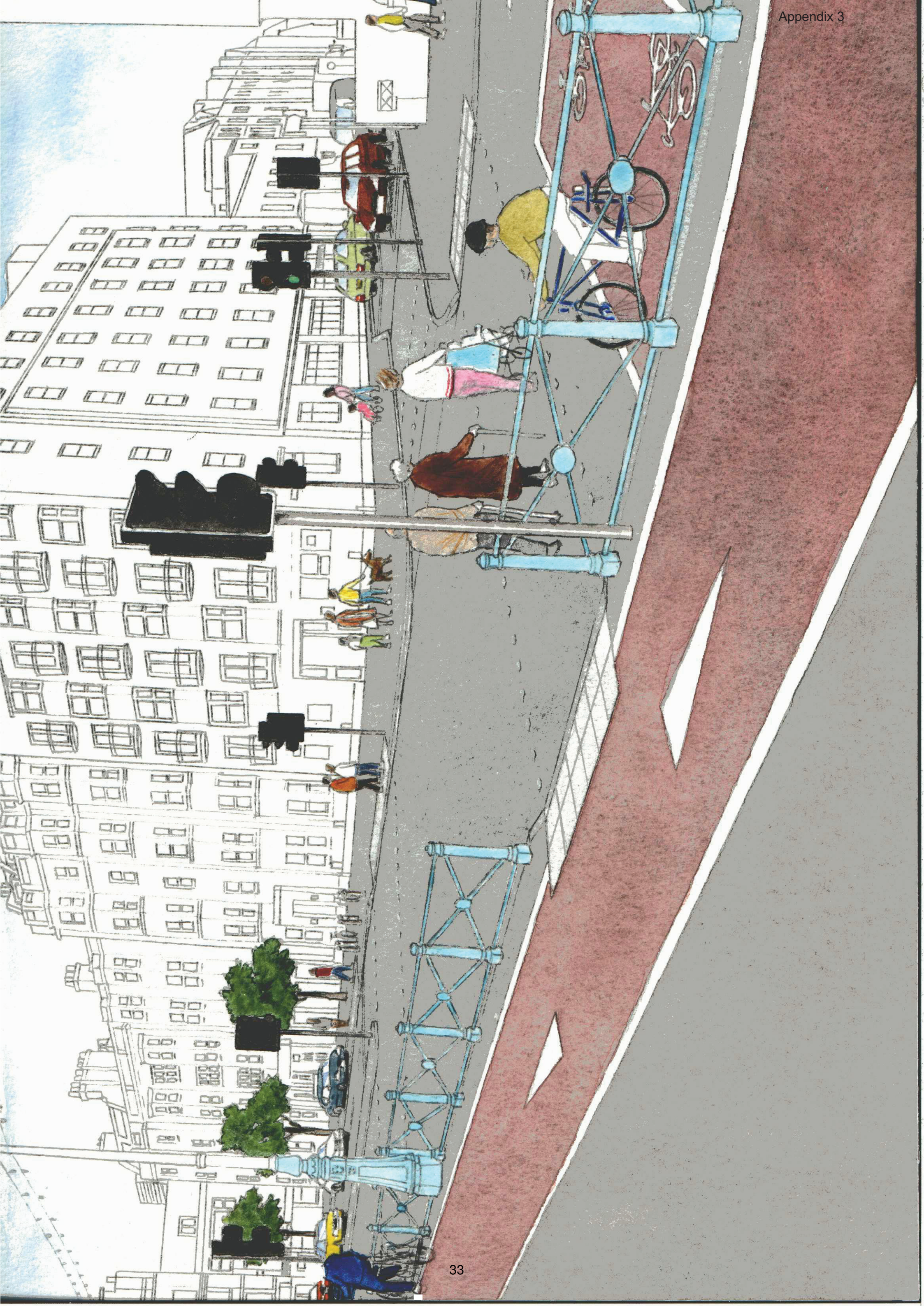
Background Documents

1. Local Transport Plan 2006/7-2010/11
2. Legibility Study - Public Life Public Space – Brighton & Hove



Pedestrian Movements





ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 98

Brighton & Hove City Council

| | | | |
|-------------------------|---|------------------------------------|----------------------------|
| Subject: | Supplementary Planning Document – Architectural Features | | |
| Date of Meeting: | 27 January 2008 | | |
| Report of: | Director of Environment | | |
| Contact Officer: | Name: | Tim Jefferies | Tel: 29-3152 |
| | E-mail: | tim.jefferies@brighton-hove.gov.uk | |
| Key Decision: | No | | |
| Wards Affected: | All | | |

FOR GENERAL RELEASE.

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The report seeks approval of a draft Supplementary Planning Document (SPD) on Architectural Features, for the purposes of formal public consultation. The SPD would form part of the Local Development Framework and would provide detailed guidance to support policy on historic buildings and areas.

2. RECOMMENDATIONS:

- 2.1 (1) That the Cabinet Member for Environment approves the draft Supplementary Planning Document on Architectural Features for the purposes of formal public consultation.

3. RELEVANT BACKGROUND INFORMATION:

- 3.1 A Supplementary Planning Document (SPD) forms part of the Local Development Framework (LDF) and contains detailed policy to elaborate upon the general policies in the documents that make up the LDF. Once adopted, an SPD is one of the material considerations that can be taken into account when determining a planning application.
- 3.2 The aim of this SPD is to provide detailed policy guidance on the repair, restoration and enhancement of historic buildings. It applies to statutorily listed buildings, historic buildings within conservation areas and locally listed buildings. It focuses on those original external architectural features of buildings that give them their historic character and which cumulatively contribute to the attractiveness of the street scene, from roofs and walls to door and windows.
- 3.3 The document particularly concentrates on the typical Regency, Victorian and Edwardian buildings that make up the majority of the city's historic built environment and which are in residential or small-scale commercial use.

- 3.4 This SPD sets out the general conservation principles that should be applied to all historic buildings. It advises on the appropriate maintenance and repair of historic buildings as well as potential enhancements or minor alterations to them. It also includes advice on choosing a builder and provides sources of further information. The SPD then goes on to set out detailed guidance on the different architectural features that typify the form and appearance of Brighton & Hove's historic buildings: Roofs; bays, gables and porches; facing materials such as render, brick and flint; mouldings; windows; doors, balconies and canopies; and boundaries and paths.
- 3.5 The draft SPD takes into account current Government advice in Planning Policy Statement 1: Delivering Sustainable Development and Planning Policy Guidance Note 15: Planning and the Historic Environment.
- 3.6 In accordance with the legislation, the draft SPD has been subject to a Sustainability Appraisal, which evaluates the contribution made by the draft SPD towards achieving sustainable development. The findings of the Sustainability Appraisal have been incorporated into the draft SPD.
- 3.7 The repair and re-use of historic buildings, including the retention of historic fabric, minimises wasted resources and so makes a significant contribution to environmental sustainability. On matters of windows and doors, the SPD has sought to strike an appropriate balance between issues of aesthetic value or historic authenticity and those of energy efficiency.

4. CONSULTATION

- 4.1 Early, informal consultation was carried out in October and November 2007 with the Conservation Advisory Group and with planning agents/architects. The purpose of that early involvement was to scope the issues that should be covered in the SPD and determine the key issues that require particular attention. English Heritage have subsequently also been consulted informally on the general approach and format of the SPD and on key policy matters. Comments made have been taken into account in producing the draft SPD.
- 4.2 In addition, statutory consultation was carried out on the Scoping Report for the Sustainability Appraisal. It was submitted to the four required statutory environmental bodies; the Environment Agency; English Heritage; the Countryside Agency; and English Nature for their formal comments.
- 4.3 If approved, the draft SPD will be subject to a formal period of wider consultation for a minimum of four weeks.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The costs of public consultation, including printing and a public notice, will be met from within existing revenue budgets.

Finance Officer Consulted:

Patrick Rice

Date: 10/12/2008

Legal Implications:

- 5.2 Regulation 17 of the Town and Country Planning (Local Development) (England) Regulations 2004, as amended by the Town and Country Planning (Local Development) (England) Regulations 2008, requires that SPDs must be subject to formal public consultation for a period of not less than four nor more than six weeks prior to adoption. Regulation 17 sets out detailed publicity requirements which will need to be followed. Regulation 18 of the 2004 Regulations provides that planning authorities cannot adopt SPDs until they have considered any representations made within the consultation period, prepared a statement summarising the main issues raised in the representations and saying how these have been addressed within the SPD the authority intend to adopt.
- 5.3 Section 39 of the Planning and Compulsory Purchase Act 2004 provides that local development documents (of which an SPD is one) must be prepared with a view to contributing to the achievement of sustainable development. The preparation of the draft SPD complies with this requirement.

Lawyer Consulted: Hilary Woodward Date: 09/12/2008

Equalities Implications:

- 5.4 None have been identified. An Equalities Impact Assessment has not been carried out because the report does not concern matters of new primary policy.

