





Brighton & Hove  
City Council

# Tourism, Development & Culture Committee

Title:	<b>Tourism, Development &amp; Culture Committee</b>
Date:	<b>21 September 2017</b>
Time:	<b>4.00pm</b>
Venue	<b>Council Chamber, Hove Town Hall</b>
Members:	<b>Councillors:</b> Robins (Chair), Cattell (Deputy Chair), Nemeth (Opposition Spokesperson), Druitt (Group Spokesperson), Allen, Mac Cafferty, Mears, Morris, O'Quinn and C Theobald
Contact:	<b>Cliona May</b> Democratic Services Officer 01273 291354 cliona.may@brighton-hove.gov.uk

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Democratic Services: Tourism Development & Culture Committee

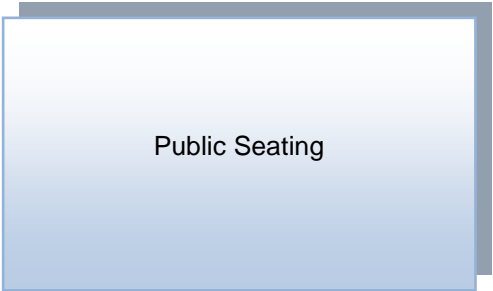
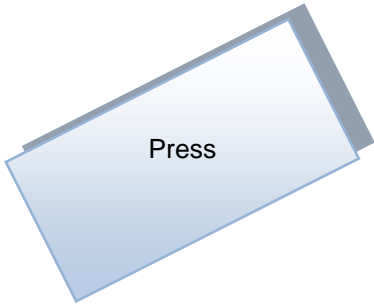
Democratic Services Officer	Councillor Robins Chair	Executive Director	Legal Officer
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Officer
Officer
Officer
Officer
Officer

Councillor Cattell Deputy Chair
Councillor Allen
Councillor Morris
Councillor O'Quinn

Councillor Nemeth Opp Spokes
Councillor Mears
Councillor C. Theobald
Councillor Druitt
Councillor Mac Cafferty

Public Speaker	Councillor Speaking
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## AGENDA

### PART ONE

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#### PROCEDURAL MATTERS

#### 12 PROCEDURAL BUSINESS

- (a) **Declarations of Substitutes:** Where councillors are unable to attend a meeting, a substitute Member from the same political group may attend, speak and vote in their place for that meeting.
- (b) **Declarations of Interest:**
  - (a) Disclosable pecuniary interests;
  - (b) Any other interests required to be registered under the local code;
  - (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

- (c) **Exclusion of Press and Public:** To consider whether, in view of the nature of the business to be transacted or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

*Note: Any item appearing in Part Two of the agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the press and public.*

*A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls and on-line in the Constitution at part 7.1.*

#### 13 MINUTES

1 - 18

To consider the minutes of the meeting held on 22 June 2017 (copy attached).

Contact Officer: Lisa Johnson

Tel: 01273 291228

## TOURISM, DEVELOPMENT & CULTURE COMMITTEE

*Ward Affected: All Wards*

### 14 CHAIRS COMMUNICATIONS

### 15 CALL OVER

- (a) Items (18 – 25) will be read out at the meeting and Members invited to reserve the items for consideration.
- (b) Those items not reserved will be taken as having been received and the reports' recommendations agreed.

### 16 PUBLIC INVOLVEMENT

**19 - 24**

To consider the following matters raised by members of the public:

- (a) **Petitions:** To receive any petitions presented by members of the public to the full Council or at the meeting itself.
  - (i) Ban Animal Circuses in Brighton – Referred from full Council on the 6<sup>th</sup> April 2017.
  - (ii) Animal Circuses in Brighton
- (b) **Written Questions:** To receive any questions submitted by the due date of 12 noon on the 14 September 2017.
- (c) **Deputations:** To receive any deputations submitted by the due date of 12 noon on the 14 September 2017.

*Contact Officer: Lisa Johnson*  
*Ward Affected: All Wards*

*Tel: 01273 291228*

### 17 MEMBER INVOLVEMENT

**25 - 30**

To consider the following matters raised by Members:

- (a) **Written Questions:** To consider written questions submitted by Members (copy attached);
- (b) **Notices of Motion:** to consider any Notices of Motion referred from Full Council or submitted directly to the Committee.
  - (i) Off-Plan sales (copy attached).

*Contact Officer: Mark Wall*  
*Ward Affected: All Wards*

*Tel: 01273 291006*

### 18 REVIEW OF THE ANIMAL WELFARE CHARTER

**31 - 50**

Report of the Executive Director, Economy Environment & Culture (copy attached).

*Contact Officer: Roy Pickard*

*Tel: 01273 292145*



## TOURISM, DEVELOPMENT & CULTURE COMMITTEE

*Ward Affected:*     *All Wards*

- 19 TOAD'S HOLE VALLEY SUPPLEMENTARY PLANNING DOCUMENT 51 - 150**
- Report of the Executive Director, Economy Environment & Culture (copy attached).
- Contact Officer:*     *Paula Goncalves*                      *Tel: 01273 292352*  
*Ward Affected:*     *Hangleton & Knoll; Hove*  
                                 *Park; Withdean*
- 20 PROPOSED SUBMISSION SHOREHAM HARBOUR JOINT AREA ACTION PLAN 151 - 306**
- Report of the Executive Director, Economy Environment & Culture (copy attached).
- Contact Officer:*     *Rebecca Fry*                      *Tel: 01273 293773*  
*Ward Affected:*     *Hangleton & Knoll; North*  
                                 *Portslade; South*  
                                 *Portslade; Wish*
- 21 COMMUNITY INFRASTRUCTURE LEVY - PRELIMINARY DRAFT CHARGING SCHEDULE 307 - 336**
- Report of the Executive Director, Economy Environment & Culture (copy attached).
- Contact Officer:*     *Clare Flowers*                      *Tel: 01273 290443*  
*Ward Affected:*     *All Wards*
- 22 HMO ENFORCEMENT UPDATE 337 - 340**
- Report of the Executive Director for Economy, Environment & Culture (copy attached).
- Contact Officer:*     *Nicola Hurley*                      *Tel: 01273 292114*  
*Ward Affected:*     *All Wards*
- 23 HOUSES OF MULTIPLE OCCUPATION - RESPONSE TO MATTERS RAISED AT FULL COUNCIL 341 - 354**
- Report of the Executive Director, Economy Environment & Culture (copy attached).
- Contact Officer:*     *Steve Tremlett*                      *Tel: 01273 292108*  
*Ward Affected:*     *All Wards*
- 24 REVISED LOCAL DEVELOPMENT SCHEME, 2014 – 2017 355 - 380**
- Report of the Executive Director, Economy Environment & Culture (copy attached).
- Contact Officer:*     *Steve Tremlett*                      *Tel: 01273 292108*  
*Ward Affected:*     *All Wards*

**25 MAJOR PROJECTS UPDATE**

**381 - 390**

Information paper from the Executive Director for Economy, Environment & Culture (copy attached).

Contact Officer: Sam Smith  
Ward Affected: All Wards

Tel: 01273 291383

**26 ITEMS REFERRED FOR FULL COUNCIL**

To consider items to be submitted to the 2 November 2017 Council meeting for information.

*In accordance with Procedure Rule 24.3a, the Committee may determine that any item is to be included in its report to Council. In addition, any Group may specify one further item to be included by notifying the Chief Executive no later than 10am on the eighth working day before the Council meeting at which the report is to be made, or if the Committee meeting take place after this deadline, immediately at the conclusion of the Committee meeting*

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

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Agendas and minutes are published on the council's website [www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk). Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact Cliona May, (01273 291354, email [cliona.may@brighton-hove.gov.uk](mailto:cliona.may@brighton-hove.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk)

Date of Publication - Wednesday, 13 September 2017

**BRIGHTON & HOVE CITY COUNCIL**  
**TOURISM, DEVELOPMENT & CULTURE COMMITTEE**

**4.00pm 22 JUNE 2017**

**COUNCIL CHAMBER, HOVE TOWN HALL, NORTON ROAD, HOVE, BN3 3BQ**

**MINUTES**

**Present:** Councillors Robins (Chair), Cattell (Deputy Chair), Nemeth (Opposition Spokesperson), Druitt (Group Spokesperson), Allen, Mac Cafferty, Mears, Morris, O'Quinn and C Theobald.

**PART ONE**

**1 PROCEDURAL BUSINESS**

**1a Declarations of Substitutes**

1.1 There were none.

**1b Declarations of Interest**

1.2 There were no declarations of interests in matters listed on the agenda.

**1c Exclusion of Press and Public**

1.3 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any of the items listed on the agenda.

1.4 **RESOLVED:** That the press and public not be excluded from the meeting.

**2 MINUTES**

2.1 **RESOLVED –** That the Chair be authorised to sign the minutes of the meeting held on 9 March 2017 as a correct record.

**3 CHAIRS COMMUNICATIONS**

3.1 The Chair gave the following communications:

**“First Meeting of the Tourism Development and Culture Committee**

I would like to welcome everyone to the first meeting of the Tourism, Development & Culture Committee which has replaced the ED&C committee.

This change was agreed at the Last Full Council to reflect the importance that the tourist and visitor economy have to the overall economic well-being of the City, and the fact that we also have the Policy, Resources & Growth Committee overseeing the city economic growth and regeneration agenda.

I note that we have several new Members to the Committee and would like to welcome you on board and hope that you will find this to be an interesting and engaging committee. I would also like to take the opportunity to welcome the appointment of the new programme director for arts, culture and tourism, Val Birchall, who is joining us from 1 July, and who I know will make a very positive contribution to the work of the committee.

I will now highlight some notable events and activities that have taken place since the last committee meeting or are forthcoming, but I will ask for the full details to be recorded in the minutes.

Highlights from Visit Brighton are marketing initiatives promoting the city as a “London Plus” destination, a 50,000 print run of a Shopping, Eating and Drinking Guide, and a double-page spread in BBC Good Food magazine. We had the largest number of events in the country for English Tourism Week. We have had 5 major conferences confirmed in the last 2 months. We exhibited at IMEX in Frankfurt in May and will exhibit at the important UK Meetings Show In Olympia in July. Members of Visit Brighton and myself attended the Brighton and Hove hoteliers meeting on 10th May, and were able to update the association on these Visit Brighton activities.

Other important events for the committee to note are that the Trustees have been appointed to the Shadow Board for the Cultural Trust for Brighton and Hove into which the management of Royal Pavilion and Museums will move next year. The members of the shadow board are; (Chair) Glynn Jones, Jane Weeks, Michael Beddingfield, Tim Aspinall, Julian Crampton representing the Royal Pavilion and Museums Foundation, Danny Homan representing Brighton Dome and Brighton Festival, councillors Phelim Mac Cafferty and Ann Norman and myself. The trustees all have experience of serving as trustees for cultural organisations including the museum sector and in some cases of working in museums.

The Royal Pavilion & Museums’ exhibition Fashion Cities Africa was shortlisted in the best temporary or touring exhibition category for the Museum and Heritage 2017 awards, which was a chance to celebrate the RPM’s excellent work.

On 25 May I attended the opening of the Museum Mentors Artist Showcase in Museum Lab at Brighton Museum which ran until 30th May. Museum Mentors is a Royal Pavilion & Museums project, funded by Arts Council England, which supports up to 30 adults from the local community who manage challenges associated with disability. A special event was held on Friday 5th May to mark the opening of the new section of the Royal Pavilion Garden. The historic Royal Pavilion Garden is the only fully restored Regency garden in Britain. Originally designed in the first quarter of the 19th century, it is inspired by nature and informal in style, with both native plants and those brought back by plant-hunters from overseas. The garden is maintained on organic principles, and a recent development has enabled RPM to make the garden more sustainable. Please read the

minutes for the details of this work which has been developed by Head Gardener Robert Hill-Snook, supporting project lead Kris Wilding. Kris is one of RPM's Functions Stewards, who is participating via the nationally-recognised Workforce Development Programme for front-of-house staff.

There are a couple of other items to note for the committee.

### **Major Projects Update**

As we are now the Tourism, Development & Culture Committee we have not included the major projects update in the report for this committee. In practice reports on major projects always go to Policy, Resources & Growth Committee for decision. However, I am happy to hear your views and suggestions on how we can keep members of this committee updated on major projects and so I will arrange a meeting with the committee spokespersons to decide between us on the best way to achieve this.

But in the meantime I would like to note that the new Volks Station has now been winched into place, the zip-wire is planned to open in time for the school holidays and the i360 has won three awards including Project of the Year from the Royal Institution of Chartered Surveyors, and has also just been named as one of the UK's best new buildings by RIBA. I would also like to note the re-opening of the Saltdean Lido and congratulate the CIC on their achievement.

### **Voluntary management of estate agents and lettings boards in the Lewes Road Area – Pilot**

And finally I would like to update you about an important issue on which residents have campaigned. In November last year the committee agreed that there should be a year long pilot scheme for the voluntary management of estate agents and lettings boards in the Lewes Road Area. I can confirm that the pilot scheme has now commenced and it will be focused in the Coombe Road Area.

The main focus of the Pilot is a Voluntary Code of Good Practice promoting replacement of standard boards with internal window adverts or size-limited wall mounted boards.

In terms of implementation - all estate and letting agents known to be working in the area have been contacted about the scheme and asked to take this approach. Officers have been working with Strategic Housing Partners including the Southern Landlords Association on the scheme; and the pilot has been supported by the Brighton & Hove Estate Agent Association and the Universities and Rent Smart group. There has also been work with residents as well with officers going to the next Coombe Road Area Local Action Team meeting to encourage community involvement. To raise awareness of the pilot scheme – a dedicated [webpage](#) has been launched which sets out how to get involved. There will be ongoing work with agents on the pilot scheme through the course of the year in an effort to ensure the success of the scheme

### **VisitBrighton updates:**

### **Marketing updates:**

- We have partnered with London Visitor and London Planner magazines giving Brighton monthly coverage promoting the city as a key 'London Plus' destination. Each magazine has a circulation of 100,000 and they are stocked in hotels and train stations in the capital.
- The VisitBrighton Blog has now been moved into the main site which will help improve the search engine optimisation of [www.visitbrighton.com](http://www.visitbrighton.com). Partners are welcome to contribute as guest bloggers.
- The Shopping, Eating & Drinking Guide was released with an initial print run of 50,000, this has been positively received.
- Our German PR agency generated 630,601 euros worth of PR, the UK AVE figure which is: £460,770. Highlights include a double-page spread in BBC Good Food magazine as well as features in Psychologies; Red and Town & Country magazines.
- In the last three months we have hosted 14 journalists as well as an additional 25 international journalists during the ExploreGB event.

**English Tourism Week:**

- Great opportunity for different bodies to work collaboratively to promote the city.
- Over the course of the week there were 92 events and 55 special offers. This was the largest amount of any destination, including London! This fact was highlighted by VisitEngland.
- The ETW Twitter competition #BrightonLuckyDip had approximately 1.3 million impressions – this is the number of times the # was seen – and over 100 entries.
- Increased exposure across the city for the VisitBrighton brand particularly on the Ship Street bus and at Brighton Station.
- VisitEngland promoted offers and events on their website; social media and PR.

**Conference Wins – confirmed in the last two months;**

- Chartered Institute of Library & Information Professionals Annual Conference: 8-11 July 2018 (x600 delegates)
- UNISON Health Conference: 4-8 April 2020 and 2024 – x2 year deal (x500 delegates at each conference)
- UNISON Women's Conference: 17 – 20 February 2021 (x500 delegates)
- UNISON LGBT Conference: 17-21 November 2021 (x450 delegates)
- British Association for Supported Employment: 8 – 9 November 2017 (x300 delegates)

**Forthcoming Activity**

- VisitBrighton and the Brighton Centre are exhibiting on the VisitBritain stand at IMEX in Frankfurt over the dates of 16-18 May 2017

IMEX in Frankfurt is one of the key exhibitions in the meetings and events industry and brings together conference organisers and planners from all across the globe. We will be in attendance to raise the profile of Brighton and its diverse leisure/business offering to new and existing clients.

- VisitBrighton will be exhibiting at the UK Meetings Show in July 2017. This will be our 4th year in attendance at the Show in Olympia and this year we will be joined by our venues partners: AMEX Stadium, Hilton Metropole, Brighton Dome, The Grand and Jurys Inn The Waterfront.

This is a key domestic MICE trade show and one that has a proven track record in generating new business for the city.

### **Major Projects Update**

As we are now the Tourism, Development & Culture Committee we have not included the major projects update in the report for this committee. In practice reports on major projects always go to Policy, Resources & Growth Committee for decision. However, I am happy to hear your views and suggestions on how we can keep members of this committee updated on major projects and so I will arrange a meeting with the committee spokespersons to decide between us on the best way to achieve this.

### **Cultural Trust – Formation of the Shadow Board – appointment of Trustees**

Trustees have been appointed to the Shadow board for the Cultural Trust for Brighton and Hove into which the management of Royal Pavilion and Museums will move next year. The members of the shadow board are; (Chair) Glynn Jones, Jane Weeks, Michael Beddingfield, Tim Aspinall, Julian Crampton representing the Royal Pavilion and Museums Foundation, Danny Homan representing Brighton Dome and Brighton Festival, councillors Phelim Mac Cafferty and Ann Norman and myself. The trustees all have experience of serving as trustees for cultural organisations including the museum sector and in some cases of working in museums.

### **Museum and Heritage Awards – attendance in London**

There are relatively few prizes recognising excellence in museums in the UK sector. It was a coup for Royal Pavilion & Museums to have its exhibition *Fashion Cities Africa* shortlisted in the best temporary or touring exhibition category for the 2017 awards. This was a ground-breaking show, the first in the UK dedicated to contemporary African fashion, which ran from 30th April 2016 to 8th January 2017 at Brighton Museum, and encompassed international partnerships and collaboration with local BME communities. Sadly it didn't win, but the Awards ceremony in London on 17 May was a chance to celebrate RPM's excellent work and recognise the extraordinary richness and impact of projects across the UK museum sector.

### **Museum Lab event**

On 25 May I attended the opening of the Museum Mentors Artist Showcase in Museum Lab at Brighton Museum which ran until 30th May. Museum Mentors is a Royal Pavilion & Museums project, funded by Arts Council England, which supports

up to 30 adults from the local community who manage challenges associated with disability. Museum Mentors is a place where people, ideas, art, objects and stories connect, and the group's collective aim is to promote diversity, and give value, opportunity, choice and independence to those involved.

Through the temporary display Museum Mentors members were invited to share their creative ideas and artistic responses to the Royal Pavilion, its garden and objects on display in Brighton Museum. Part of the presentation was an opportunity for member Eifion Ashdown to showcasing a selection of bulldog collectibles from his personal collection of over 4,000 pieces.

Opening of the new section of the Garden

A special event was held on Friday 5<sup>th</sup> May 11:00am – 12:00pm.

The historic Royal Pavilion Garden is the only fully restored Regency garden in Britain. Originally designed in the first quarter of the 19<sup>th</sup> century, it is inspired by nature and informal in style, with both native plants and those brought back by plant-hunters from overseas.

The garden is maintained on organic principles.

A recent development has enabled RPM to make the garden more sustainable:

- New leaf mould areas have been built, so that they can produce their own mould for fertiliser.
- New compost bins have been built, to process RPM's waste and that of local businesses.
- A wood chipper will be used to process garden waste, meaning this can be re-used within the garden and sold on to other organisations.
- A wormery has been created, along with a propagation area.
- There are three cloches full of plants propagated from the garden, with a view to selling to the public and providing seed propagation opportunities. All sales will be ploughed back into the garden.

This new field of work has been developed by Head Gardener Robert Hill-Snook, supporting project lead Kris Wilding. Kris is one of RPM's Functions Stewards, who is participating via the nationally-recognised Workforce Development Programme for front-of-house staff. This programme has enabled Kris to work one day a week with Robert in developing his skills and leading on a project, alongside studying horticulture at Stanmer Nursery. There is also a dedicated team of garden volunteers who have worked for many years to maintain the garden under Robert's supervision. Without volunteers, RPM would not be able to achieve their aims for the garden.

Voluntary management of estate agents and lettings boards in the Lewes Road Area – Pilot

You will recall that in November last year the committee agreed that there should be a year long pilot scheme for the voluntary management of estate agents and lettings boards in the Lewes Road Area. I can confirm that the pilot scheme has now commenced and it will be focused in the Coombe Road Area.



The main focus of the Pilot is a Voluntary Code of Good Practice promoting replacement of standard boards with internal window adverts or size-limited wall mounted boards.

In terms of implementation - all estate and letting agents known to be working in the area have been contacted about the scheme and asked to take this approach. Officers have been working with Strategic Housing Partners including the Southern Landlords Association on the scheme; and the pilot has been supported by the Brighton & Hove Estate Agent Association and the Universities and Rent Smart group. There has also been work with residents as well with officers going to the next Coombe Road Area Local Action Team meeting to encourage community involvement. To raise awareness of the pilot scheme – a dedicated [webpage](#) has been launched which sets out how to get involved. There will be ongoing work with agents on the pilot scheme through the course of the year in an effort to ensure the success of the scheme.

### **B&H Hoteliers Association**

Myself and Members of the VisitBrighton team attended the Brighton & Hove Hoteliers Association meeting on the 10<sup>th</sup> May and informed their membership of the work and activity that had been undertaken over the past three months, this included;

- Marketing updates
- Updates and outcomes of English Tourism Week
- Latest Conference Wins for the City
- Forthcoming Activity updates

3.2 **RESOLVED** – That the contents of the Chair's Communications be received and noted.

## **4 CALL OVER**

4.1 All items on the agenda were reserved for discussion.

## **5 PUBLIC INVOLVEMENT**

### **5a Petitions**

5.1 The Chair stated that he was aware that there was a petition referred from the Council meeting on the 6<sup>th</sup> April, however as a report on the matter was due to be brought to the committee in September, he was minded to defer this item so that it could be considered in conjunction with the report. He had been in touch with the lead petitioner who had indicated that they were also happy for it to be considered in September.

5.2 **RESOLVED** - That the position be noted.

### **5b Written Questions**

5.3 The Chair noted that two public questions had been received and invited Mr Hawtree to come forward and to put his question to Committee.

**Provision of Daily Newspapers in Libraries**

- 5.4 Mr Hawtree asked: "Would Councillor Robins please tell us what publicity methods will be used to inform readers that, after so long an absence, daily newspapers return to the Carnegie and other libraries, and explain why there has been this woeful lapse?"
- 5.5 The Chair replied: To advertise to customers that the newspapers are now back there are announcements on our website (newspapers page), Twitter and Facebook, and there are also notices in all the libraries concerned.
- 5.6 There has been a problem with the provision of hard-copy newspapers to Hove Library and some community libraries which are supplied from Hove and we are sorry for the inconvenience that this has caused customers. Please be aware that this is a common problem for public libraries who are all dependent on the willingness of local newsagents, and that a number of libraries elsewhere in the country have had to stop providing newspapers altogether for this reason.
- 5.7 Newsagents have become reluctant to supply newspapers to libraries as it can be difficult for local newsagents to submit regular invoices and wait for payment, and they are also reluctant to issue itemised bills which are needed for corporate credit card payments. It is no longer feasible to ask staff to collect the papers for libraries on their way in to work as we no longer use petty cash.
- 5.8 A number of local newsagents in Hove and Tesco's were approached, but all of them have either declined to supply us, or did not reply when the manager was contacted. Eventually a supplier was found from further away but time was needed to get them set up on the council's finance system so we can pay them and to arrange transport and access as they have to deliver before any staff are on site.

Throughout this time anyone could still read the papers in all the affected libraries every day they were open by using our free online resources - and they can even use their library membership card and PIN number to read these papers online for free at home if they want to.

- 5.9 By way of a supplementary question Mr Hawtree asked whether in the light of references to Library Provision contained in the recently published Labour Party Manifesto the level of charges to borrowers could/would be reviewed.
- 5.10 The Chair explained that this was reviewed annually and that it was anticipated that a report providing information on usage levels and the level of charges which were appropriate would be brought forward to the scheduled January meeting of the Committee.

**Need to Incorporate Significant Bookable Community Space Within King Alfred Redevelopment**

- 5.11 The Chair referred to a question which had been received from Ms V Paynter and invited Ms Paynter to come forward and to put her question to the Committee.

- 5.12 Ms Paynter asked: “Does BHCC recognise the need to incorporate significant bookable community space within the King Alfred redevelopment to replace what Hove has already lost over and above what will also be lost in demolishing the street-access 400 seat ballroom?”
- 5.13 The Chair replied: The loss of existing community facilities is an important planning issue and this will be considered as part of the consideration of future development proposals for the King Alfred site. The council’s priorities for the site are to secure the replacement of new indoor public wet and dry sports facilities which will provide for the local Hove communities and to the wider mix of facilities in the city. Alongside this, other ancillary leisure and health uses are supported together with the provision of new homes. This is reflected in Policy SA1 in the adopted City Plan.
- 5.14 As part of the procurement exercise, leading in January 2016 to the appointment of the Preferred Developer, bidders were invited to put forward additional uses which they considered would complement the sport and leisure uses and the Preferred Developer’s scheme includes community space.
- 5.15 By way of a supplementary question Ms Paynter referred to the capacity figures at different council venues including the King Alfred Leisure Centre and the need for more bookable spaces asking whether an audit had been carried out by the council and if not, whether it would be possible for consideration to be given to doing one.
- 5.16 The Chair explained that whilst funding to carry out such an exercise were limited that could certainly be looked at as part of the City Plan Part 2 subject to the requisite funds being available if it was considered appropriate to do so.
- 5.17 The Chair noted that there were no further items listed under Public Involvement.

## **6 MEMBER INVOLVEMENT**

- 6.1 The Chair noted that five written questions had been received from Councillor Nemeth and that these were listed on the agenda.

### **American Express Hove, History Boards**

- 6.2 Councillor Nemeth asked: “What progress has been made since the last meeting of this committee, and prior to the submission of this question, in contacting American Express, or carrying out alternative investigations, with regard to the restoration/replacement of Hove’s local history signage (that was kindly sponsored by American Express some years back)?”
- 6.3 The Chair provided the following written response: Two approaches have been made to the Public Affairs and Communications Team of American Express requesting them kindly if they would like to re-sponsor the Hove Heritage signs. To date no response has been received from them indicating that they would like to re-sponsor. A further approach to American Express will be made to ascertain if they wish to continue to sponsor the Hove Heritage signs. A cost analysis has been sought from Brighton & Hove City Councils Print and Design department and it is estimated that the cost of refurbishing each Heritage sign will be in the region of £1,500 per sign. There are

estimated to be approximately 14 Heritage signs in Hove which would mean the cost of refurbishing all of the signs would be in the region of £21,000. As there are many Heritage signs in Hove and whilst it is acknowledged that they are much loved by residents and any decision for the Council to fund their replacement would need to be made at the relevant budget committee in the event that we are unable source sponsorship for the Hove Heritage signs.”

6.4 By way of a supplementary Councillor Nemeth asked

6.5 The Chair responded

### **Planning Delay**

6.6 Councillor Nemeth asked: “How many ‘old’ planning applications are still set aside from new applications and how much slower on average are they being answered? How many of these old applications have there been each month over the past six months? What are the oldest and newest of the old applications which are live currently?”

6.7 The Chair provided the following written response: “The Planning Service is improving and there are a number of modernisation projects underway that aim to make all aspects of the service better – however it will take time to complete implementation these priorities and projects. One of these projects has been to introduce direct allocation of planning applications to case officers from 1 February. I can therefore confirm that all planning applications are now allocated to case officers soon after registration. I can also confirm that both the ‘old’ (pre February) and ‘new’ (post February) applications are being dealt with concurrently by case officers. In the case of ‘new’ applications – these are being determined within the eight week period, unless there is good reason to agree an extension.

6.8 In terms of the numbers, in January of 2017, before the introduction of additional resources and directly allocating planning applications - there were 327 applications that had not yet been allocated to a case officer. All applications are now allocated and will be determined as soon as possible. In terms of the statistical information requested – we do not include analysis relating the rate of determination of old applications over the past six months in our current weekly performance monitoring, so we would need some more time to collate this information. You ask about the oldest and newest of the ‘old’ applications. As with all local planning authorities there are a very small number of older applications that may have been submitted as long ago as 2015 – these are often majors or complex which is why they can be subject significant delay. The majority of the ‘old’ applications remaining were submitted between November 2016 and January 2017 and therefore include the newest of the ‘old’ applications. These numbers are diminishing and I can assure you these will be dealt with as soon as possible alongside the ‘new’ applications.”

6.9 By way of a supplementary Councillor Nemeth stated that he remained of the view that further measures still required to be taken in order to address this issue.

6.10 The Chair replied that there was nothing further which he could add.

**Tennis Courts in the City**

- 6.11 Councillor Nemeth asked: "Please describe in detail what role the Chairman has had, in his role as head of sport for Brighton & Hove, in developing the Administration's plans to completely change the way in which all public tennis courts in the city are funded and managed."
- 6.12 The Chair provided the following written response: "Whilst this committee oversees the overall strategic approach to sports and leisure across the city, the operational management of the tennis courts is through the City Parks service. I can confirm that consultation and engagement with representatives of the city's tennis community, clubs and coaches along with the involvement of the Lawn Tennis Association is continuing. As a member of the Environment, Transport and Sustainability Committee, Cllr Nemeth will be aware that an update report on the Open Spaces Strategy, including tennis court management, is going to that committee in four days' time."

**King Alfred**

- 6.13 Councillor Nemeth asked: "Has the Chairman had any involvement at all in the King Alfred major project in his role as head of major projects for Brighton & Hove?"
- 6.14 The Chair provided the following written response: "As with other strategically significant major projects, the King Alfred development is overseen by the Leader of the Council and is within the remit of the Strategic Delivery Board, a cross-party group of which Cllr Nemeth is a member. The Strategic Delivery Board receives a written update on major projects at every meeting, and I am aware the King Alfred has been the subject of detailed updates in recent months. Updates have also formed part of the business of our predecessor committee (ED&C), again as a standing item, through which I am briefed ahead of such meetings. I also receive regular briefings from the Executive Director Economy, Environment & Culture and Ward Councillors are briefed at key stages of the process as required."
- 6.15 By way of a supplementary Councillor Nemeth asked that further updates be provided as requested considering that it was very important that the Committees' locus in supporting sport across the city was not diminished. He was also concerned that with the Committees' change of name important areas of its work were not lost sight of.
- 6.16 The Chair replied that the Committee remained strongly focused on its core responsibilities referring to the fact that the Executive Director would provide a brief update in relation to Major Projects elsewhere on the agenda.

**Preston Park Cycle Track**

- 6.17 Councillor Nemeth asked: "Will the Chairman provide an urgent update on the recent repairs that had to be carried out at Preston Park Cycle Track?"
- 6.18 The Chair provided the following written response: "The works to the Preston Park Velodrome have yet to be completed as it had taken longer than anticipated to find a suitable surfacing supplier and road lining contractor due to the highly specialised nature of these works. However, suitable contractors have now been identified and the City

Council has been working with the surfacing supplier's engineering team in order to produce a crack infill repair material specifically tailored for velodromes as there was nothing available in the market place to meet the City Council's strict criteria for use on the velodrome. The need to develop this specific material has obviously delayed the works being carried out. However, it is felt this delay is worthwhile to ensure the long term durability of the repairs that will be carried out. Due to the specialist nature of the repair material to be used a trial repair is to be carried out shortly to ensure that all parties are happy with the proposed material and repair method. Following this, extensive crack repairs will be carried out to all of the velodrome and once the crack repairs have been completed a specialist road lining contractor, who has previous experience with velodromes will be coming in to re mark the track in accordance with British Cycling's current guidelines. The complete cost for these works is anticipated to be in the region of £8,000 to £10,000. And the works are expected to be completed during this summer. All works are being carried out in consultation with British Cycling.

6.19 The Chair noted that there were no further items listed under Member Involvement.

## **7 INFRASTRUCTURE DELIVERY PLAN (IDP) - UPDATE**

- 7.1 The Committee considered a report of the Executive Director, Economy, Environment and Culture in relation to the Infrastructure Delivery Plan (IDP) (Annex City Plan Part One) Update.
- 7.2 It was noted that the Infrastructure Delivery Plan identified the social, physical and environmental infrastructure required in the city to 2030. It was an accompanying Annex to the adopted City Plan and helped to support and deliver key objectives and policies in the Plan. The IDP was an evolving document, and as such was subject to review and required regular updating.
- 7.3 Councillor Druitt enquired regarding the current status of key major projects across the city and the Executive Director explained that work in relation to specifically identified sites was considered an essential element of and integral to infrastructure delivery. The Executive Director provided a brief update confirming that the contract for the Circus Street scheme was nearing completion following which demolition works would commence on site. It was anticipated that the planning application in respect of the Preston Barracks site would be considered by a special meeting of the Planning Committee after the summer recess. Negotiations in relation to the King Alfred site were on-going and the Valley Gardens Scheme was due to be considered at a meeting of the Environment, Transport Sustainability Meeting the following week.
- 7.4 Councillor Druitt referred to the current pressure on school places across the city requesting to know the timescale for applying for CIL educational payments and clarification as to the purposes to which such payments could be put. It was explained that the funding required to set up a new school was greater than could be provided by CIL which could provide up to 20% of infrastructure costs but could run in concert with other bids. Clarification was also sought in respect of the council's ongoing commitment to renewable energy use and the timeframe for that.

- 7.5 Councillor Mac Cafferty referred to the timescale for Clean Air bids to DEFRA which had closed recently. The ethos underpinning this aspiration was laudable, however achieving them in practice presented a significant challenge.
- 7.6 Councillor C Theobald sought clarification regarding proposed transport infrastructure measures.
- 7.7 Councillor Mears welcomed the report stating however that it was important that Members receive timely updates on progress confirming that she would be speaking to the S106 Officer separately regarding specific projects which she was interested in.
- 7.8 Councillor Morris stated that it was important going forward to ensure that there were suitable spaces to accommodate the large number of diverse events which took place across the city and which were continuing to grow, referring specifically to events associated with Festival fringe events.
- 7.9 Councillor Druitt referred to the overall sum awarded to the council seeking confirmation that works on which that money was to be spent had had been programmed in. The Head of Planning, Policy and Major Projects, Liz Hobden, confirmed that was the case
- 7.10 **RESOLVED** – That the Committee agrees the updated Infrastructure Delivery Plan (IDP) as an annexe to the City Plan Part One, attached as Appendix A to the report, subject to any minor grammatical or editorial alterations that may be made by the Director of EEC in agreement with the Chair of Tourism Development and Culture Committee.

## **8 REVIEW OF THE WASTE & MINERALS LOCAL PLAN**

- 8.1 The Committee considered a report of The Executive Director, Economy, Environment and Culture seeking approval of the Committee to commence a review of policies in the adopted East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.
- 8.2 It was explained that this process was primarily intended to address a specific identified issue relating to the supply of minerals needed to support new development and economic growth in the Plan area. By so doing it was intended that this would ensure that the planning policy framework for waste and minerals remained up to date and was compliant with national policy as set out in National Planning Policy Framework. It was also necessary for a partial review of the Plan to take place in order to determine how the Plan could continue to provide for a steady and adequate supply of aggregates taking into account future demand and the contribution of different supply options.
- 8.3 Councillor O'Quinn referred to the relative speed with which the supplies of certain aggregates appeared to have run down agreeing that in the light of that a review would be timely.
- 8.4 Councillor Nemeth referred to the use of Marine aggregates and the need to maintain close liaison with Shoreham Port Authority in order to ensure that its supplies were maintained. Councillor Mac Cafferty confirmed in his capacity as the council's representative on that body that he was aware that robust mechanisms were in place

both to ensure the integrity of the port and to ensure that sensitive areas of the seabed were not dredged. He was aware that activities carried out were licensed and that the appropriate safeguards were in place.

#### 8.5 **RESOLVED:**

- (1) That the purpose and proposed timetable for the review of the Waste and Minerals Local Plan be noted; and
- (2) Agree that a review may be initiated, to commence with a consultation inviting representations about its scope and a “call for mineral sites.”

### 9 **BUSINESS RATE REVALUATION AND THE VISITOR ECONOMY**

- 9.1 The Committee considered as report of the Executive Director, Economy, Environment and Culture which provided an update on the changes that had occurred as part of the recent revaluation of Business Rates and the planned work in support of the visitor economy.
- 9.2 The context for the review was detailed and it was noted that the government had reviewed the Rateable Values for every non domestic property in England and Wales earlier in the year. Rateable Values were usually evaluated every five years but this had been extended by a further two years with the result that this had not been reviewed for seven years, this had resulted in large increases for some businesses, whilst conversely some businesses had found that their rateable value had fallen. Details of the relief measures available and in place were also outlined as was the potential impact on the visitor economy. In addition the planned support for businesses through the planned discretionary Business Rate scheme was also as set out.
- 9.3 The Chair, Councillor Robins, referred to the fact that the following amendment had been put forward by the Green Group in advance of the meeting and had also been circulated to Members:

***“That the Committee notes the importance of the independent business sector to the cultural vibe of Brighton & Hove and the contribution made by the sector to the city's tourism offer;***

***2.3 That the Committee requests the Executive Director for Economy, Environment and Culture to share the findings of this report with the wider business community partnerships, with particular engagement on the enclosed measures sought from the following bodies:***

- ***Brighton and Hove Economic Partnership***
- ***Brighton and Hove Chamber of Commerce***
- ***Federation of Small Businesses***
- ***Brighton and Hove Hoteliers Association***
- ***Brighton and Hove Restaurant Association***
- ***Hove Business Association***
- ***North Laine Traders Association***
- ***Business Improvement District***



***with any feedback from these bodies to be reported to members of this Committee; and***

***2.4 That the Committee welcomes the proposed plans for a new discretionary scheme and requests the Executive Director for Economy, Environment and Culture issues information to business owners, detailing the nature of, and timescale for, any relief measures available through the Council.***

Proposed by: Cllr: Druitt      Seconded by: Cllr: Mac Cafferty:

“2.1 Members are asked to note the report and the work being planned in support of the visitor economy;

2.2 That the Committee notes the importance of the independent business sector to the cultural vibe of Brighton & Hove and the contribution made by the sector to the city’s tourism offer;

2.3 That the Committee requests the Executive Director for Economy, Environment and Culture to share the findings of this report with the wider business community and partnerships, with particular engagement on the enclosed measures sought from the following bodies:

- Brighton and Hove Economic Partnership
- Brighton and Hove Chamber of Commerce
- Federation of Small Businesses
- Brighton and Hove Hoteliers Association
- North Laine Traders Association
- Business Improvement District

With any feedback from these bodies to be reported to members of this Committee; and

2.4 That the Committee welcomes the proposed plans for a new discretionary scheme and requests the Executive Director for Economy, Environment and Culture issues information to business owners, detailing the nature of, and timescale for, any relief measures available through the Council.”

- 9.4 Councillors O’Quinn and Cattell expressed their concern at the approach that had been adopted by central government and the difficulties it had caused for local businesses. Whilst fully supporting the measures which had been put in place they were concerned that the full potential impact of these changes in practice was not entirely clear.
- 9.5 Councillor Morris welcomed the initiatives being undertaken by officers to ensure both that any detriment was mitigated against in the short term and that those eligible for assistance were made aware of its availability.
- 9.6 Councillors Druitt and Mac Cafferty stated that whilst welcoming all that had been undertaken the rationale for their amendments to the recommendations was to seek to ensure that businesses were aware of the timescales involved, understood the process and that there were overarching arrangements in place.

9.7 The Executive Director stated that listing the organisations to be contacted whilst helpful could result in omissions and that it would be helpful therefore if offices could be authorised to contact any others as appropriate. Members concurred in that view.

9.8 The proposed amendments were put to the Committee, were carried and then became the substantive recommendations and were voted on and carried.

9.9 **RESOLVED:**

- (1) That Members are asked to note the report and the work being planned in support of the visitor economy;
- (2) That the Committee notes the importance of the independent business sector to the cultural vibe of Brighton and Hove and the contribution made by the sector to the city's tourism offer;
- (3) That the Committee requests the Executive Director for Economy, Environment and Culture to share the findings of this report with the wider business community partnerships, with particular engagement on the enclosed measures sought from the following bodies and any others considered to be appropriate:

Brighton and Hove Economic Partnership Brighton and Hove Economic Partnership  
Brighton and Hove Chamber of Commerce  
Federation of Small Businesses  
Brighton and Hove Hoteliers Association  
North Laine Traders Association  
Business Improvement District

With any feedback to be reported to members of this Committee; and

- (4) That the Committee welcomes the proposed plans for a new discretionary scheme and requests the Executive Director for Economy, Environment and Culture issues information to business owners, detailing the nature of, and timescale for, any relief measures available through the Council

**10 ROYAL PAVILION & MUSEUMS: ACCREDITATION, COLLECTIONS DEVELOPMENT AND TRUST UPDATE**

10.1 The Committee considered a report of the Executive Director of Economy, Environment and Culture the purpose of which was to present three documents for Committee consideration and approval in the context of the Museums Accreditation Standard which was administered and approval by Arts Council England.

10.2 A key document which forms part of the Accreditation standard was the Collections Development Policy (this was approved in 2013). This was a document which was approved in 2013 and remained valid. There was now greater emphasis on collections use and sharing in the museums' sector, and the report was intended to brief the Committee on what 'transfer' means in the context of Collections Development and sought approval from Committee for the transfer of four items from the collections.

Following the agreement of the Policy Resources and Growth Committee to the establishment of a cultural trust into which the Royal Pavilion & Museums would transfer, this report provided an update on work to date.

- 10.3 Councillor Allen referred to the items lodged at Preston Manor and also within the Booth Collection. Whilst there were general comments about them he considered that it was important to acknowledge that some of the items within those collections were of national significance. The Head of the Royal Pavilion and Museums explained that the importance of all of the city's museums was recognised, currently each was being focused on and would form the subject of a further update report later in the year.
- 10.4 Councillor Mac Cafferty sought clarification regarding the status of the items to be transferred as he considered that it was important that the integrity of the existing collections should not be diminished as a result of these losses, referring specifically to the mummy noting that the Museum had its own Egyptology section and asking whether this item and any others which were transferred would be replaced.
- 10.5 The Head of the Royal Pavilion and Museums, Janita Bagshawe, explained that it was intended under the terms of the scheme the items would be transferred on permanent loan. None of the items was on display and it was intended that they would be transferred to locations where they could be better conserved and appreciated within more specialist collections. In the case of the mummy its provenance was uncertain although it was believed the body contained within was that of a temple priestess/attendant. It was in a poor state of repair, its wrappings and other ornamentation were not believed to be original. By transferring this item to the British Museum it was being sent to a location where there were the resources and expertise both to conserve it and to research its history further.
- 10.6 Councillor Nemeth enquired regarding whether it would be more appropriate in some instances to sell items and the importance of accreditation. It was explained accreditation was very important in that as well as being highly regarded within the sector accreditation carried with it opportunities to tap into a number of funding streams.
- 10.7 Reference was made the "folly" associated with Portslade Old Manor and the need to promote this hidden gem which it was believed had transferred into the council's ownership when it had become a Unitary Authority. Councillor Mears suggested that should be checked upon as she believed that there had been confusion about its ownership.
- 10.8 Councillor O'Quinn sought clarification regarding the level of charges made for entry to the buildings in the council's care, particularly in relation to school visits, as the number appeared to have reduced. It was explained that this tended to fluctuate, however activities such as the opportunities to role play at Preston Manor were very popular. School parties were charged a fee for the service provided but not for entry.
- 10.9 **RESOLVED:**
- (1) That the Committee approve RPM's Interim Forward Plan (Appendix A) and Access Policy Statement (Appendix B), for submission to Arts Council England to support RPM's continuing Accredited status;

- (2) That the Committee approve the transfer of three items from the collections to the Sussex Archaeology Society and one item to the British Museum; and
- (3) That the Committee notes the work undertaken on the establishment of the Cultural Trust.

**11 ITEMS REFERRED FOR FULL COUNCIL**

11.1 There were none.

The meeting concluded at 6.40pm

Signed

Chair

Dated this

day of

2017

**Subject:** Petitions  
**Date of Meeting:** 21 September 2017  
**Report of:** Executive Lead for Strategy Governance & Law  
**Contact Officer: Name:** Lisa Johnson **Tel:** 01273 291228  
**E-mail:** [lisa.johnson@brighton-hove.gov.uk](mailto:lisa.johnson@brighton-hove.gov.uk)  
**Wards Affected:** All

**FOR GENERAL RELEASE**

**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 To receive those petitions presented to the full Council and referred to the committee for consideration.
- 1.2 To receive any petitions to be presented or which have been submitted via the council's website or for which notice has been given directly to Democratic Services.

**2. RECOMMENDATIONS:**

- 2.1 That the Committee responds to the petition either by noting it or writing to the petition organiser setting out the Council's views, or where it is considered more appropriate, calls for an officer report on the matter which may give consideration to a range of options, including the following:
  - taking the action requested in the petition
  - considering the petition at a council meeting
  - holding an inquiry into the matter
  - undertaking research into the matter
  - holding a public meeting
  - holding a consultation
  - holding a meeting with petitioners
  - calling a referendum

**3. PETITIONS**

- 3.1 Referred petitions:
  - i) **Ban Animal Circuses in Brighton**  
Petition from Ms. S. Baumgardt, referred from the Council meeting held on 6<sup>th</sup> April, 2017 (over 1,500 signatures). Extract from the Council proceedings included as appendix 1.

“We the undersigned petition Brighton & Hove Council to no longer issue licences to animal circuses performing on Council land.”

Justification:

To date 219 Councils across the country have already said NO to ALL animal circuses. If Brighton & Hove is to maintain its reputation as being a progressive city, we need to refuse animal acts.

On their last visit in September 2016 Zippos Circus used ponies, dogs, budgies and cats. This is in breach of our City’s own Animal Welfare Charter which limits performances using animals to equines only. Since the restrictions of a travelling and performing life are not suited to any animals we ask that Brighton & Hove City Council follow the lead of the majority of councils across the country and only allow circuses with human acts on Council land.

We would like Brighton & Hove City Council to discuss at a full Council meeting, the issue of the exemption in the Animal Welfare Charter being breached.

3.2 To receive the following petition:

ii) **Animal Circuses in Brighton – Lead petitioner Mr. David Hibling**

“We the undersigned petition the council **not** to ban the use of domestic animals including horses, dogs and budgies in circuses and we support their inclusion in circuses on council-owned property.”

<b>Subject:</b>	<b>Ban Circus Animals in Brighton Petition: Extract from the proceedings of the Council Meeting held on the 6 April 2017</b>		
<b>Date of Meeting:</b>	<b>22 June 2017</b>		
<b>Report of:</b>	<b>Executive Lead for Strategy, Governance &amp; Law</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Mark Wall</b>	<b>Tel: 29-1006</b>
	<b>E-mail:</b>	<a href="mailto:mark.wall@brighton-hove.gov.uk">mark.wall@brighton-hove.gov.uk</a>	
<b>Wards Affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

***Action Required of the Economic Development & Culture Committee***

To receive the item referred from the Council for consideration.

**Recommendations:**

That the petition be considered by the Committee.

**BRIGHTON & HOVE CITY COUNCIL****COUNCIL****4.30PM 6 APRIL 2017****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES**

**Present:** Councillors West (Chair), Marsh (Deputy Chair), Allen, Atkinson, Barford, Barnett, Bell, Bennett, Brown, Cattell, Chapman, Cobb, Daniel, Deane, Druitt, Gibson, Gilbey, Greenbaum, Hamilton, Hill, Horan, Hyde, Inkipin-Leissner, Janio, Knight, Lewry, Littman, Mac Cafferty, Meadows, Mears, Miller, Mitchell, Moonan, Morgan, Morris, Nemeth, A Norman, K Norman, O'Quinn, Page, Peltzer Dunn, Penn, Phillips, Robins, Russell-Moyle, Simson, Sykes, Taylor, C Theobald, G Theobald, Wares, Wealls and Yates.

**89 PETITIONS FOR COUNCIL DEBATE****(d) BAN ANIMAL CIRCUSES IN BRIGHTON**

- 89.33 The Mayor stated that where a petition secured 1,250 or more signatures it could be debated at the council meeting. He had been made aware of five such petitions and would therefore take each in turn.
- 89.34 The Mayor then invited Ms. Friend as one of the lead petitioners to present the petition calling on the Council to ban animal circuses in Brighton.
- 89.35 Ms. Friend thanked the Mayor and stated that the petition had reached over 1,500 signatures and sought the banning of circuses with performing animals, being both wild and domestic. She stated that 219 councils across the country had chosen to take such action and she hoped that as a progressive and innovative city, Brighton & Hove would follow them. She noted that the council had adopted an Animal Welfare Charter in 2002 which needed to be reviewed as it covered horses, dogs and birds but meant that it created an ambiguity in relation to other animals. She therefore called on the council to take a clear stance and ban all animal circuses.
- 89.36 The Mayor thanked Ms. Friend and called on Councillor Robins to respond to the petition.
- 89.37 Councillor Robins thanked the petitioner and stated that it was a complex and emotive subject. He was therefore keen to ensure that the legal position was fully understood and accepted that there was a need to review the Animal Welfare Charter. He would therefore request officers to bring a report to the next meeting of the Economic



Development & Culture Committee to review the Charter and enable Members to consider it in conjunction with the petition.

- 89.38 Councillor Peltzer Dunn noted that the petition sought to ban animal performances in Brighton but questioned whether it should be aimed at council owned land as the council would have no jurisdiction over privately owned land. He had previously attended circuses but felt that society had changed over the last 25 years and the welfare and dignity of animals should now be given full consideration and circuses with animals prohibited from council owned land.
- 89.39 Councillor Greenbaum welcomed the petition and stated that it was the right time to ban animals in circuses. Today's circuses had great acrobats and they did not need to use animals as part of their acts, it was therefore time to make that change.
- 89.40 The Mayor noted that Councillor Robins did not wish to respond to the debate and that it was recommended to note and refer the petition to the Economic Development & Culture Committee for consideration and put it to the vote which was **carried** unanimously.
- 89.41 **RESOLVED:** That the petition be noted and referred to the Economic Development & Culture Committee for consideration at its meeting on the 22<sup>nd</sup> June 2017.



**WRITTEN QUESTIONS FROM COUNCILLORS**

The following questions have been received from Councillors and will be taken as read along with the written answer which will be included in an addendum that will be circulated prior to the meeting:

**(a) Councillor Nemeth****Marlborough House**

“What actions have been carried out by Brighton & Hove City Council to enforce a series of planning breaches (recent or otherwise) at Marlborough House on the Old Steine in Brighton?”

**Reply from Councillor Robins, Chair of the Tourism Development & Culture Committee.**

**(b) Councillor Nemeth****King Alfred**

“In his capacity of head of major projects for Brighton & Hove, and given that Crest Nicholson was supposed to sign the King Alfred project contract in 2016, will the Chair make clear how long he is willing to wait before calling an end to the working relationship?”

**Reply from Councillor Robins, Chair of the Tourism Development & Culture Committee.**

**(c) Councillor Nemeth****Running participation**

“What plans does the Chair have to increase participation in running locally?”

**Reply from Councillor Robins, Chair of the Tourism Development & Culture Committee.**

**(d) Councillor Nemeth****Effects of graffiti on tourism**

“What representations has the Chairman made to colleagues (prior to the submission of this question) on the effects on tourism of the huge increases in graffiti around the city centre that we have seen over the past two years?”

**Reply from Councillor Robins, Chair of the Tourism Development & Culture Committee.**

**(e) Councillor Nemeth**

**Planning Department**

“What is the predicted date for the completion of the transformation of Brighton & Hove City Council’s Planning Department?”

**Reply from Councillor Robins, Chair of the Tourism Development & Culture Committee.**

**(f) Councillor Nemeth**

**Sculpture trail**

“What progress has been made by Brighton & Hove City Council over the past year in working with Hove Civic Society and other interested parties since the initial meeting with the Chair to establish a sculpture trail for the city?”

**Reply from Councillor Robins, Chair of the Tourism Development & Culture Committee.**

**(g) Councillor Mac Cafferty**

**Commercial estate agent boards**

A Regulation 7 Direction is currently in place to restrict residential ‘for sale’ and ‘to let’ boards within most of the conservation areas in the city centre. The effect is that no residential sale or letting boards may be displayed on the street frontages of properties without express consent.

Although there is planning policy in place which regulates some of the aspects of advertisements, further to the growth of commercial estate agent boards along some of the busiest roads in a number of the conservation areas, I wonder if the Chair would consider:

- In the first place, discussing a voluntary agreement that could be reached between the council and the estate agents in the city on what can be done to limit the impact of commercial boards in the most sensitive historic areas or for promotion to be carried out in other ways;
- Seeking to trial the idea of a selected area where a more robust approach is taken with regard to commercial estate agent boards;
- Such a trial could be used to begin a broader discussion about potentially extending the current Regulation 7 to include commercial boards as well as residential estate agent boards in conservation areas. Any further commitment on this would obviously require a public consultation process and consent from the Secretary of State for Communities and Local Government.

**Reply from Councillor Robins, Chair of the Tourism Development & Culture Committee.**

**(h) Councillor Mac Cafferty**

**Seafront radios.**

“On several occasion over the summer months I witnessed with considerable concern that lifeguards were appearing to struggle to hear and transmit clear messages on their walkie-talkies on the seafront. I am assuming this had something to do with reception for their devices on the beach. Can I ask the Chair that this is investigated and for assurances that something will be done to improve this?”

**Reply from Councillor Robins, Chair of the Tourism Development & Culture Committee.**

**(i) Councillor Mac Cafferty**

**Cheaper train fares from London Victoria**

“With regard to tickets bought in person at the station on the day of travel, many of us will know that there are often good offers on train fares from Brighton to London Victoria but there are currently no such similar offers on journeys from London Victoria to Brighton. We may never know but I wonder how much this has impacted on day visitors who buy a ticket in person at Victoria Station. If we are to keep pushing to maintain our place as one of the nation’s favourite seaside resorts, we need to unlock as many of these blockages to visitors. Can the Chair please indicate if he would be willing to approach the rail companies to ask for their cooperation in promoting cheaper day returns for in person, on the day of travel offers in good time for the start of the tourist season in 2018? Such offers could be done in coordination with Visit Brighton and partners in the tourist attractions and hotel and restaurant trade in the city.”

**Reply from Councillor Robins, Chair of the Tourism Development & Culture Committee.**



The following Notice of Motion was approved at the full Council meeting on the 20<sup>th</sup> July, 2017 and has been referred to the committee for consideration:

**NOTICE OF MOTION**

**OFF-PLAN SALES**

“This Council requests that:

- (1) The Chief Executive writes to Secretary of State for Communities and Local Government to seek the introduction of new primary legislation for all local Authorities to ring-fence for a prescribed period of time – as determined locally - the sale of properties 'off-plan' at a discount to:

- first-time buyers who are local residents who have expressed an interest following a call for such expression of interest
- Registered Providers, and
- Local Councils

After which prescribed period of time such properties would then be offered to all other local potential buyers, prior to UK commercial and overseas investors;

- (2) Prior to the implementation of any guidance received, a report be produced and presented to Tourism, Development and Culture Committee to advise the likely impact such powers will have on:-

- a) future housing development projects by private entities in the City,
- b) local property prices,
- c) potential additional homes provided, and
- d) quantity of and proportion by development set aside for affordable homes.”





<b>Subject:</b>	<b>Review of the Animal Welfare Charter</b>		
<b>Date of Meeting:</b>	<b>21<sup>st</sup> September 2017</b>		
<b>Report of:</b>	<b>Executive Director Economy, Environment &amp; Culture</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Roy Pickard</b>	<b>Tel: 29-2145</b>
	<b>Email:</b>	<b>roy.pickard@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 In April 2017, full Council considered a petition asking the council to Ban Circus Animals in Brighton. This petition was referred to the Tourism, Development & Culture Committee
- 1.2 The Council has an Animal Welfare Charter. This includes a policy relating to performing animals and circuses which provides that where it is lawful to do so, the Council will not allow land it owns to be used by circuses and other like enterprises of entertainment where caged and/or performing animals are used.
- 1.3 The Charter exempts certain activities from the policy stated in 1.2. One such exemption allows performances of equestrian acts using only horses and ponies. It also exempts the showing of birds, rabbits or other domestic animals.
- 1.4 This report discusses whether it is possible to remove these exemptions.

