

# ENVIRONMENT CABINET MEMBER MEETING

## Agenda Item 75

Brighton & Hove City Council

<b>Subject:</b>	<b>London Road Central Masterplan Supplementary Planning Document (SPD)</b>		
<b>Date of Meeting:</b>	<b>17 December 2009</b>		
<b>Report of:</b>	<b>Director of Environment</b>		
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<b>Key Decision:</b>	<b>No</b>		
<b>Wards Affected:</b>	<b>St. Peter's and North Laine</b>		

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 The report advises on the results of the London Road Central Masterplan consultation held in June 2009, along with the proposed alterations to the document resulting from the consultation. Permission is sought to formally adopt the masterplan as a Supplementary Planning Document (SPD) to the council's emerging Local Development Framework (LDF).

#### 2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member notes the results of the public consultation exercise (Appendix 3) and endorses the changes made to the draft London Road Central Masterplan SPD.
- 2.2 That the Cabinet Member adopts the draft London Road Central Masterplan SPD as part of the Local Development Framework, subject to any minor grammatical and non-material text and illustration alterations agreed by the Director of Environment in consultation with the Cabinet Member for Environment. The SPD and its annex document are attached as Appendices 1 and 2 respectively.

#### 3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The need for a masterplan was a recommendation of the London Road Lewes Road Regeneration Strategy, approved as a background document to the Local Development Framework in 2007. The masterplan has been developed over the last two years, during which time its contents have been informed and modified by various stakeholder, member and officer workshops. The result is a flexible and indicative masterplan, as it covers a wide area in multiple land ownerships and has been produced in a time of economic uncertainty. The document is intended to provide a flexible framework to guide change and provides for a variety of development scenarios, as opposed to other types of more detailed masterplan that may be better suited to alternative circumstances; e.g. instances where development proposals and funding streams are more certain. The guiding principles of the SPD are essentially to create a greatly improved London

Road; a safe and accessible town centre with a high quality public realm where local people will want to linger and spend time

- 3.2 At the 7 May 2009 Environment CMM permission was granted to undertake a formal SPD public consultation exercise. This was held for six weeks between 25 May and 6 July, resulting in sixty five responses by email or post. One of these responses, from the 'Another London Road' (ALR) campaigning group, included representations from an additional fifty seven individuals. During the consultation period a three day exhibition, staffed by council officers, was held in the former Co-op department store building on London Road (4 – 6 June). This was attended by over a thousand individuals and generated an additional four hundred and ten written comments, provided by visitors on the comments board in response to the masterplan information provided in the exhibition.
- 3.4 As is common with area-based consultation exercises, a wide range of comments on a broad spectrum of topics was received. Overall, respondents demonstrated a desire to see the quality of the area improved in various ways which are in line with the objectives of the masterplan.

### **Main themes arising from respondents' formal representations**

- 3.5 The sixty five responses posted directly to the council were from a range of individuals, groups and organisations. These responses revealed the following:
- Ninety three per cent of respondents welcomed the document.
  - Twenty six per cent of respondents registered no significant concerns over document content.
  - Seventy two per cent of respondents raised concerns regarding particular aspects of the document, half of whom focused on a single aspect of the masterplan. The majority of these included businesses based in New England House, seeking the removal of the option for demolition of the building, on the basis that this could result in breaking up its existing resident business community.
  - Other popular themes emerging from the consultation responses were requests for the document to address the following:
    - provision of low-rent/affordable space in the regeneration area for small, local, and independent businesses;
    - a reduction in traffic and traffic-related noise and carbon emissions;
    - preservation of the area's distinctiveness and character in the process of regeneration;
    - better, more permeable routes and improvement of facilities for pedestrian and cyclists; and
    - no new large retail and/or supermarket outlets in the area.

### **Main themes arising from exhibition comments**

- 3.6 The four hundred and ten comments posted at the exhibition reveal the following:
- Twenty two per cent would not welcome a Tesco development in the area;
  - Fourteen per cent would like to see more and/or better pedestrian and cycling facilities/priority/links;
  - Fourteen per cent would like to see local/small, independent, creative/sustainable businesses supported;

- Thirteen per cent objected to new large retail/supermarket outlet in the area; and
- Ten per cent thought the area is in need of regeneration.

### **Main themes arising from Another London Road feedback forms**

- 3.7 The fifty seven feedback forms from the 'Another London Road' campaign comprised 'prompted' representations, provided on pro forma provided and pre-formatted by the organisation in order to elicit responses on specific issues felt to be of importance by ALR. Of these particular responses:
- Ninety per cent of respondents would support priority for pedestrians, cyclists and public transport and/or smaller-scale improvements rather than ambitious large-scale developments;
  - Seventy per cent of respondents would support traffic reduction and/or encouragement for occupation of empty shops;
  - Twenty five per cent of respondents would like to see local/small, independent, creative/sustainable businesses supported; and
  - Nineteen per cent would like to see special buildings retained and highlighted in the street scene; provision of an improved and greener public realm; reduced traffic and/or strategic traffic solutions to tackle traffic problems in the area.
- 3.8 The top five themes emerging from the consultation are shown below. These reflect the issues considered to be of most importance by all three sets of respondents (i.e. the letters posted directly to the council, the exhibition responses and the ALR-prompted responses). A proposed response from the council is provided below each issue.