Sustainability Implications:

- 5.5 The proposals in this report have no substantial impact upon the four priorities of the UK's Sustainable Development Strategy. But in terms of Sustainable Consumption and Production, the retention and timely repair of existing buildings reduces construction and demolition waste.
- 5.6 A Sustainability Appraisal has informed the content of the SPD and will be made publicly available alongside the draft SPD.

Crime & Disorder Implications:

- 5.7 None have been identified.

Risk and Opportunity Management Implications:

- 5.8 The failure to retain and maintain historic buildings could lead to significant adverse publicity for the council.

Corporate / Citywide Implications:

- 5.9 The proposals accord with the corporate priority to protect the environment whilst growing the economy.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 Alternative options were evaluated as part of the Sustainability Appraisal, including an option that would have involved producing a non-statutory advice

and information note and an option that would have relied on primary policy and Government guidance only. The option of producing an SPD was considered to be the most effective and sustainable option. This approach was also supported by early informal consultation.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 The next stage of producing an SPD requires formal public consultation on draft proposals and it is considered that such a draft should be subject to Cabinet Member approval.

SUPPORTING DOCUMENTATION

Appendices:

None

Documents in Members' Rooms

1. Draft Supplementary Planning Document - Architectural Features.
2. Draft Sustainability Appraisal – Architectural Features

Background Documents

None

ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 99

Brighton & Hove City Council

| | | | |
|-------------------------|--------------------------------------|--------------------------------------|----------------------------|
| Subject: | Brunswick Estate Paint Review | | |
| Date of Meeting: | 27 January 2009 | | |
| Report of: | Director of Environment | | |
| Contact Officer: | Name: | Lesley Johnston | Tel: 29-2104 |
| | E-mail: | lesley.johnston@brighton-hove.gov.uk | |
| Key Decision: | No | | |
| Wards Affected: | Brunswick & Adelaide | | |

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The Hove Borough Council Act 1976 places a statutory duty on owners of properties that comprised the original Brunswick Estate to repaint their street fronts at five yearly intervals and makes provision for the council to extend this time period.
- 1.2 As the result of a request from The Friends of Brunswick Square and Terrace (FBST) that the painting period should be extended, the Environment Committee gave approval on 26 January 2006 for a review of the painting period to be undertaken.
- 1.3 A consultant has carried out a thorough review of the performance of the last redecoration in 2005 and following consultation with FBST and the paint manufacturers has presented conclusions on the suitability of extending the redecoration period. The consultant's report is attached as Appendix 1.
- 1.4 This report assesses the consultant's recommendations within the context of the controls available to the council and the experience of operating these controls over past repainting cycles.

2. RECOMMENDATIONS:

- 2.1 (1) That the Cabinet Member for Environment agrees that the requirement for the Brunswick Estate properties to be redecorated in 2010 remain unaltered.
- 2.2 (2) That the Cabinet Member for Environment agrees that the condition of the painting be monitored over the subsequent years, and if by summer 2013 the paint schemes on all properties are considered to be good, that the repainting cycle be extended.
- 2.3 (3) That the Cabinet Member for Environment approves that a formal closely supervised trial be undertaken on one of the properties in Brunswick Terrace, in partnership between the Council, the property's owners and their agents in 2010.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The overall intent in controlling the timing of the repainting, the paint colour and texture is to maintain a uniform and consistent paint finish to reinforce the impression of a single architectural composition and ensure the protection of the building fabric. The Hove Borough Council Act 1976 (the Hove Act) provides for the council to specify the type and colour of paint to be used, and since 2000 the paint used has been 'Sandtex Classic Stone Gloss' for the masonry and 'Sandtex Trade Flexigloss' for the woodwork and ironwork. There is general satisfaction with this paint and therefore the review did not encompass any consideration of a change of paint or colour.

Consultant's findings

- 3.2 At the time of the consultant's review the existing paint finish was an average of 3 years old, and at that stage in the 5 year cycle the quality of finish was generally still good, with the properties in Brunswick Square slightly better than the more exposed Brunswick Terrace.
- 3.3 The consultant identified specific paint problems, some with potential decay and structural consequences and others that were largely cosmetic. Of the serious defects, rust staining from 1st floor balcony railings was found to affect 24% of the estate, and rust staining from pavement railings found at 57% of the properties. The report comments that "rust staining is already a significant problem on elevations painted only 3 years ago".
- 3.4 Rust staining is caused by corrosion of the ironwork following failure of the painting, and could become a more significant structural defect if untreated, as the corrosion of embedded iron fixings will eventually cause masonry to crack exposing the structure to more extensive decay.
- 3.5 The reason for the failure of the paint on the railings is considered to be poor pre-painting preparation; something that cannot be controlled by the Hove Act. The consultant states that this problem will inevitably worsen towards the end of the painting cycle and that "if the painting interval is extended the degree of corrosion as well as the extent and density of staining will worsen". "In some instances the corrosion and staining appears severe and requires attention now and this problem gives cause for concern in terms of an increased painting period".
- 3.6 Corrosion of rainwater goods was found to affect 3% of properties. Failure of down pipes results in excessive dampness of surrounding masonry and is a serious threat to these buildings. The report states that "extended repainting periods increase the likelihood and scale of this damage".
- 3.7 Cracked stucco causing cracks in the paint finish was found on 11% of the buildings and the consultant is concerned that extending the paint period may lead to further decay from this cause.

- 3.8 Of the cosmetic problems, flaking and blistering masonry paint, affecting 13% and 7% of properties respectively, are the most significant. The consultant states that extending the paint period risks the worsening of this problem which is likely to result in water absorption into the masonry, increasing the extent and cost of pre-painting preparation.
- 3.9 With regard to the existing paint system and specification, the manufacturers do not provide any product guarantee relating to the length of time the paint should last before repainting for this particular masonry paint. Generally Crown recommend repainting between 5 and 10 years depending on the degree of exposure, and the consultant considers the position of the Brunswick Estate to be severely exposed and as such a 5 year cycle is appropriate.
- 3.10 The paint specified for the woodwork and ironwork is certified for up to 8 years durability, however the problems with rust staining after only 3 years indicates deficient workmanship in preparation and this has resulted in an unsatisfactory appearance after a relatively short period of time. The consultant comments that as the paint colour specified for the ironwork is a colour freely available in many paint products, the possibility exists that inferior paints could have been used to cut costs.
- 3.11 The masonry and joinery on the rear elevation of no 36 Brunswick Square is known to have been painted with the approved paint in 2001 as an informal trial, and it was noted that after 7 years there is flaking paint on the lower parts of the windows leaving exposed bare timber. This would be unacceptable on the front elevations, some of which would be in more exposed positions than this and prone to more weathering and therefore likely to fail sooner.

Comments from paint manufacturers

- 3.12 The Technical Manager of Crown Paints was asked for his opinion on extending the cycle and he has stated that in his view the existing approved paints can achieve an 8 to 10 year maintenance cycle, however in order to accomplish this all surface preparation and paint application must be in accordance with the paint specification. In addition he acknowledges the problem of rust staining after a relatively short time and states that the specification for the ironwork needs to be upgraded in order to achieve an acceptable result after 8 years.

Practicalities and past experience

- 3.13 The performance of any paint system is dependant on the quality of workmanship and although a specification was drawn up by Crown Paints for the Brunswick Estate and is made widely available to owners, their agents and contractors, compliance with it is outside the control of the council. On the issue of repainting, The Hove Act requires merely the application of two coats of approved paint and the council is therefore unable to control the quality of preparation work which is acknowledged by both the consultant and Crown Paints as crucial to the durability of the paint and the success of any extended painting cycle.

- 3.14 Past experience has shown that there is a wide variety in the quality of work undertaken. The diligence of many of the owners, agents and contractors is undermined by the poor results evident on other properties. Where the condition of an individual property adversely affects the rest of the estate the council has powers to serve section 215 notices under the Town & Country Planning Act 1990. It is considered that extending the redecoration period would be likely to result in a need to serve such notices on some of the properties.
- 3.15 For these reasons it is not considered appropriate for the Council to commit to extending the paint cycle at this time. However this could be reconsidered if more owners undertake a more thorough approach to work in the next redecoration scheme in 2010, bringing improved results by 2013 with all properties judged still to be in good decorative order. If this was achieved the council could consider deferring the next redecoration year to 2017 or 2018.
- 3.16 The informal trial carried out on the rear elevation of 36 Brunswick Square has limitations to its usefulness due to the relatively sheltered position and the lack of decorative ironwork present. It is therefore considered that a formal trial on one of the Brunswick Terrace properties would provide a more reliable indicator of the maximum time period a good paint scheme should last in this location. It is therefore suggested that in the next repainting year the council enter into partnership with the owners and agents of one of the properties, ensuring that the manufacturer's paint specification is rigidly applied, and then that the results are closely monitored. The results of this trial would also be used to inform the decision on whether to defer redecoration in 2015.

4. CONSULTATION

- 4.1 The Consultant met the representative of FBST on 23 September 2008 to present preliminary findings and hear the views of the members of the public affected by the requirements of the Hove Act. FBST represents 70% of the houses in the Brunswick Estate and is comprised of freeholders and leaseholders.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 There are no financial implications arising from the recommendations contained within the report. Any enforcement action following failure to comply with the redecoration schedule would be funded from existing resources.