**2. RECOMMENDATIONS:**

- 2.1 That the committee agree that the exemptions in the animal welfare charter, in respect of performing animals in circuses, are kept in place.

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 The Council's Animal Welfare Charter was adopted having taken into account the concerns of local people in respect of animal welfare and any cruel treatment, abuse or neglect of animals. (See Appendix 1).
- 3.2 Attitudes to animal welfare and the ethics of using animals for performances have also evolved and this report considers whether to remove the exemption that allows performances involving equestrian acts, using only horses and ponies in circuses.
- 3.3 The Charter sets out the Council's principles, values and policy on animal welfare standards.

- 3.4 It recognises that animals are capable of feeling, capable of enjoying a state of well being and equally capable of suffering and therefore considers animals have the right to enjoy five basic freedoms.
- 3.5 The five freedoms are:
- freedom from fear and distress
  - freedom from hunger and thirst
  - freedom from pain, disease and injury
  - freedom from unnecessary constraint
  - freedom from physical discomfort
- 3.6 The Council looks to these five freedoms for guidance when exercising its statutory powers in relation to animal health and welfare matters.
- 3.7 The regulation of circuses using animals has changed recently. Circuses using wild animals now have to be licensed by DEFRA. However circuses using domestic animals such as horses and pony's are not required to be licenced and are only required to hold a performing animals registration.
- 3.8 The extant Charter is appended.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 Removal of the exemption that allows performances involving equestrian acts using only horses and ponies in circuses could potentially affect one regular travelling circus. This is Zippos circus.
- 4.2 Zippos Circus visits Brighton & Hove once a year utilising Hove lawns and is granted landlords consent to do so. The circus has horses, budgies and last year performing cats. The circus last visited Brighton & Hove on 24<sup>th</sup> August – 4<sup>th</sup> September 2017.
- 4.3 Every year that Zippos performs in Brighton & Hove, the council's Animal Warden team visits the circus to check on the conditions in which their animals are kept, trained and performed. To date, every inspection has found satisfactory standards of animal welfare.
- 4.4 The circus has submitted to the council a vet report dated 25<sup>th</sup> August 2017. This report details the inspection of the condition of the horses, their transportation and stabling. In the vets opinion, the horses are extremely well cared for and exceed all minimum criteria for welfare standards set by the FEI (Federation Equine International) and the BHS (British Horse Society). See Appendix 5
- 4.5 Performing Animals are required to be registered. Performing Animals licenses are one off registrations usually issued by the Local Authority where the animals are kept. BHCC's animal warden team check that these registrations are in place each time the circus visits.
- 4.6 Removal of the exemption would mean that circuses and similar entertainments taking place on council owned land would be prohibited from using horses and ponies in public performances where it is lawful to prohibit them. This could potentially impact on Zippos Circus performing on Hove Lawns.

- 4.7 The Council's use of its land both generally and as outlined in the Animal Welfare Charter must conform with the duty imposed on local authorities by section 120(b)(1) of the Local Government Act 1972 and relevant caselaw. This requires that land owned by a local authority be **used for the benefit, improvement or development of that authority's area**. A decision to regulate the use of the land must relate to the purposes set out in that paragraph. Decisions which are not made on that statutory basis could be subject to challenge by the courts and, potentially, overturned.
- 4.8 Whilst the Committee may wish to take into account moral considerations and perceptions, it will be noted that the council does not enjoy the unfettered discretion to deal with its property as it wishes which private landowners have. Decisions as to how council owned land is used must take into account the overriding statutory constraints referred to in paragraph 4.6. A fuller analysis of the law and its implications for the Committee are set out in paragraph 7.2 below.
- 4.9 Were the Committee to remove the exemption in the afore-mentioned Charter relating to the use of horses and ponies and/or that relating to the showing of birds, and seek to rely on the Charter to deny Zippos a licence, then Zippos would not be able to provide a circus in Brighton & Hove, giving rise to a loss of revenue to the council of £6500 per annum (assuming the circus is an annual event). By contrast, if the Charter remains as is and a licence is granted then Zippos are likely to continue to stage a circus and the council could use the £6500 licence fee for the wider benefit of the area. Further, allowing the circus to go ahead would bring visitors to the area and, potentially, contribute to the local economy in other ways (shopping, eating at local restaurants etc.).

## **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 The Events Team have been consulted and advise that if Zippos Circus cannot perform here without the equestrian acts, there would be a loss of income to the council of approximately £6500 per annum (assuming that Zippos would otherwise have performed in the city once a year).
- 5.2 Zippos Circus has been consulted. See attached letter. Appendix 2
- 5.3 Circus Proprietors of Great Britain, the ACP who are the only trade body for the circus industry have sent in their views. Appendix 3
- 5.4 Chris Barltrop the former Chair of the Circus Industry Sub-group an interest group which participated in and contributed to the DEFRA Working Group which generated the Redford Report has sent in his views. Appendix 4
- 5.5 The petitioner gave the council a spread sheet which purported to list 354 Local Authorities and indicate their current policies in respect of performing animals and circuses. The spread sheet claimed that 218 local authorities had an outright ban, 107 had no policy and 29 had a partial ban similar to Brighton & Hove.
- 5.6 Council officers contacted 11 local authorities which were indicated as imposing an outright ban. These were Arun Council, Crawley Council, Greenwich Council, Lancaster Council, Blackpool Council, Lewes Council, Winchester Council,

Hastings Council, The City of London, Bristol Council and West Berkshire Council. A number of themes emerged from these discussions.

- The spread sheet was incorrect – some of the local authorities listed as having a full ban, do not currently have such a ban.
- It was unclear whether a ban was imposed by any of the 11 authorities at any point in the past. If it was then it was some years ago and there was a lack of information or knowledge regarding how or when this was done.
- It appeared likely that any ban in place at any past juncture was decided before the 1995 legal judgement and had not been challenged.
- Some of the local authorities contacted were unaware of the 1995 legal judgement.

- 5.7 None of the local authorities contacted were in a position to provide any helpful information on how to implement a lawful ban on performing animals in circuses taking into account the legal principles established in R v Somerset County Council [1995].

## **6. CONCLUSION**

- 6.1 Even if the Council amends its Animal Welfare Charter to remove the exemption involving equestrian acts using only horses and ponies in circuses, then the prohibition on the use of land owned by the Council land use may only be relied upon where it is lawful to do so
- 6.2 Each year, the Animal Warden Team make visits to Zippos Circus when it comes to Brighton & Hove and thus far have always encountered satisfactory standards of animal welfare. It is not considered that removing the exemption regarding the use of horses and ponies on welfare grounds alone could be justified.
- 6.3 If the Council were to remove the exemption and to rely on the Charter to refuse to grant Zippos a licence to perform on its land in future years then this would be likely to have an adverse economic effect on the area, in terms of loss of revenue to the council (hence less to spend on other services) and loss of visitors who might otherwise spend money on local services before or after their visit to the circus.
- 6.4 As a result, deciding to remove the exemption regarding equestrian acts and refusing Zippos a licence to perform on Council land on the basis of the amended Charter is considered to expose the Council to the risk of legal challenge. This is because no sustainable argument is considered to have been made as to how doing so might meet the statutory test as regards management of council owned land. For this reason, the Committee is advised to maintain the exemption in the Animal Welfare Charter.

## **7. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 7.1 The costs associated with regulating and enforcing the Animal Welfare Charter will be met from the Animal Warden revenue budget within the Environmental

Health and Licensing service. The 2017/18 net budget for the Animal Welfare service is £131,370.

The potential loss of revenue from Zippos Circus will be approximately £6,500 per annum, which could impact on the level of income receivable within the Sport and Leisure service unless an alternative event is booked.

*Finance Officer Consulted: Monica Brooks/ Gemma Jackson Date: 28/08/017*

Legal Implications:

7.2 The manner in which the Committee seeks to regulate how council owned land is used, this as well as the individual decisions it makes, must comply with relevant legislation and associated case law. Specifically, the committee must ensure that the placing of restrictions on the use of council land adheres to the legal principles established in *R v Somerset County Council Ex parte Fewings [1995]*, namely that:

- (i) land acquired by or deemed to have been acquired by a local authority under powers given by section 120(1)(b) Local Government Act 1972 must be managed **“for the benefit, improvement or development of their area”**; this is an overriding statutory constraint on the use that local authorities can make of land they own: a restriction which does not apply to private landowners ; and
- (ii) when considering proposals for use of local authority land, councillors “must understand that, however strongly held their personal views, they must consider the proposals in terms of benefit and detriment of the area.”

In the *Fewings* case, Somerset County Council had imposed a ban on deer hunting by hounds on land it owned, on the basis that the majority of councillors involved in the decision believed that such hunting involved unacceptable and unnecessary cruelty to the deer; their decision was founded on moral repugnance to hunting. According to the court, this was not a proper basis for the decision. The correct approach was for the council to decide the matter having made an objective judgement regarding whether or not deer hunting benefited their area.

The *Somerset* case emphasises the need for local authorities to base their decisions regarding land use on an objective judgement (rather than on moral perceptions alone) about what will be conducive of better management of the estate. In addition, the Court of Appeal emphasised that any expression of personal opinion (i.e. by members of the committee deciding the matter) must involve a judgement on **wider, community-based grounds of what is for the benefit of the area**. As a result it would be legitimate either for an individual committee member or for the committee collectively to disapprove strongly of some particular activity [for instance the use of ponies/horses in circus acts] whilst not being persuaded that banning the activity would be for the benefit of the area.

The **overriding objective** for the committee in reaching its decision must be the achievement of some benefit, development or improvement for Brighton & Hove. Failure to meet that objective (and to base the decision purely on moral issues) would render a council resolution to that effect amenable to legal challenge. The risk of challenge applies both to policy decisions (eg a decision to amend the Animal Welfare Charter) and also to individual decisions (for instance to grant a licence).

In any event, in its decision-making, the Council is required to have regard to any responses received from any interested parties in the course of any consultation process. It must consider relevant responses conscientiously and in accordance with established principles when it approaches its decision-making.

*Lawyer Consulted:*

Victoria Simpson

*Date: 6/9/2017*

Equalities Implications:

- 7.3 A rapid equality impact assessment has been carried out. No impacts have been identified.

Sustainability Implications:

- 7.4 None

Any Other Significant Implications:

- 7.5 None.

Crime & Disorder Implications:

- 7.6 None

Risk and Opportunity Management Implications:

- 7.7 The Council's interest in issues of social concern must be balanced against the purpose it manages land for the benefit of residents.

Public Health Implications:

- 7.8 None

Corporate / Citywide Implications:

- 7.9 The main impact of amending the Charter would be on the Council's Outdoor Events Policy.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. The extant Animal Welfare Charter.
2. Zippos Circus response to consultation
3. Circus Proprietors of Great Britain
4. Chris Barltrop the former Chair of the Circus Sub-Group of the DEFRA Working Group
5. Vet report

### **Documents in Members' Rooms**

1. None

### **Background Documents**

1. None

## **Animal Welfare Charter**

This charter has been adopted by Brighton & Hove Council to reflect the concerns of local people who care about animal welfare and any cruel treatment, abuse or neglect of animals.

In adopting the charter the Council hopes that it will provide an example to other agencies and individuals to prevent the unnecessary suffering of animals.

The Council supports the view that all animals have a right to life free from cruel treatment and unnecessary suffering.

It recognises that animals are capable of feeling, capable of enjoying a state of well being and equally capable of suffering and therefore considers animals have the right to enjoy five basic freedoms:

- freedom from fear and distress
- freedom from hunger and thirst
- freedom from pain, disease and injury
- freedom from unnecessary constraint
- freedom from physical discomfort

The Council will look to these five freedoms for guidance when exercising its statutory powers in relation to animal health and welfare matters. Although the charter is not intended to cover every aspect of animal welfare, it does detail those areas that the Council considers most important and where it hopes it can have some influence as a public body.

The Council will endeavour to display and disseminate this charter widely and welcomes comments to enable a review at a later date to ensure that it is in line with changes in national and European legislation, local circumstances and the growing public concern about animal welfare.

The Council calls upon all members of the public to support this charter and to draw to the attention of the Council any contraventions of the provisions contained within it.

Through lawful means the Council will also use its best endeavours to promote improvements in animal welfare by taking account of animal welfare issues in the Council's 'day to day' operations, in its 'decision making' processes and through influence in association with other authorities, voluntary welfare groups and government agencies.

In particular:

**The Council will enforce the statutory powers it has in respect of animal health and welfare.**



- will continue to fund and operate a dog control scheme incorporating an animal welfare service and believes that the animal welfare staff have an important role in advising and educating the public.
- will promote responsible dog ownership both by enforcement and education by:
  - taking action against infringements of the local bylaws and relevant legislation
  - the production of advisory leaflets on responsible dog ownership
  - educational campaigns to promote responsible dog ownership and knowledge of all relevant bylaws and legislation and ensure that owners are aware of their responsibilities regarding clearing up after their dogs
- will continue to provide dog faeces bins throughout the city and to publicise their use
- will continue to give a high priority to preventing and clearing up dog faeces through education and cleansing campaigns
- will continue to provide a micro chipping service for animals
- will undertake animal welfare licensing to secure the health and welfare of animals in reasonable standards of hygienic accommodation with proper control against infectious disease spread
- will take enforcement action to counter unlicensed premises and contravention of licence conditions
- will fulfil its statutory responsibilities under the Animal Health Act if appropriate by
  - seeking to encourage good practice by maximising publicity where prosecutions are brought
  - prepare and distribute to all involved material explaining the regulations so as to promote a better understanding of the law and greater compliance with the various welfare codes
  - liaise closely with other enforcing agencies to ensure a co-ordinated approach

**The Council will take full account, where appropriate, of animal welfare issues in its day-to-day operations and in its decision making process.**

- will consider its procurement policy in relation to its role as a purchaser of food taking into account the guiding principles when determining the suitability of food sources
- will respect the concerns of those who have adopted a lifestyle that questions the morality of killing animals for food and actively promote vegetarian and vegan alternatives at council establishments

- will encourage education establishments to adopt a policy of animal welfare in all schools with awareness and promotion to pupils of the issues
- will ensure that all pest control treatments are carried out humanely and by trained and experienced personnel
- will ensure the previous policies opposing blood sports and circuses where performing animals or caged animals are used are sustained ensuring that all legal processes are followed
- will support the principles in respect of wildlife by:
  - opposing all forms of farming which cause distress or unnecessary suffering
  - use its best endeavours to encourage farming practices that have the minimum impact on animal welfare
- will support the use of the fire brigade resources for animal rescue in accordance with welfare codes.

**The Council will use its best endeavours to promote improvements in animal welfare through its influencing role and in association with other organisations.**

- will publicise this charter throughout the city in libraries and other service outlets
- will liaise with voluntary welfare groups which operate peacefully within the law, whilst deploring the activities of those who operate outside the law
- will lobby government departments, professional organisations, local authority associations etc. to bring the views of the local community to their attention
- will oppose the shipment of live animals for slaughter and lobby the national government and the European Union to ban the export and import of live animals for this trade
- will support schemes for teaching pet care and ownership with others
- will seek the support of businesses for this charter

### **Specific Policies:**

**Blood Sports:** The Council, where it is lawful to do so, will prevent any blood sports being carried out on its own land and will encourage its tenants not to allow blood sports.

**Performing animals and circuses:** Where it is lawful to do so, the Council will not allow land it owns to be used by circuses and other like enterprises of entertainment where caged and or performing animals are used. Save as exemptions as follows:

- of performances involving equestrian acts using only horses and ponies

- or greyhound racing behind an artificial lure
- or horse racing
- or cat or dog breed shows
- or dog agility events
- or the showing of birds, rabbits or other domestic animals

All performances covered by the exemption will be subject to both the Strategic Director of Environment & Housing and Culture & Regeneration being satisfied that in each case that there is no form of cruelty and that all animals are well treated both during performances and whilst being trained.

*Note: Where an animal is used, the following is considered: companion animals, farm animals, animals used for experimentation and wild animals.*

Zippos response

WOC Ltd t/a "ZIPPOS CIRCUS"  
Circus HQ, Enborne, Newbury, RG20 0LD

June 15th 2017

Dear Councillor,

Re: EDC Committee meeting 22 June 2017/Petition to ban animal circuses in Brighton and Hove

I am writing on behalf of Zippos Circus. You may recall that I wrote to you earlier this year about the petition seeking to ban animal circuses in Brighton and Hove, which will be presented to the EDC Committee meeting on 22nd June 2017.

I wanted to take this opportunity to remind you of our position and reassure you of the excellence of the animal husbandry at Zippos Circus. Our circus has featured domestic animals – horses and budgerigars in 2017 - for over 20 years. During this time we have been praised by many for our animal husbandry, complied fully with the Animal Welfare Act 2006, worked closely with Local Authorities, including Brighton and Hove, as well as vets and animal welfare organisations to ensure that our high standard of animal care is upheld. To this end, I am attaching a recent report by independent Veterinarian Stephen Ware BVM&S MRCVS

We have several concerns about the petition as follows:

- 1) The petition states that the majority of local councils in the UK have banned circuses with animals on their grounds, this is untrue. The majority allow domestic animals – which include the horses and birds we feature.
- 2) There is no scientific evidence to back up the petition's statement that travelling and performing life is not suited to domestic animals, evidenced in the Government's own "Radford Report" from Oct 2007 see <http://webarchive.nationalarchives.gov.uk/20130402151656/http://archive.defra.gov.uk/foodfarm/farmanimal/welfare/documents/circus-report.pdf>
- 3) We do not believe we are in breach of the City's Animal Welfare Charter as we have been performing with permission on the Lawns for two decades with a variety of domestic animals not just horses.

Perhaps most importantly, our critics do not represent the view of the majority of the local community and tourists – tens of thousands of whom have visited us on the Lawns and derive much pleasure from doing so. Instead, the petition represents the views of a small but very vocal group of animal rights supporters who are passionately opposed to the use of animals in everything from circuses to food and clothing (wool and leather). This group can be found protesting outside a variety of places including supermarkets (for selling meat), The British Heart Foundation shop (against animal testing) and the Sea-life Aquarium (against animals in captivity).

If the council decides to prohibit domestic animals in circuses that visit the city will they also restrict similar Horse and Dog shows – I remember seeing The Spanish Riding

School perform at The Brighton Centre would this no longer be allowed? “Pudsey” a performing dog won the TV show ‘Britain’s Got Talent’ and now tours performing in a show “The Wizard of Oz – for all I am aware this may have or may be booked at the Theatre Royal or The Dome? For if the restriction on working domestic animals only applies to circus and not other local entertainment venues then surely this is discrimination?

We very much hope that the petition will be seen for what it is – as a petition created and supported by a minority of vocal animal rights supporters – and enable us to continue to visit Hove Lawns to entertain families and tourists in your area.

If you have any questions ahead of the Committee Meeting please do not hesitate to contact me. We hope that we can count on your support.

Yours sincerely

David Hibling

Creative Director of Zippos Circus  
Email [david@zippos.co.uk](mailto:david@zippos.co.uk)

Circus Proprietors of Great Britain

Dear Mr Pickford

My name is Paul Archer and I'm the secretary of the Circus Proprietors of Great Britain, the ACP who are the only trade body for the circus industry, set up in 1932 to represent its members on matters arising with proposed new legislation with local and central government.

It has been brought to our attention that a proposal to ban animals in the Circus on all council land in the Brighton and Hove area would affect one of our members, namely Zippos Circus.

As Zippos Circus comes to the area on an annual basis and is the only Circus that has animals in its performances your acknowledgement it would appear that an outright ban would significantly affect only the business of this particular Circus.

This would appear to be very harsh when you consider that there are already very powerful existing laws in place to deal with animal welfare in circuses and even more worrying that you would be targeting a Circus with no allegations, court cases or prosecutions involving animal cruelty. It would be outrageous to even suggest a ban on all shoe shops in town because one shop had sold some defective footwear however it seems to be acceptable to ban circuses working with animals despite no scientific proof that circus is inherently cruel and by also over-riding existing national legislation which has worked for all involved.

I've noticed with animal rights groups and their way of wording proposals to ban, normally state "after a survey of people" and the survey headline usually has the line "would you support a ban on the Cruel Circus" well yes I as secretary of the ACP would support a ban on a cruel circus but please stop and think as I said before there is no evidence to suggest an animal circus is inherently cruel so we end up with a ban coming into force so often under false allegations.

Sincerely I would hope that a decision hasn't been made already and that you are open to both sides of opinion where if you ask an open question to the public you will get the vast majority in support for good animal welfare in good quality establishments including circus, one would certainly pray that you have no bias against animals in circus like some animal rights groups tend to.

I wouldn't advise this as a closely veiled ethics call either as I feel you would need to be more open with the ultimate reality of banning all animal/ human working environments and seeking to ban people having pets as an equal target as this would also be considered un-ethical and if this is a rubber stamp job then I think the public at large need to know the committees agenda as a whole and make them aware that the Racecourse and the Aquarium in town will be targeted next.

Please support quality Circus with animals by continuing to supply sites to them where councils still have full control over their activities.

Mr Pickard if you require further comments or representation please contact me directly on 07050 282624 or to this email.

Kind regards  
Paul Archer

10th July 2017

Brighton & Hove City Council  
Bartholomew House  
Bartholomew Square  
BRIGHTON BN1 1JP

Attn: Mr Roy Pickard, Environmental Health Manager

## ANIMALS IN CIRCUSES

I write as a member since the early 1970s of the Classical circus community, working as a ringmaster and manager in Great Britain and abroad. I was Chair of the group of circus people whose participation in the DEFRA Circus Working Group over a lengthy discussion period contributed to a government Report (Wild Animals In Circuses, Nov 2007, commonly referred to as the 'Radford Report').

In contributing to the Radford Report, six specialist Academics reviewed evidence on both sides of the question. Three were nominated by the circus community, and three by organisations opposed to the use of animals in circuses. Despite this antipathy, the Academics' conclusions were unanimous. They include the words: On the basis of the scientific evidence submitted to it, the (Academic) Panel concluded that such an argument (to ban the use of wild animals in circuses) had not been made out.

and further note was made by the Chair, a specialist Lawyer, that: Ministers do not have before them scientific evidence sufficient to demonstrate that travelling circuses are not compatible with meeting the welfare needs of any type of non-domesticated animal presently being used in the United Kingdom. It is further submitted that such a decision must be based on scientific evidence, and other considerations are extraneous, and therefore unlawful in the context of section 12. Furthermore, in the absence of compelling scientific evidence, any attempt to ban the use of an animal would fall foul of the principle of proportionality.>>

I am aware that, as the City's only visiting animal circus, this discussion will centre around Zippo's Circus, which has no animals classified as 'wild'. However, my comments below about Regulation reflect the proven high standard of circus animal care in general, and the care taken by Zippo's to ensure the highest standards of physical and behavioural care for their animals.

Circus people welcome constructive criticism. They have responded to advice from the world's leading animal behaviourists and welfarists to ensure the behavioural needs of their animals are met to the same high standards as their physical welfare.

Circuses have themselves been the leaders in proposing and initiating moves to guarantee those standards to the general public. The English government's current Licensing system for wild-animal circuses is an example of those proposals brought to official fruition. Licences are granted only after DEFRA experts have made thorough and stringent inspections of a circus on tour and when resting. Those inspections include surprise visits, and cover every aspect including records of day-to-day care, nutrition and food stocks, transportation vehicles, and a huge amount of documentation



covering every aspect. This inspection régime costs the tax-payer nothing; it is charged-back in full to the circuses involved.

My own personal contact with circus trainers over many years has shown me the affection which exists between them and their animals. I appreciate that exceptional incidents have come to light, but my experience persuades me that these are indeed exceptional, and that the norm within the circus community is of partnership with the animals rather than domination, and certainly not cruelty. Radford confirmed that animal care in circuses equals that given in zoos and safari parks, and that transportation is not an issue as the animals are so familiar with it as part of their regular routine.

No doubt you have heard from organisations with a vested interest in condemning circuses. That 'interest' includes both financial and political gain. Their published material is persuasive, hinging on emotive appeal, and is designed to generate outrage towards many – indeed, any! -- whose work and / or lifestyle involves working with animals. As such, its accuracy is highly questionable. An eminent American animal behaviourist, Professor Ted Friend, wrote to the then UK government Minister Lord 'Jeff' Rooker that, when he and his colleagues were told their lengthy specialist researches on behalf of the US government were extensively quoted in one such document, they were 'flattered'. However, on reading a copy, they were appalled to discover that their work had been (as his letter put it) 'egregiously misrepresented', with oddments cherry-picked to suit an anti-circus argument. Animal rights organisations fund University departments to produce such 'reports'; integrity is sadly lacking.

Public 'surveys' are also highly questionable. It is a simple matter to word questions so as to 'steer' responses. A huge proportion of the responses to a DEFRA survey were rejected as 'stereo'd', motivated not by genuine individual concerns but representing templates issued by activist organisations. In contrast, two small circuses asked their audiences' response as first-hand witnesses over a period of only four weeks. Audience members were invited to answer three simple questions, worded to allow comments 'for' or 'against' the performances they'd just seen and the condition of the animals. Positive responses were almost unanimous, and 4000 such responses were collected in that short time. DEFRA hold examples.

While I praise all those who work for the cause of animal welfare, I am suspicious of individuals and organisations who refuse to acknowledge welfare progress in favour of an animal rights agenda. The philosophy of animal rights is diametrically opposed to that of animal welfare. It seeks to end all contact between humans and animals. I do not believe measures towards such an agenda would be of ultimate benefit to either human beings or to the natural world of which we are all part. A brief glance at the same websites which condemn circuses confirms that farming, horse-racing, and even pet ownership are also targetted in a philosophy which, if encouraged, would radically affect many aspects of social and economic life, both personally and nationally.

Despite the vast sums they raise in donations, those 'campaign' organisations do little or nothing to help protect animals threatened by poachers, by rising populations, and by environmental deterioration, aspects which truly affect the future of the natural world. Circuses show how humans and animals can work and live together in cooperative partnership; they may even help highlight the plight of their poacher-threatened cousins.

The circus people live for their animals, and the traditional circus with animals is acknowledged to be an important aspect of our culture. The European Parliament voted strongly in favour of animal circuses as an important cultural phenomenon:

“Whereas it would be desirable for it to be recognized that the classical circus, including the presentation of animals, forms part of European culture ”

(European Parliament Resolution, 13 October 2005)

I hope that, rather than condemning circuses in the face of the body of positive evidence provided by open-minded and truthful research, you will choose to help protect both the circus, as a vigorous and cherished aspect of all our cultural heritage, and its animal performers. I believe it would be unethical to ignore that evidence and thus to remove the public's right to choose.

Thank you for your consideration of these points. I shall be happy to provide further comment, documentation, etc., if requested.

With kind regards.

Chris Barltrop

Sent via email only

[david.hibling@orange.fr](mailto:david.hibling@orange.fr)

25<sup>th</sup> August 2017

To Whom It May Concern:

Re: Horses of Zippos Circus, Circus HQ, Enborne, NR Newbury, Berkshire, RG20 0LD

At the request of Mr David Hibling, I attended the horses at King Alfred Gardens, Hove Lawns, Brighton on the morning of 25<sup>th</sup> August 2017. During my examination, I was accompanied by David Hibling, Mr Norman Barnet and Mr Tamerlin Khadikov. There are six horses used for entertainment during Zippos Circus performances. My examination consisted of examining all six horses, their stabling (sources of feed and water) and means of transportation.

**"Glorioso XXVI" Microchip number - 724010150017948**

This horse has a small abrasion over the left eye. This is only as deep as the hair follicle layer and of little clinical significance. The area is being appropriately managed and in my opinion, is only aesthetic in nature, and therefore should not restrict the horse's ability to be exercised. This horse is in excellent body condition otherwise with its teeth rasped, feet trimmed, and on sight of its passport, up to date vaccinations.

**"Herceg" Microchip number 528210002523976**

This horse is in excellent body condition with its teeth rasped, feet trimmed. No obvious ailments and when its passport was sighted all vaccinations were up to date.

**"Shamon" Microchip number 528210000418449**

This horse is in excellent body condition with its teeth rasped, feet trimmed. No obvious ailments and when its passport was sighted all vaccinations were up to date.

**"Hurricane" Microchip number 958000001267385**

This horse is in excellent body condition with its teeth rasped, feet trimmed. No obvious ailments and when its passport was sighted all vaccinations were up to date.

Continued/...

**RCVS ACCREDITED EQUINE HOSPITAL**

**DIRECTORS**

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**Finance Manager**  
L. Marter CVPM

**Operations Manager**  
C. Squires MCIPD

**Assistant Practice Manager**  
T. Bricker

**“Zeus” Microchip number 985120020841095**

This horse is in excellent body condition with its teeth rasped, feet trimmed. No obvious ailments and when its passport was sighted all vaccinations were up to date.

**“Nadim” Microchip number 528210002505826**

This horse is in excellent body condition with its teeth rasped, feet trimmed. No obvious ailments and when its passport was sighted all vaccinations were up to date. This horse is a stallion and as such I recommended that a notification be put on the fence.

Examination of the stabling area indicated six stables that measured 3m x 3m. There is plentiful water supply close by (hosepipe good pressure). There were two large round bales of very good quality hay stored adequately. The sides of the tent can be easily raised for increased ventilation.

It was noted that the stabling is beside the road and during the early evening the sides of the tent are raised so the general public walking passed can look at the horses.

The transportation was examined which consisted of a large horsebox (herringbone at the back with an area in front for hay, feed and props etc.).

In my opinion, these horses are extremely well cared for and exceed all minimum criteria for welfare standards set by the FEI (Federation Equine International) and the BHS (British Horse Society).

If any further information is required please do not hesitate to contact me directly.

Yours sincerely,

Dr. R.J van Pelt BSc, BVSc, Cert EP, MRCVS  
*RCVS Advanced Practitioner General Practice*

<b>Subject:</b>	<b>Toad's Hole Valley Supplementary Planning Document -</b>		
<b>Date of Meeting:</b>	<b>21 September 2017</b>		
<b>Report of:</b>	<b>Executive Director Economy, Environment &amp; Culture</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Paula Goncalves</b>	<b>Tel: 01273 292352</b>
	<b>Email:</b>	<b><a href="mailto:paula.goncalves@brighton-hove.gov.uk">paula.goncalves@brighton-hove.gov.uk</a></b>	
<b>Ward(s) affected:</b>	<b>Hangleton &amp; Knoll, Hove Park and Withdean</b>		

**FOR GENERAL RELEASE****1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 This report sets out the results of consultation undertaken on the draft Toad's Hole Valley Supplementary Planning Document (SPD), seeks approval for the changes made and recommends the adoption of the SPD. Once adopted, the SPD will assist in the delivery of City Plan Part One by providing guidance, illustrations and examples to aid the preparation of detailed development proposals and support the successful delivery of a new neighbourhood for the city at Toads Hole Valley.

**2. RECOMMENDATIONS:**

That the Tourism, Development & Culture Committee:

- 2.1 Notes the results of the public consultation (Appendix 1) on the draft Toad's Hole Valley SPD and accompanying Consultation Statement (Appendix 2) and Strategic Environmental Assessment (Appendix 3) and endorses the changes made to the document.
- 2.2 Adopts the SPD15 'Toad's Hole Valley' (Appendix 4) as a SPD subject to any minor grammatical and non-material text and illustrative alterations agreed by the Head of Planning prior to publication.

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 Toad's Hole Valley (THV) is a 37 hectare greenfield site located on the northern fringe of the Brighton & Hove built up area. It is bounded by the A27 bypass to the north and King George VI Avenue to the south. THV is a strategic site allocation in the adopted City Plan Part One (Policy DA7 Toads Hole Valley). The allocation is for a modern, high quality and sustainable mixed use development to help meet the future needs of the city. The allocation includes a minimum of 700 residential units, a minimum of 25,000 sqm of office space (B1a and b) and space reserved for the provision of a new secondary school.

- 3.2 City Plan Part One Policy DA7 Toad's Hole Valley recognises the strategic importance of the site and the challenges of delivering development on the site. It identifies the council's commitment to preparing detailed planning guidance for the site in consultation with the landowners/developer and relevant stakeholders. This is being taken forward in the form of the SPD.
- 3.3 The Issues and Options was the first stage in the preparation of this SPD. It involved early engagement with stakeholders to understand the Issues and Options including the type and extent of guidance that was required to support Policy DA7. The Issues and Options stage report was agreed by this committee on 10 March 2016.
- 3.4 The results of the Issues and Options stage informed the preparation of the Draft Supplementary Planning Document (SPD). The Draft SPD provides advice and guidance on how the placing and form of development at Toad's Hole Valley can help deliver an economic, social and environmentally healthy new neighbourhood that meets the needs of its users. Permission to consult on the Draft SPD was granted by this committee on 12 January 2017.
- 3.5 The consultation on the Draft SPD was undertaken between 27 February and 4 May 2017. An invitation to comment on the Draft SPD was sent via email to 219 individuals; businesses; organisations; community and amenity groups; landowners and developers of the site; elected members; council, district and South Downs National Park Authority (SDNPA) officers; and statutory planning consultees interested in the development of the Toad's Hole Valley site. The consultation was also promoted across the city via press release, video, the council's Twitter and Facebook social media outlets and a dedicated webpage displaying information about the consultation together with relevant documents for viewing and/or downloading.

### **Outcome of Consultation on Draft SPD**

- 3.6 A total of 138 representations were received during the consultation period from 114 individuals, 16 from representatives of various organisations, 7 statutory consultees and 1 landowner/developer. Of the individuals who responded, 25 supported the representation made by the 'Campaign to Save Toad's Hole Valley'.
- 3.7 The 7 statutory consultees that responded to the consultation (Environment Agency, Highways Agency, County Ecologist, Historic England, Natural England, SDNPA and Sport England) all broadly supported the content of the SPD.
- 3.8 Most respondents raised few issues with the content of the document beyond small changes/ minor alterations to various aspects of the document. Particular elements of the SPD that were supported include:
- provision of affordable housing;
  - protection of wildlife and/or restoration and long-term maintenance SNCI;
  - creation of links to the South Downs National Park and neighbouring communities; and
  - the potential to secure improvements to bus services.

- 3.9 In terms of concerns raised some respondents (mainly individuals) were disappointed with technical language used in the document, felt that there had not been enough consultation and were disappointed that the SPD did not set out more detailed design. Key concerns focused on:
- the impact of the THV development on the local road network, air pollution, road safety and/or traffic flow in surrounding areas;
  - the potential for overspill of parking onto neighbouring areas should there be insufficient parking provided at THV;
  - the importance of getting the transport assessment right with many signposting traffic network pressure points and/or suggesting design solutions that could help reduce the impact of the new development; and
  - disappointment that support had not been given to a garden city/suburb approach to development design.
- 3.10 Although A number of respondents (23) objected to the overall principle of development of THV and/or the parameters set out for the development site as a whole this is not a valid objection to the SPD as the site is already allocated for development in the adopted Plan.
- 3.11 An objection was also received from the landowner/developer asserting that the Draft SPD was unlawful in terms of its content insofar as it was considered that the SPD set out planning policy. Furthermore, they stated that the SPD did not meet the tests set out in the NPPF. Amendments have been made to address this concern to clarify the advisory and guidance status of the SPD and these are outlined in Appendix 2 Consultation Statement.
- 3.12 The main issues raised from the public consultation which were relevant to the SPD are summarised in the Consultation Statement that accompanies this SPD (see Appendix 2). Many of the issues raised have been positively incorporated into the SPD. Some of the issues raised during the consultation fall outside the remit of an SPD and/or would have significantly reduced it's effectiveness. The Consultation Statement also indicates how key concerns raised have been or will be addressed.
- 3.13 Concerns regarding transport issues will be addressed through the planning application process mainly via the Transport Assessment that will provide an appropriate level of analysis and mitigation for the scale of development.

### **Role of the SPD**

- 3.14 The purpose of the SPD is to assist in the delivery of Development Plan policies, in particular City Plan Part One Policy DA7's vision for 'a modern, high quality and sustainable mixed use development [that helps to] meet the future needs of the city, improve accessibility and provide new community facilities to share with adjacent neighbourhoods.'
- 3.15 To that effect the SPD provides illustrations and examples which could aid the preparation of detailed development proposals and support the successful delivery of a new neighbourhood for the city. As such, the SPD:
- identifies opportunities to meet the policy requirements as set out in City Plan Part One Policy DA7 and the City Plan generally; and

- signposts good practice examples of how the challenges of the site (topography, access, linkages, landscape impact and drainage) have been addressed elsewhere in the city or in other areas.

3.16 The SPD is subject to a Strategic Environmental Assessment (SEA) that evaluates the contribution made by the SPD towards achieving sustainable development and has a particular focus on environmental concerns. The SEA Scoping Report was subject to consultation in February and March 2015 and its content informed the Issues and Options Paper. The Issues and Options paper was subject to SEA which fed into development of the draft SPD. The draft SPD was also evaluated, as were the changes made to the SPD arising from consultation comments. A final SEA report has been produced which brings together the various stages (see Appendix 3).

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

4.1 Options were fully considered at the Issues and Options and the Draft SPD consultation stages and these have informed the detail and content to the SPD. Consultation on this is a requirement of Part 5 of the Town and Country Planning (Local Planning) (England) 2012 Regulations and has been undertaken in accordance with the council's Statement of Community Involvement.

4.2 The SEA process has further allowed for the consideration and analysis of alternative options.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

5.1 The council's Statement of Community Involvement (SCI) sets out policy and standards for engaging residents, local groups, stakeholders and statutory consultees in the preparation of planning-related documents. The issues and options paper was the subject of consultation in March and April 2016.

5.2 The Draft SPD was subject to consultation between late February and early May 2017 (the nature of the consultation is summarised in 3.5 of this report and set out in more detail in Appendix 1).

#### **6. CONCLUSION**

6.1 The main purpose of this report is to adopt Toad's Hove Valley SPD to support and enable the delivery of high quality and sustainable development of the site.

#### **7. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

7.1 There are no financial implications associated with adopting the recommendations of this report.

*Finance Officer Consulted: Name Gemma Jackson*

*Date: 02.08.2017*



#### Legal Implications:

- 7.2 The Town and Country Planning (Local Planning) (England) Regulations 2012 govern the content of, and the procedure for adopting, SPDs. The Regulations provide that SPDs cannot contain planning policy but can contain statements regarding environmental, social, design and economic objectives relevant to the attainment of the development and use of land.
- 7.3 SPDs must be subject to a period of at least 4 weeks' public consultation prior to adoption.
- 7.4 Once adopted a SPD will be a material planning consideration in the determination of relevant planning applications.
- 7.5 *Lawyer Consulted: Hilary Woodward Date: 10.08.17*

#### Equalities Implications:

- 7.6 City Plan Health & Equality Impact Assessment (HEQIA) issues relevant to this SPD have been considered, particularly those identified for policy DA7. Equalities issues include citywide affordable housing provision and site infrastructure. Monitoring and implementation measures have been put in place to evaluate the impact of this SPD as a result.

#### Sustainability Implications:

- 7.7 Sustainability issues inform all of the measures promoted in the SPD, which as referenced above, have been informed by the findings of the SEA Scoping Report.

#### Crime & Disorder Implications:

- 7.8 The preparation of the SPD allowed for more detailed consideration and guidance regarding layout and design features which could help deter crime or disorder and the fear of crime. The SPD considers issues of Secured by Design.

#### Risk and Opportunity Management Implications:

- 7.9 The THV SPD will provide guidance on implementing policy DA7 Toad's Hole Valley. Responses received as part of the consultation at the issues and options stage have helped inform the SPD. The SPD is intended to facilitate delivery of this strategic allocation in the City Plan and reduce the risk of non-delivery.

#### Public Health Implications:

- 7.10 Development at THV is expected to support sustainable lifestyles in the site itself and surrounding areas. Opportunities have been identified in the SEA Scoping Report and these informed the production of the Issues and Options paper and informed the consultation workshops. The City Plan policy makes provision for multi-use community facility to include a doctor's surgery and open space to be provided on the site. The production of the SPD for the site will help support the timely provision of necessary infrastructure to support a sustainable and mixed

use community. The site is surrounded by busy roads. Minimising the noise and other traffic impacts of the A27 is a concern that came out of the consultation and the SPD suggests how this issue might be addressed.

Corporate / Citywide Implications:

- 7.11 Toad's Hole Valley is the city's largest greenfield development site. The delivery of development at the THV site is fundamental in realising the objectives of the City Plan Part One. The site is expected to make a substantial contribution to meeting identified housing, education, office, open space and transport needs as well as the long-term, sustainable growth of the city. As such, it presents a major opportunity to deliver purpose-built, mixed-use sustainable development that contributes to meeting the city's identified needs. The production of a SPD for the site seeks to assist the successful delivery of development and in particular the timely delivery of necessary infrastructure to support the development.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Draft SPD consultation report
2. Consultation Statement
3. Strategic Environmental Assessment (SEA) non-technical summary
4. Toad's Hole Valley SPD

### **Documents in Members' Rooms**

- Strategic Environmental Assessment (SEA)

### **Background Documents**

- Draft THV SPD consultation report
- Draft THV SPD consultation report Appendices
- City Plan Part One
- EDCC reports

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

# **Toad's Hole Valley**

## **Supplementary Planning Document**

### **Draft SPD consultation report**

May 2017

## Contents

1. About this report
2. Summary of findings
3. Methodology
4. Representations received
5. Detailed findings



### 1. About this report

- 1.1. This report summarises the findings of the consultation on the draft Toad's Hole Valley Supplementary Planning Document (SPD) conducted by Brighton & Hove City Council's Policy, Projects and Heritage team.
- 1.2. This draft SPD is the second stage of a two-step process to prepare planning guidance as referred to in City Plan Part One Policy DA7 Toad's Hole Valley.
- 1.3. The aim of the consultation was to gather views from individuals, statutory planning consultees and businesses and organisations from across the city on how an SPD could best support the successful delivery of development on this strategic greenfield site.
- 1.4. The findings of this consultation have informed the final version of the SPD; and the adoption of this document will be sought from the council's Economic Development & Culture Committee in June 2017.

## **2. Summary of findings**

- 2.1. The council received 138 representations half of responses were received via the council's online Consultation Portal (69) and the other half via email (68), with one response being received by hand (1). For a transcript of all representations please see Appendix 1.
- 2.2. The sections and topics outlined in the Draft SPD that attracted most comments are outlined below with a summary of the comments made:

### **Transport and travel**

- Importance of reducing impact of THV development on quality of life, road network, air pollution, noise and/or road safety and/or traffic flow upon neighbouring areas and the need to get transport assessment and/or road design, access points and/or mitigation costs right;
- Importance of providing sufficient parking at THV to avoid added pressure/overspill into surrounding areas;
- Suggestions put forward regarding road network, road safety and traffic flow including creating room for buses and/or cycles;
- Importance of delivering improved, new links to SDNP, neighbouring areas and/or city centre in particular for pedestrians and cyclists; and
- Need for public transport improvements to be designed in and secured as early as possible in the development process.

### **Housing**

- Support for 40% affordable provision; and
- Concern that density, height and/or numbers identified for THV are not in keeping with surrounding neighbourhoods.

### **Materplanning and landscape-led design**

- Support for a garden city / green suburb design approach for the neighbourhood.

### **Public realm and blue-green infrastructure**

- Support for securing SNCI restoration/long-term maintenance arrangements and/or protecting wildlife and/or delivering Biosphere objectives; and
- Important that the appropriate amount of park area, open spaces, children play and outdoor sports facilities are provided in the right places, are safe and/or for all age groups as part of a network connecting communities in and around the development.

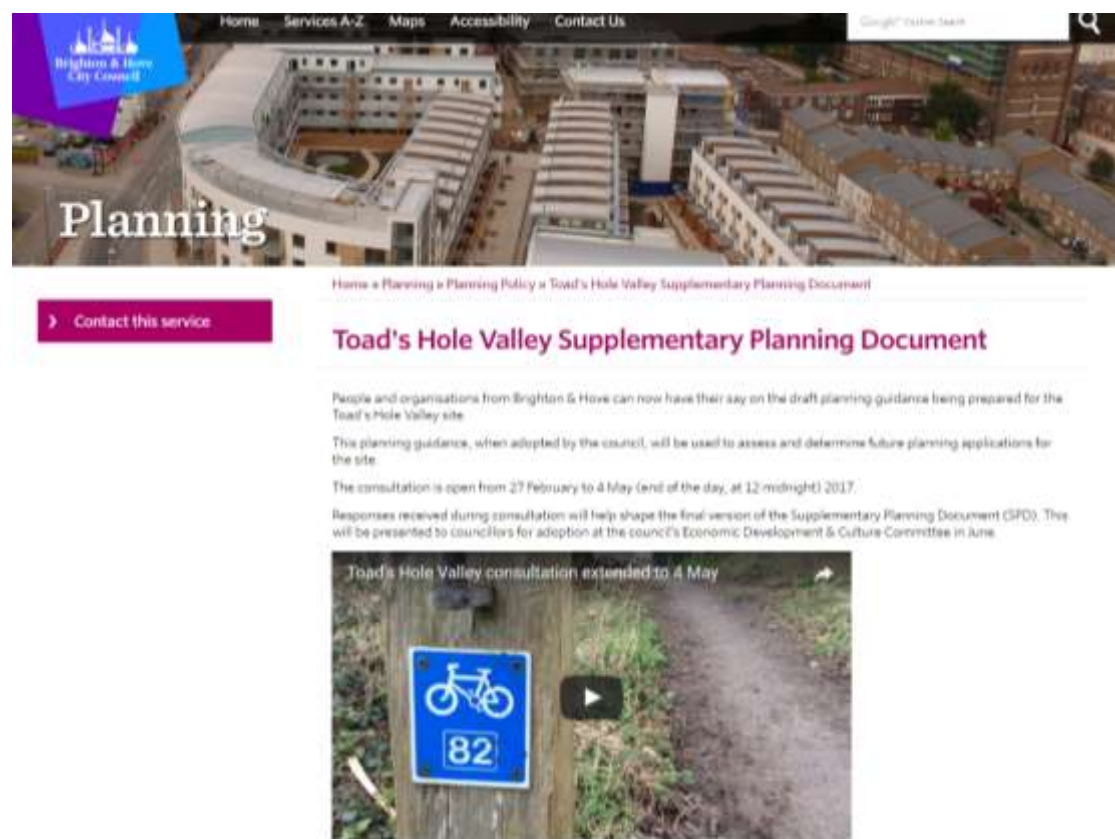
### **Other issues**

- Disappointed with technical language used in the document, that there has not been not enough consultation, that detailed design is not provided and/or policy expectations were not met via the SPD.

## **3. Methodology**

- 3.1. The consultation was undertaken between 27 February and 4 May 2017.

- 3.2. The consultation undertaken was guided by the council's adopted Statement of Community Involvement (see Appendix 1)?.
- 3.3. An invitation to comment on the draft SPD was sent via email to 219 individuals; businesses; organisations; community and amenity groups; landowners and developers of the site; elected members; council, district and South Downs National Park (SDNP) officers; and statutory planning consultees interested in the development of the Toad's Hole Valley site.
- 3.4. The consultation was promoted across the city via press release, video, the council's Twitter and Facebook social media outlets and a dedicated webpage displaying information about and the documents relevant to the consultation for viewing and/or downloading.



- 3.5. Printed copies of the draft SPD and accompanying Strategic Environmental Assessment (SEA) were made available in the Jubilee, Hove and Hangleton Libraries.
- 3.6. A staffed exhibition took place on Saturday 18 March in venues close to Toad's Hole Valley at the Hangleton Community Centre from 10am to 1pm and St. Peter's Church, West Blatchington from 1.30pm to 4.30pm. This allowed attendees to view sections of the SPD printed on panels, raise concerns and ask for clarification on aspects of the SPD with council officers to help inform their responses.





- 3.7. Exhibition panels were available for viewing from 20 to 24 March 2017 at the Hove Town Hall Customer Service Centre. The Panels were also available to view electronically on the council's website on the Consultation Portal.
- 3.8. Representations were received via the council's online Consultation Portal, email and Post.

## 4. Representations received

- 4.1. The council received 138 representations. Of these 69 (51%) representations were submitted online through the council's Consultation Portal and 68 (49%) representations were received via email. One letter was received by hand.

Consultation Portal
Draft Toad's Hole Valley SPD

### Toad's Hole Valley Draft Supplementary Planning Document (THV SPD) consultation

People and organisations from across the city have a chance to have their say on draft planning guidance being prepared for the Toad's Hole Valley development site which, when adopted by the council, will be used as a guide to assess and determine future planning applications coming forward on the site.

**Consultation is from 27 February to 4 May 2017.**

Responses received during consultation will help shape the final version of the SPD which will be presented to councillors at the council's Economic Development & Culture Committee in the spring.

A copy of the full Supplementary Planning Document can be found by [CLICKING HERE](#), all appendices by [CLICKING HERE](#) and the Strategic Environmental Assessment (SEA) by [CLICKING HERE](#)

To make a comment about the Toad Hole Valley Supplementary Planning Document and accompanying Strategic Environmental Assessment (SEA) please select 'start survey' below.

To make a comment about the SEA only please select 'start survey' below and refer to page 2 of the survey

**Toad's Hole Valley Supplementary Planning Document**  
Draft SPD Consultation report, May 2017.

- 4.2. Of the 67 representations received via email, 25 endorsed the representation submitted by the Campaign to Save Toad's Hole Valley (see Appendix 1).
- 4.3. Representations were received from 114 individuals, 16 from organisation representatives, 7 statutory consultees and 1 landowner/developer.
- 4.4. Representations were received from representatives of the following:
- Bricycles and Cycling UK Brighton and Hove
  - Brighton & Hove Economic Partnership
  - Brighton Area Buswatch
  - Brighton Society
  - Campaign to Protect Rural England - Sussex Branch (CPRE Sussex / CPRE Sx)
  - Campaign to Save Toads Hole Valley
  - Friends of the Earth - Brighton & Hove
  - Goldstone Valley Residents Association
  - Goldstone Valley Facebook group
  - Hangleton and Knoll Project;
  - Hove Civic Society
  - Hove Park Forum
  - Landowners/Developers of western, largest section of Toad's Hole Valley site;
  - National Trust
  - Regency Society
  - South Downs Society
  - Sussex Wildlife Trust
- 4.5. Representations were received from the following statutory consultees :
- East Sussex County Council Ecologist;
  - Environment Agency
  - Highways Agency
  - Historic England
  - Natural England
  - South Downs National Park (SDNP) Authority
  - Sport England

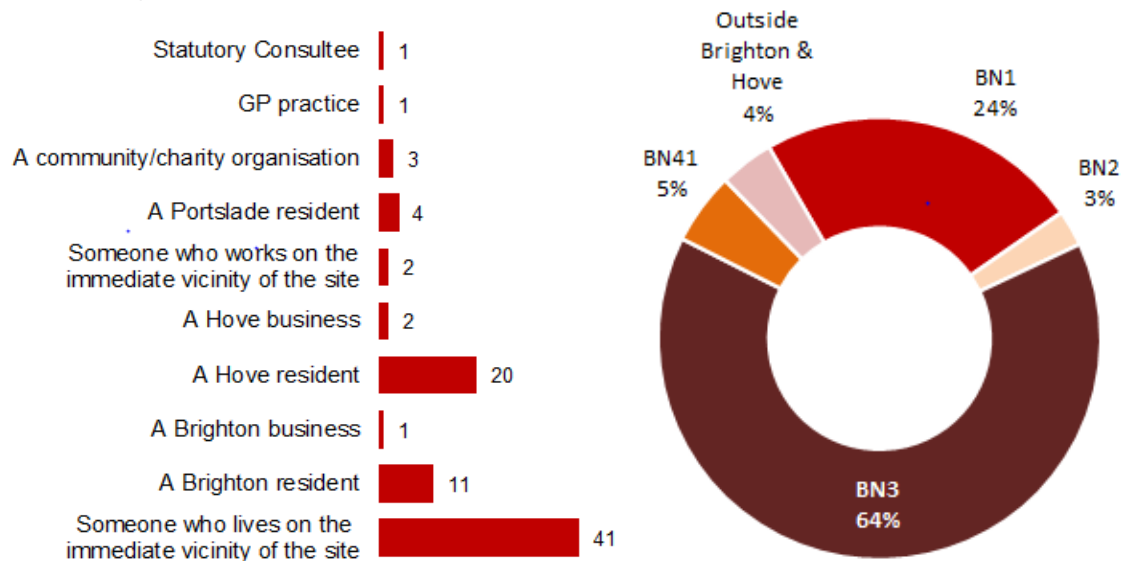
## **5. Detailed findings**

- 5.1. For full transcript of representations please refer to Appendix 1.



## Consultation Portal

5.2. Representations received via the Consultation Portal provide information about the respondent. These are summarised below.

