

Compiled by the Planning Policy, Projects & Heritage Team  
at Brighton & Hove City Council

# **Urban Design Framework**

## **Supplementary Planning Document**

### **Draft UDF SPD consultation report**

APPENDICES

April 2021

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## Transcripts of Consultation Portal responses

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The important step to avoid ruining the city is that all housing must look the same as existing buildings. So that new or replacement buildings in areas with brick construction & slate roofs must also have brick construction & slate roofs. Painted rendered buildings should only be permitted next to similar ones & if they are art deco then new buildings should also be art deco etc. Clearly the buildings may have to be larger, but in the same style.

Spaces between buildings are prone to be draughty and this is exacerbated by tall buildings. No solution has ever been found to tall buildings causing bleak windy soulless spaces. No development above the existing roofline in the only way to reduce the problem.

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Tall buildings, combined with narrow roads (the majority type of road in Brighton), reduces our ability to see the sky. This, in a city with little greenery, reduces our connection to nature which is more important than ever. For example, the new england quarter and flats near the station, Boots on London Road, the old Ransom's building. This area it was possible to see a lot of sky, get a lot of sunshine, see the green hills in the distance; none of this is possible now and our connection with nature has been severed.

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I was disappointed that disabled access and best practise wasn't mentioned much in this document. Unless I missed it. In which case I apologise. But the built environment and the development of it, has the most effect on disabled people. Too often I have see large tall buildings with lots of flats for the elderly and disabled. But no one thought to build dropped kerbs, so any wheelchair users living in these flats can only go around the outside path. I've seen this in Hastings

You seem very interested in whether we like the way you have designed your SPD. I hope you are as interested in the contents of the document as you are in the design of the document

I agree that any development should be within keeping with the local built area. We see to often, that towns have lovey pre 1940s building then some shocking newer buildings that are not withing keeping

Views are great, but no one owns a view. If that view is holding back progress then you need to rethink. The pier views proves my last point about a mishmash of buildings with no plan. It looks great in places but overall poor on the eye.

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Landmarks need to be viewed, but need to stand out. Think off views looking in their direction. But also allowing them to be viewable from a range or directions if possible

Improvement to the main routes is most important, increasing cycling, buses, and pedestrian route down these roads. Any increased housing may put extra pressure on these roads. Maybe a new park and ride is needed.

Make sure that any development is fully accessible, I see to many open spaces within developments that are sort of accessible. But then need redeveloping after being built because the access is crap. Also where you talk about using trees on paving. As long as they don't narrow the pathway. And make sure they are planted in pots, so you limit their size. We see in Hove that a full-size tree costs a lot of management. The roots destroy pathing. Uneven pathing is a trip hazard to the elderly and disabled. It's hard for wheelchair users to travel along these paths. It's impossible for visually impaired people. Also leaf will need to be collected, regularly, adding to cost.

Your plans seem to suggest lots of great buildings, being built to the highest standard. This suggest expensive built to buy accommodation. Affordable accommodation is a load of bull. 80% of the price in Brighton is not affordable. I wonder how much of your plans include developments for social housing. These figures should be included in the plans. Also how many fully wheelchair accessible properties will be included. There is a massive shortage of fully accessible accommodation in Brighton. This needs to be addressed. Also where social housing is being developed it should be within keeping off the rest of the development. Not just hidden in the corner on the cheap.

Your tick box above isn't working. It wants a graded answer

Tall building by definition increase the population where ever they are built. This increases pressure on the local transport system. And local amenities. This means increased funding for local services. While trying to avoid to many extra cars on the road. Communal spaces in tall building are souls, there needs to be more live and energy in communal spaces. Possible a communal lounge, giving people with a shared experience somewhere to meet up. Tall buildings need to be accessible, with working lift that is quickly fixed when broken. This is normally not the case. It would be nice if there was limit to how tall a building is before a lift is needed. Where new developments are built can the route to the local amenities and bus stop be fully accessible as a planning condition?

The council is under to increase housing, Brighton has limited space for new developments so taller building is going to be a fact off life. There massive potential moving along from hove to Shoreham, up Lewes Road, and on brown sites for redevelopment. I feel that moving away from the seafront there should be less tall buildings that while I didn't agree with area 7.

As someone who looks at lots of planning application, maybe developers could do far more pre application consultation. Asking what local people or key stakeholders would like to see, rather than this is our plan, what to you think. Also maybe were possible several designs, that way we have options. Once applicants have applied communication from the planning department of the council is poor. I appreciate that the staff are

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overworked underfunded. Maybe the council could look at its own consultation. Maybe a planning application room where people could come to look at plans and maybe talk to staff about their issues. This may lower the amount of objections. On larger developments as with current consultation a traveling roadshow, in local community halls and libraries. But also a consultation room where people can come independent of group presentations. Allowing for people who may not have the confidence in a group to speak but whose view is still important. I find that some council staff, developers, or consultants don't look like they are enjoying consulting the public. Which comes across as they do not want to hear your views. This may not be the case, but managers need to make sure that staff are trained to consult.

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I object to the section of the draft UDF on page 58 which says that development of up to 8 storeys on the south side of Kingsway (alongside Shoreham Harbour) would be acceptable. A BRE study has shown that buildings of this height would not meet their guidelines for overshadowing.

The Shoreham Harbour section should be amended to indicate that buildings should not be higher than 8 storeys / 24 metres above the level of Basin Road North, ie 5 to 6 storeys (15-18 metres) above the level of Kingsway. This would then accord with the guidance from the Building Research Establishment in 2013.

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As stated in the document, conservation areas must be preserved or enhanced according to its identified special character and appearance. Conservation area character statements for each area should guide future change.

Unfortunately, we can't. This is why the Urban Design Framework needs to improve. Bad examples include Anston House, Preston Barracks and Circus Street, along with the proposal at the Marina.

You state: "In general new tall buildings in Brighton and Hove should not be within conservation areas, nor should they visually impinge on the setting of/or important views of listed buildings or conservation areas. This particularly applies to the backdrops of groups of historic buildings or the visual envelope surrounding single buildings such as churches" PLEASE REMOVE 'In general' . In general is ambiguous and suggests (particularly to developers) that negotiation would be allowed. Tall buildings in conservation areas should NOT be allowed. An example in North Laine is that the area is overshadowed and overlooked by the ugly 19 storey Theobald House and the slightly lower Pelham Tower.

It is a pity that 18 storey developments have been approved along New England Street. Extremely detrimental to the surrounding area.

Many developments in the city suffer from generic, often poor-quality urban design. This view is supported by the National Housing Audit that found that 54% of recent large-scale developer led schemes were mediocre, 19% poor, 1% very poor, and 1 in 5 should have been refused planning consent.

It is critical that local communities can positively engage in the pre-application process to make sure developments truly reflect local character and environmental sensitivities.

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We need to raise and oversee the standards and consistency in public consultations by the Local Authority and developers.

The planning team do not always have the necessary local knowledge about an area and that is why it is critical that local communities are engaged in the process.

Planning should not be accepting applications with poor drawings, often as a sketch for example as has happened, and still happens, and without the necessary supporting documents.

The design sector has become a profession, with a myriad of consultants and we know that many communities are put-off by 'outside experts'.

We must ensure that our local authority has the appropriate inhouse built environment professional expertise, as determined by local circumstances, to ensure good quality decision making.

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It would appear that the rigorous conservation principle adopted in the past by Brighton and Hove has been degraded over time. It is important for the conservation areas to be protected and its special character and appearance to be identified and preserved. This includes issues such as uses which in the case of North Laine hasn't been considered due to Government Policy which is damaging the nature of the area.

There seems to be a trend to build tall some of which is close and affects conservation areas. Tall buildings in Conservation areas should not be allowed. This return to 1960's style planning is worrying and makes a major change to Brighton and Hove. In the North Laine we have Theobald House and Pelham Tower which affect the whole area. Concerned regarding the potential Conway Street and also the redevelopment opposite Preston Park.

Too many tall buildings. If they were to provide needed accommodation but this is not the case as inadequate levels of so called 'affordable'. It would be interesting to see the life of the current tall monstrosities or will they suffer like the one's from the 1960's - demolished or needing so.

The development along New England Road at eighteen stories is far too high and will damage the surrounding area. This should not have been allowed and I can see other examples of inappropriate siting of tall buildings.

The level of poor design is endemic and many planning applications are accepted without regard to the standard of the plans submitted. It seems as if the emphasis on community involvement has deteriorated to the minimum.

There was a time when local community involvement was considered essential. Local people have a knowledge of the local character and sensitivities. This seems to have in many cases sub-contracted to consultants who have no knowledge of Brighton and Hove and do not have to live with the result.

As above. Local communities should have the level of involvement they had in the later part of last century when it was regarded and considered. Often the plans are inadequate and reviewed by a planning team that do not live in Brighton and Hove.

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As above the local authority should ensure that the officers have a better knowledge of the area and be professionally qualified and experienced.

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About This SPD - please adhere to Plain English guidelines, particularly in sentence length. It is best to aim for average sentence length of 20 words. You have sentences here of 46 words (D. Appendices) and over 60 words (About This SPD). It's really difficult to absorb the info in very long sentences. You don't need to use so many words. Phrases such as 'seeks to promote' means the same as 'promote', and is not only clearer but more confident and forceful.

There aren't any examples of good practice in the sections on Neighbourhood Character and Views and Landmarks.

The classification of neighbourhoods seems inconsistent and incomplete. Hanover and Craven Vale are both classed as 'urban', but Craven Vale is a 20th century estate near the top of the Downs (and a bus ride away from the town centre) while Hanover is a densely populated Victorian development within walking distance of the town centre. East Brighton (Whitehawk? Roedean?) and Tivoli/Prestonville are surely suburban? The Central Conservation Area also include many distinct urban and suburban neighbourhoods (Clifton, Montpelier, Kemp Town, Brunswick) and some urban areas (Regency, St James's Street) which are highly sensitive to change because they border or include areas designated as 'tall building areas'. But they are missing from the categorisation.

There are other sections of Kemp Town seafront which should be considered as landmarks, eg Royal Crescent.

A masterplan approach is really important and will make a huge improvement to development.

There is a fault in question 20 - some of the response options are not available

The definition of a tall building relies on the mean height of existing buildings within a 100m area. Some of the areas designated as suitable for tall buildings are bounded by residential streets in conservation areas. This means that existing residential buildings, including listed buildings, could be dwarfed and permanently over-shadowed by new taller buildings erected on their boundaries, permitted because the new buildings are shorter than other tall buildings that may be up to a 100m distant. The definition of 'tall' needs to take account of the immediately neighbouring properties. Account also needs to be taken of the relative position of the proposed and existing buildings. A tall building 100m south, east or west of existing properties has a more detrimental overshadowing affect than a tall building erected 50m north of the same properties.

Some of these areas share boundaries with residential areas whose characters will be affected by tall buildings on their perimeter. Much depends on the design of such tall buildings and their relationship with the existing properties. The new student accommodation being built along Lewes Road is oppressive and fortress-like. Such tall buildings extending further inland along the Lewes Road will have the effect of making parts of Moulsecoomb feel cut off, like a walled ghetto. Some of the boundaries of the 'central seafront' area are the garden walls of residential properties.

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A brilliant approach. It forces the developer to take a considered and rounded approach to design. Also offers the possibility of much easier public engagement than the current system, where developers can get away with paying lip service to consultation by showcasing a near-finished proposal immediately prior to submitting a final planning application with too much technical detail for the average lay person to assess. But early consultations with council officers, neighbours and other stakeholders must be more than 'recommended'. They need to be compulsory and genuine, not merely box-ticking exercises.

There is nowhere else for me to make this comment, but I'm really impressed with this whole document. Some very clever, knowledgeable people have put a lot of work into this. Thank you and well done.

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Brighton is a very compact city. Lots of problem with narrow roads, traffic, parking problems, crowded areas, lack of open green places.

Brighton has not seen much changes in last few decades, Higher buildings and Wider roads and pavements are preferable in regards to the safety, comfort, parking, etc. The new Church Road in Hove is a very good example of a good wide road.

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There is no specific mention of Air Quality even though many areas of the city experience illegal levels of NO<sub>2</sub>, high ozone, high NO and levels that exceed the WHO 24 hour guidelines on particulate matter. There is very little effective work going into improving air quality; the new BH buses may improve things but they are still 100% diesel powered hybrids and have not plug in functionality.

Significant wording should be added; people's health is currently being harmed as it is well above the levels that COMEAP and other government and EU departments say will cause harm.

'Enhances nature' - how can the destruction of 7% of green land and natural habitat enhance nature? This is awful and frankly offensive to everyone's intellect.

'the council is committed to promote and foster high-density' the roads cannot take more congestion

A specific mention should be included on the current congestion, poor current infrastructure and that additional development will add to this pressure.

'if possible exceed, these targets' - it is a fantasy that you might exceed the targets or even meet them without significant destruction of natural habitat and green land. The targets should not be exceeded due to this reason.

There should an amendment adding the difficulties and challenges and sacrifices that will be required to meet the targets.

Specifically 2, 4, 6 and most of all 7 are all in sensitive areas that currently exceed legal air quality standards as recognised in the council's own air quality annual status report. Building large buildings reduces air flow and due to the vists to those buildings will increase traffic increasing congestion and traffic emissions further. This will increase pollution and should be a red line for the protection of the current residents.

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Further and possibly more seriously, the locations chosen will expose serious numbers of people who are not currently exposed to pollution. New student apartments in Brighton have increased the total number of residents exposed to illegal levels of particulates by around 50% over just the last 3-4 years. It is an absolute scandal.

There is currently insufficient tools to prevent air quality from being assessed properly. For example the assessments (paid and arranged by the developers) are wholly inadequate and will use every trick to avoid the recognition of poor quality air in regards to proposed sites.

Air Quality and congestion are not recognised in any level of seriousness here. It is an outrage to those who suffer daily from being exposed to illegal levels of NO2 and particulate matter and who are exposed to harmful levels of unregulated gases such as ozone.

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We particularly value the criteria which

- Preserves or enhances key views and the settings of landmarks.
- Enhances nature and helps to make the city more climate-resilient.
- Positively promotes health and well-being, providing appropriate level of public and private amenity for all users.

We request that the much-loved wide panoramic view along the northern section of Surrenden Road which runs east-west be classified as a 'strategic view' and be included in the list of strategic views within the UDF-SPD. The view meets all the criteria for a 'Strategic View' as defined within the Urban Design Framework – Supplementary Planning Document. We have submitted a document providing the evidence in support of this request by email.

We suggest the inclusion of more recent landmarks including the i360 and the Rampion Wind Farm.

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Look the draft is not following your own guide lines

The building is to tall it is going to block out people sun light for a large part of the year  
You talk about story's what is that in metres from the kings way not basin road  
If it goes ahead it will be the tallest building along the harbour part of the kings way and will set a precedent

Spoiling everyone who lives along this stretch of road amount of sun light in the autumn and winter months we need vitamin D which you get from sunlight  
This could affect people's mental and physical health

If you lower the height and have space in between you will meet all the criteria you are not doing with this design

Brighton and Hove needs development for housing retail commercial and jobs

However it should be in keeping within the areas that this development is

The local people should be happy and proud of this development

As this is in their community and they will use these amenities or at least look at it in a favourable way



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Add "prioritising" so that the 4th bulleted point on page 6 reads:

"Supports accessibility and the ease of daily activities aiding connectivity and PRIORITISING active travel for all users.

Where you say: "For each priority, the council has set out a set of design principles for applicants to prioritise when preparing proposals.", these must include compliance with standards for high quality cycling and walking infrastructure e.g. LTN 1/20 and Gear Change. Also, no one-way streets should be approved without a cycling contraflow, and barriers such as gates must not be placed across routes for active travel.

Whatever categorisation the neighbourhood receives, active/sustainable travel plans must not be compromised by developments. Land at the urban fringe is particularly vulnerable, and often contains routes that people use to exercise, walk and cycle into the countryside. Routes needed for BHCC cycling/walking plans i.e. the Rights of Way Improvement Plan and the Local cycling and Walking Infrastructure Plan must be maintained, not built over or filled with traffic.

Regarding "1.1. Environmental conditions": wind currents become stronger between buildings. The effect on walking and cycling needs to be acknowledged. "Narrow openings" are not necessarily effective in reducing the problem. Particularly towards the seafront, the junctions with the (fairly narrow) side roads can become impassable in windy conditions. This makes active travel more difficult, particularly for the older person, those who are less mobile and people cycling. There needs to be some scientific back up so that wind tunnels (as seem to be developing on the Lewes Road) are not created.

Regarding "1.2. Neighbourhood character" the point "Allow existing levels to guide layout options and optimise effective pedestrian and vehicle access." is conservative and needs to be subject to greater ambition in line with enabling active and sustainable travel, not perpetuating previous levels of motor vehicle access. Low Traffic Neighbourhoods need to be created and ubiquitous parking needs to be stopped.

Regarding "1.3. Composition of street scene". There must be compliance with the standards for cycling and walking infrastructure, not simply creating "shared spaces for pedestrians and cyclists." Developers often cram people walking or cycling into shared space, rather than providing adequate space for each mode. Shared space is not popular with either mode, and where space is narrow, this causes conflict. Requirements for high density housing where there are no gardens for children to play, mean that street play is highly desirable as an alternative and space might need to be shared, but this is completely different to the situation around shops and central streets, or in blank canvas developments like Toads Hole Valley, where there provision for people walking should be separate from people cycling, and this should all be in line with the latest up to date guidance given in Gear Change and LTN 1/20. People walking and cycling should not be expected to constantly give way to motor vehicles at side roads in street design. This is particularly reprehensible in new developments.

Regarding "1.5. Opportunities for masterplanning", these need to take active travel seriously and employ the correct walking and cycling infrastructure standards, and not defer the planning for sustainable/active travel to the end of the planning process.

2.1 Active and Inclusive Travel: The references, while containing historically important guidance are getting out of date, particularly the Public Life, Public Space Study from 2007. Manual for Streets 1 is also from 2007, and Manual for Streets 2 from 2010. The latest guidance in this area, i.e. LTN 1/20 and Gear Change need to be referenced and their up to date guidance included in the UDF SPD. Low Traffic Neighbourhoods also

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need to be referenced. The definition on page 17 of active and inclusive travel needs to be checked with these guidance documents.

New vehicles e.g. e-scooters, e-bikes, cargo bikes, adapted and non-standard cycles, trikes and trailers need to be considered in the UDF SPD and designed for, particularly in the light of Covid and inevitable subsequent pandemics, where active travel and greater distancing is required.

There needs to be a clear distinction between the modes of cycling and walking. They should not be lumped together. Shared space is not a preferred solution because it is unpopular with both groups.

The Streetscape Design Guidelines referenced on page 17, are from 2010, and need updating.

Regarding the "High Density Considerations": It would be better to "prioritise" rather than simply "consider" in this sentence on page 17: "Consider low car and car-free development options while avoiding putting pressure on on-street parking in the surrounding area."

What is needed to encourage active travel:

We need a coherent, integrated cycling network of safe cycle routes separated from traffic.

Traffic reduction, modal filters and road closures are a necessary part of safer provision which will encourage cycling and walking.

Low Traffic Neighbourhoods. The "place" function of neighbourhoods should not be destroyed by providing a "link" function for motor vehicles.

Protected space on main roads and at junctions.

Removal of through motor traffic on residential streets.

Cycle-friendly town centres and neighbourhoods with people prioritised over motor traffic  
Routes through green spaces and parks

Safe routes to schools using School Streets methodology and encouraging cycling to school.

Cycle facilities must be safe, two-way, have adequate width, priority and separation from traffic like "Dutch style" facilities. All cycle facilities must be of the highest standards i.e. Gear Change and LTN 1/20.

All junctions must be reviewed from the cyclist and pedestrian point of view and safer, wider routes are provided.

All one-way streets need to be converted to 2-way cycling. No more one-way streets should be created.

Cycle parking must be increased through a continuous programme of review and provision.

Provide more "early green phase" cycle traffic lights e.g. on Western Road.

Parking in cycle lanes must be stopped e.g. by double yellow lines and enforcement or made physically impossible by design.

Continue to push down speed. Extend 20 mph limits and review higher speed limits e.g. where they exist in suburbs, estates and links to major roads.

Better signage and clearer mapping.

Keep cycle routes clear of obstructions and hazards: Vehicles, Skips, Bollards, Rubbish, Gravel, Barbed wire, Ice, mud, Hidden kerbs, Potholes, Drain covers, Undergrowth, Hedge cuttings, inappropriate or poor surfaces.

Cycling must not be brought to a halt by utility companies, contractors, delivery companies and development works. There need to be temporary cycle lanes if routes are obstructed as are sometimes provided for pedestrians.

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No unnecessary "Cyclists dismount" signs, "give ways" or locked gates installed by the Council or others.

Removal of freight from places where people are. Strict standards for HGVs and restrictions on delivery times/routes.

2.2 Outdoor Amenity: The UDF SPD needs to make it clear that no "No cycling" signs should be used in public spaces such as have been heavy-handedly applied at Wild Park, next to the Lewes Road. Children need to ride somewhere. The Coldean Lane junction is not a suitable place for novice riders, even though there is some paint marking a route across the wide expanse of tarmac. Similarly, one way arrangements in Stanmer Park are a nuisance for people cycling and should not be made unless a cycling contraflow is also put in.

2.4 Mix of uses and active frontages: P23-24. When recommending cafe tables on streets, there needs to be space left for people to walk and cycle. This is a big problem now in Brighton and Hove, notably at Ship Street where a 2-way cycle route has become dominated cafe tables from two establishments and complicity by the council to allow the width for walking/cycling to be reduced to a substandard level, even worse due the additional need for social distancing.

2.6. Materials and management: page 27. The Streetscape Design Guidelines from 2010 need to be updated to take account of the many changes in personal transport (e.g. e-scooters, e-bikes) and government guidance. Some points about what is included in those Guidelines: Cafe tables should not obstruct active travel (as mentioned above); Cycle stands need to have sufficient space between them so that people with full panniers can park, and to be suitable for non-standard cycles and cargo bikes; Advertising at bus stops blocks the view and this is not only a loss to the person waiting, but can be hazardous if located near a cycle route or in shared space; Bollards can be a danger to people cycling (not just pedestrians) because they may not be noticed for a variety of reasons; Heavy vehicles crack paving stones and the council seems unable to prevent this or find any material that is strong enough to resist the weight of lorries e.g. at Black Lion Street; The Cycle Tracks/Lanes section in the Streetscape Design Guidelines is completely out of date.

Page 28 "Use water porous rigid and unbound aggregate surfaces around existing and proposed street trees." Added to this should be "Where materials are used to build a boundary around trees or other items, they should have rounded edges, not sharp corners". The trees in Valley Gardens are bounded by a square concrete base with protruding sharp corners. These are an unnecessary hazard to people walking and cycling who might fall near them. A rounded base could have been used instead.

2.7 Phasing: Major work should not be allowed to obstruct cycle routes for months and months without an adequate diversion. This has happened in Brighton during the Shelter Hall works and on the Lewes Road. The neglect of people cycling and walking has been unacceptable. The UDF SPD needs to refer to a Freight Strategy and enforce standards for how contractors conduct their work as regards walking and cycling routes. What is becoming common is for contractors to fence off an area of a street simply to park their vehicles, often private cars, even if this obstructs active travel routes.

3.2. Designing at density and 3.3. Housing types and mix of uses:

Design guidance would benefit from reference to communal cycle storage facilities which are common in the basements of blocks of flats in Germany, (as are communal rooms to accommodate washing machines belonging to residents.) There is little space afforded to indoor or secure outdoor cycle storage in current or historical design in Brighton. Lack of

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secure and dry storage space is a reason why a proportion of people don't own a cycle or ride one.

Convenient cycle parking (this is different to storage) for residents needs to be included in design. If outdoors, it should be spaced to accommodate all kinds of cycles including non standard cycles, and covered to prevent rain soaking things.

3.7. Deliveries and servicing facilities: Good to recommend the use of cargo bikes.

With all tall buildings, the wind currents at ground level for people walking or cycling need to be reduced by design which is evidence-based. Particularly in seafront locations, the wind currents can push people over.

5.1. Area 1: Brighton Marina: No mention of facilitating cycling. There is a marked cycle route around part of the Marina. This needs to be updated in lines with up to date guidance on cycling and walking infrastructure. Particularly the western side of the Marina is not a pleasant environment for walking.

Area 2: Brighton Station / New England: There is a lack of connectivity of cycle routes and the road environment is often poor, with large vehicles, big expanses of tarmac and long delays at traffic lights. The Emergency Active Travel Fund award for Tranche 2 improvements and the LCWIP need to be referenced and taken into account. As mentioned previously, tall buildings e.g. Providence Place by St. Bartholomew's Church becomes impossible to walk/cycle along in some windy weather. This must be avoided by design in new developments.

5.3. Central Seafront: As for 5.2: The Emergency Active Travel Fund award for Tranche 1 and 2 improvements and the LCWIP need to be referenced and taken into account. As above, side streets can have strong wind currents, and this should be reduced as much as possible by design.

Area 4: Eastern Road / Edward Street: As well as the listed improvements, there need to be cycling contraflows in all one way streets, including St James's Street. Links need to fit with Valley Gardens Phases 2 and 3.

Area 5: Hove Station: Support improvements for walking and cycling.

Area 6: Lewes Road corridor: The massive car park that was allowed to be built as part of the Field development is an eyesore and counter to the Council's sustainable transport objectives. It is also reportedly underused. If it becomes popular, all the 600 vehicles will cross the path of people cycling as they go in and out. The road design includes swept kerbs which encourage drivers to speed out of side roads. This is also unhelpful and should not be permitted.

Re "Optimise the use of community facilities in the Hodshrove Lane area.", page 54: this road and other nearby roads are one way streets. Unless these are made 2-way for cycling with a cycling contraflow, the facilities will not be optimised.

Area 7: London Road / Preston Road and Area 8: Western Seafront/Kingsway: again, The Emergency Active Travel Fund award for Tranche 1 and 2 improvements and the LCWIP need to be referenced and taken into account. As above, tall buildings can create strong wind currents which impede people walking/cycling and these should be reduced as much as possible by evidence-based design.

Area 9: Shoreham Harbour: Improvements to walking and cycling around this area will be welcome.

Whenever there is a large planning application, the number of associate documents, their size and complexity and the laborious nature of going through them on the council's

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website, is generally too difficult and time consuming for most people who would actually have an opinion if they could see a balanced summary of the plans. Even this questionnaire requires a huge amount of work to answer knowledgeably. The expert knowledge needed to make relevant responses to planning is certainly a barrier to participation.

There are no references to standards for active travel such as Gear Change and LTN 1/20, nor BHCC's draft LCWIP (consultation in January) or the Tranche 1 and 2 proposals that have been awarded very substantial government funding.

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So-called "major enhancement" seems to be a euphemism for brutalist high rise blocks which the MCHA objects to in all areas.