Finance Officer Consulted: Patrick Rice

Date: 25/11/08

Legal Implications:

- 5.2 The Hove Borough Council act 1976 requires the exterior of the front of the buildings (including the iron railings and balcony) of the Brunswick Estate to be repainted every five years or such longer period as the Council may determine after consultation with an appropriately appointed person. If the requirement to repaint is contravened the Council may by notice in writing to the owner or occupier, require him to remedy the contravention.

Lawyer Consulted:

Ann Wilkinson

Date: 25/11/08

Equalities Implications:

- 5.3 None have been identified. An Equalities Impact Assessment has not been carried out because the report does not concern matters of new primary policy.

Sustainability Implications:

- 5.4 None identified.

Crime & Disorder Implications:

- 5.5 None identified

Risk and Opportunity Management Implications:

- 5.6 None identified.

Corporate / Citywide Implications:

- 5.7 The continuation of the 5 year painting cycle for the Brunswick Estate is considered to be the best means of insuring that the standard of decoration is maintained and the rate of deterioration of building fabric controlled, and this supports the council's aim of protecting the environment while growing the economy.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 It has been suggested by the consultant that the ironwork requires more frequent attention than the masonry, and being generally at low levels requires less scaffolding than is necessary to do the whole building, therefore one option could be to extend the paint cycle for the masonry but require the redecoration of the balconies and area railings on a shorter cycle, ie. at 3 (or 4) yearly intervals for the railings and 6 (or 8) yearly for the masonry and windows. This option would have resource implications for the council by requiring notification of owners, provision of information and specifications, monitoring, chasing and enforcement on a more frequent basis than is currently required, it would also require the owners and agents involvement on 3 or 4 yearly cycles along with the more frequent redecoration costs for the ironwork itself. The advantage of saving of some scaffolding costs would therefore be diminished.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 Due to the limitations of council control and the impact any sub-standard schemes would have on the estate as a whole, it is considered that the spirit of the legislation, which is aimed at a cohesive high quality townscape for the Brunswick Estate properties, would be severely undermined by the extension of the repainting cycle at this time.

SUPPORTING DOCUMENTATION

Appendices:

1. Report by Rickards Conservation dated September 2008

Documents in Members' Rooms

None.

Background Documents

1. The Hove Borough Council Act 1976.
2. Correspondence held on file by the Design and Conservation Team

RICKARDS
C o n s e r v a t i o n

Hill House
Eynsford Rise
Eynsford
Kent DA4 0HR

t 01732 741677
m 07973 504171

rickardsconservation@mac.com

Stephen Rickards
DiplCons(AA) FRICS IHBC ARPS
Chartered Building Surveyor
RICS Accredited in Conservation

REPORT
BRUNSWICK ESTATE
PAINT REVIEW

FOR: BRIGHTON & HOVE CITY COUNCIL

REF: SR 377

SEPTEMBER 2008

This report comprises 16 pages
including this header page.



| CONTENTS | Page |
|--------------------------------|-------------|
| INSTRUCTIONS AND BRIEF | 3 |
| GENERAL BACKGROUND | 4 |
| LIMITATIONS | 4 |
| SITE INSPECTION | 5 |
| INCIDENCE OF PAINT DEFECTS | 6 |
| EVIDENT PAINT DEFECTS | 7-9 |
| PAINT SYSTEM AND SPECIFICATION | 10-13 |
| CONCLUSION | 14-16 |

INSTRUCTIONS AND BRIEF

This report has been written in accordance with the detailed consultant brief dated 9th July 2008. The objective of this report is:

- To provide an overview of the condition of the building fronts, the extent of paint degradation since the last redecoration and the general performance of the paint coatings.
- Provide opinion on the anticipated performance of the existing coatings for the duration of the current cycle ie until 2010.
- Advise on the likely physical and visual consequences for the fabric of the properties and their appearance were the current paint cycle to be extended for a further 1,2 or 3 years, based on the anticipated progressive rate and extent of deterioration.
- Advise on the appropriateness of extending the paint cycle, having regard to the purposes of the Hove Borough Council Act 1976 and its limitations. Presume that the paint specification will in all other respects remain unchanged.

The findings and conclusions of this report are based upon a street inspection and visual assessment of the building fronts and paint coatings and by appreciation of the performance ratings for the existing paint systems.

My inspection was carried out on 5th August 2008 when weather conditions were variable, generally bright with some showers.

I subsequently met with the Conservation Officers, Mr Roger Dowty and Mrs Lesley Johnston at the Council Offices on 17th September.

I met with the representative of the Friends of Brunswick Square and Terrace, Mr Tom Chevasse, in Brunswick Square on 23rd September. Their technical advisor, Mr Hayes, was not able to be present.

It was not possible to meet the paint manufacturer's Technical Director, Mr John Carlisle, within the required timescale. Initially I spoke to Sandtex technical advisors using the 'Sandtex Paintalk' trade technical advice line and subsequently spoke to the Technical Director after his return from holiday on 9th October.

GENERAL BACKGROUND

The general background included with the brief is summarised as follows.

The Brunswick Estate comprises 1-58 Brunswick Square, 1-42 Brunswick Terrace and 1-8 Brunswick Place, built during the 1820's and Listed Grade I as being of architectural and historic interest. The front elevations are finished in painted stucco to a uniform colour scheme.

The Hove Borough Council Act, 1976 includes control to preserve the uniformity of the area. It requires that the street facades and railing are repainted every fifth year ie years 2000, 2005, 2010 and so on with two coats of an approved paint and colour. The Council's control extends to the paint product to be specified by the owners and the frequency of repainting.

Since year 2000 the fronts have been coated with Sandtex Trade paints stipulated in the Brunswick Estate Repainting Specification. This specification is provided to assist owners. The Council can neither enforce strict adherence to the specification nor does it supervise the works which are entirely the responsibility of the property owners.

Prior to year 2000, different paint types have been used; in 1990 and 1995 Johnstones Alkyd paint and before this a Magnet lead based paint.

LIMITATIONS

The Limitations which apply to this inspection and report are as follows:

- 1 In accordance with your instructions my inspection is limited to the front elevations which were inspected from ground level pavings.
- 2 I was unable to inspect parts of the structure which are covered, unexposed or inaccessible and am therefore unable to report on their condition.
- 3 My survey was carried out in accordance with your instructions for and on your behalf only and I will accept no responsibility towards any third party for the content thereof.

SITE INSPECTION

Brunswick Terrace faces directly onto the sea and is therefore subject to severe exposure which would include strong salt laden winds and driving rain. The Terrace is south facing meaning that in summer months it receives direct sunlight all day with no shade. South facing elevations receive the full extremes of weather and tend to deteriorate more rapidly than other facing elevations.

Brunswick Square and Place are perpendicular to the sea front, the latter more distant from the shoreline so that the degree of exposure is somewhat less. Both face approximately east or west and are therefore in shade for some of the day. The degree of exposure to both direct heat and degrading ultraviolet light will therefore be less. The direction of the prevailing wind is from the south west meaning that the east side of the Square is exposed while the west side is more sheltered.

In general terms the surface condition of the painted stucco surfaces is good and it is not surprising that in general the condition of the painted surfaces to the fronts of the houses in the Terrace are poorer than the Square and Place.

The general features and style of all of the buildings is very similar and within the scope of this report they all suffer from a number of specific paint problems.

Typically the terraced facades are of four storeys with a parapet in front of an attic level with dormer window structures. Most also have a basement level with a traditional open lightwell area between elevation and pavement. The lightwell areas are protected by iron railings. Most of the elevations have pilasters and more significantly string courses and narrow balconies. The balconies also have iron railings.

The principal defects evident in the paint finishes are broadly in two groups, more serious with decay and possible structural implications:

- Rust staining below first floor balcony iron railings
- Rust staining on copings below pavement railings
- Rust staining on some rainwater downpipes
- Cracked stucco causing cracks in paint coating

and those which are largely cosmetic:

- Flaking masonry paint
- Blistered masonry paint finishes
- Uneven paint finish
- Soiling below string courses and balconies
- Bird faeces marking elevations

INCIDENCE OF PAINT DEFECTS

Table breaking down the incidence of buildings showing paint defects as a percentage of the total number of buildings in the Brunswick Estate.

Significant defects

| | |
|--|-----|
| Rust staining below first floor balcony iron railings Affects 50% of the Terrace and 14% of the east side of the Square | 24% |
| Rust staining on copings below pavement railings Affects all of the Terrace and 60% of the east side of the Square | 57% |
| Rust staining on some rainwater downpipes Random distribution | 3% |
| Cracked stucco causing cracks in paint coating Random distribution throughout | 11% |

Cosmetic defects

| | |
|---|-----|
| Flaking masonry paint Random distribution in small patches throughout | 13% |
| Blistered masonry paint finishes Random distribution in small patches | 7% |
| Uneven paint finish Isolated fronts in the Terrace and Place | 4% |
| Soiling below string courses and balconies Fairly even distribution throughout | 40% |
| Bird faeces marking elevations Random distribution, largely the east sides of Terrace and Square | 5% |

EVIDENT PAINT DEFECTS

- 1 Rust staining below first floor balcony iron railings**
- 2 Rust staining on copings below pavement railings**
- 3 Rust staining on some rainwater downpipes**

Rust staining on the paint is a symptom of an underlying problem which could become a more significant structural defect if untreated. Of the identified problems rust staining is the most evident and widespread.