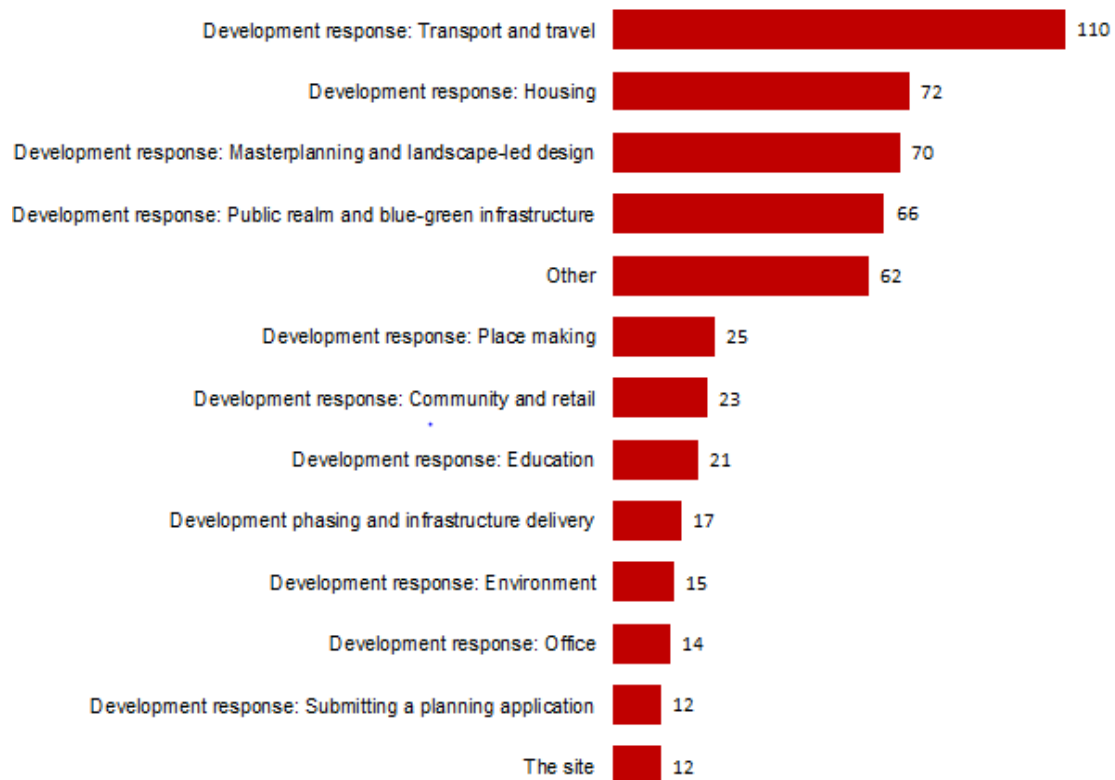


*How respondents identified themselves.*

*Respondents by post code*

## All respondents

5.3. The graph below indicates the sections of the draft SPD respondent comments were grouped under.



5.4. The table below outlines in more details the nature of the comments for each of section.

Draft SPD section	Number of representations
<b>The site</b>	
Once in a lifetime opportunity, don't waste it	11
<b>Development response: Submitting a planning application</b>	
Support for list of assessment to identify impact and mitigation measures in particular in regard to transport, landscape and archeological assessments	15
<b>Development response: Masterplanning and landscape-led design</b>	
Support for garden city / green suburb approach	33
Concerned SPD encourages higher buildings (up to 6 storeys), favouring low-rise, low-density options	20
Support for high quality, excellence architecture, building and landscape-led design	19
Sea views and/or views across the Downs/SDNP must be protected and/or additional views need to be identified and included in landscape assessment	17
Support for masterplanning and/or design code approach	10
Masterplan not appropriate	1
<b>Development response: Place making</b>	
Support for multi-function, easily accessed, safe, mixed use and/or higher-density neighbourhood centre as a focus/for all age groups	17
Neighbourhood centre not likely to happen and/or appropriate in suburban location	8
<b>Development response: Housing</b>	
Support for 40% affordable provision	44
Concerned about density/height/numbers in THV being not in keeping with surrounding neighbourhoods	26
Support for variety of housing types and pricing to include first-time buyers, houses with gardens and/or local people	19
Support for higher density and/or housing numbers including as a means of provision of better (bus) services	13
Proposed density seems too low, more housing needed in the city	1
Concerned about lack of space standards in SPD	1
Objection to 50%, 3 bed targets when other housing types are needed.	1
<b>Development response: Office</b>	
Support for modern office facilities	7
Is office accommodation really needed?	6
<b>Development response: Education</b>	
Support for school on site and/or concerned about lack of school facilities other than sixth form entry one.	18
Provide indoor sports facilities community can use too, in particular young people	4

<b>Development response: Community and retail</b>	
Support for community/SDNP facilities and/or surgery	22
Support for church and/or religious facilities on site	1
<b>Development response: Environment</b>	
Support for high standards of sustainable development in general and new energy solutions/building design in particular	16
<b>Development response: Transport and travel</b>	
Concerned with impact of development on quality of life, road network, air pollution and/or road safety and/or flow. Getting transport assessment and/or road design, access points and mitigation costs right is vital to reducing impact.	71
Concern with parking due to current and/or added pressure and potential for overspill into surrounding areas.	56
Road design suggestions/preferences put forward to address road safety and traffic flow including room for buses and/or cycles.	44
Support for improved, new links to SDNP, neighbouring areas and/or city centre in particular for pedestrians and cyclists.	41
Public transport improvements should be secured, ideally via SPD and as early as possible	36
Concerned about the cumulative impact of non-residential uses as traffic generators and/or parking demand and/or Court Farm development	23
New development should explore ways to use underground car parking	3
<b>Development response: Public realm and blue-green infrastructure</b>	
Support for securing SNCI restoration/long-term maintenance arrangements and/or protecting wildlife and/or delivering Biosphere objectives	44
Important appropriate amount of park area, open spaces, children play and outdoor sports facilities are provided in the right places, are safe and/or for all age groups as part of a network connecting communities in and around the development.	25
Support for introduction of trees, wildlife and/or biodiversity links across site and with SDNP and/or Three Cornered Copse and other green spaces around the site	14
Concerned about contamination of the aquifer and/or flood/drainage issues	11
<b>Development phasing and infrastructure delivery</b>	
Critical to secure timely delivery and provide adequate resources to support development in the long-term in particular with regards to maintenance	17
<b>Other</b>	
Disappointed with technical language used, not enough consultation, detailed design is not provided, and/or delivery of policy expectations.	24
Principle and/or parameters of development questioned and/or objected to	23
Broad support for SPD and/or segments of the SPD as guidance that	22

identifies opportunities for development and potentially provides greater certainty for communities and developers	
Comments regarding and/or unsuitable comparisons made with other developments in the city (NEQ, Preston Barracks, Court Farm, Churchill Square, Jubilee Square)	14
Panel exhibition attended and/or useful	5
Important to minimise disruption during construction	6
Problem with the website when responding	5
Exhibition a waste of time or not enough as a means of communicating with stakeholders	3
Co-operation of the land owner with the council and potential developers will be of paramount importance	1
SPD considered unlawful and not needed, City Plan Policies are sufficient.	1







## SUPPLEMENTARY PLANNING DOCUMENT SPD 15: TOAD'S HOLE VALLEY CONSULTATION STATEMENT

### **Introduction**

This statement has been prepared by Brighton & Hove City Council and sets out the details of whom the Council consulted with following the development of the draft Toad's Hole Valley Supplementary Planning Document (SPD), a summary of the issues raised and how the issues have been addressed in the final SPD. The consultation was conducted in line with Brighton & Hove City Council's Statement of Community Involvement (SCI).

The following groups and individuals have been contacted by the city council for their views on the draft SPD:

- The Public
- Elected Members
- Local community and amenity groups
- Developers and landowners
- Highways England
- Historic England
- Natural England
- Environment Agency
- Sport England
- South Downs National Park (SDNP)
- Individuals/organisations who commented on City Plan Part One Policy DA7 Toad's Hole Valley
- Council, district and South Downs National Park (SDNP) officers, including East Sussex County Council archaeologist and ecologist
- The consultation was freely available to all on the Council's website and its Twitter and Facebook social media outlets

### **How these persons were consulted**

The SPD underwent initial issues and options consultation with stakeholders between 21/03/2016 and 08/05/2016, prior to formal drafting commencing. Views were sought of stakeholders from 594 individuals and/or organisations representing different interests in the Toad's Hole Valley area. These included residents and businesses living and/or operating in the immediate vicinity of the site; elected members; community and amenity groups; landowners and developers of the site; individuals/organisations who commented on City Plan Policy DA7 Toad's Hole; and council, district and South Downs National Park (SDNP) officers.

These officers were invited later to attend a design-led workshop facilitated by Design South East (the council's DesignPLACE advice service) and were also

consulted at a later stage prior to the completion of the draft document in January 2017.

The resultant draft SPD was subject to an 11-week formal public consultation between 27 February 2017 and 15 May 2017. The consultations included a press release, advertisement on the Council's website, alerts sent via the council's Twitter and Facebook outlets, a video, emails sent to numerous stakeholders and interested parties, hard copies sent to the Jubilee, Hove and Hangleton Libraries; and elected Members were consulted by email. A one day exhibition in two venues in the vicinity of the site was held on Saturday 18 March 2017 and exhibition panels were displayed in the Hove Town Hall Customer Service Centre between 20 and 24 March 2017.

This consultation statement provides a summary of the main issues raised by those consulted in February - May 2017 and how the issues raised have been addressed in the final version of the SPD. .

### **Summary of the main issues raised during consultation**

A total of 137 representations were received during the consultation period from 115 individuals, 16 from representatives of various organisations, 7 statutory consultees and 1 landowner/developer. Of the individuals who responded, 25 supported the representation made by the Campaign to Save Toad's Hole Valley.

Most responses raised few issues with the content of the document beyond small changes/ minor alterations to various aspects of the document. Some respondents were disappointed with the technical language used in the document and/or the lack of a more detailed design of the development. A similar amount of responses, including all statutory consultees, were broadly supportive of the content of the draft SPD.

Positive references were made regarding guidance that helps to optimise provision of affordable housing; protection of wildlife and/or restoration and long-term maintenance of the SNCI; creation of links to SDNP and neighbouring communities; and improvements to bus services. All 7 statutory consultees (Environment Agency, Highways Agency, County Ecologist, Historic England, Natural England, SDNP and Sport England) broadly supported the SPD with some of them suggesting changes. With regards to masterplanning, a number of respondents gave preference to a garden city/suburb approach to development design.

Of the concerns raised, the majority focused upon the impact of the THV development on the quality of life, road network, air pollution, road safety and/or traffic flow in surrounding areas. The potential overspill of parking on to neighbouring areas, should there be insufficient parking provided at THV, was a particular concern among respondents. Most of these respondents stressed the importance of getting the transport assessment right with many identifying traffic pressure points and times of the day in the network at and/or suggested design solutions that in their view could help to reduce the impact of transport-related issues.

Clear objections to the some or all principles and/or parameters set out for the development site were raised by a number of respondents. The majority of those objected to any development taking place in the THV site.



The landowner/developer objected to the SPD itself on the basis that they considered its content and wording did not meet the legal tests for supplementary planning documents and hence, they considered it unlawful. A number of suggestions were made to soften the language to clarify and reflect the advisory status of the SPD.

Throughout the document some changes have been made to avoid repetition and/or clarify guidance. The main issues raised from the public consultation which were relevant to the SPD are summarised in the following table and are broken down into main section headings of the SPD:

Topic raised	Brighton & Hove City Council Response
<b>Section: About this SPD</b>	
Once in a lifetime opportunity, don't waste it	Comment welcomed. The SPD recognises this and identifies opportunities to meet the policy requirements as set out in City Plan Part One Policy DA7 and the City Plan generally; and signposts good practice examples of how the challenges of the site (topography, access, linkages, landscape impact and drainage) have been addressed elsewhere in the city or in other areas.
[Fig 1.2] map provided not clear particularly with regard to cycling. There is no key/legend to explain the dotted lines.	Comment noted. Map and caption amended to identify train and main road network and include cycle network.
Sites of Nature Conservation Importance (SNCIs) are now referred to as Local Wildlife Sites (LWS) and document should be amended accordingly.	Comment noted. Paragraph 1.7 added to inform the ongoing review of SNCIs and reclassification as Local Wildlife Sites (LWS) that is taking place as part of preparation of the City Plan Part Two
Paragraph 1.10 [of Draft SPD] which states ...: <i>'Once adopted, it is expected that planning applications relating to this site will follow this guidance....'</i> ... should be substituted with the following to clarify document status: <i>'This SPD sets out objectives the attainment of which the Council wishes to encourage but as the SPD cannot lawfully set out planning policies; planning applications will not be refused permission on the basis of inconsistency with the SPD.'</i>	'About this SPD' section revised to reflect the fact that the SPD cannot be prescriptive but that its purpose is to provide guidance, illustrations and examples which could aid the preparation of detailed development proposals and support the successful delivery of a new neighbourhood for the city.
<b>Section: Planning policy context</b>	
Reference to Application BH2012/03446 no longer needed as consent has lapsed.	Update noted. Reference to this consent removed.

<b>Section: Development response: Submitting a planning application</b>	
<p>It would be helpful to set out the anticipated process/order of play when it comes to landscape impact assessment. That is:</p> <ol style="list-style-type: none"> <li>1) Landscape &amp; Visual Assessment should consider the site and its wider landscape context and inform layout design, mitigation and opportunities.</li> <li>2) Masterplan &amp; Vision</li> <li>3) Design Code</li> </ol> <p>In order for a Masterplan design/layout of the site to be informed by the landscape context, and integrate purposefully with the South Downs National Park, a Landscape Sensitivity Assessment should firstly inform the allocation document/masterplan. Suggest that 'ZTV analysis' is used as a foundation for visual impact analysis. Landscape and visual impact assessment would then be used to evaluate the impacts of any masterplan.</p>	<p>Comments noted. Changes made to paragraphs 4.2 and 4.3 to reflect recommended order of assessment and iterative nature of the design and planning application processes.</p> <p>Reference to Landscape Sensitivity Assessment already incorporated to paragraph 4.6 third bullet point.</p>
<p>It is recommended that design code include the need to reduce light pollution in/around important wildlife areas and green spaces and ensure wildlife connectivity across the site.</p>	<p>Comment noted. Paragraph 4.44, fourth bullet point addresses this issue.</p>
<p>Importance of getting transport assessment right as a means of identifying and managing impact of THV development on quality of life, road network, air pollution, noise and/or road safety and/or traffic flow upon neighbouring areas.</p>	<p>Comment noted. The requirement for a Transport Assessment 'to identify the likely effects of the demand for travel they create and include measures to mitigate their impacts by reducing car use, implementing agreed travel plans and making appropriate contributions towards sustainable transport measures' is set out in City Plan Part One Policy CP9 Sustainable Transport. Given the level of concern raised by respondents in regard to this issue, the Transport Assessment has been placed at the top of the indicative list of assessments outlined in paragraph 4.6 of the SPD.</p>
<p>Paragraph 4.6: it is recommended</p>	<p>Comment noted. Changes made to last bullet</p>

<p>that an Ecological Constraints and Opportunities Plan (ECOP) is produced to help inform the overall design process and that the term “ecological surveys” is amended to “Ecological Impact Assessment” which should be carried out in accordance with British Standards and recommendations for appropriate mitigation, compensation and enhancement made.</p> <p>Paragraph 4.6 of the SPD refers to an archaeological assessment in an indicative list of information required. The SPD should clarify that such an assessment is required at an early stage to inform the nature and layout of any development at THV.</p>	<p>point of paragraph 4.6 to include reference to Ecological Constraints and Opportunities Plan and Ecological Impact Assessment.</p>
<p><b>Section: Development response: Landscape-led design</b></p>	
<p>Support for masterplanning and/or design code approach</p>	<p>Comments noted. The SPD signposts the example of the development of and consolidation of a masterplan as part of a planning application for the New England Quarter area of Brighton. In this instance, this approach was quite successful in setting out the design principles and priorities that enabled the development to knit into the surrounding urban area while enabling for smaller parcels of land to be progressively delivered over a period of almost two decades.</p>
<p>Masterplan not appropriate</p>	
<p>The SPD should make reference to Sport England's Active Design Guidance so that applicants might consider it in the early on in the design process. The guide features an innovative set of guidelines to get more people moving through suitable design and layout and 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.</p>	<p>Comment noted. Reference added to paragraph 4.10 of the SPD.</p>

<p>Sea views and/or views across the Downs/SDNP should be protected and, if needed, additional views should be identified and agreed with the relevant local planning authorities early on in the design process so that these can be included in the landscape impact assessment.</p> <p>An application would be supported by an Environmental Statement and could include an LVIA, the Scoping Report and Opinion stage of the Environmental Impact Assessment would be a more appropriate point at which strategic viewpoints can be discussed and agreed with the Council.</p>	<p>Comment noted. Paragraph 4.12 signposts identified strategic views and how these and other view could be used to inform to inform a Landscape and Visual Impact Assessment.</p>
<p>Paragraphs 4.15 and 4.16 specify parameters which include building heights of no more than 6 storeys. Hence, SPD encourages higher buildings (up to 6 storeys), favouring low-rise, high-density options without an impact assessment it is premature to stipulate the heights of buildings.</p>	<p>Comments noted. The SPD refers to what are likely to be the more or less sensitive areas of the site to building height. However, to avoid confusion and clarify these will need to be tested and established as part of landscape impact assessments specific reference to 6-storey height has been removed.</p> <p>Clarification is provided with regards to the potential to maximise strategic views 'through and from within the site towards the sea and the SDNP' in the second bullet of paragraph 4.14.</p>
<p>Support for garden city / green suburb approach</p>	<p>Comments noted. The SPD does not prescribe or rule out any particular approach to masterplanning or building types such as those suggested by the respondent. City Plan One Policy DA7 Toad's Hole Valley requires that residential densities fall within a range of 50 - 75 dwellings per hectare. The SPD indicates in the Landscape-led design and Housing sections how density could vary across the site. It considers the potential for higher densities within this range could be achieved where the impact of building height upon the landscape is lower and/or where the mixed use neighbourhood centre is located while lower densities could be achieved in other parts of the site that are more landscape sensitive.</p>
<p>Support for high quality, excellence architecture, building and landscape-led design</p>	

<b>Section: Development response: Place making</b>	
Support for multi-function, easily accessed, safe, mixed use and/or higher-density neighbourhood centre as a focus/for all age groups	<p>Comments noted. The SPD does not require the creation of a new local centre per se. It illustrates how mixed use clusters in the Jubilee Street and Whitehawk-Wellbourne areas of the city have helped deliver land use requirements with a range of Development Plan policies objectives (community focus, housing mix, accessibility and community facilities to share with adjacent neighbourhoods).</p> <p>To clarify this intent reference to a neighbourhood centre has been removed.</p>
Neighbourhood centre not likely to happen/be viable in and/or appropriate for suburban location	
Whilst Policy DA7 (C) (i) refers to the 'provision of a new multi-use community facility' and the supporting text to the policy does include scope for the provision of 'local shops and services', it does not refer to a neighbourhood centre. We consider that this falls into a 'category 1' statement, which effectively requires a new land use. Indeed, it is potentially contrary to City Plan Policy CP4 (Retail Provision), which states that any new centres can only be brought forward through development plan policy.	
Paragraph 4.25: the conservation and enhancement of nature should be added as one of the Biosphere objectives.	Comments noted. Change made as requested to paragraph 4.19 of the SPD.
<b>Section: Development response: Housing</b>	
Support for 40% affordable provision	Comments noted. The 40% target is set out in City Plan Part One Policy CP20 Affordable Housing.
Support for variety of housing types and pricing to include first-time buyers, houses with gardens and/or local people	Comments noted. City Plan One Policy DA7 Toad's Hole Valley requires that a minimum of 700 residential units are delivered, 50% of which should be 3 bed family accommodations. Paragraphs 4.28 to 4.30 refer to City Plan Part One Policy CP19 Housing Mix for the remaining 50%, stressing the importance of a wide variety of housing types and tenures to be delivered in THV in order to create a diverse, sustainable community supported by a range of different lifestyles and incomes.
Concerned about density/height/numbers in THV	Comments noted. City Plan Part One Policy DA7 Toad's Hole Valley requires a minimum of

being not in keeping with surrounding neighbourhoods	700 units (50% 3-bed family units) with a residential density range of 50 - 75 dwellings per hectare. The SPD suggests it is possible for density to vary across the site depending of a number of factors including impact upon the landscape. It suggests that higher densities within this range could be achieved where the impact of building height upon the landscape is lower and/or where the mixed use neighbourhood hub is located while lower densities could be achieved in other parts of the site that are more landscape sensitive. The SPD also provides examples of estimated residential densities in existing areas and recent development in the city.
Proposed density seems too low, more housing needed in the city	
Support for higher density and/or housing numbers including as a means of provision of better (bus) services	
Concerned about lack of space standards in SPD	Comments Noted. Space standards are set in the <a href="#">Technical housing standard – nationally described space standard</a> guidance. Adopting these standards through local policy is being considered as part of the work on City Plan Part Two.
Section: Development response: Community and retail	
Support for community/SDNP facilities and/or surgery	Comments noted. City Plan Part One Policy DA7 requires that a multi-use community facility to include a community meeting place and a doctor’s surgery is provided as part of the new neighbourhood. Paragraphs 4.32 and 33 of the SPD identifies opportunities for achieving this and other Development Policy objectives
Support for church and/or religious facilities on site	
Section: Development response: Environment	
Support for high standards of sustainable development in general and new energy solutions/building design in particular.	Comments Noted. City Plan Part One Policy CP8 sets out sustainable building standards that will apply to the site. The Environment section of the SPD suggests how these could be combined to deliver exemplar sustainable development.
The supporting text to Policy DA7 states that the THV development should be of an ‘exemplar’ level in terms of sustainability credentials, this is caveated with the recognition that this is ‘subject to viability and deliverability’. The SPD should reflect this caveat.	Comment noted. Caveat added to paragraph 4.34 in the form of ‘subject to viability and deliverability’.
We would expect the Vision to make reference to being connected to the National Park –	Comments noted. Second bullet point in paragraph 4.50 refers to the potential for the issues raised to be combined to deliver SDNP

in fact, being adjacent to this designated National Park would serve as a key driver for the vision, especially as this was identified at the stakeholder stage of consultation, and is in the key development principles. It is less of a constraint and more of an opportunity. Utilising immediate access to green open space of a National Park, its ecosystem services and resources such as local materials, wood fuel etc. would alone, enhance health and wellbeing, the local economy and the lives of the new and existing communities.	and Biosphere related policy objectives.
<b>Section: Development response: Education</b>	
Support for school on site and/or concerned about lack of school facilities other than a sixth form entry.	Comment noted. The allocation for a secondary school at THV was based on a needs assessment that is explained in more detail in City Plan Part One Policy DA7 paragraph 3.91.
Provide indoor sports facilities community can use too, in particular young people	Comment noted. Paragraph 4.30 of the SPD refers to potential opportunities for the siting and design of a purpose built school to share use of sport/play facilities if possible. City Plan Part One Policy CP17 requires new development to contribute to the provision and improvement of sports services, facilities and spaces to meet the needs it generates in accordance with local standards.
<b>Section: Development response: Office</b>	
Support for modern office facilities	Comments noted. The need for office accommodation on this site results from identified assessed employment land needs for the city and as set out in the City Plan Part One and there is a requirement in Policy DA7 for modern offices to be delivered on this site.  Paragraph 4.43 has been removed.
Is office accommodation really needed?	
Local Plan policy on employment accommodation to meet business needs allows flexibility to respond to changing market and economic conditions, hence paragraph 4.43 not needed.	
<b>Section: Development response: Transport and travel</b>	
Concerned with impact of development on quality of life,	Comments noted. The requirement for a Transport Assessment 'to identify the likely

road network, air pollution and/or road safety and/or flow. Getting transport assessment and/or road design, access points and mitigation costs right is vital to reducing impact.	effects of the demand for travel they create and include measures to mitigate their impacts by reducing car use, implementing agreed travel plans and making appropriate contributions towards sustainable transport measures' is set out in City Plan Part One Policy CP9 Sustainable Transport.
Concerned about the cumulative impact of non-residential uses as traffic generators and/or parking demand and/or Court Farm development	<p>Suggestions on ways to take account of and/or minimise the impact of noise and pollution and create a safe, comfortable and attractive network of public spaces in and around the development site are put forward in the Transport and travel and Public realm and blue-green infrastructure sections of the SPD.</p> <p>Noise levels are set in BS8233:2014 and World Health Organisation guidelines. The local planning authority would aim to secure these via planning conditions. It is important to note that that levels set are not absolute and design details can be used to mitigate to an acceptable level even where these guidelines are breached.</p>
Concern with parking due to current and/or added pressure and potential for overspill into surrounding areas.	Comments noted. Paragraph 4.44 'Parking for vehicles and servicing areas' signposts the council's recently adopted parking standards guidance and recommends that individual developments provide sufficient delivery facilities and consider informal weekend Park + Ride use.
New development should explore ways to use underground car parking	Paragraph 4.6 identifies Transport Assessment (TA) as part of the information needed to inform assessment of a planning application.
Public transport improvements should be secured as early as possible.	
Road design suggestions/preferences put forward to address road safety and traffic flow including room for buses and/or cycles.	Comments noted. The SPD does not prescribe or rule out any particular approach to road design such as those suggested by the respondent. Paragraphs 4.43 and 4.50 suggest a number of ways in which the design of the network of paths, roads and public transport across the site could help to deliver a range of policy objectives such as safely connecting the new development with neighbouring communities and promoting sustainable transport.
Any works that are proposed or required to be carried out by the planning applicant on the public highway to mitigate the impact of	Comment noted. Paragraph 4.40 added to flag up need for legal agreement to oversee implementation of mitigation measures in public highways.



the development will require an appropriate legal agreement to be entered into with the relevant Highway Authority(ies).	
Support for improved, new links to SDNP, neighbouring areas and/or city centre in particular for pedestrians and cyclists.	Comment noted. Reference to improved links/connections to the SDNP for people as well as wildlife has been added to paragraph 4.44, third bullet point in the 'Links with the SDNP' section of the SPD.
Encourage potential new developers to take an integrated approach to links with the SDNP or bridge/tunnel and consider how they can best deliver multiple benefits (i.e. help mitigate the effects of air pollution)	
<b>Development response: Public realm and blue-green infrastructure</b>	
Support for securing SNCI restoration/long-term maintenance arrangements and/or protecting wildlife and/or delivering Biosphere objectives	Comments noted. Reference added to paragraph 4.52, 'SNCI and other large open spaces' section of the SPD to flag up opportunities for ecological surveys to help identify and define levels of public access that would not be detrimental to conservation objectives.
Support for introduction of trees, wildlife and/or biodiversity links across site and with SDNP and/or Three Cornered Copse and other green spaces around the site	Potential for plot boundaries that are permeable to wildlife and to reduce light pollution to reduce impact upon biodiversity is referred to in paragraph 4.50.
Important that the appropriate amount of park area, open spaces, children play and outdoor sports facilities are provided in the right places; which are safe and/or for all age groups as part of a network connecting communities in and around the development.	City Plan Part One policies CP16 and CP17 require that appropriate amounts of open space and sports provision be provided.
Concerned about contamination of the aquifer and/or flood/drainage issues	Comments noted. Reference added to paragraph 4.50 to illustrate ways in which sustainable urban drainage schemes can help reduce the risk of flooding as well as contamination of the aquifer.
Encourage the use of the sites topography to deliver extreme play opportunities.	Comment noted. Option added to second bullet point in paragraph 4.50 of the SPD.
Consider the utilisation and delivery of ecosystem services at Toad's Hole Valley and how Ecology and Tree surveys can	Comment noted. Change made to first bullet point of paragraph 4.6 and 4.52 to include reference to the ways in which these surveys can help assess impact upon and inform

provide benchmark data against which the delivery of ecosystem services and net gains in biodiversity can be monitored.	ecosystem service design and delivery.
<b>Section: Development phasing and infrastructure delivery</b>	
Specific design advice on heat network should be removed as it is dependent upon viability assessment.	Comments noted. Reference in paragraph 4.36 replaced with availability of local planning authority to provide design advice for planning applicants if needed/welcomed.
<b>Other</b>	
Disappointed with technical language used, not enough consultation, detailed design is not provided, and/or delivery of policy expectations.	Comments noted. The principle of development, requirements and priorities at the Toad's Hole Valley site is established and outlined in the recently adopted City Plan Part One Policy DA7.
Principle and/or parameters of development questioned and/or objected to	Part 1c of Policy DA7 states that 'the site will be the subject of detailed guidance provided in a future planning brief prepared in consultation with the landowners/developer and relevant stakeholders.' The THV SPD provides illustrations and examples which could aid the preparation of detailed development proposals and support the successful delivery of a new neighbourhood for the city and meets the legal parameters as to what a SPD can contain.
Broad support for SPD and/or segments of the SPD as guidance that identifies opportunities for development and potentially provides greater certainty for communities and developers	
SPD considered unlawful and not needed, City Plan Policies are sufficient.	
Query the comparisons made with other developments in the city (New England Quarter, Preston Barracks, Court Farm, Churchill Square, Jubilee Square)	<p>In terms of residential density, the SPD does not identify the New England Quarter, Preston Barracks or Churchill Square as comparable developments, except perhaps for the fact that the first two are, along with THV, strategic sites of a scale rarely seen in the city. To illustrate how the density range for THV compares to that in other parts of Brighton &amp; Hove examples of estimated densities for existing and recently developed sites have been added to page 18 of the SPD.</p> <p>Paragraph 3.5 of the SPD acknowledges a recent planning decision for the Court Farm site.</p>
Panel exhibition attended and/or useful.	Comments noted. The one-day staffed exhibition in two venues located in the vicinity of the THV site was well attended and allowed detailed conversations on areas of concern/
Exhibition a waste of time or not enough as a means of	

communicating with stakeholders.	clarification.
Problem with the website when responding.	<p>This was not the only means of communicating details of the consultation which were provided to stakeholders. The consultation was communicated city-wide via the council's website and press release and lasted for an extended 11-week period (as opposed to the usual 6-week consultation period for SPDs).</p> <p>Stakeholder workshops were held at the issues and options stage of the SPD preparation to ensure input at an early stage of the SPD preparation.</p> <p>Reported problems with the council's consultation portal website were corrected during the consultation.</p>
Co-operation of the landowner with the council and potential developers will be of paramount importance.	<p>Comment Noted. The landowners/developers have been invited to participate and submit their views on the SPD at its various stages. Closer collaboration has been sought by the local planning authority and it is hoped the SPD will assist developers submit a successful planning application.</p>
Appendices set out further detailed design guidance for a 'Heat Network' on the site and to set out a 'high level design guidance' for an element of the scheme which may be unviable, is unnecessary and unreasonable.	<p>Comments noted. The Appendices were broadly used to support the non-technical nature of the Draft SPD consultation. Most items in the Appendices have been deleted with the exception of the Relevant Planning Policies and Glossary that have been incorporated into headings 6 and 7 in the final version of the SPD. The design guidance on heat networks has been removed as this can be made available through the planning application process.</p>

### **How these main issues have been addressed in the SPD**

Many of the main issues raised have been positively incorporated into the final version of the SPD as indicated in the officer response above. Some of the issues raised during the consultation fell outside the remit of an SPD as they were challenging the adopted city plan policy for the site (amount or density of development) or would have significantly reduced the effectiveness of the SPD. Therefore not all the recommendations were incorporated into the document.

The majority of comments and/or suggestions made, in particularly those by statutory consultees that provided additional information and/or further clarification, were incorporated into the SPD.

A regular theme within the consultation responses was that the guidance does not go far enough in terms of reducing the impact of the development upon

transport/traffic and ensuring the number of car parking spaces in the new developments will be sufficient to avoid overspill on to neighbouring areas. A number of respondents put forward suggestions regarding road network, road safety and traffic flow however these detailed assessments are outside the scope of the SPD and would depend on the form of masterplan/development design put forward at the application stage.

To clarify, the purpose of the document is to set out supplementary guidance to assist applicants, members of the public and decision makers in the design and assessment of proposals. Impact assessments, including an assessment of transport issues in detail would follow on from design proposals submitted as part of pre-application discussions and/or a planning application.

The SPD seeks to strike the right balance between providing appropriate levels of advice to help applicants submit a planning application without being prescriptive so as fall outside the remit of a SPD or restrict innovation in the design of the development.

The intention is to speed up the planning application process by making applicants aware of the information they are likely to be asked to produce early on to inform the design process and consultation approach to support a planning application. This is intended to help planning applicants consider implications for project budget and timetable. The SPD identifies a locally trialled, tested and largely successful route that applicants could take when submitting a planning application.

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**22 June 2017**

# **Toad's Hole Valley Supplementary Planning Document**

September 2017

## **Strategic Environmental Assessment Non-technical Summary**



**Brighton & Hove  
City Council**



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## **Section 1: Purpose of this report**

- 1.1 This report is the non-technical summary of the Strategic Environmental Assessment (SEA) of the Toad's Hole Valley Supplementary Planning Document. The Toad's Hole Valley SPD and full SEA report are available on the city council's website <http://www.brighton-hove.gov.uk/content/planning/planning-policy/supplementary-planning-documents-spd>
- 1.2 The requirement for a Non-technical summary is set out in part 10 of Schedule 2 of the Environmental Assessment of Plans and Programmes Regulations (2004) and must include a summary of the following information:
  - a. An outline of the contents and main objectives of the SPD
  - b. The relevant aspects of the current state of the environment and likely evolution without implementation of the SPD
  - c. The environmental characteristics of areas likely to be significantly affected
  - d. Any existing environmental problems including those relating to areas of particular importance
  - e. The environmental protection objectives which are relevant to the SPD
  - f. The likely significant effects on the environment
  - g. The measures envisaged to prevent, reduce and offset significant effects
  - h. An outline of why the alternatives were selected and a description of how the assessment was undertaken
  - i. A description of the measures to monitor implementation of the SPD
- 1.3 The purpose of the SEA is to ensure that the environmental and social objectives are considered during the preparation of the SPD. It assesses the effects of the SPD against these objectives. Additionally, this SEA also takes into consideration economic objectives although this is not a requirements of the Regulations.
- 1.4 An SEA has been carried out and published at the following stages:
  - Scoping Report (February 2015 and updated February 2016)
  - SEA – Draft THV SPD (incorporating Issues & Options stage) (January 2017)
  - SEA – Final THV SPD (September 2017 – this stage)
- 1.5 As described above, the SEA of Issues and Options was carried out in May 2016. This stage fed into the draft SPD and the findings were reported and published in the SEA January 2017.



## Section 2: What is the SPD seeking to achieve?

*The SEA NTS must include:*

- *An outline of the contents, main objectives of the SPD*

### Contents of the SPD

- 2.1 The principles and aspirations for development on the Toad's Hole Valley site are established in City Plan part 1 policy DA7 Toad's Hole Valley.
- 2.2 The SPD supplements City Plan policy DA7 Toad's Hole Valley and illustrates how the policy requirements of DA7 could be implemented. The purpose of the SPD is to assist in the delivery of this policy's vision for a "modern, high quality and sustainable mixed use development (that helps to) meet the future needs of the city, improve accessibility and provide new community facilities to share with adjacent neighbourhoods".
- 2.3 An outline of the contents of the SPD is as follows:
- |            |   |
|------------|---|
| Section 1: | About this SPD  |
| Section 2: | The site  |
| Section 3: | Planning policy context   |
| Section 4: | Development Response:<br>Submitting a planning application<br>Amounts of development<br>Landscape-led design<br>Place making<br>Housing<br>Office<br>Education<br>Community and retail<br>Environment<br>Transport and travel<br>Public realm and green-blue infrastructure |
| Section 5  | Development phasing and infrastructure delivery   |
| Section 6  | Relevant planning policies  |
| Section 7  | Glossary  |

### Section 3: What is the sustainability context?

*The SEA NTS must include:*

- *The environmental protection objectives which are relevant to the SPD*

#### Relevant objectives

3.1 Plans, programmes and policies of relevance to the SPD have been reviewed and must be taken into account during the preparation of the SPD and by the SEA process. This includes European legislation as well as national legislation including the National Planning Policy Framework, regional policy and local strategies. Key messages and objectives that the SPD must support include:

- Protection and enhancement of biodiversity and ecological networks
- Protection of important landscapes
- Avoidance of flood risk
- Movement of waste up the waste hierarchy
- Protection and enhancement of water quality and quantity
- Promotion of energy efficiency and renewable energy
- Enable adaptation to future climate changes
- Improvement in air quality
- Management of environmental noise
- Minimise travel and improve access to sustainable forms of transport
- Improve access to services
- Protection of soils and prevention of soil pollution
- Protection of heritage assets and character of defined neighbourhoods
- Delivery of a wide choice of quality homes
- Ensure ongoing sustainable economic growth
- Promote social inclusion and reduce inequalities
- Improve health and reduce health inequalities including providing opportunities to lead healthy and active lifestyles
- Improve safety

3.2 The SEA Report Appendix A contains the full list of all relevant plans, policies and guidance reviewed as part of the SEA process.

## Section 4: What is the sustainability baseline?

*The SEA NTS must include:*

- *The relevant aspects of the current state of the environment*
- *The environmental characteristics of areas likely to be effected*
- *Any existing environmental problems, particular those relating to an area of importance such as areas designated pursuant to Directives 79/409/EEC and 92/43/EEC.*
- *The likely evolution without implementation of the Plan*

### **The relevant aspects of the current state of the environment and the environmental characteristics of areas likely to be effected**

4.1 The SEA scoping report and analysis of baseline data identified the following sustainability challenges and issues of relevance to the local area and wider city in general:

#### 4.2 Environmental

- Brighton & Hove's ecological footprint is higher than the regional and national average.
- The city contains various internationally, nationally and locally designated sites for biodiversity including an SNCI on the western bank of the Toad's Hole Valley site. However the SNCI is considered to be degraded.
- The SDNP covers approximately 40% of Brighton & Hove and is adjacent to the Toad's Hole Valley site, separated by the A27. The SDNP has recently been awarded Dark Skies Reserve status.
- There is a shortfall in certain typologies of open space across the city. The Hangleton & Knoll ward is deficient in children's play and allotments.
- Climate change is likely to result in more extreme weather events including flooding and droughts.
- Parts of the Toad's Hole Valley site are at higher risk of surface water flooding.
- The site overlies the Brighton Chalk Aquifer and is within a Groundwater Source Protection Zone. The current status of the groundwater resource is poor.
- The South East is within an area of high water stress.
- In Brighton & Hove, carbon emissions generated by energy consumption from domestic buildings make up the greatest proportion of total carbon emissions. The domestic proportion of carbon emissions is higher in Brighton & Hove when compared with the England and regional averages.
- Traffic congestion, volume and speed can be a problem within the local area.
- Despite the volume of traffic on adjacent roads, air quality is generally good within the wider area and the site is not located within close proximity to the AQMA. Road-related noise is an issue.
- The city contains a number of Public Rights of Way and Cycle Routes, some of which connect to the national network. There are no public rights of way of bridleways within the site, although a National Cycle Route is adjacent to the site although separated by the steep bank of the SNCI.

- The city has an attractive historic urban environment including numerous Listed Buildings and 34 Conservation Areas. The Woodland Drive Conservation Area is adjacent to the north-east edge of the site.
- The site has been identified as having potential for undesigned archaeological remains.
- Local Authority Collected Waste makes up around 21% of waste in the East Sussex and Brighton & Hove area. The amount of waste being sent to landfill has reduced in recent years, however recycling rates remained fairly static.

#### 4.3 Socio-Economic Issues

- The city's population is growing. The latest estimate for the city's population is 281, 076 (ONS 2014)
- There is a high housing need across the city, including the need for affordable housing, with the average house price in the city costing over 10 times the average income.
- In 2015, out of 326 authorities, Brighton & Hove was ranked 102<sup>nd</sup> most deprived authority in England.
- Two Super Output Areas within the Hangleton & Knoll ward are within the 10% most deprived in England. This includes the SOA that covers the THV site. In this SOA the following domains contribute the most towards this high level of deprivation: income, employment, education, and income deprivation for older people.
- Child poverty varies greatly across the city. In Hangleton & Knoll 22% of children are defined as living in poverty (living in households in receipt of out of work benefits)
- In the Hangleton & Knoll ward, the proportion of the population whose activities are limited a lot by a health issue is higher than the Brighton & Hove and England average. The proportion of children at year 6 in this ward who are obese is also higher than the Brighton & Hove and England average.
- There is a need for different types of employment floorspace across the city.
- The proportion of people in employment in the Hangleton & Knoll ward is similar to the Brighton & Hove average.
- The proportion of over 16s in the Hangleton & Knoll ward with no formal qualifications is higher than the Brighton & Hove average. GCSE attainment is also lower than the Brighton & Hove average.
- Additional school places will be required across the city in order to meet the needs of an increasing population

### **Any existing environmental problems, particular those relating to an area of importance**

- 4.4 There are no Special Areas of Conservation (SAC) or Special Protected Areas (SPA) within the THV site. The approximate distances to SACs or SPAs within 20km of Brighton & Hove are shown on the following table. Consideration of impacts on SACs and SPAs has been through the Habitats Regulations Screening Assessments undertaken for the Brighton & Hove City Plan. This screening discounted the likelihood of significant impacts arising from the City Plan, which includes Policy DA7 Toads Hole Valley.

Castle Hill SAC	Within BH boundary, approx 8km from site
Lewes Downs SAC	6km
Ashdown Forest SAC/SPA	19.5km
Arun Valley SAC/SPA	20km

### **The likely evolution within implementation of the SPD**

- 4.5 The no SPD scenario was assessed as part of the Issues and Options Assessment as “Option 1 – City Plan only”. This was documented in detail in Section 3 of the SEA Report (January 2017) and is summarised as follows:
- Mixed impacts on air quality, noise and transport
  - Increased likelihood of piecemeal development that does not contribute towards a comprehensive regeneration scheme
  - Less certainty regarding measures which increase land use efficiency
  - Less certainty regarding the combination of a mix of uses that could help form a focal point for the neighbourhood
  - Less certainty regarding opportunities for ensuring and improving community and road safety
  - Less certainty regarding improving access

## Section 5: How was the Strategic Environmental Assessment undertaken?

*The SEA NTS must include:*

- A description of how the assessment was undertaken

### Methodology

- 5.1 During this stage, the SEA has identified and evaluated the likely effects of the final Toad's Hole Valley SPD against the SEA Framework. In addition, a cumulative analysis of the effects of the SPD sections has also been undertaken to determine the overall effect on each of the sustainability objectives, as well as those in combination with the policies in the City Plan Part 1.
- 5.2 The SEA Objectives used in this assessment were based on those used to assess the City Plan Part 1 and are as follows:

Sustainability Objective	Potential Sub-objectives / Decision Making Criteria Will the option or policy...
1. To prevent harm to and achieve a net gain in biodiversity under conservation management as a result of development and improve understanding of local, urban biodiversity by local people.	<ul style="list-style-type: none"><li>• Protect and enhance locally designated sites (LNR, LWS) and LBAP priority habitats and species.</li><li>• Increase access to biodiversity/nature for local people.</li><li>• Provide opportunities to achieve a net gain in biodiversity</li><li>• Recognise the multi-functional benefits of ecosystem services provided by green infrastructure</li><li>• Improve links between existing and/or new green infrastructure</li></ul> <p>NB: there is not considered to be any risk to nationally or internationally designated sites from development in this location, therefore, a criteria which determines this is not considered to be relevant.</p>
2. To improve air quality by continuing to work on the statutory review and assessment process and reducing pollution levels by means of transport and land use planning.	<ul style="list-style-type: none"><li>• Minimise the causes of air pollution</li><li>• Support the development of cleaner technologies (e.g. low-emission vehicles)</li><li>• Consider the potential for impacts from existing sources of air pollution</li><li>• Take account of Air Quality Management Areas</li></ul>
3. To maintain local distinctiveness and preserve, enhance, restore and manage the city's historic landscapes,	<ul style="list-style-type: none"><li>• Conserve the historic environment and its settings.</li><li>• Respect, maintain and strengthen local character and distinctiveness</li><li>• Promote high quality design that establishes a strong sense of place</li></ul>

Sustainability Objective	Potential Sub-objectives / Decision Making Criteria Will the option or policy...
townscapes, parks, buildings and their settings and archaeological sites effectively.	<ul style="list-style-type: none"> <li>• Contributes to meeting the city's open space, sports and recreation requirements</li> <li>• Improve the quality or make better use of existing open space</li> <li>• Improve sustainable access to existing or new open space</li> <li>• Encourage the incorporation/creation of green/public/food-growing space within development</li> </ul>
4. To protect, conserve and enhance the South Downs and promote sustainable forms of economic and social development and provide better sustainable access.	<ul style="list-style-type: none"> <li>• Protect the landscape character and special characteristics of the SDNP and its setting, including its Dark Skies status</li> <li>• Protect and enhance important views to and from the SDNP</li> <li>• Encourage sustainable access to the SDNP</li> <li>• Promote sustainable tourism to the SDNP</li> </ul>
5. To meet the need for decent housing, particularly affordable housing.	<ul style="list-style-type: none"> <li>• Increase the availability of affordable housing</li> <li>• Provide a mix of housing types, sizes and tenures.</li> <li>• Address the housing needs for all sections of the community such as students, older people, disabled people, families, gypsies and travellers, and smaller households as appropriate to the location.</li> </ul>
6. To reduce the amount of private car journeys and encourage more sustainable modes of transport via land use and urban development strategies that promote compact, mixed use, car-free and higher-density development.	<ul style="list-style-type: none"> <li>• Encourage mixed-use development and delivery of sustainable communities that reduce the need to travel</li> <li>• Encourage the location of development close to where use of sustainable transport can be maximised</li> <li>• Improve public and sustainable transport infrastructure</li> <li>• Encourage health-beneficial forms of transport including cycling and walking</li> <li>• Improve road safety to encourage cycling and walking</li> <li>• Discourage car-ownership through car-free/low-car developments, or other techniques, in appropriate locations</li> <li>• Protect and enhance public rights of way</li> </ul>
7. Minimise the risk of pollution to water resources in all development.	<ul style="list-style-type: none"> <li>• Encourage remediation of despoiled, degraded or contaminated land</li> <li>• Improve water quality, including groundwater</li> <li>• Direct more vulnerable forms of development to areas of lower flood risk (all sources of flooding)</li> <li>• Incorporates measures to reduce flood risk including sustainable drainage solutions</li> <li>• Ensure development does not increase the risk of flooding elsewhere</li> </ul>

Sustainability Objective	Potential Sub-objectives / Decision Making Criteria Will the option or policy...
8. Minimise water use in all development and promote the sustainable use of water for the benefit of people, wildlife and the environment.	<ul style="list-style-type: none"> <li>• Reduce water consumption</li> <li>• Maximise re-use of waste-water</li> <li>• Conserve and maintain water resources</li> <li>• Encourage development to meet environmental standards</li> </ul>
9. To promote the sustainable development of land affected by contamination.	<ul style="list-style-type: none"> <li>• Encourage remediation of despoiled, degraded or contaminated land</li> <li>• Encourage implementation of sustainable drainage solutions</li> <li>• Reduce the risk of surface water run-off</li> </ul>
10. To balance the need for employment creation in the tourism sector and improvement of the quality of the leisure and business visitor experience with those of local residents, businesses and their shared interest in the environment.	<ul style="list-style-type: none"> <li>• Increase the quantity and quality of employment opportunities in a range of different sectors.</li> <li>• Provide employment opportunities for local people</li> <li>• Provide opportunities for local people to learn new skills</li> </ul>
11. To support initiatives that combine economic development with environment protection, particularly those involving targeted assistance to the creative & digital industries, financial services, tourism, retail, leisure and hospitality sectors.	<ul style="list-style-type: none"> <li>• Contribute towards meeting the development needs of various employment sectors, including requirements such as workspace</li> <li>• Support existing, new and emerging sectors</li> <li>• Enable the growth of high value, low carbon business</li> <li>• Promote sustainable tourism of all types including heritage-based tourism and tourism related to the natural environment.</li> </ul>
12. To improve the health of all communities in Brighton & Hove, particularly focusing on reducing the gap	<ul style="list-style-type: none"> <li>• Encourage and facilitate walking and cycling</li> <li>• Improve access to open space, the countryside and other opportunities for physical activity</li> <li>• Improve environmental quality and therefore minimise adverse impacts on health from various forms of pollution</li> </ul>



Sustainability Objective	Potential Sub-objectives / Decision Making Criteria Will the option or policy...
between those with the poorest health and the rest of the city.	<ul style="list-style-type: none"> <li>• Improve access to health facilities</li> <li>• Reduce health inequalities</li> <li>• Consider the needs of all members of the community, particularly the needs of those with protected characteristics</li> </ul>
13. To integrate health and community safety considerations into city urban planning and design processes, programmes and projects.	<ul style="list-style-type: none"> <li>• Facilitate improvements in community safety</li> <li>• Promote design that seeks to minimise crime</li> <li>• Promote design that seeks to improve road safety</li> </ul>
14. To narrow the gap between the most deprived areas and the rest of the city so that no one should be seriously disadvantaged by where they live.	<ul style="list-style-type: none"> <li>• Improve access to education, life-long learning and training opportunities,</li> <li>• Improve access to open space and opportunities for health-promoting forms of recreation</li> <li>• Improve access to employment opportunities and contribute towards a reduction in unemployment</li> <li>• Encourage the development of mixed communities</li> </ul>
15. To engage local communities into the planning process	<ul style="list-style-type: none"> <li>• Provide opportunities for local communities to be involved</li> <li>• Take into consideration ideas put forward by the community</li> </ul>
16. To make the best use of land available	<ul style="list-style-type: none"> <li>• Maximise efficient use of the site through high density development where appropriate</li> <li>• Maximise efficient use of the site through innovative design</li> <li>• Maximise efficient use of the site through multi-functional uses, such as SUDS/biodiversity/green-space; multi-functional buildings/space etc.</li> <li>• Promotes the retention of some ecosystem services provided by Greenfield sites</li> </ul>
17. To maximise sustainable energy use and mitigate the adverse effects of climate change through low/zero carbon development and maximise the use of renewable energy technologies in both new development and	<ul style="list-style-type: none"> <li>• Encourage renewable energy generation</li> <li>• Encourage low/zero carbon development</li> <li>• Encourage energy efficient design</li> <li>• Facilitate development of decentralised energy networks</li> <li>• Encourage development to meet environmental standards</li> </ul>

<b>Sustainability Objective</b>	<b>Potential Sub-objectives / Decision Making Criteria</b> <b>Will the option or policy...</b>
existing buildings.	
18. To ensure all developments have taken into account the changing climate and are adaptable and robust to extreme weather events.	<ul style="list-style-type: none"> <li>• Considers the potential risks and consequences of flood risk and does not increase flood risk elsewhere</li> <li>• Incorporates sustainable drainage techniques, including those that have benefits for biodiversity.</li> <li>• Incorporates features that may help to maintain temperatures, such as green roofs, tree-planting and so on and recognise the services provided by ecosystems and green infrastructure.</li> <li>• Incorporates features to maximise efficient use of water resources.</li> </ul>
19. To encourage new developments to meet adopted sustainable building standards.	<ul style="list-style-type: none"> <li>• Encourage development to meet sustainable building standards</li> </ul> <p>Also, see Objectives 8 and 18</p>
20. To promote and improve integrated transport links and accessibility to health services, education, jobs and food stores.	<ul style="list-style-type: none"> <li>• Increase provision of key local services, including health, education, retail and community facilities.</li> <li>• Improve access to existing local services.</li> <li>• Enable communities to meet their day-to-day needs locally</li> </ul>
21. To reduce waste generation and increase material efficiency and reuse of discarded material by supporting and encouraging development, business and initiatives that promote these and other sustainability issues.	<ul style="list-style-type: none"> <li>• Promote building design that is resource efficient</li> <li>• Promote the use of secondary and recycled materials</li> <li>• Promote waste reduction, re-use, recycling and recovery</li> <li>• Facilitate improved accessibility to recycling and other waste management facilities</li> </ul>

5.3 The following key was used throughout the appraisals with multiple symbols used to express greater significance.

+	Positive impacts / consistent with sustainability objective
+/-	Mixed impacts / potential for conflict with sustainability objective
-	Negative impacts / conflict with sustainability objective
?	Uncertain impacts / dependent on implementation
	No impact

## Section 6: What are the appraisal findings at this current stage?

*The SA NTS must include:*

- *The likely significant effects on the environment.*
- *The measures envisaged to prevent, reduce and offset adverse effects*

### The Appraisal

6.1 The SEA undertook appraisals of the topics within the section of the SPD entitled “Development Response” as these topics provided the main guidance. This included the following:

- Amounts of development
- Landscape-led design
- Place making
- Housing
- Office
- Education
- Community and retail
- Environment
- Transport and travel
- Public realm and green-blue infrastructure

6.2 In order for the appraisals to consider and reflect the impacts of individual sections of the SPD, the appraisal did not assume that any other policy requirements would be met (e.g. City Plan policies), nor those of other sections of the SPD. Meeting City Plan policy requirements has been referred to in mitigation where appropriate. Therefore the following effects, particularly the adverse effects can be considered to be worst case scenario.

### Amounts of Development

6.3 Overall, this section of the SPD performed well against the social and economic objectives by supporting provision of a mix of uses, helping to meet various housing, employment and education needs. The delivery of various uses could help to create a distinct neighbourhood within which residents can access their day to day needs. The amounts of development required to be delivered by DA7 will ensure the site’s capacity is utilised fully, making the most of the space available.

6.4 In terms of environmental objectives, this section of the SPD had largely adverse effects. This is based on the amount of development required by DA7 and the additional population arising which has potential to increase consumption of resources. It is also based on the change in landform from a greenfield site, which provides various natural functions, to one of an urbanised form, which has potential for various adverse effects. Journeys made by car are likely to increase in this location, potentially with air quality impacts and implications for road safety, although

it is noted the area is not near to an AQMA. The site is also in close proximity to the SDNP and could result in visual impacts.

- 6.5 Mitigation for adverse impacts is considered to be provided through policies of the City Plan including DA7 (Toad's Hole Valley), CP8 (Sustainable Buildings), and CP10 (Biodiversity), and through the SPD itself including the sections on Public Realm & blue-green infrastructure, Transport & travel, Landscape-led design, Environment and Housing.

### **Landscape-led design**

- 6.6 Overall, this section of the SPD performed well against most objectives. This section of the SPD illustrates the importance of the consideration of issues such as landscape character and views when identifying suitable locations for certain types of uses, including higher density buildings, which may help to minimise impacts on the SDNP and may help to make the most efficient use of the site. The SPD illustrates how uses could be clustered which could help create a vibrant and distinctive neighbourhood area, and suggests delivering a network of roads and paths to connect uses within and across the site. This could facilitate access to services, may help provide opportunities for social interaction and may help to support community safety.
- 6.7 This section of the SPD has potential for adverse impacts against the objectives relating to water pollution/flooding and climate change adaptation. This is mainly due to the suggestion that higher density development could be located within the area of the site which has the highest risk of surface water flooding. In addition, the massing of development may exacerbate the urban heat island effect. The impacts on biodiversity are uncertain, again due to the suggested location for high density development in the area of the site adjacent to the SNCI, although it is recognised that this section of the SPD refers to avoiding adverse impacts on biodiversity.
- 6.8 The impacts for Health & Safety were considered to be mixed; if uses are clustered there could be positive effects due to opportunities for passive surveillance, however there is potential for adverse impacts based on the potential for road safety issues associated with pupils accessing the site for the school, as well as potentially others accessing the site from neighbouring communities.
- 6.9 Mitigation for adverse impacts is considered to be provided through policies of the City Plan including DA7 and CP8, and through the SPD itself including the sections on Public Realm & blue-green infrastructure, Education and Environment.

### **Place-making**

- 6.10 This section of the SPD performed positively against all relevant objectives. The suggestions to cluster certain uses and services may help to create a well-connected, identifiable neighbourhood focal point and may help to improve access to services located there. This section of the SPD was also found to be beneficial for health, as may help to facilitate active travel, may help to facilitate access to health, and may provide opportunities for social interaction.
- 6.11 There were no adverse or mixed effects resulting from this section of the SPD and therefore no further mitigation or recommendations are required.

## Housing

- 6.12 This section sets out the amount, type, mix and density of housing required in accordance with DA7. It suggests higher density housing could be located with other uses to help form a neighbourhood hub/cluster. The section also illustrates how housing could consider opportunities to accommodate a range of needs.
- 6.13 This section of the SPD performed positively against all of the social and economic objectives and some of the environmental objectives including making the best use of land available and local distinctiveness. The guidance suggests maximising the amount of housing, including affordable housing on the site, with housing being one of the wider determinants of health, therefore having benefits for health and reducing deprivation. Delivery of housing is intrinsically linked to economic growth and will create construction and service sector jobs.
- 6.14 In terms of most of the environmental objectives, this section of the SPD had largely adverse effects. This is based on the amount of development and the additional population arising which has potential to increase consumption of resources and production of waste, although it is recognised that this section of the SPD suggests the achievement of high standards of sustainable building design. It is also based on the change in landform from a greenfield site, which provides various natural functions including a biodiverse resource, to one of an urbanised form, which has potential for various adverse effects such as increasing surface water flood risk and potentially exacerbating climate change impacts. Journeys made by car are considered likely to increase in this location due to the increased population, potentially with air quality impacts, although it is noted the area is not near to an AQMA. The site is also in close proximity to the SDNP and development could have visual impacts.
- 6.15 Mitigation for adverse impacts is considered to be provided through policies of the City Plan including DA7, CP8 and CP10 and through other sections of the SPD including Public Realm, Environment, Transport, and Master-planning sections.

## Office

- 6.16 This section of the SPD performed particularly positively against the economic objectives. The guidance may help support delivery of a range of units that meet various business needs, supporting economic growth and employment opportunities. This section of the SPD also performed positively against some of the social objectives, mainly due to link between employment and health, and also the possibility that it may help to reduce deprivation. The suggestion for some employment uses to be located alongside other uses could help increase footfall, benefit community safety and contribute towards creating a distinctive local neighbourhood area.
- 6.17 This section of the SPD had potential for adverse effects on some of the environmental objectives, some of which are linked to the resources used by new development and some of which are linked to the change in landform from a greenfield site to one of an urbanised form, which has potential for various adverse effects including effects on water pollution, flood risk and climate change mitigation. Journeys made by car may increase as a result of the employment-based development, potentially having air quality impacts. Effects on biodiversity are

uncertain as will depend on the ecological value of the site or sites developed for employment uses.

- 6.18 Mitigation for adverse impacts is considered to be provided through policies of the City Plan including DA7, CP8 and CP9 and through other sections of the SPD including Transport, Master-planning, Public Realm, and Environment sections.

## **Education**

- 6.19 It should be noted that DA7 only requires a site to be reserved for the school. As an empty site is unlikely itself to result in any impacts, the SEA therefore looks at the impacts of implementation of a school on the site.
- 6.20 This section of the SPD performed positively against the social and economic objectives. It provides opportunities for employment and once implemented a school will provide access to education, training and employment, all of which are wider determinants of health. This section of the SPD also has potential to increase access to education and lifelong learning for adjacent communities, having positive impacts on reducing deprivation, although this is also considered to be uncertain and will depend on take-up. Impacts for health & safety were considered to be positive with the SPD addressing previous SEA concerns regarding road safety through inclusion of suggestions for the school to be easily accessible and for the links to maximise road safety. It also performed positively against some of the environmental objectives, including local distinctiveness, through the potential for a school to help form a focal point in a community, as well as through provision of open space, as well as those relating to making the best use of land, and increasing access.
- 6.21 This section of the SPD has potential for adverse impacts on some of the environmental objectives, resulting from the resources used to create and sustain a 1,300 pupil intake school. In addition, as the school will be serving the wider Hove community, it has potential to increase the number of journeys made by car to the area, potentially having air quality impacts. Effects on biodiversity are uncertain as well depend on the ecological value of the site reserved for the school.
- 6.22 Mitigation for adverse impacts is considered to be provided through policies of the City Plan including DA7 and CP8 and through other sections of the SPD including Transport, Master-planning, Public Realm, and Environment sections.

