

ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 114

Brighton & Hove City Council

Subject:	Local Development Framework Core Strategy – Updated Background Studies		
Date of Meeting:	25 March 2010		
Report of:	Director of Environment		
Contact Officer:	Name:	Liz Hobden	Tel: 29-2504
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Key Decision:	No		
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report seeks approval of updates to two background studies that provide background and supporting evidence for the Core Strategy and other Local Development Framework documents. The first versions of these background studies were approved in June 2008.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member approves the final reports of the two background studies as supporting evidence for the Core Strategy and other Local Development Framework documents.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The Core Strategy is the main planning policy document within the Local Development Framework (LDF - the new plan making system introduced by the Town and Country Planning and Compulsory Purchase Act 2004). Its role is to provide an overall strategic vision and policy framework for the city to 2026. The Core Strategy is required to conform to national policy and be supported by a sound evidence base. The two updated studies that are the subject of this report form part of this evidence base. Although background studies inform the policy approach they do not determine policy.
- 3.2 Several background studies were completed and approved in June 2008 linked to the Revised Preferred Options Stage of the Core Strategy including the initial versions of the studies that are covered by this report.
- 3.3 The two studies updated subject to this report are technical documents produced in order to comply with national planning guidance and to help ensure therefore that the Core Strategy is considered to be sound. The Background Studies under consideration here are:

- Habitats Regulations Assessment Scoping Report (Appropriate Assessment) – this has been updated to ensure the submission version of the Core Strategy does not lead to any adverse effect on any European and international wildlife sites.
- Sequential and Exceptions Test (Flood Risk) – updated in response to revised guidance (PPS25) publication of the South East Plan and takes account of revisions made to the Core Strategy. The study looks at flood risk in the broad Development Areas identified in the Core Strategy

3.4 See appendix 1 for an outline of the purpose of the studies, reasons for the updates and a summary of the key findings.

4. CONSULTATION

4.1 Consultation has been undertaken with English Nature on the findings of the updated Habitats Regulations Assessment Scoping Report. English Nature endorses the findings.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 Preparation costs comprise Officers' time and will be met from existing revenue budgets. There are no charges from consultation with English Nature and no further external costs. There are no capital implications.

Finance Officer Consulted: Name: Derek Mansfield Date: 11/02/10

Legal Implications:

5.2 The Planning and Compulsory Purchase Act 2004 introduced a new development plan system. The new system is generally known as the Local Development Framework and this Framework will include documents which have the status of Development Plan Documents (DPDs). The Core Strategy is a DPD and will, in due course, be submitted to the Secretary of State for examination and as part of that process the Secretary of State will consider whether the Core Strategy is "sound". As pointed out in paragraph 3.1 of this Report the Core Strategy must be supported by a sound evidence base and this will require studies, such as the Studies that are the subject of this Report, to inform the Core Strategy's policies and to ensure the Core Strategy will meet the tests to be applied by the Secretary of State at the examination stage.

Lawyer Consulted: Hilary Woodward Date: 10/02/10

Equalities Implications:

5.3 This is a technical study not a policy document therefore an EQIA is not considered to be necessary given that an Equalities Impact Assessment will be carried out on the Core Strategy which will propose policies based upon the evidence within these studies. The Council has already adopted a Statement of Community Involvement, which encourages effective social inclusion for all groups to influence the policy making agenda. In addition to this during the

preparation of these studies a wide range of organisations and individuals have been consulted.

Sustainability Implications:

- 5.4 Sustainability considerations are central to the new planning system. The Core Strategy to be informed by these background studies requires a sustainability appraisal. This, in itself, also contributes to the development of policies within the Core Strategy.

Crime & Disorder Implications:

- 5.5 None identified.

Risk and Opportunity Management Implications:

- 5.6 None identified.

Corporate / Citywide Implications:

- 5.7 The background studies will assist delivery of a number of council and city-wide strategies. They will also form a material consideration in current and future planning proposals.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 None required as the studies are concerned with the identification of matters of fact. The Studies are required by Government planning guidance requiring plans to be supported by a sound evidence base. Indeed if the final background studies are not approved the interim versions will remain in the public domain. The latest information may not therefore be taken into consideration in planning matters. Without formal approval of the background studies the evidence base to the Core Strategy may be considered unsound.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 To gain formal approval of the two updated background studies that form part of the evidence base for the Core Strategy and other Development Plan Documents and council strategies. It also allows the final documents to go into the public domain to inform planning decisions.

SUPPORTING DOCUMENTATION

Appendices:

1. Summary of Background Studies

Documents In Members' Rooms

1. Habitats Regulations Assessment Scoping Report (Appropriate Assessment) 2009
2. Sequential and Exceptions Test, October 2009

Background Documents

1. Proposed Submission Version of the Core Strategy (approved at Council in December 2009)