The rust staining is caused by failure of the paint coating on the iron allowing corrosion. Rainwater running off the exposed rust then causes unsightly brown iron staining on surfaces below. The extent of this varies but is already severe in some instances on fronts painted in 2005 and will inevitably worsen. Failure of this paint coating is most likely due to poor pre painting preparation, the main risk being that some rust has not been removed.

The worst staining is along the Terrace with generally lighter staining along most of the east side of Brunswick Square (which is also exposed to the prevailing wind). The west side of Brunswick Square and Brunswick Place are sheltered from the prevailing wind direction and are little affected by this problem. The Terrace is directly exposed to salt laden wind from the coast and the degree of exposure would be classified as severe. Corrosion of ironwork, as well as damage to the paint film, is exacerbated by the presence of salt. If the painting interval is extended the degree of corrosion as well as the extent and density of staining will worsen.

As iron corrodes it also tends to expand significantly. Where iron fixings are embedded in the masonry this expansion would cause the masonry to crack. This could cause significant cracking in the masonry and the need for more costly repairs including replacing corroded iron tips and making good damaged stucco before repainting.

If corrosion on iron rainwater goods becomes excessive they can split and water spills over the elevation causing dampness and consequent decay. Extended repainting periods increase the likelihood and scale of this damage. Corrosion of cast iron downpipes tends to start on the rear surface which is generally close to the wall and difficult to prepare and paint and is often unseen without close inspection until the extent of damage is severe.

Rust staining is already a significant problem on elevations painted only three years ago. Even if some form of monitoring were undertaken it is difficult to predict the further extent of staining in two years time when repainting is due and exactly how this would increase at 1, 2 and 3 additional years.

In some instances the corrosion and staining appears severe and requires attention now and this problem gives cause for concern in terms of an increased painting period.

However the majority of railings causing this problem are located at pavement level and at first floor balcony level. Access to those at paving level is readily available so that treatment can easily be undertaken without the need for costly scaffold. Those at first floor level could be treated from a low level scaffold without the need for full elevation height scaffold. Consideration might need to be given in some instances to making good this corrosion and associated staining before the time for the repainting cycle is due particularly if the cycle is extended.

There is a notable exception at attic level on part of the Terrace where access would require costly full height scaffold.

Whatever the painting cycle efforts should be made to try to reduce the extent of the corrosion. This can only be achieved through more thorough surface preparation. It is essential that all rust is removed back to bare unoxidised iron. In practice I believe this is difficult to achieve without some form of shot blasting which may not be practical and could cause damage to adjacent finishes. Improved preparation would minimise the extent of corrosion and reduce subsequent repainting costs, reduce the need for costly ironwork repairs and risk of consequent masonry and structural damage.

4 Cracked stucco causing cracks in paint coating

There are a number of fine cracks generally evident throughout the stucco finishes. Rainwater penetration is inevitable and will cause the paint to flake from the crack and risk of dampness in the masonry. However at present this does not appear to be a major problem, where the cracking is evident the degree is very fine.

If the repainting period is extended this might become unsightly and lead to further decay. Again this would increase the extent and consequently cost of pre painting preparation.

5 Flaking masonry paint

This appears to be a relatively minor problem occurring in a number of different positions. It is most likely related to inadequate surface preparation or dampness.

Where it has occurred if the repainting interval is extended the flaked paint is likely to peel off causing poor appearance and risking water absorption into masonry. This would increase the extent and consequently cost of pre painting preparation.

Analysis of affected areas may be worthwhile.

6 Blistered masonry finishes

This is also a relatively minor problem, again most likely related to

inadequate surface preparation or dampness. In terms of inspection from pavement level blistered paint is actually evident on very few buildings and it is not a major problem.

Over a longer period of time the extent of the blisters may increase if the cause is dampness and the blisters are likely to crack and peel causing a poor appearance and risk of water absorption. This would increase the extent and consequently cost of pre painting preparation.

Again analysis of affected areas may be worthwhile.

7 Uneven paint finish

Since the same specification has been applied to all of the elevations and the paint colour is exclusive this might be due to differences in substrate where some original stucco has many layers of paint built up over the years while other faces may have been re-rendered and will not have different types of underlying paint systems.

This is actually evident on very few buildings, largely confined to a small part of the Terrace, and does not appear to be a major problem.

8 Soiling below string courses and balconies

Water run marking in varying degrees is evident beneath many string courses and balconies. This is caused by rainwater running down the elevation and around the projection. This can be reduced by a drip detail which throws surface water clear of the elevation beneath. (None of these buildings has such drip details.) Although this is widespread affecting the majority of these buildings it is a cosmetic problem.

9 Bird faeces marking elevations

There is some isolated bird soiling. It is interesting to note that paint on 1-6 Brunswick Terrace which I have been told was applied in 2007 and appears new is already soiled by birds. Other older finishes appear little or no worse in this respect suggesting that the effects are either washed off or weather off.

Bird faeces are alkaline in nature and could cause damage to the paint surface. However there is no visual evidence that this is a significant problem. It appears that this can also be considered as a cosmetic problem.

PAINT SYSTEM AND SPECIFICATION

Masonry finishes

The repainting specification allows for repainting over existing prepared painted surfaces.

There is no indication in the Sandtex Trade product Technical Data Sheet relating to 'Classic Stone Gloss' masonry paint of recommended painting intervals or product guarantees.

The Sandtex Trade Technical Service told me that Classic Stone Gloss has not undergone any independent tests and that there is no intention to seek Agreement test approval or anything similar. They only provide time related product guarantees for paint systems which have been subjected to such testing. Thus there is no time related guarantee, or intention to consider one, for this particular paint. I was told that Sandtex recommend repainting cycles of between five and ten years for this paint type depending upon the degree of exposure. In severely exposed situations such as a coastal environment or shaded by trees and subject to moss and algae their suggestion is a five year cycle. The longer cycle would be appropriate for an unexposed situation such as a sheltered urban environment. On this basis a five year cycle would be appropriate for the Brunswick Estate.

However the Technical Director told me that Classic Stone Gloss has been available for nearly 20 years and based on his practical experience has no reservations that it would satisfy Agreement testing standards for a durability of 15 years. He said he is confident that it is suitable for 8-10 years painting cycles notwithstanding the exposure in this instance.

Some competitors systems claim seven year cycles but usually only where the system is first applied to bare surfaces. The 'bare surfaces' qualification means that reliance is not placed on the integrity of or adhesion to previous different and unknown paint types.

The Sandtex 'Classic Stone Gloss' Technical Data Sheet does not say whether the paint is breathable or impervious. The Sandtex Trade Technical Service told me that it is breathable and this was subsequently confirmed by the Technical Director. This breathability means that moisture trapped within the wall fabric can escape by evaporation at the surface through the paint film, provided areas where such problems have occurred have been stripped of all old impervious paint layers. Typically moisture is harboured in cracks and the use of a breathable system will be an advantage where crack repair is required because any entrapped moisture should be able to evaporate through the new paint, provided any crack filler used is not impermeable.

It is not envisaged that the paint system would be changed and it is beyond the scope of this report to consider alternative paint systems. However I note Sandtex Trade also manufacture a masonry paint 'High X-Posure Smooth' which has a British Board of Agreement Certificate for up to 15 years durability.

The performance of a paint system depends on the quality of the workmanship and adherence to manufacturers specifications and recommendations. This is a function of each owners procurement and contract arrangements and is outside Council control. If there are any compromises in time or cost then inevitably quality will suffer.

The performance of a paint system is dependant on application onto a sound substrate, which manufacturers specifications make clear. Paint applied over poor old paint layers is likely to fail prematurely. If the paint system is to be required to last longer quality control of the repainting contract becomes more important.

I am concerned about a basic difference in the preparation required by the Sandtex 'Classic Stone Gloss' Technical Data Sheet and the Brunswick Estate Paint Specification. In regard to sound previously painted surfaces the Sandtex document specifies that wet abrading is required after cleaning whereas the Brunswick Specification specifies cleaning but no abrading.

Paint systems generally require a mechanical key between new and old layers. When I challenged the Crown Technical Service on this point on the basis that the Brunswick Specification calls for washing only of sound surfaces I was told this depends on the age and surface condition of the paint and they confirmed that wet abrading is always required to provide a key.

However I have been told that the Brunswick Paint Specification was developed with Sandtex Paints then Technical Director (Mr Geoff Hayes). Their current Technical Director, Mr John Carlisle explained that it is only necessary to abrade a high gloss finish before painting with Classic Stone Gloss. He said this paint is not high gloss and weathering would reduce the sheen. He is satisfied that abrading is not necessary in this instance to promote adhesion of new paint.