## **Community and Retail**

- 6.23 This section of the SPD performed positively against the social and economic objectives. It provides opportunities for employment through the community uses and services provided, and will provide opportunities for residents to meet some of their various day to day needs on site, including access to community uses, health and retail, all of which will help to reduce the need to travel also having benefits for air quality. It also performed positively against some of the other environmental objectives, particularly the objective relating to local distinctiveness, through the role that community and retail uses could have in helping to create a focal point to the neighbourhood if clustered together, also having beneficial health and social impacts, through the potential to facilitate community interaction for both the new and existing communities.

- 6.24 This section of the SPD had potential for adverse effects against some of the environmental objectives, particularly those relating to resource consumption and waste production, and also the objectives associated with transforming a greenfield site into one of an urbanised form, including the risks of increased surface water flood risk and climate change adaptation.
- 6.25 Mitigation for adverse impacts is considered to be provided through policies of the City Plan including DA7 and CP8, and through other sections of the SPD including Environment and Public Realm sections.

## **Environment**

- 6.26 Overall, this section of the SPD performed positively against all of the environmental objectives. It illustrates ways in which the development could deliver an exemplar sustainable development and how the ecological footprint of the development could be reduced, in accordance with the requirements of DA7. For example, through delivering sustainable buildings, which will help reduce resource consumption, and through delivering water management solutions which will help to reduce the risk of surface water flooding as well as having benefits for biodiversity and climate change adaptation. It also illustrates how biodiversity could be used to help minimise visual impacts. It is acknowledged that all measures are suggestions and subject to viability and deliverability.
- 6.27 It also performed positively against health, mainly linked to the delivery of energy efficient homes which can reduce the risk of fuel poverty for residents, and also due to the health and well-being benefits that can arise from access to biodiversity and open space.

## **Transport and Travel**

- 6.28 This section of the SPD performed positively against most of the environmental and social objectives. It provides guidance on measures which could increase active and sustainable travel, and reduce journeys made by car, having associated benefits for air quality. It also provides guidance on measures which may reduce traffic speeds on nearby roads, which would have benefits for road safety, although may result in some localised air quality impacts. It refers to the Parking Standards SDP14 which sets maximum standards, helping to minimise parking on site and potentially influence travel choice. This section also has positive impacts for access due to the provision of a network of pathways and roads that will link development both within the site and to adjacent communities.
- 6.29 This section of the SPD has potential for adverse impacts against water pollution/flood risk and climate change mitigation due to the delivery of a network of roads and paths that will increase the amount of hard impermeable surfacing throughout the area.
- 6.30 Mitigation for adverse impacts is considered to be provided through policies of the City Plan including DA7 and CP8 and through other sections of the SPD including the Environment and Public Realm sections.

## **Public realm and blue-green infrastructure**

- 6.31 This section of the SPD performed positively against most of the environmental objectives. It has particularly positive benefits for biodiversity through the various illustrations for how green infrastructure could be incorporated across the site including through nature-based sustainable drainage systems, opportunities for food growing and includes suggestions that would support the conservation of the SNCI. Some of the measures have benefits in terms of reducing the risk of water pollution/flood risk and climate change adaptation. The suggestion to deliver an attractive and cohesive public realm would help to create a neighbourhood with its own sense of place, supporting local distinctiveness. This section of the SPD was also found to have particular benefits for making the best use of land available due to the guidance on how features can have multiple functions, e.g. open space providing water management.
- 6.32 This section of the SPD also performed positively against some of the social objectives, particularly those relating to health and health & safety through measures which could increase opportunities for recreation, activity and social interaction between all sections of the community.

## **Recommendations**

- 6.33 There were no recommended changes put forward to the SPD from the SEA process at this stage. All recommendations put forward during the previous stage of SEA were implemented.

## **Assessment of overall/cumulative effects**

- 6.34 The following table shows the impacts of each section of the SPD against the SEA Objective.
- 6.35 The second to last column indicates whether the overall impact against each of the SEA Objectives is considered to be broadly positive, negative, mixed, uncertain or whether there are negligible/no impacts anticipated.
- 6.36 The final column of the table then takes into consideration implementation of the policy requirements of City Plan Part 1 in addition to the SPD guidance



**Table of Overall/Cumulative Impacts**

	Amounts	Master-planning and Landscape	Place-making	Housing	Office	Education	Community retail	Environment	Transport	Public Realm	OVERALL IMPACTS OF SPD	OVERALL IMPACTS WITH CPP1
Biodiversity	-?	?	0	-	?	?	0	++	0	++	-/+?	+
Air Quality	-	+	0	-	-	-	+	+	+	+	-/+	-/+
Local dist.	+	++	++	+	+	+	++	0	0	++	++	++
SDNP	-	++	0	-	?	?	+	+	+	+	-/+	+
Housing	++	++	+	++	0	0	0	0	0	0	++	++
Transport	--	+	+	--	-	-	+	+	+	0	--/+	-/+
Water poll.	-	-	0	-	-	-/+	-	++	-	+	-/+	+
Water consump.	-	0	0	-/+	-	-	-	+	0	0	-/+	-/+
Contamination	?	0	0	?	?	?	?	0	?	?	?	+
Employment	++	+	+	+	++	+	+	0	0	0	++	++
Ec. Dev	++	+	+	+	++	+	+	0	0	0	++	++
Health	+	+	++	+	+	+	+	+	+	+	+	+
Safety	?	-/+	+	+	+	+	+	0	+	+	+	+
Deprivation	+	0	+	+	+	+	0	0	0	0	+	+
Engagement	0	0	0	0	0	0	0	0	0	0	0	0
Best use land	++	++	+	++	+	+	+	+	+	++	++	++
Energy	-	0	0	-/+	-/+	-	-	++	0	0	-/+	-/+
CC adaptation	-	-	0	-	-	-	-	++	-	+	-/+	+
Bldg. Standards	0	0	0	+	+	-	-	++	0	0	-/+	+
Access	+	++	+	0	+	+	++	+	++	+	++	++
Waste	-	0	0	-	-	-	-	+	0	0	-/+	-/+

## **Discussion of Overall Effects of the SPD**

It should be noted that the Toad's Hole Valley SPD acts only as a guidance document for the future development of the site. Therefore where effects have been predicted, these cannot be predicted with any certainty as these will depend largely on implementation.

### **Positive Effects**

- 6.37 The SPD may have significant positive effects on housing, economic development and employment. It may help facilitate delivery of a variety of housing types, provision of land for a variety of employment uses, and provision of other wider community uses including shops, health and education, all of which will provide employment opportunities.
- 6.38 The SPD may have significant positive effects by facilitating the creation of a locally distinctive neighbourhood through suggestions to cluster different uses together which may help form a focal point for the neighbourhood, including opportunities for play, community uses, retail and higher density housing. The SPD may also result in significant positive effects on increasing access through suggestions to deliver a network of paths and roads that connect the different uses within the site, as well as connecting the site itself with the wider area.
- 6.39 The SPD may have significant positive effects on making the best use of land through the amount of development anticipated, and through suggestions of measures which combine certain features which would help to use land efficiently, such as open space incorporating for play and food growing, and using nature based sustainable drainage systems that have benefits for health and the environment.
- 6.40 The SPD may have a range of positive effects for health through delivery of some of the wider determinants of health including housing, education and employment opportunities, may help to encourage active lifestyles through delivery of a network of public and open spaces as well as active travel, and through the suggestion to cluster uses together which could provide opportunities for social interaction.
- 6.41 The SPD may result in positive effects on health & safety through suggestions of measures which provide passive surveillance such as the clustering of uses, and through suggestions which may improve access particularly to adjacent areas.
- 6.42 The SPD may result in opportunities which reduce deprivation, including provision of housing, employment and education, depending on take-up by communities.

### **Mixed Effects**

- 6.43 The SPD may have mixed and uncertain impacts on biodiversity. Adverse impacts may arise due to the loss of a greenfield site which provides various ecosystem services as well as having potential ecological value, and due to the risk of increasing recreational pressure on the SNCI from the new community. However the SPD provides examples of measures which may provide mitigation to these effects such as suggestions for incorporating biodiversity across the site, as well as suggestions to ensure the appropriate management of the SNCI.
- 6.44 The SPD may result in mixed impacts on air quality and transport. Adverse impacts may arise due to the increase in journeys made to, from and within the area from the

increased local population and also due to travel for work and education purposes. The SPD provides examples of measures which may provide mitigation to these effects such as suggestions which promote sustainable and active travel, such as pedestrian and cycle crossing points and extension of bus routes into the site.

- 6.45 The SPD may result in mixed impacts on the SDNP. Adverse impacts may arise resulting from the amounts of development delivered and the risk of adverse visual effects and light pollution. The SPD provides examples of measures which may provide mitigation to these effects such as the consideration of visual impacts and strategic views, the suggested possible locations for high density development, and through recommendations to limit light pollution and effects on the Dark Skies Reserve status.
- 6.46 The SPD may result in mixed impacts on water pollution/flooding and adapting to climate change. Adverse impacts may arise due to the urbanisation of a greenfield site and the increased risk in surface water flooding this may result in, as well as the potential for increased local temperatures due to increased massing and building form in this location. The SPD provides examples of measures which may provide mitigation to these effects such as guidance on suggestions for delivering opportunities to manage water, nature-based sustainable drainage systems, and suggestions of measures which help to regulate temperature, such as biodiverse features incorporated into buildings.
- 6.47 The SPD may result in mixed impacts on water and energy consumption and production of waste. Adverse impacts may arise due to the increased population and the resources consumed and waste generated. The SPD provides examples of measures which could help reduce the ecological footprint of the development and which may mitigate these effects such as the encouragement of high standards of building design, through guidance on water management and through guidance on opportunities which could reduce demand for water and energy.
- 6.48 The combination of implementation of the SPD with the City Plan Part 1 policies and other adopted policy should help to reduce the likelihood and significance of most of the adverse impacts identified above. Impacts which may be more difficult to mitigate are those related to transport which may be somewhat reliant on changing travel behaviour, and those arising from increased resource use due to an increased population.

### **Uncertain Impacts**

- 6.49 It is not known whether any of the land is contaminated or has potential for contamination. This is likely to be ascertained during the planning process. If contaminated land is found to be present on site then development of the site would provide the opportunity for remediation and improvement of soil quality.

### **Neutral Impacts**

- 6.50 There were considered to be neutral impacts against this objective mainly because the sections of the SPD appraised did not refer to community engagement. However any planning application submitted for the site will be subject to the consultation requirements as set out in the Town & Country Planning Regulations.

## Section 7: What has the SPD process involved up to this point?

*The SA NTS must include:*

- *An outline of the reasons for selecting the alternatives dealt with*

### Consideration of alternatives

7.1 A Toad's Hole Valley SPD Issues and Options paper was produced and made available for consultation in March and April 2016. This set out the various issues that needed to be addressed by the SPD which included:

- Housing
- Office
- Education
- Community and Retail
- Environment
- Transport and Travel
- Public Realm and Blue/green infrastructure

7.2 For each issue, the following options were put forward:

- City Plan only (option 1)
- Broad brush SPD (option 2)
- Detailed SPD (option 3)

7.3 The options were considered to be reasonably distinctive and were drafted to stimulate early stakeholder consultation rather than be reflective of policy.

7.4 An assessment was carried out to appraise each of the options against the Framework. Each option was assessed against the Sustainability Objectives and recommendations were made on how each option may improve in sustainability. Each option was appraised by examining the effects on the current baseline or its contribution towards meeting targets or statutory requirements. The appraisal attempted to identify the most sustainable options for each of the issues. The full results of this assessment were presented in the full SEA Report (January 2017) in Appendix D and in Section 3.

### Preferred Option

7.5 Although there was not considered to be any consistent preferred approach, either of the options 2 and 3 (broad brush or detailed SPD) seemed to provide greater potential for more significant positive impact than option 1 (City Plan only) alone, as both provide greater details on measures which could result in greater positive effects if implemented.

7.6 Some of the positive effects associated with Option 3 seemed to be dependent on the production of various studies and it was unknown at the time of the appraisal whether these would be carried out in order to inform the SPD.

## **Draft SPD**

- 7.7 The draft SPD was produced, taking into account the results of early stakeholder consultation held in April-May 2016 on the Issues and Options paper and the results of the SEA of the Issues and Options. The draft SPD was published for city-wide consultation during March to May 2017.

## **Final SPD**

- 7.8 The SPD was amended to take into account the representations received during consultation. A further SEA was undertaken on the SPD to take into account and assess the changes made. This Non-Technical Summary provides information of the assessment findings at this stage. The full assessment can be found in Appendix D and Sections 4, 5 and 6 of the SEA Report (September 2017).

## Section 8: Proposals for Monitoring

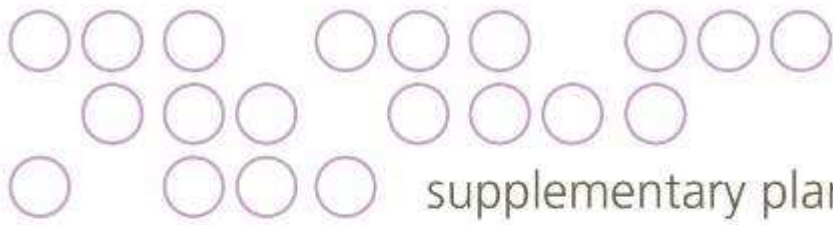
*The SA NTS must include:*

- *A description of measures envisaged concerning monitoring*

8.1 The indicators to be used to measure progress and impacts of the THV SPD will be finalised in the SEA post adoption statement. The following table presents the monitoring indicators that are proposed to monitor implementation of the SPD.

**Table of proposed monitoring indicators**

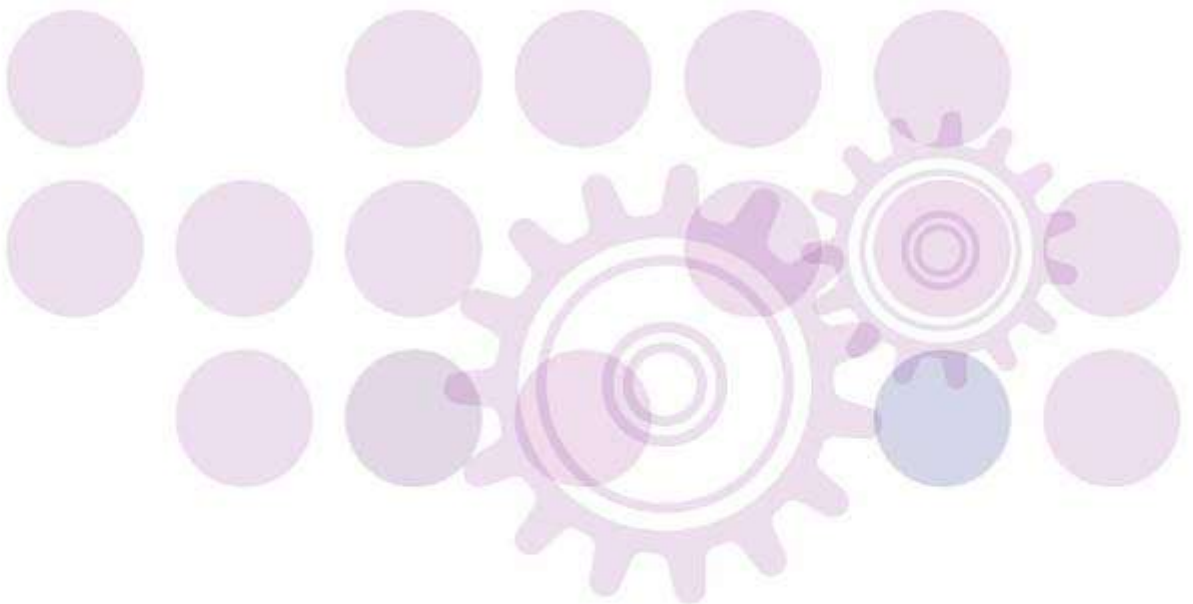
Effect/SA objective	Proposed Monitoring Indicators
Housing	<ul style="list-style-type: none"><li>• Total number of units of dwellings delivered (on site)</li><li>• Number of units and % (of total housing units) delivered that are affordable dwellings (on site)</li><li>• Number and % (of total housing units) delivered that are 3+bedroomed (on site)</li></ul>
Employment/economic development	<ul style="list-style-type: none"><li>• Area (sqm) of B1 office space delivered (on site)</li></ul>
Local distinctiveness / Access	<ul style="list-style-type: none"><li>• Area (sqm) of A3 floorspace delivered (on site)</li><li>• Area (sqm) of D1 floorspace delivered (on site)</li><li>• Area (sqm) of open space provided (on site)</li></ul>
Making the best use of land	<ul style="list-style-type: none"><li>• Net housing density achieved (on site)</li></ul>
Flood Risk / Water pollution / Climate Change Adaptation	<ul style="list-style-type: none"><li>• % of residential development incorporating SUDS (on site)</li></ul>
Water consumption	<ul style="list-style-type: none"><li>• Number and % of residential development achieving CP8 policy target of 110l/p/day (on site)</li></ul>
Energy consumption	<ul style="list-style-type: none"><li>• Number of units and % of residential development achieving CP8 policy target of 19% energy reduction over Part L standards (on site)</li><li>• Number of units and % non-residential development achieving CP8 policy requirement of BREEAM excellent (on site)</li></ul>
Transport	<ul style="list-style-type: none"><li>• Reductions in CO2 emissions from transport within Brighton &amp; Hove</li></ul>
Biodiversity	<ul style="list-style-type: none"><li>• SQM habitat features added/lost (on site)</li></ul>



spd 15

supplementary planning document

# Toad's Hole Valley







*Aerial view of the Toad's Hole Valley site (foreground) to the sea.*



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# 1 About this SPD



Fig. 1.1: Site components and developable areas

- 1.1 The aspirations for the development of a new community on the Toad's Hole Valley (THV) site have been established in City Plan Part One Policy DA7 Toad's Hole Valley.
- 1.2 **The purpose of this Supplementary Planning Document (SPD) is to assist in the delivery of this policy's vision for 'a modern, high quality and sustainable mixed use development [that helps to] meet the future needs of the city, improve accessibility and provide new community facilities to share with adjacent neighbourhoods.'**
- 1.3 To that effect this SPD provides illustrations and examples which could aid the preparation of detailed development proposals and support the successful delivery of a new neighbourhood for the city.
- 1.4 As such, this SPD:
  - identifies opportunities to meet the policy requirements as set out in City Plan Part One Policy DA7 and the City Plan generally; and

- signposts good practice examples of how the challenges of the site (topography, access, linkages, landscape impact and drainage) have been addressed elsewhere in the city or in other areas.
- 1.5 This document applies to the whole strategic allocation designated in DA7 of the City Plan Part One).
  - 1.6 It is to be read in conjunction with Policy DA7 and other relevant City Plan and saved Local Plan policies (see 2 Planning policy context and 6 Relevant planning policies).
  - 1.7 It is important to note that SNCIs are currently being reviewed and will be renamed Local Wildlife Sites (LWS) as part of the City Plan Part Two process.

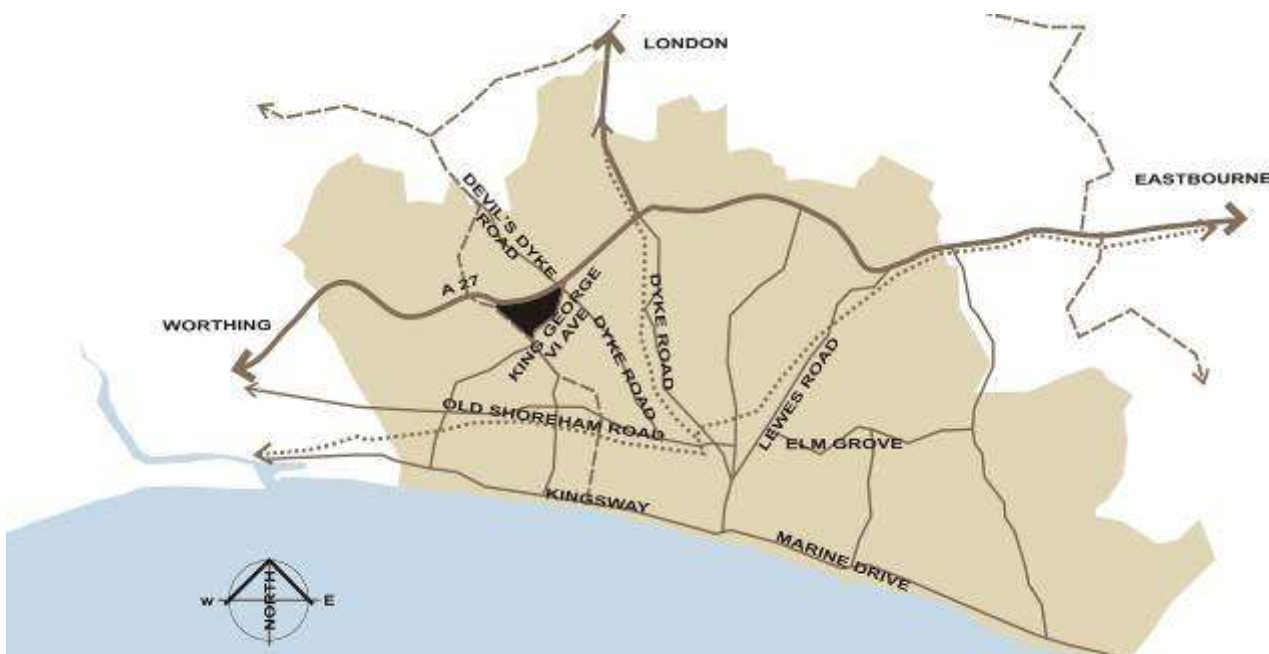


Fig. 1.2: Location of Toad's Hole Valley site in Brighton & Hove's road (continuous lines), rail (dotted lines) and national cycle way (dashed line) network.

## 2 The site

- 2.1 The Toad's Hole Valley (THV) site is located on the northern edge of Brighton & Hove (Figure 1.2), between the Hangleton and Goldstone Valley residential areas, the THV Site of Nature Conservation Importance (SNCI) and the South Downs National Park (SDNP). It is formed of two separately owned areas - Court Farm (north eastern tip of the site) and Toad's Hole Valley, which includes the SNCI (see Figure 1.1).
- 2.2 With a developable area of 37 hectares (excluding the SNCI), THV is the city's largest greenfield development site. As such, it presents a major opportunity to deliver purpose-built, mixed-use sustainable development that contributes to meeting the city's identified needs for housing, education, office and open space.



- 2.3 The site has a number of notable physical elements that present challenges to the objective of developing a sustainable neighbourhood. The principal barriers are shown in Figure 2.1 and described in more detail below.
- 2.4 The **topography** of the site is determined by a change in elevation of around 70m across the site from east to west, a steep bank at its western and northern boundaries and a flat-bottomed valley floor rising up again towards the east.



Fig. 2.1: THV site constraints/barriers. Base map: © Crown Copyright. All rights reserved. Licence: 100020999, Brighton & Hove City Council. 2016.

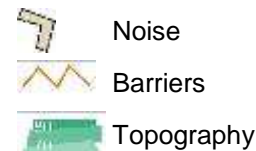


Fig. 2.2: View of site looking north towards the South Downs National Park.



Fig. 2.3: View from the top of King George VI Avenue looking southwest with THV site to the right of the road, the steep bank (SNCI) and rooflines of the Hangleton residential area at the top.

- 2.5 The **steep bank to the west of the site is protected as a Site of Nature Conservation Interest (SNCI)** and is also Open Access Land (Countryside and Rights of Way Act 2000). The SNCI has been subject to little if any management over the last decades and in its existing form can be characterised as scrubland: a mixture of trees, grass and other vegetation. It is not included within the area identified for development but it has the potential to become an important asset if managed sensitively for its ecological value and assessed in terms of its potential for enhancement and as a recreational use in conjunction with the wider development of the valley.
- 2.6 The **city's bypass runs at a high level upon a steep bank on the northern boundary of the site** and is part of the strategic, south coast **A27 Trunk Road** mainly accommodating long distance traffic from within Sussex. North of the road lies the South Downs National Park.
- 2.7 **King George VI Avenue** is a local Principal (A class) Road which runs along the southern boundary of the site and is a major arterial road that connects the bypass to central Hove. The road has a fairly steep incline.

- 2.8 Whilst efforts were made at the time of the construction of the bypass to shield adjacent residential areas by way of cuttings and landscaped noise bunds, THV was left relatively unprotected and open to traffic noise, due partly to its topography.
- 2.9 Court Farm and much of the northern section of the site lie within the Court Farm Article 4 direction which serves to regulate the provision of agricultural buildings. The entire site lies within a Groundwater Source Protection Zone (majority zone 2, with southern tip within zone 1 and north western corner within zone 3).



*Fig. 2.4: View from SDNP looking southeast. A27 in the centre of the image with THV and Goldstone Valley residential area on the background.*



*Fig. 2.5: View from Devil's Dyke Road looking southwest towards the sea.*



## 3 Planning policy context

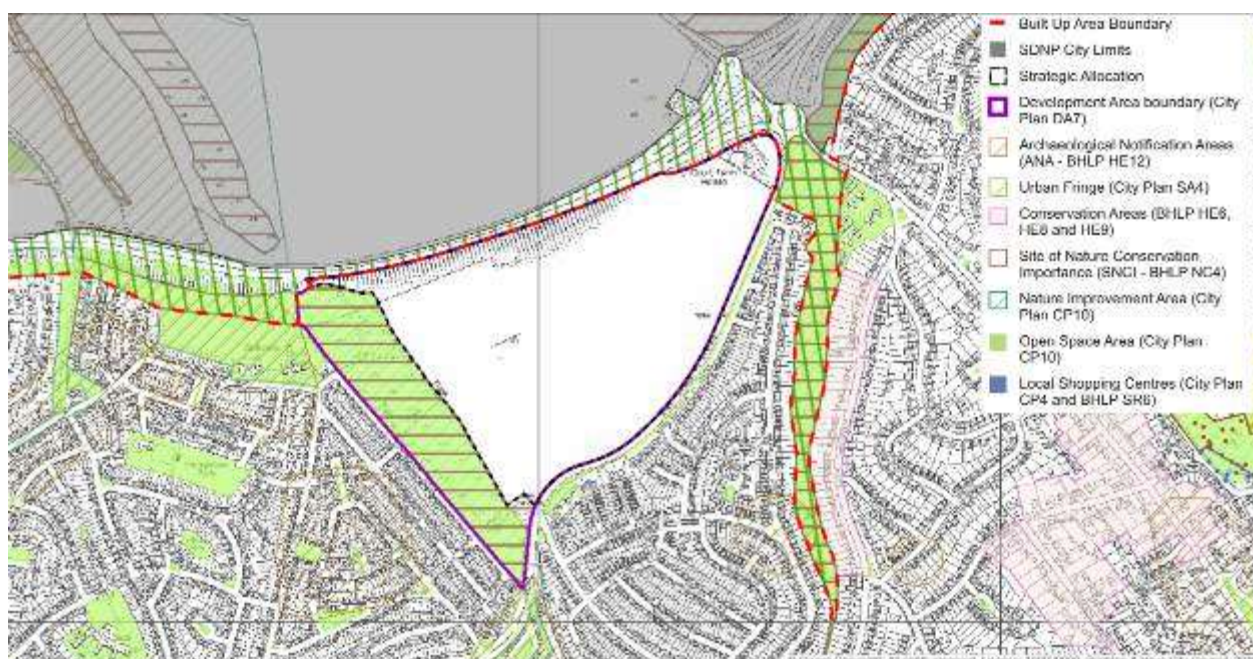


Fig 3.1: Extract from the Brighton & Hove City Plan. Base map: © Crown Copyright. All rights reserved. Licence: 100020999, Brighton & Hove City Council. 2016.

- 3.1 In preparing this SPD the council has had regard to relevant policy documents, particularly those highlighted below. A more detailed list of planning documents and policies relevant to the future development of the THV site is contained at the end of this document.

### National context

- 3.2 The [National Planning Policy Framework](#) (NPPF) 2012 indicates that a Supplementary Planning Document (SPD) can be used to help applicants make successful applications or aid infrastructure delivery but that it should not be used to add unnecessarily to the financial burdens on development.

### Local context

- 3.3 The local development plan currently comprises the [Brighton & Hove City Plan Part One adopted in 2016](#), the [Brighton & Hove Local Plan 2005 \(retained policies March 2016\)](#) as well as the [East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan \(adopted February 2013\)](#) and [East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan \(adopted January 2017\)](#).
- 3.4 The following City Plan Part One policies are particularly relevant in informing this SPD:
- **Policy DA7 Toads Hole Valley** sets out the principle for developing the site including key priorities, amounts of development and open space to be delivered. It also outlines the need for new development to achieve One Planet Living targets and promotes the city's Biosphere objectives; the need to respect the setting of the South Downs National Park (SDNP); and conserve and enhance the Site of Nature Conservation Importance (SNCI).

- **Policy CP8 Sustainable Buildings** outlines the city's commitment to achieving excellence in sustainable building design and sets out environmental standards for new development.
- **Policies CP12 Urban Design, CP13 Streets and Open Spaces and CP14 Housing Density** set out the general strategic design criteria for new development to achieve high quality buildings, spaces and routes. These include, for example, the requirement for development to be attractive, accessible, inclusive, adaptable, safe, sustainable and integrated into the wider site context.
- **Policy CP10 Biodiversity, Policy CP16 Open Space and CP17 Sports Provision** outline the city's expectations in respect of enhancing biodiversity and existing open spaces and also the provision of new open space. They recognise the importance of the South Downs Way Ahead Nature Improvement Area and the need for taking a landscape scale approach.
- **CP9 Sustainable Transport** sets out the general strategic approach to enhancing and delivering a sustainable transport network.
- **CP1 Housing Delivery, CP19 Housing Mix, CP20 Affordable Housing, SA6 Sustainable Neighbourhoods and CP18 Healthy City** outline the city's need for housing and the overarching elements for the delivery of sustainable communities.
- **CP2 Planning for Sustainable Economic Development, CP3 Employment Land and CP4 Retail Provision** outline the general strategic approach for meeting employment and retail needs.
- **CP5 Culture and Tourism** recognises the role of the South Downs as a visitor, education and recreation asset and seeks to promote eco-tourism and create a stronger visitor experience.

3.5 Court Farm, the smaller portion of the THV site to the east, has been the subject of a planning decision. Application BH2015/04184 grants planning permission for the 'demolition of existing buildings and erection of 4 residential blocks, part three-, part four-storey containing 74 one-, two- and three-bedroom flats (30 affordable). However this planning consent has yet to be implemented.

## 4 Opportunities for development response

### Submitting a planning application

- 4.1 Brighton & Hove offers a **pre-application service** and, in line with the NPPF, invites applicants to engage with the service as early as possible in the development process. In the case of complex, strategic schemes, it invites applicants to consider the option of entering into a Planning Performance Agreement (PPA). Information about the council's [pre-application service is available on the council's website](#).
- 4.2 A site of the size and complexity of THV has the potential to be developed in parcels over a period of time. Sites such as this are not common in the city. The staged delivery of the New England Quarter (NEQ) in Brighton over the last decade or so is an example of the way in which a 'masterplan application' approach can help to steer a successful development (see summary below).



## New England Quarter (NEQ) planning application approach example



Source (image above): [www.google.co.uk/maps](http://www.google.co.uk/maps)

Below: Pedestrian and cycle link connecting London Road area to the back of Brighton Station and northern SNCI/Greenway.



Construction on the 8-hectare, former rail yard, NEQ site commenced in 2004. It is due for completion in 2017.

The proposal for a mixed use scheme included 355 residential units, new car park for Brighton Station, foodstore, community facility, training centre, 5,265sqm office/workspace, hotel and language school.

The outline planning permission which relied on a masterplan for the whole site was granted in 2003 along with reserved matters for blocks A-D. A Section 106 Legal Agreement (S106) was signed with the developers prior to the issue of the permission.

The masterplan approved under the outline consent set parameters for reserved matters applications on remaining blocks.

Different blocks were sold to separate developers after masterplan approval.

Each subsequent full planning application for the different blocks/parcels of the site was tested against the original masterplan and adopted planning policy framework.

The masterplan/S106 secured delivery of:

- land use requirements and design principles across the site;
- primary pedestrian, cycle and vehicle links/routes across the site, including incorporation of SNCI as 'greenway' of ecological and amenity value; and
- delivery of improved environmental design achieved through a variety of measures.



- 4.3 In line with NPPF recommendations, the council has put in place arrangements for design review. In order to save time and resources, the council invites applicants to submit their schemes for review as early as possible in the design development process preferably prior to submitting a planning application. It is important to note that this service incurs a fee for applicants. More information about the [DesignPLACE service is available on the council's website](#).
- 4.4 Applicants may want to consider the benefits of preparing a design code as demonstrated by the Upton example illustrated in page 25 of this document.
- 4.5 The scale, form, height and siting of any proposed development on the THV site would be assessed in terms of its impact upon the **setting of South Downs National Park** (SDNP). In particular in regard to its landscape character and [SDNP Dark Sky Reserve status](#). The SDNP Integrated Landscape Character Assessment could be used to guide impact assessments.
- 4.6 Preliminary consultation with statutory consultees suggests applicants may need to consider integrating as part of their work programme the indicative list of assessments provided below. Applicants are advised to talk to the Local Planning Authority about how much information is required at the pre- and/or application stages of the planning process.
- **Transport Assessment** (TA) including an appropriate level of analysis and mitigation for the scale of development that addresses trip generation and movement by all forms of transport and other transport/travel-related issues such as road safety.
  - **Environmental Impact Assessment** (EIA) to identify the site's landscape and natural value together with mitigation measures to minimise development impact.
  - **Landscape Sensitivity Assessment** to inform development design and **Landscape and Visual Impact Assessment** (LVIA) to assess the impacts of the development in relation to the setting and special qualities of the South Downs National Park and surrounding area. The LVIA could be submitted separately or as part of an Environmental Statement submitted with a planning application.
  - **Archaeological Assessment** consisting of an initial desk-based assessment followed by field evaluation, if necessary, comprising geophysical survey and trial trenching to provide an understanding of archaeological interest that could be used to understand risk and inform the nature and layout of the development.
  - **Ecological Constraints and Opportunities Plan** and **Tree surveys** to help inform the design process and an **Ecological Impact Assessment** to provide benchmark data against which the impact upon ecosystem services can be assessed and recommendations for appropriate mitigation, compensation and enhancement be made.

### Amounts of development

- 4.7 The amounts of development proposed for the THV site are identified in City Plan Policy DA7. These include a wide range of housing types, sizes and tenures; office and business space; multi-use community facilities; shops and cafes; a secondary school; and open space.

- 4.8 The challenge for delivering this scale of development at THV is illustrated in the graph below which shows approximate proportions of the site area requirements in relation to the developable area of the site (excluding the SNCI).

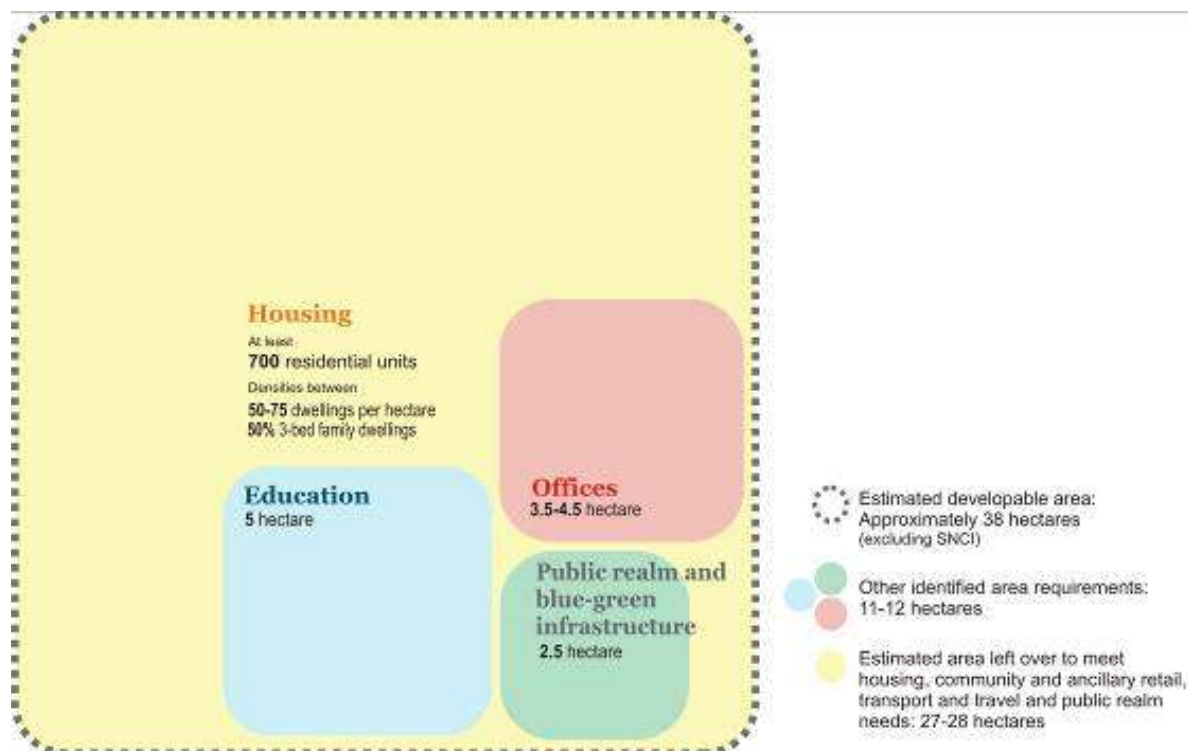


Fig. 4.1: City Plan Policy DA7 area requirement (proportionate representation of areas only).

## Landscape-led design

- 4.9 The creation of a modern, high quality and sustainable mixed use development that people want to live, work and visit is the ultimate aim of City Plan Policy DA7.
- 4.10 The sloping nature of the terrain, the setting of the SDNP and the protected SNCI provide a number of delivery challenges. Policy DA7 provides that one of the criteria against which development proposals will be assessed is the provision of a good quality public realm that encourages healthy lifestyles. Paths and open spaces that sit well in the landscape that link effectively with the existing footpaths and national cycle route could encourage people to keep active (see Fig. 4.15, page 22). Sport England's Active Design guidance shows how active design could be incorporated.
- 4.11 The **design and layout of the development** could take a bespoke approach to key elements of site layout, solar orientation, site topography, visual impact and access. One way in which this could be achieved, for example, is through utilising building forms and combining land uses that are responsive to site conditions such as using the contours of the site to orientate dwellings to obtain solar gains.
- 4.12 The Local and South Downs National Park Planning Authorities can help applicants to identify **strategic views** prior to a Landscape and Visual Impact Assessment being carried out. It may be useful for applicants to consider indicative strategic views already identified in the Brighton & Hove Tall Buildings Study, such as views 1 and 2 below, and those in the [SDNP's Viewshed Analysis](#).

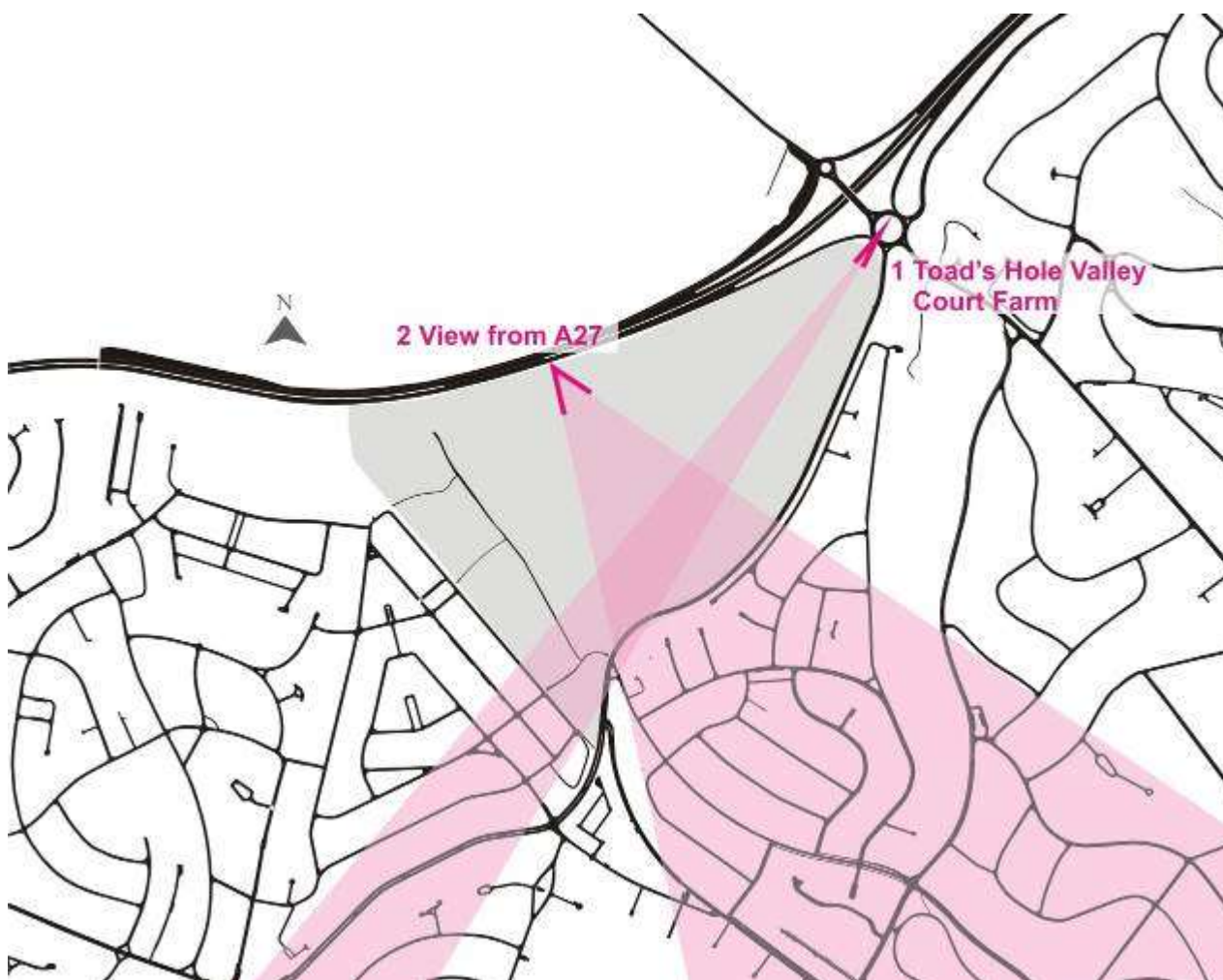


Fig. 4.2: Strategic views as per Tall Buildings Study (1 and 2). Base map: © Crown Copyright. All rights reserved. Licence: 100020999, Brighton & Hove City Council. 2016.





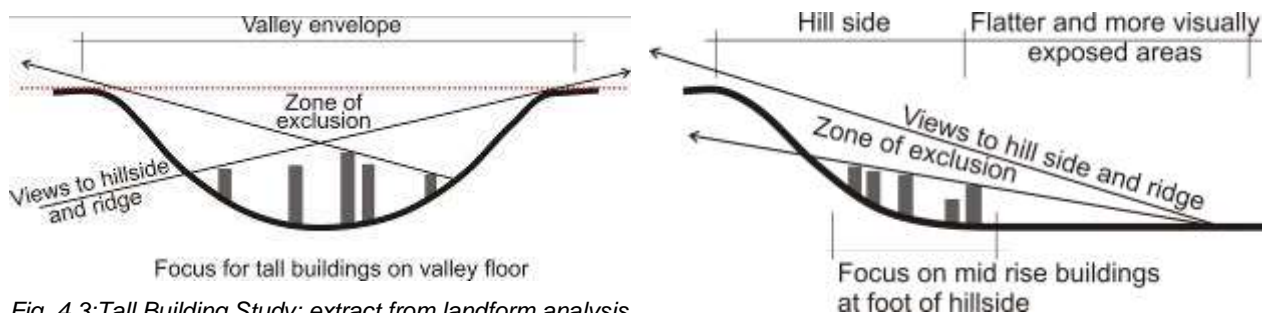


Fig. 4.3: Tall Building Study: extract from landform analysis



Fig. 4.4: Flatted development south of King George VI Avenue.

4.13 With regard to **building heights**, the city's Urban Characterisation Study suggests that the impact of taller buildings would be lessened if these were located at the flat-bottomed valley floor at the western end of the site subject to visual impact assessment. This approach would also be in line with existing development south of King George VI Avenue and in the area furthest away from the SDNP boundary (see Figs. 4.3 and 4.4). The valley floor is located along the SNCI border and a need to consider the impacts of development in this location upon the SNCI is likely to be required.

4.14 The undulating landscape of the development area provides opportunities for **building siting, massing and form** to:

- raise the standard of architecture and design in the city;
- enhance strategic views through and from within the site towards the sea and the SDNP and help to soften the hard edge of the current built-up area; and
- minimise the impact of light pollution and exposure to air pollution and road noise for residents and users of the new and existing neighbourhood (see Pollution and emissions, page 24) .

4.15 In order to allow the Local Planning Authority, South Downs National Park Authority and consultees to have a better understanding of the design rationale behind the development, applicants may want to consider submitting sections and 3D terrain modelling of strategic views as part of a planning application.

4.16 A positive, creative approach to the mix of land use policy requirements could help to make the best use of the THV site and optimise housing provision as well as generate a critical mass of activities and housing densities to enable a diverse, welcoming and economically viable new neighbourhood to develop.

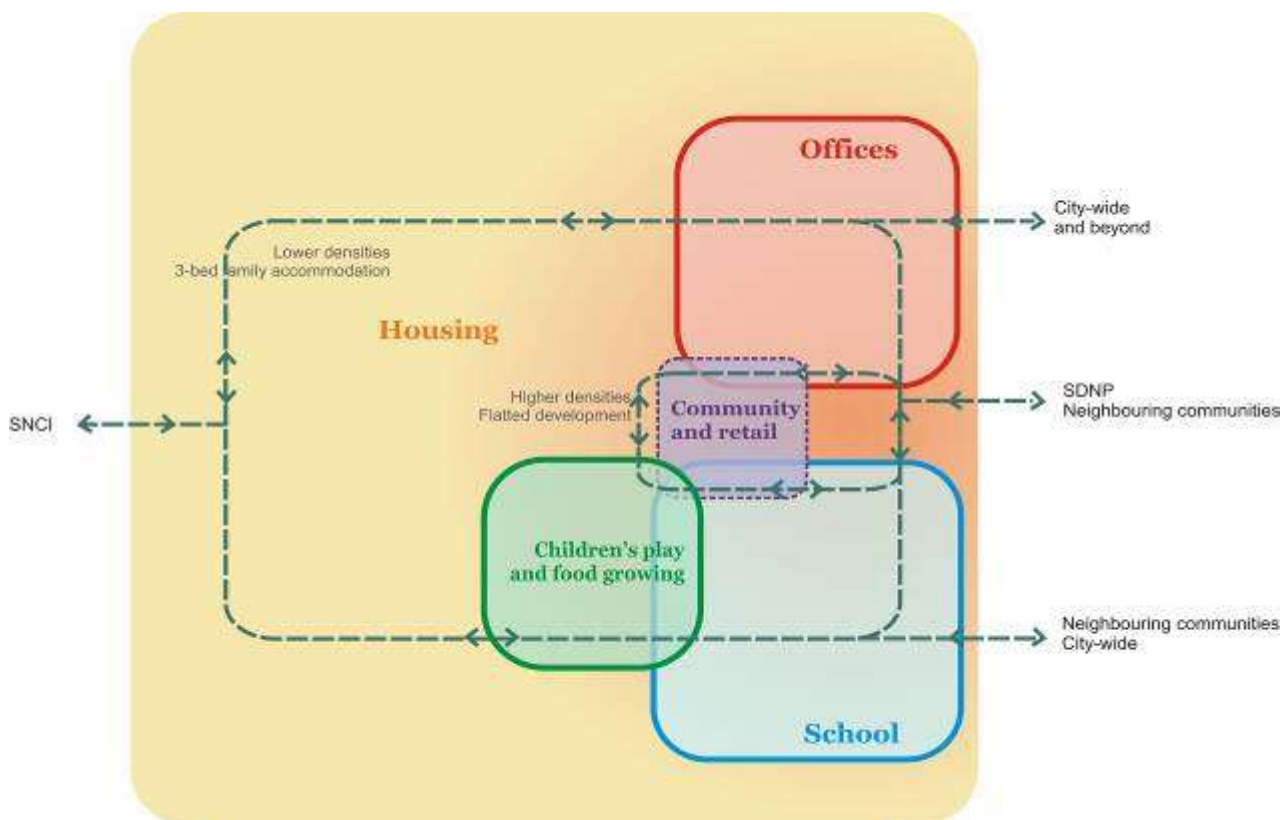


Fig. 4.5: Example of land use relationship/clustering of Policy DA7 requirements.

4.17 Figure 4.5 illustrates one way in which **land use relationships, connections and clustering/co-provision** of non-residential uses could be articulated to deliver these objectives by, for example:

- pulling together a mix of land use requirements that brings together community facilities and shops, children's play and food growing and high-density housing, secondary school and office space;
- placing in or near the periphery of the site with easy access into and out of the site land uses with greater user reach such as the secondary school (city-wide) and offices (city-wide and beyond);
- siting a secondary school that provides a community focus and optimises community use of indoor and outdoor play, sports and food growing facilities; and/or
- providing a network of open spaces, paths and roads that connects land uses within the THV site and incorporates features such as food growing and play/recreation opportunities but also links up with neighbouring communities, the National Cycle Network Regional Route 82 (Brighton & Hove /West Sussex) and the SNCI.

### Place making

4.18 Many of the city's outer suburbs lack a clearly defined cluster of mix of uses.

Policy DA7 requires provision be made for a multi-purpose community facility and local shops and services as part of a balanced and sustainable community.

4.19 Combining these with other non-residential and some residential use requirements for the site along with an attractive, green, safe, flexible and accessible public realm to form a well-designed and integrated mixed use neighbourhood could

provide opportunities for applicants to achieve a range of policy requirements including Biosphere Reserve objectives such as culture, community, health and nature conservation and enhancement.

4.20 In Brighton, there are examples of how a concentration of land uses and activities can be combined to form social and commercial clusters. These include the Jubilee Street and Whitehawk- Wellsbourne developments.

4.21 Even though the Jubilee Street development is located in the centre of Brighton and the Whitehawk Library Hub in the city suburbs, these schemes illustrate how non-residential and some residential uses can be clustered to create a focal point where various activities combine to serve the various communities living and working in the development and beyond (see summary below).

4.22 These examples illustrate how the clustering of land uses can be a useful tool in meeting land use requirements while optimising the use of the site, in particular for residential development.



*Flexible, versatile local meeting spaces that can accommodate active and passive, formal and informal activities.*

*Fig. 4.6 (above left): Paris Plage, France and proposals for flexible use of open space. Saint-Sauveur mixed use development, Lille, France (Ghel Architects). Source: [www.lm-tv.fr](http://www.lm-tv.fr).*

*Fig. 4.7 (above right): Paris Plage, France.*



## Examples of mixed use clusters in the city

Source (images): [www.google.co.uk/maps](http://www.google.co.uk/maps)



### Jubilee Street development

Estimated density: 70 dwellings per hectare

Situated in Brighton's historic centre it comprises the central library, shops, restaurants, 76 flats and a hotel based around a new road and central square.

The framework for the development was set out in a planning brief with planning permission being granted in 2002. Construction started soon after and was completed in stages with the Library and the Square opening in 2005 and the hotel, restaurants, offices and residential units in 2006.

The development is well knitted into the surrounding area with Jubilee Street being the vehicle access route and pedestrian-cycling links to side streets such as Regent Street and Barrack Yard.

Jubilee Square, with its open, flexible layout, provides opportunities for a variety of activities to take place attracting a range of different users.



### Whitehawk-Wellsbourne cluster

Estimated density: 21 dwellings per hectare

This suburban, steeply sloping site was part of City Academy Whitehawk. Two planning permissions were granted for a mixed use development that included a new library, café, offices, ancillary uses for the co-location of various council community services (2009) and Hobby Place which provided 29 affordable rented council flats (2016).

All have been built with the exception of the flats that will be completed in 2018.

This cluster brings together a range of community services that were previously spread out across the local area.

However, a piecemeal approach and lack of a masterplan have meant that an opportunity has been lost to further improve pedestrian and cycle links across the site and access to the bus stop at Whitehawk Way.

## Housing

- 4.23 City Plan Policies CP1 and DA7 set a minimum target of 700 residential units to be brought forward on the THV site. This is to be achieved via residential densities varying between 50-75 dwellings per hectare with a minimum of 50% 3+ bedroom family housing. To gauge how this density range compares to that in other parts of Brighton & Hove examples are set out in page 18.
- 4.24 The Local Planning Authority recognises that housing numbers are set at a minimum and there may be an opportunity for increased housing provision which could help create a more viable neighbourhood that supports a variety of businesses and activities and is well served by regular bus services (see Transport and Travel on page 21).
- 4.25 In line with City Plan Policy CP19 **Housing Mix**, the ability of the THV site to accommodate a wide range of needs and lifestyles will be an important factor in creating a lively, diverse and economically-viable new neighbourhood. A range of housing delivery options could include for example, custom- and self-build, community land trust and co-operative housing .
- 4.26 Ways to achieve Development Plan policy compliance could arise from:
- locating higher density residential flats above shops and businesses with close access to public transport which could help to provide a neighbourhood hub/cluster with critical mass to sustain viable customer base and public transport services;
  - accommodating a variety of typologies to meet a range of needs including housing for older people, disabled people, non-family households and non-car owners;
  - enabling people to choose to reduce car dependency and ownership or choose ultra low-emission options;
  - optimising provision of affordable housing units;
  - creating flexible spaces able to respond to changes in user lifestyle over time and to adapt to homeworking;
  - achieving high standards of sustainable building design; and
  - adopting efficient, affordable design and construction techniques that address specific local environmental issues such as traffic noise and water conservation.



Fig. 4.8: The Hyde, Kent, UK, Idris Perrineau Town Architects (left). Source: [www.ecofriend.com](http://www.ecofriend.com)

Fig. 4.9: Housing accommodation and facilities for older people. Image courtesy of Age Action Alliance's Glenise Martin (above).





Figs. 4.10 and 4.11: Accessible pathway solutions up steep slopes in Pittsburgh, USA (below left - Source: <http://www.nextpittsburgh.com/city-design/august-wilson-park/>) and Robson Square Vancouver, Canada (below right – Source: <http://justcutepics.blogspot.co.uk/2009/08/40-cool-and-creative-wheelchair-ramps.html>)

#### Estimated densities of existing residential areas (in dwellings per hectare – dph)



Hanover

80-100



Poet's Corner

110



Brunswick Town Area

216

#### Estimated densities of recent development (in dwellings per hectare – dph)



NEQ, City Point (resi+retail+offices)

175



NEQ, Gladstone Row (resi+offices)

147



NEQ, One Brighton  
(resi+community+offices)

500

NEQ, Block J  
(resi+hotel+offices)

270



Open Market  
(resi+market)

191



## Office

4.27 City Plan Policy DA7 requires that 25,000 square metres of B1 employment space within a site area of between 3.5 and 4.5 hectares be provided at THV. A flexible mixture of built forms and unit sizes that could cater for a variety of business types from small start-up businesses and medium-sized enterprises to larger spaces suitable for the knowledge based economy, a key growth sector for the city and wider city region.

4.28 There are also a number of opportunities for applicants to achieve multiple policy objectives and optimise the use of land. For example, by:

- creating flexible high quality office spaces that address changing work practices and incorporating green technologies;
- locating office use where it can take advantage of transport connections and/ or of amenities; and/or
- clustering office space with multi use community building, shops and cafes to help create an attractive environment for employees to work, socialise and in many cases live.