### **General opposition to additional supermarkets in the area and particular opposition to the possibility of a large superstore**

- 3.9 A high proportion of respondents were opposed to additional supermarkets in the area and were particularly opposed to the possibility of a large superstore. These comments related largely to proposals by St James's Investments in 2008 for a new Tesco store in the area. Should any development proposal for a large supermarket or superstore be made within the masterplan area, it would be considered within the context of the wider objectives of the SPD: whether it was assisting with the provision of a wide mix of shop types and sizes; providing for an improved public realm; improved access to London Road by a variety of transport modes including walking; and improving the overall environment and air quality, vibrancy and safety of the London Road town centre. It would also require a retail impact assessment to assess its effects, including whether it was causing economic harm.

### **The need for improved facilities and/or priority for pedestrians and cyclists**

- 3.10 This was seen as a key issue for many respondents. The objectives of improving pedestrian and cycle accessibility are important aspects of the masterplan, which proposes the removal of unnecessary road barriers and clutter, provision of some areas of central reservation on London Road and improved conditions at major nodes such as Preston Circus. These would be combined with improved

facilities for cyclists. Such measures will need to be carefully planned and managed. It should be noted that such improvements have been achieved in other countries, as well as elsewhere in the UK, on busy through routes, without resulting in increased traffic congestion. The success or otherwise of these examples is being examined and will help to inform future changes in the masterplan area.

### **The need for traffic reduction as a means of reducing pollution, noise and carbon emissions**

- 3.11 There are no existing council plans to reduce the volume of traffic flowing through the area. The masterplan therefore assumes that existing traffic flows will be maintained for the foreseeable future (in line with the London Road/Lewes Road Regeneration Strategy). Should the council implement wider strategic transport measures that provide the opportunity to reduce volumes of through traffic (such as park and ride) further attention could be paid to the possibility of altering existing routing in the London Road area, including the possibility of reducing traffic volumes and carbon emissions. The scope and key objectives of the draft masterplan recognise and allow for this possibility.

### **The need to safeguard space for small, independent, low-rent, sustainable businesses**

- 3.12 Support for these types of businesses has been further emphasised in the document in order to reflect the large number of respondents raising concerns over this issue. The provision of a wide range of shop sizes is a key factor in providing for both smaller businesses and larger shops that act as 'magnets' in attracting shoppers to the area. Any future proposals resulting in redevelopment in the area will need to ensure the continued provision of a wide range of shop sizes. The establishment of a new improved Open Market will be an important factor in providing premises at an affordable rent for very small independent traders. In order to ensure an economically healthy market, it will be important to secure other key objectives of the masterplan, including better access to the area and improving the overall quality of the wider environment and public realm. With regard to other types of businesses (non retail or food and drink outlets) the area around New England Street (in particular the New England House site) will continue to play an important role in providing for small local enterprises and this role is supported in the masterplan. A new implementation section at the end of the masterplan sets out a number of measures to bring forward a range of improvements in the area and achieve these wider objectives of supporting local businesses. This includes the encouragement of and assistance with the establishment of a forum for local businesses and traders in the area. Further work on taking this forward will be undertaken in the new year.

### **The need to prioritise the re-use of existing buildings and/or empty shops**

- 3.13 The principle of refurbishing and reusing existing buildings is an important aspect of the London Road SPD. Additionally, the reuse of buildings as a sustainable development option is covered in council planning policies and documents as well as the emerging LDF Core Strategy. These policies are relevant to any development proposals in the London Road masterplan area. A reference has

been added to the need for developers to consider re-use of existing buildings before options for redevelopment, in order to highlight the strong support for this issue. There are instances, however, where the masterplan has highlighted opportunities where replacement buildings of high quality design, improved configuration and more rational building height could secure some of its key objectives (including accommodating additional land uses, improving the townscape and providing a more legible and accessible built environment).

- 3.14 In addition to the above, the masterplan provides a framework to guide environmental and public realm improvements in order to improve the appearance of the area, encourage investment in existing building stock, reduce vacancies in business properties and generally turn around the fortunes of London Road which has suffered a long term economic decline.