When we met with Mr Tom Chevasse he told me that the rear elevation to number 36 Brunswick Square was painted with the Classic Stone Gloss in 2001. During my subsequent conversation with Mr Carlisle he confirmed that this was painted in accordance with the Brunswick Painting Specification and that he considers this an informal test site, which would be more meaningful than typical accelerated laboratory tests,

We viewed this elevation from Brunswick Street West after our meeting. From the available vantage point the surface condition of the paint and it's colour retention appeared satisfactory. There is some peeling paint at parapet level probably caused by dampness. This type of deterioration would be a risk to parapets on the fronts. Unfortunately it does not have ironwork railings to see the effects of corrosion staining down the elevation. However there is very dark rust staining in a corner caused by corroded straps around the chimney projection. It is possible that these straps were not painted, it might actually be difficult to paint them effectively if they lay flat on the wall. There is shallow string course but little evident soiling beneath. The aspect of this elevation is west and

broadly matches the east side of the Square although it appears more sheltered from the prevailing winds by adjacent rear extensions.

Wood and metalwork finishes

The manufacturers Technical Data Sheet for Flexigloss X-Tra System included in the Brunswick Estate paint specification for woodwork, metalwork and plastics indicates that this paint has been awarded a British Board of Agreement Certificate for up to eight years durability. In principal therefore extending the painting cycle for this part of the fabric should not be cause for concern.

However the major issue discussed earlier is rust staining from corroded ironwork which can only occur because the paint film on some ironwork has failed. On the basis that an Agreement Certificate proves eight year durability I assume this is not a product failure and most likely due to workmanship in preparation. It is often said in regard to painting ironwork that the choice of materials is less important than the preparation and that the primer used on the clean metal is the more important part of the system; it has been argued that the finish coats are there to protect the primer (they must be compatible).

It is essential that all rust is removed back to bare unoxidised iron. In practice I believe this is difficult to achieve without some form of grit or bead blasting which may be impractical and could cause damage to adjacent surfaces. Improved preparation should minimise the extent of corrosion and reduce subsequent repainting costs, reduce the need for costly ironwork repairs and risk of consequent masonry and structural damage. Whatever the painting cycle efforts to reduce the extent of the corrosion would be worthwhile.

Again there is a basic difference in the preparation required by the Sandtex 'Flexigloss X-Tra' Technical Data Sheet and the Brunswick Estate Paint Specification. The former stipulates residues should be removed from clean metal but does not say how, while the latter specifies washing with water and detergent. Both specify to prime within the working day using Crown Trade Universal Primer. Any remaining water on the iron will start 'flash' corrosion. However Mr John Carlisle is confident such flash corrosion would not cause further rusting provided it was painted in accordance with the specification.

My comments about the metalwork assume that the specified paint has been used. While the masonry and woodwork are painted with an exclusive colour making use of other paints unlikely, the ironwork is black and could easily be painted with other paint types which might not have the same durability.

From my pavement level inspection I was unable to determine the condition of the woodwork but the paint finishes generally appeared satisfactory. At our meeting Mr Tom Chevasse informed us that under the Estate leases the tenants have responsibility for windows so that if an extended painting cycle leads to increased decay in window joinery any

additional cost must be met by the tenants. However in this regard the 'Flexigloss X-Tra' paint has an Agreement Certificate for up to eight years durability. Again it would be important that preparation is thorough.

Some of the window joinery to the rear elevation of number 36 Brunswick Square has flaking paint exposing bare timber to more exposed lower parts of the frame. This would be cause for concern if allowed to occur on a large scale to the front elevations.

CONCLUSION

In considering an increase from five up to six, seven or eight years it should be borne in mind that these represent extensions in the time period of 20%, 40% and 60% respectively, not small increases.

Overall the paint surfaces appear satisfactory including the rear elevation at 36 Brunswick Square last painted in 2001 although this is less exposed than most front elevations on the Estate. Mr John Carlisle (the paint manufacturers Technical Director) told me that this elevation was painted in accordance with the Estate Paint Specification with his input. I was only able to inspect this from the access road (Brunswick Street West) which is significantly further away than the footpaths are to the fronts and it merits closer inspection to make a better judgement about the surface condition of the paint.

There is evident deterioration on the facades which were last painted in 2005. The major paint problem is the extent of rust staining from corroded iron railings. In some instances the extent of rust staining is already to such a degree that it now requires attention after only three years.

This problem can only be improved if the measures to prevent ironwork corroding can be improved. The manufacturers paint specification in common with accepted good practice requires that all rust be removed. This is often difficult or impractical and inevitably in site conditions some rust often remains. Manufacturers claims in regard to paint longevity will inevitably require that there is no rust present on the substrate.

It may be possible to improve the specification in regard to painting the ironwork to try to reduce susceptibility to corrosion and this merits further investigation.

The second main problem is probably dirt soiling below string courses and balcony projections. However this is essentially cosmetic and could be cleaned off if required.

The paint finish to the rear of number 36 Brunswick Square gives an indication of performance after seven years. Corroded iron straps give an idea of rust staining which is severe, but it is possible though that the straps were not painted. There is little or no evident dirt soiling below the string course but this feature is very shallow.

Other fronts will suffer more severe weather exposure and thus greater paint deterioration is to be expected.

Some parts of the estate are more vulnerable to weather and will therefore deteriorate more rapidly than others. A longer period might be feasible in sheltered parts of the Estate. In particular the Terrace is directly exposed to a coastal climate and subject to severe exposure.

Based upon the current condition of the fronts last painted in 2005 and in particular the extent of ironwork corrosion and associated rust staining I consider an increased time between repainting will have an adverse effect on the appearance and condition of the elevations unless measures are taken to control the corrosion of ironwork and associated rust staining.

Such measures could include further investigation to see if improved preparation is possible and considering the effectiveness of the specified primer. It would also be possible to consider intermediate attention to all ironwork to include a shorter painting cycle than for masonry and woodwork and cleaning of rust staining.

An extended painting cycle will be counterproductive if the extent of deterioration means that more extensive preparation and pre painting repairs are required which could exceed any cost savings over time from the increased period.

I have queried the masonry specification regarding cleaning and abrading. Abrading is labour intensive with relatively high cost. If an extended painting cycle means that some surface deterioration occurs and abrading is then necessary the cost of repainting could increase significantly. The paint manufacturers Technical Director considers this unlikely because the same paint system has been used for two previous cycles so that there should be a thick build up of the same type of paint over the surface.

If the rear elevation of number 36 Brunswick Square is used as a guide I would find it difficult to recommend unconditionally an increase in the painting cycle. Whilst the flat masonry areas appear satisfactory viewed from a distance, problem areas, such as the parapet finishes and lower parts of the joinery show obvious deterioration. The extent of any rust staining could only increase over time with risk of excessive corrosion unchecked. This elevation is probably more sheltered than the Estate fronts which might therefore be expected to have deteriorated further over the same period of time. I was told that this elevation was painted in accordance with the Brunswick Estate Painting Specification with input from the paint manufacturers Technical Director.

The Technical Director told me that Classic Stone Gloss has been available for nearly 20 years and based on his practical experience has no reservations that it would satisfy Agreement testing standards for a durability of 15 years. He said he is confident that it is suitable for 8-10 years painting cycles notwithstanding the exposure in this instance.

It should be borne in mind that the degree of exposure of the Terrace must be greater than for the Square and Place so that the latter would theoretically stand longer painting cycle. However different painting cycles would not maintain a harmonious appearance particularly as time progresses and they become more out of synchronisation. This is not therefore an acceptable solution and the painting cycle should be governed by the needs of the most exposed part of the estate. A more relevant controlled trial would be useful, to involve buildings from the exposed Terrace.

Alternatively subject to discussion with the paint manufacturer's Technical Director, consideration could be given to allowing one cycle to extend to six or seven years and reviewing the condition by survey before repainting so that the future painting cycle can be set from a basis of knowledge.

Signed September 2008

STEPHEN RICKARDS GradDiplCons(AA) FRICS IHBC ARPS
Chartered Building Surveyor, RICS Conservation Accredited

ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 100

Brighton & Hove City Council

Subject: Saving of Waste Local Plan policies
Date of Meeting: 27 January 2009
Report of: Director of Environment
Contact Officer: Name: **Lyndsey Beveridge** Tel: **29-2108**
E-mail: lyndsey.beveridge@brighton-hove.gov.uk
Key Decision: Yes Forward Plan No. *ENV7248*
Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The Waste Local Plan provides the local statutory decision-making framework for judging future applications for planning permission for waste developments in the City. Replacement policies will not be developed for some time therefore the Council needs to retain, or 'save, the policies in the Plan beyond February 2009 (pending approval from the Secretary of State) which is the date the Plan is currently saved until.
- 1.2 This report seeks approval from the Cabinet Member for Environment for the saving of policies in the Waste Local Plan beyond the statutory minimum of three years.