Fig. 4.12 (above): Stockley Park, Heathrow. Source: The new geography of office demand 2: Business Parks, UK Office Market Research, 2014.



Fig. 4.13 (left): Filwood Green Business Park, Bristol. Source: [bristolgreencapital.org/launch-of-filwood-green-business-park-a-new-sustainable-home-for-businesses/#](http://bristolgreencapital.org/launch-of-filwood-green-business-park-a-new-sustainable-home-for-businesses/#)

Fig. 4.14 (below): Sussex Innovation Centre, Brighton. Source: [bdaily.co.uk/entrepreneurship/01-06-2015/south-east-startup-scene-confidence-and-community-are-key-for-sussex-innovation/](http://bdaily.co.uk/entrepreneurship/01-06-2015/south-east-startup-scene-confidence-and-community-are-key-for-sussex-innovation/)



## Education

- 4.29 City Plan Policy DA7 requires that an area of 5 hectares be reserved for a six form-entry secondary school for ages 11-18, or a through school, in order to meet identified needs.
- 4.30 The siting and design of the school could explore opportunities for :
- access via safe cycle and walking routes and public transport from the new development and wider residential catchment area, the SNCI and the South Downs National Park;
  - maximised road safety and Travel plans and facilitated bikeability training to pupils, staff and parents;
  - the provision of flexible, sustainable facilities which can offer a range of functions including lifelong learning, sport and leisure and have the potential for adaptation to future needs; and/or
  - optimise community use of the playing field as well as indoor sports and other facilities, especially for young people.

## Community and retail

- 4.31 City Plan Policy DA7 requires the provision of a new multi-use community facility to include a community meeting place, a doctor's surgery, a resource promoting links with the SDNP as well as shops and cafes.
- 4.32 Consideration could be given to locating these uses alongside residential flats and other facilities and enabling these to be easily accessed, used and valued by local communities.
- 4.33 The SDNP Authority has advised, as part of consultation on this SPD, that provision be made for any multipurpose community facility to include a National Park Interpretation/education facility. There may be advantages from clustering this with other land use requirements for the site and connecting the linking it to the park via the public realm network, in particular pedestrian/cycling links.

## Environment

- 4.34 The supporting text to City Plan Policy DA7 states it is expected that development in THV to be 'an exemplar of sustainable development and demonstrate that the city's UNESCO Biosphere Reserve objectives can be successfully integrated throughout the development scheme subject to viability and deliverability' (paragraph 3.84). City Plan Policy CP8 Sustainable Buildings lists priorities and sets out minimum standards to inform development design subject to viability and deliverability.
- 4.35 There are a number of opportunities to reduce the ecological footprint of the development at THV and combine Biosphere objectives to deliver sustainability policy requirements. These could include, for example:
- combining efforts to deliver ecosystem services and high standards of building design and construction (energy generation, passive design approaches, food growing and minimising water use and waste management), effective, accessible and sustainable transport links (cycle and pedestrian routes and public transport);

- reducing heat island effect (green roofs and walls and greening of public streets and spaces);
- making the most of the unique opportunity to plan for sustainable energy and a transition to zero carbon energy in future, by designing in renewable energy, decentralised energy, for example a heat network to supply heat (and power) to high density areas; energy storage and grid services, and designing to high standards of energy efficiency;
- making creative use of steep slopes maximising the opportunities for good orientation to reduce the need for mechanical cooling and heating, maximise opportunities for renewable energy technologies, especially solar, and contribute towards meeting the environmental criteria for the different types of buildings and land uses;
- utilising access to SDNP open spaces, its ecosystem services and resources (such as local materials, wood fuel etc.) to enhance health and wellbeing, the local economy and the lives of the new and existing communities;
- using innovative, low energy design and construction methods that add to the sustainability, biodiversity and quality of the natural environment through the inclusion of elements such as chalk grassland roofs, green walls and drought resistant planting, to minimise the visual impact of the development;
- taking advantage of the benefits associated with economies of scale created by the wider development to deliver site-wide community-based energy and water solutions such as district heating and rainwater harvesting;
- using landscape-led, climate resilient water management solutions appropriate to use within a Groundwater Source Protection Zone (part of the site is within GSPZ1 and GSPZ2) including rain gardens, swales, ponds and green roofs and walls that help to reduce the risk of flooding, contamination of the aquifer and enhance biodiversity within the site and the SNCI (see Public realm and blue-green infrastructure on page 26);
- choosing building materials based on their sustainability, functional performance and low maintenance over time; and/or
- carbon emission reduction via, for example, promotion and provision associated with ultra-low emission vehicles.

4.36 A Toad's Hole Valley Heat Network Study has been undertaken by the council to explore the feasibility and viability of a heat network for the site. A summary and detailed study is available on the council's website. The techno-economic assessment shows that, depending on scheme design, a viable heat network could be delivered enabling an easier transition away from fossil fuels. All heat sources considered in the study have lower emissions than a standard solution utilising gas boilers for heating.

## Transport and Travel

4.37 City Plan Policy DA7 seeks the development of a fully connected new neighbourhood at THV. The site's location on the edge of the built up area, and the physical severance caused by the steep slopes of the SNCI, the A27 and King George VI Avenue pose specific challenges in achieving this objective.



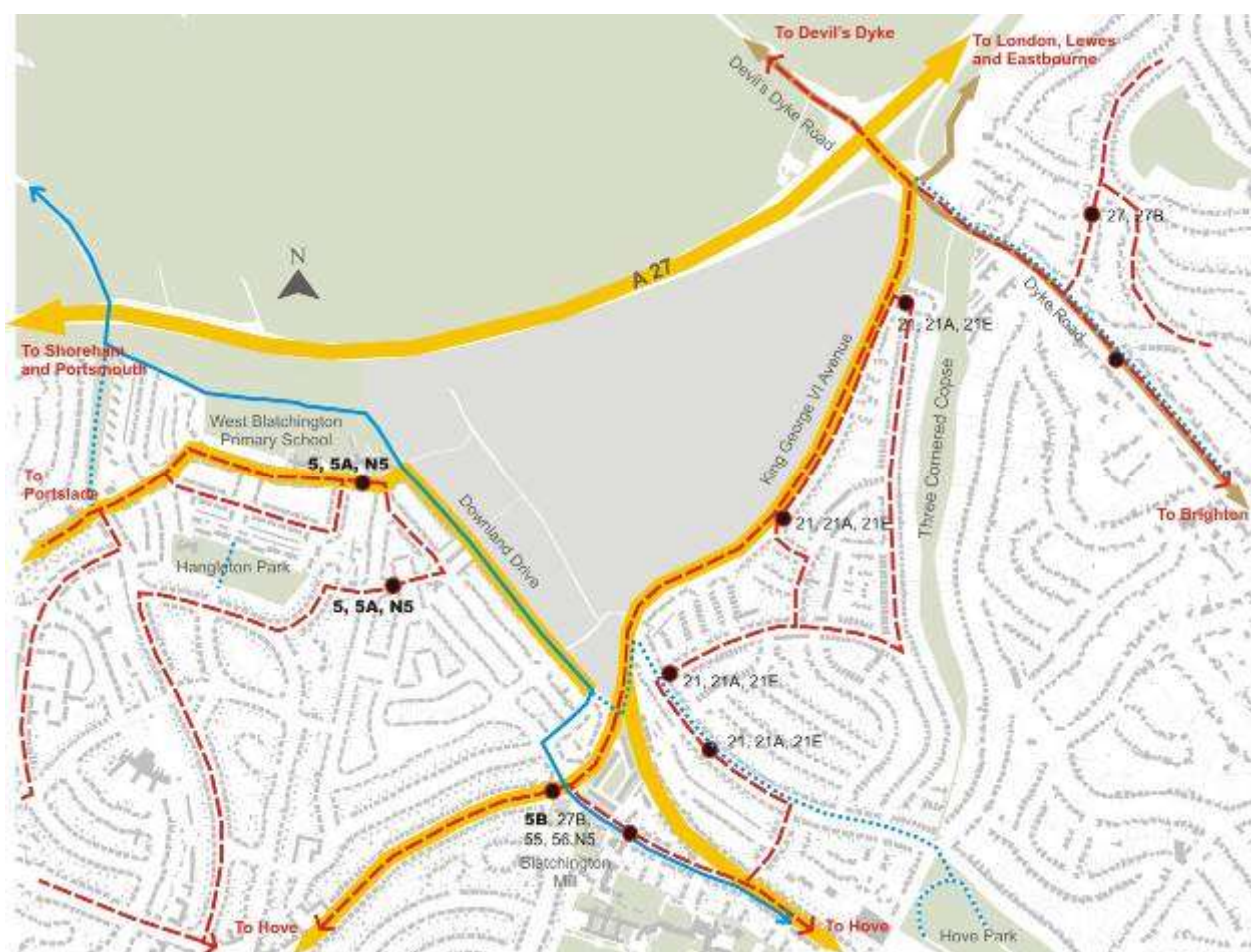


Fig. 4.15: Existing A and minor roads with public transport and cycle links. Base map: © Crown Copyright. All rights reserved. Licence: 100020999, Brighton & Hove City Council. 2016.

-----	Bus routes	Yellow line	A roads	Blue line	National Cycle Regional Route 82 (Brighton & Hove / West Sussex)
5	Frequent bus routes	Brown line	Minor roads	Dotted blue line	Cycle routes not on the National Cycle Network
21	Less frequent bus routes				
Red dot	Bus stops closest to THV site with routes identified				

- 4.38 Other policy challenges include establishing and maintaining a viable, regular public transport service; creating sustainable transport linkages within and across the site which connect safely and conveniently with existing provision in the surrounding area; enabling safe and efficient vehicle movement within a neighbourhood that is designed for and prioritises movement for people; includes better links with existing neighbourhoods and communities, shops and services; creates new links with the SDNP; and reduces or minimises traffic-related light, air and noise pollution and carbon emissions
- 4.39 Transport and travel goals and objectives, and priorities and themes, are set out within the council's current [Local Transport Plan \(LTP4\)](#) for the city as a whole.
- 4.40 As part of the development, any works that are proposed or required to be carried out on the public highway to mitigate the impact of the development will require an appropriate legal agreement to be entered into with the Highway Authority.
- 4.41 Resolving a number of these challenges may require developers/ planning applicants to work in partnership with the Council, Highways England and public transport operators and local partners, stakeholders and communities to examine how existing sustainable transport routes can link up with Toad's Hole Valley.

4.42 Transport and travel options for the site would need to be tested once the location of land uses (i.e. residential, employment, school, etc.) has been finalised. This is because the land use layout would be critical to determining how Policy DA7 and other Transport policies will be realised. For example, creating frontages onto existing or new routes will influence the way in which those routes could or will be used and reducing areas of, or surfaces for, circulation for vehicles could minimise their potential dominance.

4.43 The design of the network of paths, roads and public transport across the site may offer opportunities for meeting a range of policy objectives by, for example:

- promoting and providing for sustainable transport initiatives such as minimum on-site car-parking, public transport use, car sharing and access to car clubs;
- creating a more built-up area feel to King George VI Avenue could improve road safety and provide a sense of spatial containment to the road;
- adopt physical measures along the King George VI Avenue such as central reservations and crossing points that help place the needs of pedestrians and cyclists as top priorities, and which could also help to change driver perceptions and behaviours and therefore manage traffic flow and reduce the impacts of vehicles ;
- using existing informal pedestrian and cycling entry points and desire lines into the THV site to inform design of road network of the new neighbourhood;
- an appropriate number of accessible bus stops with up to date information systems;
- improve pedestrian and cycle access to THV site to and from Hangleton area via the SNCI whilst taking steps to minimise impact upon this protected part of the site; and
- design a network of paths, roads and open spaces in the development site to be as accessible as possible for all users.

4.44 Other issues and combined policy gains that may be useful to consider in the overall design/layout of the development include, for example:

#### **Public transport**

- There are several bus routes and stops close to the THV site's south and west edges that could be extended to support new bus services at THV and/or improvement of services to existing communities and visitors to the SDNP; and
- the secondary school could be located near and/or close to existing services in order to use these until resident numbers at THV are high enough to support new services going into the site.

#### **Parking for vehicles and servicing areas**

- The amount and type of parking provided for developments/land-uses should have due regard to the council's [SPD 14 Parking Standards](#);
- the provision of adequate cycle parking facilities could encourage more sustainable movement patterns throughout the site;

- individual developments could design in sufficient areas to enable servicing and delivery in a way that does not hinder movement and access within the site and/or affect the local community and environment; and
- parking provided in connection with a future office use may offer opportunities for informal weekend Park + Ride provided the criteria set out in the supporting text of policy CP9 Sustainable Transport can be met.

### Travel plan

- Providing detailed Travel Plans for different land-uses that set out how access and movement could help prevent or mitigate the potential impacts of the new community on the site and its surrounding areas, including the setting of the SDNP.

### Links with the SDNP

- Improving legibility and the condition of existing links over the A27 to the east (Devil's Dyke roundabouts) and west (pedestrian bridge north of Hangleton);
- providing information boards about the SDNP at the two existing access points (car and foot bridge over the A27 to the east and west of the site); and
- exploring opportunities for new connections for people and wildlife into the SDNP including identifying a broad location for the provision for a **National Park Gateway** that connects the Park with THV and surrounding neighbourhoods.

### Pollution and emissions

- The best air quality will be set back from roads and towards the top of the slope where dispersion conditions are easier;
- there is likely to be higher pollution within three metres of the A2038 King George VI Avenue due to heavy vehicles climbing up the hill with limits for particulate, nitrogen dioxide and carbon monoxide being at risk if the main carriageway is enclosed by walls or buildings within a few metres of road kerb;
- it could be beneficial for air quality if steep road gradients are avoided (minimising fuel consumption, tailpipe emissions and tyre and brake wear);
- taking account of development impact on local air quality and the [SDNP Dark Sky Reserve](#) by, for example, taking steps to minimise light pollution and seeking improvements in air quality and noise pollution;
- promoting reduction in car use in order to contribute to meeting the local and national carbon reduction targets;
- ensuring that options considered for traffic-calming do not have any unacceptable indirect adverse effects for noise or air quality; and
- exploring options for the design and placement of buildings, hard and soft landscaping design and innovative solutions that can positively change and sculpt the nature of the acoustic environment within the new neighbourhood.



## An example: Upton (Northamptonshire, UK)



Construction of the Upton residential extension to the market town of Northampton began in 2004. By 2011, it was estimated to have 5,536 inhabitants with most of the 8 development sites having been occupied by 2016. The development was guided by a masterplan and design codes and demonstrates how large scale developments can incorporate sustainable principles of urban growth. The masterplan outlines design principles and the design codes provide the detailed guidance that ensures coherence and consistency through the different phases of the development.

Design features include:

- a variety of housing types, sizes and tenures at higher densities;
- improved public transport and pedestrian and cycle links in and around the site;
- a main street and square with a school and recreational and children play and local shopping facilities to serve as focal points for the community;
- innovative drainage techniques that combine surface water discharge into a swale system and porous paving in courtyards and residential areas; and
- requirement for developers to procure green tariff electricity supplies, use a common service corridor, optimise passive solar gain, meet CO2 emissions targets, adopt rainwater harvesting technologies, use recycled or local, sustainably sourced materials and recycle waste during construction and afterwards.

As part of the design process, a working group and a steering committee of local stakeholders were set up to oversee the project's implementation and maintain the involvement of the wider community.

Source: [https://www.itdp.org/wp-content/uploads/2014/07/26-092211\\_ITDP\\_NED\\_Vauban.pdf](https://www.itdp.org/wp-content/uploads/2014/07/26-092211_ITDP_NED_Vauban.pdf)



## Public realm and blue-green infrastructure

- 4.45 City Plan Policy DA7 expects the provision of 2 hectares of public open space with children's play space and informal sports facilities and 0.5 hectares of food growing space. It also expects proposals to conserve and enhance the SNCI and for green infrastructure to be integrated through the site to deliver Biosphere objectives and contribute to Biodiversity Action Plan targets.
- 4.46 The creation of a new neighbourhood/community provides opportunities to design open spaces that are accessible, usable, rich in biodiversity and help reduce vulnerability to a changing climate.
- 4.47 The ability to incorporate landscape-led solutions for the provision of transport and communication, water management, biodiversity and ecosystem services into the network of open spaces could be an important element of any development proposal.
- 4.48 This may include for example effective links through and between the school playing field, food growing space, public open space and to the SDNP and South Downs Way Ahead Nature Improvement Area and contributing to Biodiversity Action Plan Targets.
- 4.49 The design of the network of paths, roads and open spaces at THV could provide opportunities to meet policy objectives (connectivity, legibility, low ecological footprint and reduced landscape impact) and City Plan policy requirements (such as space for children's play; informal sport facilities; food growing space; SNCI enhancement; biodiversity gains; water management; recreation; pedestrian and cycle linkages; vehicle movement; and parking).
- 4.50 There are a number of ways in which this could be achieved including, for example:
- locating housing and associated outdoor amenity space for the older people alongside a children's play area could assist with the creation of a successful and sustainable neighbourhood where people positively engage with the wider community.
  - designing in plot boundaries that are permeable to wildlife and reduce light pollution in and around important wildlife areas and green spaces could contribute towards reducing the impact upon biodiversity and the SDNP's Dark Skies reserve and meet the Biosphere objectives by encouraging active, sociable lives to promote good health and well-being;
  - weaving the open space network into the fabric of the development in order to encourage social interaction and, as often as possible, passive surveillance for squares, streets and pedestrian and cycling routes;
  - creating spaces that can be used flexibly to perform different functions for users at different times such as residential streets that can be used as play space or for community events and use of the topography for extreme play opportunities;
  - incorporating landscape-led, natural ways of preventing flooding and contamination of the aquifer via sustainable drainage solutions that are appropriate to the Ground Water Protection Zone and can help increase the capacity of the piped system to cope with rainwater events and reduce impact upon the rest of the catchment area;

- integrating informal children's play and adult health and fitness into the design of public spaces such as the use of street furniture, natural features or public art that doubles-up as play equipment and/or an exercise trail;
- incorporating the SNCI as a unique resource and create opportunities for enhancing biodiversity through appropriate management and habitat creation; and/or
- using robust, durable and sustainable materials that take into consideration and factor in long-term financial arrangements, including maintenance costs.

4.51 Examples illustrating how the challenge of delivering public realm and infrastructure has been tackled elsewhere is provided below.

4.52 Other issues and combined policy gains that may be useful to consider when considering the overall design/layout of the development include:

### **Food growing**

- The Food and Development Planning Advice Note (PAN) 06 illustrates how the required minimum of 0.5 hectares of food growing could be woven into the fabric of the development to provide successful multi-functional uses of space. The integration of productive planting into landscape plans, provision of community food growing areas, or bespoke small scale allotment type areas within developments can bring these areas to life and support community cohesion, biodiversity enhancement and offer health benefits to users.

### **SNCI and other large open spaces**

- Located west of the site, the SNCI is not included in the developable area for the THV site. However, its restoration and enhancement could provide a unique, desirable resource that existing and future communities.
- It could be useful to consider how the SNCI's nature conservation and biodiversity importance could be recognised, appropriately managed, enhanced and utilised in the landscaping and ecological planning of the new development. For example, by making it an integral part of the public realm and improved pedestrian and cycle linkages from the site to the SNCI and SDNP. Ecological surveys have the potential to help inform a management plan for the SNCI and the appropriate level of public access.
- Proposals for access to and use of the SNCI should be developed in the light of conservation objectives and any plans for linkages and improved access should be sensitive to its needs. For example paths through could have as small a footprint as possible or remain unlit and a management plan for the SNCI could be developed early on in the design process with resources secured for its implementation and review over time.

## Guidance and examples illustrating blue-green infrastructure within developments



Figs 4.16 and 4.17 (above): Landscape-led opportunities for play and food growing. Source: [www.pinterest.com](http://www.pinterest.com)

Fig. 4.18 (right): Residential street in Vauban, Germany. Source: [expo2010.freiburg.de/servlet/PB/menu/1220468\\_12/index.html](http://expo2010.freiburg.de/servlet/PB/menu/1220468_12/index.html)



Fig. 4.19 (left): Sustainable housing with SUDS infiltration ditches, Euralille 2, Lille, France.

Fig. 4.20 (below): Examples of commonly used sustainable drainage for different development types. Image courtesy CIRIA C753, 2016 (WOODS BALLARD, B, WILSON, S, UDALE-CLARKE, H, ILLMAN, S, SCOTT, T, ASHLEY, R, KELLAGHER, R (2015) *The Suds Manual*, C753, CIRIA, London ISBN: 978-0-86017-760-9, [www.ciria.org](http://www.ciria.org)).

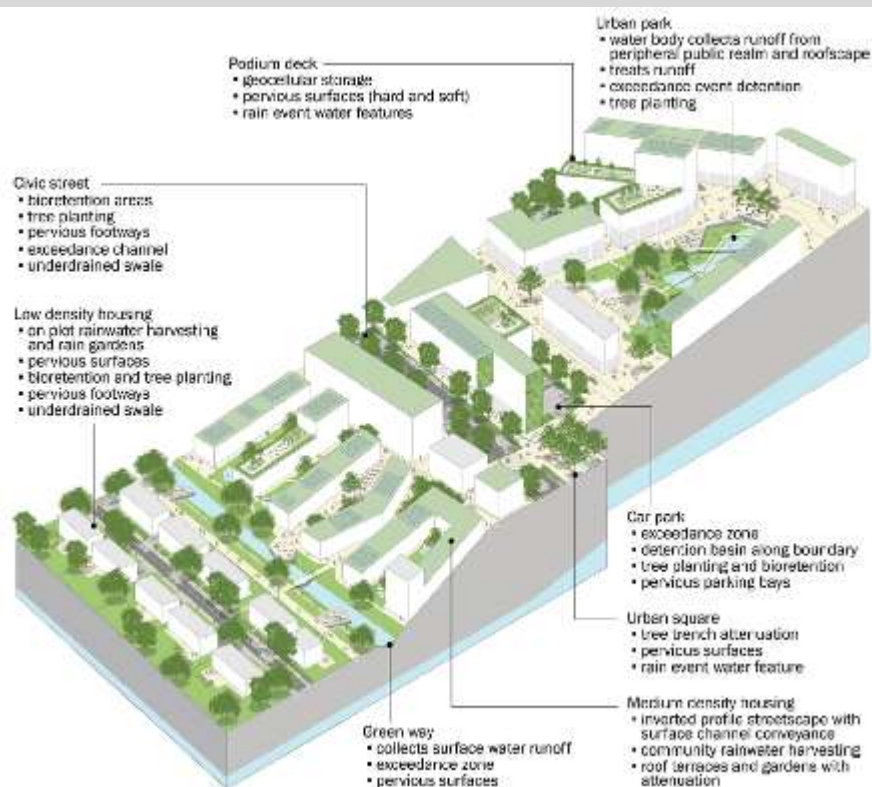






Fig. 4.21 (above): Colourful decorated channels capture water runoff and allow children to play when water is present in Westminster, London.



Fig. 4.22 (right): Green roof bike shelter with green roof in Islington, London.

Fig. 4.23 (below): Cross-section showing example of SuDS on a sloping site.

Images courtesy CIRIA C753, 2016.

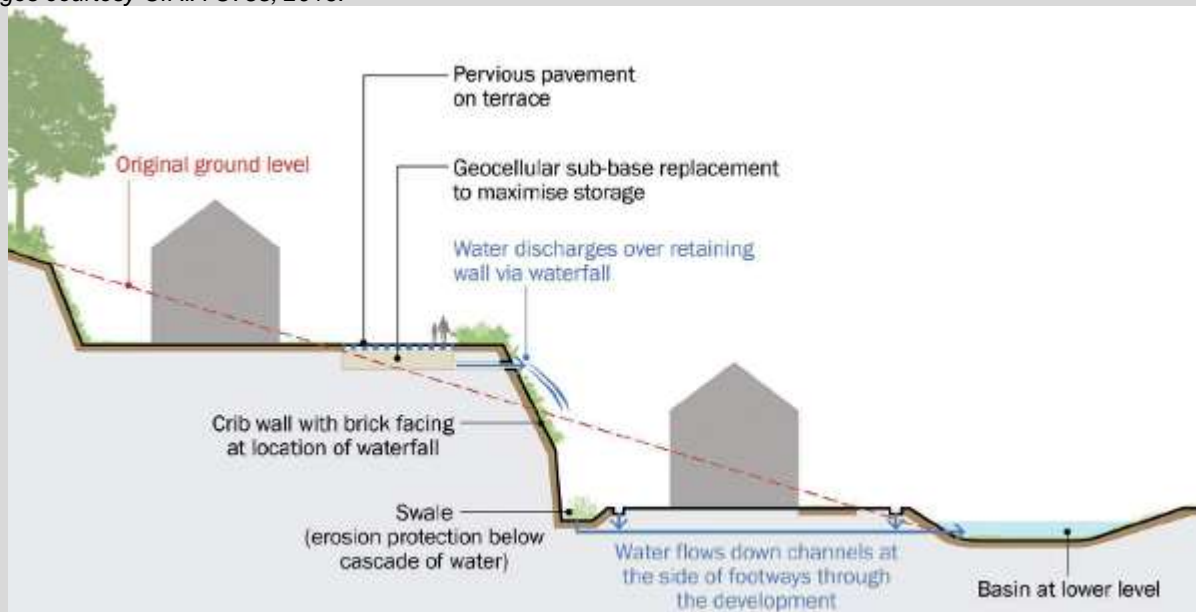


Fig. 4.25: Alara Factory community garden, London

## 5 Development phasing and infrastructure delivery

- 5.1 Given some of the complexities of delivering development at the THV site, decision-making and construction may take place in phases. If that is the case, it will be important to ensure that each phase incrementally and cumulatively can meet the aspirations of City Plan Part One Policies.
- 5.2 Infrastructure requirements will largely depend upon the design and phasing of development and need to be provided in a timely manner to serve the development. .
- 5.3 To facilitate development at THV, planning applicants will be required to deliver a range of measures for mitigating site impacts and ensuring the development complies with policy, either by way of s106 Agreements or by developer contributions through a Community Infrastructure Levy (CIL). The latter is estimated to be adopted in Summer-Autumn 2018.
- 5.4 To inform discussions with the Local Planning Authority, the timing of any necessary developer contributions would be secured via planning conditions and/or in a phasing plan.
- 5.5 The areas where contributions may be sought will be in accordance with City Plan policy objectives and as further defined in Policy CP7 Infrastructure & Developer Contributions and the annexe Infrastructure Delivery Plan document. The type of contributions may include, for example:
  - Affordable business accommodation provision and retention;
  - Affordable housing provision including accessibility and retention;
  - Air quality mitigation measures and/or management;
  - Community safety measures and maintenance including appropriate lighting infrastructure;
  - Education and learning facilities provision and/or upgrade;
  - Employment, commercial space provision and retention;
  - Employment training and job opportunities throughout construction phases;
  - Health care facilities including integrated provision for other community needs, retention or replacement, including engagement and support;
  - Highways site-specific connectivity and upgrade to main trunk road and local corridors and sustainable transport accessibility;
  - Phasing Plan;
  - Project management monitoring contribution;
  - Public Open Space including parks recreation, children's equipped play space, formal sports area and food growing;
  - Public realm, environmental improvements, legibility including site specific artistic components
  - Sustainable development high standard achievement measures and biodiversity landscape enhancement including SNCI reinstatement and connectivity to SDNP; and
  - Utilities appropriate connectivity, upgrade and management.

## 6 Relevant planning policies

- 6.1 Applications for planning permission must be determined in accordance with the local development plan unless material considerations indicate otherwise, as set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990.
- 6.2 The local development plan currently comprises the Brighton & Hove City Plan Part One (adopted in 2016) and saved Local Plan policies (adopted in 2005). In conjunction with the National Planning Policy Framework (adopted in 2012), these documents are a material consideration in planning decisions.
- 6.3 It is important to note that saved Local Plan policies will be superseded by elements of the emerging City Plan Part Two that is estimated to be adopted in Summer 2020).
- 6.4 The policies listed are indicative as the relevant policies will depend on the design for the development. For this reason, planning applicants should check with the local planning authority prior to submitting a planning application.

### City Plan Part One policies

- 6.5 Special Area policies
  - SA5 The Setting of the South Downs National Park
  - SA6 Sustainable Neighbourhoods
- 6.6 Core policies
  - CP1 Housing Delivery
  - CP2 Planning for Sustainable Economic Development
  - CP3 Employment Land
  - CP4 Retail Provision
  - CP5 Culture and Tourism
  - CP8 Sustainable Buildings
  - CP9 Sustainable Transport
  - CP10 Biodiversity
  - CP12 Urban Design
  - CP13 Streets and Open Spaces
  - CP14 Housing Density
  - CP16 Open Space
  - CP17 Sports Provision
  - CP18 Healthy City
  - CP19 Housing Mix
  - CP20 Affordable Housing

### Saved Local Plan policies (2005)

- 6.7 Housing
  - HO13 Accessible housing and lifetime homes
  - HO15 Housing for people with special needs
  - HO19 New community facilities
  - HO21 Provision of community facilities in residential and mixed use schemes
- 6.8 Transport and movement

- TR4 Travel plans
- TR7 Safe Development
- TR11 Safe routes to school and school safety zones
- TR12 Helping the independent movement of children
- TR14 Cycle access and parking
- TR15 Cycle network
- TR18 Parking for people with a mobility related disability

#### 6.9 Sustainable development

- SU3 Water resources and their quality
- SU5 Surface water and fowl sewage disposal infrastructure
- SU10 Noise nuisance

#### 6.10 Design and quality of development

- QD5 Design – street frontages
- QD15 Landscape design
- QD16 Trees and hedgerows
- QD18 Species protection
- QD25 External lighting
- QD26 Floodlighting
- QD27 Protection of amenity

#### 6.11 Nature conservation and the countryside

- NC4 Sites of Nature Conservation Importance (SNCIs) and Regionally Important Geological Sites (RIGS)

#### 6.12 Historic environment

- HE12 Scheduled ancient monuments and other important archaeological sites

### Supplementary guidance

6.13 The council has also produced the following supplementary guidance which are material considerations for the future redevelopment of Toads Hole Valley:

- SPD03 - Construction and Demolition Waste
- SPD06 - Trees and Development Sites
- SPD11 - Nature Conservation and Development
- SPD14 - Parking Standards
- SPGBH 9 - A guide for Residential Developers on the provision of recreational space

## 7 Glossary

7.1 This glossary provides a brief explanation of some terms used in this document.

### Active frontage

Where, at street level, the buildings have a high level of activity, coming and going, 'busy-ness' visible from or spilling out onto the street e.g. as a result of shops and cafes (including street cafes). In the right place an active frontage will make a place more interesting.



**Affordable housing**

Residential accommodation that is provided with a subsidy to ensure that rents/prices remain at a level that is genuinely affordable by local people whose incomes mean that they are unable to meet their housing needs via the housing market.

**Air Quality Management Area (AQMA)**

Areas designated by local authorities because they are not likely to achieve national air quality objectives by the relevant deadlines.

**Archaeological Notification Areas (formerly referred to as Archaeologically Sensitive Areas)**

These are sites that have been compiled by the County Archaeologist as part of the Sites and Monuments Record on behalf of the local planning authority. These areas are judged to have county and city wide importance and are known to have archaeological remains or features, although the extent and richness of the site is often unknown. Some might on further detailed investigation merit designation as a Scheduled Ancient Monument.

**Biodiversity (Biological Diversity)**

The range and variety of life (including plants, animals and micro-organisms), ecosystems and ecological processes.

**Biosphere Reserve**

These are designated by the United Nations Educational, Scientific and Cultural Organisation (UNESCO) as centres of excellence to demonstrate conservation and sustainable practice by bringing nature and people together.

**Blue infrastructure**

This is the use of proprietary small footprint high-efficiency devices installed and retrofitted within and/or to complement existing conventional piped drainage and water management systems.

**Built up area**

Area identified within which the development of the city has occurred already. The outer limits of the built up area are defined on a policies map.

**Carbon footprint**

The term “carbon footprint” refers to the amount of carbon dioxide (CO<sub>2</sub>) emitted as a result of specific activities. The carbon footprint is often considered over the period of a year and often is used specifically in relation to emissions resulting from energy use from buildings. ‘Zero carbon’ means that there will be no net annual CO<sub>2</sub> emissions resulting from energy use in a building.

**Car Club**

A Car Club provides its members with flexible access to the 'hire' of a vehicle. Vehicles are parked in reserved parking spaces close to homes or workplaces and can normally be used, and paid for, on an hourly, daily or weekly basis.

**CIL**

Community Infrastructure Levy is a levy allowing local authorities to raise funds from owners or developers of land undertaking new building projects in their area.

**Climate change**

Accounts for long-term changes in temperature, precipitation, wind and other aspects of the Earth's climate. Often regarded as a result of human activity and fossil fuel consumption.



**Connectivity**

Connectivity or permeability refers to the visual and physical accessibility into and within an area.

**Community infrastructure**

The provision of infrastructure to support communities emerging from development, such as schools, community facilities, health facilities, open space, etc.

**Comparison goods**

Non-food items in shops.

**Convenience goods**

Food items in shops.

**Creative industries**

The creative industries include: advertising; architecture; art and antiques markets; computer and video games; crafts; design; designer fashion; film and video; music; performing arts; publishing; software; and television and radio.

**Density (dwellings)**

Measure used to describe the numbers of housing units associated with a given area. e.g. dwellings per hectare. Net density includes access roads within the site; private garden space; car parking areas; incidental open space and landscaping; and local children's play areas where these are to be provided. In Brighton & Hove, the method for calculating density is outlined in City Plan Policy CP14 Housing Density.

**Design Code**

A design code is an illustrated compendium of the necessary and optional design components of a particular development with instructions and advice about how these relate together in order to deliver a masterplan or other site-based vision.

**Developer Contributions**

See Planning Obligations.

**District Heating Network**

This term is generally given to a system where a centralised heat generating plant (using any one of a range of technologies) provides heat to surrounding buildings in the area by means of a network of pipes carrying hot water or steam.

**Downland**

Usually treeless open land with only a thin covering of soil on the chalk uplands.

**Ecological footprint**

A tool that measures the total amount of land and resources needed by an individual, and includes their carbon footprint.

**Ecosystem services**

Services provided by the natural environment that benefit people. That includes: provisioning (products from ecosystems such as food, fibre and medicines); regulating (results of ecosystem processes such as water purification, air quality maintenance and climate regulation); cultural (non-material benefits from interaction with the natural environment such as education and wellbeing); and supporting services (functions that are necessary for the production of other ecosystem services, such as soil formation and nutrient cycling).

**Employment site**

Land suitable and available for industrial and business use/ development.

**Enabling development**

Development which is acceptable in its own right but generates funds to allow the provision of a strategic development objective of the local planning authority (e.g. the restoration of a building or the construction or renovation of a much needed facility). This term also applies to development of a type or use which is not designated for that specific site on the Proposals Map but that would enable the designated use to be viably implemented (e.g. some housing development on a designated employment site).

**Environment**

Includes the 'natural' environment (air, water, land, flora and fauna) and 'built' environment (buildings and other structures built by humans).

**Environment Agency**

The leading public body for protecting and improving the environment of air, land and water in England and Wales.

**Green Network (GN)**

A series of interlinked natural green spaces and nature conservation features connecting the urban area, urban fringe, the seafront and surrounding downland.

**Greenfield Land**

Site that has not been previously been built on (includes areas such as playing fields, allotments, countryside and gardens).

**Green infrastructure**

A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.

**Green network**

A series of interlinked natural green spaces and nature conservation features connecting the urban area, urban fringe and open downland.

**Grey water**

Grey water is the water from sinks, baths, showers, washing machines, etc.

**Health Impact Assessment (HIA)**

HIA is a practical approach that determines how a proposal (such as a development scheme or a policy) will affect people's health. Recommendations to 'increase the positive' and 'decrease the negative' aspects of the proposal are produced to inform decision-makers.

**Hectare**

10,000 m<sup>2</sup>.

**Legibility**

The degree to which a place can be easily understood and traversed by people.

**Local Planning Authority (LPA)**

Brighton & Hove City Council exercises statutory town planning functions for the Brighton & Hove area.

**Local Transport Plan (LTP)**

This is a statutory document required by the Government. It sets out priorities, projects and programmes that need to be progressed in the future to help people move around the city more safely, sustainably, and easily and includes a long-term strategy and short-

term delivery plan. Most investment is delivered using capital funding provided by the Government, which is then allocated by the council.

### **Low Carbon technologies**

Technologies that use grid electricity or mains gas to generate heat or power more efficiently. They are called low carbon because they result in lower CO2 emissions than using mains gas or electricity. These include: geothermal and ground sourced heat pumps (which require electricity to operate pumps); fuel cells (which require electricity to create hydrogen); gas fired CHP; or other district heating systems. The latter two are sometimes referred to as decentralised or localised energy, as they create heat and/or power local to where they are used. These technologies are sometimes referred to as microgeneration, producing heat or energy locally on a small scale.

### **Masterplan**

A type of planning brief which outlines the preferred development for a large site or area, and the overall approach to its layout and design. The Masterplan provides detailed guidance for subsequent planning applications.

### **Material consideration**

A matter that should be taken into account in deciding on a planning application or an appeal against a planning decision (e.g. a refusal of planning permission). When a Council (or a Planning Inspector) makes a decision on a planning application they have to take into account – and should only take into account - factors which constitute ‘material considerations’. These have been defined by the law (both legislation and the case law decisions of the Courts). They include the content of the Development Plan and supporting documents i.e. SPDs etc. but they also include ‘other material considerations’ like whether the Development Plan is sufficiently up to date, and factors which weren’t thought about when it was prepared but are now relevant.

### **Microclimate**

Local climatic conditions.

### **Mitigation measures**

Actions to prevent, avoid or minimise the actual or potential adverse effects of a plan, policy, development, project, etc.

### **Mixed use developments**

A development that contains two or more uses e.g. residential, employment, leisure, community uses.

### **Natural England**

A statutory body formed in 2006 with the bringing together of English Nature, the landscape, access and recreation elements of the Countryside Agency and the environmental land management functions of the Rural Development Service.

### **Nature Improvement Areas**

Inter-connected networks of wildlife habitats intended to re-establish thriving wildlife populations and help species respond to the challenges of climate change.

### **One Planet Approach**

The ‘One Planet Living’ 10 guiding principles are a simple way to plan, deliver, communicate and mainstream sustainable development and a sustainable economy.

### **Permeability**

The degree of movement possible or permitted between public outside and private inside or between urban areas, buildings, places and spaces.

**Place making**

Public spaces are integral to any community. When they work well, they serve as a stage for public lives. They are the settings where celebrations are held, where both social and economic exchanges take place, where friends run into each other, and where cultures mix. Placemaking is a way to improve the streets, sidewalks, parks, buildings and other public spaces where these exchanges take place so that they invite greater interaction between people and foster healthier, more social and more economically viable communities.

**Planning Obligations**

Planning Obligations or Developer Contributions are secured through Section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal. They are a legally enforceable obligation entered into under section 106 of the Town and Country Planning Act 1990.

**Public art**

Public art includes permanent and temporary work, art facilities and arts training. Public art can create and enhance local distinctiveness and help develop a desirable sense of place. They often provide important opportunities to involve the local community and will offer work opportunities to local artists.

**Public realm**

This is the space between and within buildings that are publicly accessible, including streets, squares, forecourts, open spaces and public and civic buildings.

**Renewable energy**

Includes energy for heating and cooling as well as generating electricity. Renewable energy covers those energy flows that occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass and deep geothermal heat.

**Section 106 Agreements**

See Planning Obligations.

**Sequential approach**

The preferred hierarchy of land for certain uses in descending order of preference.

**Sequential Test**

A risk based approach to assessing flood risk, which gives priority to sites in ascending order of flood risk, i.e. lowest risk first.

**Sites of Nature Conservation Importance (SNCI) soon to be renamed Local Wildlife Sites (LWS)**

These are locally designated wildlife sites to support both locally and nationally threatened wildlife, and many sites will contain habitats and species that are priorities under the county or UK Biodiversity Action Plans (BAP).

**Small business**

A business with fewer than 50 employees.

**South Downs National Park Authority (SDNPA)**

Has statutory purposes and socio-economic responsibilities for the SDNP area as specified in the Environment Act of 1995.

**Statutory consultees**

Planning law prescribes circumstances where consultation must take place between a local planning authority and certain organisations, prior to a decision being made on an application. In the context of the THV site these include Natural England; the Environment Agency, Highways Authority and South Down National Park.

**Strategic Flood Risk Assessment (SFRA)**

Created to help appraise, manage and reduce flood risk in relation to the location of potential new development in the city.

**Strategic view**

The line of sight from a particular point to an important landmark or skyline.

**Supplementary Planning Document (SPD)**

Documents which add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary Planning Documents are capable of being a material consideration in planning decisions but are not part of the development plan.

**Strategic Environmental Assessment (SEA)**

The aim of the SEA is to provide a high level of protection of the environment and to ensure that environmental considerations are integrated into the preparation of plans and programmes, with a view to promoting sustainable development. The basis for SEA legislation is European Directive 2001/42/EC which was transposed into English law by the Environmental Assessment of Plan and Programmes Regulations (2004).

**Sustainable development**

Development that looks to balance different, and often competing, needs against an awareness of the environmental, social and economic limitations we face as a society.

**Tenure**

Housing tenure describes the legal status under which people have the right to occupy their accommodation. The most common forms of tenure are home-ownership (including homes owned outright and mortgaged) and renting (including social rented housing and private rented housing)

**Topography**

The (description of the) surface physical features (built and natural) of a place or district (e.g. hills, rivers, buildings), usually represented on a map.

**Topology**

The shape of the landscape.

**Townscape**

General view, appearance and character of an urban scene/landscape.

**Transport Assessment**

A comprehensive and systematic process of looking at the impact on transport of a proposed development. It identifies what measures will be required to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking, cycling, and public transport and what measures will need to be taken to deal with the anticipated transport impacts of the development.

**UNESCO Biosphere Reserve**

Biosphere reserves are sites recognised under

UNESCO's Man and the Biosphere Programmes, which innovate and demonstrate approaches to conservation and sustainable development. They share their experience and ideas nationally, regionally and internationally within the World Network of Biosphere Reserves.

**Urban Fringe**

The land between the defined built up area boundary and the South Downs National Park.

**Urban grain**

General layout, pattern and footprint of buildings and streets as viewed overhead in plan form.

**Use Classes**

The Use Classes Order is an official document (a 'Statutory Instrument') approved by Parliament, which lists various land 'use classes':

**Vitality and viability**

A measure of the potential success and activity levels of an area or centre.

**Zero carbon**

'Zero carbon' means that there will be no net annual CO<sub>2</sub> emissions resulting from energy use in a building.

**Zero carbon technologies**

Technologies that harness non fossil fuel energy to create heat or generate electricity, i.e. sun, wind, and water. They are also referred to as zero carbon because they produce no carbon dioxide (CO<sub>2</sub>) emissions when producing heat or power; 'renewable' energy; and sometimes microgeneration because they can produce heat or energy locally on a small scale.

City Planning  
Brighton & Hove City Council  
Hove Town Hall  
Norton Road  
Hove  
BN3 3BQ





<b>Subject:</b>	<b>Proposed Submission Shoreham Harbour Joint Area Action Plan</b>		
<b>Date of Meeting:</b>	<b>21 September 2017</b> Full Council – 2 <sup>nd</sup> November, 2017		
<b>Report of:</b>	<b>Executive Director for Economy, Environment &amp; Culture</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Rebecca Fry</b>	<b>Tel: 01273 293773</b>
	<b>Email:</b>	<b>rebecca.fry@brighton-hove.uk</b>	
<b>Ward(s) affected:</b>	<b>South Portslade, North Portslade, Wish, Hangleton &amp; Knoll</b>		

**FOR GENERAL RELEASE****1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 This report seeks approval for the publication of the Submission Shoreham Harbour Joint Area Action Plan (JAAP) along with its supporting documents. Publication will be for a six week period of statutory public consultation prior to submission to the Secretary of State. Approval is also sought for formal submission to the Secretary of State for independent examination.
- 1.2 The JAAP has been prepared jointly between the three local planning authorities: Brighton & Hove City Council, Adur District Council and West Sussex County Council and in partnership with the Shoreham Port Authority. Once adopted, the JAAP will form part of Brighton & Hove's Development Plan and will sit alongside, and must comply with, the Brighton & Hove City Plan Part One. It must also comply with Adur's Local Plan. It provides a detailed planning policy framework for the implementation of development and infrastructure in Shoreham Harbour Regeneration Area and covers a 15 year period.

**2. RECOMMENDATIONS:**

That the Tourism, Development & Culture Committee recommends the following to Full Council:

- 2.1 That the Proposed Submission Shoreham Harbour Joint Area Action Plan, appended as Appendix 1, be agreed and published for a six week period of statutory public consultation together with its supporting documents commencing in November 2017.
- 2.2 That the document be subsequently submitted to the Secretary of State, subject to no material changes arising from the consultation, other than alterations for the purposes of clarification, improved accuracy or meaning or typographical corrections, being necessary.

- 2.3 That the Head of Planning be authorised to publish and subsequently submit all necessary supporting evidence and studies to the Secretary of State.
- 2.4 That the Head of Planning be authorised:
- a) to agree any draft “main modifications” to the Shoreham Harbour Joint Area Action Plan as necessary to make the plan sound; and,
  - b) to publish such draft modifications for public consultation; save that should any draft modification involve a major shift in the policy approach of the Shoreham Harbour Joint Area Action Plan the draft modification shall be referred by the Head of Planning to the Tourism, Development & Culture Committee for approval.
- 2.5 To note that all modifications to the Plan will be presented to the Tourism, Development & Culture Committee and Full Council in due course as part of the adoption of the Shoreham Harbour Joint Area Action Plan.

### **3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 The regeneration of Shoreham Harbour has long been an aspiration of Brighton & Hove City, West Sussex County and Adur District Councils and Shoreham Port Authority. The JAAP is a 15 year plan for the comprehensive regeneration of Shoreham Harbour and focusses on four development areas which are Aldrington Basin, South Portslade (in Brighton & Hove) and Southwick Waterfront and Western Harbour Arm (in Adur/West Sussex). These areas will deliver 1,400 new homes, 23,500sqm of new employment space, a consolidated port, with improved flood defences, transport infrastructure, public spaces and community and leisure facilities.
- 3.2 The adopted Brighton & Hove City Plan Part One and the Adur Local Plan (which is at Examination Stage), both include a policy for the Shoreham Harbour Regeneration Area. City Plan Part One includes policy DA8, which identifies the Shoreham Harbour area as a broad location for future strategic development. Both the City Plan Part One and the Adur Local Plan make clear that the detailed area wide policies and development proposals for the Shoreham Harbour area will be set out in the JAAP.
- 3.3 The Councils first consulted on a draft of the JAAP in 2014. Following a number of changes to the national and local policy context, a revised draft was consulted on between December 2016 and February 2017 (approval granted by the Economic Development & Culture Committee in November 2016).
- 3.4 A total of 46 respondents submitted representations on the revised draft plan and these have been taken into account in preparing the proposed submission JAAP. A summary of the representations is provided in Appendix 4.
- 3.5 The key points made in representations were:
- general support for the area’s regeneration for housing and employment and for the plan’s approach to traffic, green infrastructure, linkages, leisure/community facilities, and minerals;

- Key areas of concern related to:
  - Building height limitations not considered to be justified;
  - A call for protection and enhancement of surfing within the Port Area and not just off Southwick Beach;
  - Congestion and air quality;
  - Some detailed issues relating to site allocations

These areas of concern have been addressed within the proposed submission plan where relevant.

#### **4. SUMMARY OF JAAP PROPOSALS**

4.1 The area covered by the Shoreham Harbour JAAP stretches from the Adur Ferry Bridge in the west to Hove Lagoon in the east. In addition to the operational areas of Shoreham Port, the regeneration area includes the Western Harbour Arm, Adur Homes estates south of the railway line at Southwick and Fishersgate, and industrial estates at Fishersgate and South Portslade

4.2 The vision for the Shoreham Harbour Regeneration Area is:

*By 2032, Shoreham Harbour Regeneration Area will be transformed into a vibrant, thriving, waterfront destination comprising a series of sustainable, mixed-use developments alongside a consolidated and enhanced Shoreham Port which will continue to play a vital role in the local economy.*

*The redevelopment of key areas of the harbour will provide benefits for the local community and economy through increased investment, improved leisure opportunities, enhanced public realm and the delivery of critical infrastructure that will help respond positively to climate change*

4.3 Key objectives include delivering a vibrant port, growing jobs, the delivery of new homes, promoting sustainable travel and managing the natural environment and flood risk.

4.4 Key proposals which fall within Brighton and Hove concern two of the seven identified character areas and are as follows.

##### **CA2 – Aldrington Basin** (within Brighton & Hove)

4.5 Aldrington Basin forms the eastern gateway to the harbour. It currently includes a mixture of port operations, employment space and some residential areas.

4.6 The JAAP seeks to safeguard and improve the port facilities and includes a strategic allocation for employment (uses classes B1, B2 and B8) and mixed use (use classes A2, B1, C3 and ancillary A1). The allocation in Aldrington Basin will deliver a minimum of 90 new dwellings and 4,500sqm employment floorspace.

4.7 In combination with the allocation at South Portslade it forms a key employment area within Brighton and Hove and will help deliver the additional industrial floorspace required in the city in accordance with policy CP3 of the City Plan Part One.

### **CA3 – North Quayside and South Portslade** (within Brighton & Hove)

- 4.8 North Quayside is mostly a port-operational area and South Portslade is currently predominantly an employment area.
- 4.9 The JAAP seeks to safeguard and improve the port facilities and, within South Portslade, includes a strategic allocation for employment (uses classes B1, B2 and B8) and mixed use (use classes A1, A2, A3, B1 and C3). The allocation in South Portslade will deliver a minimum of 210 new dwellings and 3,000sqm employment floorspace.
- 4.10 Together the allocations in Aldrington Basin and South Portslade will deliver a minimum of 7,500sqm employment generating floorspace and 300 new homes. South Portslade will provide much of the proposed housing key in delivering the housing target set out in policy CP1 of City Plan Part One.
- 4.11 The other character areas within Shoreham Harbour JAAP and key proposals are set out in Appendix 3.

### **Summary of Key Amendments**

- 4.12 A full summary of the amendments to the Shoreham Harbour JAAP, following consultation on the revised draft version, has been appended as Appendix 2. The key amendments undertaken between the revised draft and the proposed Submission JAAP in relation to the character areas in Brighton & Hove include:
- Plan Period – this has been amended from 2031 to 2032 to accord with Adur Local Plan;
  - Formatting amendments: Policy and Strategic Site Allocation References – the Shoreham Harbour area wide policies continue to be prefixed with “SH”, however the Character Area policies have been amended from “SH” to “CA” and the Strategic Site Allocations have been amended from “SS” to an abbreviation of the respective Character Area, e.g. sites in Aldrington Basin, formerly SS1, are now prefixed with “AB” and sites in South Portslade, formerly SS2, are now prefixed with “SP”;
  - The two former strategic site allocations within the Brighton & Hove area (SS1 and SS2 as referred to above) which were originally aggregated have now been disaggregated clearly setting out the respective development targets for each Character Area (Aldrington Basin and South Portslade);
  - Amendments specific to Aldrington Basin:
    - The removal of the development height restriction to that of the Vega apartment building for the site between Basin Road North and Kingsway (formerly site E, amended to site AB4 – this includes the ‘Portzed’ site) to address a potential soundness issue raised through consultation;
    - Clearer recognition given to the link between Hove Lagoon and the Port Canal via policy support for an area of open space fronted by ancillary leisure, retail, food and drink uses in order to improve the connection between Hove Lagoon and the harbour;
    - Reference to Ferry Wharf amended to reflect waste use;

- Ground levels added for flood risk at request of Environment Agency.
- Policy and Policies Map amendments to provide greater clarity on the proposed development sites and protected employment sites.

## **5. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 5.1 Due to the long term aspiration of the partner authorities to regenerate Shoreham Harbour and the need for an effective joint approach, it is not considered any alternative options can be effectively deployed.
- 5.2 The Sustainability Appraisal process throughout the preparation of the plan allowed for the consideration and analysis of alternative options.

## **6. COMMUNITY ENGAGEMENT & CONSULTATION**

- 6.1 The councils consulted on the first draft of the JAAP in 2014. Following a number of changes to the national and local policy context, the councils consulted on a Revised Draft between December 2016 and February 2017. Consultation has been carried out in accordance with statutory requirements and the Statement of Community Involvement for each of the partner authorities. Representations received at each stage have been taken into account when developing the next iteration of the plan. The councils received a total of 46 representations on the revised draft plan which have informed the proposed submission JAAP.
- 6.2 Subject to approval by Full Council, the Proposed Submission Shoreham Harbour Joint Area Action Plan will be published in order that representations may be made on the legal compliance and soundness of the plan and the accompanying sustainability appraisal. This will take place from 10 November 2017 (0:00 am) to 21 December (23:59 pm).
- 6.3 Representations made during the publication period, and the councils' accompanying submission documents will then be submitted for examination alongside the plan itself. It is anticipated that this submission will occur in March 2018. Following this an Inspector will be appointed, and examination of the plan will commence. The public hearing is anticipated to start in June 2018.

## **7. CONCLUSION**

- 7.1 This report seeks approval for the Proposed Submission Shoreham Harbour Joint Area Action Plan, its publication for statutory public consultation, consequent minor alterations and then its submission to the Secretary of State. It also seeks approval for the publication of the JAAP's Sustainability Appraisal and other supporting documents; and, the authorisation for the Head of Planning to produce and submit all appropriate evidence, studies and "main modifications" as necessary in order to make the plan sound prior to and during the examination of the plan in public.
- 7.2 This is to ensure the JAAP accords with the statutory development plan procedures and to avoid undue delay during the examination stage.

## 8. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

- 8.1 The costs associated with the report recommendations for the Shoreham Harbour Joint Area Action Plan such as officer time, public consultation and publication will be funded from grants awarded to the three partner authorities, for which Adur District Council is the accountable body.

*Finance Officer Consulted: Gemma Jackson*

*Date: 01/08/17*

### Legal Implications:

- 8.2 As noted in the report, the JAAP will be a local plan. The procedures to be followed in drafting and adopting local plans are contained in the Planning and Compulsory Purchase Act 2004 and The Town and Country Planning (Local Planning) (England) Regulations 2012. The legislation requires that draft local plans undergo independent examination by a person appointed by the Secretary of State and that prior to submission to the Secretary of State the draft local plan must be subject to at least six weeks of publicity, during which time representations can be made.
- 8.3 In order for a local plan to be adopted by the local planning authority the Examiner must have found the draft plan “sound”, which means, as per paragraph 182 of the National Planning Policy Framework, that the local plan must be positively prepared, justified, effective and consistent with national policy. If the Examiner considers that a local plan is not sound but could be found sound with “main modifications” these can be recommended (s20 and s23 of the 2004 Act).
- 8.4 It is not considered that any adverse human rights implications arise from the recommendations of the report.

*Lawyer Consulted:*

*Hilary Woodward*

*Date: 31/7/17*

### Equalities Implications:

- 8.5 Equality issues have been considered as part of the Sustainability Appraisal (SA) for the Shoreham Harbour JAAP. The JAAP aims to ensure that all groups have equal access to the spatial opportunities offered by the plan.

### Sustainability Implications:

- 8.6 It is a legal requirement that all local plans are subject to a sustainability appraisal (SA). A Sustainability Appraisal has been produced to inform the preparation of the JAAP.

### Crime & Disorder Implications:

- 8.7 The JAAP will form part of the development plan for Brighton and Hove and, Adur respectively. When considered alongside the City Plan and the Brighton & Hove Local Plan crime and disorder is addressed through a number of policies.



#### Risk and Opportunity Management Implications:

- 8.8 The council and its partner authorities have committed to producing the JAAP through the Brighton & Hove City Plan Part One and the Adur Local Plan. Failure to do so could impact on a number of the Council's priorities including economic and social regeneration as well as the delivery of new employment floorspace and homes (including affordable housing).