The view from Clifton Hill (in the Montpelier and Clifton Hill conservation area) looking west towards the South Downs should be included here. This view, from an historic thoroughfare, is now threatened by high rise proposals for the Peacock Industrial Estate in Davigdor Road.

2.5 Artistic element. The Montpelier and Clifton Hill Association (MCHA) notes with regret the lack of community consultation re. BH2020/03247 Norfolk Square Gardens.

2.6 Materials and management. The MCHA notes with regret the continued use of unattractive concrete kerbs to replace the granite kerbs in conservation areas.

2.7 Phasing development. The MCHA contends that high rise developments cannot be reconciled with phased developments as no parts of an 18 storey tower can be safely occupied until construction is completed.

2.5 Artistic element. The example of the "World Turned Upside Down" fails to mention the security cameras which protect this site. Until our streets and public spaces are made safe, monuments are likely to be vandalised or suffer the fate of the bronze statue of Steve Ovett which was stolen from Preston Park.

3.1 Royal Alexandra Quarter\_ page 32 The MCHA is especially pleased to see this example cited here. Despite the BHCC officers' recommendation to totally demolish the site the MCHA persuaded councillors in 2008 to refuse permission and at the public enquiry in 2009 the MCHA persuaded the planning inspector to dismiss the developers' appeal.

The buttons for 3.2 to 3.7 do not seem to be functioning!  
The other examples except the All England club are "Helpful"

3.4 page 36 The green walls of the All England Club may not be practical for less prosperous property owners!

5.2 Area 2 Indicative heights should be 6 to 8 storeys maximum

5.3 Area 3 Indicative heights should be 6 to 8 storeys maximum

5.4 Area 4 Indicative heights should be 6 to 8 storeys maximum

5.5 Area 5 Indicative heights should be 6 to 8 storeys maximum

5.6 Area 6 Indicative heights should be 6 to 8 storeys maximum

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5.7 Area 7 Indicative heights should be 6 to 8 storeys maximum. The terms "key landmark" and "gateway location" are unhelpful. A gateway consisting of a pair of 15 storey tower blocks would give the impression of entering Croydon.

The MCHA is oppose to CP12 which allows for taller developments albeit in defined zones for the reasons which BHCC itself cites above in the introduction to this section: (Tall buildings) "tend to be more visible, put further pressure on infrastructure, require more extensive management and are harder to maintain than low-rise development". It nevertheless acknowledges the attempts of this draft UDF to mitigate the harmful impact of tall buildings in our City.

Whilst DesignPlace no doubt wants to sell its services to developers the BHCC should also make it clear to developers that when heritage assets are affected, free pre application advice may be available from the Council's Conservation Advisory Group .

Major applications are already long enough!

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## 1.0 Overview and background

1.1 An initial review of the content, organisation and of the consideration of consultation feedback received since the Issues and Options stage of 2018, indicates much appears to have improved in the Draft UDF SPD document.

1.2 There is a far greater level of relevant advice, across a broader and more relevant set of considerations, and PAF welcome this improvement to the previous draft.

1.3 Furthermore, there is no longer a slavish adherence to narrow sets of density figures which instead appear to be encouraged to be challenged with higher density where appropriate, and this step is encouraging.

1.4 Nonetheless, we do have some concerns and we outline these below.

## 2.0 Appearance and Structure

2.1 Such an important document as this UDF has to be easy to follow and understand, otherwise it will not fulfil its proper role as essential guidance to development.

2.2 Where for the most part the new draft does read very well, its structure might be clearer were this made more emphatic in the two introductory pages. For example a simple sub title 'Structure of this SPD' inserted below the second set of bullets on page 3 would clearly set up what follows.

2.3 Similarly, the sub categories of Section A and Section B are lost within their respective Section lead pages, whereas Section C does not list any of those that follow.

2.4 It would assist the reader to recall this structure were the main Section header; A, B or C repeated above each sub-category (e.g. Section A: Local Priorities, 1. Context.

Section A: Local Priorities, 2. Spaces Between Buildings etc, etc.)

2.5 Furthermore, within the text, reference to sub-sections should be preceded by their Section header, e.g. p9, reference to Section 11 should read Section D, sub-section 11 – there is no 'Section 11' per se.

2.6 Specific notes should be added in pages that lead sub-sections to emphasise the importance of repeated graphic devices within that section. (e.g. Section A throughout; Pale green boxes denote crucial policy links that need to be referred to, Section A: sub-sections 2 and 3; grey boxes need reading specifically against considerations of high density proposals, Sections B and C; pale green boxes denote crucial guidance and/or assessment criteria.)

2.7 Sections A, B, C and D should always start on a facing / even numbered page.

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2.8 The use of illustrations and diagrams is vastly improved on the previous draft. However, those on page 7 are not particularly strong in conveying the rich tapestry of urban character exhibited in the landscape and topography of Brighton and Hove. Those at the foot of pages 16 and 30 are particularly poor examples of their subject matter and their respective titles sometimes obscured. The second referenced diagram in the central panel on page 72 is incorrectly noted as 'below' where 'above left' would be correct.

2.9 The second sentence of the second paragraph on page 8, referring those considering small sites and householder development to SPD 12, needs to be placed earlier in the whole document. Thereby this would better frame the purpose of the UDF in setting standards and offering guidance for more significant development across the City.

2.10 There is a grammatical error in the last sentence of the grey box at the foot of page 34 and unfortunately its meaning is lost.

2.11 Likewise, the second paragraph of page 39 seems unfinished.

### 3.0 Content

3.1 Whilst welcoming the general improvement on content and structure we have some concerns over content as follows:

#### 3.2 Environment

3.2.1 With the importance of meeting recently adopted climate change initiatives there could be greater emphasis made on carbon emission reduction, carbon capture and embodied carbon calculation, together with the methods used to demonstrate this.

3.2.2 The encouragement contained within the Draft UDF to utilising a range of sustainable building design assessment tools is welcomed. However, clarity is needed that this does not mean only BREEAM, which could be inferred by reference to Policy CP8.

3.2.3 Whilst it is recognised that the UDF does not act as a representation of planning policy contained elsewhere, greater emphasis should be made of the need to reduce car ownership, integrate parking in innovative and multiuse / adaptable ways, and to better incorporate non-petrol fuelled vehicles.

3.2.4 Section A, sub-section 3.1 might also note a local example of the use of circular economy materials and of autonomous house design principles in the Earthship project at Stanmer Park. Built almost entirely from waste or donated materials and being the first prototype of Mike Reynold's Earthship concept in the UK, it's a great shame not to see this referenced by our own City.

#### 3.3 Neighbourhood Character

3.3.1 The use and online reference to the UCS map on page 10 is very helpful, specifically because the shading used to denote different zones is so similar and therefore confusing in the printed form.

3.3.2 However, on first reading the map and key would suggest that there is very little of the City are where 'positive and pro-active measures' are encouraged within new development. Those being limited to zones 3A, 3B and parts of 4. Elsewhere the map suggests the emphasis is on preserving, conserving as is, or doing piecemeal enhancement only.

3.3.3 That makes for a very worrying background and one that immediately suggests there is little scope for much high density, high quality, contemporary design that could sustain and promote the vitality and diversity so typical of Brighton and Hove.

3.3.4 It is only upon reading the detail of Section D, sub-section 11, at the back of the document, that one realises Zone 2A might also be open to a more progressive

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approach to new development.

3.3.5 Whilst this greatly increases the scope of delivering much needed higher density schemes within the City, the totality of central Brighton falls within Conservation Areas, and the UDF reiterates that, here, areas must be preserved or enhanced.

3.3.6 This is unfortunate and is a hugely missed opportunity to expand on the definition or expectations of such preservation and/or enhancement. There are many excellent examples of contemporary preservation or enhancement of listed and historic buildings where boundaries of design and density are pushed with often quite breath-taking results.

3.3.7 These must be actively encouraged if the heart of the City is to continue to lift the hearts of those who live here.

#### 3.4 Opportunities for Masterplanning

3.4.1 Although there is much content within the UDF that covers what a good masterplan might include, it is nonetheless disappointing to read only one brief paragraph and 5 bullet points on this matter.

3.4.2 A reference at least to the importance of a well-considered parameter plan, summarising the many layers of townscape and landscape considerations, proposals and guiding principles for future development might have been incorporated here.

3.4.3 We can recommend many but one local example would be that submitted for the North Street Quarter, Lewes, as approved by SDNPA in Dec 2015.

#### 3.5 Density

3.5.1 Throughout the UDF there are encouraging statements about using density sensibly in more sensitive sites, achieving minimum density targets, or increasing density figures wherever possible to increase development potential, and this not necessarily by building tall.

3.5.2 Specifically, this is addressed in Section A, sub-section 3.2, with policy links to various policies of CPP1 and CPP2. One policy reference notable by its absence is to CPP2 DM19. Maximising Development Potential, aimed at avoiding the underdevelopment of sites.

3.5.3 Moreover, it is hoped that the interpretation of a 'minimum' density figure is not incorrectly understood as a 'maximum' threshold for any site or any character area, either by planning officers or planning committee members. Therefore, we would prefer the UDF to contain a statement reassuring the reader that such mis-understandings are irrefutably counter to BHCC policy.

#### 3.6 Tall Buildings

3.6.1 Section B, sub-section 4 Definitions starts with a sentence that unfortunately immediately creates confusion. For clarity we believe the sentence should state that a tall building is defined as either one that is equal or over 18m high (from its entrance level), or that is significantly taller than the prevailing height of those surrounding the site.

3.6.2 Currently, by saying it is both, immediately sets up contradiction.

3.6.3 The Tall Building Statement outlined in sub-section 6 includes a set of bullet points that describe what must be contained by a TBS. The section also refers to Section D, sub-section 13 which then gives greater summarised detail without clearly noting which of the bullet points just noted the summary advice refers to.

3.6.4 Hence, again, this creates confusion and it might be better were Section D, sub-section 13 condensed further and incorporated into Section B, sub-section 6.

3.6.5 Within the TBS guidelines of Section D, sub-section 13, it is noted that groups of

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tall buildings should not mask natural valley formations, and should instead always step in response to natural slopes.

3.6.6 This simple statement would appear to remove the ability to use counterpoint as a compositional means of creating both drama and gravitas within the urban framework, unless only employed on flat sites.

3.6.7 This would be better were such instances considered on a case by case basis.

### 3.7 Pre-application Process

3.7.1 Section C: Planning Process, sub-section 7, notes the importance of early consultation with the local authority. It contains a useful flow chart of when such pre-application services should be utilised, notable three times prior to the application submission.

3.7.2 The following sub-section then suggests that pre-application consultation should be undertaken after that stage, immediately contradicting the advice contained within the flow chart as this would be an additional, pre-application stage.

3.7.3 Whilst not wishing to counter the good intentions and advice captured by the contents of this section, and as it contains no policy links, there must be absolute clarity given on the required number, type and arrangements for such pre-application consultation.

3.7.4 In addition, and perhaps most pertinently, the expectation of a client entering into 3 pre-application meetings when to agree a date and obtain feedback from just one is currently longer than many clients expect a full application process to take, is wholly unrealistic.

3.7.5 Notwithstanding this pertains to a wider issue of performance in delivering the pre-application process far more effectively than current, even with a fast and efficient pre-app service, one might only expect 3 rounds of pre-application review on the most sensitive sites.

3.7.6 Again, it may be better were this section reviewed in terms of what is achievable by BHCC and what is reasonable to expect from the client / developer, on a case by case basis.

### 3.8 Communicating Design Ideas Well

3.8.1 This sub section refers to the submission of a Design Statement or, where applicable, a DAS. Within the description of its contents there is no specific mention of the 5 standard criteria one would normally expect; Layout, Access, Amount, Appearance and Landscape.

3.8.2 Being the 5 aspects referred to in reserved matters approvals, these criteria are particularly important to cover within such statements.

3.8.3 Further guidance on Design and Access Statements and how to write, read and use them can be found on the Design Council website, and this would be a very helpful reference.

### 3.9 Conclusion

3.9.1 Overall there is much to welcome within the current draft UDF and we support the continued improvement of such an important document.

3.9.2 However, there are shortcomings as noted above.

3.9.3 To be taken more seriously and embraced by those who need to use it the layout and structure needs relatively minor improvement.

3.9.4 To be more supportive of the aims and ambitions of CCP1 further clarification and support for innovative, high density, well thought out and expertly delivered schemes

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needs to be introduced.

3.9.5 Expectations of developers and design teams need to be matched by reciprocal expectations of BHCC departments in facilitating a smooth, and hopefully linear, process.

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Active travel is so important for health and environmental reasons. I strongly support segregated cycle lanes for children and families to cycle safely around the city, and of course these can also be used by people with disabilities to use either on bikes or motorised scooters, and older people too.

Generally I'm pretty anti any new building that is higher than what was there before.

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I disagree with the report that the eight-storey buildings is appropriate for this part of Kingsway,

The proposed building will be too high and reduce the light considerable for those houses north of the build.

I believe that six stories should be the maximum allowable.

I support the councils ideas but object when they aren't adhered too.

The proposed design for the high rise building on the Kingsway would make a mockery of your good intentions.

The west end of the Brighton and Hove city should not become a high rise ghetto.

The draft specifically talks about the horizon landscape and having a massive tower block does not equate with the explanation in Section 1

I object to having very high building plopped in front of a long standing residential area purely for financial gain of the developers with total disregard of local residents and the councils good planning practices mostly documented in this draft urban frame work.

I OBJECT totally in the council slipping in a design change in the document especial the proposed building on the Kingsway that total flies in the face of common sence good practice and residents wishes.

The new building on the Kingsway will have gross implications re servicing and road access that increasing the height of the building to 8 stories will exacerbate.

Why have the planners totally ignored all the advise and guidelines they have set out in section 13 and slipped in the proposed plan for a tall building nightmare on the Kingsway in Hove.

\*\*\*\*\* please take note

I object because a 8 story high building is out of character with the area the skyline.

The eight story building against the low backdrop of community housing will be high over powering and depressive in design and nature

Yes the blurring of definition of a tall building doesn't take into account where it is to be built. A new 8 story building will not be out of place amongst other 7 storey apartments ... but an 8 story building in the 2 story residential area become a shock and an eyesore.

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Pleased that there is a section on Active travel and this include inclusion. Should there be a section on climate emergency?

There could be reference to 15 minute neighbourhoods here ie to reduce the need to seek out services and activities across the city.

I am interested to know why the coast itself isn't an approach either by sea of East - West along the NCN and the England Coast Path and A259. Both routes are iconic and also lin

The section strongly aligns to Sustrans aims for Liveable Cities and Paths for Everyone.

We would like to see more examples of inclusive and commercial cycling eg cargo cycle deliveries. Sustrans has more examples of different types of surfaces and materials.

I couldn't see reference to cycle storage which will be crucial to accommodating the increase in cycling and to people living in flats. We would like to see alongside provision for storage that there are ground level easy access cycle garages and parking eg similar to those at 20 Norfolk Terrace building on the corner of Montpelier Place.

Good practice examples would include cycle garages and covered, passive or active surveillance accessible parking in line with LTN1/20. Also dropped kerbs.

Adequate cycling parking must be provided preferably cycle in and out and with space to change and decant luggage. Safe and secure, Accessible to non-standard cycles. Consider provision for ebike battery charging in fire safe lockers. Consider fire hazards of lithium batteries.

Is there an opportunity to direct developers to Sustrans advice and guidance documents. eg designing inclusive infrastructure.

It would be useful for a Day in the life to include some assigned personas such as a disabled cyclist.

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General - see below re making this Guidance mandatory..Many applications clearly do not follow much of the Guidance available and time is wasted when examining planning applications.

suggest addition of the Peace Statue -looking west

The Peace Statue included as a civic landmark

Rather than stating "the Council recommends" suggest the following. "the Council requires".

Currently, there is too much 'wriggle 'room for applications. Is it not possible to make it a Legal requirement to fulfil the Council's Policy, rather than offer Guidance?

very comprehensive

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They are good positive aspirational criteria but the ability to achieve them, or what is deemed to be achieving them or measurements for success would both be subjective and partial. So an understanding of what is meant in practice is needed e.g. "appropriate level of public and private amenity for all users". Who deems what is an appropriate level and are we likely to really be considering 'all users'. How can we do that, are design team staff going to have a level of knowledge that enables consideration of all users or will they need to be in dialogue with groups to develop this?

There is clearly a correlation between the type of area and 'sensitivity to change' and the average income of areas. There needs to be a real critical reflection on this being a plan for gentrification and what safeguards are in place in terms of housing tenure and rent levels. This also raises the question that would development be beneficial to the people who live in the poorest areas. How has sensitivity been calculated? This is not clear and raises questions around what is really meant by sensitivity to change, as poorer neighbourhoods are classed as being less sensitive to change but would be the groups most effected by precarity in housing and employment.

Bevendean Down is not included as a strategic view but is a popular location particularly for locals in the surrounding housing estates. It should be included as gives an outstanding view of the typical pattern of past developments being able to see the terrain of North-East Brighton from Falmer to Coldean, Down the Lewes Road, Bevendean and across central Brighton. This gives an unparalleled view of the composition of North East Brighton and the relation to the terrain it lies upon.

In Housing types and mix of uses, the inclusion of mix of housing typologies is welcome but this will only contribute to social sustainability when combined with a mix of tenures including focusing on social rent which is almost the only affordable type of housing for most poorer people in Brighton.

In greening there should also be consideration of provision of space for community gardening uses. This helps with place-making, allowing people to have a sense of investment, control and decision-making over their environment.

There is no consideration of amenities such as toilets or changing rooms within buildings despite the criteria outlined at the start" Positively promotes health and well-being, providing appropriate level of public and private amenity for all users."

BHCC's own research from the Trans Scrutiny Panel (2013) highlighted:

"Recommendation 22: There should be provision for accessible and gender neutral toilets in all areas. The council should take the first step, with consultation with trans individuals, to ensure gender neutral and accessible toilets are available in public buildings. Where appropriate, this process should involve consultation with other groups affected such as disabled people who may have a view about widening access to toilet facilities designated as accessible for disabled people."

The Trans Needs Assessment 2015 for Brighton & Hove also highlighted the crucial role adequate provision of toilets for trans residents: "The provision of gender neutral toilets was thought to make a big difference and was described by one focus group participant as 'life-saving'."

This needs to be considered in order to meet the SPD's objectives of inclusivity and sustainability as toilets and changing rooms (the most obviously binary-gendered spaces) are key to securing the city's social infrastructure are inclusive of all users.

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It should be made clear in the UDF SPD that applicants need to evidence consideration of appropriate facilities that do not have only binary-gender (male/female) options. The evidence for this I have commented before from BHCC's own research and Trans Needs Assessment.

The design team should engage with trans and non-binary residents as key local stakeholders in developing the ability advise on the provision of spaces such as toilets that are often gendered. The design team need to consider this in interactions with developers and applicants in order to make sure inclusive toilet infrastructure for all users has been considered. This is key in achieving inclusive social infrastructure in Brighton & Hove. This is why it needs to be made explicit as part of the process with consideration evidenced, just like would be done with external materials chosen and used on a building. This should be a sub-section or criteria as part of the design statement or Design & Access statement from applicants. The applicant must evidence how they have considered any binary-gendered spaces in the design stage or if all spaces are 'gender-neutral'. This inclusion means applicants must consider and reflect on if their design is inclusive or not of trans and non-binary residents as well as cis-gender residents.

[A day in the life] section has the real capacity for applicants to produce designs that are heteronormative (exclusionary forms of social life that overlook or marginalise sexual and gender minorities). Also whether this is a place only those with higher incomes can afford to inhabit in the ways imagined. For example is the 'A day in the life' affordable for those on low-incomes, are spaces free to use or inhabit, are they gated or open to all residents.

Suggestion of writing includes Michael Frisch's 'Finding transformative planning practice in the spaces of intersectionality' and the work and edited collections of Prof. Petra Doan. However, this is US-based this is a real chance for Brighton to be a leader in this area and collaborate with the Equalities co-ordinators in BHCC, local trans groups such as The Clare Project, Allsorts and Switchboard, as well as myself at the University of Brighton to create leading best practice in the area of trans-inclusive design.

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Consider strategic reference to the Local Transport Plan (LTP) and the emerging Local Cycling and Walking Infrastructure Plan (LCWIP) where possible

### Section 1.3

- Optimise provision of electric charging points...include cycle parking/storage, although needs to take into account the obstacle-free point. Refer to level access bus stops or well designed waiting areas. Also to seating and provision for parklets, if appropriate here. Would also be good to refer to design to naturally calm vehicle speeds.
- See the TfL 'Healthy Streets' principles (page 13) <http://content.tfl.gov.uk/healthy-streets-for-london.pdf> which is referred to in the PHE Healthy High Streets document that you have a link to in section 2.1.

### Page 16

- Is the figure showing gardens, footways and roads helpful in demonstrating that we are trying to create attractive safe streets for people? It suggests segregating vehicles and pedestrians, each having their own space and design...and gives the impression that vehicles may dominate the overall design and safety feel.

### Section 2.1

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- Para 1 – Add reference to noise too at the end.
  - Refer to TfL Healthy Streets? (see section 1.3 comment) or the PHE document.
  - Refer to DfT's new 'Local Transport Note (LTN) 1/20' – cycle design guidance.
  - Refer to 15 minute neighbourhoods [think there is BHCC talk of 15 rather than 20 minute ones], whereby access to key day to day services including cafes/restaurants, education, leisure facilities and retail are within a 15 minute walk or cycle.
  - The link to National Institute for Health Protection takes you instead to the PHE Healthy High Streets document (which should be kept).
  - Design Considerations: Can we add 'car-free' to low car parking, and can provision be prioritised for disabled persons and car club vehicles [although operators prefer publicly accessible parking] and electric vehicles, and incorporate charging points? Can we add providing attractive and safe provision for cycling [which could be through segregated or other dedicated infrastructure] around and to the site/masterplan?
  - High density considerations box: The text in this box is too generic and needs more explanation / detail where possible. Do the 'shared facilities' refer to parking (including cycle parking)? If so, amend to 'easily accessible by cycles (including electric cycles, cargo cycles and cycles for use by those with mobility impairments), powered two wheelers and cars'. It is not clear what the storage relates to...bins as well as bike storage?
  - Consider drop-off and pick-up provision too (including deliveries), depending on the development type.
  - Add recognition that cycle parking/storage needs to cater for a range of bicycles including cargo bikes and trailers.
  - Refer to contributing to creating neighbourhood mobility hubs, where local bus stops, shared cycle/e-bikes, car club vehicles, EV charging points and collection points are provided.

## Section 2.2

- Add reference to places to rest.
- Add reference to on-street parklets...or (since they considered temporary) providing space to enable the provision of these 'pop up' green/rest spaces.

## Section 3.7

- 2nd para – looks to be in note form, at least first sentence. Yes, needs to accommodate/encourage cargo bike and small electric vehicle deliveries.

## Section 13.1

- Infrastructure: amend 'road network' to 'streets', or add 'footways' and 'cycle routes'. New development should minimise the increase in private vehicle trips, therefore the focus should not be on road network capacity, which is how it currently reads.

## Section 13.2

- Active travel: add reference to 15 minute neighbourhoods (see comment in section 2.1). We should focus on increased access rather than increased mobility.
- First sentence in box – include reference to car club and cycle hire provision
- 'Sustainable transport corridors' – where are these identified (can't see them in the City Plan Part 1 or LTP4)?

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There is not enough emphasise on local pollution, respiratory-cardiac health and air quality. In the 2020s this will be one of cities most important responsibilities.

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Small cities can be outstanding exemplars of working towards carbon neutrality. However city policy has much bigger potential to influence local air quality on its own doorstep.

Welcome the use of slopes & topography in design. Try to avoid habitable space and dwelling time where traffic may be congested, launch, hill climb or hill start.

Development may enhance the views in some cases

Welcome design space between buildings. It is important that transport corridors with road traffic emissions are not fully enclosed with massive parallel walls - forming a street canyon that has poor air quality.

Active ground floor uses, outdoor seating, amenity and balconies are not appropriate for polluted areas or in locations where harmful emission are high.

Set back is required between buildings, dwelling places and road traffic emissions. Consider future integrated zero emission transport; electric, cable car or autonomous that can travel between the indoor and outdoor domain that has potential for a number of development areas including Brighton Centre-Churchill Square.

It will be important to avoid combustion; including gas and biomass in the tall building development areas. Reason: to avoid the risk of noxious plumes, smoke or odour entering the habitable space at height. The government plans to cease gas (fossil fuel) boilers in new developments from 2023. It is advisable this happens in the tall high density development zones first.

Tall buildings are good for reducing travel and urban sprawl. Important size and massing is set back from busy transport corridors. For example Eastern Road at the hospital and other AQMAs should not be enclosed. There is gain in public amenity space, nature and parks whilst delivering good value per hectare.

Like to see development see opportunities to open up streets

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In relation to the requirement for Tall Building Statements to accompany planning applications for tall buildings, it is important that the level of detail sought is proportionate to the scale and appropriateness of the proposed building. For example, for schemes considered an appropriate height from a design perspective and in locations identified as appropriate for tall buildings, it is considered onerous to require evidence of testing of other forms of high density development. We therefore suggest that the text in Section 6 is amended to state that Tall Building Statements “must include written and illustrative supporting information and justification for the chosen uses and proposed built form, which includes the following WHERE APPROPRIATE:”

In connection with the above, we strongly support the recognition of Brighton Marina as an appropriate location for tall buildings given its role as a key commercial and leisure destination in the city and the positive contribution that can be made to the city’s skyline.

We note that in relation to the indicative height range the draft SPD states that the heights will largely be determined by visual impact on views from hillsides and

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from historic Kemp Town Enclosures. We welcome this design led approach to establish appropriate heights as part of the natural design progress for emerging schemes.

We welcome the recognition in the Brighton Marina design considerations of the need to resolve poor connections with the surrounding area including Madeira Drive, Marine Parade, areas to the north and the city centre given the sites limitations in terms of transport services and infrastructure.

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Consider including headings to emphasise the need for carbon neutrality, protecting Communities from the effects of pollution, designing for the lifetimes of buildings and housing priced to be available for local people.

I support the criteria but have serious reservations about the concept of higher densities – I feel that a cap on density should be agreed and implemented. I think there should also be more clarity over what constitutes “good design”.

1.2 Neighbourhood character – There are some good practice examples of neighbourhoods zoned to make best use of transport, terrain, focal points and infrastructure. The City of Chichester in West Sussex is, in my view, a good example of neighbourhoods zoned into retail and tourism focal points, commerce zones, education zones, sport and leisure zones, residential planned transport hubs, traffic, cycling and pedestrian routes planned to facilitate sustainable transport. There are also examples of living/work hubs where residents can walk to their places of work to minimize the need for transport - Perhaps, also use an example of a “20 minute neighbourhood”?

Need to ensure that strategic views do not include objects in the foreground that may “hide” features in the background view!

I think these requirements have been well thought out but feel that the use of the word “should” implies a certain amount of discretion that may allow developers to prioritise their financial returns over the needs of residents and communities. Perhaps a stronger word (e.g. “shall”) could be considered? Generally, many of the requirements in the UDF should be mandatory, rather than desirable.