2. RECOMMENDATIONS:

- 2.1 (1) That the Cabinet Member for Environment approves the saving of policies in the Waste Local Plan beyond the statutory minimum of three years (ie. beyond February 2009).

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The system provided by the Planning & Compulsory Purchase Act (2004) allows for policies in development plans to be automatically retained, or 'saved', for three years after adoption. However, planning authorities may apply to the Secretary of State to extend this period six months before they are due to expire. The East Sussex and Brighton & Hove Waste Local Plan (WLP) is part of the development plan and provides policy for making decisions on the management of waste and judging the acceptability of planning applications for waste facilities. The WLP was adopted in February 2006.
- 3.2 Saving the policies in the WLP will ensure that they continue to form part of the framework to judge future applications for planning permission for waste developments in the City. A schedule detailing the justification for saving the policies is included in the appendix to this report.

- 3.3 The necessary application to save the policies has been made – jointly with East Sussex County Council - to Government and is pending confirmation. A report similar to this one has also been taken to the Lead Member for Transport and Environment at East Sussex County Council, and a decision was taken at Cabinet Member Meeting for Transport and Environment to approve the recommendation to save all policies in the WLP.

4. CONSULTATION

- 4.1 Saving of policies is not subject to public consultation.
- 4.2 In preparing the application to Government, officers from the Planning Strategy & Projects Group and at East Sussex County Council have been consulted.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 There is little cost involved in applying to save policies in the WLP. There is budget provision for 2008/09 and 2009/10 for overall work on Waste and Minerals Development Framework.

Finance Officer Consulted: Patrick Rice

Date: 09/12/2008

Legal Implications:

- 5.2 The Planning and Compulsory Purchase Act 2004 introduced a new system of local planning policy documentation and formulation. However, the 2004 Act allowed for transitional provisions, including that policies in existing local plans be “saved” for a period of three years. However, as pointed out in paragraph 3.1 of the Report, local planning authorities may apply to the Secretary of State to extend this three year period. Saved policies will continue to be material to the determination of relevant planning applications.

Lawyer Consulted: Hilary Woodward

Date: 17/12/2008

Equalities Implications:

- 5.3 The Council has already adopted a Statement of Community Involvement, which encourages effective social inclusion for all groups to influence the policy making agenda.

Sustainability Implications:

- 5.4 Sustainability considerations are central to the new planning system. Each local development document in the emerging Waste and Minerals Development Framework will require an integrated sustainability appraisal.

Crime & Disorder Implications:

- 5.5 None identified.

Risk and Opportunity Management Implications:

- 5.6 The programme management of the WMDF includes risk management procedures. A dedicated risk log is maintained, regularly monitored and updated. If the WLP is not saved beyond February 2009 then the City Council will lack key policies for making decisions on the management of waste and judging the acceptability of planning applications for waste management facilities.

Corporate / Citywide Implications:

- 5.7 The WLP will assist delivery of a number of council and city-wide strategies, in particular relating to sustainable waste management and use of resources.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 If the WLP is not saved beyond February 2009 then the City Council will lack key policies for making decisions on the management of waste and judging the acceptability of planning applications for waste facilities.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 The WLP provides the statutory decision making framework used to judge future applications for planning permission for waste developments in the City. Replacement policies will not be developed for some time, therefore, under the Planning & Compulsory Purchase Act (2004), the Council needs to apply to the Secretary of State for these policies to be saved beyond February 2009.

SUPPORTING DOCUMENTATION

Appendices:

1. Waste Local Plan policies to be saved

Documents In Members' Rooms

None

Background Documents

None

| WLP Policy No. | Issue | Conformity with/Avoidance of Repetition of National Policy | General Conformity with the Aims and Objectives of Plans | Policy Objective | Justification and Reasons for Wishing to Save Policy |
|----------------|--------------------|--|--|---|--|
| 1 | Plan Strategy | PPS10 (para 1, 20) | RPG9 (W5, W6), Draft SEP (CC1, CC2, W5, W6) | To provide the principles for considering waste planning applications, and targets for the recycling and recovery of waste. | The policy is necessary to ensure the sustainable recovery and disposal of waste. It sets out the current local interpretation of targets and demonstrates the Council's minimum commitment towards achieving these. The Waste & Minerals Development Framework (WMDF) currently in preparation will review the Council's targets in due course. The policy also refers to the Best Practicable Environmental Option (BPEO) as a guiding principle in waste management. Government documents published since the WLP have reconsidered the role of the BPEO and concluded that in future identifying the BPEO would effectively be delivered through considering a range of options as part of the sustainability appraisal. The WMDF will consider these changes, however in the interim retaining the reference to BPEO will ensure decisions are supported by information that includes sufficient systematic analysis of the impacts associated with waste management. |
| 2 | Transport Strategy | | RPG9 (W16), Draft SEP (W16) | To minimise the transportation of waste and ensure more sustainable transport methods are considered. | The policy ensures waste facilities are located as close as practicable to the source of the waste and transported in the most sustainable way possible. |

| WLP Policy No. | Issue | Conformity with/Avoidance of Repetition of National Policy | General Conformity with the Aims and Objectives of Plans | Policy Objective | Justification and Reasons for Wishing to Save Policy |
|----------------|--|--|--|--|--|
| 3 | AONBs | PPS7 (para 21), PPS10 (annex e) | RPG9 (W17), Draft SEP (C2, W17) | To protect Areas of Outstanding Natural Beauty. | In view of the large amount of AONB designation within the Plan area and consequent local sensitivity the policy is necessary to emphasise that development in AONBs is only permitted where the development would not compromise the objectives of the designation. |
| 4 | Transportation of waste by rail or water | PPG13 (para 45) | RPG9 (W16), Draft SEP (W16) | To look favourably on proposals that utilise rail or water transportation. | The policy seeks to encourage the use of sustainable forms of transport, and provides a policy benchmark in determining future applications. |
| 5 | Safeguarding sites | | RPG9- (W16, W17), Draft SEP (W16, W17) | To resist development proposals which would prevent or prejudice the use of existing waste management sites and the preferred sites and search areas identified in this Plan | The policy is necessary to protect suitable sites for future waste management facilities which are required to meet local and regional targets. |
| 6 | Expansions or alterations to existing facilities | | RPG9 (W17), Draft SEP (W17) | To facilitate the modernisation or expansion of existing facilities to improve efficiency and output. | A significantly used policy that is necessary to promote modern and efficient waste management facilities at existing sites in the Plan area. |
| 7 | Site specific allocations for road to rail transfer facilities | PPS10 (paras 17, 18), PPG 13 (para 45) | RPG9 (W16, W17), Draft SEP (W16, W17) | To support the provision of a road to rail transfer facility at Sackville Trading Estate, Hove. | Policy encourages and facilitates the use of sustainable rail transportation by providing a specific allocated site in the Plan area. |

| WLP Policy No. | Issue | Conformity with/Avoidance of Repetition of National Policy | General Conformity with the Aims and Objectives of Plans | Policy Objective | Justification and Reasons for Wishing to Save Policy |
|----------------|--|--|--|---|---|
| 8 | Site specific allocations for MRF and waste transfer facilities | PPS10, paras 17, 18 | RPG9 (W17), Draft SEP (W17) | To identify specific sites that could be suitable for the development of MRF and waste transfer facilities | The policy provides specific allocated sites for the development of further MRF and waste transfer facilities in the Plan area which are essential if landfill diversion targets are to be met. |
| 9 | Site Specific Allocations for EfW / MRF Facilities | PPS10, paras 17, 18 | RPG9 (W17), Draft SEP (W17) | To identify the site at North Quay, Newhaven as being suitable for a EfW facility. | The policy provides a specific allocated site in the Plan area for an Energy from Waste and Materials Recovery Facility which would assist in achieving landfill diversion targets. |
| 10 | Site specific allocations for disposal to land | PPS10, paras 17, 18 | RPG9 (W17), Draft SEP (W17) | To identify specific sites that are suitable for the disposal of waste to land. | There is a need to provide further final disposal capacity within the Plan area, and the allocation of these two sites remains appropriate. |
| 11 | Reduction, re-use and recycling during demolition and design, and construction of new developments | | RPG9 (M1, W1, W2) Draft SEP (CC4, W2) | To minimise waste produced and maximise re-use and recycling during demolition and the design and construction of new developments. | The policy promotes the use of processes higher up the waste hierarchy, and exists as the policy basis for the East Sussex and Brighton & Hove Construction and Demolition Waste SPD. Its relevance is not restricted to waste facility development, as it relates to all new developments of any kind in the County. |
| 12 | Recycling as part of major development | | RPG9 (W8), Draft SEP (W8) | To ensure all development proposals employing, attracting or accommodating a large number of people consider the extent to which recycling facilities can be integrated into the development. | The policy is necessary to help achieve recycling targets for the Plan area, and is relevant to all new developments across the County, rather than being restricted to waste related developments. It encourages the provision of recycling facilities in order to achieve national policy waste separation aims. |

