

Report to	<b>Planning Committee</b>
Date	<b>12 July 2012</b>
By	<b>Director of Planning</b>
Title of Report	<b>Consultation response to the Brighton and Hove Draft City Plan Part One</b>
Purpose of Report	<b>For Members to consider comments to be submitted to Brighton and Hove City Council on the policies of the draft City Plan</b>

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**Recommendation: The Committee is recommended to:**

- 1) Agree that the comments contained within this report be submitted to Brighton and Hove City Council in response to the consultation on the Brighton and Hove Draft City Plan Part One**
  - 2) authorise the Director of Planning, in consultation with the Chair, to approve any changes other than those likely to be significant prior to submission of the consultation response.**
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**1. Introduction and Summary**

- 1.1 The Brighton & Hove Draft City Plan Part One<sup>1</sup> provides the strategic planning policy framework for development in Brighton and Hove up to 2030. The document provides planning policies for the area of Brighton and Hove Unitary Authority outside the South Downs National Park (SDNP). Planning policies for the area of Brighton and Hove Unitary Authority within the SDNP will be provided in the South Downs National Park Local Plan.
- 1.2 Work began on the City Plan last Autumn following the formal withdrawal of the Core Strategy from the examination process (September 2011). The Core Strategy had to be withdrawn because the Planning Inspector was not satisfied that the housing delivery strategy was robust. The Localism Act and the (then forthcoming) National Planning Policy Framework also signalled the need to amend and update the plan.
- 1.3 Consultation on four policy areas where significant change was required (housing, employment, transport and student housing) took place between October and November 2011.
- 1.4 The Brighton and Hove City Council Draft City Plan part 1 will provide the vision for Brighton and Hove in 2030. It will provide the strategic direction for development in the city. It will identify the broad locations, scale and type of development and supporting infrastructure that is required. It will also identify strategic housing and employment site allocations. Non-strategic site allocations and development management policies will follow in the City Plan Part 11.
- 1.5 Although the two authorities are not producing a single joint Core Strategy for Brighton and Hove, the South Downs National Park Authority (SDNPA) have been working closely with officers at BHCC during the development of the draft City Plan, regarding specific sites and making a formal representation during the consultation on the four policy areas mentioned above.

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<sup>1</sup> The Brighton & Hove Draft City Plan Part One can be viewed on the Brighton and Hove City Council website (<http://www.brighton-hove.gov.uk/index.cfm?request=c1148443> )

## 2. Response to overall content

- 2.1 The South Downs National Park Authority supports the overall aims of the draft City Plan. In particular we support the aims and objectives of the Brighton Biosphere Reserve which align with the Purposes and Duty of the South Downs National Park and the objectives of the Nature Improvement Area – ‘South Downs Way Ahead’.
- 2.2 The SDNPA appreciate that the split in responsibility for planning within the administrative area of Brighton and Hove Unitary Authority can cause some confusion. However, it would be useful to make it clearer throughout the document how the division of responsibility for planning matters within the Unitary Authority operates and that all planning policy for the SDNP will be dealt with by the SDNP Local Plan.

