



GOVERNMENT OFFICE
FOR THE SOUTH EAST

Representing Central Government in the South East

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Our Ref:
Your Ref:

4 June 2008

Dear Ms Hobden

**PLANNING AND COMPULSORY PURCHASE ACT 2004
BRIGHTON & HOVE LOCAL PLAN SAVED POLICIES APPLICATION**

I am writing with reference to your application on behalf of Brighton and Hove City Council that was contained in the Annual Monitoring Report received on 20 December 2007 for a direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 in respect of policies in the Brighton and Hove Local Plan.

The Secretary of State's Direction is attached. Those policies not listed in the Direction will expire on 21 July 2008.

The Secretary of State's assessment of whether saved policies should be extended is based upon the criteria set out in Planning Policy Statement 12: *Local Development Frameworks* and the Department for Communities and Local Government protocol on saving policies. The Secretary of State's decisions concern some policies where there have been representations from a third party expressing views that differ from those of the local authority. Also, her decisions in respect of some policies have the effect of saving policies that an authority requested should not be extended. For clarity, where either or both of these two circumstances apply, the Secretary of State's reasons are set out in the table at the end of this letter.

The extension of saved policies listed in this Direction does not indicate that the Secretary of State would endorse these policies if presented to her as new policy. It is intended to ensure continuity in the plan-led system and a stable planning framework locally, and in particular, a continual supply of land for development.

Local planning authorities should not suppose that a regulatory local plan-style approach will be supported in forthcoming development plan documents (DPDs). LPAs should

adopt a positive, spatial, strategy-led approach to DPD preparation and not seek to reintroduce the numerous policies of many local plans.

The exercise of extending saved policies is not an opportunity to delay DPD preparation. LPAs should make good progress with local development frameworks according to the timetables in their local development schemes. Policies have been extended in the expectation that they will be replaced promptly and by fewer policies in DPDs. Maximum use should be made of national and regional policy especially given the development plan status of the regional spatial strategy.

Following 21 July 2008 the extended policies should be read in context. Where policies were adopted some time ago, it is likely that material considerations, in particular the emergence of new national and regional policy and also new evidence, will be afforded considerable weight in decisions. In particular, we would draw your attention to the importance of reflecting policy in Planning Policy Statement 3 *Housing* and the Housing Green Paper – *Homes for the future: more affordable, more sustainable* in relevant decisions.

Policy Ref	Reason	Extended	Not Extended

Yours sincerely

JR Cheston

John Cheston
Senior Planning Officer

**DIRECTION UNDER PARAGRAPH 1(3) OF SCHEDULE 8 TO THE PLANNING AND
COMPULSORY PURCHASE ACT 2004
POLICIES CONTAINED IN THE BRIGHTON & HOVE LOCAL PLAN
ADOPTED 21 JULY 2005**

The Secretary of State for Communities and Local Government in exercise of the power conferred by paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 directs that for the purposes of the policies specified in the Schedule (1) to this direction, paragraph 1(2)(a) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 does not apply.

Signed by authority of the
Secretary of State

JR Cheston

John Cheston
Senior Planning Officer
Housing and Planning Directorate
Government Office for the South East

4 June 2008

SCHEDULE

POLICIES CONTAINED IN THE BRIGHTON & HOVE LOCAL PLAN JULY 2005

Policy Number	Policy Title/Purpose
TR1	Development and the demand for travel
TR2	Public transport accessibility and parking
TR3	Development in areas of low public transport accessibility
TR4	Travel plans
TR5	Sustainable transport corridors and bus priority routes
TR6	Park and ride
TR7	Safe Development
TR8	Pedestrian routes
TR9	Pedestrian priority areas
TR10	Traffic calming
TR11	Safe routes to school and school safety zones
TR12	Helping the independent movement of children
TR13	Pedestrian network
TR14	Cycle access and parking
TR15	Cycle network
TR16	Potential rail freight depot
TR17	Shopmobility
TR18	Parking for people with a mobility related disability
TR19	Parking standards
TR20	Coach parking
TR21	Long term coach and overnight lorry park
SU2	Efficiency of development in the use of energy, water and materials
SU3	Water resources and their quality

Policy Number	Policy Title/Purpose
SU4	Surface water run-off and flood risk
SU5	Surface water and foul sewage disposal infrastructure
SU6	Coastal defences
SU7	Development within the coastal zone
SU8	Unstable land
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU11	Polluted land and buildings
SU12	Hazardous substances
SU13	Minimisation and re-use of construction industry waste
SU14	Waste management
SU15	Infrastructure
SU16	Production of renewable energy
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD4	Design – strategic impact
QD5	Design – street frontages
QD6	Public art
QD7	Crime prevention through environmental design
QD8	Shopshutters
QD9	Boarding up of flats, shops and business premises
QD10	Shopfronts
QD11	Blinds
QD12	Advertisements and signs
QD13	Advertisement hoardings