#### Public Health Implications:

- 8.9 The revised draft JAAP takes forward strategic policies in the City Plan Part One and the Adur Local Plan. The City Plan Part One was subject to an Equality and Health Impact Assessment and the findings informed the plan.

#### Corporate / Citywide Implications:

- 8.10 The preparation of this joint document helps the council meet its Duty to Cooperate and steer development within the Shoreham Harbour area for the next 10-15 years. The JAAP will contribute to delivering the Corporate Plan and plans and strategies across the JAAP regeneration area including new housing and employment space.

### **SUPPORTING DOCUMENTATION**

#### **Appendices:**

1. Proposed Submission Shoreham Harbour Joint Area Action Plan (JAAP) (2017)
2. Summary of Amendments to the JAAP (following consultation on the revised draft version)
3. Other Character Areas within Shoreham Harbour JAAP and Key Proposals
4. Summary of the Representations to the Revised Draft Shoreham Harbour JAAP

#### **Documents in Members' Rooms**

1. Representations to Revised Draft Shoreham Harbour Joint Area Action Plan
2. Sustainability Appraisal of the Shoreham Harbour Joint Area Action Plan (2017)
3. Sustainability Appraisal of the Shoreham Harbour Joint Area Action Plan - Non Technical Summary (2017)

#### **Background Documents**

1. City Plan Part One
2. Revised Draft Shoreham Harbour Joint Area Action Plan (2016)
3. Shoreham Harbour Transport Strategy (2016)
4. Adur Local Plan Second Addendum and Appendices: Revised Reissue Transport Study (2016)
5. Draft Shoreham Harbour Joint Area Action Plan (2014)
6. Adur Local Plan and Shoreham Harbour Transport Study – Report Addendum (2014))
7. Adur Local Plan and Shoreham Harbour Transport Study (2013)





# SHOREHAM HARBOUR REGENERATION

159

PROPOSED SUBMISSION

# SHOREHAM HARBOUR JOINT AREA ACTION PLAN

DRAFT FOR APPROVAL - AUGUST 2017



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# INTRODUCTION





# 1 Introduction

## 1.1 What is the Joint Area Action Plan (JAAP)?

1.1.1 The *Shoreham Harbour Joint Area Action Plan* (JAAP) is a strategy for the regeneration of Shoreham Harbour and surrounding areas. It includes proposals and policies for new housing and employment generating floorspace; and for upgraded flood defences, recreational and community facilities, sustainable travel, environmental and green infrastructure improvements.

1.1.2 An area action plan is a type of local plan for an area of significant change. The JAAP sets a planning policy framework to guide development and investment decisions within the Shoreham Harbour Regeneration Area up to 2032.

1.1.3 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.

1.1.4 The plan contains:

- a long-term vision, objectives and strategy for the Shoreham Harbour Regeneration Area
- themed area-wide policies on:
  - climate change, energy and sustainable building
  - Shoreham Port
  - economy and employment
  - housing and community
  - sustainable travel
  - flood risk and sustainable drainage
  - natural environment, biodiversity and green infrastructure
  - recreation and leisure
  - place making and design quality
- proposals for seven character areas, including four allocations for new development
- an outline of how the Shoreham Harbour Regeneration Project will be delivered, monitored and implemented.

## 1.2 Where is the Shoreham Harbour Regeneration Area?

1.2.1 Map 1 shows the location of Shoreham Harbour. It is between the coastal resorts of Brighton and Worthing, on the Sussex coast in southeast England. The harbour is around 55 miles from London and 30 miles south of Gatwick Airport.

1.2.2 Map 2 shows the boundary of the regeneration area. It stretches around 3 miles from the Adur Ferry Bridge in Shoreham-by-Sea through to Hove Lagoon. It is bounded to the north by the West Coastway railway line, and to the south by the River Adur and the English Channel. The A259 runs east-west through the regeneration area.

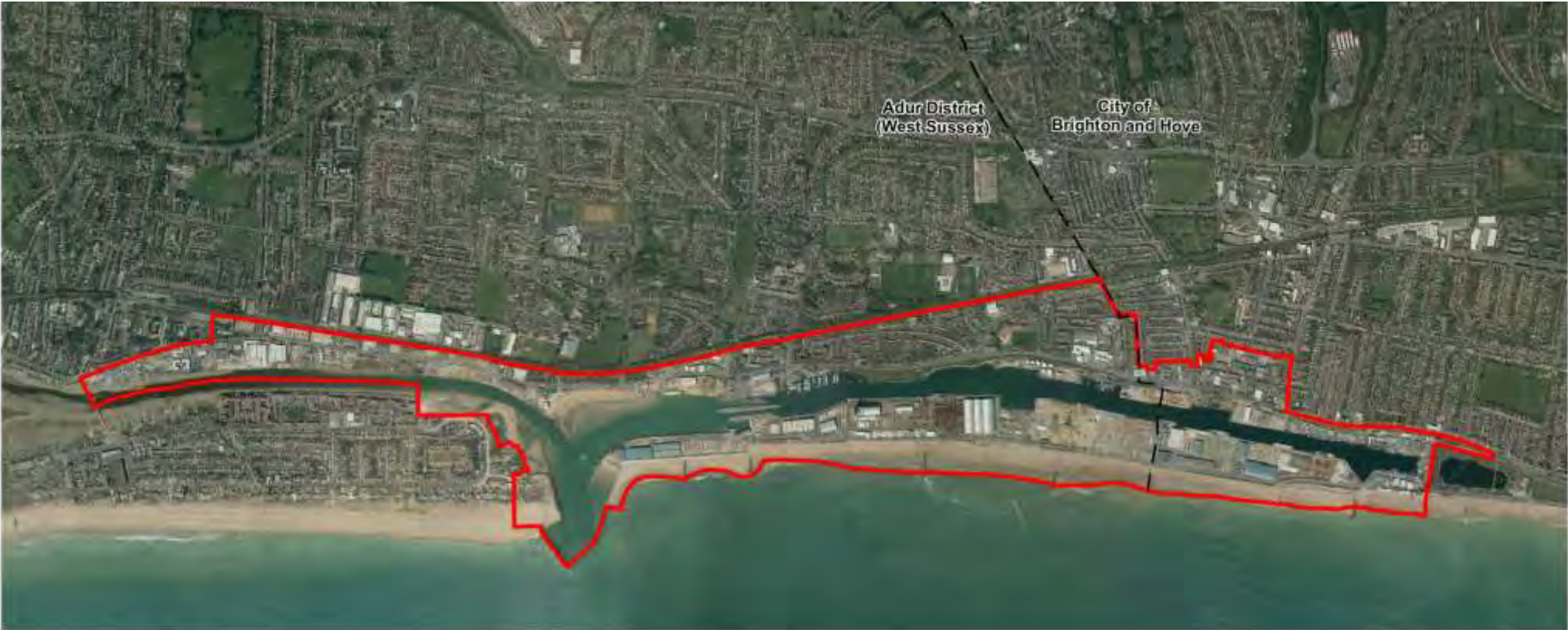
1.2.3 Shoreham Harbour straddles the local authority boundary between Adur district (within West Sussex) and the City of Brighton & Hove. The regeneration area includes parts of Shoreham-by-Sea, Kingston-by-Sea, Southwick, Fishersgate, Portslade-by-Sea and Hove.

Map 1 - Location of Shoreham Harbour





Map 2 - Shoreham Harbour Regeneration Area



- — Local authority boundary
- ▭ Shoreham Harbour Regeneration Area



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1.3	Who has prepared the plan?	1.4	Why has the plan been prepared?	1.5	How has the plan been prepared?
1.3.1	The plan has been prepared by the Shoreham Harbour Regeneration Partnership. This is made up of Adur District Council, Brighton & Hove City Council, West Sussex County Council and Shoreham Port Authority.	1.4.1	The regeneration of Shoreham Harbour and surrounding areas is a long-standing aspiration of all the project partners. The partnership has produced this plan to identify realistic, deliverable and sustainable proposals for the regeneration area.	1.5.1	There are four stages to preparing the JAAP. The process is at currently at stage 4: <ul style="list-style-type: none"> <li>• <b>Stage 1:</b> Information gathering, baseline analysis and identifying issues (2008 – 2012)</li> <li>• <b>Stage 2:</b> Consideration of options, developing spatial framework, preparing development briefs for areas of change (2012 – 2014)</li> <li>• <b>Stage 3:</b> Consulting on the plan, updating evidence, exploring technical issues, addressing delivery issues (2014 – 2016)</li> <li>• <b>Stage 4:</b> Publication of the proposed submission JAAP, submission to the Secretary of State for independent examination, followed by formal adoption by the councils (2017 – 2018).</li> </ul>
1.3.2	The partnership also works closely with a number of other organisations. These include the Environment Agency, the Homes and Communities Agency, Highways England, Natural England and Historic England.	1.4.2	The JAAP is part of a long-term strategy to revitalise the area. It will deliver new and affordable housing and modern employment floorspace on previously developed land.		
1.3.3	The plan will be jointly adopted by Adur District Council, Brighton & Hove City Council and West Sussex County Council	1.4.3	The JAAP will help to generate investment and access funding for improved infrastructure, including sustainable transport, flood defences and sustainable drainage. It will support the safeguarding of the important function of Shoreham Port, including the importing and handling of aggregates and minerals.		
		1.4.4	The plan promotes the port as a hub for renewable energy generation, contributing to national and local carbon reduction targets. The JAAP will also promote the creation and enhancement of green infrastructure links through the area.		

1.6 How was the community involved?

- 1.6.1 Working with local residents, businesses, community and local interest groups is an important part of the plan-making process. These individuals and groups have made a critical contribution to shaping the proposals and policies in the JAAP.
- 1.6.2 As well as formal periods of public consultation, there has been ongoing engagement with communities throughout the plan-making process.
- 1.6.3 The *Consultation Statement* provides full details of the engagement work to develop the plan. The consultation process complied with statutory regulations<sup>1</sup> and the *Statement of Community Involvement* (SCI) of each of the partner councils<sup>2</sup>.

1 The Town and Country Planning (Local Planning) (England) Regulations 2012  
2 *Adur and Worthing Statement of Community Involvement* (2012); *Brighton & Hove Statement of Community Involvement* (2015); *West Sussex Statement of Community Involvement* (2012)

1.7 What is the status of the JAAP?

- 1.7.1 The JAAP is a local plan<sup>3</sup> for the Shoreham Harbour Regeneration Area. The JAAP will be part of the development plan for both Adur and Brighton & Hove. The *Adur Local Plan* and *Brighton & Hove City Plan Part One* designate the regeneration area as a broad location for change<sup>4</sup>.
- 1.7.2 The councils will assess all planning applications and investment decisions within the regeneration area against the strategy, proposals and policies in the JAAP, as well as the relevant local plans.
- 1.7.3 Sections 1.8 to 1.12 set out how the JAAP relates to other policies, plans and strategies.

3 As defined in The Town and Country Planning (Local Planning) (England) Regulations 2012. Also referred to as a Development Plan Document as defined in the Planning and Compulsory Purchase Act 2004.  
4 Policy 8 of the *Adur Local Plan* (2017); Policy DA8 of the *Brighton & Hove City Plan Part One* (2016).

- 1.7.4 Once adopted, the JAAP will supersede the following policy documents:
  - *Shoreham Harbour Development Brief: South Portslade Industrial Estate and Aldrington Basin* (2013)
  - *Shoreham Harbour Development Brief: Western Harbour Arm* (2013)
  - *Shoreham Harbour Interim Planning Guidance* (2011)
- 1.7.5 This version of the plan has been prepared and published in accordance with Regulation 19 of the Town and Country Planning (Local Planning) Regulations 2012 for public consultation purposes. The plan sets out the vision and strategic objectives, the policies, and the proposed site allocations. In this plan, the authorities have sought to address the points raised in the Regulation 18 Draft JAAP consultations and points raised in engagement with consultees. The policies in this Proposed Submission plan will be given appropriate weight in the determination of planning applications.

## 1.8 European policy

- 1.8.1 Relevant European legislation includes the Strategic Environmental Assessment (SEA) Directive (2001)<sup>5</sup>. This requires assessment of the plan against environmental objectives to ensure that it is sustainable.
- 1.8.2 The *Sustainability Appraisal of the Shoreham Harbour Joint Area Action Plan* meets the requirements of the SEA Directive.
- 1.8.3 EU policies also require plan –makers to consider the impact that proposals may have on health and equality<sup>6</sup>. This applies to these protected characteristics:
- gender
  - race
  - disability
  - age
  - sexual orientation
  - religion or belief
- 1.8.4 The *Sustainability Appraisal* of the JAAP meets these requirements.

5 Directive 2001/42/EC transposed into UK legislation in The Environmental Assessment of Plans and Programmes Regulations 2004

6 Transposed into UK legislation in the Equality Act 2010

- 1.8.5 Under the Habitats Directive (1992) and Birds Directive (2009)<sup>7</sup> plan-makers must consider the potential effects of proposals on protected sites<sup>8</sup>.
- 1.8.6 Both the *Adur Local Plan* and *Brighton & Hove City Plan Part One* were screened for Habitats Regulations Assessment (HRA). These reports concluded that a full HRA is not required as there are no significant impacts on protected European sites.
- 1.8.7 As the proposals in this plan accord with the local plans, the partnership and Natural England has agreed that an HRA is not needed for the JAAP. The *Shoreham Harbour Habitats Regulations Statement* (2016) sets out this position in full.

7 Directive 92/43/EEC and Directive 2009/147/EC transposed into UK legislation in The Conservation of Habitats and Species Regulations 2010

8 Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar sites.

## 1.9 National policy

### National Planning Policy Framework and Planning Practice Guidance

- 1.9.1 The JAAP was prepared in conformity with the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).
- 1.9.2 The NPPF applies a presumption in favour of sustainable development. It requires local planning authorities (LPA) to assess their housing and employment space needs, and to plan positively to meet those needs.
- 1.9.3 The NPPF promotes the role of ports. This includes the importance of safeguarding capacity for landing minerals and aggregates.
- 1.9.4 The NPPF also promotes the shift towards a green economy and encourages policies that promote district level renewable energy generation and green infrastructure as set out in this plan.
- 1.9.5 Where appropriate the JAAP highlights sections of the NPPF and PPG which support the policies in the plan.



### Duty to cooperate

- 1.9.6 The Duty to Cooperate is a legal duty for local planning authorities to engage with each other on cross boundary issues. Engagement must be active, constructive and ongoing to make local plans more effective.
- 1.9.7 The JAAP was prepared by a partnership of local authorities working together across the boundaries. The regeneration project is jointly governed by Adur District Council, Brighton & Hove City Council and West Sussex County Council. Joint working arrangements are set out in a *Memorandum of Understanding* between the project partners.
- 1.9.8 The *Duty to Cooperate Statement* (2017) sets out in more detail the cross boundary engagement in the preparation of this plan.

### National policy statements

- 1.9.9 The *National Policy Statement for Ports* (2012) was produced by the Department for Transport under the Planning Act 2008<sup>9</sup>. It provides the framework for decision making on proposals for new port development.
- 1.9.10 The statement highlights the changing role of ports in relation to energy supply and generation. This includes securing energy supplies, providing facilities to support offshore renewable sites and to house power stations fuelled by biomass.
- 1.9.11 The *Overarching National Policy Statement for Energy (EN-1)* (2010) outlines the increasing importance of renewables as part of the energy mix.
- 1.9.12 The *UK Marine Policy Statement* (2011) sets out the government's vision for 'clean, healthy, safe, productive and biologically diverse oceans and seas'. It is the overarching framework for preparing marine plans across the UK. These will be used for decisions affecting the marine environment.

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9 Planning Act 2008 s. 5(9)

## 1.10 Sub-regional policy

### Greater Brighton City Deal

- 1.10.1 The Greater Brighton City Deal was awarded by government in 2014. The city region is made up of Adur, Brighton & Hove, Lewes, Mid Sussex and Worthing.
- 1.10.2 The councils work together to prioritise economic growth. Shoreham Harbour is identified as a growth centre which will focus on environmentally driven technologies.

### Coast to Capital Strategic Economic Plan

- 1.10.3 The regeneration area is within the area of the Coast to Capital Local Enterprise Partnership (LEP). The LEP is responsible for £202 million Growth Deal funding. It has awarded £9.5 million for flood defence projects and transport access improvements in the Shoreham area.
- 1.10.4 The LEP produced the *Coast to Capital Strategic Economic Plan* in 2014. It identifies Shoreham-by-Sea as one of its key strategic locations for growth. The plan recognises the flood risk and transport constraints in delivering growth.



### Coastal West Sussex and Greater Brighton Local Strategic Statement

- 1.10.5 The Coastal West Sussex and Greater Brighton Strategic Planning Board is made up of lead councillors from Adur, Arun, Brighton & Hove, Chichester, East Sussex, Horsham, Lewes, Mid Sussex, and West Sussex councils and the South Downs National Park Authority. Through the board the councils work together to identify and manage cross-boundary planning issues.
- 1.10.6 In 2016 the councils adopted an updated *Coastal West Sussex and Greater Brighton Local Strategic Statement* (LSS). This statement sets the following strategic objectives:
- 1 Delivering sustainable economic growth
  - 2 Meeting strategic housing needs
  - 3 Investing in infrastructure
  - 4 Managing environmental assets and natural resources

- 1.10.7 The LSS sets nine spatial priorities for the area. Spatial Priority 1 relates to Shoreham Harbour and Shoreham (Brighton City) Airport. For Shoreham Harbour this includes:
- 1 Improved road access to and from the A27 and A259 and to local transport infrastructure including public transport, walking and cycling.
  - 2 Improved flood defences.
  - 3 Consolidated port activities in the eastern harbour arm and safeguarding sufficient capacity at mineral wharves to ensure a steady and adequate supply of minerals to meet foreseeable future demands.

### Brighton and Lewes Downs Biosphere Management Strategy

- 1.10.8 UNESCO<sup>10</sup> designated the Brighton and Lewes Downs as a Biosphere Reserve in 2014. Biospheres are defined as “sites of excellence”:
- ‘to balance conservation and socioeconomic development between nature and people, and to explore and demonstrate innovative approaches as learning sites for sustainable development’.*
- 1.10.9 The *Biosphere Management Strategy* has three objectives. These are:
- 1 Nature Conservation
  - 2 Sustainable Socio-Economic Development
  - 3 Knowledge, Learning and Awareness

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<sup>10</sup> United Nations Educational, Scientific and Cultural Organisation

- 1.10.10 The *Shoreham Harbour Joint Area Action Plan* will enable the delivery of a high quality, exemplar, mixed-use sustainable development and improved environmental quality. This includes:
- a comprehensive flood defence solution
  - development that reduces car ownership and promotes sustainable modes of transport
  - improved green infrastructure and access to open spaces
  - provision of enhanced public realm along the river frontage
  - policies in the emerging *Adur Local Plan* and *Joint Area Action Plan* that recognise the need to enhance green corridors and improve ecological connectivity.

- South Inshore Marine Plan**
- 1.10.11 The Marine Management Organisation is preparing the *South Inshore Marine Plan*. This covers the south coast and tidal rivers between Folkestone and the River Dart, Devon.
- 1.10.12 Marine plans and local plans overlap between high and low water marks. The South Inshore Marine Plan includes the coastline at Shoreham Beach, and Southwick and Portslade-by-Sea. It also include the Eastern and Western Arms of the River Adur.
- 1.10.13 The plan will manage the sustainable development of marine industries such as shipping, marine aggregates, fishing and windfarms, as well as the conservation and protection of marine habitats and species.

1.11 Local policy

- 1.11.1 Both the Adur Local Plan and the Brighton & Hove City Plan Part One identify the regeneration of the Shoreham Harbour area in their strategic objectives. Both plans also contain a policy that identifies the harbour as a ‘broad location’ for future strategic development.
- 1.11.2 This plan is consistent with the local plans for both Adur and Brighton & Hove. In case of any conflict between policies in these plans and the JAAP, the most recently adopted plan will have precedence<sup>11</sup>.
- Adur Local Plan**
- 1.11.3 Adur District Council submitted the *Adur Local Plan* in autumn 2016. The plan provides a strategy for development in Adur<sup>12</sup> up to 2032. Policy 2 (Spatial Strategy) states:

11 See Section 38(5) of the Planning and Compulsory Purchase Act 2004

12 The plan excludes the parts of the district within the South Downs National Park.

*“Shoreham Harbour will be the focus of a significant level of development to facilitate regeneration of the Harbour and neighbouring communities, which will be delivered through an Area Action Plan to be prepared jointly between Adur District Council, Brighton & Hove City Council and West Sussex County Council.”*

1.11.4 Policy 8 (Shoreham Harbour) sets out the policy and priorities for each character area and states that:

*“The Council will facilitate the delivery of a minimum of 1,100 new dwellings within the Shoreham Harbour Regeneration Area within Adur District during the plan period to 2032.”*

1.11.5 Policy 4 (Planning for Economic Growth) allocates land for employment generating uses in Adur up to 2032, including 16,000m<sup>2</sup> floorspace in the part of the Shoreham Harbour Regeneration Area within Adur.

## Brighton & Hove City Plan

1.11.6 Brighton & Hove City Council adopted the *Brighton & Hove City Plan Part One* in March 2016. The plan provides the overall strategic and spatial vision for the future of Brighton & Hove<sup>13</sup> up to 2030.

1.11.7 Strategic Objective 6 states:  
*“Through joint working with Adur District Council, West Sussex County Council and the Shoreham Port Authority, maximise the potential of Shoreham Harbour for the benefit of existing and future residents, businesses, port-users and visitors through a long term regeneration strategy.”*

1.11.8 Policy DA8 (Shoreham Harbour) sets out the policy and priorities for each of the harbour character areas and states that the JAAP process will further explore and test the delivery of:

- 300 new residential units within Brighton & Hove
- 7,500m<sup>2</sup> net additional employment floorspace

## Minerals and Waste Plans

1.11.9 Shoreham Port contains a number of minerals wharves and waste management facilities. West Sussex and Brighton & Hove councils are minerals and waste planning authorities for the regeneration area.

1.11.10 The *West Sussex Minerals Local Plan* (2003) safeguards a number of wharves at Shoreham Harbour, including some sites proposed for new mixed use development in this plan. The *Draft West Sussex Joint Minerals Plan* (2017) seeks to safeguard sufficient capacity to ensure a steady and adequate supply of minerals whilst supporting regeneration aspirations set out in this document. The Plan has been submitted to government for examination on legal compliance and soundness.

1.11.11 Brighton & Hove City Council, East Sussex County Council and the South Downs National Park Authority adopted the *Waste and Minerals Plan* in 2013. The *East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan* was adopted in 2017. The plan safeguards wharf capacity at Shoreham Harbour.

<sup>13</sup> The plan excludes the parts of the city within the South Downs National Park.

	<a href="#">Shoreham Beach Neighbourhood Plan</a>	<a href="#">1.12 Shoreham Harbour policy</a>		<a href="#">Shoreham Harbour Transport Strategy</a>
1.11.12	In 2014, Adur District Council approved the Shoreham Beach Neighbourhood Area and designated the Shoreham Beach Neighbourhood Forum. The forum is working with the community to produce a neighbourhood plan to address issues in the area. The neighbourhood plan area is contiguous with Marine ward. This overlaps with the regeneration area at Shoreham Fort, Shoreham Sailing Club and Silver Sands.			
		<a href="#">Shoreham Harbour Flood Risk Management Guide</a>		
		1.12.1 The partnership, working closely with the Environment Agency, produced the <i>Shoreham Harbour Flood Risk Management Guide Supplementary Planning Document (SPD)</i> (2015). This sets out illustrative concepts for an upgraded flood defence network along the Western Harbour Arm, and a summary of the cost and requirements of developers in relation to mitigating flood risk. These documents will also be used to provide information for funding applications The SPD also provides guidance for flood mitigation at the other allocations.	1.12.3	The <i>Shoreham Harbour Transport Strategy</i> (2016) has been prepared to support delivery of the JAAP through a programme of transport infrastructure improvements, transport services and travel behaviour change initiatives. It is supported by a technical evidence base, which is set out in the Shoreham Harbour Transport Strategy Baseline Analysis document (2014).
		<a href="#">Shoreham Harbour Green Infrastructure Strategy</a>		<a href="#">Shoreham Port Masterplan</a>
		1.12.2 The partnership is currently preparing a green infrastructure strategy. This will set out proposals for ecological enhancements throughout the regeneration area as well as the creation of a green corridor as part of an enhanced green infrastructure network.	1.12.4	Shoreham Port Authority produced the <i>Shoreham Port Masterplan</i> (2016). Although it is not a statutory planning policy document, the plan sets the port's future development and must be taken into account when considering new developments in or near the port.
			1.12.5	This plan includes many of the proposals identified in the masterplan where relevant to the regeneration project.



# SPATIAL STRATEGY



2

Spatial strategy

2.1

What is the vision for Shoreham Harbour?

**By 2032, Shoreham Harbour Regeneration Area will be transformed into a vibrant, thriving, waterfront destination comprising a series of sustainable, mixed-use developments alongside a consolidated and enhanced Shoreham Port which will continue to play a vital role in the local economy.**

**The redevelopment of key areas of the harbour will provide benefits for the local community and economy through increased investment, improved leisure opportunities, enhanced public realm and the delivery of critical infrastructure that will help respond positively to climate change.**

- 2.1.1
- This section sets out the vision, themes, objectives and strategy for the regeneration of the Shoreham Harbour area up to 2032.
- 2.1.2
- The vision is to maximise the potential of the area for the benefit of existing and new residents, businesses, port-users and visitors through a long-term regeneration strategy. This will be achieved through partnership working between local authorities and Shoreham Port Authority and with local landowners to facilitate the redevelopment of key sites.
- 2.1.3
- The aim is to deliver a series of appropriately located, high quality, sustainable, mixed-use developments including new housing, employment floorspace, leisure opportunities, improved public space and associated infrastructure including flood defences and transport improvements.

- Sustainable development
- 2.1.4
- Sustainable development “*meets the needs of the present without compromising the ability of future generations to meet their own needs*”<sup>14</sup>. The planning system contributes to achieving sustainable development<sup>15</sup>. The NPPF identifies three dimensions to sustainable development:
- an economic role, contributing to building a strong, responsive and competitive economy
  - a social role, supporting strong vibrant and healthy communities
  - an environmental role, contributing and enhancing the natural, built and historic environment.
- 2.1.5
- Sustainable development is an overarching theme for this plan, and the local plans for both Adur and Brighton & Hove.

14 Resolution 42/187 of the United Nations General Assembly

15 NPPF (2012) paragraph 6

## 2.2 What are the objectives of the regeneration project?

### Objective 1: Climate change, energy and sustainable building

**To minimise carbon emissions, address the challenges of climate change and create a renewable energy hub**

**To ensure all new developments use energy and water as efficiently as possible, use energy from renewable technologies, use sustainable materials, reduce waste, incorporate innovative approaches to open space, biodiversity, and green infrastructure, encourage uptake of low carbon modes of transport and support sustainable lifestyles in existing and new areas.**

**To maximise opportunities to deliver sustainability objectives through large-scale zero and low-carbon energy technologies to serve the harbour and wider area; particularly those that take advantage of the harbour's coastal location. Shoreham Port will be supported in becoming an important hub for renewable energy generation for the benefit of the sub-region as well as locally.**

- 2.2.1 Local plans are legally required to include policies to ensure that development and the use of land *“contribute to the mitigation of, and adaptation to, climate change”*<sup>16</sup>.
- 2.2.2 Planning helps to shape places to secure radical reductions in greenhouse gas emissions, minimise vulnerability and provide resilience to the impacts of climate change. It also supports the delivery of renewable and low carbon energy and associated infrastructure<sup>17</sup>.
- 2.2.3 Shoreham Port has EcoPort status from the European Sea Ports Organisation. The regeneration partnership aims to maximise the harbour area's potential as a hub for renewable energy.

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16 Planning Act 2004 s.19 (1)(a) (as amended by Planning Act 2008 s.182)

17 NPPF (2012) paragraph 92



Objective 2: Shoreham Port:

**To support a growing, thriving port**

**To facilitate the delivery of the adopted Port Masterplan, the provision of a modernised, consolidated and sustainable port and to promote the important role of the port in the local and wider economy.**

- 2.2.4 Shoreham Port is the largest commercial port between Southampton and Dover, and the closest Channel port to London.
- 2.2.5 The port plays an important economic role in the area. Around 1,700 people are employed in the port and a further 1,000 nearby. It is an important location for the import and export of aggregates, timber, steel, oil and cereals.
- 2.2.6 Shoreham Port Masterplan sets out Shoreham Port Authority’s strategy for the growth and development of the port. The regeneration proposals in this plan provide an opportunity for consolidating, reconfiguring and enhancing the operations of Shoreham Port.

Objective 3: Economy and employment:

**To stimulate the local economy and provide new jobs.**

**To provide new, high quality employment floorspace and improve the business environment to support the needs of local employers. To equip local communities with the training and skills required to access existing and future employment opportunities**

- 2.2.7 Local planning authorities must plan to meet the development needs of business and support economic growth<sup>18</sup>. The proposals in this plan will contribute to providing employment space in the local area.
- 2.2.8 For Adur, an Employment Land Review (2014) identified the requirement for: 15,000 to 20,000m<sup>2</sup> office and research and development floorspace (use classes B1a and B1b); and, 35,000 to 40,000m<sup>2</sup> warehouse floorspace (use class B8)
- 2.2.9 For Brighton & Hove, the Employment Land Review (2012) identified the requirement for 112,240m<sup>2</sup> office floorspace (use classes B1a and B1b); and, 43,430 m<sup>2</sup> industrial floorspace (use classes B1c, B2 and B8)

18 NPPF (2012) paragraph 20

#### Objective 4: Housing and community:

**To provide new homes and contribute to meeting identified housing need**

**To address shortfalls in local housing provision through delivering new homes of a range of sizes, tenures and types, including affordable and family homes as well as associated supporting community infrastructure.**

- 2.2.10 Local planning authorities must plan to meet objectively assessed needs for new housing and identify deliverable sites or broad locations with potential for new housing. Local plans must also include policies to deliver community infrastructure and local facilities. The proposals in this plan will contribute to delivering housing in the local area.
- 2.2.11 Adur needs 6,825 homes up to 2032). This is 325 homes per year. The full objectively assessed housing need cannot be met and the Adur Local Plan aims to deliver 3,718 dwellings over the plan period.
- 2.2.12 The objectively assessed housing need for Brighton & Hove that informed the City Plan Part One was 30,120 homes up to 2030. It was accepted this could not be met. Consequently the adopted City Plan Part One sets a housing target of 13,200 dwellings over the plan period.

#### Objective 5: Sustainable travel

**To improve connections and promote sustainable transport choices**

**To promote sustainable transport choices through ensuring that new developments are well served by high quality, integrated and interconnected networks, improved pedestrian, cycling and public transport routes and seeking to reduce demand for travel by private car in innovative ways.**

- 2.2.13 Local plans should promote development at locations that minimise trip generation and encourages the use of sustainable modes of transport<sup>19</sup>. Transport policies can support reductions in greenhouse gas emissions, as well as contribute to wider sustainability and health objectives<sup>20</sup>
- 2.2.14 The Shoreham Harbour Transport Strategy includes a programme of transport infrastructure improvements, transport services and travel behaviour change initiatives.

<sup>19</sup> Circular 02/2013 'The Strategic Road Network and the Delivery of Sustainable Development'

<sup>20</sup> NPPF (2012) paragraph 29

Objective 6: Flood risk and sustainable drainage

**To reduce the risk of flooding and adapt to climate change**

**To ensure that development avoids and reduces the risks from flooding and impacts on coastal processes and that risks are not increased elsewhere as a result. To ensure that appropriate and comprehensive flood infrastructure is delivered. To ensure surface water run-off and water pollution have been reduced by the introduction of sustainable drainage systems.**

- 2.2.15 Local plans should direct development away from areas at high risk of flooding. This is determined through the Sequential Test, and if necessary, the Exception Test<sup>21</sup>.
- 2.2.16 Both Adur and Brighton & Hove councils have carried out sequential and exceptions tests for the regeneration area. These have found the wider sustainability benefits of development at Shoreham Harbour outweigh the flood risk. Development must be safe, without increasing the flood risk elsewhere.

21 NPPF (2012) paragraph 100

Objective 7: Natural environment, biodiversity and green infrastructure

**To add to the natural capital of the Shoreham Harbour Regeneration Area by delivering net gains to biodiversity and a multifunctional green infrastructure network**

**To conserve and protect the area’s important environmental assets, wildlife habitats and ecosystem services and to enhance the biodiversity of the area by creating new habitats. To minimise and mitigate impacts on the natural and local environment from soil, air, water or noise pollution.**

**To support the objectives of the Brighton & Lewes Downs Biosphere Management Strategy through the creation of green links within and beyond the harbour area, changes in the design and management of spaces to create a functioning green infrastructure network, including new green spaces and biodiverse green roofs and walls.**

- 2.2.17 Local plans should contribute to and enhance the natural and local environment and effective reuse of brownfield land<sup>22</sup>.
- 2.2.18 The JAAP seeks the creation, protection, enhancement and management of networks of biodiversity and green infrastructure. It is important future proposals take into account natural capital and seek to deliver net gains to biodiversity.

#### Objective 8: Recreation and leisure

**To enhance and activate the harbour for leisure, recreation and tourism and encourage active, healthy lifestyles.**

**To create places that promote healthy and enjoyable living by improving existing and providing new green infrastructure including open spaces and green links as well as leisure and recreation opportunities. To improve connections to and use of the waterfront, coast and beaches as attractive destinations for both locals and visitors.**

- 2.2.19 Local planning authorities should plan for recreational and leisure facilities and services to meet the needs of new development. Planning plays an important role in promoting healthy and active lifestyles. This includes the provision of open space, sports and recreation facilities<sup>23</sup>.
- 2.2.20 Local plans should also include policies to protect and enhance public rights of way and access<sup>24</sup>.

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22 NPPF (2012) paragraphs 109; 114

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23 NPPF (2012) paragraph 73

24 NPPF (2012) paragraph 75

Objective 9: Place making and design quality

**To promote high design quality and improve townscape**

**To promote developments of high design quality that maximise the waterfront setting, respect local character and form and enhance key gateways and public spaces.**

**To protect and enhance the area's historic assets including the Scheduled Monument at Shoreham Fort, listed buildings and conservation areas.**

2.2.21 Local plans should include policies that set out the quality of development expected in the area. New development should:

- function well
- establish a strong sense of place
- optimise the potential of the site
- respond to local character and history
- create safe and accessible environments
- be visually attractive<sup>25</sup>

<sup>25</sup> 25 NPPF (2012) paragraph 58

## 2.3 What is proposed in the plan?

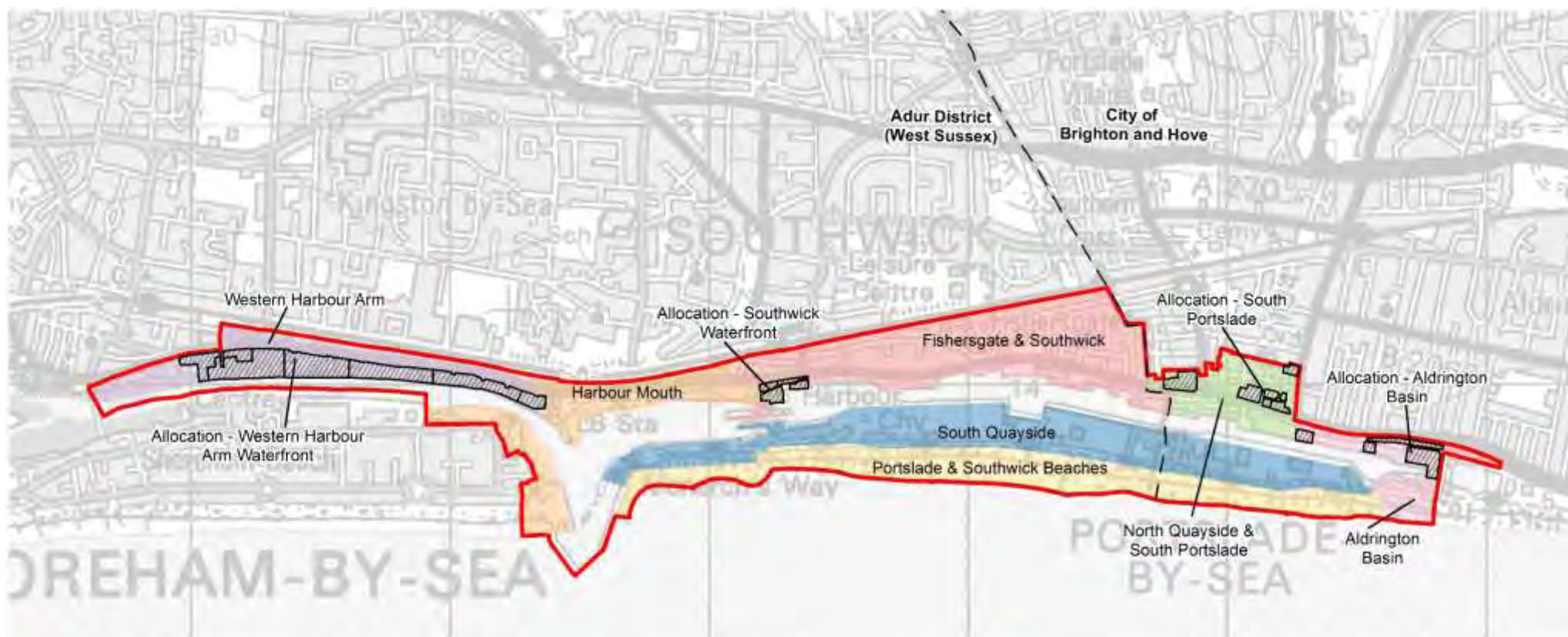
2.3.1 This plan splits the regeneration area into seven character areas. These are shown in Map 3. The areas are:

- CA1: South Quayside
- CA2: Aldrington Basin
- CA3: North Quayside and South Portslade
- CA4: Portslade and Southwick Beaches
- CA5: Fishersgate and Southwick
- CA6: Harbour Mouth
- CA7: Western Harbour Arm

2.3.2 Section 4 of this plan includes specific policies and proposals for each of these areas. This includes four allocations for new development. The allocations are:

- Aldrington Basin (within CA2)
- South Portslade (within CA3)
- Southwick Waterfront (within CA5)
- Western Harbour Arm Waterfront (within CA7)

## Map 3 - Character areas



- Shoreham Harbour Regeneration Area**
- — Local authority boundary
  - SH\_Allocations\_outline
- Character Areas:**
- Character Area 1: South Quayside
  - Character Area 2: Aldrington Basin
  - Character Area 3: North Quayside & South Portslade
  - Character Area 4: Portslade & Southwick Beaches
  - Character Area 5: Southwick Waterfront & Fishergate
  - Character Area 6: Harbour Mouth
  - Character Area 7: Western Harbour Arm



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- 2.3.3 Map 4 illustrates the key proposals in the plan. These include:  
[CA1 – South Quayside](#)
- 2.3.4 South Quayside is mostly a port-operational area. Port facilities will be safeguarded and improved.
- 2.3.5 The area also includes a waste water treatment works, power stations and renewable energy generation. These uses will be safeguarded.  
[CA2 – Aldrington Basin](#)
- 2.3.6 Aldrington Basin includes a mixture of port operations, employment space and some residential areas. Port facilities will be safeguarded and improved.
- 2.3.7 The area includes an allocation for proposed development of a minimum of 4,500m<sup>2</sup> employment generating floorspace and 90 new homes.  
[CA3 – North Quayside and South Portslade](#)
- 2.3.8 North Quayside is mostly a port-operational area. Port facilities will be safeguarded and improved.
- 2.3.9 South Portslade is mostly an employment area. It includes an allocation for proposed development of a minimum of 3,000m<sup>2</sup> employment generating floorspace and 210 new homes.

- [CA4 – Portslade and Southwick Beaches](#)  
[Access to Portslade and Southwick Beaches for pedestrians and cyclist will be improved. Habitats and biodiversity will be created and protected.](#)
- [CA5 – Fishersgate and Southwick](#)
- 2.3.10 Fishersgate and Southwick includes a mixture of port operations, employment space, residential areas and green space. Port facilities will be safeguarded and improved.
- 2.3.11 The area includes an allocation for proposed development at Southwick Waterfront. This will deliver a minimum of 4,000m<sup>2</sup> employment generating floorspace.
- 2.3.12 Lady Bee Marina will be expanded and improved. Green space will be improved and connected to create wildlife corridors and linear open spaces.
- 2.3.13 Improvements to existing housing estates will be supported. This includes the retrofit of energy efficiency measures.

- [CA6 – Harbour Mouth](#)
- 2.3.14 Harbour Mouth includes port-operational areas, existing housing and employment space, and Kingston Beach. Port operational areas will be safeguarded and improved.  
[The area includes the historic buildings of Kingston Buci lighthouse and Shoreham Fort. These will be protected.](#)  
[CA7 – Western Harbour Arm](#)
- 2.3.15 Currently the Western Harbour Arm is mostly an employment area. It includes an allocation for proposed development at Western Harbour Arm Waterfront. This will deliver a minimum of 1,100 new homes and 12,000m<sup>2</sup> employment generating floorspace.
- 2.3.16 New flood defences will be built. A new waterfront route will improve connections for pedestrians and cyclists between Shoreham-by-Sea town centre and Kingston Beach. Habitats and biodiversity will be created and protected.



Map 4 - Regeneration proposals





Map 5 - Planning constraints





## 2.4 What are the constraints in the regeneration area?

2.4.1 Map 5 shows some of the main planning constraints in the regeneration area. Development and regeneration proposals need to consider these constraints.

### Slipways and hards

2.4.2 There are several historic slipways and hards in the Western Harbour Arm area. Many of these are in a poor state of repair and are unusable for modern craft. However they are an important part of the heritage and character of Shoreham-by-Sea.

### Historic buildings and conservation areas

2.4.3 The regeneration area includes part of the Shoreham-by-Sea Conservation Area and the Riverside section of the Southwick Conservation Area.

2.4.4 Shoreham Fort is a Scheduled Monument.

2.4.5 There are three Grade II listed buildings:

- Royal Sussex Yacht Club
- Sussex Arms Public House
- Kingston Buci Lighthouse

2.4.6

### Nature reserves

The Adur Estuary Site of Special Scientific Interest (SSSI) is close to the regeneration area. The Western Harbour Arm, in particular, is within the impact risk zone for this site. Parts of the SSSI are also an RSPB nature reserve.

There are Sites of Nature Conservation Importance (SNCIs) at Shoreham Beach and Basin Road South. Shoreham Beach is also a Local Nature Reserve.

### Open space

2.4.7

Kingston Beach is a village green. This safeguards the beach as a public space.

2.4.8

Other public open spaces include:

- Fishersgate Recreation Ground
- The Ham, a small recreation ground and skate park in the Western Harbour Arm area
- The Garden, a pocket park at Coates Court, Southwick
- The Sanctuary, a pocket park at Laylands Court, Fishersgate

2.4.9

The regeneration area is also close to Hove Lagoon and Vale Park.

### Air quality

2.4.10

There are two Air Quality Management Areas (AQMAs) that are partly within the regeneration area. The Brighton & Hove and Portslade AQMA in the east. And the Shoreham AQMA in the west.

2.4.11

These AQMAs have been designated due to the high level of pollutants from road vehicle emissions. Each AQMA has an Air Quality Action Plan which sets out how this is managed.

### Hazardous substances

2.4.12

There are three Health and Safety Executive (HSE) Consultation Zones in the regeneration area. These limit the types of development that are allowed close to sites where hazardous substances are handled. There is also a Development Proximity Zone at the Fishersgate site.

2.4.13

The Western Harbour Arm site will become inactive during the plan period. Adur District Council will seek to revoke the hazardous substances consent for this site at that time.



# AREA-WIDE POLICIES



### 3 Area-wide policies

#### 3.1 Objective 1: Climate change, energy and sustainable building

**To minimise carbon emissions, address the challenges of climate change and create a renewable energy hub**

**To ensure all new developments use energy and water as efficiently as possible, use energy from renewable technologies, use sustainable materials, reduce waste, incorporate innovative approaches to open space, biodiversity, and green infrastructure, encourage uptake of low carbon modes of transport and support sustainable lifestyles in existing and new areas.**

**To maximise opportunities to deliver sustainability objectives through large-scale zero and low-carbon energy technologies to serve the harbour and wider area; particularly those that take advantage of the harbour’s coastal location. Shoreham Port will be supported in becoming an important hub for renewable energy generation for the benefit of the sub-region as well as locally.**

- 3.1.1

Section 19 (1A) of the Planning and Compulsory Purchase Act (2004) (as amended) legally requires local planning authorities to include in their plans *“policies designed to secure that the development and use of land ... contribute to the mitigation of, and adaptation to climate change”*.
- 3.1.2

The National Planning Policy Framework (NPPF) states that:  
  
*“Planning plays a key role in helping to shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.”*<sup>26</sup>
- 3.1.3

In line with the carbon reduction targets in the Climate Change Act 2008, the National Planning Policy Framework (NPPF) states that local authorities should take a proactive approach to mitigating and adapting to climate change<sup>27</sup>.
- 3.1.4

The NPPF also states that local planning authorities should positively promote energy from renewable and low carbon sources and identify areas for renewable and low energy sources, and supporting infrastructure<sup>28</sup>.
- 3.1.5

Planning Practice Guidance (PPG) states that the inclusion of policies to contribute to the mitigation of, and adaptation to, climate change is a consideration when examining a plan for soundness<sup>29</sup>.

26 NPPF (2012) paragraph 93

27 NPPF (2012) paragraph 94

28 NPPF (2012) paragraph 97

29 PPG (2014) paragraph 6-002



3.1.6 The harbour falls within the Brighton & Hove Downs Biosphere area which promotes world class management of the environment. Shoreham Harbour is identified as a future hub for low carbon energy and decentralised energy generation.

3.1.7 The Coast to Capital Local Economic Partnership (LEP) and the Greater Brighton City Deal are promoting the potential for district heating networks and an eco-technology cluster at Shoreham Harbour. There is significant potential to leverage investment and resources for delivery in this area.

#### Sustainable building and design

3.1.8 The *Adur Local Plan* includes a requirement for a Sustainability Statement to accompany development proposals within the parts of the regeneration area in Adur. Guidance is set out within *Sustainability Statements Guidance Note: Shoreham Harbour*.

3.1.9 *Brighton & Hove City Plan Part One* policy CP8 Sustainable Buildings sets out requirements for sustainability standards and issues that must be addressed by all development proposals.

#### Creating an exemplar renewable energy hub

3.1.10 Shoreham Harbour Regeneration Partnership was awarded funding under the second wave of the government's Eco-Towns programme in 2009 and a Capacity and Viability Study (2010) was commissioned to explore its potential to meet the programme criteria. A Shoreham Harbour and Adur District Energy Strategy (2009) and Brighton & Hove Renewable and Sustainable Energy Study (2012) have also been carried out which both highlighted the potential of the harbour to significantly contribute towards meeting the renewable energy needs of the sub-region.

3.1.11 Shoreham Port has European 'Eco Port' status and as a community trust Port is motivated to maximise its potential as a hub for renewable energy generation and waste heat distribution.

3.1.12 Building-related energy consumption is a significant contributor to greenhouse gas emissions. The hierarchy of demand reduction, efficient energy supply and renewable energy provision represents the most cost-effective means of reducing energy consumption and greenhouse gas emissions for new developments.

3.1.13 Passive design makes the best use of site orientation, building form, layout, landscaping and materials to maximise natural light and heat, whilst avoiding overheating by providing passive cooling and ventilation.

#### Low and zero-carbon technologies include, but are not limited to the following:

- Solar-thermal water heating
- Air, ground or water source heat pumps
- Efficient gas boiler
- Gas combined heat and power (CHP)
- Solar photovoltaic (PV) panels
- Wind turbines

#### Potential for district heat network

3.1.14 As set out in Policy DA8 of the *Brighton & Hove City Plan Part One*, the city council is proactively encouraging opportunities that arise to incorporate waste heat or other heat sources into the heat networks for the city. The Brighton & Hove Energy Study (2013) identified the potential for district heating networks in and around Shoreham Harbour within a long list of priority areas.



- 3.1.15 New development that takes place within the long-list of priority areas will be encouraged to consider low and zero carbon decentralised energy possibilities and will be required to either connect where a suitable network is in place (or would be at the time of construction) or design systems to be compatible with a future connection to a network.
- 3.1.16 As part of the South Quayside Character Area proposals (within Section 4 of this document), there is potential to work with the existing Shoreham Power Station to deliver a district heating network to provide waste heat to local consumers.
- 3.1.17 The Heat Network Delivery Unit (HNDU)<sup>30</sup> has provided part funding to explore the potential for heat networks in and around Shoreham Harbour. The *Shoreham Harbour Heat Network Study* (2016) mapped heat demands and identified potentially viable scenarios for network development.

<sup>30</sup> HNDU is now part of the Department for Business, Energy and Industrial Strategy (BEIS). It was formerly part of the Department for Energy and Climate Change (DECC), which was abolished in 2016.

- 3.1.18 The partnership has commissioned a further study to carry out detailed feasibility and business model options appraisals of the potential network. This study will be complete in early 2018. If feasible and deliverable, the network may be run by the local authorities or be an independent delivery body or Energy Service Company (ESCo).
- 3.1.19 Development should demonstrate that the heating and cooling systems have been selected in accordance with the following heating and cooling hierarchy
  - Connection to existing combined heat and power (CHP) distribution networks
  - Site wide renewable CHP
  - Site wide gas-fired CHP
  - Site wide renewable community heating/cooling
  - Site wide gas-fired community heating/cooling
  - Individual building renewable heating
  - Individual building heating, with the exception of electric heating
- 3.1.20 All CHP must be of a scale and operated to maximise the potential for carbon reduction. All buildings must adhere to the guidelines set out in Chapter 3 – Design – of the CIBSE Heat Networks Code of Practice for the UK.

- Offshore and onshore wind power
- 3.1.21 The Rampion offshore wind farm is under construction 13km off the Sussex coast to the south and east of Shoreham Harbour. The development will comprise up to 116 wind turbines with a gross capacity of up to 400MW. There will be potential supply chain benefits for Shoreham Harbour and the local economy.
  - 3.1.22 Shoreham Port Authority has also installed two medium scale (100kw) on-shore wind turbines in the South Quayside area as an effective way of increasing renewable energy generation and reducing carbon emissions. The turbines will generate, on average, 555,000kWh electricity per year to power the nearby port Pump House.
  - 3.1.23 Proposals for turbines are subject to environmental impact assessment as part of the planning application process.

### Solar Photovoltaics

- 3.1.24 The expanse of warehouses roofs in the harbour area offer significant potential for solar PV power generation. Shoreham Port Authority has worked with Brighton Energy Cooperative to install a large number of solar panels on a number of these roofs. The project is funded by community investors buying shares in the cooperative.
- 3.1.25 There is also the potential for solar energy generation on the roofs of the Adur Homes estates at Southwick and Fishersgate. The regeneration partnership will support Adur Homes to explore these opportunities.

### Sustainable use of water

- 3.1.26 Shoreham Harbour is supplied with water from the Brighton Chalk Aquifer. This is an important and heavily exploited resource. The Environment Agency has classified the location as falling within an area of 'serious water stress', where demand for water is high and resource availability is low.
- 3.1.27 New development at the harbour offers the opportunity to incorporate sustainable drainage systems (SuDS). These can provide a range of sustainability benefits in addition to managing surface water, including enhancing biodiversity and reducing flood risk.
- 3.1.28 Water efficiency standards can help to deliver the objectives set out within both the *Biosphere Management Strategy* (2014-2019) and the *South East River Basin Management Plan* (2016). The basin plan contains an action that requires local authorities to seek the use of water efficiency standards that exceed the Building Regulations where there is local evidence to support this need.

## Policy SH1: Climate change, energy and sustainable building

- |   |   |  |
|---|---|--|
| <ol style="list-style-type: none"> <li>1. Development proposals should demonstrate how they maximise opportunities to support local sustainability objectives and commitments.</li> <li>2. A completed Sustainability Checklist will be required to accompany all development proposals in the areas of the harbour within Brighton &amp; Hove. A Sustainability Statement will be required to accompany all development proposals within Adur.</li> <li>3. Where it is feasible and viable, development should seek to achieve zero-carbon status, in particular within the four site allocations. This will include the use of passive design measures. Proposals must demonstrate good thermal performance and air tightness to prevent heat loss.</li> <li>4. Developers should demonstrate how they can contribute towards Shoreham Port Authority's objective of becoming a hub for renewable energy generation.</li> <li>5. All new development will be expected to incorporate low and zero carbon decentralised energy opportunities.</li> </ol> | <p><b>District heating and cooling</b></p> <ol style="list-style-type: none"> <li>6. Development in areas identified in the Shoreham Harbour Heat Network Study (2016), or subsequent update, will be expected to connect to district heating networks where they exist, or incorporate the necessary infrastructure for connection to future networks.</li> <li>7. Where no heat network is in place, development must be connection ready. All buildings must adhere to the following technical specifications: <ul style="list-style-type: none"> <li>• Buildings must use a centralised communal wet heating system rather than individual gas boilers or electric heating.</li> <li>• Buildings must allow adequate plant room space to allow for connection at a later date (the exact requirement to be agreed with the councils and their representatives).</li> <li>• The developer must identify and safeguard a pipe route to allow connection between the building and the highway or identified network route where available.</li> <li>• The developer must not in any other way compromise or prevent the potential connection.</li> </ul> </li> </ol> | <p><b>Sustainable use of water</b></p> <ol style="list-style-type: none"> <li>8. All developments should seek to achieve high standards of water efficiency and explore potential to implement measures to recycle, harvest and conserve water resources.</li> <li>9. All new homes should achieve (as a minimum standard), internal water use of no more than 110 litres per head per day and all new commercial buildings should meet the BREEAM 'excellent standard'.</li> <li>10. Opportunities should be sought to link together development within the regeneration area with site-wide recycled water networks, taking advantage of the diversity of water sources and uses on-site. This process will be supported by the local authorities. Where a recycled water network is delivered on site, all buildings are required to connect, if practical to do so.</li> </ol> |
|---|---|--|

## 3.2 Objective 2: Shoreham Port

**To support a growing, thriving port**

**To facilitate the delivery of the adopted Port Masterplan, the provision of a modernised, consolidated and sustainable port and to promote the important role of the Port in the local and wider economy.**

3.2.1 Shoreham Harbour contains the entirety of the working Trust Port of Shoreham. Since 1760 the Shoreham Port Authority has had responsibility for operating and managing Shoreham Port. The continued existence of a thriving and expanding commercial port is an integral part of the regeneration proposals

3.2.2 As a Statutory Harbour Authority, Shoreham Port Authority is responsible for the management of navigational safety within harbour limits between Hove Lagoon, the Old Toll Bridge on the River Adur and the outer Port limits. Shoreham Port Authority is also a Competent Harbour Authority within the provisions of the Pilotage Act 1987.

3.2.3 Shoreham Port Authority provides conservancy and a vessel information service for ships and craft using the port, including the maintenance of navigational channels, moorings, lights and the provision of hydrographic, tidal and other information. There are also a number of byelaws which govern operations and activities within the harbour limits.

3.2.4 The current level of use at Shoreham Port is 700 to 900 ship arrivals per year, which results in a trading throughput of approximately 1.8 to 2 million tonnes per year. The main commodities that are imported and exported at the Port are aggregates, timber, scrap metal, cereals, oil and increasingly steel. The Port Masterplan (2010) aims to provide the capacity for a 25% increase in trade by 2026.

3.2.5 The port is a significant local employer providing around 1,700 jobs. Employers range from large multinationals, national firms, through to a variety of small and medium sized firms including motorbike repairs and cheese suppliers.

3.2.6 Delivery of the proposals identified in the Port Masterplan have the potential to create a further 500 local port-related jobs.