## 3. Response to Site Specific Policies

- 3.1 The comments that follow relate to specific policies contained within the draft. There is particular concern about development proposed on the urban fringe of the city. As these proposals could have a significant impact on the surrounding landscape of the South Downs National Park careful consideration must be given to the impact of any proposals on the setting of the South Downs National Park.
- 3.2 The SDNPA supports the overall aim of the spatial distribution of development to minimise transport impacts and the continued protection of the South Downs National Park.
- 3.3 Lewes Road Area - Policy DA3 (Appendix 1). The SDNPA support the aim of improving provision and access to education. Given the proximity of the University of Sussex and University of Brighton campuses at the north of Lewes Road to the SDNP, it is important that due regard is given to the impact of any development on the setting of the SDNP, and it's purposes, in accordance with Section 62 of the Environment Act 1995. The SDNPA would expect there to be reference within the policy to the careful consideration that will be required of the impact of any redevelopment of these campuses (Policy DA3 A. 1.) on the South Downs National Park. The SDNPA would want to be involved in any future proposals.
- 3.4 Toad's Hole Valley - Policy DA7 (Appendix 2). As the adjoining authority, the SDNPA would wish the policy to highlight the potential impact of any development on the setting of the National Park as recognised in policy DA7, criteria d). Careful consideration must be given to views into and out of the SDNP, both the long views through the valley to the north and from the high ground along Devil's Dyke Road to the east and Round Hill to the west and this overall rolling hill and valley landscape setting. It is vital that due regard is given to the impact of any development at Toad's Hole Valley on the setting of the NP, and it's purposes, in accordance with Section 62 of the Environment Act 1995. The SDNPA supports the aim to improve the quality of the Site of Nature Conservation Importance on the south-west boundary of the site and improving the quality of walking and cycling links with the SDNP. The SDNPA also welcomes the aim of protecting the sensitive groundwater from pollution, the reduction of flood risk and surface water run-off (para DA7 A.8. pg 67). It also supports the suggested mix of size and tenure of housing on the site, with an emphasis on a significant amount of family-sized accommodation and affordable housing.
- 3.5 Urban Fringe - Policy SA4 (Appendix 3). The SDNPA strongly supports the 5 objectives of policy SA4 and would want to work with BHCC to promote these aims and enable BHCC to achieve these goals. The SDNPA would raise a query about SA4 e), which only requires one or more of the 5 objectives to be achieved. The SDNPA would suggest the removal of the words "one or more of" from SA4 e).
- 3.6 The South Downs - Policy SA5 (Appendix 4). The South Downs National Park Authority appreciates the Council's commitment to close partnership working with the SDNPA and the commitment to the protection and enhancement of the SDNP. However, as the two authorities are no-longer formally working to produce a joint document it seems inappropriate to have a policy for an area which is outside the plan area, and in an adjoining planning authority. The South Downs National Park Authority would want this policy removed from the City Plan.

3.7 Traveller Accommodation - Policy CP22 (Appendix 5). The traveller policy sets out a positive criteria for assessing the suitability of any future sites. It highlights that there is an existing need for permanent residential pitches within Brighton and Hove and that they have identified a site. And that any additional requirements will be facilitated through Part Two of the City Plan.

#### **4. Conclusion**

4.1 Given the proximity of the large urban area of Brighton and Hove to the sensitive landscape of the South Downs National Park it is imperative that we engage with the policy formation process of the City Council. It is therefore recommended that the South Downs National Park Authority Planning Committee agree that the comments contained within this report be submitted to Brighton and Hove City Council as the South Downs National Park Authority's formal response to the consultation on the draft City Plan.

#### **5. Resources**

5.1 There are no resource implications.

#### **6. Risk management**

6.1 Risk: By not responding to this phase of policy development we lose an important opportunity to input into the future development of one of our closet neighbouring urban centres.

6.2 Mitigation: Responding and maintaining our close working relationship ensures we are able to input into the development of Brighton and Hove.

#### **7. Crime and Disorder Implication**

7.1 It is considered that the proposal does not raise any crime and disorder implications.

#### **8. Human Rights Implications**

8.1 It is considered that there are no human rights implications from this report.

#### **9. Equalities Act 2010**

13.1 Due regard, where relevant, has been taken to the South Downs National Park Authority's equality duty as contained within the Equalities Act 2010.

#### **10. External Consultees**

10.1 None.

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Appendices Appendix 1: Policy DA3 Lewes Road Area, Brighton & Hove draft City Plan Part One

Appendix 2: Policy DA7 Toad's Hole Valley, Brighton & Hove draft City Plan Part One

Appendix 3: Policy SA4 Urban Fringe, Brighton & Hove draft City Plan Part One

Appendix 4: Policy SA5 The South Downs, Brighton & Hove draft City Plan Part One

Appendix 5: Policy CP22 Traveller Accommodation, Brighton & Hove draft City Plan Part One

SDNPA Consultees Chief Executive Officer, Director of Corporate Services, Director of Strategy and Partnerships, Head of Operations, Chief Finance Officer, Deputy Chief Finance Officer, Monitoring Officer & Senior Solicitor.