2.1 I think that BHCC should consider adopting a standard design code for cycle ways similar, perhaps, to that used in London?

2.6 The design and management of developments must prevent any risk, to public health, of disturbing toxic or contaminated material, especially in brownfield sites, and protect Communities from the impacts of pollution.

2.1 to 2.7 Very difficult to find good practice examples in Brighton, apart from the Victorian squares and crescents. Perhaps look for good examples in France and Germany ?

I think there must be a specific requirement for all new builds to be carbon neutral or carbon negative.

Waste storage and collection is a very important issue and perhaps the City could consider the use of below-ground waste containers (as used overseas) in large new build projects.



More careful thought needs to be given to delivery and servicing facilities, especially in car-free developments, where there will be higher dependence on home deliveries.

3.1 to 3.7 Very difficult to find good practice examples in Brighton,. Perhaps look for good examples elsewhere in Europe + award-winning Goldsmith Street Passivhaus development in Norwich?

Whilst I wouldn't object to the well-considered use of tall buildings in some locations and with generous open spaces around them, I do have a problem with excessive tall building developments, especially if they fail to provide suitable, truly affordable homes for local people. There also needs to be a much tighter definition of what constitutes "good design"!

5.1 – Is an obvious over-development with little value to local residents or as a tourist attraction

5.2 – Is an area with a claustrophobic feel, poor natural wayfinding or sense of place. However – I do support the Greenway initiative.

5.6 – An obvious over development, creating a canyon-like, closed-in environment, with little evidence of how the road environment may be improved

5.1 to 5.9 - The excessive use of tall and very tall buildings is likely to have an adverse impact on views, the well-being of local communities and the related densities may risk overwhelming the City's infrastructure.

5.9 – No mention of supporting and developing the use of Shoreham Harbour as a port.

I think that tall buildings can only be justified where they provide decent, sustainable homes for local people.

It may help to cross reference the design stages with the RIBA Plan of Work 2020, to encourage consistency.

Perhaps include some more specific guidance on community consultation?

Perhaps include some guidance on the quality and size (e.g. number of pages) of supporting documents? I agree there are advantages in early stakeholder engagement and buildability studies can also prove beneficial!

Consider increased use of digital technology (e.g. 3D visualisations – walk-throughs, fly throughs) to help stakeholders and reviewers gain a better understanding of what is being proposed? I think this can be especially useful when superimposed on Google Maps 3D!

It would be useful to understand how proposed buildings would be used and 3D visualisations (+BIM?) could help facilitate this.

It may also be worth looking at how a proposed development may perform during its lifetime (e.g. maintenance, responses to climate change, responses to potential changes in use, adaption, re-assembly, etc.)?

Page 70 - DPH – I have seen some developments proposing densities of up to 300 – 350 dph in Brighton & Hove – well over the “very high” classification. Could BHCC state a maximum allowable dph in the UDF, in the light of the potential effects of high density living on health, safety and well-being of communities?

Pages 8- to 80 – Perhaps there should be a more specific definition of what constitutes and “enhancement” of an area? Especially from a Community’s perspective!

Page 92 – Infrastructure – Some Utilities companies appear to be reluctant to assess capacity of water/sewage systems until after Planning Approval has been granted – this may be too late in some instances!

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## Transcripts of email responses

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Our remit includes protected sites and landscapes, biodiversity, geodiversity, soils, protected species, landscape character, green infrastructure and access to and enjoyment of nature.

**While we welcome this opportunity to give our views, the topic this Supplementary Planning Document covers is unlikely to have major effects on the natural environment, but may nonetheless have some effects. We therefore do not wish to provide specific comments, but advise you to consider the following issues:**

### **Green Infrastructure**

This SPD could consider making provision for Green Infrastructure (GI) within development. This should be in line with any GI strategy covering your area.

The National Planning Policy Framework states that local planning authorities should ‘take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure;’. The Planning Practice Guidance on [Green Infrastructure](#) provides more detail on this.

Urban green space provides multi-functional benefits. It contributes to coherent and resilient ecological networks, allowing species to move around within, and between, towns and the countryside with even small patches of habitat benefitting movement. Urban GI is also recognised as one of the most effective tools available to us in managing environmental risks such as flooding and heat waves. Greener neighbourhoods and improved access to nature can also improve public health and quality of life and reduce environmental inequalities.

There may be significant opportunities to retrofit green infrastructure in urban

environments. These can be realised through:

- green roof systems and roof gardens;
- green walls to provide insulation or shading and cooling;
- new tree planting or altering the management of land (e.g. management of verges to enhance biodiversity).

You could also consider issues relating to the protection of natural resources, including air quality, ground and surface water and soils within urban design plans.

Further information on GI is include within *The Town and Country Planning Association's "Design Guide for Sustainable Communities"* and their more recent "[Good Practice Guidance for Green Infrastructure and Biodiversity](#)".

### **Biodiversity enhancement**

This SPD could consider incorporating features which are beneficial to wildlife within development, in line with paragraph 118 of the National Planning Policy Framework. You may wish to consider providing guidance on, for example, the level of bat roost or bird box provision within the built structure, or other measures to enhance biodiversity in the urban environment. An example of good practice includes the [Exeter Residential Design Guide SPD](#), which advises (amongst other matters) a ratio of one nest/roost box per residential unit.

### **Landscape enhancement**

The SPD may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green infrastructure provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider how new development might makes a positive contribution to the character and functions of the landscape through sensitive siting and good design and avoid unacceptable impacts.

For example, it may be appropriate to seek that, where viable, trees should be of a species capable of growth to exceed building height and managed so to do, and where mature trees are retained on site, provision is made for succession planting so that new trees will be well established by the time mature trees die.

### **Other design considerations**

The NPPF includes a number of design principles which could be considered, including the impacts of lighting on landscape and biodiversity ([para 180](#)).

### **Strategic Environmental Assessment/Habitats Regulations Assessment**

A SPD requires a Strategic Environmental Assessment only in exceptional circumstances as set out in the Planning Practice Guidance [here](#). While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations in the same way as any other plan or project. If your SPD requires a Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult us at certain stages as set out in the Planning Practice Guidance.

Should the plan be amended in a way which significantly affects its impact on the natural environment, then, please consult Natural England again.

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Page 8 Section 1.1 Environmental conditions

We support the inclusion of the following design consideration:

- Look to improve biodiversity and secure net gains.

Page 11 Section 1.3 Composition of Street Scene

We are pleased to see the design consideration below which is important to ensure protection of the Brighton Chalk Block Aquifer (public water supply).

- Incorporate features to help reduce water run-off and manage water quality.

Page 17 Section 2.1 Active and Inclusive Travel

We are pleased to see the following design consideration included although we suggest adding a qualifying statement that careful consideration needs to be given to the use of appropriate sustainable drainage systems to ensure that the quality of the Chalk Block Aquifer is not compromised.

- Incorporate wildlife-friendly planting and sustainable drainage to make routes more climate-resilient, attractive and comfortable for users.

Page 21 Section 2.3 Landscaping, Biodiversity and Water

Again, we are pleased to see the following included, although, as above, we suggest referencing appropriate sustainable drainage solutions.

- Use locally suitable and climate resilient plant and tree species to help deliver multiple policy gains (e.g. biodiversity and edible landscaping) and ensure capacity for their growth to full maturity.
- Incorporate nature conservation features to support biodiversity (e.g. bird/bat boxes and bee bricks).
- Adopt nature-based/sustainable drainage solutions to reduce surface water run-off and risk of contamination of the city's aquifer and flooding from the sea.

Page 31 Section 3.1. Resource performance and use

We are pleased to see the following design consideration which will reduce mains water use.

- Incorporate rainwater harvesting to help maintain soft landscaping and/or for non-potable water uses (e.g. window washing or toilet flushing).

Page 36 Section 3.4 Greening

We support the concept of greening being included within building design. As well as the benefits detailed, greening can also increase water absorption and hence reduce surface water runoff and flood risk. Reference to this could be included in the paragraph below: Buildings can be designed to incorporate green roofs and walls, courtyards and gardens to help increase food provision, improve the health and wellbeing of residents, support biodiversity and pollinators and reduce the need to cool and heat buildings mechanically

Page 43 5.1. Area 1: Brighton Marina

We are pleased to see the sentence below included, however, it should also make reference to improving flood risk where possible.

- Incorporate design features that help to minimise the risk of flooding from the sea and surface water.

Page 59 Section 5.9. Area 9: Shoreham Harbour

As above, the sentence below should also make reference to improving flood risk where possible:

- Minimise flood risk and reduce the impact of noise and air pollution.

Page 61 Section C: Planning Process

The Environment Agency provide a charged for service for detailed and bespoke pre-application advice. It may be useful to reference this at a relevant place in this section. In addition, we always encourage early engagement on development proposals.

Page 95 Section 13.3 Buildings

We would suggest including water efficiency targets in the Sustainability Statement requirements.

1. We welcome this document as a high quality supplementary planning guidance with a sufficient level of attention to detail. We believe this will serve as a useful practical document for communities developing a Neighbourhood Plan and for developers to pay heed to, and we will feel reassured once this guidance is adopted.

2. We especially welcome the attention given to Strategic Views and the inclusion of views from Rottingdean Windmill and the views across from the East to Beacon Hill and the Windmill. Might it be possible to also include the view from Falmer Road, north of Woodingdean across to the Isle of Wight (when rain is pending)?

3. We also welcome the categorisation of Rottingdean as a suburban area to be conserved largely as existing. Furthermore, we thought it would be good to reference the following in the Neighbourhood Plan:

- UCS: Urban Characterisation Study and
- CACS: Conservation Area Character Statement

Both are referred to in para 1.2 of the Urban Design Framework.

The UCS is part of a characterisation study by BHCC, Rottingdean is on pages 99 - 102.

The CACS is again from BHCC which talks about Conservation areas and Article 4 Direction. The Rottingdean part covers 41 pages.

With reference to Section 3.1 Resource performance and use, we support the inclusion of rainwater harvesting for non-potable use as a prioritised design consideration. Our Target 100 (<https://www.southernwater.co.uk/water-for-life/target-100>) program aims to reduce customers' per capita water consumption to 100 litres per day by 2040. Planning policies that seek to ensure future development is water efficient by design will contribute to achieving this goal and are therefore supported by Southern Water.

As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process, and welcomes the opportunity to comment upon this key planning document.

Historic England welcomes the preparation of an urban design framework for the city. For Historic England, a primary issue is the embedding of the conservation and enhancement of the city's historic environment in the guidance to ensure the existing

distinctive historic environments are maintained and provide a context for high quality, contemporary design in new developments. We are pleased that the SPD successfully achieves this. Building upon the city's distinctive character areas, as promoted in 1.2. Neighbourhood character is a key part of doing this.

Historic England promotes the retention or reuse of traditional materials, patterns and textures in public spaces in historic areas to complement the historical building forms they contextualise, e.g. in the Lanes or Kemp Town. However, we recognise that in some areas high quality modern public realm design is appropriate, as has been achieved in Jubilee Street area and New England Quarter as shown in 2. Spaces between buildings. Attention to detail is crucial to achieving good public realm outcomes and the approach taken should be based upon this. Reference to Historic England's Streets for All documents as an additional source of advice on public realm works in historic areas may be useful in this section (or in the Appendices) - <https://historicengland.org.uk/images-books/publications/streets-for-all/> and <https://historicengland.org.uk/images-books/publications/streets-for-all-south-east/>.

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The plan and text on page 58 give the impression that the whole eastern end of Shoreham Port is an appropriate location for high rise development. All of the land is shaded grey, with grey shading given the title – 'indicative area with potential for tall buildings'. In fact the grey area is dominated by the JAAP's character areas 2 and 4, which are designated for commercial use, or are beach.

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Our primary objectives are to enhance and conserve the landscape of the South Downs National Park (SDNP) and to enable its quiet enjoyment, recognising that these qualities can only be realised if the setting of the SDNP is also respected and protected. We recognise that the SPD relates to the City that lies outside the SDNP, but it is vital that appropriate priority is given to the conservation and enhancement of the SDNP. Indeed, there is a statutory duty on the City Council under Section 62 of the Environment Act 1995 to have regard to its implications for the SDNP.

[We] generally support the content of this SPD development subject to the inclusion of the following:

The design of buildings must preserve the visual integrity, identity, and scenic quality of the SDNP, by conserving and enhancing key views, and views of key landmarks within the SDNP. Buildings should not be higher than the skyline when viewed from the SDNP towards the City that could affect the enjoyment of the SDNP.

Where buildings can be seen from the SDNP, architectural design must be appropriate and sympathetic to its setting in terms of height, massing, density, roof form, materials, night, and day visibility, elevational and, where relevant, vernacular detailing. There should be no light spill from any building into the SDNP.

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### ***Introduction***

Thank you for inviting us to comment on the Draft Urban Design Framework SPD. [We have] considered this substantial tome and welcomes many of the suggestions in there. We have however some reservations which are in essence matters of emphasis and effectiveness of the advice given as set out below.

## **General Comments**

Design needs to recognise the major challenges on the urban environment today. Climate resilience, liveable cities with an attractive public realm are key issues that need to be considered.

The draft SPD in our opinion fails to pay sufficient regard to these considerations in an overarching way. If Brighton and Hove is to respond to the climate challenge as councils from various administrations have repeatedly stated then a design guide should major on what this means for new development for example by:

- Setting our clear expectations on how to deal with developments that need to rely less on fossil fuels. This has repercussions on car use (see more below), on bringing nature into the city for cooling, pollution control, water management, effective use of energy, imaginative use of building materials etc. A reference to the Brighton and Lewes Downs Biosphere and the contribution design can make to bringing the ambitions of that initiative into our built-up areas would also be appropriate.
- Dealing specifically with the management of traffic, we must recognise that although we may move towards a shift from internal combustion engines to electric with batteries or fuel cells this won't deal with the fundamentals of too many tins on our roads. Over 40% of households in some parts of our city don't run a car – we need to plan for those 40% as much as for those that run cars. Car free developments in the central parts of Brighton and Hove are an obvious answer – and the council has started to recognise this in terms of first thoughts and experiments on cycling and walking. Fundamentally reducing car spaces in new developments gives us plenty of additional land to devote to child play, walking, cycling, microparks etc. HCS believes that a car ratio of .25 per new dwelling in the central parts of Brighton and Hove is an appropriate level for the sustainable city that the council wishes to create. A design guide for the city should illustrate the benefits of such lower car parking standards and how land freed up should be put to use for the benefit of the immediate environment within and surrounding new development sites.

Although the draft SPD states at the outset that it helps the city to achieve its ambition of becoming carbon neutral by 2030, we believe that there is substantially more that needs to be done for the guide to come anywhere near meeting that claim.

Generally we feel the guidance lacks the innovative thinking needed to reflect the climate change ambitions of the current and previous administrations of the city. Below we make detailed comments especially where we believe the guidance lacks ambition and is likely to result in no beneficial change.

## **Detailed comments**

1.1 Environmental Conditions: The draft guide suggests: *Retain existing mature trees and seek to add more*: Why not look at something like maximising bio-mass on site to help reduce the carbon footprint of the development. We have previously suggested the planting of one new tree per dwelling on or offsite, where there is no opportunity on-site. The current wording is unlikely to prompt the change needed for more sustainable development.

1.3 Composition of street scene: The draft guide suggests: *Optimise provision of electric charging points and avoid letting parking dominate the street scene*. This is ineffective unless the issue of car free developments is handled in an assertive way right at the beginning of the guide. There should be some thinking about the substitution of

petrol/diesel with electric – and the desired sustainability impact. Perhaps one electric space in, two normal car spaces out.

2.1 High density consideration: here we find a boxed reference to car free development – we don't feel this is assertive enough. If the city needs less cars this should be stated clearly as a firm expectation.

2.2 Outdoor Amenity: The draft guide suggests the preparation of a Landscape Management plan. This should be preceded by clear landscape design statements which set the framework for sustainable planting.

2.3 Landscaping, biodiversity and water: The guide suggests: *Create landscapes that make a positive contribution to the city's green infrastructure network and introduce street trees where possible, improving environmental comfort.* The City is crying out for street trees, with 500 odd having been lost recently due to the recent Dutch Elm Disease outbreak. The statement is well meaning but ineffective. This needs to be firmed up not least because the City is desperately dependent on developments funding new street trees.

2.5 Artistic element: We have no objection to the sentiment of this section, but believe a significant issue is being ignored: Most new development will not generate sufficient sums for the culture and arts contribution to create anywhere near the type of installations that your images suggest. Typically a new high quality arts and permanent arts installation will require north of £100K – in Brighton and Hove this can normally only be generated by pooling funds from several developments to generate a lasting artistic expression. The impact of the Council's efforts in the last 10-15 years in this field has been documented and is woefully inadequate and has left a generally unimpressive legacy. We therefore strongly recommend that the issue of pooling funds for high quality installations / sculpture is highlighted and would suggest that the idea of providing additions to the Sculpture in Our City initiative is also raised as a potential to create a collective legacy for the city.

3.1 Resource Performance and Use: The draft guide states: *Incorporate electricity and renewable heat generation and energy saving measures.* We believe this needs further elaboration in terms of space needed to be allocated for central boilers, connectivity to heat nodes etc. This has major land use and design implications and should pick up the details proffered in CCP2.

3.4 Greening: All the proposed measures are welcome although we believe they should be prefaced somewhere in the guide with an explanation. The rationale for greening apart from visual attractiveness is functional in terms of creating a CO2 sink, filtering pollution dealing with heat islands etc. If the City is going to meet its 2030 CO2 neutral objective then here is an opportunity to explain how new development can become CO2 neutral.

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The presentation seemed to focus largely on the built up city centre to the detriment of the Urban Fringe and beyond which is around 50% of our city. I believe a speculative housing development under construction on the Urban Fringe at the top of Falmer Avenue, Saltdean, is a prime example of Urban Design (UD) at its worst. I will use this (but not exclusively), to focus on what is bad, to be avoided and what good sustainable Urban Design should include:

Washing Machine Close: The Falmer Avenue development consists of: *32 dwellings comprising of 4 two bedroom flats and 28 two storey two, three and four bed dwellings.* It is on green field land originally designated to be within the South Downs National Park (SDNP), around 40% is within the city. The buildings are **completely incongruous to**



the surrounding area and can best be described as ‘giant white washing machines landed from outer space.’ [See photos below].



This development is likely to add around 48 additional cars, plus service and delivery vehicles to the already congested A259 coast and polluted roads around the city. Another speculative housing development on the Urban Fringe in Saltdean is: **Coombe Farm**: Three years ago planning permission was given for 60 houses at the farm on land which is currently buildings and yards.

<https://www.brightonandhovenews.org/2017/09/13/sixty-homes-approved-for-farmland-on-edge-of-brighton/> .

The farmers then sold the land to a property development company which submitted a planning application for **72 homes**. *The site to have parking for 150 cars. Along with daily deliveries and service vehicles this will add to the congestion and pollution of the coast road at a time when this should be reduced. The site lies within Flood Zone 1 for which residential development is deemed appropriate for Flood Zone 1 as stated within the NPPF. However, the UFA identifies Site 48 as having a high risk of surface water flooding. This area and including lower down in Saltdean Vale has suffered from mud slides from recent heavy rainfalls. There must be a guarantee that any*

***development must not make this situation worse particularly for residents in the Saltdean Vale area and that drainage and sewage measures will be more than adequate***

This application will be considered at the planning committee on 02/12/20

The above speculative developments of questionable design are two examples of urban fringe building which on their own may not seem too bad but along with the ever relentless additional developments chipping away at Brighton & Hove's boundary between the built up area and green open space countryside, will lead to '**Death by a thousand cuts**'.

Development in the Urban Fringe Countryside and SDNP must only be allowed in truly exceptional circumstances. If there has to be ever increasing development, then let it be in the city centre on the brown field sites that exist and be construed to the highest sustainable, carbon neutral and people friendly standards.

Air Pollution Targets: The recent Queens speech promised air quality targets that would be "among the most ambitious in the world".

The most dangerous type of air pollution is small particulates because their microscopic size allows them to penetrate deep into the lungs and enter the bloodstream. The WHO<sup>2</sup> limit for PM2.5 is 10 microgrammes per cubic metre of air. Pollution from tyre wear can be 1,000 times worse than car exhaust emissions<sup>1</sup>. Relying on the change from diesel and petrol motor vehicles to electric ones may not be the answer as these could be heavier producing more tyre wear.

The Urban Design Framework must take into account and address issues associated pollution and congestion from motor vehicles in our city now, tomorrow will be too late. In the city centre cars to be banned, cycling and pedestrian routes to avoid/be separated from polluted and congested roads as much as possible. More streets to be car free Along with reduction in motor transport, convenient access to improved Public Transport, Cycling and Walking must be promoted components in the Urban Design Framework, to help achieve the 10mcg/m<sup>3</sup> target by 2030, and many other benefits.

**Local Cycling & Walking Infrastructure Plan:** This is being developed and along with the '**B&HCC Rights of Way Improvement Plan 2017-2027**' Plan (RoWIP). These plans have key roles and must be given **high priority**:

Easy access to countryside, green spaces and parks makes us healthier and happier, improves our sense of community and encourages us to take positive action to protect the environment. In England over £2 billion every year could be saved in health costs alone if everyone had easy safe access to green space.

The planning system should encourage and support the development of more walking and cycling routes in towns and cities to better enable everyone to reach green space for recreation and enjoyment of nature, journeys to school and workplaces. Furthermore, the public rights of way network and open access land remain key building blocks for leisure walking and **sustainable active travel**, particularly on the fringes of towns and cities - however these are often overlooked as a way of getting people moving.

RoWIP: Bridleways and Footpaths are Public Highways. These important routes provide sustainable travel to work, school and recreation and can provide important community links away from roads. Covid19 has emphasised the value of access to the SDNP, open green space, parks and the countryside in our City. The author has seen significant use of Public Rights of Way for exercise, recreation, and enjoyment.

High rise buildings and particularly building on the urban fringe must not be allowed to break the sky line.

The best way to consistently deliver high quality design is to **set clear, minimum standards**. The Ramblers support the **Town and Country Planning Association's proposal for a Healthy Homes Act** which would create a set of enforceable design and quality standards – guaranteeing, for example, that all new homes would be within walkable neighbourhoods and have access to green space. All government departments would be required to abide by these principles when making policy, as would all public authorities that have responsibilities relating to planning and the delivery of housing.

Climate change and sustainability issues are here now more than ever, we cannot keep putting off decisions that make matters worse.

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## **Section 5: Tall building areas**

### **5.3. Area 3: Central Seafront (page 47)**

1.2 We suggest adding a new sentence after first sentence of paragraph 1 as follows: “Area 3 is already identified in the adopted Brighton & Hove City Plan Part 2 as a major development site in Policy DA1. This allocation will need to be updated in due course to reflect the structural changes in the retail and leisure market. The SPD seeks to provide guidance on the urban design principles for the development of the site.”

1.3 The sentence beginning “This area is made up...” can now form a separate paragraph. The site is not a “small strip of land”. We suggest “large area of built up land”.

1.4 The current second paragraph starting with “A new vision statement...” should be replaced as follows:

“A new masterplan for Area 3 should be developed in collaboration with the Council based upon a views analysis of the site and its surroundings to set out agreed massing, routes and open spaces . This should take account of the opportunities for phasing as well as constraints including heritage settings and rights of light.”

### **Indicative Height Range (page 47)**

1.5 The wording of this key guidance should be less prescriptive as it predetermines the outcome of the masterplan. It should be completely rewritten. It currently states: “Height is best positioned centrally, behind established frontages preferably in slender forms with a north-south orientation”.

1.6 Preferences for form should not be part of an SPD nor should the position of the highest building be prescribed. Instead of the wording “a very tall building (over 15 storeys) in the northern part of the existing Brighton Centre land parcel, immediately south of Russell Road and taller development (8-10 storeys) in the north-east”, we suggest “very tall buildings (over 15 storeys) should be explored for the centre of the site and taller development (8-10 storeys) at the periphery. There may be a case for accent buildings of height in other strategic positions”. Also, the existing words: “on the seafront, proposals should complement, and not exceed, existing heights” should be replaced with more open guidance and could better be expressed thus “There is a presumption that established heights along the Seafront would be respected and any variance to this would need the strongest justification”.

### **Bullet Points (BP) (pages 47 and 48)**

1.7 The design consideration bullet points 1 to 5 and bullet point 7 are acceptable.

1.8 BP6: The phrase “a more constrained, but taller building, that helps to unlock important space for public realm” is not appropriate. The bullet point would better be phrased in the following way: “Provide mixed-use and flexible conference centre venue capable of co-locating wide ranging uses and explore options for a highly functional venue which nevertheless considers its impact on and accommodation of a spacious public realm”.

1.9 BP8: This bullet point should be replaced with “The southern alignment should continue to allow the existing quantum of public realm but with an increase in its quality”.

1.10 BP9: To “...open up to sea views” from the north boundary, given the large change in level, may be over ambitious. It would be better to say “...create a new townscape which leads towards the sea, opening up views to the sea at appropriate opportunities along a north/south route”.

1.11 BP10: We suggest changing the wording of this bullet point to: “Consider landmarking a new shopping area through the creation of distinctive spaces including open streets which would define the character of the area”.

1.12 BP11: A larger space at the northern boundary would not necessarily be a better space. We suggest changing the wording of the last sentence to: “...alongside a better defined and flexible space which functions for the benefit of the public and improves the continuity of levels”.

### **Indicative Design Principle Diagram (page 48)**

1.13 This diagram is described as illustrative and indeed it is. Further notes in the caption should state:

A) “the cruciform shape, delineation and position of new cross routes is entirely indicative and represents one possible masterplan approach”.

B) “the number and position of ‘very tall buildings’ is again indicative and will depend on views, townscape studies, practical considerations of aspect, amenity and ground conditions among other considerations”.

### **6: Tall Building Statements (page 59)**

1.14 The paragraph beginning: “Where EIA is required...” should be amended as follows:

“Where EIA is required in order to avoid duplication, it will be appropriate for applicants to undertake a townscape and visual impact assessment, which forms part of the EIA”.

1.15 Similarly the paragraph beginning: “Major tall building developments...” should have the additional text added: “...or an appropriate transport chapter in an EIA which should be agreed at the scoping stage”.

Section 13 : Tall Building Statement guidelines (page 91)

1.16 At 13.1 the section titled ‘Siting of buildings’ states that “Groups of tall buildings should be staggered or stepped to respond to natural slope contours and not mask natural valley formations, or block strategic or important local views within and across the city”.

1.17 We believe it is incorrect to require, by the use of the word “should”, groups of tall buildings to step down in height according to the natural land contours. This is a prescriptive requirement that will not always give rise to the optimum solution to a site and may never be appropriate. Composed groups of tall buildings invariably benefit compositionally from being high at the centre and low at the periphery even when located in a valley. We believe this part of the sentence should be deleted.