| WLP Policy No. | Issue | Conformity with/Avoidance of Repetition of National Policy | General Conformity with the Aims and Objectives of Plans | Policy Objective | Justification and Reasons for Wishing to Save Policy |
|----------------|---|---|--|---|--|
| 13 | Recycling, transfer and materials recovery facilities | National policy does not provide specific guidance for recycling, transfer and MRF proposals. | RPG9 (W17), Draft SEP (W17) | To ensure such facilities are suitably located and of a suitable scale for the location. | Policy has been significantly used to assess planning applications, providing necessary waste infrastructure. |
| 14 | Recycling and recovery facilities for C&D waste | National policy does not provide specific guidance for proposals for recycling and recovery facilities. | RPG9 (W17), Draft SEP (W17) | To ensure such facilities are suitably located. | Policy has been used to assess planning applications, providing necessary waste infrastructure. |
| 15 | Small scale recycling collection facilities | National policy does not provide specific guidance for small scale recycling proposals. | RPG9 (W17), Draft SEP (W17) | To ensure such facilities are suitably located. | Policy is necessary to encourage the future sustainable management of waste by providing necessary waste infrastructure. |
| 16 | New household waste sites | National policy does not provide specific guidance for household waste site proposals. | RPG9 (W17), Draft SEP (W17) | To provide the context and principles for considering energy from waste facility applications | Policy has been used to assess planning applications, and is necessary to encourage the sustainable management of waste in the future by providing necessary waste infrastructure. |

| WLP Policy No. | Issue | Conformity with/Avoidance of Repetition of National Policy | General Conformity with the Aims and Objectives of Plans | Policy Objective | Justification and Reasons for Wishing to Save Policy |
|----------------|-------------------------------|--|--|--|---|
| 17 | Reprocessing Industries | Waste Strategy for England 2007 (Ch. 5) | | To provide support for reprocessing facility proposals. | The policy provides further encouragement for the sustainable management of waste by providing necessary local waste infrastructure. |
| 18 | Composting facilities | National policy does not provide specific guidance for composting proposals. | RPG9 (W17), Draft SEP (W17) | To provide the context and principles for considering composting facility applications. | Policy has been used to assess planning applications, assisting in providing local waste infrastructure. |
| 19 | Energy from waste facilities | National policy does not provide specific guidance for energy from waste proposals. | RPG9 (W12), Draft SEP (EN2, EN3, W12) | To provide the context and principles for considering energy from waste facility applications. | Policy provides the necessary criteria to judge any future EfW applications, assisting in providing necessary local waste infrastructure.. |
| 20 | Landfilling - non-inert waste | National policy does not provide specific guidance for non inert waste landfill proposals. | RPG9 (W13, W14), Draft SEP (W12, W13) | To ensure there is a need for further capacity, that such facilities are suitably located, and sympathetically restored after use. | The County has a shortage of final disposal capacity, the policy is therefore necessary to judge potential future applications to address this problem through landfilling. |

| WLP Policy No. | Issue | Conformity with/Avoidance of Repetition of National Policy | General Conformity with the Aims and Objectives of Plans | Policy Objective | Justification and Reasons for Wishing to Save Policy |
|----------------|--|---|--|--|---|
| 21 | Landraising-non-inert waste | National policy does not provide specific guidance for non-inert waste landraise proposals. | RPG9 (W13, W14), Draft SEP (W12, W13) | To ensure there is a need for further capacity, that such facilities are suitably located, and sympathetically restored after use. | The County has a shortage of final disposal capacity, the policy is therefore necessary to judge potential future applications to address this problem through landraising. |
| 22 | Landfill gas | National policy does not provide specific guidance for landfill gas proposals. | RPG9 (W14), Draft SEP (W14) | To permit proposals for EfW facilities using landfill gas, provided conflict is minimised with restoration and afteruse of the site. | Policy is necessary to judge potential future applications for energy from waste facilities using landfill gas. |
| 23 | Landfilling - inert waste | National policy does not provide specific guidance for inert waste landfill proposals. | RPG9 (W14), Draft SEP (W14) | To provide the principles for considering applications for inert waste landfill facilities. | Policy is necessary to judge potential future applications for inert waste landfill facilities. |
| 24 | Landraising/improvement with inert waste | National policy does not provide specific guidance for inert waste landraise proposals. | RPG9 (W14), Draft SEP (W14) | To provide the principles for considering applications involving landraising or improving with inert waste. | Policy is necessary to judge potential future applications for landraising and improvements using inert waste. |

| WLP Policy No. | Issue | Conformity with/Avoidance of Repetition of National Policy | General Conformity with the Aims and Objectives of Plans | Policy Objective | Justification and Reasons for Wishing to Save Policy |
|----------------|---------------------------------------|---|--|---|---|
| 25 | Landfill mining | National policy does not provide specific guidance for landfill mining proposals. | RPG9 (W12), Draft SEP (W12) | To ensure that proposals for landfill mining include measures to keep pollutants within acceptable standards and ensure re-use and recycling of recovered materials is integral to the proposals. | Policy is necessary to ensure any future proposals for landfill mining operations are sustainable and in accordance with national policy. |
| 26 | Mineral waste | National policy does not provide specific guidance for mineral waste proposals. | | To provide the principles for considering applications involving the management of mineral waste. | Policy is necessary to judge any future applications involving the management of mineral waste. |
| 27 | Special & Difficult Waste | Hazardous Waste (England and Wales) Regs 2005 | RPG9 - W15, Draft SEP (W15) | To provide the principles for considering applications involving the management of special and difficult wastes. | Policy is necessary to provide the planning context for judging future proposals for facilities handling hazardous waste, in line with the Hazardous Waste Regs 2005. |
| 28 | On-site Clinical Waste Facilities | National policy does not provide specific guidance for clinical waste facility proposals. | RPG9 (W17), Draft SEP (W17) | To provide the principles for considering applications for on-site clinical waste facilities. | Policy is necessary to judge any future proposals for on-site clinical waste facilities. |
| 29 | Independent Clinical Waste Facilities | National policy does not provide specific guidance for clinical waste facility proposals. | RPG9 (W17), Draft SEP (W17) | To provide the principles for considering applications for independent clinical waste facilities. | Policy is necessary to judge any future proposals for independent clinical waste facilities. |

| WLP Policy No. | Issue | Conformity with/Avoidance of Repetition of National Policy | General Conformity with the Aims and Objectives of Plans | Policy Objective | Justification and Reasons for Wishing to Save Policy |
|----------------|--|--|--|---|---|
| 30 | Wastewater & Sewage Sludge | Urban Waste Water Treatment (England & Wales) Regs 1994 | | To provide the principles for considering applications for facilities for the management, treatment and disposal of wastewater and sewage sludge. | Policy has been used in determining applications involving the management and disposal of wastewater and sewage sludge , and will continue to be relevant to future applications. |
| 30a | Wastewater & Sewage Sludge (B&H/ Peacehaven Catchment) | | | To identify the site search area for a new wastewater treatment works for the Brighton & Hove/ Peacehaven drainage catchments. | Policy is necessary to provide the specific area of search for selecting the location for the proposed facility. |
| 31 | Disposal of Liquid Waste & Dredgings on Land for Improvement | Sewage Sludge (Use in Agriculture) Regs 1989 | | To provide the principles for considering applications involving the disposal of liquid waste and dredgings to land. | Policy is necessary to ensure that the disposal of liquid waste and dredgings to land is carried out in a sustainable fashion in accordance with best agricultural practice. |
| 32 | Liquid Waste Facilities | National policy does not provide specific guidance for liquid waste facility proposals. | RPG9 (W17), Draft SEP (W17) | To provide the context and principles for considering applications for facilities dealing with liquid waste. | Policy necessary to judge future applications for liquid waste facilities. |
| 33 | Agricultural & Stable Waste | National policy does not provide specific guidance for agricultural and stable waste disposal proposals. | | To provide the context and principles for considering applications for facilities dealing with agricultural and stable waste. | Policy necessary to judge future applications for the development of facilities for the handling, storage, treatment, processing and disposal of agricultural and stable wastes. |

| WLP Policy No. | Issue | Conformity with/Avoidance of Repetition of National Policy | General Conformity with the Aims and Objectives of Plans | Policy Objective | Justification and Reasons for Wishing to Save Policy |
|----------------|--|--|--|---|--|
| 34 | Animal Carcass Waste | National policy does not provide specific guidance for the treatment and disposal of animal carcass waste. | | To provide the context and principles for considering applications for facilities dealing with the disposal of animal carcasses. | Policy necessary to judge future applications for facilities disposing of animal carcasses. |
| 35 | General amenity considerations | PPS10 (para 29) | Draft SEP (CC12, NRM7, NRM8) | To ensure there is no demonstrable harm to the general amenity of the vicinity of a proposed site. | Policy has been frequently used in determining applications and provides greater detail and local expression than similar national policies. |
| 36 | Transport considerations | PPS10 | | To ensure adequate access arrangements to sites and to mitigate against the adverse impacts of traffic caused by developments. | Policy has been frequently used in determining applications and is necessary to judge future applications. |
| 37 | Development in flood risk areas, affecting flood defences and/or impacting surface water run-off | PPS1 (para 20), PPS10 (annex e), PPS25 | Draft SEP (NRM1, NRM3) | To prevent development which would be detrimental to flood defences, is within a flood plain unless there are exceptional circumstances, increase the flood risk, and/or have an adverse impact on the conservation and amenity of marine environments. | Policy is necessary to determine applications on sites susceptible to flooding. |