### **Other issues arising from the consultation**

- 3.15 Appendix 3 provides a detailed proposed council response to the various issues that emerged from the consultation and highlights where changes are being proposed to the document.
- 3.16 Since October of this year around 200 pre-formatted postcards have been sent to the Cabinet Member for Environment by individuals on behalf of the ALR group. These postcards summarise the main issues arising from the response of the ALR group in respect of the masterplan consultation. They do not constitute formal responses to the document as they were received outside the advertised six week consultation period. For the sake of clarity, however, appendix 4 to this report provides a response to these summary points regarding the group's representations, many of which have been accommodated by way of changes to the SPD.
- 3.17 Overall, the consultation process has revealed very strong support for the principle of improving the environment of London Road and the objectives of the masterplan in bringing these about. In response to various concerns raised, a number of modifications have been made to the document, in order to reinforce certain issues, These are highlighted in the consultation matrix that forms appendix 3 to this report. In essence, the changes have been added to further emphasise the following issues:
- encouragement of a wide mix of shop types and sizes including affordable premises for local and independent businesses;
  - providing for the needs of cyclists;
  - providing for archaeological considerations;
  - reinforcement or greater clarity regarding urban design issues;
  - improvement in the noise climate;
  - reference to the council's ambition to achieve Urban Biosphere Reserve status;
  - minor textual and layout changes, including a glossary of technical terms, to increase clarity of the masterplan for readers of the document.

### **Next Steps**

- 3.18 There is clearly a strong desire by the majority of respondents to see positive change in the area and in addition to the above changes an implementation plan has been drafted to provide a means of identifying individual projects. The implementation plan provides an indicative focus and timetable for certain projects, ranging from the shorter to the longer term. It is not intended to be definitive and can be amended and added to over time whenever appropriate and as opportunities arise. It will also provide a means for future monitoring to ensure that the overall objectives of the masterplan are secured over time. The existence of the masterplan will also provide a basis for future funding bids and it will be important for the council to continue to engage with the community (businesses, landowners, residents and other stakeholders) in helping to realise the masterplan's objectives.

#### **4. CONSULTATION**

- 4.1 The public consultation process and results are set out in the previous section and in appendix 3. In addition, an internal officer steering group has helped to guide the work on the masterplan.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 5.1 Direct costs for the production of the SPD and consultation have been included within City Planning's budget allocation. Should Brighton and Hove City Council be required to comply with the SPD the financial implications will be included within a report to the relevant service committee.

*Finance Officer consulted: Derek Mansfield Date: 27/10/09*

##### 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 prior to adoption. Regulation 18 of the 2004 Regulations provides that planning authorities cannot adopt SPDs until they have considered any representations made within the consultation period. Planning authorities are also required to prepare 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. The SPD has been advertised in accordance with the legislative requirements. No adverse human rights implications have been identified as arising from the report.

*Lawyer consulted: Hilary Woodward Date: 27/10/09*

##### Equalities Implications:

- 5.3 Local Development Framework Core Strategy Equality Impact Assessment (EQIA) issues relevant to this SPD have been considered. Monitoring and

implementation measures have been put in place to evaluate the impact of this SPD as a result. An EQIA has also been undertaken in respect of the SPD.

Sustainability Implications:

- 5.4 Sustainability issues inform all of the measures promoted in the draft SPD, which as referenced above, is subject to a Sustainability Appraisal.

Crime & Disorder Implications:

- 5.5 The masterplan seeks to draw increased users into and around London Road and help provide for a safer environment in the area through a range of measures including the identification of new development opportunities, public realm improvements and the promotion of other urban design interventions. The document also identifies community measures to help result in a more safe and secure environment for all.

Risk and Opportunity Management Implications:

- 5.6 None identified.

Corporate / Citywide Implications:

- 5.7 Along with Lewes Road, improvements to the London Road area are fundamental in realising the objectives of the London Road & Lewes Road Regeneration Strategy (LR2). This AIF-funded study was approved by the former Policy & Resources Committee on 26 July 2007. Lewes Road and London Road are key gateways to the city and their regeneration is regarded as an important component in promoting and sustaining the long term economic growth of the city.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 As part as the SPD development process, alternative options were discussed with stakeholders at the early consultation phase. Options ranged from 'do nothing', through minimum levels of intervention, to significant levels of intervention within the area. The Sustainability Appraisal tested the option of 'doing nothing' and examined alternative options and found the proposals identified in the draft SPD to be the most sustainable option.

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 To ensure there is detailed, clear advice to all those with an interest in the development process on relevant policies.
- 7.2 To take forward proposals in the London Road & Lewes Road Regeneration Strategy for the regeneration of the London Road Central Area.

7.3 To meet Government guidance.



## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. London Road Central Masterplan SPD
2. London Road Central Masterplan SPD – appendices
3. London Road SPD Consultation Report (with council response)
4. Response to Another London Road postcard

### **Documents In Members' Rooms**

1. London Road SPD Consultation Report

### **Background Documents**

1. Planning Policy Statement 6: Planning for Town Centres (2005)
2. The Brighton & Hove Local Plan Policy SR5: Town and district shopping centres (2005)
3. London Road & Lewes Road Regeneration Strategy (2007)
4. Brighton & Hove Local Development Framework Core Strategy Preferred Policy DA4: New England Quarter and London Road (2008)
5. Sustainability Appraisal.
6. Equalities Impact Assessment