[We] welcome the UDF SPD as something which we have been calling for some time and agree with the basic aim of policy – that good design is vital.

We also consider that the UDF policies and recommendations will help amenity and community groups such as ourselves (as well as of course the Council), to deploy more arguments against poor development proposals. For that reason we suggest that the UDF draft could be improved as set out in the following pages.

In the main we support many of the policies proposed in the document. We do however have several comments which are discussed below.

### **About this SPD (p.3)**

*“Higher quality higher density”* - we suggest that the following phrase be added:

*“...but higher density does not necessarily mean tall buildings”*. We discuss this further on p.4 below.

*“Uses innovative contemporary architecture”* - we consider that there is a danger that this will encourage architectural horror stories. What we need is architecture which is ‘polite’ to its neighbours and fits comfortably into its local surroundings.

That doesn’t preclude the definitions of ‘innovative’ and ‘contemporary’ but puts those qualities within an overall context of acceptability.

By “polite” we mean buildings which relate well to their neighbours, which do not aggressively try to dominate their surroundings, and which do not affect the amenity of the occupants of neighbouring properties in a detrimental way. Many designs fail to meet those criteria.

*“reflects positive engagement..”* – we discuss this further under Section C below

### *Local Planning Policy*

Sections DM18 – 32 - Design and Heritage Section - of the (draft) City Plan Part 2 policies should be included in the list of relevant Council planning policy documentation.

### **Section A: Local priorities**

In the main this is useful but there is not enough emphasis on the unique urban heritage of the City, its 3500 listed buildings and its 34 conservation areas.

Brighton & Hove is one of the most important heritage cities in the country and nowhere in this UDF is that vitally important point made.

This section makes no reference to the importance of community involvement at the early stages of the design process, though the topic is covered later in the draft UDF under Section C. We would have thought that a brief statement to that effect should be included under Local Priorities.

It is vital that local people affected by developments, particularly large ones, feel that they have a voice – and that their voices will be listened to. Which currently is rarely the case.

#### **1. Context**

Missing is the basic priority that the landscape must dominate the buildings – **not** the buildings dominating the landscape.

#### **Para 1.1 - Environmental conditions**

The Malmo image shows a wall of buildings along the waterfront – should we be using this as a model we want to encourage?

#### **Para 1.2 - Neighbourhood character**

*“Where a proposal is promoting a clear departure from the established neighbourhood character, the council will expect this to be robustly justified through a design and where appropriate heritage statement...”*

A list of considerations is suggested to illustrate what acceptable criteria for justifying such a departure would be. This statement should refer to that relevant design guidance rather than state it should be *“robustly justified”*. That is just meaningless. Anyone can provide a robust justification. The important point is whether that justification is relevant to the particular neighbourhood situation into which the design proposal fits – or otherwise. The suggested policy doesn’t say that.

We suggest that the words “polite design” and a more detailed description of what that means should be added to the list of relevant design considerations.

One of the main problems with so many planning applications is that the designers appear to have little concept of how to design buildings which respect the character of the surrounding buildings in terms of scale, form and materials, and – often with the active encouragement of their clients – come up with a design which may look good in their portfolio, but looks dreadful in its neighbourhood context.

It is particularly important to include this criterion if you are promoting *“innovation and contemporary design”*. We agree with this aim, but without further clarification it could be used to justify all sorts of unsympathetic and “impolite” design proposals.

The recent Planning White Paper talks about ‘Design Guides’. We would be very much in favour of these as long as they are locally inspired and formulated with community involvement in that process. Should this future direction be referred to at this stage in the UDF?

There should also be a specific statement to discourage design pastiche approaches – perhaps this could be added to the last item about innovation and contemporary design.

#### **p.10 - Neighbourhood map :**

- the word *“sensitivity”* is spelt wrongly.
- *“this map is available...”* Should be “available”
- *“Fore more details...”* “ should be “For more....”

#### **para1.3 - Composition of street scene**

Design considerations:

*“Shared spaces for pedestrians and cyclists”* – in principle this is a desirable aim, but by their very nature, shared spaces have to accommodate a variety of different users from old people walking very slowly to the occasional inconsiderate cyclist, as well as the increasing hazard of silent e-scooters whizzing through them.

Therefore, they need to be very carefully designed and managed. The most important consideration here is to create **pedestrian-friendly** urban spaces where people feel safe - merely tacking a token gesture to cyclists on to the topic of shared spaces is not adequate without further clarification."

#### **Para 1.4 - Views and Landmarks**

**Tall building proposals constitute the biggest threat to the preservation of existing views.** Surely this should be specifically highlighted in this paragraph.

The other really important aims which should be highlighted are:

- a) to avoid a wall of tall buildings along the seafront which would substantially block existing views of the sea from areas of the city to the north;
- b) to prevent conglomerations of tall buildings impacting upon the city’s 34 conservation areas to the extent that the historic character of those areas is fatally compromised;

c) to emphasise the importance of the existing landscape character of the city – its ridges, its hills and its valleys, and to state the principle that the landscape **must** dominate the buildings, **not** the buildings dominating the landscape. The tendency to date in the city has been to ignore these considerations – an example is the way the views of the sea from locally listed Hove Park will now be blocked by high rise developments such as the recently approved Sackville Trading Estate development.

#### **para1.5 - Opportunities for masterplanning**

Caption to first image – “*Edinburgh Royal Infarmacy*” – spelt wrongly. And “*Edinburgh Council*” – again spelt wrongly

### **2. Spaces between buildings**

#### **para 2.2 – Outdoor amenity**

The importance of sunlight in public spaces is insufficiently emphasised. All this paragraph says is, “*Locate outdoor amenity spaces to maximise sunlight and daylight....*” What does maximise mean? How much sunlight - or how little – would be enough to satisfy this?

Direct sunlight is particularly crucial to open spaces within high rise developments where they would otherwise be in shadow for much of the day. In commercial developments people need to be able to come outside in their lunch hour and sit in the sun, shoppers need to be able to rest their legs in a sunny space.

In high density housing developments people need public spaces which offer them opportunities to be able to sit outside in sunny places.

if Council planning policies don't even acknowledge the importance of sunlight in public spaces as a necessary design consideration, no wonder developments like Circus Street and the Edward Street Quarter get planning approval and the spaces between buildings end up as **sunless canyons in permanent shadow**,. The way this policy is worded seems to encourage the provision of shade more than it does sunlight.

This is a serious omission which needs to be rectified.

#### **para 2.5 - Artistic element**

This paragraph should include some reference to the scourge of graffiti, afflicting the city and to clarify that all forms of unauthorised graffiti such as tagging, throwups and Wildstyle do **not** fall under the category of public art.

### **3. Buildings**

#### **para 3.2 - Designing at density**

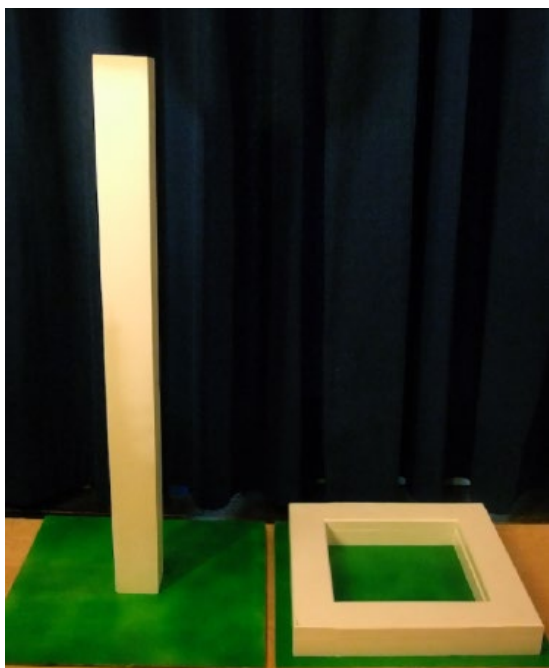
We question the statement at the end of the third paragraph “*However, the greater the density and height of a development...*”

This as expressed, appears to conflate the separate issues of density and height.

We would prefer “the greater the density **or** height...”

It may seem academic, but it is important that the concepts of density and height are treated as completely separate issues. There is high-rise high density and there is low-rise high density.

The models illustrated below show this clearly.



*On the left hand side is a 60 storey tower block (six storeys higher than the i360). It accommodates 180 flats.  
On the right is a 4 storey block of flats built around a central courtyard. This also accommodates 180 flats  
Same density, same floor areas, same number of flats.  
One is high rise/high density, the other is low rise/high density.  
There is a quite a difference*

Any discussion on designing for density should include some background analysis on the different approaches to designing for density and the suitability of different models to provide those densities in relation to the context of Brighton & Hove, particularly where nearby heritage assets may be affected.

### **Para 3.3 – Housing type and mix of uses**

Following the Covid pandemic it looks as though the current commercial areas in the city will be significantly affected in terms of reduced retail and office floor space, and working from home will be a permanent feature of life for many people.

Virtual working will increasingly become the norm after Covid as people will want to work on a more part term basis and companies who have realised the benefits of not needing large office space will encourage this in order to keep their overheads down.

These changes have two main implications:

Firstly a large amount of vacant commercial floor space will become available which could potentially be converted to housing;

Secondly the consequent need for home office workspace will become an important consideration in the design of future residential developments. Current minimum space standards will not provide that.

The UDF design considerations should acknowledge that situation and though the likely extent and effects of the current ongoing pandemic are not yet clear, the UDF should at the very least refer to the potential problem in a general sense, paving the way for more detailed policies to be introduced as and when the situation becomes more clear.

### **Section B: Tall Buildings**

As many of our previous submissions and objections to the Council demonstrate, the Brighton Society is vehemently opposed to tall buildings, particularly where they have a detrimental effect on the historic central city area, but also in sensitive landscape and seascape situations such as the Marina.

Since the Tall Buildings Policy was introduced back in 2004, the planning guidance for each of the Tall Buildings zones which should have accompanied that policy in the form of Urban Design Frameworks has never – until now – been formulated.



The result has been that developers have been left to come up with their own interpretations of how appropriate their design proposals are in relation to the townscape, seascape and landscape contexts into which they are being installed – mostly with entirely predictable and unfortunate results.

Although we consider that tall buildings are not appropriate solutions for Brighton & Hove – particularly as low-rise high density designs are a feasible alternative as demonstrated in the images on p.4 above, it is from that point of view that we make the comments below. They should not be interpreted to imply support for tall buildings in any way whatsoever.

We understood from previous discussions with council officers about the Urban Design Frameworks, that they would incorporate detailed guidance to developers on the way in which tall buildings should relate to the context of particular sites within the various Tall Building Zones.

For example in our discussions about Anston House on Preston Road, we pointed out that the heights of the buildings should relate to the skyline of the ridge to the west behind the site and that the tall buildings proposed should not project above that skyline. Further to the north on Preston Road the ridge line is higher, implying that the building heights could also be higher to fit below the skyline and not project above it. But is this sort of guidance to developers set out in the Draft UDF? No it isn't. It should be if it is to provide any real improvement to the existing Tall Buildings policies.

### **Introductory paragraph**

Regrettably this makes no reference whatever to the vitally important heritage considerations described above, and the detrimental effects that tall buildings can have on our historic urban landscape.

This is an appalling omission which has to be corrected. Lots of European and American cities **do not even allow** tall buildings in their central historic centres.

## **5. Tall Building Areas**

*“in general conservation areas....are unlikely to be suitable to accommodate tall buildings.”*

This statement needs to be expanded to include any areas which are close to existing conservation areas from which tall buildings will be prominently visible, and which would have a detrimental effect on those conservation areas and accompanying heritage assets such as listed buildings – of which the city has around 3,500.

### **Para 5.1 – The Marina**

The key design factor that the draft UDF fails to mention is the detrimental impact that a conglomeration of tall buildings (as the current planning application demonstrates) will have on the city's coastline and chalk cliffs behind the Marina.

The existing buildings, which are only about eight storeys high, already block views of the chalk cliffs east of the Marina from the western end of the Hove promenade.

A conglomeration of ten tall blocks between 9 and 28 storeys will have a disastrous effect on the appearance of our coastline. As we emphasised at the beginning of this response, the landscape must dominate the buildings not the other way round.

A conglomeration such as that proposed will also (as acknowledged in the draft UDF), have a detrimental effect on and partially block views from the top of the cliffs out across the sea.

The Tall Buildings Policy is directly responsible for both the previous and current tall buildings development proposals for the Marina, and has already had a disastrous effect on the appearance of our coastline, the chalk cliffs and the South Downs National Park behind.



*View of Marina proposal from Black Rock*

Does the current UDF draft do anything to mitigate this disaster? Answer – **No**  
It is completely inadequate.

### **Para 5.2 – Area 2 Brighton Station / New England**

Reading through this paragraph confirms all the points we have already made about the potential detrimental effects tall buildings will have on “*..the interface with the North Laine Conservation Area...similarly, visual impacts on heritage assets such as St Bartholomew’s Church, St Peter’s Church, the viaduct, railway station (all listed) and on views from the Valley Gardens Conservation Area and from across the valley will need to be considered in detail...*”

Wouldn’t it be more sensible just to say that tall buildings in this area are inappropriate because they will have a detrimental effect on adjoining Conservation Areas and heritage assets such as the listed buildings identified in the draft UDF?

All the design considerations proposed can be achieved by low-rise developments in this area. High rise is not an essential component of any of these aims – so why promote tall buildings here?

### **Area 3 - Central seafront**

We dispute the statement that this area is “*a ‘natural’ location for additional high quality tall buildings*”.

There is nothing ‘natural’ about it at all. We have written on our website (<https://www.brighton-society.org.uk/historic-seafront-under-threat/> and <https://www.brighton-society.org.uk/seafront-opportunities-will-they-be-grasped/>) about the value that mostly consistently scaled buildings along the whole length of our promenades has in creating and conserving the character of our historic seafront.

Tall buildings at any point along the seafront can only prejudice and compromise the value of this consistency of scale and character.

As with Area 2, all the design considerations listed can be achieved without tall buildings.

#### **Area 4 - Eastern Road / Edward Street**

The giveaway statement here is *“Mid-rise (up to 8-storeys) with limited tall (9 – 15 storeys) buildings in areas that do not harmfully impact on designated heritage asset settings”*

The Council’s Tall Buildings Policy is back to front – why not start with the need to protect heritage assets rather than create problems by promoting tall buildings then trying to make planning applications for tall buildings subject to unenforceable caveats? As with Areas 2 and 3 above, all the design considerations listed can be better and more easily achieved without tall buildings.

#### **Area 5 – Hove Station**

The Council has unfortunately already missed the boat here. The planning approvals granted to the Sackville trading Estate and Ellen Street developments (assuming they go ahead in the post-Covid period economic reality), have already had a severely detrimental effect on the intentions in the draft UDF –

*“Hove Station itself is a listed building and other designated heritage assets adjacent to the area require that key views be carefully considered in order to preserve and enhance their settings.”*



Does this monstrous building towering over the listed Station Tavern and the listed Hove Station on the right preserve and enhance their settings?

We have already mentioned to loss of views of the sea from the locally listed Hove Park which will be caused by the Sackville Estate development.

Again, all the design considerations listed have no direct relationship to tall building developments. They could relate to any developments.

#### **Area 6 – Lewes Road corridor**

The Preston Barracks development currently under construction will render the stated intentions of the proposed design considerations irrelevant:

*“Enhance the look and feel of the Lewes Road approach into the city from the northeast and re-inforce its character as a continuous street with a strong green and active travel character (eg slow vehicles, multi-model movement, interconnected green infrastructure)” – whatever all that means.*



***Preston Barracks – this is the reality***

Does it enhance the look and feel of the the approach to the city...?  
As with all the Tall Building zones discussed above, none of the design considerations listed depend on tall buildings – in fact in most cases tall buildings actually make achieving the stated objectives much more difficult than they might otherwise have been.

### **Area 7 – London Road / Preston Road**

The Brighton Society objected strongly to the previous applications to develop the Anston House site within this zone so we know it well.

The first application foundered after we discovered that the applicant’s overshadowing diagrams on Preston Park were completely inaccurate.

The second application was approved in spite of our efforts to persuade the Council that a low-rise high density development along the lines of the low-rise model illustrated on p.4 above was entirely feasible on this site.

We said at the time, *“A layout based on 2 courtyards with a 7 storey frontage facing on to Preston Road, 3 storeys at the rear of the site, and no more than 9-10 storeys in 3 blocks running on an east/west access based at each end of the site and centrally between the 2 courtyards would provide the same amount of accommodation as the threatened 3 towers of 15, 13 and 14 storeys in height.”*

We submitted plans showing the proposed layouts but our representations were ignored and the three towers were approved.

We considered at the time (and still do), that at this southern end of Preston Park where the line of the ridge to the west behind the site, would set a limit on the height of the proposed buildings to avoid them projecting above the skyline. This approach would result in a more sympathetic and polite solution than the three towers of 15, 14 and 13 storeys proposed.

Do we see this key factor included in the draft UDF? No we don’t.

### **Area 8 – Western Seafront / Kingsway**

We disagree with the assessment in the UDF that, *“Mid-rise (up to 8 storeys ) along Kingsway and tall (9 – 15 storeys) to very tall (over key locations within the King Alfred Strategic Allocation).”*

We consider that, as a general rule, only buildings up to six storeys should apply to the majority of sites along Kingsway, as there are many much lower buildings along the

western end of the road – as well as the residential areas bordering the northern side of Kingsway where 8 storeys would be inappropriately high and cause overshadowing issues and block views and sunlight to those properties.

There are a few situations along Kingsway where adjacent existing buildings are of comparable height to eight storeys, where new buildings of that height might be acceptable, but this is not something which should apply everywhere along the whole length of Kingsway.

As far as the King Alfred site is concerned, this should comply with our previously stated criteria that the scale, height and character of the existing historic seafront should be consistently maintained along its entire length. This would preclude anything much over eight storeys.

The draft UDF does actually recommend this – *“Design considerations should be prioritised in proposals to... contribute to creation of a more consistent height, form and scale on the north side of Kingsway to ensure a coherent streetscape that is neighbourly and maintains public access and local views to the seafront”*

Why is this only mentioned here? – It’s exactly what we have been proposing should apply to whole seafront.

The main reason King Alfred is included in a tall building zone is because the site is council owned and it can therefore be used by the Council to develop the site more intensively than private landowners on adjacent sites would be allowed to do.

That is a travesty – it completely undermines the Council’s role as an independent arbiter of planning policy – what kind of example is that setting to private developers and what message does it send to them and the community at large about the Council’s integrity?

## **Area 9 – Shoreham Harbour**

This suggests mid-rise (up to 8 storeys) along Kingsway. But the map suggests that both sides of Kingsway – and the huge area to the south between Shoreham harbour and the beachfront, also has the potential for tall buildings.

The five design considerations listed fail to anticipate the probability that the whole area could be developed as a wall of tall buildings completely blocking off Kingsway from views of the harbour and the sea beyond, blocking out sunlight and creating huge areas of shadow over the residential areas to the north.

We have already seen an example of this in the proposed 11-storey high Hove Gateway development.

Eight storeys over this area is too high and equally importantly, there must be gaps between any new buildings to allow views through and to allow sunlight and minimise the overshadowing problem.

Is any of this set out in the draft UDF? Answer - No.

Finally we strongly consider that the Tall Building Statement guidelines which contain a lot of essential information should be included in this section and not relegated to the end of the Appendices.

Overall, we regret to have to say this, but we consider that the design guidance in this draft UDF is completely inadequate to protect our city from the detrimental effect tall buildings will have on our heritage, our landscape of hills, ridges and valleys and our historic urban environment.

It completely fails on its own terms of aiming to encourage good design.

## **6. Tall Building Statements**

This section really only sets out what studies have to accompany planning applications for Tall Buildings. It provides no guidance as to how this information might be used to help developers prepare their designs in the early stages. All it does is give them the opportunity to justify whatever schemes they decide to come up with.

## **Section C – Planning Process**

### **Recommendations (p.61)**

**Item 1** - a requirement should be added for feedback of comments on preliminary proposals to be publicised prior to a planning application being lodged.

There have been occasions when developers have refused to publicise the comments they have received from the local community until too late in the design process.

**Item 5** - We would suggest including the use of models in addition to drawings and illustrations. People respond far better to 3D presentations, particularly if those presentations show how a proposal fits into the wider urban context too.

For Tall Building applications in particular, sunlight and overshadowing diagrams **throughout the year** should be included as an essential requirement.

## **7. Pre-application process**

### **7.1 Vision and site strategy**

Under “Context” this section should be improved to include and ensure full early consultation and feedback procedures are held with the local community prior to a planning application being submitted.

Under “Spaces between buildings” we suggest the following addition:

*“Have the effects of overshadowing of proposed and existing public spaces been studied?”*

### **7.2 Conceptual design options**

As Brighton & Hove includes so many conservation areas and listed buildings we suggest that an additional item should be added under “Context” as follows:

*“Do they have any effect on local heritage assets?”*

### **7.3 Preferred design concept**

Should there be a statement to the effect that planning applications which fail to provide the information expected will not be registered until such information is provided to the Council’s satisfaction? So many applications, particularly the smaller ones, try to get away with providing minimal information about the design and how the proposed building relates to its urban context.

### **7.4 Detailed design**

There seems to be potential confusion between the terminology here. The term “Detailed design” in the construction industry usually means exactly that – the detailed design of the building construction which is normally carried out **after** planning approval has been obtained. Prior to planning approval, the designs are normally referred to as “final sketch plans”.

## **Section 8 - Design Advice Services**

The contribution and local expertise of the Council’s Conservation Advisory Group (CAG) should be added to this section.

Incidentally, would it also be useful to add the names of reputable amenity societies such as the Regency Society and ourselves to this section for potential advice and feedback on building proposals?

## **Appendices**

### **Para 11 – Neighbourhood sensitivity...**

Bullet point 7 – Listed buildings are not mentioned! There are about 3,500 of them in Brighton & Hove. Please add them to the list.

Penultimate paragraph – It should be pointed out that the quality of Conservation Area Character Studies varies enormously. The more recent, such as studies for the Old Town CA and Queen's Park, are excellent and up to date. Others have not been updated or reviewed for over 40 years and urgently need to be re-written in the light of current standards.

### **13. Tall Building Statement Guidelines**

It seems strange that this section is located in Appendices right at the end of the draft UDF. Does this indicate its status as a mere footnote the rest of the document?

Yet it contains some really useful and essential information and advice. It should really be moved as previously suggested, to a location under Section B: Tall Buildings - where it belongs.

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#### **1.1 Environmental conditions**

Tree cover is important and is often lacking in Brighton and Hove. In some areas it is good while in others, for example, Hangleton, Saltdean, it is almost entirely absent.

Trees encourage the use of active travel, providing character, shade in the summer, seasonal notations and aesthetic value.

Brighton and Hove should consider adopting a tree levy on all new developments to be spent anywhere in the city it is needed.

When planted in pavement space, trees and their roots can obstruct pavement users and are particularly hazardous to those with disabilities, including wheelchair and mobility scooter users and blind people. Instead, trees should be planted in space taken from the main carriageway [we could submit a photo of this]

#### **1.2 Neighbourhood character**

Neighbourhood character should seek to optimise street space for the use of people rather than cars. There should be an active strategy to minimise streets for car drivers and parking and to maximise the opportunities for streets to be used for children to play out, as places to sit and stroll, and as a general civic amenity. There are 42,000 on-street parking bays in the city, representing an area almost four times the size of Preston Park. This is an extremely inefficient use of public space.

Rat runs should be identified and eliminated using modal filters to block motor vehicle through-traffic while allowing access for cycles and mobility scooters and creating a safer walking environment.

#### **1.3 Composition of street scene**

Parked cars are visually intrusive and efforts should be made to reduce their dominance. For example, the rich visual aesthetic of Marine Parade's architecture is marred by a profusion of mini-car parks which could be repurposed as parks and gardens, vastly

improving the public realm. Similarly, Palmeira Square and Adelaide Crescent are cut in half by parked cars.

Roads should not curve round at corners facilitating the movement of cars and making pedestrians walk further to cross the road. (there's a technical name for this ...)

Planning permission should not be given for gardens to become car parking spaces, as this entrenches car dominance, reduces biodiversity and increases flood risk. Instead, incentives should be given to reduce the amount of hardstanding.

### **1.5 Opportunities for masterplanning**

Masterplanning should ensure that through movement by motor vehicles is designed out of neighbourhoods.

Car parking in any regeneration project should be retained only for Blue Badge holders. There should be a sufficiently high density of people [I'd say this is less about population density and more about planning permission - Chris] to ensure that areas are able to become 15 minute neighbourhoods, where active travel is prioritised over private vehicle use.

### **2.1 Active and Inclusive Travel**

The guidelines are sensible and practicable and should be followed rigorously; however in many cases they do not go far enough in eliminating car dependency.

Cycle and pedestrian routes should be separated at all times.

Cycle routes should be coherent and logical, allowing people on bicycles to traverse the length and breadth of the city without disruptions or unnecessary detours.

All one way streets should be made two way for cycling.

Active travel should be the normative way of getting around, followed by public transport with private cars at the bottom of the hierarchy.

Cycle parking should be available to all residents, and should be accessible, level, well-lit, covered and secure.

New developments should have the minimum of car parking space and that should be reserved for Blue Badge holders.

There should be a 20 mph speed limit in all parts of the city and this should be enforced.

Every encouragement should be made to turn car parks into residential use.

Public car parks at public parks should be for the exclusive use of Blue Badge holders and their capacity reduced accordingly.

### **2.2 Outdoor amenity**

Children should have the right to 'play out'; this means designing outdoor spaces, including streets, as places where they have the right to play without danger from motor vehicles and without overt adult supervision.

### **2.4 Mix of use and active frontages**

The idea of the 15 minute city is used here but not placed in context. How will this be achieved? Population densities need to be sufficiently high for all local amenities to be within a 15 (or 20) minute radius.

More coherence and development are needed to make a 15 minute neighbourhood a reality. This means that new residential neighbourhoods should not be given planning permission if they are physically separate from existing facilities, and that planning consent should not be granted for leisure and retail facilities which only a minority of people can access using active travel (... there [may be] some kind of calculation regarding population density/distance etc ...)



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The Sussex Wildlife Trust (SWT) wish to submit the following comments to the above consultation. Where we are proposing a change to policy or the supporting text, recommended additions are highlighted in **bold** and deletions are ~~struck through~~.

## **Section A: Local Priorities**

### **1. Context**

#### **1.1 Environmental Conditions**

SWT is pleased to see section 1.1 Environmental Conditions reference Biodiversity Net Gains. We encourage Brighton and Hove City Council (BHCC) to be more positive with its wording and confident with its intentions. Therefore we make the following recommended amendments to the last bullet point:

- ~~Look to~~ Improve biodiversity and secure **delivery of Biodiversity Net Gains**. We also suggest that there could be an additional point to reflect the importance of recognising the spatial/strategic significant of a development within the City's Nature Recovery Network.
- **Consider the context of the proposals in terms of its impact and/or ability to deliver towards a strategic network for biodiversity**

#### **1.5 Opportunities for Masterplanning**

SWT believes that the masterplanning process can provide an important opportunity for developments to be positively design for biodiversity. It is imperative that ecological information supporting a development is used to inform the masterplanning process and is not retro fitted into a design. Therefore we support the acknowledgment of masterplanning protecting environmental assets. However, this must be done at the right stage. The process of masterplanning must embed biodiversity net gain at the outset to ensure it is in the most appropriate locations to enhance existing biodiversity. BHCC should also ensure that the process of masterplanning is not insular to the development location and seeks to compliment the wider biodiversity network.