| WLP Policy No. | Issue | Conformity with/Avoidance of Repetition of National Policy | General Conformity with the Aims and Objectives of Plans | Policy Objective | Justification and Reasons for Wishing to Save Policy |
|----------------|---|--|--|---|---|
| 38 | Surface and Groundwater | PPS10 (annex e) | Draft SEP (NRM1) | To prevent development which would adversely affect surface and groundwater quality, or cause adverse environmental impact through changes in groundwater levels. | Policy has been regularly used when determining applications to protect the quality of surface and groundwater, and adverse effects resulting from changes to groundwater levels. |
| 39 | Design Considerations | PPS1 (para 13), PPS10 (paras 35, 36) | Draft SEP (CC12) | To ensure sympathetic, appropriate and innovative design, siting and external appearance of proposals. | Policy is important in protecting against potential adverse effects on visual amenity caused by developments. |
| 40 | Environmental Improvements and Other Benefits | | | To allow the WPAs to seek environmental improvements to offset or compensate for any adverse impacts associated with a development. | Policy has been used to enable WPAs to offset or compensate for adverse effects as a result of developments. |

ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 101

Brighton & Hove City Council

| | | | |
|-------------------------|---|-----------------------------------|----------------------------|
| Subject: | Shoreham Harbour Interim Planning Guidance (IPG) | | |
| Date of Meeting: | 27 January 2009 | | |
| Report of: | Director of Environment | | |
| Contact Officer: | Name: | Mike Holford | Tel: 29-2501 |
| | E-mail: | Mike.holford@brighton-hove.gov.uk | |
| Key Decision: | No | | |
| Wards Affected: | Hangleton & Knoll; South Portslade; Wish | | |

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The report seeks approval of Interim Planning Guidance (IPG) for Shoreham Harbour. Prior to the production of the joint area Action Plan to guide the regeneration proposals for the wider Shoreham Harbour area this IPG has been produced with Adur District Council and West Sussex County Council. Adur District Council and West Sussex County Council have/will also be approving this IPG. The interim guidance does not constitute a formal Supplementary Planning document (SPD) as part of the Local Development Framework. However, it is based on the recognition that in the Secretary of State's Modifications to the South East Plan Shoreham Harbour is identified as a Strategic Development Area.

2. RECOMMENDATIONS:

- 2.1 (1) That the Cabinet Member for Environment approves the Shoreham Harbour Interim Planning Guidance, subject to any minor grammatical and non-material text and illustrative alterations agreed by the Director of Environment in consultation with the Cabinet Member for Environment.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 For some time there has been an aspiration to regenerate the Shoreham Harbour Area, and this is an objective that Brighton & Hove City Council (BHCC), Adur District Council (ADC), and West Sussex County Council (WSCC), the three responsible planning authorities, have supported and continue to support. The objectives of regeneration are reflected in previous and emerging planning policy documents for the area, notably the BHCC retained ("saved") local plan policies, and the emerging BHCC (and ADC) core strategies. At a regional/sub-regional level, this is reflected in the South East plan, the Regional Economic Strategy, and most recently has been recognised by Government by the award of provisional growth point status.

- 3.2 A timetable is being established to make progress in devising a policy framework for the Harbour area. At the heart of the programme is a commitment to prepare and adopt a Joint Area Action Plan (JAAP). The IPG aims to ensure that this programme and the future planning and regeneration of the area are not prejudiced by premature development, pending the emergence of the JAAP. The JAAP will first be subject to public consultation in June 2009, when the preferred options are due to be published.
- 3.3 This IPG does not constitute a formal Supplementary Planning Document (SPD) as part of the Local Development Framework. It is however, based on the Proposed Modifications to the South East Plan, the saved Brighton and Hove Local Plan policies and the relevant policies in the emerging Core Strategies of Brighton & Hove and Adur. It has also been subject to consultation for four weeks ending on 28 November 2008.
- 3.4 The IPG boundary is not necessarily the definitive JAAP boundary, which has yet to be determined.

4. CONSULTATION

- 4.1 Summary of consultation is contained in Appendix 1.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 There are no direct financial implications arising from the recommendations contained within this report.

Finance Officer Consulted: Patrick Rice

Date: 09/12/08

Legal Implications:

- 5.2 The Interim Planning Guidance does not have the status of a Supplementary Planning Document within the meaning of the Planning and Compulsory Purchase Act 2004 and subsequent Regulations and cannot be given full statutory weight. The Guidance has, however, been subject to a degree of consultation and can be given some weight as a material planning consideration in the determination of relevant planning applications.

Lawyer Consulted: Hilary Woodward

Date: 16/12/08

Equalities Implications:

- 5.3 None directly arising through the IPG.

Sustainability Implications

- 5.4 The IPG aims to prevent piece-meal development in the short-term that would hinder the long term sustainable regeneration of the Shoreham Harbour area.

Crime & Disorder Implications:

- 5.5 None identified.

Risk and Opportunity Management Implications:

- 5.6 None identified.

Corporate / Citywide Implications:

- 5.7 None directly arising from this report.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The alternative was not to produce Interim Planning Guidance in which case the potential for individual development proposals to prejudice the long-term aims for the area would remain.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 To provide planning guidance in the short-term for the wider Shoreham Harbour area pending the development of the Joint Area Action Plan.

SUPPORTING DOCUMENTATION

Appendices:

1. Summary of responses to public consultation, March 2008.
2. Interim Planning Guidance for Shoreham Harbour.

Documents in Members' Rooms

None

Background Documents

None

Interim Planning Guidance Responses to Consultation

End of consultation: 28th November 2008

List of respondents:

East Sussex County Council
Environment Agency
Highways Agency
Natural England
Councillor Julie Searle (Deputy Leader, Adur District Council)
Shoreham Port Authority
SEERA
Southern Water
Southwick (Sussex) Society
Sussex Enterprise

Summary of Responses

East Sussex County Council

Strong concerns respecting the potential for development at Shoreham Harbour to compromise the ability of ESCC to meet its mineral import requirements in the short and long term. Strong concern that the IPG objective - to restrict non-port related development on the harbour - conflicts with the needs of ESCC's Waste Local Plan, Minerals Local Plan, and emerging WMDF. ESCC express a wish to be engaged in the JAAP process as early as possible.

Environment Agency

Some specific references to wording. Recommends less emphasis on 10,000 homes figure and B&H Core Strategy; clarification of the increasing authority of the JAAP over time; and clarification of what 'Sustainability Measures' are.

Highways Agency

No comments specific to the Draft IPG. Concern respecting A27 at capacity between the Sussex Pad junction and the A27/A293 junction. Bus transport should be in place as interim before the RTS. Masterplanning should take extra traffic into account.

Natural England

IPG should state that flooding will be planned for; and place greater emphasis on need for sustainable transport measures. Gives non-IPG related

recommendations for ecology, biodiversity and green infrastructure studies that should be carried out.

Councillor Julie Searle (Deputy Leader, Adur District Council)

10,000 homes should not be a fixed number but a stated maximum development size. Loss of Southwick Beach is a cause of local concern and may be obstructive to the community. A new beach may be too remote.

Shoreham Port Authority

Some specific references to wording. Generally concern over vagueness respecting which types of development will be supported, and over what time period as the JAAP comes forward. Concern that the Draft IPG is negative in tone and discourages local development in the short term.

South East England Regional Assembly (SEERA)

‘The interim planning guidance could usefully set out the wider context of the Sussex Coast sub-region of the South East Plan, in particular links to the regional hub of Brighton and Hove, and how it will deliver the sub-regional objectives.’ Also support of the ambitious timetable and for testing of deliverability of 10,000 dwellings.

Southern Water

Emphasise requirement for provision of infrastructure and the need for planning support for construction of improvements, for example sewerage and wastewater treatment plant. Development is not considered in current water resource plans. Support interim development contributions policy. Promote the phasing of development with infrastructure provision.

Sussex Enterprise

No comments specific to the Draft IPG. Response supports the general aims of the regeneration project. Items raised include the need to encourage inward investment and the creation of local jobs; support for a significant number of new dwellings; the need to address transport and flood defence infrastructure to achieve a sustainable development; and the need to improve the seafront for business visitors and tourists.

Southwick (Sussex) Society

Complaint that less than 28 days is insufficient response time. ‘Meanings and implications of some matters mentioned in the document are not clear’ restricting ability to comment to this complex matter, e.g. Para 6.3 ‘unlocked’ and ‘implemented’. Object there is no mention of heritage and conservation and require this is included in the Vision. Make several comments respecting the Objectives. Object to potential loss of beach.