- 3.2.7 Land restrictions are an obstacle to growth within the port. It is therefore important to maximise the productivity of the existing port land. The JAAP aims to do this by focusing commercial port activity at the Eastern Arm and Canal, and by ensuring that vacant and underused sites are used to their full potential.
- 3.2.8 Non-port related industries currently located within the Eastern Arm and the Canal will be relocated, in order to expand the port’s capacity and secure future operations. In parallel, current port-related activities in the Western Harbour Arm will be relocated where and when possible through securing alternative sites within the harbour, or elsewhere in the region. This will enable the land to be used for other developments.  
[Port Masterplan](#)
- 3.2.9 Shoreham Port Authority’s strategy for growth is set out in the updated *Shoreham Port Masterplan* (2016) and involves consolidating port-related uses within the Eastern Arm, Canal and South Quayside. The JAAP aims to promote the masterplan objective of enhancing the port’s role in the local community, particularly in terms of jobs and trade growth.

- Eco-Port Status and Renewable Energy Hub  
[Shoreham Port Authority has an environmental policy and has EcoPort status, shared with other ports in Europe. The port uses power for lighting on the terminals, operating the lock gates and water pumps which are used to keep the water at a constant level. Opportunities are being explored to reduce the reliance on traditional forms of energy by producing energy locally from renewable sources instead.](#)  
[Adapting to Climate Change](#)
- 3.2.10 In accordance with the *National Ports Policy Statement* (2012), new port infrastructure will typically be long-term investments which will need to remain in operation over many decades, in the face of a changing climate. Consequently, proposals for new development must consider the impacts of climate change when planning the location, design, build and operation of new port infrastructure.

- Land Reclamation and Infilling  
[Previous development proposals for the harbour have included the reclamation of land out to sea on the south side of South Quayside, however the costs of implementation were considered to be prohibitive in the short to medium term. Whilst large scale land reclamation is not considered viable, it has been proposed on a limited scale within the canal, including at Britannia Wharf, as well as at Albion and Turberville Wharves, where it is hoped to increase the overall capacity and efficiency of the site.](#)  
[Permitted Development Rights](#)
- 3.2.11 Shoreham Port Authority has permitted development rights for certain types of development within the harbour meaning that planning permission from the local planning authority is not required. These rights are set out within the Shoreham Harbour Acts and also reflected within the General Permitted Development Order (GPDO) 2015; Part 17, Development By Statutory Undertakers, Class B (Dock, Pier, Harbours, Water transport, canal or inland navigation undertakings).

## Minerals Wharves

3.2.12 The NPPF provides protection to mineral wharves, stating that local planning authorities should safeguard existing, planned and potential wharfage for bulk transport of minerals, secondary materials and marine- dredged aggregates (paragraph 143).

3.2.13 Minerals wharf capacity at Shoreham Harbour makes a significant contribution to meeting the needs for aggregate imports in the sub-region. Most of the wharf capacity is contained within the Eastern Arm and Canal.

3.2.14 Policy WMP 15 of the *East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan* (2013) safeguards existing, planned and potential minerals wharf facilities and their consequential capacity for receiving and processing sea-borne imported aggregates at the Shoreham Port. The policy does allow for some redevelopment of wharves if overall capacity is maintained at the harbour. It is recognised that this capacity could be in the West Sussex portion of the harbour. The *East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan* (adopted 2017) identifies the area of the Port falling within Brighton & Hove for safeguarding where policy WMP15 will apply.

3.2.15 Policy M10 of the *Submission Draft West Sussex Joint Minerals Local Plan* (2017) safeguards permanent mineral wharves at Shoreham Port for the purpose of minerals transportation. The policy further safeguards temporary consent granted at New Wharf and Kingston Wharf, to ensure they can continue to operate without prejudice, whilst they have planning permission. The plan states (paragraph 6.10.11) further temporary permissions may be granted for mineral related development at these sites if there is not a conflict with other development plan policies and objectives. These temporary permissions can contribute positively to ensuring a steady and adequate supply of minerals to the area.

3.2.16 There are several larger safeguarded sites within the heart of the port operational area that are actively used to discharge aggregates which offer unused capacity and therefore potential to mitigate the loss of wharves elsewhere in the port.

3.2.17 The regeneration partnership is exploring how best to deliver the safeguard sites policies at Shoreham Harbour to protect the overall wharfage capacity at the port whilst maintaining flexibility over which sites can contribute to meet aggregate needs.

3.2.18 In accordance with the NPPF, Shoreham Port Authority will continue to work closely with local minerals planning authorities in preparing their annual Local Aggregate Assessment based on a rolling average of 10 years sales data, other relevant local information and an assessment of all supply options (including marine dredged, secondary and recycled sources).

3.2.19 West Sussex County Council has prepared a *Statement of Common Ground* (2016) between the project partners, and the neighbouring minerals authorities (East Sussex County Council and South Downs National Park Authority) to establish cooperation and collaboration between the parties in addressing strategic cross-boundary issues as they relate to planning for minerals infrastructure and their safeguarding at Shoreham Port. The statement sets out matters of agreement and commitment to a future policy approach, reflecting the aspirations for regeneration at the harbour.



## **Policy SH2: Shoreham Port**

- 1. New development proposals within the port area will be assessed against the objectives of the Port Masterplan, which will be treated as a material consideration.**
- 2. Parts of the harbour as identified within this plan will be safeguarded for port operational uses and will be the focus for commercial port activity. Non-port related activities will be resisted in those areas.**
- 3. Acceptable uses will need to demonstrate the requirement for a port-side location or are ancillary to a use requiring a port-side location.**
- 4. Sui generis uses appropriate to a port-side industrial location will also be acceptable provided they generate comparable levels of employment to B1-B2 use classes.**
- 5. New development within the harbour area should not conflict or unreasonably constrain the day to day operations and workings of the port and port-related uses.**
- 6. Proposals in the vicinity of port operational areas should give careful consideration to health and safety implications in relation to access to the waterfront and to the security of moorings and storage areas. Security and safety implications should be considered at the outset and discussed with Shoreham Port Authority at an early opportunity.**
- 7. Proposals for uses that support the port's status as an 'Eco port' and hub for renewable energy generation will be encouraged.**
- 8. New port infrastructure proposals should consider the impacts of climate change when planning the location, design, build and operation of new port infrastructure.**
- 9. Proposals for the upgrade, intensification, and refurbishment of sites so they meet modern business standards and are more resource efficient will be supported.**
- 10. There should be no net loss of employment floorspace in port operational areas as a result of new development proposals unless exceptional circumstances can be demonstrated.**

### 3.3 Objective 3: Economy and employment

**To stimulate the local economy and provide new jobs**

**To provide new, high quality employment floorspace and improve the business environment to support the needs of local employers. To equip local communities with the training and skills required to access existing and future employment opportunities.**

3.3.1 The development of the harbour area is a long-term aspiration. In the short to medium term (5-10 years) it is essential to ensure that the initial phases of development do not compromise the operations of businesses on sites which are unlikely to come forward until later in the process. The regeneration partnership is committed to continuing a process of dialogue to ensure mutually appropriate development as and when sites come forward.

3.3.2 The JAAP proposals have been prepared in line with consideration of their impacts on the local economy. A preliminary *Economic Impact Assessment* (GL Hearn, 2013) has been undertaken which has indicated that the proposals could generate a significant net increase in employment and additional economic output. The proposals will also promote increased supply chain opportunities, with the new business base created by the proposals potentially supporting further indirect job creation in the local economy.

3.3.3 Whilst the proposals will result in overall losses of employment land footprint as land is redeveloped for other uses, the profile of the new employment space that is created and retained will support the objectives identified in the Brighton & Hove and Adur Employment Land Studies, particularly by:

- Renewing older and poor quality industrial stock and delivering quality workshop and industrial space to meet the needs of key creative/digital industries as well as emerging high-tech manufacturing and environmental technologies sectors.
- Expanding Adur's under-developed office market through the provision of new office accommodation and thus supporting growth in higher value-added sectors.
- Providing an opportunity to deliver small, affordable, start-up office space for which there is a continuing need in Brighton.

- 3.3.4     Proposals that incorporate initiatives and opportunities to secure apprenticeships, training and new job opportunities for the local area will be encouraged. As part of planning obligations associated with major development schemes developers may be required to contribute towards the provision of good quality employment and training opportunities during construction.
- 3.3.5     The regeneration partnership will continue to work with key stakeholders and local service providers to improve access and links to training and skills opportunities for local people. The Coast to Capital Local Enterprise Partnership (LEP) has produced a Skills Strategy (Skills for Growth, 2015) which identifies the need for improved employee skills across the LEP area. The Partnership will proactively engage with the LEP on this matter.

**Policy SH3: Economy and employment**

- 1.     The JAAP proposals support the delivery of a minimum of 16,000m2 of new employment generating floorspace in Adur and 7,500m2 in Brighton & Hove.**
- 2.     To prevent the loss of employment floorspace and associated jobs in the local area, the authorities will aid the relocation of existing occupiers displaced by new development within the regeneration area, district or sub-region depending upon individual requirements.**
- 3.     Prior to sites coming forward for redevelopment to alternative uses, planning permissions for continuation of current employment uses may be granted for temporary periods on a case-by-case basis.**
- 4.     The Councils will seek agreement with developers to secure appropriate training and job opportunities for local residents.**
- 5.     New development will be required to contribute to the improvement of the local highways network and public realm to improve the street environment for local businesses.**
- 6.     Proposals should seek to incorporate or contribute towards enhancements to areas of public realm identified as being of poor quality.**

**Retail uses**

- 7.     As part of mixed-use redevelopments, small-scale, ancillary retail uses are acceptable provided that such activity will assist in enlivening key frontages and supporting existing retailing areas. Proposals should be appropriate and complementary in relation to Shoreham-by-Sea town centre and the existing district centre designation on Boundary Road/Station Road.**
- 8.     New development for town centre uses (other than small-scale ancillary uses mentioned in clause 1) outside of the defined town centre boundary (or Primary Shopping Area in the case of retail uses) will be assessed in accordance with the National Planning Policy Framework sequential and impact tests. An impact test will be required for any proposed retail development outside of the Primary Shopping Area with a net sales floorspace of 1,000m2 or more.**

### 3.4 Objective 4: Housing and community

**To provide new homes and contribute to meeting housing need**

**To address shortfalls in local housing provision through delivering new homes of a range of sizes, tenures and types, including affordable and family homes as well as associated supporting community infrastructure.**

3.4.1 Both Adur and Brighton & Hove are geographically constrained by the sea and by the South Downs National Park to the north. Most of the remaining green space is protected through environmental designations, to prevent coalescence of settlements and for its recreation and amenity value. As a result, there is a limited supply of sites where new homes can be built and therefore development mainly consists of building on previously developed (brownfield) sites and small scale infill sites. Despite this, the demand for new homes continues to grow creating a challenge for local authorities in identifying new sites.

3.4.2 Housing needs assessments for both Adur and Brighton & Hove have identified a shortfall in housing provision in relation to need, in particular affordable and family sized homes. Supporting the delivery of new housing areas is central to the vision of transforming the harbour into an attractive waterfront community. The JAAP will support the regeneration of a number of brownfield sites which have been identified as suitable for residential development, balanced with the protection of key employment sites in other parts of the harbour.

3.4.3 Most residential development within the Shoreham Harbour Regeneration Area is expected to be multistorey flats. A small number of terraced town houses may be appropriate on a small number of allocated sites.

#### **Social and community infrastructure**

3.4.4 To ensure the regeneration of Shoreham Harbour promotes healthy, sustainable communities, it is important that appropriate and sufficient social and community infrastructure is provided in accessible locations to serve all parts of the community. An increase in population in the area will place pressure on existing facilities and create the need for new infrastructure provision.

3.4.5 Social infrastructure refers to emergency services, schools and colleges, health facilities, community spaces and cultural venues in the area.

3.4.6 Specific items of supporting infrastructure that will need to be delivered for Shoreham Harbour are set out within the Infrastructure Delivery Plans (IDPs) that accompany the *Adur Local Plan* and *Brighton & Hove City Plan Part One*.

- 3.4.7 These are live documents that are continuously updated and identify the range of different stakeholders that are responsible for delivery as well as associated costs, funding sources, priorities and progress.
- 3.4.8 Specific requirements relating to delivery of the Western Harbour Arm proposals are set out under 4.7 – Western Harbour Arm.
- 3.4.9 The Brighton & Hove IDP sets out specific requirements to support the proposed increase in residential population at South Portslade Industrial Estate and Aldrington Basin. In particular planning obligations towards education and health/medical services will be sought from new developments coming forward.
- 3.4.10 The *Adur Local Plan* (2016) includes Policy 34: Planning for Sustainable Communities that resists the loss of existing community facilities. Also refer to SH17: Planning obligations towards infrastructure delivery in this plan.

**Policy SH4: Housing and community**

- 1. Sites identified for residential-led redevelopment should contribute a minimum of 1,400 new homes across the harbour area by 2032, comprising 1,100 within Adur and 300 within Brighton & Hove.**
- 2. Developers will be required to ensure that proposals deliver a mixed and balanced community through providing a mix of dwelling types, sizes and tenures in accordance with identified local needs including suitable family accommodation.**
- 3. New residential development will be expected to make provision for a mix of affordable housing, including social rented, affordable rented and intermediate housing in accordance with local plan policies.**
- 4. Development will be required to contribute towards provision of community and social infrastructure, in accordance with the relevant Infrastructure Delivery Plan.**
- 5. Residential development in close proximity to existing or proposed employment activities and port uses must be carefully designed and incorporate appropriate mitigation measures to prevent future conflicts arising and maintain the continued operation of business uses.**
- 6. Innovative solutions to mitigation will be encouraged to ensure that residential-led development proposals are capable of existing with neighbouring uses, as well as the long-term development scenario envisaged in the JAAP.**

### 3.5 Objective 5: Sustainable travel

#### To improve connections and promote sustainable transport choices

To promote sustainable transport choices through ensuring that new developments are well served by high quality, integrated and interconnected networks, improved pedestrian, cycling and public transport routes and seeking to reduce demand for travel by private car in innovative ways.

3.5.1 Transport improvements will be required to support the JAAP proposals and reduce the impact of existing and future traffic congestion and related air quality and noise impacts, in particular the impacts on the two Air Quality Management Areas (AQMAs). Measures that reduce reliance on the private car and improve sustainable transport choices will be promoted.

#### Road Network

3.5.2 The coastal settlement pattern of the regeneration area is linear with most of the key roads connected by the A259 which runs east to west through the Shoreham Harbour area. The A27 provides the strategic inland route taking much of the through traffic; however there is a significant volume of local traffic along the A259 including heavy goods vehicles.

3.5.3 Access to the main operational port area is via two main entrances off the A259 which are not well connected to the A27. The advisory lorry route to Shoreham Harbour from the A27 is via the A293. As a result heavy goods vehicles often pass through either residential areas (via the advisory routes) or the town centres of Shoreham-by-Sea and Portslade.

3.5.4 At peak periods journey times for vehicles on the A259 are slow, for example Shoreham High Street. As a gateway to the regeneration area the A259 will be required to facilitate development traffic and provide access to local services, and reducing congestion on this key route is therefore essential to the regeneration proposals.

#### Public Transport

3.5.5 Public transport accessibility to the harbour is generally good with four local railway stations on the West Coastway line serving most of the population within a 20 minute walk. Despite good accessibility, the railway line acts as a physical barrier to north – south movements for other road users.

3.5.6 Capacity constraints on the Brighton Main Line and West Coastway have been identified by Network Rail as significant challenges facing this part of the rail network.

3.5.7 There are frequent buses along the A259. However, north-south movements are limited due to the road layout and severance created by the A259 and roads running under the railway line. In addition, there is scope to improve public perception of the bus network.



Walking and cycling

- 3.5.8 Shoreham Harbour is well served by pedestrian infrastructure; however the environment for pedestrians is considered to be poor and unattractive in places, and may not encourage short walking trips. In places the network is narrow, in poor condition, close to road traffic or poorly lit. The railway line and A259 both act as barriers to pedestrian movements causing severance.
- 3.5.9 Two key pedestrian routes connect across the harbour - the Adur Ferry Bridge from Shoreham-by-Sea town centre to Shoreham Beach and the harbour lock gates to Southwick Beach. Whilst both are well used, up until recently neither of these has offered a high quality pedestrian environment. The Adur Ferry Bridge now provides a much improved pedestrian and cycle connection between Shoreham Beach and Shoreham-by-Sea town centre and railway station.
- 3.5.10 To the east, the Brighton & Hove seafront provides a heavily used promenade for pedestrians and cyclists and a series of recreational activities. This ends abruptly at Hove Lagoon immediately to the east of Shoreham Harbour.

- 3.5.11 Southwick Beach and Carats Cafe act to some extent as destinations that help draw people to walk along the eastern part of the harbour and across the lock gates from Southwick. There is a significant opportunity to improve the quality of this experience. There are also opportunities to create visitor destinations around Shoreham Fort on Shoreham Beach and the lighthouse on Kingston Beach.
- 3.5.12 Monarch’s Way is a long distance footpath running between Worcester and Shoreham Harbour. The route runs along Basin Road South and then along the promenades of Hove and Brighton before turning inland. Natural England is leading the delivery of the England Coast Path: a national trail that will run the entirety of the coast of England. This is planned to share the route along Basin Road South then cross the harbour at the lock gates and follow the A259 as far as Adur Ferry Bridge. In the longer term the waterfront route at the Western Harbour Arm could be designated as part of the route.
- 3.5.13 The National Cycle Route 2 (NCN2) from Dover to Penzance runs through the regeneration area. This route also uses Basin Road South, before crossing the lock gates and taking an inland route to Shoreham town centre and the Adur Ferry Bridge.

- 3.5.14 The *Shoreham Harbour Transport Strategy* identifies a dedicated, safe and continuous cycle facility along the A259 from Wharf Road to Surry Hard, providing a core cycle route, a critical item of infrastructure. Reducing the intimidating nature of the A259 corridor for cyclists with quality surfacing, clear signing, and provision for cycles at side roads or accesses
- 3.5.15 The A259 does not currently have good infrastructure for cyclists and is heavily used by motor vehicles, including HGVs. However the road provides the most direct route between Hove and Shoreham-by-Sea. Many cyclists therefore use this route. The partnership is exploring the potential for dedicated cycle facilities along this route.

## Transport Strategy

- 3.5.16 The *Adur Local Plan & Shoreham Harbour Transport Study* (2013) and addendums (2014; 2016) assessed the impact of proposed housing and employment development at Shoreham Harbour on the highway network. It proposes a package of mitigation measures which will reduce the impact of development and encourage a shift in travel patterns to sustainable modes of transport. This package consists of sustainable transport measures, behaviour change initiatives and junction capacity improvements.
- 3.5.17 The *Shoreham Harbour Transport Strategy* was developed alongside the JAAP to support regeneration and development at Shoreham Harbour. The strategy contains a package of integrated transport measures that will guide the provision of transport infrastructure for the next 15 years.

3.5.18 The strategy takes a balanced view of transport provision in the regeneration area focusing on improvements to the existing road network and measures to encourage the use of sustainable modes of transport. Five key outcomes are identified in the Transport Strategy:

- OC1 Reduced levels of congestion
- OC2 Strengthened sustainable transport mode share
- OC3 Improved connectivity
- OC4 A safe and attractive environment
- OC5 Adequate parking provision and controls

3.5.19 Examples of behaviour change initiatives include travel plans, car sharing schemes, encouraging shared car ownership, and cycle training. This study is part of the evidence base for the Shoreham Harbour Transport Strategy and development proposals will be expected to contribute towards the package of measures identified.

## Parking

- 3.5.20 Guidance produced by West Sussex County Council states that car parking provision for residential development should: take account of the expected levels of car ownership; ensure high quality of design; make efficient use of land. The guidance outlines that expected levels of car ownership and demand should be determined taking account of the type, size and tenure of the proposed development.
- 3.5.21 Brighton & Hove standards currently outline maximum levels of parking, however it is anticipated that new guidance will put a priority on minimising off-street car parking provision in accessible locations.
- 3.5.22 Due to the constrained nature of allocated sites at Shoreham Harbour, innovative approaches to parking will be required. The Transport Strategy identifies a localised approach to car parking provision such as using appropriate parking controls and the use of car clubs.

## Policy SH5: Sustainable travel

1. New development in the regeneration area must demonstrate how it intends to reduce the need to travel by car and should help to deliver sustainable transport improvements as identified in the *Shoreham Harbour Transport Strategy*.
  2. Development will be required to contribute towards implementation of the area-wide travel behaviour change and travel choice programme set out in the *Shoreham Harbour Transport Strategy*.
  3. The layout and streetscape of the allocations should be designed to give pedestrians and cyclists priority over vehicular traffic wherever possible.
  4. Developments will be required to contribute towards the delivery of transport infrastructure which reduces congestion and increases the use of sustainable transport modes. Specific measures are identified in the *Shoreham Harbour Transport Strategy* including junction capacity improvements, improvements to bus and rail infrastructure and better cycling and pedestrian routes and facilities.
  5. Improvements should focus on the following priority corridors and seek to minimise the impact of traffic, including HGV's, on surrounding communities:
    - A259
    - A283
    - A293
  6. To improve the connectivity of the regeneration area, development proposals must provide or contribute towards the delivery of a comprehensive and well integrated transport network with strong linkages to town / district centres, the harbour waterfront / coastline, the South Downs, access routes and surrounding neighbourhoods. Specific network improvements for these supporting links are identified in the *Shoreham Harbour Transport Strategy*.
  7. Proposals that incorporate facilities and/ or initiatives to promote the use of the river as a means of transport, such as provision of pontoons and additional moorings will be encouraged.
  8. Improvements must be consistent with recommendations in the *Shoreham Harbour Streetscape Guide* and *Shoreham Harbour Transport Strategy*.
- Parking**
9. Car parking provision will be considered as part of the overall package of measures that impact on the need to travel resulting from the development. Proposals should include adequate levels of car parking for residential development or measures to promote lower levels of car ownership.
  10. For commercial development, car parking provision should be in line with local authority maximum standards.
  11. The amount of surface and on-street car parking should be minimised wherever possible and innovative solutions to the provision of car and cycle parking are encouraged as informed by the *Shoreham Harbour Transport Strategy*. Measures could include the creation of new car clubs or the extension of existing car clubs, by providing additional vehicles in appropriate locations and access to membership, to cover the regeneration area.
  12. All new development proposals will be required to provide adequate, appropriate and secure cycle parking and storage facilities.

### 3.6 Objective 6: Flood risk and sustainable drainage

**To reduce the risk of flooding and adapt to climate change**

**To ensure that development avoids and reduces the risks from flooding and impacts on coastal processes and that risks are not increased elsewhere as a result. To ensure that appropriate and comprehensive flood infrastructure is delivered. To ensure surface water run-off and water pollution have been reduced by the introduction of sustainable drainage systems.**

3.6.1 Parts of the regeneration area are at a high risk of flooding due to the proximity to the coastline and the River Adur, exacerbated by the low lying topography of some sites. This is especially true for the Western Harbour Arm, parts of Aldrington Basin, Southwick and Portslade beaches as well as the port operational area.

3.6.2 Tidal flooding presents the most significant risk to the area. The Adur & Worthing and Brighton & Hove Strategic Flood Risk Assessments identify a number of sites located within Tidal Flood Zones 2, 3a, 3b and Non-functional Flood Zone 3b. This latter category recognises that some sites have the same risk of tidal flooding as Flood Zone 3b but do not have a significant storage or conveyance potential which materially impacts flood risk elsewhere. In addition to this tidal flood risk, some areas are also affected by fluvial and surface water flooding.

3.6.3 Working closely with the Environment Agency, the partnership has prepared a *Shoreham Harbour Flood Risk Management Guide* SPD which sets out the types of flood risk present in the harbour area, the vision for a comprehensive flood defence network along the Western Harbour Arm and the requirements of developers in relation to mitigating flood risk in the regeneration area. This guide has been adopted by both Adur and Brighton & Hove councils. A key consideration of the SPD is the impact that climate change will have on rising sea levels, storm frequency and storm magnitude.

3.6.4 Brighton & Hove City Council, in partnership with Adur District Council and the Environment Agency, has produced the *Brighton Marina to River Adur Coastal Strategy Study*. This document examines how the stretch of coastline between Brighton Marina and the River Adur (up to the Canal lock gates in Southwick) will change over the next 100 years. This includes identifying erosion and flood mitigation measures that need to be delivered over this period.

- 3.6.5 Proposed flood defence improvements identified in this strategy would enhance the standard of protection for allocated sites identified in this plan, such as Southwick Waterfront and Aldrington Basin. The proposals identified in the strategy are therefore fully supported by the Partnership. A similar strategy, *The Rivers Arun to Adur Flood and Erosion Management Strategy* (2010) has already been adopted by DEFRA. This strategy includes a large part of the River Adur taking in the Western Harbour Arm.
- 3.6.6 The NPPF highlights the need to direct development away from areas at highest risk of flooding (thereby avoiding the risk in the first instance), but where development is necessary, ensuring it will be safe without increasing the risk of flooding elsewhere.
- 3.6.7 Refer to policies in Part 3 of this plan which identify the site-specific flood defence and mitigation measures required within the character areas. Development in the Western Harbour Arm in particular will be required to deliver significant flood risk mitigation infrastructure.

**Policy SH6: Flood risk and sustainable drainage**

1. Development proposals in the regeneration area must comply with the principles and approach to flood risk management set out in the *Shoreham Harbour Flood Risk Management Guide* (2015), or subsequent updated guidance. Where development creates new or alters flood flow routes, the site specific Flood Risk Assessment must assess the potential flood hazard posed by them to ensure that flood risk is not increased elsewhere.
2. Prior consent of the Environment Agency is required for any works within 16m of the tidal River Adur. All proposed flood defences, flood defence upgrades, slipways, pontoons and floodgates will require prior approval of the Environment Agency, either through the Environment Agency Permit or as part of the Marine Management Organisation license. New development will need to be setback from the river’s edge where flood defence maintenance is required. Set back distance should be discussed and agreed with the relevant authority including the Environment Agency. Maintenance arrangements for flood defences should be agreed with the Environment Agency and the local authorities prior to construction.
3. Where development creates new or alters flood flow routes, the site specific Flood Risk Assessment must assess the potential flood hazard posed by them to ensure that flood risk is not increased elsewhere.
4. Residential development proposals must protect against a breach scenario through the application of an appropriate finished floor level of 5.77m AOD.
5. Non-residential development proposals must be designed to be safe for the proposed lifetime of the development, assumed to be at least a 60 year period from the date of receiving planning permission, unless otherwise agreed with the Local Planning Authority.
6. Where undefended land levels are below the 1 in 200 year tidal flood event for 2115, land raising and/or flood defences should be provided to 5.4m AOD. For sites where existing defences / land levels do not meet the heights outlined above, developers will be required to deliver flood defences or land raising to this height to meet the required standard of protection.

7. Where sheet piling is being proposed, a piling risk assessment must be carried out to demonstrate that any proposed piling will not result in contamination of groundwater or migration of contamination off-site. Wherever possible piling should be non-percussive vibro or push piling to minimise impacts to migratory fish. Use of percussive methods should be restricted to times when ecological impact is minimal. Displacement piling methods are generally preferred on contaminated sites as they produce no spoil so that contamination is not exported to the surface.
8. Where proposals seek to retain existing wharf walls as part of the flood defence infrastructure, an extensive structural survey will be required to ensure the development will be safe for its lifetime.
9. Where pontoons and mooring opportunities are provided as part of delivery of new flood defences, the following requirements apply.
10. Pontoons should be designed to be freestanding structures.
11. Where boats are to be moored directly onto piling, a structural survey is required to consider whether defences could take the loading over their expected lifetime.
12. Where loss of habitat occurs due to construction of moorings or pontoons or from boats resting on intertidal habitat, creation of new compensatory habitat will be required
13. Proposals should demonstrate how the risks of surface water runoff and water pollution have been reduced including through the introduction of sustainable drainage systems (SuDS) and water capture/recycling technology. SuDS must also be applied to hard landscaping (including paving and road carriageways).
14. New developments must incorporate open space, appropriate planting, green roofs and/or green walls (suitable for coastal growing conditions) to reduce levels of surface water runoff and consequent risk of flooding.
15. Proposals which seek to provide basement parking in tidal/fluvial flood zones will only be acceptable where adequate mitigation and emergency planning are included as part of the planning application.
16. Proposals must include an emergency strategy to ensure the safety of residents at times of flooding.



3.7 Objective 7: Natural environment, biodiversity and green infrastructure

**To add to the natural capital of the Shoreham Harbour Regeneration Area by delivering net gains to biodiversity and a multifunctional green infrastructure network**

**To conserve and protect the area’s important environmental assets, wildlife habitats and ecosystem services and to enhance the biodiversity of the area by creating new habitats. To minimise and mitigate impacts on the natural and local environment from soil, air, water or noise pollution.**

**To support the objectives of the Brighton & Lewes Downs Biosphere Management Strategy through the creation of green links within and beyond the harbour area, changes in the design and management of spaces to create a functioning green infrastructure network, including new green spaces and biodiverse green roofs and walls.**

- 3.7.1 The regeneration area falls within the Brighton & Hove Downs Biosphere. As such the JAAP aims to contribute towards meeting its three objectives of:
  - Nature conservation
  - Sustainable socio-economic development
  - Knowledge, learning and awareness
- 3.7.2 New development within the harbour is expected to be outstanding from an environmental perspective and all opportunities to promote biodiversity need to be considered. It is possible to significantly reduce negative impacts of development on the ecology of an area through mitigation measures. Any potential wildlife habitats that will be lost or negatively impacted as a result of development will need to be compensated for and enhanced wherever possible.
- 3.7.3 The *Shoreham Harbour Ecology and Green Infrastructure Study* (2015) identifies the potential impacts of development proposed within this plan. It also updates previous ecological surveys and proposes green infrastructure improvements.

Designated sites and biodiversity

- 3.7.4 In accordance with the NPPF and with *Biodiversity 2020: A Strategy for England’s Wildlife and Ecosystem Services*, it is essential that any development in the harbour takes into account the sensitivities of the local environment and protects and enhances it wherever possible.
- 3.7.5 Located just outside the regeneration boundary to the west, is the Adur Estuary, a Site of Special Scientific Interest (SSSI) of particular ecological significance for its inter-tidal mudflats. It also contains one of the few saltmarsh habitats in West Sussex.
- 3.7.6 The Adur Estuary is an important habitat for a range of species, including estuarine plants and wading birds (particularly redshank, dunlin and ringed plover). The ringed plover population regularly exceeds 1% of the total British population, making the SSSI of national importance for this species.

- 3.7.7 The entire regeneration area is within the Impact Risk Zone (IRZ) for the Adur Estuary SSSI. An IRZ provides an initial assessment of potential risks to an SSSI posed by development proposals. Allocation Western Harbour Arm Waterfront is most likely to impact the SSSI. Consultation with Natural England is expected for these sites.
- 3.7.8 The eastern end of Shoreham Beach Site of Nature Conservation Importance (SNCI) falls within Character Area 6: Harbour Mouth. A large part of the SNCI is also designated as a Local Nature Reserve (LNR) whose boundary is adjacent to the regeneration area. The site's main interest is coastal vegetated shingle, an internationally rare and threatened habitat. It also provides a high tide roosting area for wading birds that have fed on the mudflats within the Adur Estuary.
- 3.7.9 Basin Road South SNCI is located at the eastern end of the regeneration area, adjacent to Allocation Aldrington Basin. This site is also designated for coastal vegetated shingle. The *Shoreham Harbour Vegetated Shingle Assessment* (2015) found that the site is predominantly made up of imported material and has undergone periods of disturbance.

- 3.7.10 The Basin Road South SNCI is 1.1ha in size. The assessment found the extent of vegetated shingle to be 0.43ha (39%) concentrated along the northern and southern fringes. The status of this site will be reviewed through the *Brighton & Hove City Plan Part Two*. The partnership is working to identify opportunities for coastal vegetated shingle habitat creation at Portslade and Southwick Beaches.
- 3.7.11 The Shoreham Harbour area as a whole is of regional importance for passage bird species and is of county importance for wintering birds as a result of the sheltered nature of the site. The area is also of local importance for breeding birds. It will be important to consider the impacts of increased recreational activities as a result of new development at the harbour on these sensitive areas.
- 3.7.12 A Reptile Survey (2009) has indicated the presence of an exceptional population of common lizards and a good population of slow worms on the North Canal Bank on the harbour's Eastern Arm, south of the A259. A Great Crested Newt Pond Survey (2009) concluded that due to a general lack of ponds and standing water bodies within the area, there is a negligible risk of impacts on this protected species as a result of the proposals.

### Green infrastructure and wildlife corridors

- 3.7.13 There are a number of strategically important green corridors in and around the harbour area including the nationally important routes of the South Downs Way and the Monarchs Way long distance footpath. As highlighted in both the recent Adur District Council and Brighton & Hove City Council open space strategies; the beaches, foreshore and wider seafront area act as a blue/green corridor supporting a broad diversity of species. Other local links include:
- National Cycle Route 2 along the coast links Shoreham with Worthing to the west and Brighton to the east. Between Shoreham-by-Sea town centre and the Canal lock gates at Southwick this route is diverted inland to avoid the busy A259. It is anticipated that the proposed pedestrian/cycle route along the waterfront at the Western Harbour Arm, and a designated A259 cycle route could create a more direct route.

- By 2020, Natural England expects to deliver the England Coast Path, a new National Trail around England's entire coast. The Partnership is working with Natural England to progress this project. It is anticipated that the new and improved routes at the Western Harbour Arm, Canal lock gates and Portslade and Southwick Beaches will ultimately form part of this route.
- Regional cycle route 79 (12) following the Adur River valley connects Horsham to the south coast at Shoreham.
- Within Brighton & Hove, there are three north-south corridors providing important wildlife links and some public access between the harbour and the South Downs:
  - Southwick Hill down to Fishersgate— public access throughout although very narrow in parts of the urban area
  - Foredown Hill to Vale Park in South Portslade – series of green spaces with intermittent public access
  - Benfield Valley linking the downs to Old Shoreham Road with consistent public access

3.7.14 The Shoreham Harbour Ecology and Green Infrastructure Study (2015) makes a number of proposals to enhance the green infrastructure and biodiversity of the harbour and surrounding areas. These include:

- The preparation of a green infrastructure strategy for the regeneration area and links to surrounding areas.
- A259 green corridor. The study identifies fourteen green spaces located along the A259. These act as a series of 'stepping stones' for wildlife. These sites include designated spaces such as Kingston Beach village green, but also the embankments between the A259 and the port, and the grassed amenity spaces around the Adur Homes estates at Southwick and Fishersgate. The Partnership is working with Adur Homes, Action Eastbrook and local communities to deliver improvements to these sites. Specific proposals are included within each character area policy in Section 4 of this plan. Further detail will be included in the Shoreham Harbour Green Infrastructure Strategy.

- Portslade and Southwick Beaches green corridor. The Shoreham Harbour Vegetated Shingle Assessment identified significant potential for coastal vegetated shingle habitat creation along these beaches. Habitat creation could be delivered as part of improvements to coastal defences and through the delivery of the England Coast Path and improved cycle route along the beaches.
- Linear intertidal habitat creation. The study identifies opportunities to deliver habitats as part of new flood defences along the waterfront. This includes timber baulking and 'vertical beaches' attached to sheet piling.
- Green roofs and walls. These could compensate for the loss of open mosaic habitats at ground level on vacant or unused sites. These should be appropriately planted for the coastal location, including vegetated shingle.

- 3.7.15 New development at the harbour should act as a catalyst to enhance green corridors and linkages, particularly where higher density developments result in limited opportunities to provide open space on site.
- 3.7.16 The national cycle network provides a valuable basis from which to extend greenways in this location to better connect Shoreham to urban areas such as Hove, Lancing and Worthing. Proposals for improving this route are set out within the *Shoreham Harbour Transport Strategy*.

- 3.7.17 Other recommendations from green infrastructure assessments in relation to biodiversity include:
- Enhance and create new open spaces and habitats at locations such as Shoreham Fort and Shoreham (Kingston Buci) Lighthouse with improved access linkages for visitors.
  - Consider and improve wildlife corridors wherever a new green corridor is developed or enhanced as part of the new development.
  - The role of parks, allotments, school playing fields, private residential gardens and cemeteries in providing valuable green corridors and wildlife habitats should be recognised in this area.
  - Protect the species rich grasslands beside the harbour and integrated grassland into new areas of waterfront open space where possible
  - Building designs should incorporate green roofs and areas of planting wherever possible.
  - Existing open spaces and parks would benefit from more wildlife planting and a varied mowing regime.

## Water quality

- 3.7.18 The overall groundwater quality of the Brighton Chalk Aquifer is currently classified as “poor” in the Water Framework Directive (WFD) Cycle 2 2015 classification. The quantitative and chemical quality are both classified as “poor”. The overall water quality of the Adur Estuary is classified as “moderate”. The ecological quality is classified as “good” whilst the chemical quality is classified as “fail”.
- 3.7.19 The Water Framework Directive required all bodies of water (including surface water, coastal waters and groundwater) to achieve “good” status by 2021 and to be prevented from deteriorating in quality. It will be important for development proposals to undertake the necessary risk assessments to demonstrate Water Framework Directive compliance. Applicants are advised to refer to the Clearing Waters for All guidance.
- 3.7.20 The Environment Agency monitors the quality of bathing water at Southwick Beach. Since 2013 water at this location has achieved “excellent” status. This means that the bathing water meets the standard for the highest, cleanest class for the revised Bathing Water Directive, which has stricter standards than those for the old Directive.

### Air Quality

- 3.7.21 Road vehicles are the greatest contributing factor to poor air quality in Adur and Brighton & Hove, with vehicles emitting a variety of pollutants including carbon monoxide, nitrogen oxides, volatile organic compounds and particulate matters.
- 3.7.22 There are two Air Quality Management Areas (AQMA) that lie partly within the regeneration area. Brighton AQMA includes Kingsway / Wellington Road (A259) Church Road (A293), Boundary Road / Station Road (B2194) and parts of South Portslade to the south of North Street. Shoreham AQMA runs along Shoreham High Street (A259) from Norfolk Bridge to Surry Street.
- 3.7.23 There is also an AQMA in Southwick on the A270 between Kingston Lane and Southview Close. This is outside the regeneration area, but may be impacted by journeys arising from new development.
- 3.7.24 Air Quality Action Plans (AQAPs) will continue to play a key role in helping to manage issues of localised air pollution.

### Noise

- 3.7.25 Noise can be a significant issue in built-up urban areas, and can act as both a disturbance and a threat to human health. DEFRA has undertaken a comprehensive noise mapping study, the results of which indicate that there are parts of the regeneration area where road traffic noise exceeds World Health Organisation guidelines.
- 3.7.26 The main generator of background noise in the Regeneration area is road traffic. The A259, A293 and B2194 have high levels of noise pollution related to traffic movements with noise levels decreasing with distance from these roads.
- 3.7.27 Rail-related noise is also an issue in some parts of the regeneration area with levels decreasing with distance from the railway line. Some of the industrial and port-related land uses in the regeneration area also generate high levels of noise.

### Contamination

- 3.7.28 The nature of current and historic industrial activities at Shoreham Harbour raises significant potential for contamination to be present, which could adversely impact site users, buildings and the environment, including surface and groundwater quality. Pollution to controlled waters may result in contravention of objectives set out within the Water Framework Directive (WFD).
- 3.7.29 Former land uses have included Portslade Gas Works, oil storage, and coal and timber yards. Current uses also include coal and timber yards, as well as a power station, aggregate sorting and storage sites, garages, oil and petrol storage areas, a waste water treatment facility and other waste uses. Consequently, significant risks of pollutant linkages have been found in the area.
- 3.7.30 In accordance with NPPF paragraph 121, it will be important for development proposals to undertake the necessary risk assessment in line with best practice approaches. All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person and in accordance with most recent guidance.

- 3.7.31 Current guidance includes:
- BS 10175:2011+A1:2013 Code of practice for the investigation of potentially contaminated sites.
  - BS ISO 5667-22:2010 Water quality sampling guidance on the design and installation of groundwater monitoring points.
  - BS ISO 5667-18:2001, BS 6068-6.18:2001 Water quality sampling guidance on sampling of groundwater at contaminated sites
- 3.7.32 In order to ensure appropriate consideration of land contamination, the following reports/documents should be reviewed prior to the submission of a planning application:
- The risk management framework provided in CLR11, Model procedures for the management of land contamination
  - The Environment Agency guiding principles for land contamination and the land contamination sections in the Environment Agency's Groundwater Protection: Principles and Practice

Waste and recycling

- 3.7.33 In keeping with the objectives of the *Biosphere Management Strategy* (2014-2019). It is important that the JAAP supports the shift towards sustainable management of waste and seeks to ensure waste is fully considered during design, construction, post-construction and demolition phases of new development.
- 3.7.34 Brighton & Hove City Council, East Sussex County Council and the South Downs National Park Authority, have adopted a Waste and Minerals Plan (2013) that provides planning policies to guide the management of waste and production of minerals over the plan period to 2026. In addition, the East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan identifies areas of safeguarding for current and future waste management capacity. This includes areas at Shoreham Port.
- 3.7.35 West Sussex County Council and the South Downs National Park Authority have adopted a *West Sussex Waste Local Plan* (2014). The Waste Local Plan covers the period to 2032 and provides a basis for making consistent land-use decisions for waste management facilities.



## Policy SH7: Natural environment, biodiversity and green infrastructure

1. The partnership will prepare a green infrastructure strategy and identify mechanisms for its implementation for the regeneration area and its surroundings.
2. The partnership will work with stakeholders, developers, landowners and communities to deliver an improved green infrastructure network including:
3. A259 green corridor improving and connecting improvement sites alongside the road, including embankments and grassed amenity space
4. Portslade and Southwick Beaches including coastal vegetate shingle habitat creation
5. Intertidal habitat creation, including baulking and vertical beaches as part of flood defence works.
6. Green walls and roofs, and appropriate street planting.
7. The partnership will promote and require the creation and enhancement of open space and green infrastructure in accordance with the emerging *Shoreham Harbour Green Infrastructure Strategy* and Brighton and Lewes Downs Biosphere objectives.
8. All development must ensure no net loss, and seek to provide a net gain to biodiversity, in particular to Habitats of Principal Importance (formerly known as BAP habitats). The indirect impacts of development, such as recreational disturbance, on designated nature conservation sites and other significant habitats must be considered. Appropriate mitigation must be identified, along with the means for its delivery and maintenance.
9. The *Shoreham Harbour Streetscape Guide* (2012) states that all vegetation must be salt tolerant and suitable for a coastal environment. Trees must be securely staked, hardy and able to withstand strong winds
10. Development proposals will be required to include schemes to conserve, protect and enhance existing biodiversity and to create appropriate habitats, taking into account appropriate, coastal protected sites and species. Measures to enhance biodiversity include, but are not limited to:
  - Incorporating green walls and roofs and appropriate planting schemes for the location, using locally native species wherever possible.
  - Providing bird-nesting and bat-roosting boxes.
  - Providing areas of vegetated shingle.
  - Using SuDS to create wetland habitat features, which help store and clean surface water.
  - Creating, restoring or enhancing off-site habitats, in particular through contributions to management and monitoring plans for, local conservation sites such as Shoreham Beach and Widewater Lagoon Local Nature Reserves.
  - Where appropriate, development will be required to incorporate ecological enhancements to the marine/estuarine/ riverine environment in order to promote biodiversity.
11. Where impacts on biodiversity cannot be avoided or mitigated, compensatory measures will be required, taking account of an up-to-date ecological survey.
12. Development will be required to integrate new green infrastructure, including biodiverse green roof (bio-solar where appropriate), green walls and suitable planting, and to contribute to enhancements to the green corridor.

### Water quality

13. All development must comply with the Water Framework Directive. Development must protect surface and groundwater quality. Only clean surface water should be discharged into the River Adur, the Canal and groundwater. Pollution control measures will be required to deal with surface water run-off where this is discharging straight into the River Adur or the Canal, especially where waterside vehicular access is promoted.
14. All marina developments must consider the installation of pump out facilities to reduce the risk to water quality from recreational boating. The size of the pump out facility should be appropriate to that of the development and agreed by the local authority prior to construction.
15. Development should seek to provide ecological enhancements through the use of sustainable drainage systems (SuDS).
16. All development must consider implications upon the sewerage and water supply network and ensure that capacity is adequate. New development must connect to the sewerage and/or water supply system at the nearest point of adequate capacity in collaboration with the service provider.

### Air quality

17. Air quality impacts should be considered at an early stage in the design process to ensure that creating new exposure to poor air quality is avoided.
18. Development within or adjacent to an Air Quality Management Area (AQMA), or that is likely to have an impact on an AQMA, will be required to provide a contribution towards implementing Air Quality Action Plan objectives, such as sustainable transport improvements.
19. Proposals will be required to demonstrate that appropriate mitigation measures are introduced to ensure that new and existing residents are not exposed to poor air quality.

### Noise

20. Development proposals should adhere to the following basic principles of noise control - Noise sources should be separated from sensitive receptors. Then noise should be controlled at source. Finally, the sensitive receptor should be protected.
21. Particular consideration will be required in relation to noise generated by transport and arising from adjacent industrial, trade and business premises, construction sites, activities in the street and on-going port and marine-related activities.

### Contamination

22. Applications for development within a 10 metre radius of potentially contaminated sites will be required to submit a desk study, conceptual model, site investigation and risk assessment.

### Waste and recycling

23. All development proposals will be required to incorporate facilities that enable and encourage high rates of recycling and re-use of waste and materials.
24. All new development will be required to demonstrate that waste is minimised both during the construction phase and the lifetime of the building.
25. Development proposals shall be accompanied by a Site Waste Management Plan.

## 3.8 Objective 8: Recreation and leisure

**To enhance and activate the harbour for leisure, recreation and tourism and encourage active, healthy lifestyles.**

**To create places that promote healthy and enjoyable living by improving existing and providing new green infrastructure including open spaces and green links as well as leisure and recreation opportunities. To improve connections to and use of the waterfront, coast and beaches as attractive destinations for both locals and visitors.**

### Beaches and water sports

- 3.8.1 The public beaches play a significant role in the provision of amenity space in the harbour for residents and visitors. They provide recreational and leisure opportunities as well as providing landscape, environmental and biodiversity benefits.
- 3.8.2 Some of the beaches, such as Southwick Beach, Shoreham Beach and, to a lesser extent, Kingston Beach are well used for traditional seaside activities (walking, swimming, sunbathing and fishing). The Shoreham Beach area is well used by windsurfers and kite surfers. Paddle boarding is becoming an increasingly popular sport for coastal areas.
- 3.8.3 When weather conditions are right, the harbour is well used as a surfing destination. Recreational surfing takes place throughout the harbour area, including Southwick Beach and within the harbour arms. Facilities for these users and other coastal sport users do not exist, but could include:
- outdoor/indoor showers,
  - bathrooms, and changing rooms.

### Sailing and facilities for boat-users

- 3.8.4 The harbour is home to a number of sailing facilities including:
- Lady Bee Marina (Southwick Waterfront)
  - Riverside Yard (Southwick Waterfront)
  - Sussex Yacht Club (Western Harbour Arm / Southwick Waterfront)
  - Shoreham Sailing Club (Harbour Mouth)
  - Shoreham Rowing Club (Harbour Mouth)
- 3.8.5 All five areas have a strong leisure and recreation function with the first three providing berthing opportunities for larger vessels. These three currently have capacity for around 120 pontoon berths although access is a constraint to further pontoon capacity. Shoreham Port Authority is seeking to increase berthing capacity at Lady Bee Marina.
- 3.8.6 Whilst there is good provision of uses in and around the regeneration area, access is constrained in some places, and some facilities are in poor condition in need of replacement, improvement or re-provision.

### Slipways and Hards

- 3.8.7 There are a number of historic slipways and hards in the Shoreham area. These were formerly used to launch and land boats onto and from the water. However most of these are now unable to function effectively for various reasons such as having been in-filled, being too steep, being dilapidated or being inaccessible and lacking sufficient parking and turning areas for trailers.
- 3.8.8 West Sussex County Council, working in partnership with Adur District Council and the Shoreham Slipways Group, are working towards providing new and improved public slipways for the Shoreham area. These new facilities will help support the local economy through enabling visiting anglers, divers and day boat users to access the harbour. The enhanced access to the water will help to restore Shoreham's maritime heritage.
- 3.8.9 A key planning consideration for locating a new public slipway is the need for sufficient appropriately laid out parking and turning areas for vehicles and trailers to manoeuvre.

### Pedestrian Routes

- 3.8.10 Strategic routes for rural walkers are concentrated in the South Downs and stop at the outskirts of built up areas. Currently these do not connect well into the town centres and to the sea. Walking routes in the urban areas of the regeneration area are not well designed and signage is poor. The Adur Ferry Bridge has significantly improved the quality of the pedestrian environment in that area.
- 3.8.11 The pedestrian network running east to west along the majority of the regeneration area north of the coast / waterfront is limited to the path that runs along the A259 and as such currently offers a very poor experience for cyclists and pedestrians.

### Cycle Paths

- 3.8.12 National cycle route NCN2 runs through the harbour from Hove Lagoon, along the southern section of the canal (the South Quayside area) across the canal locks, then runs inland to re-emerge in Shoreham-by-Sea. It then crosses over Adur Ferry Bridge and continues on to the seafront to the west. This route links Brighton in the east and Worthing in the west and is part of a long distance cycle route from Dover to Penzance.
- 3.8.13 The section from Hove Lagoon to Brighton in the east and Shoreham Beach to Worthing in the West is almost entirely 'traffic-free' with dedicated cycle paths. The section in between that runs through the harbour area is classified as 'on-road', with no dedicated cycle facilities. This route is well used by cyclists for leisure and recreation. It is also a popular commuting route for cyclists, although a high number of commuters use the A259 from the lock gates in Southwick as this is the quickest and most direct route.

3.8.14 In addition, the harbour area has good cycling links to the South Downs in the north. The Downs Link Bridleway that runs along the river Adur from Ropetackle to the South Downs is a key cycling and pedestrian link which connects Shoreham with the South Downs and which continues up to the North Downs in Surrey. However, signage to this route from the town centre is poor. Other routes to the South Downs from the regeneration area are also poorly signposted.

- Open Space**
- 3.8.15 Provision of new and enhanced areas of open space will be essential to creating a pleasant harbour side environment. Multi-functional open spaces provide a range of health benefits and can create pleasant new spaces for people to sit, relax and interact helping to build a sense of community and identity for the harbour.
- 3.8.16 The NPPF requires that planning policies should be based on robust, up-to-date assessments of local needs for open space, sports and recreation facilities and opportunities for new provision.
- 3.8.17 The Adur District Open Spaces Study was updated in 2014 which has provided open space provision standards for the district.
- 3.8.18 For Brighton & Hove, open space standards are set out within the Open Space Update Study (2011).

## Policy SH8: Recreation and leisure

1. Development proposals will be required to provide high quality multifunctional public open space / green infrastructure on site. The type and quantity of open space will be determined by the scale and type of development, the identified needs of the area local standards and the Shoreham Harbour Green Infrastructure Strategy.
2. Brighton & Hove City Council and Adur District Council will work with developers to explore the role, function and more detailed design of green spaces as they come forward. These areas could help to meet local need for a range of open spaces including parks and gardens, amenity green space, provision for children and young people, outdoor sports facilities, allotments and community gardens.
3. Improved linkages to existing open space assets and green corridors will be encouraged.
4. In accordance with local plan policies, the loss of existing open space will be resisted unless it has become surplus to requirements or would be replaced with equivalent or improved provision in a suitable location. In the case of any loss of open space, mitigation measures include, but are not limited to:
  - Better access to remaining open space.
  - Provision of an alternative site.
  - Significant enhancements to remaining open space including features to improve open access to the waterfront.
5. The provision of appropriate measures to enhance watersports and other traditional coastal activities will be supported.
6. Major waterfront development schemes, are expected to incorporate features that improve open access to the waterfront. These may include facilities for boat users, additional moorings, floating pontoons/docks, slipways and inlets. Early consultation with Shoreham Port Authority and statutory bodies such as the Environment Agency and Marine Management Organisation is advised.
7. Development schemes that result in the loss of an existing slipway or hard and that fail to incorporate a new useable slipway (with sufficient parking/turning space) on-site may be expected to contribute towards re-provision of the facility off-site.
8. Where a new/improved slipways or hards are provided or reinstated it will be necessary to consult with the relevant highway authority to ensure appropriate public highway status is recorded including rights of motor vehicle use.
9. Where additional moorings are provided consideration must be given to the management of additional waste and sewage arising. Appropriate services, such as toilets and pump out facilities, should be provided where appropriate.
10. The partnership will work with Natural England to support the delivery of the England Coast path through the Shoreham Harbour Regeneration Area.



3.9 Objective 9: Place making and design quality

**To promote high design quality and improve townscape**

**To promote developments of high design quality that maximise the waterfront setting, respect local character and form and enhance key gateways and public spaces.**

**To protect and enhance the area’s historic assets including the Scheduled Monument at Shoreham Fort, listed buildings and conservation areas.**

- 3.9.1

High quality urban design is an integral element of successful developments. Good design encompasses architectural design, form, height, scale, siting, layout, density, orientation, materials, parking and open space. Major development proposals may be subject to design review process at the pre-application and application stages in order to ensure the highest quality of design.
- 3.9.2

New developments should be well-designed and integrated into the landscape and townscape, and should contribute positively to the harbour’s character and distinctiveness. Existing poor-quality design should not set a precedent.
- 3.9.3

Improvements to the public realm (streets and public spaces) provide an opportunity to enhance the quality, character and distinctiveness of the harbour. Good use of ‘natural surveillance’, natural and artificial light and careful siting of buildings and street furniture can improve the layout of an area, reduce perceived and actual crime and opportunities for anti-social behaviour, and make an area more pleasant to use.
- 3.9.4

Lighting is an important element of design quality; whilst necessary for safety reasons it can also add character and highlight elements of architectural quality. However, it is also important to ensure that light shines on its ‘target’ and does not waste energy or contribute to ‘sky glow’.
- 3.9.5

Shoreham Harbour benefits from a number of historic assets which are proposed to be protected and enhanced to contribute towards maintaining the cultural history of the area and visual interest within the landscape and local views. The harbour area includes:
  - Parts of the Shoreham-by-Sea Conservation Area
  - The Riverside section of the Southwick Conservation Area.
  - Three Grade II Listed Buildings
    - Royal Sussex Yacht Club
    - Sussex Arms Public House
    - Kingston Buci Lighthouse
  - Shoreham Fort (Scheduled Monument).

## Policy SH9: Place making and design quality

1. Schemes should be designed to reflect the character of the marine environment and should be sensitive to views of the waterfront, surrounding landscape and historic features.
2. Waterfront development schemes are encouraged to incorporate features that improve public access, views and experience of the marine environment. This may be externally in the form of landscaped viewing areas and/or internally as an integral part of building design.
3. Development proposals should improve the quality, accessibility, security and legibility of public streets and spaces. The public realm elements of the development proposals must be designed in accordance with the *Shoreham Harbour Streetscape Guide* (2012).
4. Where appropriate contribution will be sought for the provision of public art, in accordance with the scale of development proposed.
5. All development proposals will be expected to embrace principles of good urban design with reference to the following characteristics:
  - High standards of architectural design and detailing.
  - Suitable scale and massing in relation to housing type and local context, including townscape character and historic environment.
  - Appropriate internal and external space standards in accordance with each authority's policy requirements.
  - Buildings should provide strong enclosure to public spaces and streets, and should maintain a clear distinction between public, semi-private and private space.
  - High standards of private amenity space for all residential development, including private balconies, terraces, gardens and shared courtyards as appropriate.
  - Careful consideration of the impact of new development on access to daylight and sunlight for both existing and new residents.