Therefore we suggest that an additional bullet point could be added to list that references green infrastructure and its multiple benefits:

- **There are opportunities to deliver green infrastructure to ensure it complements the wider City's green infrastructure network aspirations**

## **2. Spaces between buildings**

### **2.1. Active and inclusive travel**

SWT welcomes the priorities for this section recognising that active and inclusive travel can deliver multiple benefits with the inclusion of the point relating to incorporating wildlife friendly planting.

### **2.2. Outdoor amenity**

SWT welcomes the acknowledgment of biodiversity within the final two points of the priorities. In relation to the final bullet point, SWT suggests clarity is needed on the degree to which biodiversity will be represented in a landscape management plan. Finally, we suggest that this section may benefit from a bullet point which encourages

outdoor amenity space to consider position in relation to opportunities to link to the wider network of green spaces within the city

- **Optimise opportunities to link outdoor amenity space into the wider network of the City's green spaces.**

### **2.3. Landscaping, biodiversity and water**

SWT supports the points proposed in this section. SWT encourage BHCC to ensure this section recognises coastal elements, acknowledges the role of blue infrastructure and recognises the importance of connectivity for biodiversity function and resilience.

We therefore propose the following additions to the priorities:

- Create landscapes that make a positive contribution to the city's green **and blue** infrastructure network and introduce street trees where possible, improving environmental comfort.
- **Deliver towards networks that promote and deliver a resilient and connected network for biodiversity**

### **2.7. Phasing development**

SWT suggests that this section needs to reflect the importance of timing and delivery of Green

Infrastructure within phased developments. We therefore propose the following wording:

- **Green infrastructure to be established and provided for each phase throughout the process**

## **3. Buildings**

### **3.4. Greening**

SWT strongly supports this section, however we are concerned about the limitations of the term 'buildings', as other structures referenced in this document, such as bin stores (3.6) and bus stops, provide clear opportunities for greening of surfaces.

## **Section C: Planning Process**

SWT have previously stated in section A1.5 about the importance of ensuring ecological information informs the process of masterplanning at the earliest stage. By ensuring that key information is collated and used to inform the design process at the earliest stages, it will give the development the clear opportunity to ensure biodiversity is protected, net gains are identified and planned in for delivery and that the development can think about its connectivity and function in the wider city network.

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We are writing in response to the B&HCC Urban Design SPD which is currently out for consultation. We have reviewed the contents of the SPD and will now provide detailed comments from an emergency services perspective. These comments have been informed by our Designing out Crime officers who provide consultation comments on a variety of planning applications in the City.

This SPD concerns urban design and essential priorities that applicants should take into consideration when designing new developments.

New development should ensure that crime prevention and access for the emergency services is an important design consideration with the sites masterplan and the finer design detailing of a development. This includes ensuring that appropriate consultation is

given to the emergency services and their concerns are resolved throughout the design process.

National Planning Practice Guidance (NPPG) is very clear that:

*‘Designing out crime and designing in community safety should be central to the planning and delivery of new development. Section 17 of the Crime and Disorder Act 1998 requires all local authorities to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder. The prevention of crime and the enhancement of community safety are matters that a local authority should consider when exercising its planning functions under the Town and Country Planning legislation.*

*Local authorities may, therefore, wish to consider how they will consult their Police and Crime Commissioners on planning applications where they are Statutory Consultees and agree with their police force how they will work effectively together on other planning matters.*

*It is important that crime reduction-based planning measures are based upon a clear understanding of the local situation, avoiding making assumptions about the problems and their causes. Consideration also needs to be given to how planning policies relate to wider policies on crime reduction, crime prevention and sustainable communities. This means working closely with the police force to analyse and share relevant information and good practice.’*

At present, there is limited reference to designing out crime and crime prevention measures within the SPD which is inconsistent with national planning policy guidance and the National Planning Policy Framework.

We strongly advise that the emerging SPD includes clear reference to crime prevention and access for emergency services as a standalone topic under ‘Local Priorities’. This should include descriptions of both the Secured by Design and Crowded Places initiatives relevant to policing and partner emergency service organisations.

*1. Secured by Design – This is the UK Police flagship initiative with the objective of designing out some forms of crime during the planning process. Good quality design, which is core to delivering sustainable development, is not possible unless it ensures that places and buildings contribute to the realisation of safe and secure environments for all. This encompasses being fully accessible by ‘blue light’ vehicles. It is therefore imperative that planners and developers alike are signposted to research and use the best practice guidance in this area provided by the Secured by Design guides, which are freely available to everyone online.*

*2. Crowded Places – National Planning Practice Guidance currently references ‘Protecting Crowded Places: Design and Technical Issues’, ‘Crowded Places Guidance’ (2017) by the National Counter Terrorism Security Office and the built environment guidance published by the Centre for the Protection of National Infrastructure. This must all be retained in the new planning system. It is the only way that new buildings and places can be made as resilient as possible from a counterterrorism perspective.*

The superseded Brighton & Hove City Council Local Plan (2005) included Policy QD7 (Crime prevention through environmental design) which would ask is incorporated into the new Urban Design SPD which states:

*Where large scale developments are proposed (defined as 10 or more houses or 1,000 sq m of commercial floorspace), planning permission will only be granted for proposals where the applicant can demonstrate clearly how crime prevention measures have been incorporated into the layout and design. The development should also meet the safety requirements of the transport policies in this Plan.*

3.33 Policy QD7 aims to ensure that new development does not increase and if possible reduces, the opportunities for crime in a neighbourhood. The definition of large scale development is specific to Policy QD7 and reflects an agreement between the council, Sussex Police and other councils in East Sussex. All large scale and other appropriate proposals will be referred to the Police for a risk assessment and comments. All such proposals will be assessed with reference to crime prevention measures set out in the national flag ship initiative 'Secured by Design'. Developments should also conform to the design policies in particular where there are safety considerations.

We have now included examples from other planning policy documents from various adopted policy documents. These documents have undertaken examination by various planning inspectors and adopted within local plans.

#### Example policies

1. *Opportunities for creating a safe and secure environment and providing surveillance should be included, principally through the layout and positioning of buildings, spaces and uses. Where appropriate, development should incorporate measures for crime reduction that are consistent with those recommended by the Secured by Design guides. Buildings and their surrounding spaces should incorporate fire safety measures and be designed to allow rapid access by emergency service vehicles.'*

(Policy SWDP 21 – 'Design' of the South Worcestershire Development Plan)

2. *Encourage community safety and 'design out' vulnerability to crime by incorporating the principles, concepts and physical security standards of the 'Secured by Design' award scheme; providing infrastructure for policing and emergency services; and considering the incorporation of fire safety measures.*

Policy 40 – 'High Quality Design and Safer Communities' of the Borough of Redditch Local Plan No.4

3. *Development proposals should create safe, sustainable, well integrated environments for all members of the community. In conjunction with this, all development proposals should incorporate the following requirements...*

*Create safe and accessible environments, and that minimise opportunities for crime and antisocial behaviour by incorporating Secured by Design principles, and consider the incorporation of fire safety measures.*

4. *Create a safe, secure and crime free environment through providing active frontages,*

*natural surveillance, incorporation of Secured by Design principles and supporting security infrastructure where necessary.*

We have now included examples from other planning policy documents from various adopted policy documents. These documents have undertaken examination by various planning inspectors and adopted within local plans.

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Thank you for consulting Sport England on the above document.

The following table sets out Sport England's comments on various sections of the consultation.

#### 2.1 Active and inclusive travel

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Sport England welcomes this section of the SPD that introduces the principle of active travel and inclusive travel that will assist in improving health and wellbeing in the layout of developments.

This section provides the opportunity to incorporate the principles of Active Design into new developments.

Sport England believes that being active should be an intrinsic part of everyone's daily life – and the design of where we live and work plays a vital role in keeping us active. Good design should contribute positively to making places better for people and create environments that make the active choice the easy choice for people and communities. Sport England in partnership with Public Health England, have produced the Active Design Guidance. This guidance builds on the original Active Design (2007) objectives of improving accessibility, enhancing amenity and increasing awareness, and sets out the Ten Principles of Active Design.

The guide features an innovative set of guidelines to get more people moving through suitable design and layout. It includes a series of case studies setting out practical real-life examples of the principles in action to encourage planners, urban designers, developers and health professionals to create the right environment to help people get more active, more often.

The Active Design Principles are aimed at contributing towards the Government's desire for the planning system to promote healthy communities through good urban design.

Sport England has an online resource detailing Active Design and this includes videos illustrating the principles, the guidance document and case studies:

<https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design>

**Sport England suggests that SPD includes reference to new development meeting the principles of Active Design and that in any planning application, the applicant should submit a statement setting out how the design and layout of the development meets the principles of Active Design.**

## 2.2 Outdoor amenity

This section introduces the opportunity to provide sport facilities as part of the outdoor amenity offer. Appropriate sport facilities that meet an identified demand can add to the range of outdoor amenities.

It is important that the right sport facilities are provided. Sport England would not wish to see the provision of sport facilities which are not used because they are the wrong type, there is general over provision, or they do not meet any demand.

An up to date evidence base should be used to inform what new sport facilities should be provided. This should consist of:

- An up to date playing pitch strategy (carried out in accordance with a methodology approved by Sport England)
- An up to date built sports facilities strategy (carried out in accordance with a methodology approved by Sport England).

By 'up-to-date' Sport England means prepared within the last 3 years for Playing Pitch Strategies, and 5 years for Built Sports Facilities Strategies

**Sport England would suggest that this section of the SPD is amended to encourage the provision of appropriate sport facilities.**

Every year hundreds, if not thousands, of sports events take place that rely upon the natural environment or roads etc. Marathons are an example of a sport event taking place in urban areas.

Many are the transient, peripatetic sporting events that the organising club sets up, the competition takes place, and afterwards any equipment (e.g. signage, fences, ropes, show jumps) are dismantled and the land reverts to its original use. These events can include equestrian activities, motorsport, cycling, running, canoeing and climbing events. What all these sporting activities tend to have in common is a control point (often the start and finish) where participants will assemble and register for the event, prior to it starting. Because of the transient nature of these type of events, they tend to operate outside the planning system and rely on permitted development rights because:

- Events are mostly low-key and non-profit generating. The peripatetic nature of these sport events results in them using a number of different sites during the year.
- There are often no alternative sites with planning permission available at an economic price.
- The short-term simplicity of using Permitted Development rights suits the organisers, many of whom are volunteers.
- Landowners of these sites show reluctance to become involved in the formal process of seeking planning permission, leading to the loss of sites even where there is reasonable prospect of planning consent being granted.

Occasionally some events do require planning permission and this tends to be where permitted development rights do not apply, or that the events have taken place more than 14 or 28 days per year and therefore exceed their permitted development rights. Local Plan documents generally lack positive policies for formally dealing with such sporting events - because the use is temporary, the forward-looking planning processes is essentially incapable of recognising, acknowledging and safeguarding that temporary use as a valuable recreation asset.

Open space can provide the opportunity for 'pop up' sport events to take place, even if this is for ancillary facilities that support the main event: portable buildings to take entries, scoring facilities etc.

**The SPD provides and opportunity to recognise these temporary sport events and can encourage them to take place through the provision of open space.**

#### 2.4 Mix of uses and active frontages

Recent changes to the use class order have made it easier to introduce sport facilities into retail units.

It should be recognised that sport can contribute to the evening economy. A diverse local economy is one of the building blocks of a sustainable community, and the promotion of economic vitality is a central concern of regeneration initiatives which are seeking to tackle multiple challenges associated with declining industries, changing consumer demand, unemployment, skills gaps, under-investment. Sport has a potential role to play in all these, some of the direct and indirect contributions being:

- Investment in physical fabric;
- Catalyst for investment and regeneration;
- Employment
- Image enhancement for living, working and visiting;
- Reducing workforce absence due to ill health;
- Improving skills and qualifications.

Town centres provide opportunities for sporting activities that attract multiple users and spectators such as leisure centres, football stadia and swimming pools. Such uses can

assist in contributing to the vitality and viability of centres. Often leisure centres and sport facilities remain open beyond traditional shop opening hours bringing people into to the centres and contributing to an evening economy and contributing towards a sense of a safe community.

Sport England has produced guidance on the economic value of sport and it can be viewed on this link:

<https://www.sportengland.org/news/sport-england-launches-new-model-to-show-the-economic-value-of-sport-to-local-communities>

As previously stated, the siting of any new sport facility should be based on an evidence base in order to ensure that it will serve demand.

**The SPD should encourage the siting and introduction of sport facilities as a range of uses.**

### 3.3 Housing types and mix of uses

Please see Sport England's previous comments in respect of Active Design for 2.1 (Active and Inclusive Travel).

Active Design is applicable to this section of the SPD.

**A design consideration should be introduced to ensure any new development meets the principles of Active Design and that in any planning application, the applicant should submit a statement setting out how the design and layout of the development meets the principles of Active Design.**

### 7.0 Pre-application process

As part of this process, the applicant should demonstrate how they have incorporated the principle of Active Design, considered to siting of new appropriate sport facilities (based on an evidence base) and demonstrates how any new open space can be multi functional, for example to host a temporary sport event.

### Section D: Appendices

Sport England's Active Design Guidance should be included in the appendix:

<https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design>

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Thank you for consulting the RSPB on the above document. We have reviewed the UDF SPD and would like to make the following comments. We have focused our response on Section 2.3. Landscaping, biodiversity and water; Section 3.4. Greening; and Section 10. Extended list of policies and documents.

### **Section 2.3. Landscaping, biodiversity and water**

The RSPB welcomes Brighton & Hove City Council's prioritisation of design considerations towards enhancing the city's green infrastructure network, delivering biodiversity gains, and incorporating nature conservation features into development design. The RSPB recommends that the following wording be added to provide clarity on new policy guidance for the incorporation of swift bricks/boxes and bee bricks into new build, refurbishment, and renovation schemes:

#### **Original text:**

*'The following design considerations should be prioritised in proposals: ...*

- ... Incorporate nature conservation features to support biodiversity (e.g. bird/bat boxes and bee bricks)'

#### **Amended to:**

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*'The following design considerations should be prioritised in proposals: ...*

- *Incorporate nature conservation features to support biodiversity, ensuring a net gain in biodiversity is achieved (e.g. bird/bat bricks and boxes, and bee bricks). Where required, swift bricks/boxes and bee bricks should be installed following best practice guidance (see Special Guidance A: Swift Boxes and Bricks for New Developments).'*

Providing clarification of measures in place to secure swift bricks/boxes and bee bricks through planning conditions will ensure developers are able to incorporate suitable implementation of these features into design at the earliest opportunity. Further, the RSPB wishes to highlight that incorporation of swift bricks rather than boxes should be preferred where the scheme design allows. Swift bricks are maintenance free, long lasting, less prone to predation, and less prone to temperature variations. However, should internal swift bricks not be feasible, swift boxes should be provided. The RSPB also recommends the inclusion of reference towards *SPD11 Nature Conservation and Development* within the text under Section 2.3. Landscaping, biodiversity and water. Although SPD11 is due to be updated, the SPD refers to a range of low-cost nature conservation features that should be encouraged for use by developers given the requirement for providing biodiversity net gains.

### **Section 3.4. Greening**

The RSPB acknowledges the prioritisation of 'Greening' by Brighton & Hove City Council within its Draft UDF SPD. We agree that plant species should be appropriately chosen with consideration to native species found around Brighton and Hove's coastal and downland habitats. A variety of native plants that are adapted to different environmental conditions (e.g. sunlight, moisture, soil) should be sought and incorporated into the design of urban development. To ensure that the role 'Greening' can play in enhancing biodiversity and the natural environment in an urban setting is acknowledged and highlighted appropriately, the RSPB recommended that Brighton and Hove City Council include *DM37 Green Infrastructure and Nature Conservation* as one of the key policy links within Section 3.4. Greening under Policy link CPP2.

### **Section 10. Extended list of policies and documents**

Links to Planning Advice Notes and site briefs have been provided by Brighton and Hove City Council within Section 10. Extended list of policies and documents. The RSPB would like to highlight that the hyperlink provided for Planning Advice Notes currently directs users to the *Major Projects Planning* section of the Brighton and Hove City Council website. The below link would direct users to the *Planning Advice Notes* page of the website, where users will be able to view *Planning Guidance A: Swift Boxes and Bricks for New Developments*: <https://www.brighton-hove.gov.uk/content/planning/planning-policy/planning-advice-notes-pans-other-special-guidance>

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Thank you for providing us with the opportunity to comment on the Council's draft Urban Design Framework (UDF) Supplementary Planning Document (SPD). I write on behalf of our client, Legal & General Investment Management (LGIM), who has an interest the above site.

Below I set out a brief background to the site before turning to specific comments on the consultation document.

### **Background**



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On 26th September 2019 the Council granted full planning permission to LGIM for the comprehensive redevelopment of Longley Industrial Estate for a mixed-use development (LPA Ref. BH2018/02598). This permission was subsequently amended on 25th September 2020 and represents the extant planning permission at the site (LPA Ref. BH2019/03113).

The extant permission at the site includes the following:

- 3,101sqm of office / research / development floorspace (B1a / B1b use)
- 356sqm of flexible commercial / retail floorspace (B1a / B1b / A1-A4 use)
- 209 residential units (C3 use); and
- buildings up to 19 storeys (plus roof plant level) in height.

The permission is due to be implemented shortly.

### **Comments on the Consultation Documents**

Of specific relevance to Longley Industrial Estate and the extant permission at the site are pages 45 and 46 of the draft UDF which deal with the Brighton Station / New England tall buildings area. Our comments are limited to these pages.

#### **Building Heights**

On Page 45 the draft UDF SPD sets out the following 'indicative height range':

*“Potential to accommodate mid-rise (up to 8 storeys) with some tall (9-15) buildings at the northern end where it meets Elder Place and New England Road.”*

As mentioned above, the extant permission at Longley Industrial Estate (which is due to be implemented shortly) includes building heights of up to 19 storeys (plus plant on roof). The 'indicative height range' within the draft UDF SPD should be updated to reflect this.

#### **Preston Circus Junction**

We are aware that the Council has aspirations to redesign the approaches and junction where A23 (north-south) intersects with A270 (east-west) (known as the Preston Circus junction) to improve access to the New England Quarter and London Road and reduce severance to local movements. This is set out within the Council's latest Local Transport Plan (2015). We understand that these improvements are likely to impact the design of any public realm improvements in the New England Quarter. It would therefore seem prudent that the final UDF SPD makes some form of reference to the Preston Circus junction improvements.

#### **Public Realm Improvements**

On Page 46 we note that the draft UDF SPD sets out a number of 'design considerations' which should be prioritised in any public realm proposals within the area. This includes ensuring that 'individual schemes contribute to a co-ordinated public realm strategy.'

In the context of the emerging development at Longley Industrial Estate, LGIM has committed to giving the Council £745,907 to pay for public realm improvements within the local area. A payment to the Council rather than delivering any improvements themselves was considered that most appropriate due to the number of different land ownerships (including BHCC itself). This is a significant sum of money and it is expected that other developments within the local area will also contribute towards such improvements. It is expected that the Council will then lead on, co-ordinate and implement the improvements.

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Given the above, it is respectively requested that the final UDF SPD include a commitment by the Council to design and bring forward the final public realm improvements in this area using the significant sums of money that it has and will be given.

#### Public Realm Improvement Images

On Page 46 we note that a few example images of public realm improvements to Elder Place and new links from New England Road to the Greenway and Brighton Station have been included. These have been taken from planning application BH2018/02598 at Longley Industrial Estate.

Firstly, the application reference number is incorrect (BH2011/02886 rather than BH2018/02598). Secondly, these images were submitted to the Council as indicative only as part of the wider masterplan and cost exercise. They showed one out of numerous options and possibilities. It is respectfully requested that this is made abundantly clear within the final UDF SPD. The final design of the public realm may look completely different to the images. These images shouldn't restrict the final design.

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Quod are instructed by St William Homes LLP ('St William') to submit representations to the Urban Design Framework Supplementary Planning Document ('UDF SPD') consultation (2020). St William welcomes the opportunity to respond to the consultation and is pleased to provide comments on the draft SPD.

St William is a joint venture between the Berkeley Group and National Grid Property ('National Grid'), established in 2014 to bring forward regeneration and the redevelopment of decommissioned and underutilised gasworks sites across the south-east, delivering essential new homes and jobs. The partnership combines National Grid's extensive portfolio of surplus brownfield sites with the Berkeley Group's design expertise, substantial experience of redeveloping complex regeneration sites and proven track-record of significant housing delivery and high-quality developments.

As part of the Berkeley Group, St William focuses on transforming sites into exceptional places where communities thrive. St William do not have a range of standard housing product types, but, instead each site is delivered with a design led approach responding to the individual opportunities and constraints that exist. Through this, bespoke masterplans are created which are designed in collaboration with local stakeholders and communities that help to create and deliver high quality homes and sustainable places. St William believe that good design reaches far beyond the use and appearance of an individual building; the quality of spaces between buildings, the connections, how a place functions as well as its green and natural spaces and its climate change resilience all contribute to high quality place-making. St William therefore seeks to deliver homes and neighbourhoods on this basis, their driving purpose is to create high quality homes, strengthen communities and improve people's lives through fantastic place-making. St William is applying this design philosophy in actively progressing plans to deliver a mixed use development on the Brighton Gasworks site ('Brighton Gasworks') in line with its site allocation under the City Plan Part 1. St William are currently in pre-application discussions with BHCC and have commenced a programme of public consultation with a view to submitting a planning application in 2021.

#### Scope of representations

St William supports the draft SPD's objectives of delivering inclusive and sustainable development and shares the Council's ambitions to deliver high quality development and successful places.

The comments set out in these representations are provided in the spirit of developing a positive and effective Urban Design Framework SPD which will help to secure high quality design in the City through achievable and deliverable design expectations. To that end, the representations focus on the following: the general role and extent of the SPD; the Tall Buildings guidance; and ensuring the guidance set out within the SPD and its appendices is supplementary to adopted policy, is clear and consistent, and does not place onerous requirements on proposals.

We would like to actively engage with and would be very happy to meet with planning policy officers to discuss the comments in further detail or provide any clarifications, if helpful.

## **A. Role and extent of the SPD**

### *Policy context*

In line with Planning Practice Guidance (PPG), supplementary guidance must only build upon and provide more detailed advice or guidance on policies already in the adopted local plan. A SPD cannot introduce new policies<sup>1</sup>.

The PPG is also clear<sup>2</sup> that supplementary guidance should not add unnecessarily to the financial burdens on development.

### *Application of PPG to the draft SPD*

We have two overarching concerns regarding the draft UDF as currently drafted:

- 1. That aspects of the draft SPD are overly prescriptive in nature** – resulting in guidance that is more akin to development management policies rather than supplementary guidance.
- 2. That as a result the draft SPD, if enforced as currently drafted, would impact on deliverability and viability of development proposals** – arising from individual or cumulative impact of guidance requirements placing additional financial burden on projects threatening their viability and deliverability.

These concerns could be addressed via some simple changes in wording which we recommend in the enclosed **Appendix 1**.

#### *1. Prescriptiveness*

The draft SPD states that the intention of the supplementary guidance is to support the City Council's corporate objectives as set out in the 'Council Plan 2020-2023 – A Fairer City with a Sustainable Future' and the vision, objectives and planning policies set out in the Brighton and Hove City Plan (Parts One and Two), in particular City Plan Part One Policy CP12 Urban Design.

However, as currently drafted the draft UDF goes beyond providing guidance on existing policy and seeks to introduce requirements more akin to additional development management policies.

In addition whilst we acknowledge that the UDF intends to focus on how good design can deliver inclusive, sustainable and climate-resilient development, the scope of the SPD extends beyond specific design and sustainability issues outlining guidance on a number of other matters including transport and phasing matters. In combination with the development management style nature of the policies and guidance, this results in the SPD being an overly prescriptive document that goes against PPG guidance.

We feel this could be addressed through some moderate amendments which we set out in **Appendix 1**. These amendments are necessary to ensure that the policies are providing supplementary guidance that will not place onerous requirements or unnecessary financial burdens on development whilst still meeting the Council's positive design aspirations.

## *2. Viability and deliverability*

There a number of amendments to the draft SPD that are necessary to ensure that the SPD will not place undue financial burdens on schemes and/or threaten their deliverability, in accordance with PPG.

In particular, we consider the terminology used could be clarified particularly when using terms such as 'prioritised', 'avoid' or 'minimise'. As currently drafted, each section of the draft SPD outlines a list of considerations that are to be 'prioritised'. For example, Section A 1.1 Environmental conditions states that "the following design considerations should be prioritised in proposals...".

We recognise that in the most part the considerations listed are all relevant considerations, however it is important that the design guidance recognises that every site is different and therefore that priorities will differ on a case by case basis. It is likely that not all of the priorities set out within each document or the document as a whole will be appropriate, deliverable or viable on each site. Instead the guidance should provide a more flexible approach to maximise the opportunities for innovation and to ensure deliverability by making clear that the considerations are items that proposals should aim for as good practice but are not be mandatory. We recommend that this is addressed by:

- Where the phrase 'should be prioritised' is used, this should be revised to state 'consider' or 'seek to'.
- Where the words 'avoid' or 'minimise' are used, this should be replaced with 'seek to avoid' or 'seek to minimise'. For example, Section A 1.3 Composition of street scene states 'avoid blank facades', this should be replaced with 'seek to avoid blank facades'.

Please also refer to the detailed schedule of recommended amendments is set out in **Appendix 1**.

This proposed revised terminology and language would make it clear that the aspirations outlined in the draft SPD are guidance rather than prescriptive policy that is intended to assist with the delivery of good design but should not place unnecessary financial burden or onerous requirements on proposals where it has the potential to hinder delivery.

## **B. Tall Buildings**

We welcome the updated guidance on tall buildings outlined within Section B and Appendix 13 and note the intention for this guidance to eventually replace the adopted SPG Note 15 'Tall Buildings'.

