

Draft Decision Notice

Decision in Respect of the Designation of the Hove Park Neighbourhood Forum's Application for Neighbourhood Area Status and Designation of Hove Park Neighbourhood Area

In respect of the application by Hove Park Neighbourhood Forum for Neighbourhood Area status, the following decision has been taken in accordance with the requirements of The Town and Country Planning Act 1990 and The Neighbourhood Planning (General) Regulations 2012.

Neighbourhood Area

In accordance with the Economic Development and Culture Committee on 18 September 2014 (Item 23), the application from the Hove Park Neighbourhood Forum (as submitted in March 2014) for the neighbourhood area set out in Figure 1 (*please see Appendix 2*) is **REFUSED**. However, Brighton & Hove City Council has designated¹ a smaller neighbourhood area which excludes the land that lies to the east of Sackville Road and the south of the Old Shoreham Road. This revised neighbourhood area is set out in Figure 2 (*please see Appendix 12*) (the area within the solid black line) accompanying this notice to designate a Hove Park Neighbourhood Area.

The following sets out the reasons for this decision.

- Prior to the submission of the application submitted by Hove Park Neighbourhood Forum another application had already been submitted by a different submitting body called 'Hove Station Neighbourhoods Forum'. The proposed neighbourhood areas in the two separate applications overlapped. In accordance with section 61G (7) of the Town and Country Planning Act 1990 designated neighbourhood areas cannot overlap. One or both of the proposed neighbourhood areas therefore had to be amended.
- The city council encouraged the two Forums to reach a jointly agreed approach for removing the overlap in the two areas. Unfortunately this was not forthcoming and the two Forums sought different approaches in respect of resolving this issue. Based on the views and approaches expressed by the two Forums it was considered further delay in the determination of the two applications to promote agreement between the two Forums could not be justified (in view that the Forums' chose when to submit their application, once submitted the city council needs to determine within a reasonable timeframe). In accordance with Section 61G(5) of the Town and Country Planning Act 1990 the city council was therefore required to exercise its powers of designation so as to secure

¹ Section 61G(5) of the Town and Country Planning Act 1990

that some or all of the area applied for forms part of one or more areas designated as neighbourhood areas.

- The representations on the two applications were divided and were not considered to sufficiently justify the designation of either of the areas applied for in their entirety. Around two thirds of the 380 representations did not recognise the area to be a distinct neighbourhood and a similar proportion did not think the proposed boundaries to be appropriate. Between a half to two thirds of the representations raised concerned about splitting DA6 which is an identified development area in the Submission City Plan Part One relating to Hove Station.
- Upon analysing the objections further in respect of content and the location of respondents and when considered against Hove Park Neighbourhood Forum membership there was evidence that the main body of objection to the Hove Park Neighbourhood Forum application came from outside the area. Many came from outside the area but within the area applied for by the Hove Station Neighbourhoods Forum. The petition with approximately 410 signatories against the application by Hove Station Neighbourhoods Forum also sought the setting up of a Forum for the Ward of Hove Park.
- The area of land within the Ward of Hove Park to the east of Sackville Road and to the south of the Old Shoreham Road did not give rise to any noticeable representations or Forum membership. This area forms part of DA6 Hove Station Area. The Hove Station Neighbourhoods Forum application made it clear the area's key focus was DA6 and a number of forum members live near the northern section of DA6. As indicated above approximately 215 of the 380 representations to the application by Hove Park Neighbourhood Forum raised concern about splitting DA6. The city council therefore considered it was reasonable for the land to the east of Sackville Road within the area of overlap should not be included within the designated Hove Park Neighbourhood Area so that it could fall within the Hove Station Neighbourhood Area.
- The neighbourhood area designated was checked against and considered to be consistent with the guidance in the National Planning Practice Guidance relating to the designation of a neighbourhood area and its boundary.