Policy Number	Policy Title/Purpose
QD14	Extensions and alterations
QD15	Landscape design
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD18	Species protection
QD19	Greenways
QD20	Urban open space
QD21	Allotments
QD22	Satellite dish aerials
QD23	Telecommunications apparatus (general)
QD24	Telecommunications apparatus affecting important areas
QD25	External lighting
QD26	Floodlighting
QD27	Protection of amenity
QD28	Planning Obligations
HO1	Housing sites and mixed use sites with an element of housing
HO2	Affordable housing – ‘windfall’ sites
HO3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO6	Provision of outdoor recreation space in housing schemes
HO7	Car free housing
HO8	Retaining housing
HO9	Residential conversions and the retention of smaller dwellings
HO10	Accommodation for homeless people
HO11	Residential care and nursing homes

Policy Number	Policy Title/Purpose
HO12	Sheltered and managed housing for older people
HO13	Accessible housing and lifetime homes
HO14	Houses in multiple occupation (HMOs)
HO15	Housing for people with special needs
HO16	Safeguarding existing Gypsy and/or Travellers Sites
HO17	Sites for Gypsies and/or Travellers
HO18	Sites for Travelling Showpeople
HO19	New community facilities
HO20	Retention of community facilities
HO21	Provision of community facilities in residential and mixed use schemes
HO23	Community centre at Woodingdean
HO25	Brighton General Hospital
HO26	Day nurseries and child care facilities
EM1	Identified employment sites (industry and business)
EM2	Sites identified for high-tech and office uses
EM3	Retaining the best sites for industry
EM4	New business and industrial uses on unidentified sites
EM5	Release of redundant office floorspace and conversions to other uses
EM6	Small industrial, business units and warehouse units
EM7	Warehouses (B8)
EM8	Live-work units on redundant industrial and business and warehouse sites
EM9	Mixed uses and key mixed use sites
EM10	North Laine Area mixed uses
EM11	Mews – mixed uses
EM12	Shoreham Harbour – mixed uses
EM13	Brighton Station – mixed uses

Policy Number	Policy Title/Purpose
EM15	Jubilee Street Site – mixed uses
EM17	Preston Barracks
EM18	University of Brighton
EM19	University of Sussex
EM20	Village Way North
SR1	New retail development within or on the edge of existing defined shopping centres
SR2	New retail development beyond the edge of existing established shopping centres
SR3	Retail warehouses
SR4	Regional shopping centre
SR5	Town and district shopping centres
SR6	Local centres
SR7	Local parades
SR8	Individual shops
SR9	Brighton Post Office, 51 Ship Street
SR10	Amusement arcades/centres
SR11	Markets and car boot sales
SR12	Large Use Class A3 (food and drink) venues and Use Class A4 (pubs and clubs)
SR13	Nightclubs
SR14	New hotel and guest accommodation
SR15	Protection of hotels/guest houses
SR16	Major sporting and recreation facilities
SR17	Smaller scale sporting and recreational facilities
SR18	Seafront recreation
SR19	Black Rock site
SR20	Protection of public and private outdoor recreation space

Policy Number	Policy Title/Purpose
SR21	Loss of indoor recreation facilities
SR22	Major sporting venues
SR23	Community stadium
SR24	King Alfred/RNR Site
SR25	Hollingbury Park sports pavilion
SR26	Hangleton Bottom
NC2	Sites of national importance for nature conservation
NC3	Local Nature Reserves (LNRs)
NC4	Sites of Nature Conservation Importance (SNCIs) and Regionally Important Geological Sites (RIGS)
NC5	Urban fringe
NC6	Development in the countryside/downland
NC7	Sussex Downs Area of Outstanding Natural Beauty
NC8	Setting of the Sussex Downs Area of Outstanding Natural Beauty
NC9	Benfield Valley
NC10	Benfield Barn
NC11	Land and buildings in the vicinity of Benfield Barn
HE1	Listed buildings
HE2	Demolition of a listed building
HE3	Development affecting the setting of a listed building
HE4	Reinstatement of original features on listed buildings
HE6	Development within or affecting the setting of conservation areas
HE8	Demolition in conservation areas
HE9	Advertisements and signs within conservation areas and on, or in the vicinity of a listed building
HE10	Buildings of local interest
HE11	Historic parks and gardens

Policy Number	Policy Title/Purpose
HE12	Scheduled ancient monuments and other important archaeological sites