In particular we welcome the recognition in Section 5.1 'Area 1: Brighton Marina' that the Brighton Gasworks is an area with potential for tall buildings, which aligns with the strategic nature of the site as one of the adopted Local Plan's key Development Areas. There are a number of minor amendments needed to the draft SPD to ensure all of the policy and supplementary guidance are consistent in making it clear that the Gas Works site is considered a suitable location for tall buildings. These are set out in **Appendix 1** and in summary request:

- **Area 1: Brighton Marina:** That the map on page 43 is revised to reference the Gas Works site to make it clear that it falls within the Tall Buildings area; and

- **Appendix 11 - Blackrock Area:** That the Blackrock Area description is revised to specifically reference the Gas Works site as distinct from the wider Roedean area and that this area is likened to group 3A, rather than 2A – ‘urban areas where positive and pro-active measures are required to secure major enhancement.’
- **Appendix 13 - Tall Building Statement guidelines:** that the reference to groups of buildings being staggered or stepped to respond to natural slope contours is removed, in order to be less prescriptive and allow for scale and massing to be determined through careful site-specific consideration.

### C. Planning Process

St William specialise in the regeneration of former gas works sites, which are extremely challenging and complex to take forward. Their approach is to work with local councils, their officers and communities to transform these redundant and unused spaces and unlock a mix of social, environmental, economic and commercial benefits. As part of this process, St William embrace community engagement and work in partnership with councils.

We therefore share the Council’s preference for a proactive and collaborative process of design development between the applicant team and the Council’s design officers.

We are concerned however that Section C ‘Planning process’ as currently drafted is particularly prescriptive as to the nature and amount of information to be produced over the course of the pre-application process without making it clearer that this is a preferred approach and might not always be appropriate to adopt a ‘one size fits all’ approach.

**Appendix 1** contains further detailed comments on this section. In short our main concerns and recommendations are that:

- The nature of the information sought does not appear to recognise that applications may come forward in hybrid or outline form meaning that certain details would not be available pre-application or determination. The document should be updated to recognise the potential for outline or hybrid applications and to make clear that the level of information to be provided will be proportionate to the nature of the intended form of application.
- The section should be updated to recognise the role for planning conditions to discuss and agree certain design details that do not necessarily need to be agreed pre-application or pre-determination. This is particularly relevant to outline or hybrid applications and larger multi-building or multi-phases development and prevents applicants incurring disproportionate professional fees which adds further time and risk to the planning application process.
- The section should be updated to make it clear that the expectation for applicants to submit the Design & Access Statement and ‘fully-realised and calculated sustainability strategies’ before application submission may be helpful but is not an absolute requirement. These documents can take a very long time to produce and are the accumulation of design and other pre-application discussions. To require these documents before submission could add significantly to the pre-application programme without necessarily benefiting the quality of the design process or outcomes. What is important is that applicants are aware of the Council’s expectations which are made clear through adopted policy and can be discussed through pre-application meetings.

### Conclusion

We would like to reiterate St William’s support for the principles of the draft SPD and trust the above and enclosed **Appendix 1** are helpful in shaping the draft document. St William welcomes the opportunity to work with BHCC to develop a positive and effective Urban Design Framework SPD which will help to secure high quality design in the City that is also achievable and deliverable. We would be very happy to discuss or provide clarification on any of the comments enclosed.

**APPENDIX 1: DETAILED COMMENTS ON THE URBAN DESIGN FRAMEWORK SPD**

Reference (Draft Urban Design Framework)	Corresponding section (Quod Representations Main Document)	Comment
<b>SECTION A: Local Priorities</b>		
1.1 Environmental conditions	Section A - Role and extent of the SPD	<ul style="list-style-type: none"> <li>Revise the guidance to say: 'The following design considerations should be <del>prioritised</del> <b>considered</b> in proposals:..'</li> </ul>
1.2 Neighbourhood character	Section A - Role and extent of the SPD	<ul style="list-style-type: none"> <li>Revise the guidance to say: 'The following design considerations should be <del>prioritised</del> <b>considered</b> in proposals:..'</li> <li>To 'Build on the characteristics identified in the UCS and CACS as a starting point for design' may not always be the most appropriate starting point particularly for strategic sites where it is accepted that a departure from the surrounding characteristics may be the most appropriate solution for the site. Revise text to say: '<del>Build on a sound understanding of</del> <b>Consider how to respond to</b> neighbourhood characteristics identified in the UCS and CACS <del>as a starting point for design</del> <b>at the start of the design process.</b></li> </ul>
1.3 Composition of street scene	Section A - Role and extent of the SPD	<ul style="list-style-type: none"> <li>Revise the guidance to say: 'The following design considerations should be <del>prioritised</del> <b>considered</b> in proposals:..'</li> <li>Remove the guidance to '<del>provide refuse storage facilities that are not visible from the street</del>'. This is a positive aspiration but there are times where it may be necessary on balance and can be design appropriately. Providing direct access to bin stores from the street can, for example, allow for better consolidation of bin stores and more efficient bin collections which has other public realm benefits.</li> </ul>
1.4 Views and landmarks	Section A - Role and extent of the SPD	<ul style="list-style-type: none"> <li>Revise the guidance to say: 'The following design considerations should be <del>prioritised</del> <b>considered</b> in proposals:..'</li> </ul>
2.1 Active and inclusive travel	Section A - Role and extent of the SPD	<ul style="list-style-type: none"> <li>This guidance extends across a range of matters beyond active and inclusive travel.</li> <li>Revise the guidance to say: 'The following design considerations should be <del>prioritised</del> <b>considered</b> in proposals:..'</li> <li>Delete '<del>Low car parking ratios with adequate, easily accessed disabled car parking facilities</del>'. This should be controlled by the relevant adopted policies and extends beyond the appropriate scope of a design framework.</li> </ul>
2.2 Outdoor amenity	Section A - Role and extent of the SPD	<ul style="list-style-type: none"> <li>Revise the guidance to say: 'The following design considerations should be <del>prioritised</del> <b>considered</b> in proposals:..'</li> <li>The requirement for a landscape management plan to inform long term maintenance is something that should only be required post planning permission not at application stage and to that end should be deleted or revised to note that a planning condition requiring details of a landscape management plan is likely to be requested for proposals with significant landscaping or substantial amenity areas or areas of open space.</li> </ul>
2.3 Landscaping, biodiversity and water	Section A - Role and extent of the SPD	<ul style="list-style-type: none"> <li>Revise the guidance to say: 'The following design considerations should be <del>prioritised</del> <b>considered</b> in proposals:..'</li> <li>Delete '<del>Incorporate continuous soil volumes and capacity</del>' which is overly prescriptive.</li> <li>There may be circumstances where incorporation of composting facilities to reduce waste is impractical or infeasible therefore this should be revised to say: 'Incorporate composting facilities <b>where possible, in order to reduce</b> waste sent to landfill...'</li> </ul>

2.4 Mix of uses and active frontages	Section A - Role and extent of the SPD	<ul style="list-style-type: none"> <li>Revise the guidance to say: 'The following design considerations should be <del>prioritised</del> <b>considered</b> in proposals:..'</li> <li>This guidance is overly prescriptive and should be amended to: 'Enhance and enliven public spaces with a mix of uses <del>so that to support meeting</del> residents' basic, day to day needs <b>locally where possible</b> <del>can be met within a 15 minute walk of their homes.</del>' This reflects the potential that some locations will not be suitable or viable for non-residential uses and equally provides a role for ground floors to be activated by residential front gardens for example.</li> </ul>
2.5 Artistic element	Section A - Role and extent of the SPD	<ul style="list-style-type: none"> <li>Revise the guidance to say: 'The following design considerations should be <del>prioritised</del> <b>considered</b> in proposals:..'</li> </ul> <p>The expectation to include artistic elements at an early stage of the design process should be relaxed and amended to '<b>Allow for the potential to</b> incorporate artistic elements within the development' and delete '<del>at an early stage of the design process, including artists/public art professionals as part of the design team</del>'. This is flexibility particularly important on larger scale and multi-phase sites where inclusion of local artists may be more successful nearer to the time of delivery of the public realm.</p>
2.6 Materials and management	Section A - Role and extent of the SPD	<ul style="list-style-type: none"> <li>Revise the guidance to say: 'The following design considerations should be <del>prioritised</del> <b>considered</b> in proposals:..'</li> <li>The guidance on providing a management plan for communal indoor and outdoor spaces should be amended to reflect the need for this on a site-specific basis and the role of planning conditions as the mechanism for agreeing such a plan.</li> </ul>
2.7 Phasing development	Section A - Role and extent of the SPD	<ul style="list-style-type: none"> <li>We support the aspiration for a considered approach to phasing delivery however this section should be amended to reflect the role for planning conditions and obligations in agreeing development phasing. The expectation for phasing details showing appropriate</li> </ul>
		<p>levels of affordable and private housing, open space and amenity at proposal stage stretches beyond the remit of a design SPD and does not afford appropriate flexibility.</p>
3.1 Resource performance and use	Section A - Role and extent of the SPD	<ul style="list-style-type: none"> <li>Revise the guidance to say: 'The following design considerations should be <del>prioritised</del> <b>considered</b> in proposals:..'</li> <li>Insert '<b>Seek to</b>' before '<del>A</del>avoid' in bullet points one, two and four to reflect that in some cases it may not be possible to avoid this in its entirety.</li> <li>Insert 'Reduce construction waste through salvage and off-site modular construction systems, <b>where feasible or possible</b>'.</li> </ul>
3.2 Designing at density	Section A - Role and extent of the SPD	<ul style="list-style-type: none"> <li>The general approach to density and designing at density is welcomed and it is welcome to note that new residential development should as a minimum achieve a density of 100dph in line with City Plan Part 1.</li> <li>Revise the guidance to say: 'The following design considerations should be <del>prioritised</del> <b>considered</b> in proposals:..'</li> <li>The guidance to consider district heating projects goes beyond the scope of this SPD is already covered by adopted policy and Brighton's Energy Study.</li> <li>The guidance to co-locate childcare facilities with other communal uses or homes for the elderly should make it clear that this only applies where there is a need for new on-site childcare facilities and should not undermine the operation or location of existing community facilities/services.</li> </ul>
3.3 Housing types and mix of uses	Section A - Role and extent of the SPD	<ul style="list-style-type: none"> <li>Revise the guidance to say: 'The following design considerations should be <del>prioritised</del> <b>considered</b> in proposals:..'</li> <li>Add '<b>where appropriate</b>' before 'Including a mix of housing typologies' to allow for consideration to be given to whether the typology meets the local needs at the time and to affordability / viability.</li> </ul>

		<ul style="list-style-type: none"> <li>Reference to 'inset balconies' only, rather than balconies, is overly prescriptive. Delete 'inset' or amend the wording to reflect the potential for projecting and semi-projecting balconies as appropriate.</li> </ul>
3.4 Greening	Section A - Role and extent of the SPD	<ul style="list-style-type: none"> <li>Revise the guidance to say: 'The following design considerations should be <b>prioritised considered</b> in proposals...'</li> <li>Insert '<b>Consider scope to</b>' before 'Incorporate well-sized green/brown roofs' to reflect competing requirements for roof space, including factors including the amount of space required for roof top plant, and viability.</li> </ul>
3.5 Materials and maintenance and section 3.6 Waste storage and collections	Section A - Role and extent of the SPD	<ul style="list-style-type: none"> <li>This guidance goes beyond the remit of a design SPD and is overly prescriptive and should be removed. Furthermore, waste matters outlined in these policies are already covered by adopted SPD03 Construction and Demolition Waste and general design guidance found in earlier policies within the draft SPD.</li> </ul>
3.7 Deliveries and servicing facilities	Section A - Role and extent of the SPD	<ul style="list-style-type: none"> <li>The guidance to locate servicing facilities within the building envelope is onerous and may not always be possible. There are other ways to avoid obstructing the highway and causing excessive nuisance. This first bullet point should be revised to state, '<b>where possible</b>', and should be assessed on a case by case basis.</li> </ul>
<b>SECTION B: Tall Buildings</b>		
5.1. Area 1: Brighton Marina	Section B – Tall buildings	<p>The inclusion of Brighton Gas Works within tall building Area 1 is welcome and aligns more closely with the site allocation DA2 boundary. For consistency we recommend that:</p> <ul style="list-style-type: none"> <li>The map on page 43 (Section 5.1) should be updated to make specific reference to the Gas Works site allocation within Development Area 2, proposed revision below shown in red: "CPP1 Development Area 2 Brighton Marina <b>and Gas Works site.</b>"</li> </ul>
		<ul style="list-style-type: none"> <li>The title of Area 1: Brighton Marina should also be revised to: 'Area 1: Development Area 2' to align with the adopted City Plan Part 1 and emerging City Plan Part 2.</li> </ul>
Section 11: Neighbourhood and sensitivity to change and priorities for enhancement	Section B – Tall buildings	<ul style="list-style-type: none"> <li>The Blackrock area is characterised as a 'mixed approach area' (reference 4) and divides the area into the Marina site and the Roedean area. This is inconsistent with the Brighton Marina Tall Buildings area which groups Brighton Gasworks in the same tall buildings area as Brighton Marina, therefore distinguishing it from the wider Roedean area. That approach is also in line with the adopted City Plan Part 1 and Draft City Plan Part 2 which group the Gasworks, Black Rock site and Brighton Marina together into Development Area 2 allocated for major regeneration.</li> <li>Section 11 '4a – Black Rock' area should be updated to make specific reference to the Brighton Gas Works site to reflect its strategic role and distinguish it from the wider Roedean/Kempton area. Within this the Brighton Gas Works area should be likened to group 3A, rather than 2A – '<i>urban areas where positive and pro-active measures are required to secure major enhancement</i>' to align with the boundary of the tall building area 1: Brighton Marina.</li> </ul>
Section 13: Tall Building Statement guidelines	Section A - Role and extent of the SPD and Section B – Tall buildings	<ul style="list-style-type: none"> <li>13.1 'Context' states that for the siting of buildings 'groups of buildings should be staggered or stepped to respond to natural slope contours and not mask natural valley formations, or block strategic or important local views within and across the city'. The word 'should' is inappropriate. This is a prescriptive and inappropriate requirement that will not always give rise to the optimum solution to a site. This part of the sentence should therefore be deleted to allow a considered approach to massing to be taken on a case by case basis that is informed by the townscape and visual impact assessment process (where applicable), or 'should' should be replaced with 'could'. In the case of Brighton Gasworks, which sits in a natural valley, this would be consistent with the 'indicative height range' guidance provided in section 5.1 of the draft SPD, which</li> </ul>



		states: 'Building heights will be largely determined by visual impact on views from hillsides to the north and from historic Kemp Town Enclosures'.
<b>SECTION C: Planning Process</b>		
Introduction (page 61)	Section A - Role and extent of the SPD and Section C- Planning Process	<p>We support the Council's preference for a proactive and collaborative design however the requirements of Section C 'Planning Process' are too prescriptive about the nature and amount of information required over the pre-application process. The introduction and rest of section C should be updated to:</p> <ul style="list-style-type: none"> <li>Recognise that different types of applications may come forward i.e. detailed, outline or hybrid applications, and that consequentially certain details such as sections or bay studies may not be available at pre-application stage or even prior to determination. The guidance must make clear that the level of information requested should be proportionate and relevant to the type of application pursued.</li> <li>This section should be updated to recognise the role that planning conditions play to agree design details post planning permission. It is often more efficient and only possible to provide this required detail closer to technical design and procurement stages. This is particularly relevant to outline or hybrid applications and larger multi-building or multi-phases development and prevents applicants incurring disproportionate professional fees which adds further time and risk to the planning application process.</li> </ul>
7.2 Conceptual design options	Section A - Role and extent of the SPD and Section C- Planning Process	<ul style="list-style-type: none"> <li>The requirement for figure ground studies, plans, sections, elevations, and if possible, 3D images and/or models to clearly indicate site layout, scale and massing etc for conceptual design options is too onerous. Whilst it is acknowledged that it is important to show sufficient information to enable various design options to be assessed adequately by the Council, to provide this full suite of information for design options that may or may not be progressed is excessive. The requirement should therefore be proportionate to the stage of the design process and items such as sections or even elevations should not be expected. The following should be amended to ensure the information required at</li> </ul>
		<p>conceptual stage is proportionate to the stage of the design process, when items such as sections or even elevations may not always be available yet:</p> <p><del>'Figure ground studies, plans, sections, elevations and, if possible, 3D images and/or models to</del> <b>Design options should</b> clearly indicate site layout, scale and massing and illustrating the ration and rhythm of built footprint....'</p>
7.3 Preferred design concept	Section A - Role and extent of the SPD and Section C- Planning Process	<ul style="list-style-type: none"> <li>As above the specific requirement for drawings in greater detail such as parking plans, sectional perspectives etc is overly prescriptive for the pre-application stage and would not typically be worked up until the design is finalised. This should be revised to say: <del>'Drawings presented in greater detail at a larger scale; to include the ground floor site plan, parking plans, typical floor plans, sections, sectional perspectives and layered elevations at a variety of scales</del> <b>Where possible, more detailed drawings and information, should be provided to show</b> the relationship of the proposed buildings to the ground plane <b>and surrounds including</b> neighbouring trees and buildings'.</li> <li>The requirement for more detailed 3D images and/or models should also be revised to state: <del>'More detailed 3D images and/or models, and Images and 3D images and/or models, where possible to</del> describe the proposed appearance and materiality of buildings. <del>ing</del></li> <li>The requirement for a sustainability strategy should be amended to expect that applicants engage with sustainability officers at an early stage to ensure the applicant is aware of the policy requirements and it is being considered as part of the emerging design proposals.</li> </ul>
7.4 Detailed design	Section A - Role and extent of the SPD and Section C- Planning Process	<ul style="list-style-type: none"> <li>The requirement to submit a Design and Access Statement (DAS) or 'fully-realised and calculated sustainability strategies' prior to submission is too onerous and should be revised to make clear that this should be optional. Relevant details can be shared iteratively during the pre-application stage without the need for a full DAS or sustainability strategy, which would place undue pressures on programme and not necessarily result in time spent benefitting the quality or performance of the design.</li> <li>These documents are often finalised in the period leading up to submission through an iterative process and it is therefore not appropriate to require this in advance of a planning application submission. It is important that applicants are aware of the Council's expectations which are made clear through adopted policy and can be discussed through pre-application meetings and therefore this requirement as part of the Design Statement should be removed or amended to only require a high level sustainability strategy that assures the Council that the applicant is aware of the relevant policy requirements and that they are being allowed for.</li> </ul>

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Thank you for your notification dated 23<sup>rd</sup> October 2020, inviting Highways England to comment on the Brighton & Hove Draft Urban Design Framework Supplementary Planning Document (SPD) Consultation, seeking responses no later than 11<sup>th</sup> December 2020.

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. We will therefore be concerned with proposals and policies that have the potential to impact the safe and efficient operation of the SRN. In the case of Brighton & Hove our focus will be on any impact to the A27 and A23 corridors.

We have reviewed the Draft Urban Design Framework SPD, which has been prepared to support the Council's corporate objectives set out in the Council Plan 2020 – 2023 – A Fairer City with a Sustainable Future, and the objectives and planning policies set out in Brighton & Hove City Plan Part One and Part Two. Highways England does not have any objections to the Brighton & Hove Draft Urban Design Framework SPD. Please note that where development is likely to affect the SRN, either in terms of traffic impact or a direct impact on Highways England's assets/land, we would encourage early engagement with Highways England.

Thank you for consulting Highways England. Should there be any queries regarding this response, please contact the team...

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... The South Downs National Park Authority (SDNPA) ... and all relevant authorities (including Brighton & Hove City Council) are required to have regard to the purposes of the South Downs National Park (SDNP) as set out in Section 62 of the Environment Act 1995. The purposes are 'to conserve and enhance the natural beauty, wildlife and cultural heritage of the area' and 'to promote opportunities for the understanding and enjoyment of the special qualities of the national park by the public.'

The creation of this SPD is welcomed by the SDNPA, and we fully support the City Council's intentions to encourage all interested parties to enter into dialogue on design matters. We do have several limited concerns which we would want the City Council to take account of, but this should not be interpreted as a criticism of the document overall.

## **Section A: Local Priorities**

**1.2 Neighbourhood Character Map (P.10)** - We would suggest the boundary of the SDNP is added to the map or be referenced in the Map Key.

**1.4. Views and landmarks (P.13)** – it is disappointing that although reference is made to "the Downs", there is an absence of recognition of the National Park designation that surrounds and extends into the city, or the potential implications for the conservation and enhancement of the natural beauty of the SDNP. We are of the view that the document should acknowledge the considerations in terms of setting and in particular the importance of views both to and from the SDNP, including across the city and out to sea. In certain circumstances applicants could be encouraged to approach the SDNPA for input into proposals, prior to submitting an application to B&HCC.

**Strategic Viewpoints and Landmarks Map (P.14)** – On the whole, the inclusion of this map and identification of viewpoints is supported. However, it would be worth

acknowledging that 6 of the strategic view locations are set either within or adjacent to the National Park (see further comments on the relevant appendix below). To assist this, we would suggest that the boundary of the SDNP could be added to the map and that the National Park is referenced in the associated *key* (for the strategic views and approaches).

The identification of specific viewpoints is of particular use to officers, applicants and other interested parties in identifying key sensitivities, but there should be an accompanying caution that some sites will require sequential views from a number of surrounding locations – for example Viewpoint 5 (Woodingdean) could be supplemented by a viewpoint nearer Red Hill to the south. This is acknowledged later on by the City Council in its approach to tall buildings, where 360-degree views are required.

Although not possible to specify on a map, some of the more significant developments within the city could benefit from inclusion of views from further out to sea. These would allow an assessment of some of the best overall views of the city and its Downland backdrop.

**2.1. Active and inclusive travel (P.17)** – where appropriate, applicants should be encouraged to create or enhance foot and cycle links from their sites to the SDNP. The National Park provides an important recreational resource for the City’s inhabitants (in line with the second purpose of its designation), but residents should be encouraged to access it by sustainable means, where possible.

**2.3. Landscaping, biodiversity and water (P.23)** – the SDNPA is particularly supportive of the inclusion of this section. It is good to see reference to the multifunctional role of sustainable drainage systems and reference could be made here to The Aquifer Partnership (see <https://wearetap.org.uk/>), which include the City Council as a partner. We would suggest a reference to Green Infrastructure (GI) is made in your document - highlighting the importance of GI and identifying opportunities to improve the GI network, from the City to the countryside.

## **Section B: Tall Buildings**

**4. Introduction (P.40) & Definition (P.41)** – there appears to be a slight inconsistency in the definition of tall buildings within the document. The introduction on P.40 refers to the assessment of “any building of 18 metres or more in height and significantly taller than surrounding buildings”, whereas the overall introduction on P.3 states “and/or”. We believe the City Council intends this to be an and/or scenario, but we are also uncertain in our reading of the definition set out on P.41, which refers to “any building of 18 metres or more in height *and* that is significantly taller than the prevailing height of surrounding buildings (*whichever is less*)” (our italics).

**5.1. Area 1: Brighton Marina (P.43)** – this section could benefit from specific reference to views to/from the SDNP and opportunities for creating foot/cycle links from the northern part of the site through to the adjacent SDNP.

## **Section D: Appendixes**

**12. Strategic Viewpoints and Landmarks (P.84 onwards)** – please also see our comments above regarding pages 14-15 of the document. Viewpoint 3 (Hollingbury Hill Fort) is identified in this section as falling within the SDNP, but the following viewpoints also fall either within or are on the edge of the SDNP:

1. Foredown Tower (within SDNP)
2. Toads Hole Valley (on edge of SDNP)
5. Woodingdean (on edge of, overlooking SDNP)
7. Rottingdean East (overlooks SDNP)

## 8. Rottingdean Windmill (within SDNP)

### Summary

We are grateful for the opportunity to comment on an SPD that we are in overall support of. However, we would be grateful if the above comments could be taken into consideration and that, in particular, greater reference be made within the document to the presence of the National Park and the opportunities that this designation provides, in addition to the additional considerations in terms of conserving and enhancing this nationally protected landscape.

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Thank you for the providing the opportunity to assist in the preparation of your Draft Urban Design Framework. Network Rail actively welcomes the opportunity to work with stakeholders in providing for their communities and advancing sustainability. In this instance, we will focus our comments on sustainable transport and relevant schemes underway within the Network Rail Kent and Sussex Strategic Planning team (Network Rail K&S SP).

Network Rail Infrastructure Limited (Network Rail) is the owner and operator of the rail network in Great Britain and is responsible for its safe operation, maintenance, renewal and enhancement for the benefit of passengers and freight users. The strategic planning function is responsible for planning for the future development of Britain's railway system so that the needs of passengers and freight customers are balanced to support economic and sustainable growth. In the Southern Region, long-term strategic objectives include alleviating overcrowding and accommodating growth on the rail network; improving connectivity; and supporting decarbonisation and modal shift.

Network Rail K&S SP is actively working with local stakeholders on the concept of the 'First & Last Mile', looking at how users and potential users can better access the railway in Network Rail's Southern Region. The study focuses on the interaction of bus, cycle and road infrastructures with the rail network to assess how best the rail and wider transport system may fit together in the future. This would provide better first and last mile connectivity for customers, support an integrated transport network, and encourage modal shift from road to the cleaner transport provided by rail.

The study will also research accessibility and inclusivity of the rail network in the Southern Region and consider how this can be improved. This in mind, we welcome the emphasis paid by the SPD to the consideration of low-car and car-free developments and the provision of cycle facilities where possible – especially regards cycle and pedestrian connectivity to Brighton & Hove train stations. Network Rail would welcome the opportunity to work with the Council in developing sustainable transport and driving modal shift from road to rail.

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Section 1.3 (page 11) includes the following design consideration:

- Create obstacle-free and sight impaired-friendly routes and shared spaces for pedestrians and cyclists.

This suggests that “shared spaces for pedestrians and cyclists” should be encouraged. I disagree. They may sometimes be necessary, but they should not be the first choice. My reasoning is that pedestrians move at slower speeds than cyclists and include elderly people and families with young, adventurous children. Their behaviour ranges from

standing still in a group to wandering randomly to running.

Cyclists on the other hand are likely to follow a straighter path towards their destination and to move faster than pedestrians.

This can result in a threatening environment for less agile pedestrians. It also increases the risk of collision and injury. So, cyclists should, whenever possible, be provided with separate clearly marked cycle lanes and discouraged from mingling with pedestrians. In some cases, such as complex junctions this may prove impractical and a “shared space” may be necessary, but such cases should be the exception.

Can I suggest that the design consideration quoted above is split into two separate items, one encouraging the good pedestrian areas and the other encouraging separate and clearly marked cycle lanes?

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We welcome the inclusion of and emphasis on food growing, as well as the references to wider food issues such as markets, allotments and composting.

We would suggest it might be useful to include an example of edible landscaping under 2.3 as this is a key way for developers to deliver on more informal food growing. There are useful examples and images in the updated PAN (or we could provide).

In section 7.4 on detailed design it would be helpful to include a prompt here to consider food growing space at this stage.

On p. 77 (section 10 policies) it might be helpful to include a link to the food growing PAN, rather than a generic link to all PANS, as this PAN has been explicitly referenced in the document above.

Thanks for the opportunity to submit to this, to reiterate we really welcome the inclusion of food especially food growing.

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I am attaching a submission in support of our request that the wide panoramic view along the northern section of Surrenden Road which runs east-west be classified as a ‘strategic view’ and be included in the list of strategic views within the UDF-SPD. Our submission sets out the evidence that demonstrates that the view meets all the criteria for a ‘Strategic View’ as defined with the UDF-SPD document.

As a local community group, supported by over 200 local residents, we would be happy to provide any further information required and to meet with officials for a site visit. We look forward to engaging further on this matter.

Green Varndean Action Group (GVAG) is a local community group supported by over 200 local residents who have come together to protect and enhance the green space known as ‘Varndean Green’.<sup>1</sup> Varndean Green was registered by the group as an Asset of Community Value (ACV) in 2018. Green Varndean Action Group is grateful for the invitation to respond to the UDF-SPD consultation.

**Specifically, we request that the much-loved wide panoramic view along the northern section of Surrenden Road which runs east-west (as illustrated below) be classified as a ‘strategic view’ and be included in the list of strategic views within the UDF-SPD.**

The view provides a stunning panorama from an elevated position, over the open green space of playing fields in the foreground, and across the city from the racecourse and

Whitehawk Hills to the east and to Hove in the west, taking in visible landmarks of the pier, i360 and Brighton station among others. Beyond this is the far horizon across the sea, as far out as the east-to-west shipping lane and the wide expanse of the Rampion Wind Farm with the ever-changing sea and skylscapes. The view is publicly accessible from all along the well-used beautiful wide verge and pathway, running along a main east-west route, which is also part of the Surrenden Crescent and Surrenden Road Local Wildlife Site (LWS) designated in the City Plan Part 2. Research indicates that views of open green space which are panoramic views are critical to the mental health and well-being of urban populations. The importance of our green spaces has been demonstrated more than ever during the COVID -19 pandemic. The Surrenden area has great value as one of the few remaining tranquil green and wooded spaces between the Downs and the sea. Indeed, we believe the view is unique in quality from a public thoroughfare in the whole of Brighton and Hove.



Fig 1: the view looking south from Surrenden Road, across the city, towards the Palace Pier and i360 and beyond to the Rampion wind farm and the horizon out to sea.



Fig 2: Location and scope of proposed strategic view from Surrenden Road.



Fig 3: the view to the south-west across the trees of Preston Park, towards the Dyke Road ridgeline with sea and skylines beyond.



Fig 4: View looking south-east illustrating the connection between the urban development along the Ditchling Road/Roundhill Ridge and the sea and skyline beyond.

### **Definition and determination of Strategic Views**

The UDF-SPD defines 'Strategic views' as "*generally distant views from elevated locations mostly on the periphery of the built-up area and include some panoramic views*" (Section 1.4 Views and landmarks, page 13). The document additionally states that the following factors are used to determine strategic views:

- *The degree to which the view illustrates the relationship between the built-up city and the Downs and/or the sea;*
- *The prominence of key ridge lines;*
- *The extent to which the view reveals the typical pattern of past development; and*
- *The presence of any notable landmarks.*

The consultation document recognises there are likely to be other views that may be important to local communities, that can be identified in consultation with the council and local communities. The document also recognises that it is important to ensure that newly identified views are available from a viewpoint on accessible public land that is well used.

Below we set out the evidence that demonstrates how the panoramic view along the east-west section of Surrenden Road meets the above criteria as a 'strategic view'.

### **1. Distant views from elevated locations on the periphery of the built-up area, including some panoramic views.**





Fig. 5: The lower image shows the panoramic view. Source: Urban Characterisation Study, 2009 – p115

This definition of a strategic view is evidenced by the attached photographs showing the panoramic view south towards the city and the sea (see Figs 1, 3, 4, 5), although photographs do not do full justice to the extent and beauty of the panorama in reality. The significance of the view is supported by the Council's Urban Characterisation Study (UCS) of the Surrenden Neighbourhood area (2009) which classifies the Surrenden neighbourhood as 'suburban downland fringe' i.e. on the periphery of the built-up area. The UCS notes that "*the steep slopes... frequently afford impressive views*" and it identifies the view from the east-west section of Surrenden Road from the public pathway (see Fig 5).

There are continuous panoramic viewpoints from all points along the pathway and wide grass verge alongside Surrenden Road (also classified as a bridleway as it was originally laid out for that specific purpose - see Section 4 below). The views are at an elevation of between 100m and 110m above sea level and look down over the open green space of the large campus shared by four different schools towards the city and the sea in the distance (4 km). The views provide a wide panorama from the east to the west from the ridge of Ditchling Road and Roundhill with Whitehawk Hill beyond, across the expanse of the city and its coastline towards Hove, the Dyke Road ridge line, the Prestonville escarpment and the green hillsides of Withdean in the west. In the foreground is the open green space of the multi-school campus and playing fields, the trees of Preston Park, the valley of the railway and London Road towards the Palace Pier and the i360 with the Rampion wind farm approximately 20km out to sea.

The magnificent panorama provides ever-changing skylscapes as the sun crosses from east to west, often with magnificent sunsets, and cloud formations reflecting the prevailing weather predominantly from the south-west.

The view is genuinely **panoramic** which is rare in Brighton. This was confirmed by the Planning Inspector<sup>2</sup> who made the following observation after a site visit regarding the view south from Surrenden Road, in supporting the Council's decision not to grant planning permission for housing development:

*"the pleasure derived from the view is due in no small part to it being a panorama. The proposed development would result in an expansive view becoming more focused and reduced to limited glimpses of the long-distance view through the proposed buildings. The proposed development would therefore be harmful to the character and appearance of the area due to the disruption to and partial loss of the view from the footpath".*

We therefore consider that the material weight afforded to this panoramic view by the Inspector, merits its consideration as a designated "strategic view".



Fig 5: Source: Urban Characterisation Study (2009) – Surrenden Neighbourhood p115

## 2. The degree to which the view illustrates the relationship between the built-up city and the Downs and/or the sea;

The view clearly demonstrates the connectedness of the green space of the Surrenden area, the school playing fields, and Preston Park, through the pattern of houses and street lines leading down towards the sea-front, while the train line, the pier and the i360 lead the eye along the line of the seafront and further out across the water towards the distant seascape, the wind farm and the horizon.

It gives a unique illustration of how the city nestles below the hills of the Surrenden area to the north leading to the Downs, the hill ridge of Withdean and Dyke Road to the west and Whitehawk Hill to the east and is bounded by the sea to the south, with a view of the Pier, the i360 on the coast and the Rampion wind farm out to sea.

The view has inspired Brighton-based poet John Davies to write:

*“The view from Surrenden, way across the schools’ campus, over city villas and houses, apartments and offices, seems to zoom down to the station and the i360, then swoop up and out to the distant horizon of the Rampion Wind farm and the English Channel. This is an experiential view because it is deeply engaged with the human, with the vernacular built environment, with artifice and technology. But it is also deeply elemental, engaging the human with sea and sky and wind, light and shade, storm and stillness. The great green sweep of the playing fields refreshes and replenishes the viewer. The openness of the vista lifts the spirits. Changes of light and cloudscape call forth wonder and delight in young and old alike.*

*The experience of the view from Varndean Green sets its own agenda, determines its own strategy. The viewer is cradled, embraced and reassured by nature on the verge, is reaffirmed in citizenship as the eye is drawn to the heart of the city, and is challenged to hope and thoughts beyond self by the open panorama that bids us all to think with vision about the future we want for future generations. Of all the views in Brighton, this must be the most strategic.”*

### **3. The prominence of key ridge lines**

The view is intersected by the key ridge lines of Dyke Road/Withdean to the west and Ditchling Road/Roundhill to the east with the racecourse and Whitehawk Hill aerial clearly visible beyond. It is also possible to identify specific buildings along both of these key ridge lines. Figure 6 illustrates the key ridge lines.



Fig 6: views of the ridge lines of Dyke Road/Withdean to the west and Ditchling Road/Roundhill to the east.

### **4. The extent to which the view reveals the typical pattern of past development**

The view provides a visual representation of the development of the city, from its centre and the Georgian developments of Clifton Hill and Montpelier in the direction of the i360, spreading back towards the Victorian and Edwardian suburbs towards the largely inter-war development of the Surrenden neighbourhood. In revealing past usage, the Council's Arboriculture Team<sup>3</sup> has said: *“This landscape over the school and college campus still reflects its former agricultural use and provides a glimpse of the past. The site appears now more heavily tree populated than it would have done when*

*used as agricultural land but this adds to the landscape and screens many of the school buildings.”*

The green open space was originally part of Varndean Farm established c. 1800; a restored flint barn remains to the south of the College, which is still visible as part of the Surrenden Road view. During the war the fields were used as allotments to aid the Dig for Victory efforts.

Furthermore, the view is part of a historically planned panorama. The exceptionally wide and beautiful, tree-lined Surrenden Road was laid out in 1875 to afford the public exactly the view in question, originally as an equestrian ride from Preston Park to Ditchling Road.<sup>4</sup>

#### **5. The presence of any notable landmarks.**

Notable landmarks that can be seen from the view include the i360, the Sussex Heights and Chartwell Court tall buildings, the Palace Pier (including its night-time illuminations), the Rampion Wind Farm, Brighton Railway Station and other railway buildings along the main London rail route cutting, St Michaels' and All Angels church in Clifton Hill, the Church of the Good Shepherd on Dyke Road, as well as the Royal Sussex County Hospital and Whitehawk Hill race course and Broadcasting Aerial.

#### **6. Importance and accessibility of the view to the local community and city**

The consultation document recognises the importance of ensuring that newly identified views are available from a viewpoint on accessible public land that is well used.

We can confirm that the view is well-used and accessed from a public footpath (also designated as a bridleway) on the wide verge along the south side of the east-west section of Surrenden Road. Because of changes from the original layout of this section of Surrenden Road (from dual carriageway to single carriageway) the tree-lined road has a unique green verge of approximately 15 metres in width which creates a wonderful roadside viewing environment from which to look out across the city (see Fig 7). This makes the spot extremely popular with families, dog-walkers and people making journeys on foot to work and school. Cyclists also select this route for the view and frequently stop to enjoy it. It is also important to note that it is accessible for those with limited mobility as it borders a roadway and the surface of the footpath along the length of the view is smooth tarmac and relatively flat.



Fig 7: the wide tree-lined verge and footpath along the east-west section of Surrenden Road is a popular and accessible location for admiring the panoramic view. Here local residents enjoy a community picnic (July 2019).

The ACV designation for Varndean Green in 2018 recognised the importance of this locally cherished view and its amenity and health benefits for people living in or visiting the Surrenden area from other areas of the city. In 2018, Green Varndean conducted a survey of local residents and users of the public footpath and green verge via a questionnaire. In total, 134 responses were received to our survey. All of the respondents said they valued the calm and tranquil nature of the area, with 120 (90%) respondents saying that they go out of their way to use the northern section of Surrenden Road specifically to experience the view over Varndean Green and the city. Using statistics from this survey we calculated that, on an annualised basis, over 94,000 walks take place along the verge to enjoy the views.



Fig 8: Pupils from Balfour School enjoying the view for their art class. (October 2018)

Every day people stop specifically to admire the panorama, to take photographs, and can often be seen pointing to identify the various roads, landmarks and buildings they may be familiar with. The photograph in Figure 8, for example, shows school-children enjoying the view for their art class. The extent of the trees and green spaces across the city is clearly visible. The patterns of historic development of the buildings of the city can be observed.

The colours of the city and the sea are constantly changing from an early sunrise that illuminates the façades of Prestonville to the spectacular sunsets that can sometimes be experienced across the sea to the west (see Fig 9).

The changing cloud formations cast moving shadows across the city and a kaleidoscope of shapes on the sea. The evening and night sky will also often attract visitors, even professional photographers, while any occasion of fireworks whether from Balfour School or more especially from Preston Park for New Year will bring large numbers of people from far afield.



Fig 9: View of winter sunset over the city

Surrenden Road serves as a primary route into the city and the main link for traffic entering on Ditchling Road to London Road and onwards to Hove and the west. Therefore, this view gives unique and very striking first impressions of wide space and the urban topography for people initially arriving into the city from that direction. As Figure 10 clearly shows (with the two blue triangles) the addition of this view with its central position, as a strategic view would fill a gap in the spread of strategic views across and around the city.

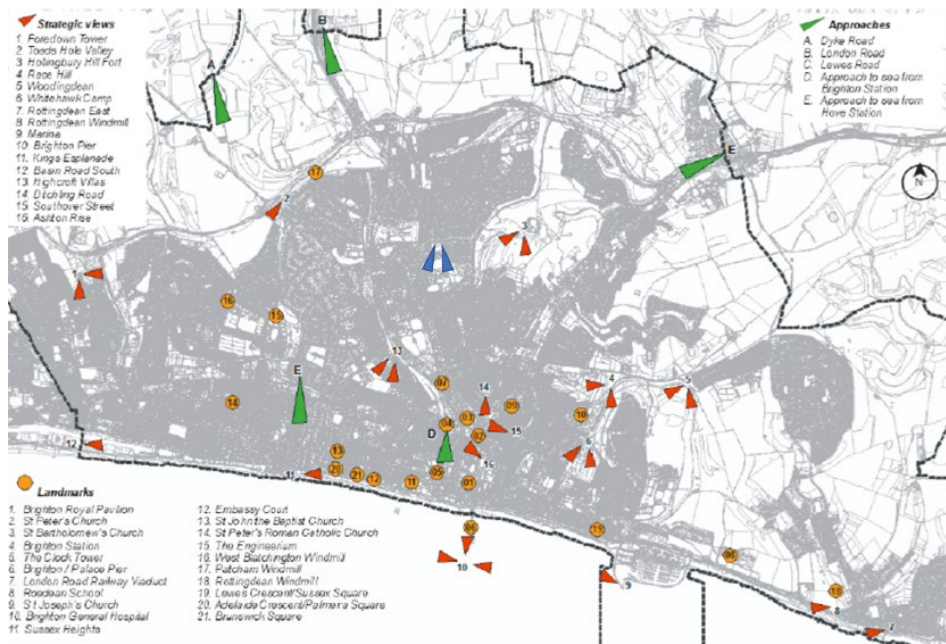


Fig 10: Map of existing Strategic Views in Brighton & Hove (UPD-SPD 2020 p14) with proposed Surrenden Road strategic view marked by blue triangles.

### Conclusion:

As we have demonstrated above, the panoramic view from Surrenden Road clearly meets all the criteria for a 'Strategic View' as defined within the Urban Design Framework – Supplementary Planning Document. We believe it is a unique view – it is more panoramic, embraces more landmarks and has a 'greener' quality than many other strategic views from the upper reaches of the city towards the sea, it is accessible running alongside a popular public thoroughfare, and its central position fills a gap in the spread of strategic views.

We therefore request that this view be included in the list of strategic views within the UDF-SPD.

As a local community group, we would be happy to provide any further information required and to meet with officials for a site visit. We look forward to engaging further on this matter.

Considers height range set of up to 8 storeys along the south side of Kingsway unacceptable. This does not take account of JAAP and planning history for the land between Kingsway and Basin Road North over the past eight years. In particular local concerns around the impact of overshadowing upon existing properties.

Suggests the following amendments be made to the Shoreham Harbour section (page 58):

- **Indicate a height range of 8 storeys** (24 metres) above the level of Basin Road North, i.e. 5 to 6 storeys (15 to 18 metres) above the level of Kingsway. This would then accord with the guidance from the Building Research Establishment in 2013 and the planning permission granted for the land between Basin Road North and Kingsway in 2014. **Defining storey heights also in metres** would avoid ambiguity.



- Clarify the interrelationship of the UDF with the policies of the JAAP by showing the JAAP boundary on the plan and combining the design considerations in the UDF with the relevant design policies in the JAAP.

These are the formal comments of The Kingsway and West Hove Residents' Association on the draft UDF 2020.

These all relate to **DRAFT UDF: PAGE 58 - SECTION 5.9 - AREA 9 SHOREHAM HARBOUR.**

## **1. SHOREHAM HARBOUR JOINT AREA ACTION PLAN (JAAP) AREA BOUNDARY**

1.1 The council adopted the City Plan One in 2016, and more recently adopted the Shoreham Harbour Joint Area Action Plan (JAAP) in 2019. The JAAP includes the part of Shoreham Harbour which lies within the Brighton and Hove city boundary, and adjoining parts of Hove and Portslade.

1.2 The JAAP area boundary is not notated as such in the key to the plan for Area 9: Shoreham Harbour on page 58 of the draft UDF. We think that it is important to show the JAAP boundary in this one part of the city where two adopted development plans overlap. The JAAP itself includes nine area-wide policies in addition to the area-specific policies for each of its four individual character areas. Therefore anyone looking at the plan for the Shoreham Harbour Area in the UDF needs to see clear information about the area covered by the JAAP. Although the boundary is shown it is not explained on the Key.

***1.3 Therefore KAWHRA suggests that the JAAP boundary should be clearly identified in the key on the plan in the UDF for Area 9 Shoreham Harbour. It could easily replace the words relating to CPP1, which has less relevance to Area 9.***

## **2. INDICATIVE HEIGHT RANGE FOR DEVELOPMENT ALONG THE KINGSWAY**

2.1 On the plan for Area 9: Shoreham Harbour (page 58 of the draft UDF) the indicative height range for development along the south side of Kingsway is shown as up to 8 storeys. However this has been previously proven by the Building Research Establishment to be seriously damaging to daylight and sunlight to homes along the north side of Kingsway, and therefore would be contrary to a number of adopted policies in two development plans which overlap in this area: the City Plan One and the Shoreham Harbour Joint Area Action Plan.

2.2 The land south of Kingsway is sandwiched between Basin Road North in Aldrington Basin and the earth bank supporting Kingsway. That land is approximately 2 storeys below the level of Kingsway. The site is over 300 metres long but very narrow, being only 18 metres wide. Therefore there is no flexibility for this site's layout other than to build a single line of buildings. Above 2 storeys any buildings on this land would rise above the pavement on Kingsway's south side. Kingsway is narrow at this point and such buildings would be only 27 metres due south of homes facing them on the opposite (north) side of Kingsway. Therefore the new buildings would cast shadows across Kingsway depending on heights of the new buildings and the varying height of the sun in the sky in the different seasons of the year.

2.3 The resultant serious harm was first established in 2010 when a planning application was submitted for a line of buildings on that site which rose to 6 storeys above the level of Kingsway. Using scientific data KAWHRA showed that those buildings would overshadow the existing homes along the north side of Kingsway for nearly 5 months a year (mid-October to the end of February). As a result serious harm to residents' amenity was one of the reasons for the planning committee refusing planning permission for that proposal in 2012.

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2.4 A second revised planning application was submitted in 2012 for a line of buildings on this site of varied heights rising to the equivalent to 4, 5 and 6 storeys above Kingsway. This met the BRE's guidelines and was approved in 2014, however it has not been built.

2.5 Subsequently, the preparation of the Shoreham Harbour Joint Area Action Plan (the JAAP) began in 2013 with the preparation by urban design consultants of a development brief for the JAAP area. Thenceforth the issue of the height of development on land at Basin Road North in Aldrington Basin was a highly controversial issue between West Hove residents and prospective developers. Therefore in view of the conflict about the facts of overshadowing in the JAAP area, in 2013 the City and ADC officers who jointly managed the JAAP commissioned the Building Research Establishment (BRE) to review the sunlight and daylight impact of the potential heights of new buildings on site allocations in the City's part of the JAAP area. A copy of the BRE's 2013 report 'Review of Daylight and Sunlight Issues, South Portslade Industrial Estate and Aldrington Basin Development Brief' is attached herewith.

2.6 This report established that, in relation to houses and flats along the north side of Kingsway Hove, only a continuous line of new buildings along the south side of Kingsway of 12.5 metres (4 storeys) above Kingsway (i.e. 6 storeys above Basin Road North) would be within the BRE guidelines for planning for daylight and sunlight to the existing homes. However the BRE added that in some circumstances higher new buildings could still meet the guidelines if enough light came around the side of them through gaps along the Kingsway frontage. In which case the buildings could be higher: 5 to 6 storeys above Kingsway (i.e. 7 to 8 storeys above Basin Road North), depending on the size of the gaps.

2.7 For the remainder of the sites in Aldrington Basin, which are further away from residential dwellings, the BRE report said that building heights of 6 storeys above Kingsway (i.e. 8 storeys above Basin Road North) would enable their guidelines to be met, subject to checks on light to any new housing on the Basin Road North site.

2.8 The City Plan One, eventually adopted in 2016 after a long period of preparation, explained in Policy DA 8 that the City Council was working with adjoining partner authorities to prepare a Joint Area Action Plan (JAAP) that would contain detailed policies for the overall Shoreham Harbour area. City Plan One's Policy CP12 identified Shoreham Harbour (Aldrington Basin, South Portslade, and waterside areas) as one of eight areas having the potential for taller development (over 18 metres or more in height - approximately over 6 storeys). Supporting text in paragraph 4.147 explained that for these eight areas further detail on the boundaries of the tall building areas and guidance on appropriate height ranges would be provided in the Urban Design Framework. However for the Shoreham Harbour area the Shoreham Harbour Joint Area Action Plan (the JAAP) was completed before the UDF.

2.9 Surprisingly in 2018, at the JAAP Public Hearing, during KAWHRA's discussion of height limits on site AB4 (the land between Basin Road North and Kingsway) the city council denied knowledge of the 2013 BRE report. KAWHRA outlined its findings to the inspector, and in her report paragraph 112 she said that:

*"Taking into account the difference in land levels involved, it will be particularly important that the redevelopment of the site is undertaken sensitively, so that any new building respects the living conditions of neighbouring residential occupiers on Kingsway. Policy CA2 does not include specific height limits for such development. However, I am satisfied that such restrictions are not necessary, as Policy SH9, as amended, would enable sufficient safeguards of this nature to be*

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*secured, whilst providing a sufficiently flexible approach to the redevelopment of the site.”*

2.10 The city council adopted the JAAP in 2019. The adopted JAAP policy SH9-(7) for Place Making and Design Quality now says that:

*“Development proposals must demonstrate that the effects of the development on the amenity of proposed future and existing users, residents and occupiers would not be unacceptable. When designing new development, applicants will be required to consider the effect of their proposal upon all of the following: .....”outlook • overshadowing • sunlight and daylight.....”*

Also, adopted JAAP policy CA2 (7a) for Site AB4 in Aldrington Basin now says that:

*“Building heights should be justified with regard to analysis of the local urban design context, orientation, sunlight and daylight impacts, and apply high quality design principles.”*

2.11 Now therefore, after all the events of the past eight years, residents of the area north of Kingsway are extremely concerned that the Draft UDF 2020 proposes an indicative height range of ‘Mid-rise (up to 8 storeys along the Kingsway)’. Using KAWHRA’s scientific data for the sun’s elevations in the sky throughout the year at site AB4 we calculate that buildings rising 8 storeys above the south side of Kingsway would overshadow homes on the north side of Kingsway for 7 months (from the end of August to the end of March). Clearly this would not meet the BRE’s guidance and also would be contrary to policies SH9 and CA2 in the adopted JAAP; to policy DA8 in adopted City Plan One; and also to proposed policy DM2 in the emerging City Plan Two; and in 1.1 of the UDF itself.

**2.12 Therefore KAWHRA urges that the wording of the indicative height ranges along the Kingsway is amended. We request that the UDF “Section B Tall Buildings: 5.9 - Area 9 Shoreham Harbour” (page 58) is altered as follows:**

***Amend the pale green box to read “Indicative height ranges. Mid-rise In Aldrington Basin: up to 8 storeys (24 metres) above the level of Basin Road North i.e. up to 5 to 6 storeys (15 to 18 metres) above the level of Kingsway”.***

**2.13 Also, for the avoidance of doubt, KAWHRA would like to see building heights in the UDF described in metres as well as storeys. This is because, in the two planning applications, the Kingsway-level commercial units in mixed use buildings were described as one storey, although that storey contained a mezzanine floor and therefore was actually as high in metres as two residential storeys. In sensitive locations such as this giving the indicative building height in metres would clarify the intentions.**

### **3. DESIGN CONSIDERATIONS**

3.1 The Shoreham Harbour area is unique in the city in being covered by two adopted development plans: City Plan One 2016 and the Shoreham Harbour Joint Area Action Plan (JAAP) 2019. The JAAP explains in paragraph 1.1.3 that

*“The plan builds on and complements the Adur Local Plan (2017) and the Brighton & Hove City Plan Part One (2016). Planning applications within the regeneration area must comply with the strategy and policies in the JAAP, as well as the relevant local plans, unless material considerations indicate otherwise.”*

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3.2 Thus by its nature the JAAP covers detailed matters which in the other areas of the city are contained in the UDF. Residents of the area north of Kingsway are concerned that future confusion and conflict must be avoided by making a clear interrelationship between the priorities and policies of the JAAP and the UDF. This is not the case in the current draft UDF. Furthermore, confusingly the draft UDF includes some of those priorities in some of its other eight areas but not in Area 9 Shoreham Harbour.

**3.3 Therefore KAWHRA considers that the list of design considerations to be prioritised in proposals listed in the dark green box on page 58 needs to be amended by also adding these important design considerations from JAAP policies SH9: Place making and design quality; and CA2: Aldrington Basin:**

- **Improve legibility, permeability and connectivity through high quality building design, townscape and public realm, whilst respecting and enhancing the character and environment of surrounding areas.**
- **Along Kingsway on site AB4 building heights should be justified with regard to analysis of the local design context, and should demonstrate that the effect of the development on the amenity of residents and occupiers would not be unacceptable in relation to the outlook, overshadowing, sunlight and daylight impacts, and should apply high quality design principles.**
- **Development south of Kingsway should maintain a sense of openness and promote views through to the harbour where possible. The scale of the development should provide an attractive character along the A259 and contribute towards the street scene.**
- **Within Aldrington Basin building heights of two to three storeys are generally considered acceptable. If taller buildings are proposed, care needs to be taken to consider sunlight impacts on other sites.**
- **Upgrade and extend Basin Road North.**

Attachment: Building Research Establishment: Review of Daylight and Sunlight Issues South Portslade Industrial Estate and Aldrington Basin, 2013

**[ATTACH BRE REPORT IN PDF FORMAT](#)**

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We are writing to express our deep concern and disappointment to hear about the proposal in the draft UDF to re-evaluate the height of any development to the south of the Kingsway in Hove. This ongoing saga threatening the health and wellbeing of local homeowners should be rejected and an end put to the uncertainty and anxiety felt by many Hove residents for the past eight years. We wholeheartedly support the objections forwarded by the local residents' association (KAWHRA):

We are extremely concerned that the draft UDF (on page 58) is saying that development of up to 8 storeys along the south side of Kingsway would be acceptable. It ignores the facts about the development of the land between Kingsway and Basin Road North, and events over the past eight years.

In 2012 KAWHRA gave evidence to the council that the line of 6 storeys proposed in the first Portzed planning application would overshadow homes along the north side of Kingsway for nearly 5 months of the year. The council refused this application on grounds including the serious damage to residents' amenity by overshadowing.

In 2013, in view of the conflict between residents and the landowner about the facts of overshadowing, the council commissioned a report for the JAAP from the expert Building Research Establishment (the BRE).

The BRE reported that in some circumstances buildings higher than 4 storeys would still

meet their guidelines if enough light came around them through gaps between them, in which case buildings could rise 5 to 6 storeys above Kingsway. (As the Basin Road North land that they would be built on is 2 storeys lower than Kingsway, this means 7 to 8 storeys above Basin Road North.)

In 2014 the council approved the second Portzed planning application for a line of six buildings varying from 4 to 6 storeys above Kingsway (i.e. 6 to 8 storeys above Basin Road North).

Following the 2018 public examination of the JAAP, where building heights were again in contention, the government-appointed planning inspector told the council that: "Taking into account the difference in land levels involved, it will be particularly important that the redevelopment of the site is undertaken sensitively, so that any new building respects the living conditions of neighbouring residential occupiers on Kingsway."

The KAWHRA Committee's concerns about what the UDF now says are:

1. That in 2020, out of the blue, there is a proposal in the new UDF for development up to 8 storeys above the south side of Kingsway. We calculate that this would overshadow homes on the north side of Kingsway for 7 months (from the end of August to the end of March).
2. That we think that the UDF does not adequately take account of a number of other important policies (e.g. protection of residential amenity) which the council adopted in the JAAP in 2019, and so therefore the UDF should be amended to clearly integrate the design considerations of both documents.

This is what we propose:

We think that the following amendments need to be made to the Shoreham Harbour section of the UDF (page 58):

- A. Indicate a height range of 8 storeys (24 metres) above the level of Basin Road North, i.e. 5 to 6 storeys (15 to 18 metres) above the level of Kingsway. This would then accord with the guidance from the Building Research Establishment in 2013 and the planning permission granted for the land between Basin Road North and Kingsway in 2014. Defining storey heights also in metres would avoid ambiguity.
- B. Clarify the interrelationship of the UDF with the policies of the JAAP by showing the JAAP boundary on the plan and combining the design considerations in the UDF with the relevant design policies in the JAAP. This would then ensure that residents and developers alike would understand the overall intentions, and not get only half the picture.

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I totally support the views and proposals of KAWHRA. as indicated below. High rise buildings on this stretch of road are completely out of character. One thing that can get missed, but as a local resident I am well aware of , is the vehicle traffic on this stretch of road, particularly in rush hour. Adding to this traffic will increase air pollution as well as cause more hold-ups in general. Traffic from the dual carriageway by Hove Lagoon funnels into this narrow stretch of road causing tailbacks. I urge the Council to take the sensible option indicated below

"The KAWHRA Committee's concerns about what the UDF now says are:

1. That in 2020, out of the blue, there is a proposal in the new UDF for development up to 8 storeys above the south side of Kingsway. We calculate that this would overshadow homes on the north side of Kingsway for 7 months (from the end of August to the end of March).
2. That we think that the UDF does not adequately take account of a number of other important policies (e.g. protection of residential amenity) which the council adopted in the

JAAP in 2019, and so therefore the UDF should be amended to clearly integrate the design considerations of both documents.

This is what we propose:

We think that the following amendments need to be made to the Shoreham Harbour section of the UDF (page 58):

A. Indicate a height range of 8 storeys (24 metres) above the level of Basin Road North, i.e. 5 to 6 storeys (15 to 18 metres) above the level of Kingsway. This would then accord with the guidance from the Building Research Establishment in 2013 and the planning permission granted for the land between Basin Road North and Kingsway in 2014. Defining storey heights also in metres would avoid ambiguity.

B. Clarify the interrelationship of the UDF with the policies of the JAAP by showing the JAAP boundary on the plan and combining the design considerations in the UDF with the relevant design policies in the JAAP. This would then ensure that residents and developers alike would understand the overall intentions, and not get only half the picture.”

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I am very much in favour of The KAWHRA Committee’s concerns about the new UDF height proposals, namely.

1. That in 2020, out of the blue, there is a proposal in the new UDF for development up to 8 storeys above the south side of Kingsway. We calculate that this would overshadow homes on the north side of Kingsway for 7 months (from the end of August to the end of March).

2. That we think that the UDF does not adequately take account of a number of other important policies (e.g. protection of residential amenity) which the council adopted in the JAAP in 2019, and so therefore the UDF should be amended to clearly integrate the design considerations of both documents.

This is what we propose:

We think that the following amendments need to be made to the Shoreham Harbour section of the UDF (page 58):

A. Indicate a height range of 8 storeys (24 metres) above the level of Basin Road North, i.e. 5 to 6 storeys (15 to 18 metres) above the level of Kingsway. This would then accord with the guidance from the Building Research Establishment in 2013 and the planning permission granted for the land between Basin Road North and Kingsway in 2014. Defining storey heights also in metres would avoid ambiguity.

B. Clarify the interrelationship of the UDF with the policies of the JAAP by showing the JAAP boundary on the plan and combining the design considerations in the UDF with the relevant design policies in the JAAP. This would then ensure that residents and developers alike would understand the overall intentions, and not get only half the picture.

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As a local neighbour to the above planning, or UDF, for High Rise Buildings at the above location, I would like to register my objections.

This high rise building is shown as being 8 storeys from pavement level whereas an earlier agreement for a building was shown to be a maximum of 5 storeys, (still too high), above pavement level. The shadow from 8 storeys on housing on the north side of Kingsway would be total virtually all day, and indeed, will cover houses beyond the north side of Kingsway. As it is now, the offices and flats adjacent to the Gather Inn pub cast a shadow on the Vegas building from mid morning until mid afternoon, and that building is only 3 storeys. 8 storeys will just close the north side of Kingsway down totally. Car

parking will be a problem – you cannot stop people owning cars – and this will affect local residents if space is not allocated within the buildings premises. Also the surrounding area has parking limitations and cycles are not going to cure the problem that will inevitably arise. Doctors, dentists and schools facilities are very limited locally, and with the supposed habitation within these flats, these facilities will be desperately needed.

Overall, I think that the proposed building is vastly too big, and I have to say that in all the details of the plan and in the choosing of sites to build there is no mention of the cost that local residents will have to pay in regards to loss of freedom of move or daylight. I also would like to state that I am in agreement with KAWHRA and their points of view on this plan/UDF.

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I'm in complete agreement with KAWHRA s concerns re: the proposed development of the Shoreham Harbour area, and support the amendments as outlined below.

We think that the following amendments need to be made to the Shoreham Harbour section of the UDF (page 58):

A. Indicate a height range of 8 storeys (24 metres) above the level of Basin Road North, i.e. 5 to 6 storeys (15 to 18 metres) above the level of Kingsway. This would then accord with the guidance from the Building Research Establishment in 2013 and the planning permission granted for the land between Basin Road North and Kingsway in 2014. Defining storey heights also in metres would avoid ambiguity.

B. Clarify the interrelationship of the UDF with the policies of the JAAP by showing the JAAP boundary on the plan and combining the design considerations in the UDF with the relevant design policies in the JAAP. This would then ensure that residents and developers alike would understand the overall intentions, and not get only half the picture.

I am very unhappy with your suggestions on Page 58 of the Draft UDF 2020 in which you have changed your original proposals for what was 'the Old Portzed' planning application.

You now state that raising the height of developments above the Kingsway road level to up to 8 stories would be acceptable..

I object as this will have a number of far reaching implications. from creating an extensively wide property that will over shadow large area of the Kingsway inland of the development.

Also the loss of light and shadowing will cover the area North of the development for over 7 months of the year.

So I think that the following amendments need to be made to the Shoreham Harbour section of the UDF (page 58):

A. Indicate a height range of 8 storeys (24 metres) above the level of Basin Road North, i.e. 5 to 6 storeys (15 to 18 metres) above the level of Kingsway. This would then accord with the guidance from the Building Research Establishment in 2013 and the planning permission granted for the land between Basin Road North and Kingsway in 2014. Defining storey heights also in metres would avoid ambiguity.

B. Clarify the interrelationship of the UDF with the policies of the JAAP by showing the JAAP boundary on the plan and combining the design considerations in the UDF with the relevant design policies in the JAAP. This would then ensure that residents and developers alike would understand the overall intentions, and not get only half the picture.

Having looked at the report, we want to highlight our concerns about what the draft UDF 2020 says about development in the Aldrington Basin along the south side of Kingsway, which is very close to our home.

We share the concerns of the Kingsway and West Hove Residents Association Committee, which are:

1. That in 2020, out of the blue, there is a proposal in the new UDF for development up to 8 storeys above the south side of Kingsway. We calculate that this would overshadow homes on the north side of Kingsway for 7 months (from the end of August to the end of March).
2. That we think that the UDF does not adequately take account of a number of other important policies (e.g. protection of residential amenity) which the council adopted in the JAAP in 2019, and so therefore the UDF should be amended to clearly integrate the design considerations of both documents.

We think that the following amendments need to be made to the Shoreham Harbour section of the UDF (page 58):

- A. Indicate a height range of 8 storeys (24 metres) above the level of Basin Road North, i.e. 5 to 6 storeys (15 to 18 metres) above the level of Kingsway. This would then accord with the guidance from the Building Research Establishment in 2013 and the planning permission granted for the land between Basin Road North and Kingsway in 2014. Defining storey heights also in metres would avoid ambiguity.
- B. Clarify the interrelationship of the UDF with the policies of the JAAP by showing the JAAP boundary on the plan and combining the design considerations in the UDF with the relevant design policies in the JAAP. This would then ensure that residents and developers alike would understand the overall intentions, and not get only half the picture

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In accordance with the concerns of Keyna And West Hove Residents Association (KAWHRA) committee, I propose the following in relation to the recent Brighton & Hove City Council Draft Urban Development Framework publication:

We think that the following amendments need to be made to the Shoreham Harbour section of the UDF (page 58):

- A. Indicate a height range of 8 storeys (24 metres) above the level of Basin Road North, i.e. 5 to 6 storeys (15 to 18 metres) above the level of Kingsway. This would then accord with the guidance from the Building Research Establishment in 2013 and the planning permission granted for the land between Basin Road North and Kingsway in 2014. Defining storey heights also in metres would avoid ambiguity.
- B. Clarify the interrelationship of the UDF with the policies of the JAAP by showing the JAAP boundary on the plan and combining the design considerations in the UDF with the relevant design policies in the JAAP. This would then ensure that residents and developers alike would understand the overall intentions, and not get only half the picture.

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I am writing as a resident of Hove.

I share KAWHRA's concerns with the details in the proposed Urban Development Framework (UDF) as expressed below.

We think that the following amendments need to be made to the Shoreham Harbour section of the UDF (page 58):

- A. Indicate a height range of 8 storeys (24 metres) above the level of Basin Road North, i.e. 5 to 6 storeys (15 to 18 metres) above the level of Kingsway. This would then accord with the guidance from the Building Research Establishment in 2013 and the



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planning permission granted for the land between Basin Road North and Kingsway in 2014. Defining storey heights also in metres would avoid ambiguity.

B. Clarify the interrelationship of the UDF with the policies of the JAAP by showing the JAAP boundary on the plan and combining the design considerations in the UDF with the relevant design policies in the JAAP. This would then ensure that residents and developers alike would understand the overall intentions, and not get only half the picture.

I would like to add two things.

1) The clarity requested in these two proposals is necessary for good quality, transparent public policy decision making processes.

2) In addition to the sun light issue concerning developments along the south side of Kingsway, there is a concern about the “blockiness” of any developments, and the integration of the north and south sides of Kingsway. The residential area has always been part of the port area, residents have always been able to see the sea, and been able to easily access the port area. I am one of the residents who wants to maintain and develop this connectedness.

I have written to you earlier with a response to the draft UDF.

This email is to fully support KAWHRA’s detailed response to you dated 4th Dec. 2020.

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It has been brought to my attention of the proposals regarding UDF. I am appalled that no consideration has been given to the residents regarding their protection re Amenity, the complete lack of light for at least 6 months of the year, especially in our back gardens, should a development go ahead on the height scale that you are proposing. This became apparent when Portzed was first proposed back in 2010, a study at that time highlighted the overshadowing of buildings and the impact on the houses opposite. Should the building start from Basin Road level and set back from the road, the impact would not be as dramatic. The height of 6 floors would be more in keeping with the surroundings, again built from Basin Road.

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Please except this email as my support for the ... submission by KAWHRA and I would like to object to the Draft Urban Design Framework 2020 as outlined in [their submission document].

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I support the KAWHRA proposals. There must be very definite limits on height above the Kingsway in metres. Even the 6 storey limit is too high & will look like Chicago.

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I am a resident and member of KAWHRA. I have read their letter to you dated 4th December and agree with its submissions and recommendations.

While I am sure it is an obvious point and well within your considerations I still feel it right to stress that over development which is out of proportion to the area will increase vehicle usage and pollution and encroach on street parking availability.

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We write in support KAWHRA ‘s response dated 4 Dec 2020. In particular we consider that eight - storey buildings are inappropriate for this part of Kingsway.

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I refer to the Draft Urban Development Framework which has been published for public consultation. My concern is regarding the Kingsway and the harbour area in the Tall Buildings section. In particular the draft UDF says that the development of up to 8 storeys along the south side of the Kingsway would be acceptable. It completely

overlooks the fact that in 2012 KAHWRA gave evidence to the council that the line of 6 storeys proposed in the first Portzed planning application would overshadow homes along the north side of Kingsway for the best part of five months. Building Research Establishment (BRE ) in 2013 reported that in some circumstances buildings higher than 4 storeys would still meet their guidelines if enough light came through gaps between them so buildings could rise to 5 or 6 storeys above Kingsway. However, the Basin Road North land that they would be built on is actually 2 storeys LOWER than Kingsway which means 7 to 8 storeys above Basin Road North. Following the 2018 public examination of the JAAP where building heights were again in contention the government appointed planning inspector remarked on the difference in land levels and stressed the need for the redevelopment of the site to be undertaken sensitively so that the living conditions of the neighbouring residential occupiers are respected. In addition the UDF does not adequately take account of the number of other important policies ( among them protection of residential amenity ) which the council adopted in the JAAP in 2019. This requires the UDF to be amended to clearly integrate the design considerations of both documents.

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I fully support KAWHRA's response to the Draft Urban Design Framework. I would suggest that even the six storey limit is too high and out of keeping with the area.

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I live near the lagoon part of the seafront in West Hove. I am very concerned by the proposals to build very high developments in the area. I therefore strongly support KAWHRA`s submission as [set out in their letter].

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I would like to support the comments made by Kingsway and West Hove residents Association on the draft UDF page 58 section 59 Area 9 Shoreham harbour. 8 storey buildings will greatly reduce daylight and sunlight for several months of the year. It will also increase the noise and pollution from an already busy road.

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We are writing in full support of the submission made by the Kingsway and West Hove Residents' Association ('KAWHRA'), in particular in relation to Area 9 and Tall Buildings. Its recommendations are as follows:

1.3 KAWHRA suggests that the JAAP boundary should be clearly identified in the key on the plan in the UDF for Area 9 Shoreham Harbour. It could easily replace the words relating to CPP1, which has less relevance to Area 9.

2.12 KAWHRA urges that the wording of the indicative height ranges along the Kingsway is amended. We request that the UDF "Section B Tall Buildings: 5.9 - Area 9 Shoreham Harbour" (page 58) is altered as follows:

Amend the pale green box to read "Indicative height ranges. Mid-rise In Aldrington Basin: up to 8 storeys (24 metres) above the level of Basin Road North i.e. up to 5 to 6 storeys (15 to 18 metres) above the level of Kingsway".

2.13 Also, for the avoidance of doubt, KAWHRA would like to see building heights in the UDF described in metres as well as storeys. This is because, in the two planning applications, the Kingsway-level commercial units in mixed use buildings were described as one storey, although that storey contained a mezzanine floor and therefore was actually as high in metres as two residential storeys. In sensitive locations such as this giving the indicative building height in metres

3.3 KAWHRA considers that the list of design considerations to be prioritised in proposals listed in the dark green box on page 58 needs to be amended by also adding

these important design considerations from JAAP policies SH9: Place making and design quality; and CA2: Aldrington Basin:

- Improve legibility, permeability and connectivity through high quality building design, townscape and public realm, whilst respecting and enhancing the character and environment of surrounding areas.
- Along Kingsway on site AB4 building heights should be justified with regard to analysis of the local design context, and should demonstrate that the effect of the development on the amenity of residents and occupiers would not be unacceptable in relation to the outlook, overshadowing, sunlight and daylight impacts, and should apply high quality design principles.
- Development south of Kingsway should maintain a sense of openness and promote views through to the harbour where possible. The scale of the development should provide an attractive character along the A259 and contribute towards the street scene.
- Within Aldrington Basin building heights of two to three storeys are generally considered acceptable. If taller buildings are proposed, care needs to be taken to consider sunlight impacts on other sites.
- Upgrade and extend Basin Road North.

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As a local resident, I have concerns about the UDF and I feel that the following proposal would be better suit to the area.

The following amendments need to be made to the Shoreham Harbour section of the UDF (page 58):

A. Indicate a height range of 8 storeys (24 metres) above the level of Basin Road North, i.e. 5 to 6 storeys (15 to 18 metres) above the level of Kingsway. This would then accord with the guidance from the Building Research Establishment in 2013 and the planning permission granted for the land between Basin Road North and Kingsway in 2014. Defining storey heights also in metres would avoid ambiguity.

B. Clarify the interrelationship of the UDF with the policies of the JAAP by showing the JAAP boundary on the plan and combining the design considerations in the UDF with the relevant design policies in the JAAP. This would then ensure that residents and developers alike would understand the overall intentions, and not get only half the picture.

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I agree with the KAWHRA committee's concerns about the UDF proposals, which are outlined below:

This is what we propose:

We think that the following amendments need to be made to the Shoreham Harbour section of the UDF (page 58):

A. Indicate a height range of 8 storeys (24 metres) above the level of Basin Road North, i.e. 5 to 6 storeys (15 to 18 metres) above the level of Kingsway. This would then accord with the guidance from the Building Research Establishment in 2013 and the planning permission granted for the land between Basin Road North and Kingsway in 2014. Defining storey heights also in metres would avoid ambiguity.

B. Clarify the interrelationship of the UDF with the policies of the JAAP by showing the JAAP boundary on the plan and combining the design considerations in the UDF with the relevant design policies in the JAAP. This would then ensure that residents and developers alike would understand the overall intentions, and not get only half the

picture.

I am concerned that the proposed buildings on the Shoreham Harbour section of the UDF (page 58) should be a maximum of 6 storeys from the harbour basin, which would then bring it to the level of 336 Kingsway. This would be in keeping with the highest building level on that stretch.

Anything beyond this level is unacceptable to me because it would overshadow for half the year the buildings within the proximity of this proposed site. It would inevitably increase noise and air pollution, restrict the existing residents' view of the skyline and have an effect on parking and public services by virtue of the increased number of people living in the area. It also has the potential to reduce the value of the already existing properties.

One alternative suggestion I would like to put forward to the council and possibly to environmental lobbyists is different from the one already proposed. It is to introduce the idea of a green space, providing a habitat for many species.

The government has clearly stated its aims for 2021 and beyond:

‘£40 million additional investment into the government’s Green Recovery Challenge Fund will go towards creating and retaining thousands of jobs, with funding being awarded to environmental charities and partners across England to restore the natural environment and help make progress on the UK’s ongoing work to address the twin challenges of biodiversity loss and climate change, as part of our green recovery from Covid-19.’ Published 14 November 2020 From: Prime Minister's Office, 10 Downing Street, Department for Environment, Food & Rural Affairs, The Rt Hon George Eustice MP, and The Rt Hon Boris Johnson MP

I propose that the council seeks permission for government funds for Aldrington Basin/Shoreham Harbour to address these twin challenges. I am sure the local community would welcome involvement in creating a green space, which would add to the ambience of the verdant surrounding area. It could be an exciting project for the local community, where local expertise could be employed for encouraging biodiversity. I sincerely hope you will give this idea due consideration.

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I agree with the KAWHRA committee's concerns about the UDF proposals which are outlined below:

This is what we propose:

We think that the following amendments need to be made to the Shoreham Harbour section of the UDF (page 58):

A. Indicate a height range of 8 storeys (24 metres) above the level of Basin Road North, i.e. 5 to 6 storeys (15 to 18 metres) above the level of Kingsway. This would then accord with the guidance from the Building Research Establishment in 2013 and the planning permission granted for the land between Basin Road North and Kingsway in 2014. Defining storey heights also in metres would avoid ambiguity.

B. Clarify the interrelationship of the UDF with the policies of the JAAP by showing the JAAP boundary on the plan and combining the design considerations in the UDF with the relevant design policies in the JAAP. This would then ensure that residents and developers alike would understand the overall intentions, and not get only half the picture.

Along with other residents living in the area I am extremely concerned about the

development of the land between Kingsway and Basin Road North. (UDF page 58) . It is important that any proposed buildings should be a maximum of 6 storeys from the harbour basin, which would bring it no higher than to the level of 336 Kingsway. Anything beyond this level is absolutely unacceptable because it would overshadow for nearly 5 months of the year the buildings within the proximity of the proposed site. If this development goes ahead it would inevitably increase noise and air pollution, restrict the existing residents' view of the skyline and have a detrimental effect on parking and public services.

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I totally agree with what KAWHRA committee and residence are saying. New development is unavoidable but developers needs to take in consideration the existing resident's view and worries. People in this area have choose to purchase their properties for what there is on their door step. We as residence of these area do accept that development is going to come as the land has been sold to developers what we oppose is new development totally changing this area with Lots of environment impact on this part of Hove and portslade. The gateway to hove needs to stay in contact with what is there already existing and new developer needs to plan sympathetic and enhancing development. This are has lots of retired people who has bought their homes for relaxation and retirement for tranquility and peace but for last few years this hanging on our head it has been very trace full and worrying.

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We are local residents and wish to formally object to the above building proposal for the reasons stated in [the], Chairman, Kingsway and West Hove Residents' Association five-page formal comments letter to you dated 4/12/20.

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I have been sent a copy of the above by the Kingsway & West Hove Residents Association (KAWHRA).

I live on [locally] and as such the areas of the document regarding the development of Shoreham Harbour is of particular concern to me.

I note that had I not been on KAWHRA's mailing list I would not have known of these plans. I received nothing through my door or by post. I saw no posters or notices. How will this be addressed going forwards?

The open area of Shoreham Harbour was one of the reasons I moved here. The Harbour, as a working port, is a unique part of West Hove and unless thought and care is taken with regard to its development this uniqueness risks being lost.

I believe any developments need to respect this and enhance what is already there. Balancing both the needs of the Harbour and the surrounding residential area which are predominantly 1 -2 storied houses (3 if loft conversions are counted).

The recent development next to the Gather Inn is an example, of the negative impact poorly designed (ugly) tall buildings have on both the immediate housing over the road (extensive shade and reduced visibility of sky line) and being out of sorts with the residential nature of the area. If all future developments are as poorly thought out as this, the integrity of the port and local area will be lost.

I am really concerned as to the impact of further poorly designed tall buildings which would not only block out the light for numbers of local residents but would totally change the character of the port and area rather than enhance it. Kingsway is already a busy road so the additional traffic as well as parking needs to be thought though plus the

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impact on local facilities.

The building next to the Gather Inn and the more recent proposals submitted for Gateway Hove give little consideration of how the buildings will look from the other side of the road (Kingsway) including how this will be maintained. The latter proposal (posted through our letterbox earlier this year) was a huge overdevelopment (172 flats) ignoring all the concerns that have been raised in the past (JAAP, BRE, Portzed) including height restrictions and gaps and with little given back to enhance the area. My concern is that the UDF will give carte blanche for more of the same. A chance to make money out of a sea view with little consideration regarding what is already there and of the needs of the area behind it. I am extremely suspicious that, given the location, any of the proposed social housing will actually come into fruition.

I generally give my support to the amendments suggested by KAWHRA as follows:

I am not opposed to the development of the brown site area, it just needs to be in keeping with the local area and enhance it, rather than turn it into a mini marina with no soul or personality. One of the joys of living in Brighton and Hove is its variety of different types of area. The development of the area could be a real opportunity to create something very special to be enjoyed by locals and new residents alike.

I generally support point A regarding the height of the any buildings. However, I feel that the maximum height of 5 -6 storeys above Kingsway should be the exception and not the rule. I also want to reinforce the condition identified by the Building Research Establishment that there must be sufficient gaps between buildings to allow light and visibility (sense of space). I also support the request to put restrictions in terms of metres rather than storeys to avoid ambiguity.

I also support point B regarding clarification of how the UDF and existing JAAP will combine.

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Brook Mead Extra Care scheme on Albion Hill [in Brighton is recommended] as good example of communal gardens that include food growing.

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[UDF could] reference link to webpage with the council's Developer Contributions Technical Guidance. ... [This guidance] is subject to ... further amendments ... [including in regard to artistic element] in due course.

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If you are interested you can find the full report on the ... Your Lockdown Housing Stories | Brighton & Hove Community Land Trust survey results on bhclt.org.uk - <https://bhclt.org.uk/your-lockdown-housing-stories/> ). We had an excellent return of nearly 300 respondees, this was more than some national surveys. The results could be useful in terms of the UDF.

One of the things we said to respondees, whether they completed in anonymously or gave their contact details, was that we would use their stories and evidence to try and drive the change that the city needs to combat its housing crisis and inequalities.

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...[In regard to links between] gas combustion ... transport and health - there is a ... preference that electromotive charging is not derived from fossil fuel or wood combustion with NOx or smoke to air. Advantageous if new developments avoid gas combustion [in

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particular] as part of the tall buildings strategy. Reason to avoid noxious plume (and nuisance) from flues or chimneys on the roof entering the habitable space of upper storey residential. This is known as one of the contributors to sick building syndrome. <https://www.nhs.uk/conditions/sick-building-syndrome/>  
<https://www.bbc.co.uk/news/business-54634166>

[Draft] UDF mentions tucking parking discreetly around the back of accommodation rather than dominating shared space at the frontage. By 2021/22 the city is likely to have >1,000 plug in electric cars + vans and this development should be woven into the UDF.... Energy supply between buildings & vehicles is both-ways. Grid electricity and microgeneration charge e-vehicles. When the vehicles are not moving (most of the time) their batteries can help balance intermittent renewable supply by feeding kwh to charge devices, offices and housing. .... Electric vehicles can provide households with a wired room for multiuse, including online learning and remote working.

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On p.43 of that document is a map which indicates a shaded area defining an “Indicative area with potential for tall buildings”

This includes the Marina which was designated a Tall Buildings Area in the 2004 Tall Buildings Study, - and that is formalised in the 2016 City Plan.

But the draft UDF effectively extends this tall buildings area to include the Gasworks site on the clifftop above the Marina and also includes the area just to the east of the Gasworks.

...

That is patently inaccurate because the draft UDF has not yet been approved.

But even if it was, can an Urban Design Framework SPD (a subsidiary document), over-rule the primary policy document - which is the 2016 City Plan? Would not an amendment to the City Plan be required, together with the necessary procedures for a draft policy amendment statement and public consultation?

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