# CHARACTER AREA PROPOSALS





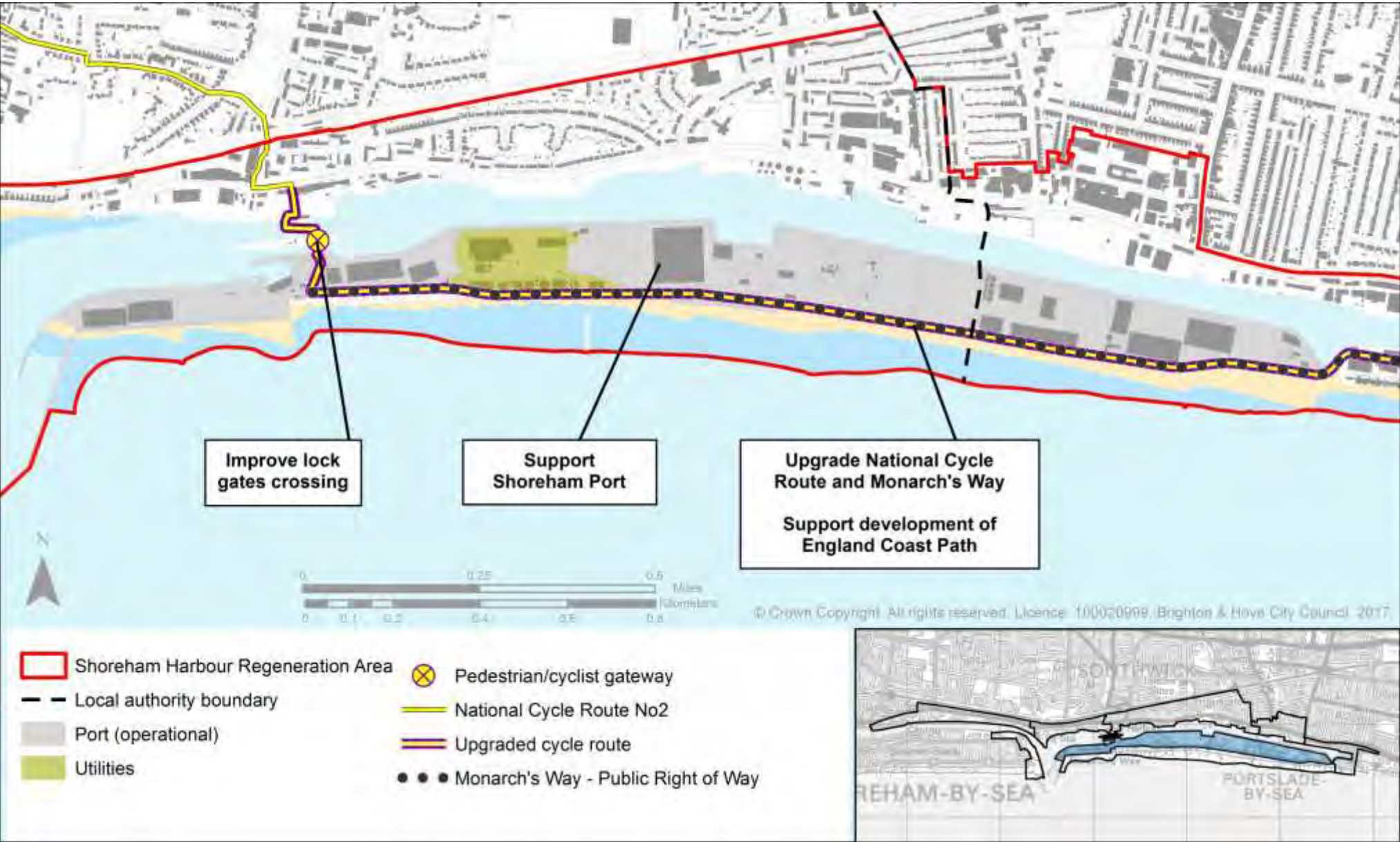
SOUTH QUAYSIDE

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Map 6 – CA1: South Quayside



## 4 Character area proposals

### 4.1 Character Area 1: South Quayside

#### Area priorities

- **To support Shoreham Port Authority in improving operational efficiency, developing new trade and exploring opportunities for sustainable energy generation, in line with the adopted Port Masterplan.**
- **To accommodate the relocation of existing port operators from elsewhere within the port.**
- **To accommodate the future capacity requirements for Shoreham Wastewater Treatment Works.**
- **To improve Basin Road South as a popular recreational route for walking and cycling, providing access to the beaches.**
- **With the exception of the existing and planned power stations, and the wastewater treatment works, non-port related operations will not be permitted in this area.**

#### About the area

- 4.1.1 CA1 - South Quayside is the main operational area of Shoreham Port. It is a long, narrow area between Basin Road South and the waterfront. The area stretches from the mouth of the harbour along the southern side of the Eastern Arm of the River Adur, and the Canal as far as the eastern ship turning head.
- 4.1.2 The full length of South Quayside is 2,370 metres. Within the Canal, there are 11 berths totalling 1,575 metres in length. In the Eastern Arm of the River Adur, the Outer Layby terminal extends further with two berths of 257 metres. There is a significant concentration of port trades and quayside activity.
- 4.1.3 In the quayside area, cargo handling and ship unloading are carried out using mobile cranes and lift trucks. Plant installations used by operators include a major aggregates grading and handling plant, a ready-mix concrete plant and gantry cranes at a steel stockyard.

- 4.1.4 Visiting fishing trawlers and other vessels often moor up alongside the power station. There are a number of security gate entry points to the port area, and the area north of Basin Road South is a secure area with no public access.
- 4.1.5 The regeneration strategy for the harbour is dependent on consolidating port-related activities within the Eastern Arm and Canal. South Quayside will be safeguarded for port operational uses. As well as improving operating efficiencies for the port, it will enable waterfront land to be redeveloped for alternative uses along the Western Harbour Arm.
- 4.1.6 South Quayside is sufficiently removed from residential areas that it can accommodate activities and uses that otherwise might harm residential amenity through noise and disturbance. Major facilities likely to remain for the timespan of the plan period include Shoreham Power Station and Shoreham Wastewater Treatment Works.





Wind turbines at Outer Layby



Solar panels on warehouse roofs

Utilities

- 4.1.7 Shoreham Power Station is a combined cycle gas turbine station. Its capacity is 420MW. The power station is owned and operated by Scottish Power. Cooling water discharges to an outflow at Southwick Beach.
- 4.1.8 Energy studies and consultation with local environmental groups have highlighted the potential of using the waste heat from the plant to supply local customers. The physical separation of the power station from potential customers, such as residential areas on the north side of the harbour, would require significant investment in directional drilling to feed pipes under the Canal.
- 4.1.9 Without adaption, the current configuration of the station does not enable provision of heat at a sufficient grade that could be utilised in a district network. Furthermore, a back-up power source would be required as the station is not in continuous use.
- 4.1.10 In 2016 Shoreham Port Authority installed two 100 kW wind turbines on Basin Road South. The turbines will generate, on average, 555,000 kWh electricity per year to power the nearby port pump house. The Port Masterplan proposes additional turbines further east, as shown on Map 6.
- 4.1.11 Shoreham Port Authority has worked in partnership with Brighton Energy Co-operative to install solar panels on many of the port buildings.
- 4.1.12 At present, Shoreham Wastewater Treatment Works (owned by Southern Water) has sufficient capacity to accommodate the levels of new development being proposed through this plan and the local plans for Adur and Brighton & Hove.

## Transport and connections

- 4.1.13 Heavy goods vehicles serving the port, as well as the public, access this area via the main port entrance at the junction of Wharf Road and Kingsway (A259). Basin Road South runs the length of the southern side of the port along the seafront to Carat's Café and the adjacent public car park.
- 4.1.14 To the western end of the quayside and forming the crossing over to the north side of the harbour, the area around the lock gates is a key functional part of the port. Shoreham Port Authority has reclaimed a small area of land here by the pump house to accommodate a engineering function.
- 4.1.15 As outlined in Character Area 4, the lock gate crossing is a public right of way and part of the National Cycle Route (NCN2). Running parallel with the cycle route along Basin Road South is the Monarch's Way which is part of a long distance national walking trail. The route is popular with locals and cyclists and has the potential to be made more of a focal point with better signage, interpretation and way-finding.

- 4.1.16 Proposed improvements to both Southwick Waterfront and to the beach areas are likely to increase public usage of this area and it will be important to maintain appropriate buffers between the operational port areas and public spaces.

## Policy CA1: South Quayside

1. **South Quayside is safeguarded for future commercial port activity and for the relocation of existing port operators from elsewhere in the harbour. With the exception of the existing power stations, and waste water treatment plant, non-port operations are not permitted in this area.**
2. **South Quayside will be promoted as a hub for renewable energy generation, including appropriately located solar and wind generation.**
3. **Wastewater treatment infrastructure will be safeguarded to serve future population changes.**
4. **The partnership will seek improvements to the lock gate crossing for the benefit of pedestrians and cyclists. These must not detract from its primary port operational function.**
5. **The partnership will seek Improvements to Basin Road South, National Cycle Route (NCN2) and Monarch's Way public right of way including signage, interpretation, boundaries, surfacing, way finding and access to the beaches.**

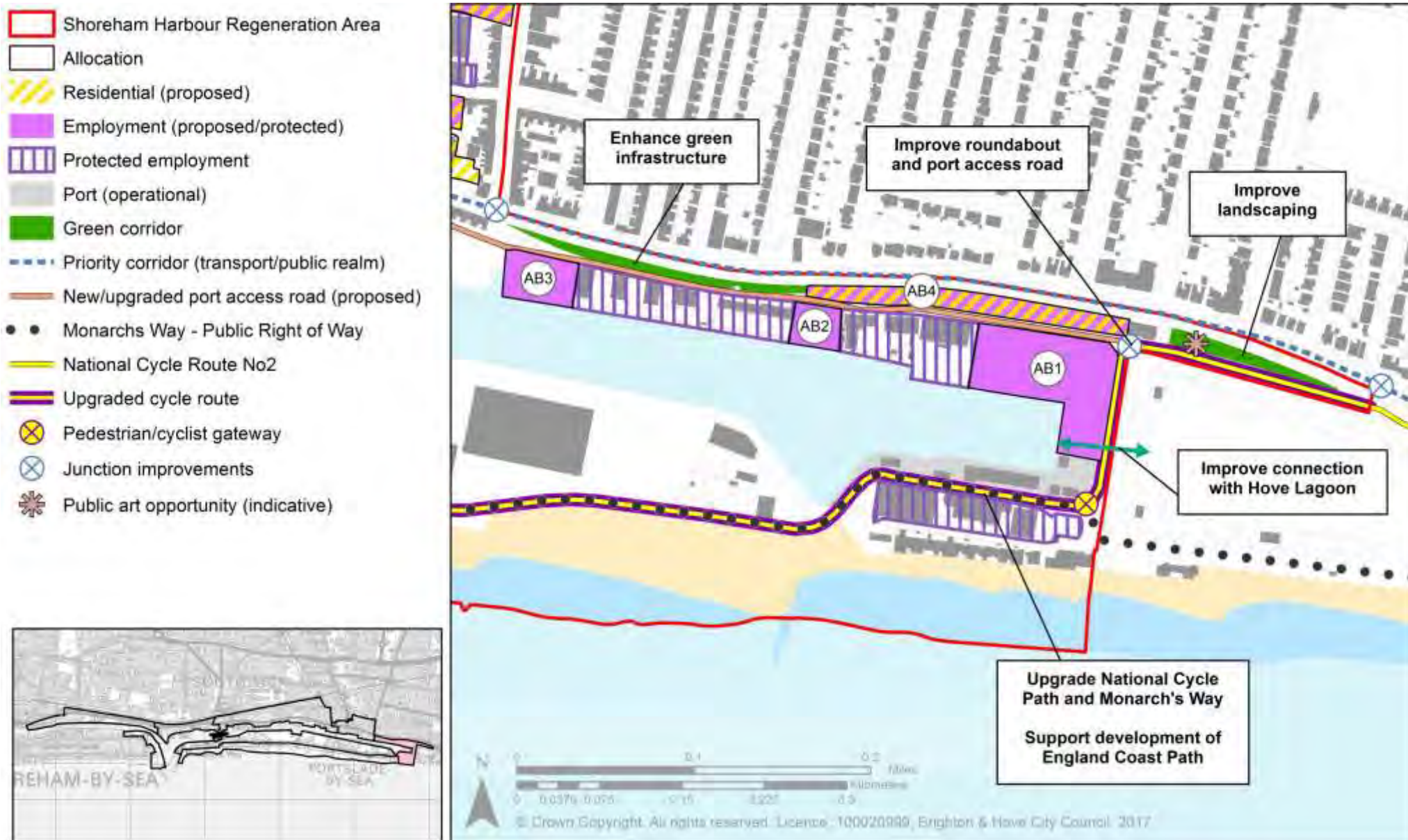


# ALDRINGTON BASIN





Map 7 - CA2: Aldington Basin



## 4.2 Character Area 2: Aldrington Basin

### Area priorities

- To designate Aldrington Basin as an allocation for new mixed use development. To designate a strategic employment/mixed-use area (Allocation SS1 – Aldrington Basin).
- To accommodate a mix of new and improved port operational facilities as well as compatible non-port employment generating floorspace (use classes B1, B2 and B8).
- To accommodate appropriately located mixed-use development (use classes A1, A2, A3, B1 and C3).
- To secure improvements to legibility, permeability and connectivity through high quality building design, townscape and public realm; respecting and complementing the character of surrounding areas.
- To maximise intensification and redevelopment opportunities of existing lower grade, vacant and under-used spaces.
- To ensure that all development takes into account the findings and recommendations of current Strategic Flood Risk Assessment and the Shoreham Harbour Flood Risk Management Guide SPD (2015) or subsequent update.
- To ensure that new development proposals take account of noise and air quality impacts and that improvements are sought wherever possible.
- To enhance biodiversity by creating and improving habitats and improved green infrastructure links, including a green corridor along the A259.
- To support the delivery of the England Coast Path through the Aldrington Basin area.

### About the area

- 4.2.1 CA2 – Aldrington Basin forms the eastern gateway to the harbour with the main port entrance at the junction of Wharf Road and Kingsway (A259). The basin is situated immediately adjacent to Hove Lagoon. It marks the end of the Hove seafront promenade and a transition to the industrial character of Shoreham Harbour.
- 4.2.2 The northern part of the area is formed of a steep slope from Basin Road North, up to Kingsway (A259). Overlooking the basin, to the north of Kingsway, is the West Hove residential area comprised of mostly two storey housing built in the 1920s and 1930s.
- 4.2.3 Since the mid-1800s, Aldrington Basin has been predominantly occupied by industrial and port-related uses. Over time, a number of physical interventions such as land reclamation, the addition of landing stages and wharves and the arrival of the Western Esplanade residential dwellings at the beginning of the twentieth century, have shaped its current character.



- 4.2.4 This area contains a mixture of employment uses ranging from offices, retail outlets, a restaurant and pub at Kingsway level through to light industrial, storage and marine-related uses down in the basin itself. Some of the sites are owned and leased by Shoreham Port Authority including Hove Enterprise Centre, Brighton & Newhaven Fish Sales, and Quayside offices. The remaining sites are in private ownership.
- 4.2.5 This area also includes Ferry Wharf, a disused minerals wharf, which is also a safeguarded waste site. If proposals for development come forward for this site then policies for re-provision of wharf capacity and waste management capacity will apply.
- 4.2.6 The steep slope down to the basin from Kingsway means the location is able to accommodate land uses and activities that may otherwise harm residential amenity due to noise, smell, dust or other disturbance. Maritime House and Hove Enterprise Centre contribute towards meeting the local demand for affordable, flexible workshop and office space and have high occupation rates.

- 4.2.7 A key consideration for development in the basin is that the eastern end of the Canal acts as the main turning head for ships. Remodelling of this area may be a long term opportunity. This would require significant investment.



Harbour entrance at Wharf Road



View east towards Western Esplanade

Transport and connections

- 4.2.8 Although the access route from the A259 in to the basin works relatively well, it creates a tight turning circle for commercial vehicles. The transport strategy includes junction improvements to each of the main accesses in to the port from the highway, including:
  - Wellington Road (A259) – Church Road (A293) – Basin Road North
  - Kingsway/Wellington Road (A259) – Boundary Road/Station Road (B2194) – Basin Road North
- 4.2.9 Shoreham Port Authority intends to upgrade and extend the route on the north side of the canal from the existing mini-roundabout linking to an improved Wellington Road (A259)-Church Road (A293) junction. This is to make the route more suitable for HGV traffic and to lead port-traffic more directly on to the advisory route.
- 4.2.10 Refer to the Shoreham Harbour Transport Strategy for details of the package of measures proposed to support the development of this allocation.

### Improve Basin Road South cycle route and Monarch's Way

- 4.2.11 Basin Road South runs parallel to South Quayside provides vehicular access to the main operational port areas. It also forms part of the National Cycle Network (NCN2) which runs along Wharf Road and Basin Road South before crossing the lock gates. NCN2 will eventually connect many of the urban areas along the south coast. Despite the poor condition of this route for cycling and walking, the poor quality of the public facilities and generally dated appearance, it remains a popular route and the beaches are frequented by local families, swimmers, surfers and artists particularly during the summer months.
- 4.2.12 The road is also a public right of way which forms the end of the historic Monarch's Way route, a long distance footpath (990km) that approximates the escape route taken by King Charles II in 1651 after being defeated in the Battle of Worcester. There is considerable potential to improve the quality of this route.

### Improve connections with Hove Lagoon and Hove seafront

- 4.2.13 Hove seafront promenade ends at Hove Lagoon. This area is very popular for walking, cycling and general recreation and there are a range of water-sports offered at Hove Lagoon. The Hove Deep Sea Anglers Club is adjacent.
- 4.2.14 Beyond this point is a row of secluded 1920s residential properties on Western Esplanade overlooking private beaches. This, combined with the industrial character of the harbour, acts as a barrier for wayfinding between Hove Lagoon and seafront and Portslade and Southwick beaches to the west.
- 4.2.15 The transport strategy includes proposals to improve the cycling and walking routes through this area. Where sites and groups of sites come forward, opportunities to create direct public or semi-public access to the waterfront should be explored.

- 4.2.16 New signage and improved visual and physical access from Aldrington Basin to Hove Lagoon would help to soften the boundaries of the basin and could be achieved through relatively minor interventions in formal landscape and site layout of Hove Lagoon. This connection could be achieved through the development of pathways and crossings to achieve direct, safe access.
- 4.2.17 Natural England will deliver the England Coast Path, a new National Trail around the coast of England. Although the final route has not yet been decided, it is expected that this will pass through CA2 – Aldrington Basin between Portslade Beach and Hove seafront promenade.

Environment

- 4.2.18 Kingsway (A259), Wharf Road and Basin Road North fall within the Brighton & Hove Air Quality Management Area (AQMA) designated in 2013.
- 4.2.19 The area is crossed by several underground water mains and sewers (the latter conveying wastewater to the nearby waste water treatment works). This infrastructure needs to be protected and new development needs to ensure its operation remains unaffected.

Flood risk and sustainable drainage

- 4.2.20 Existing ground levels across the area vary from a minimum of 3.5m Above Ordnance Datum (AOD) to greater than 10m AOD. A large portion of the site is at a level of less than 4.5m AOD.
- 4.2.21 Due to its elevated position, sites along the A259 Kingsway are not at a significant risk of flooding. For sites between the A259 Kingsway and the coast, there is a risk of tidal flooding. The Brighton & Hove Strategic Flood Risk Assessment (JBA: 2012) identifies most of the Aldrington Basin area as Flood Zone 2 and 3a with some small areas of Flood Zone 3b for tidal flooding. The estimated maximum flood depth for this area for the 1:200 year tidal event is 0.50m, with some areas estimated to flood to a depth of just 0.20m.
- 4.2.22 The risk associated with this form of flooding increases significantly when sea level rise associated with climate change is factored in. In this scenario, maximum estimated flood depths increase to about 1.4m with increased flood velocities. Development in this location will need to take this flood risk constraint into consideration.

- 4.2.23 Developers should include SuDS and building level resistant and resilience measures as part of proposals, ensuring development is safe for its intended lifetime. The approach set out in the following publications (or subsequent replacement documents):
  - [Adur & Worthing Councils](#) and/or [Brighton & Hove Council's](#) SFRAs
  - *[Water. People. Places: A guide for master planning sustainable drainage into developments](#)*
  - [CIRIA SuDS Manual](#)
- 4.2.24 Refer to the *Shoreham Harbour Flood Risk Management Guide SPD* (2015) for full details of requirements in relation to protection from flooding.

### Green infrastructure

- 4.2.25 The embankments sloping up from Wharf Road and Basin Road North to Kingsway (A259) form part of the proposed green corridor through the regeneration area. The partnership will promote green infrastructure improvements in these areas through the emerging Shoreham Harbour Green Infrastructure Strategy. Development in this area will be expected to take these aspirations into consideration.
- 4.2.26 The Wharf Road embankment, adjacent to Hove Lagoon, is a prominent location at the main eastern gateway to the harbour. The partnership will seek landscape and ecological improvements such as planting of native hedgerows, plug planting of suitable species and the enhancement of the existing butterfly bank. Appropriate public art will also be encouraged
- 4.2.27 The Basin Road North embankment extends east from the Boundary Road/Station Road junction. The partnership will seek improvements such as planting of native hedgerows and plug planting of suitable species



Wharf Road embankment and Hove Lagoon from Kingsway



Basin Road North embankment

### Development opportunities

- 4.2.28 The release of sites for redevelopment in and around the basin requires careful management given the close proximity of port operations and residential areas at Western Esplanade and to the north of Kingsway.
- 4.2.29 The partnership will work with businesses and service providers to identify their needs and overcome barriers to growth in order to improve the basin as a modern thriving local business cluster. As shown on Map 8, key proposals for this area include the following:

## Strategic employment area

4.2.30 Employment generating uses (use classes B1, B2 and B8) will remain the predominant land use within Aldrington Basin. The partnership will work with land owners to promote the redevelopment of sites to deliver better quality, modern accommodation. Key opportunity sites are as follows:

- North Basin Quay (Site AB1 - see Map 7) is situated at the eastern end of the Canal; bounded by Basin Road North, Basin Road South and opposite Hove Lagoon. Redevelopment for high quality, modern employment floor space will be encouraged. In order to improve the connection between Hove Lagoon and the harbour an element of ancillary leisure, retail and food and drink uses fronting open space will be supported.
- Aldrington Marina (Site AB2 - see Map 7) is on the southern side of Basin Road North, between Maritime House and Hove Enterprise Centre. The site is currently let as storage space. Development for high quality, modern employment floor space will be encouraged.
- Ferry Wharf (site AB3 on Map 7) is safeguarded for the import of aggregates and other minerals unless

similar wharf capacity can be re-provided on an alternative suitable site. If development proposals come forward then policies for re-provision of wharf capacity will apply. Future development at Ferry Wharf could provide modern employment floorspace that is compatible with port related uses.

4.2.31 The following sites are protected:

- The Shoreham Port Authority-owned Hove Enterprise Centre and Maritime House are successful operations supplying flexible workspace and will be protected for employment generating uses throughout the plan period.
- The other plots south of Basin Road North (site AB2) may also be appropriate for redevelopment for modern, good quality employment space. These will be protected for employment and port related uses.
- Port operational areas will be safeguarded for commercial port operations and related uses.

## Mixed-use development

4.2.32 New mixed-use development is promoted on plots between Basin Road North and Kingsway (site AB4 on Map 7). Proposals must demonstrate that they are compatible with existing employment uses at the basin level.

4.2.33 Plots between The Gather Inn to the east and Ocean Sports Board Riders to the west could be redeveloped for a mix of uses with employment floorspace (use class B1) on lower storeys fronting Basin Road North and mixed-employment (use classes A2, B1, and ancillary A1) fronting Kingsway and residential apartments (use class C3) on upper storeys.

## Development form and typology

4.2.34 The following principles for development form are proposed:

- For new employment floorspace at the basin level, flexible employment uses are proposed arranged as two to three storey buildings on under-used plots.
- Mixed employment and residential uses with a dual frontage onto Kingsway (residential/mixed commercial activities of up to four storeys above Kingsway) and Basin Road North (employment uses).
- Buildings in the basin itself should be simple and flexible with a contemporary appearance and character in keeping with the aesthetic of the harbour.
- New buildings should be of a modern design which complements the existing historic character.

## Policy CA2: Aldrington Basin

- Aldrington Basin is designated as a strategic employment/mixed use area.**
- The partnership will work with developers and stakeholders to deliver:**
  - a minimum of 90 new dwellings (use class C3)**
  - a minimum of 4,500m2 employment floorspace (use classes B1, B2 and B8)**
  - ancillary leisure, retail and food and drink floorspace**
- Site allocations at Aldrington Basin (shown on Map 7) are:**
  - AB1 – North Basin Quay: Allocated for port related and compatible employment floorspace (use classes B1, B2 and B8). Between Hove Lagoon and the Canal an area of open space fronted by ancillary leisure, retail and food and drink uses will be supported in order to improve the connection between Hove Lagoon and the harbour.**
  - AB2 – Aldrington Marina: Allocated for new employment floorspace (use classes B1, B2 and B8)**
  - AB3 – Ferry Wharf: Allocated for port related and compatible employment floorspace (use classes B1, B2 and B8).**
  - AB4 – Kingsway/Basin Road North: Allocated for mixed use redevelopment (use classes B1 and B2 at Basin Road North level, use classes A2, B1 and ancillary A1 at Kingsway level, and use class C3 on upper storeys).**
- Port operational areas are safeguarded for commercial port operations and related activities.**
- Hove Enterprise Centre and Maritime House are protected for employment generating uses (use classes B1, B2 and B8). The council will support proposals for the upgrade and refurbishment of these premises. The council will resist proposals for change of use to other types of floorspace.**



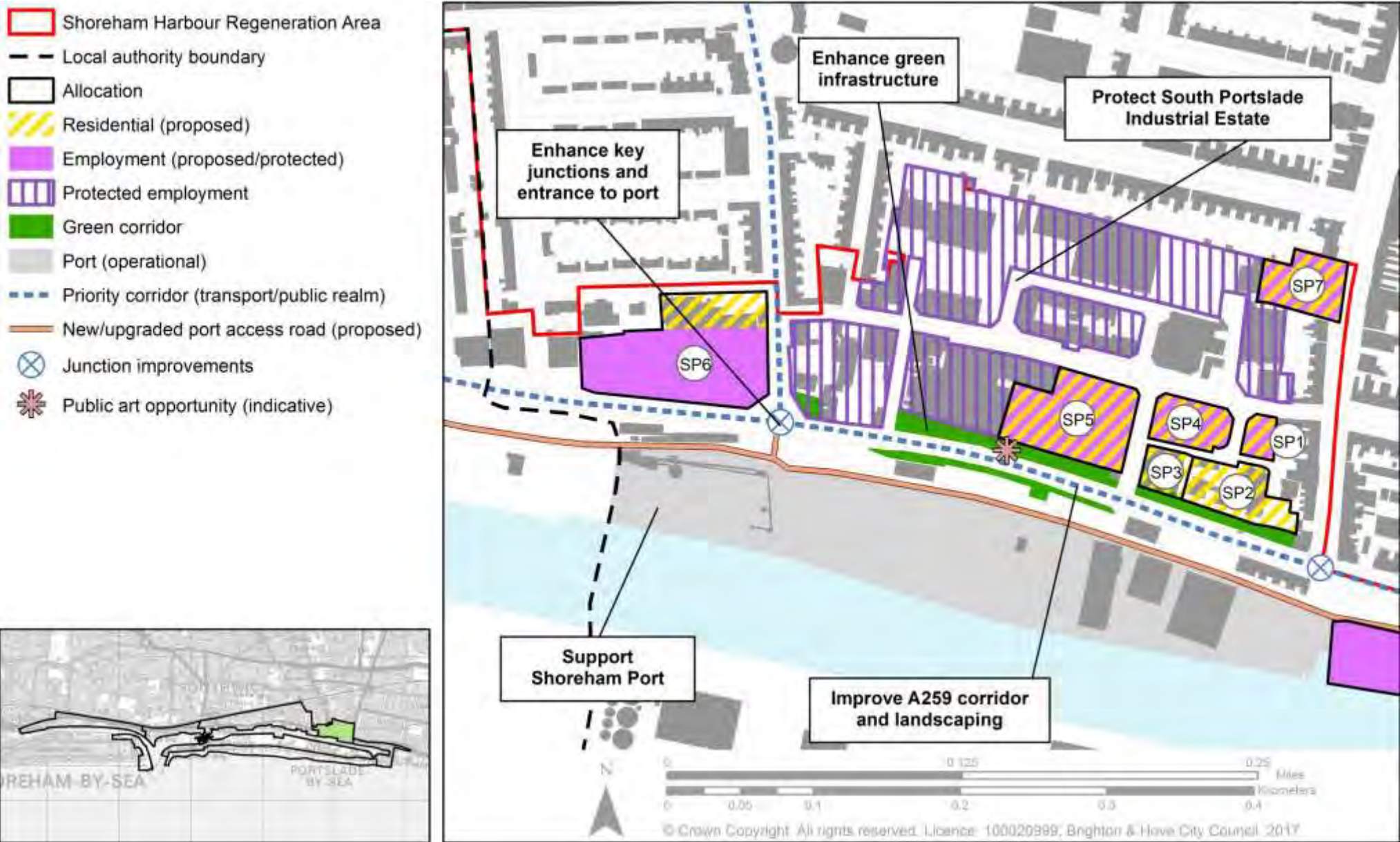
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6. For sites AB1, AB2, AB3:
    - a. Building heights of two to three storeys are generally considered acceptable.
    - b. If taller buildings are proposed, care needs to be taken to consider sunlight impacts on other sites.
  7. For site AB4:
    - a. 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.
    - b. Development should maintain a sense of openness and promote views through to the harbour wherever possible. The scale of development should provide a positive impact on the street environment along Kingsway.
    - c. Development should provide an attractive character along the A259 and contribute towards the street scene.
  8. Where appropriate, proposals will be expected to enhance townscape around key linkages and junctions, in particular Kingsway (A259) – Wharf Road junction and Wharf Road – Basin Road North – Basin Road South junction.
  9. The partnership will work with developers and stakeholders to support and identify mechanisms for implementing ecological and landscaping improvements to embankments between Kingsway (A259) and Wharf Road/Basin Road North as part of the green corridor alongside the A259.
  10. Where open space requirements cannot be met on site, development will be required to contribute towards existing open spaces, such as Hove Lagoon, Portslade Beach, Wish Park and/or Vale Park.
  11. The partnership will work with developers and stakeholders to deliver the package of transport measures for Aldrington Basin as set out in the Shoreham Harbour Transport Strategy. Critical measures include:
    - Improvements to the following junctions:
      - Wellington Road (A259) – Church Road (A293) – Basin Road North
      - Kingsway/Wellington Road (A259) – Boundary Road/Station Road (B2194) – Basin Road North
    - Upgrade and extension of Basin Road North.
    - The following cycling infrastructure improvements:
      - Improvements to the cycling facilities along the A259
      - Improvements to NCN2 to create a safe and continuous route along Wharf Road and Basin Road South
    - Improvements to pedestrian and cycle crossing points.
    - Improvements to bus stops.

# NORTH QUAYSIDE AND SOUTH PORTSLADE





Map 8 – CA3: North Quayside and South Portslade



## 4.3 Character Area 3 – North Quayside and South Portslade

### Area Priorities

- To designate South Portslade as an allocation for new mixed use development. To designate a strategic employment/mixed-use area (Allocation SS2 – South Portslade).
- To accommodate a mix of new and improved employment generating floorspace (use classes B1, B2 and B8).
- To accommodate appropriately located mixed use development (B1, and C3).
- To revise the boundary of South Portslade Industrial Estate and protect for employment generating uses.
- To safeguard and develop North Quayside as a new and improved port operational area accommodating new and relocated port uses with limited land reclamation and a new access road (within the port boundary) in line with the Port Masterplan.
- To secure improvements to legibility, permeability and connectivity through high quality building design, townscape and public realm; respecting and complementing the character of surrounding areas.
- To maximise intensification and redevelopment opportunities of existing lower grade, vacant and under-used spaces.
- To improve connections and townscape around key linkages including Boundary Road/Station Road (B2194) district retailing centre, Church Road (A293) and along Wellington Road (A259).
- To ensure that all development takes in to account the findings and recommendations of the current Strategic Flood Risk Assessment and Flood Risk Management Guide SPD (2015).
- To ensure that new development proposals take account of noise and air quality impacts and that improvements are sought wherever possible.
- To enhance biodiversity by creating and improving habitats and improved green infrastructure links, including a green corridor along the A259.

### About the area

- 4.3.1 The North Quayside area of the port and South Portslade are home to a diverse mix of mostly industrial premises nestled within a residential neighbourhood. Land uses on the south-side of the A259 are predominantly port-related, industrial and aggregate uses including the safeguarded Britannia Wharf.
- 4.3.2 South Portslade Industrial Estate is defined predominantly by employment generating uses. This includes car garages, offices and product fabrication.
- 4.3.3 To the north and west of the industrial estate, the area is abutted by residential properties, in some cases on the same street (such as Church Road (A293) and St. Peter's Road).
- 4.3.4 To the east is the district retailing centre of Boundary Road/Station Road (B2194), leading to Portslade Station.
- 4.3.5 There are several community uses such as the City Coast Church and Community Centre, St Peter's School and the Brighton & Hove City Council-owned Belgrave Day Centre.

Transport and connections		Improving key junctions	Improving connections and streetscape
4.3.6	Refer to the <i>Shoreham Harbour Transport Strategy</i> for details of the package of measures proposed to support the development of this allocation.	4.3.9 The Wellington Road (A259) – Church Road (A293) junction is particularly impacted by air quality issues, relating in particular to heavy goods vehicles. This limits the types of uses that are suitable to be situated in close proximity.	4.3.12 Opportunities exist to enhance the permeability of South Portslade Industrial Estate in order to repair and reconnect sites to adjacent neighbourhoods and key routes. Improvements to cycle routes and pedestrian crossings as well as improved connections with stations are proposed.
4.3.7	The southern edge of the industrial estate is defined by the stark environment of Wellington Road (A259). Although benefitting from views to the sea over the working harbour, the A259 suffers from weak frontages and buildings backing on to its northern side, poor quality public realm and a lack of frontage to the south. The townscape environment, particularly along Wellington Road is run down and unsightly which has a detrimental impact on the perception of this part of the harbour.	4.3.10 There is currently a narrow one-way port access road (Basin Road North) on to Wellington Road (A259) at the junction with Boundary Road/Station Road (B2194). Shoreham Port Authority intends to upgrade and extend this road to the junction with Church Road (A293) to form a more accessible route through the operational port.	4.3.13 During the plan period, opportunities may exist to create new and improved north-south connections. Beyond the plan period, further opportunities may exist to unlock and extend routes (pedestrian or vehicular) such as Ellen Street and West Street.
4.3.8	The industrial estate’s internal road network is not well connected to its surroundings and is bound to the north and west by rows of terraced housing. There are two main north-south access roads, Boundary Road/Station Road (B2194) and Trafalgar Road/Church Road (A293). These are well used by HGVs and link the harbour to the A270 and A27.	4.3.11 These routes are key gateways into the harbour area and the Transport Strategy promotes improvements to both the Wellington Road (A259) – Church Road (A293) – Basin Road North junction as well as the Wellington Road/Kingsway (A259) – Boundary Road/Station Road (B2194) – Basin Road North junction.	4.3.14 Linkages to existing recreation and open space assets such as Hove Lagoon, Vale Park, Wish Park and Portslade and Southwick Beaches will also be promoted.

### Flood risk and sustainable drainage

- 4.3.15 South Portslade is situated outside of the area that is at risk of tidal and fluvial flooding. However the Brighton & Hove Strategic Flood Risk Assessment (SFRA, 2012) identifies some parts of the area as being at risk of surface water flooding in both the 1 in 30 and 1 in 200 year events. This is particularly the case around the junction of Church Road and Wellington Road as this is a localised area of lower lying land.
- 4.3.16 Surface water flooding can result in pollution to water and development in this location will need to take this flood risk constraint into consideration. Sustainable drainage systems (SuDS) have been identified for areas to the north of the allocation. Surface water run-off and SuDS are assessed by the Lead Local Flood Authority. These improvements will benefit development in this location. Developments should therefore contribute towards improvements to limit the surface water flooding. Refer to the *Urban Sustainable Drainage System Feasibility Study* (2015, Brighton & Hove City Council) for further details.

- 4.3.17 Refer to the *Shoreham Harbour Flood Risk Management Guide SPD* (2015) or subsequent update for full details of requirements in relation to protection from flooding.

### Green infrastructure

- 4.3.18 The grassed frontages on the northern side of Wellington Road (A259) and the steep embankment between Wellington Road (A259) and Basin Road North form part of the proposed green corridor through the regeneration area. The partnership will promote green infrastructure improvements in these areas through the emerging Shoreham Harbour Green Infrastructure Strategy. Development in this area will be expected to take these aspirations into consideration.
- 4.3.19 The grassed frontages to Wellington Road (A259) have the potential to provide multifunctional amenity space for adjacent development sites. The partnership will seek landscape and ecological improvements such as the creation of wildflower meadows, plug planting of suitable species, planting of native hedgerows.
- 4.3.20 Adjacent development should incorporate green walls and roofs. The sites also have potential for sustainable drainage (SuDS) features such as rain gardens or swales. Appropriate public art will also be encouraged
- 4.3.21 The Basin Road North embankment could be improved to provide a more attractive southern edge to Wellington Road (A259).



- 4.3.22 Vale Park is situated just outside the regeneration area. The partnership will seek improvements to enhance the ecology and amenity of this public open space.
- 4.3.23 The *Shoreham Harbour Green Infrastructure Strategy* will set out full details of requirements in relation to green infrastructure and biodiversity.



Wellington Road frontage



Vale Park

- Development opportunities**
- 4.3.24 North Quayside will remain safeguarded for port-related operational uses as part of the consolidation of port activities.  
**Allocation: South Portslade**
  - 4.3.25 Much of South Portslade Industrial Estate will be protected for employment generating uses. This protection will be extended to include sites to the west of Church Road (A293). A number of sites will be released to accommodate mixed use development including both employment generating and residential floorspace. Key proposals are shown in further detail on Map 9.
  - 4.3.26 Although Brighton & Hove City Council owns some of the land within the estate, the majority of sites within the estate are privately owned. This may provide the opportunity for the partnership to coordinate a comprehensive redevelopment approach. Key planning considerations for the renewal of this area include impact on employment floorspace supply, impact on existing businesses and the compatibility of introducing new residential uses within the existing employment uses to the north and port operational uses to the south.

- Managed release of sites for mixed-use redevelopment opportunities**
- 4.3.27 Due to the proximity of a concentration of well-established predominantly industrial uses, the release of sites within the estate for redevelopment requires careful management. The core of the industrial estate will remain protected for employment uses and extended to include sites to the west of Church Road (A293)
  - 4.3.28 A limited number of carefully selected plots around the periphery are promoted for redevelopment. These sites have been selected either where they are vacant and redundant from their existing use, where their location makes them peripheral to the employment area core or where redevelopment would provide wider regeneration benefits. Locations where redevelopment opportunities are promoted are as follows:

- Sites SP1, SP2, SP3 and SP4 (see Map 8) are bounded by Camden Street, North Street and Wellington Road (A259). With the exception of the existing shops and amenities on North Street and Boundary Road / Station Road, much of this block could be comprehensively redeveloped for a mixed use scheme, in particular focussing on improving the frontage visible from the A259.
  - Prestwich House (site SP1) is suitable for mixed use redevelopment comprising employment uses (use classes B1) on lower storeys and residential (use class C3) on upper storeys
  - The former Belgrave Day Centre (site SP2) and Wellington House (site SP3) could be redeveloped to accommodate residential development (use class C3).
  - Regency House (site SP4) remains suitable for employment uses (use classes B1 or B2) compatible with the adjacent residential use. If redeveloped the site could accommodate a mix of uses including employment (use class B1) on lower storeys and residential uses (use class C3) on upper storeys.

- The Former Flexer Sacks (site SP5 on Map 8) is suitable for mixed use redevelopment comprising employment uses (use class B1) on lower storeys and residential (use class C3) on upper storeys. Leisure and assembly uses (use class D) may be permitted provided they are compatible with residential and employment uses in the vicinity.
- Site SP6 is bounded by Church Road, Wellington Road and St Peters Road (see Map 8). The northern portion of the site fronting onto St Peters Road is suitable for residential development (use class C3). The southern portion of the site is allocated for new employment development (use classes B1, B2, and B3) provided it is compatible with adjacent residential development.
- Station Road (site SP7 on Map 8) is suitable for mixed use redevelopment comprising active commercial and retail uses at ground floor (use classes A1, A2, A3 and B1) and residential (use class C3) on upper storeys and to the rear of the site.
  - The depth of the site would allow the creation of a small number of mews / terraced houses off the main street.

## Residential uses

- 4.3.29 New residential developments will provide much needed new homes and help contribute to the creation of a softer edge to the fringes of the port operational and employment areas. They will also help to deliver public realm and infrastructure improvements through contributions arising from planning obligations.
- 4.3.30 At South Portslade, a mix of apartments, terraced town houses and mews housing would be appropriate, with the majority of residential dwellings likely to be arranged as flatted accommodation, for example apartments arranged to complete urban blocks or forming new perimeter blocks. A number of sites in South Portslade are proposed as apartment blocks of varying heights overlooking Wellington Road and the port to the south.
- 4.3.31 Opportunities exist to create a two to three storey mews housing typology on the northern portion of site SP6 and to the rear of Station Road on site SP7.

Redefining the core employment area boundary

- 4.3.32 The South Portslade Industrial Estate is protected for employment generating uses and an extended core employment area is proposed. The original boundary was based on the Employment Area designation in the adopted Brighton & Hove Local Plan (2005). The area is extended to include sites to the west of Church Road (A293).
- 4.3.33 North Street remains the core spine of the employment area fronted by modern employment floorspace. Opportunities will be sought by the partnership to support and promote the provision of modern employment floorspace and improve the business environment within the redefined core employment area.

Supporting community assets

- 4.3.34 There are several valued community assets within the area including City Coast Church and Community Centre, St Peters Primary School. New developments in the area should take into account the proximity to these activities, seek to enhance the quality of their environment wherever possible and mitigate potential impacts.

### Policy CA3: South Portslade and North Quayside

1. North Quayside is safeguarded for future commercial port operations and related activities.
2. South Portslade is designated as a strategic employment/mixed use area.
3. The partnership will work with developers and stakeholders to deliver:
  - a. a minimum of 210 new residential dwellings (use class C3)
  - b. a minimum of 3,000m<sup>2</sup> employment floorspace (use classes B1, B2 and B8)
  - c. ancillary leisure uses
4. Site allocations at South Portslade (shown on Map 8) are:
  - a. SP1 – Prestwich House (and adjoining): Allocated for mixed use redevelopment (use class B1 on lower storeys and use class C3 on upper storeys).
  - b. SP2 – Former Belgrave Centre (and adjoining): Allocated for residential development (use class C3)
  - c. SP3 – Wellington House: Allocated for residential development (use class C3)
  - d. SP4 – Regency House: Allocated for mixed use development (use class B1 on lower storeys and use class C3 on upper storeys)
  - e. SP5 – Former Flexer Sacks: Allocated for mixed use redevelopment (use class B1 on lower storeys and use class C3 on upper storeys. Associated leisure and assembly (use class D) uses may be permitted provided they are demonstrated to be compatible with residential and employment uses in the vicinity.
  - f. SP6 – Church Road/Wellington Road/ St Peter’s Road: The southern portion of the site is allocated for new employment development (use classes B1, B2 and B3). Employment uses must be compatible with adjacent residential development. As part of a comprehensive redevelopment, residential development is acceptable on the northern portion of the site, fronting onto St Peter’s Road.
  - g. SP7 – Station Road: Allocated for mixed use redevelopment (use classes A1, A2, A3 and B1 fronting Station Road and use class C3 to the rear and on upper storeys)
5. South Portslade Industrial Estate (as shown on Map 8) is protected for employment generating uses (use classes B1, B2 and B8). The council will support proposals for the upgrade and refurbishment of these premises. The council will resist proposals for change of use to other types of floorspace.
6. For sites SP1, SP2, SP3, SP4, SP5, and the southern portion of site SP6:
  - a. Building heights up to six storeys are generally considered acceptable.
  - b. New buildings should be set back from Wellington Road to allow the enhancement and extension of the proposed green corridor.
7. For site SP7, and the northern portion of site SP6:
  - a. Building heights up to three storeys are generally considered acceptable.
8. Comprehensive redevelopment may offer potential for greater building heights, subject to consultations through the planning application process, detailed design considerations and meeting the principles of the emerging Urban Design Framework.

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9. Where appropriate proposals will be expected to enhance townscape around key linkages and junctions, in particular Boundary Road/Station Road (B2193) – Wellington Road (A259) junction and Church Road (A293) – Wellington Road (A259) junction.
  10. The partnership will work with developers and stakeholders to support and identify mechanisms for implementing ecological and landscaping improvements to the Wellington Road frontage as part of the green corridor alongside the A259.
  11. New developments fronting Wellington Road should be setback beyond the proposed green corridor. Given the proximity to both the road and port operational uses this will prevent a canyoning effect and ensure that residents are protected from noise and air quality impacts.
  12. Where open space requirements cannot be met on site, development will be required to contribute towards the creation of the proposed green corridor along the A259, and/or existing open spaces, such as Vale Park, Hove Lagoon and/or Portslade Beach.
  13. The partnership will work with developers and stakeholders to deliver the package of transport measures for North Quayside and South Portslade as set out in the Shoreham Harbour Transport Strategy. Critical measures include:
    - Improvements to the following junctions:
      - Wellington Road (A259) – Church Road (A293) – Basin Road North
      - Kingsway/Wellington Road (A259) – Boundary Road/Station Road (B2194) – Basin Road North
    - Improvements to the cycling facilities along the A259. Improvements to pedestrian and cycle crossing points.

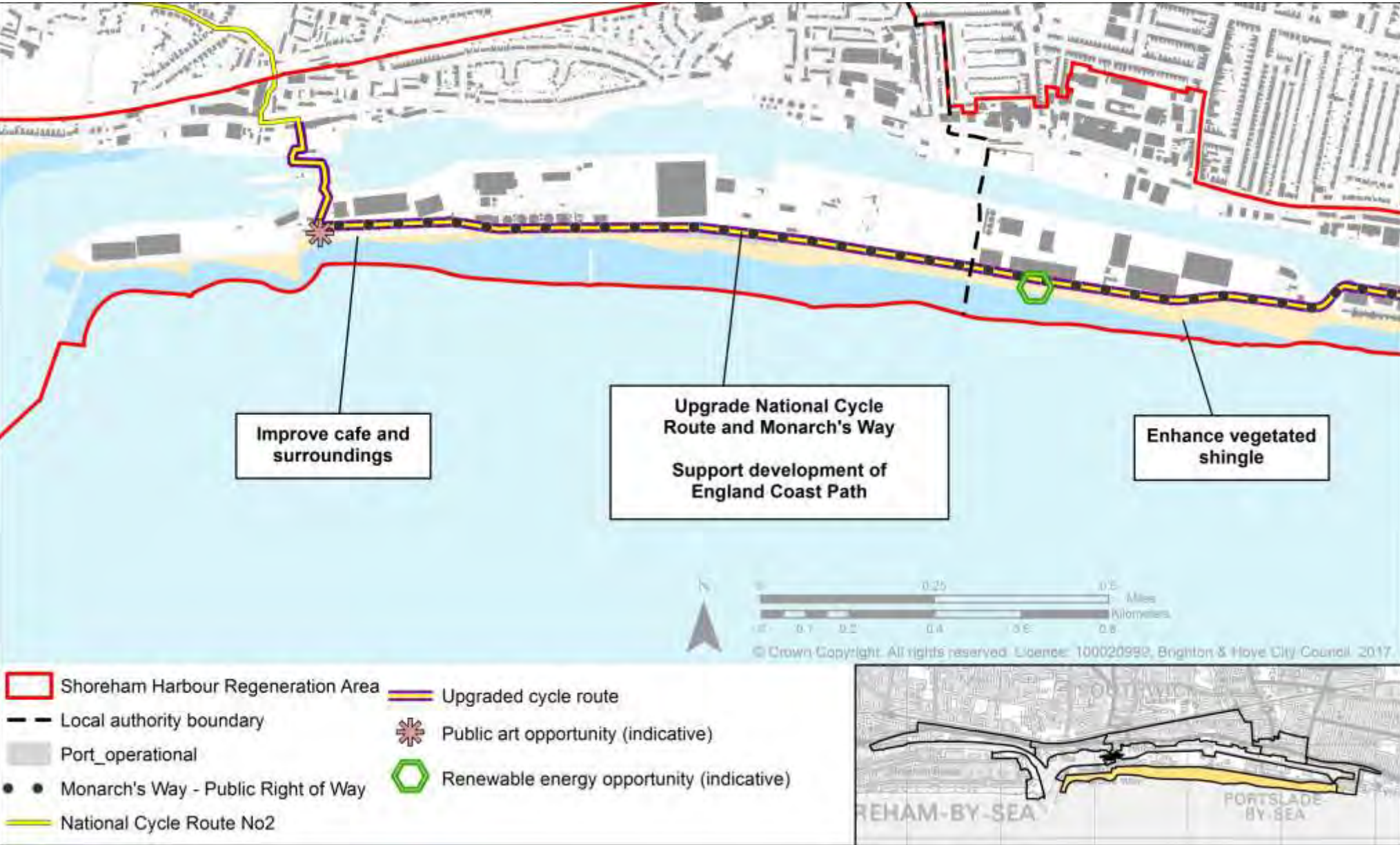


# PORTSLADE AND SOUTHWICK BEACHES





Map 9 – CA4: Portslade and Southwick Beaches



## 4.4 Character Area 4 – Portslade and Southwick Beaches

### Area priorities

- **To seek improvements to the quality, access, appearance and maintenance of the public right of way, beach promenade, public areas and beach environment**
- **To support the delivery of the England Coast Path along the beaches**
- **To protect and enhance important habitats and species, such as coastal vegetated shingle as part of a green corridor along the beaches**

### About the area

- 4.4.1 Basin Road South runs parallel to South Quayside and provides vehicular access to the main operational port areas. It forms part of the national cycle network (NCN2) which runs along Wharf Road and Basin Road South before crossing the lock gates. NCN2 will eventually connect many of the urban areas along the south coast. Basin Road South also forms part of Monarch's Way walking trail which runs along the road to Hove Lagoon before continuing along the seafront promenade.
- 4.4.2 The England Coast Path currently being developed by Natural England is likely to follow this route. The partnership will work with Natural England to secure improvements to the route through this area.
- 4.4.3 There is potential to improve this access route, whilst maintaining the security of the adjacent port operational areas.

- 4.4.4 At the eastern end of Portslade beach is Basin Road South SNCI; designated for coastal vegetated shingle. This site is part of the operational port and remains in active use. Vegetated shingle covers less than half of the site and is not considered to be an outstanding example of its type. However it is the largest example of this habitat within Brighton & Hove.
- 4.4.5 There are further areas of coastal vegetated shingle spread out along the coastal frontage. These are relatively isolated from each other. There is therefore potential to connect these habitats to create a continuous corridor as part of an enhanced green infrastructure network. There is potential for raising public awareness through better demarcating of habitats and interpretive signage.
- 4.4.6 Despite the industrial feel of this route, it remains popular and the beaches are frequented by local families, swimmers, surfers and artists, particularly during the summer months. There is also a café and public car park. The Adur District Council-owned beach huts adjacent to the café have recently been refurbished (2010) and remain oversubscribed. There may be an opportunity to increase the number of beach huts.

#### **Policy CA4: Portslade & Southwick Beaches**

- 1. The beach areas and adjacent public spaces will be safeguarded for the protection of coastal processes, marine habitats and the enjoyment of local communities and visitors.**
- 2. The partnership will promote the enhancement and creation of vegetated shingle habitats to create a continuous corridor along the beaches. Compensatory habitat creation and safeguarding will be required for any loss or disturbance to existing habitats.**
- 3. The partnership will promote improvements to the seafront café and immediately surrounding area.**
- 4. The partnership will promote opportunities to improve the quality of the National Cycle Route No. 2 and Public Right Of Way corridor in accordance with the Transport Strategy.**
- 5. The partnership will work with Natural England to support the delivery of the England Coast path through the Portslade and Southwick Beaches area.**
- 6. The partnership will promote opportunities to improve the quality of public access areas connected to the beaches including:**
  - Work with local community to identify suitable locations for incorporation of public art.**
  - Explore potential for increasing beach huts and converting some to artist's studios.**
  - Explore opportunities for environmental improvements to the car park entrance and boundaries including landscaping, fencing, signage, lighting and an enhanced entrance.**

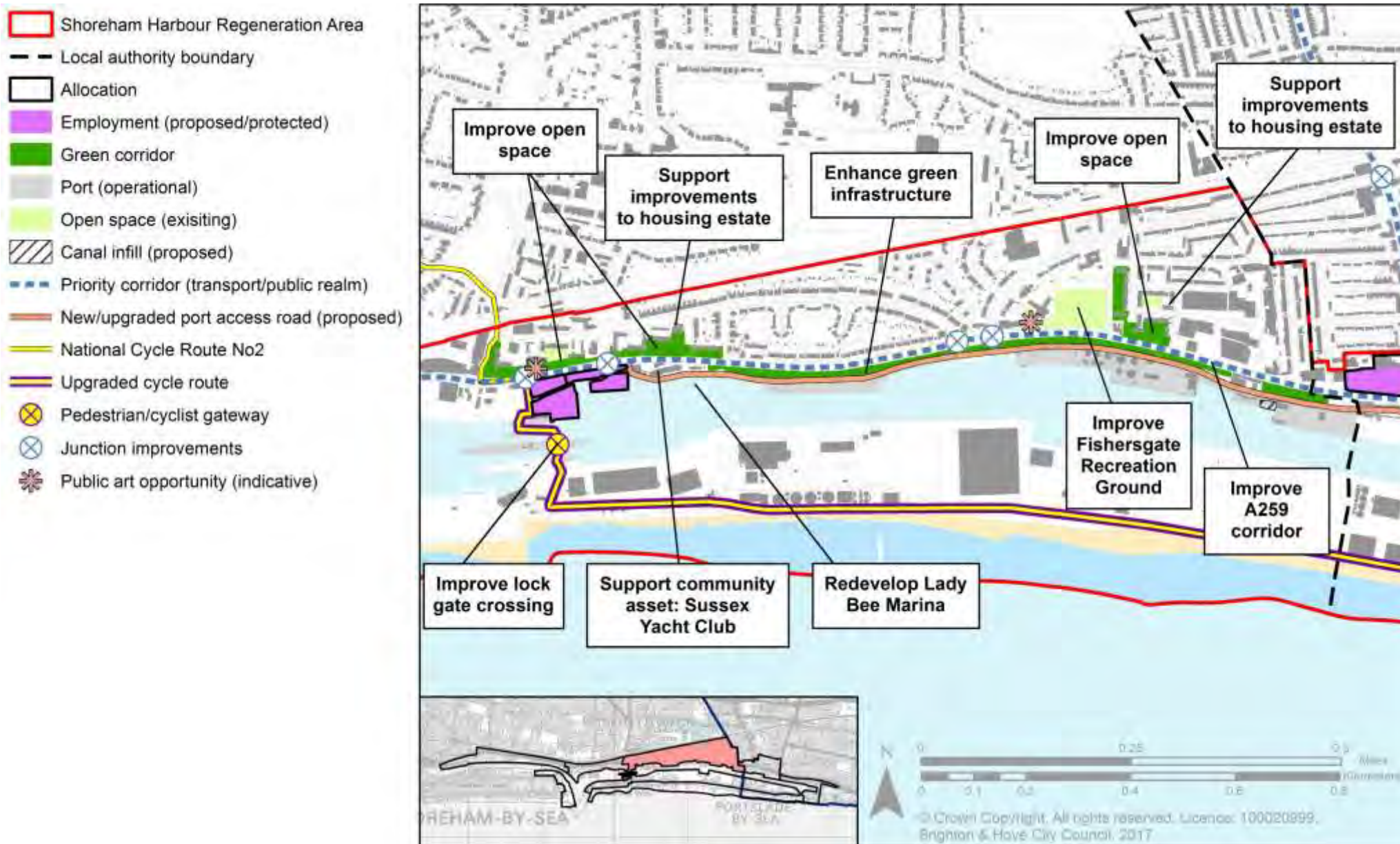


# FISHERSGATE AND SOUTHWICK





Map 10 – CA5: Fishersgate and Southwick



## 4.5 Character Area 5 – Fishersgate and Southwick

### Area priorities

- To designate Southwick Waterfront as an allocation for new mixed use development.
- To support the comprehensive redevelopment of Southwick Waterfront to accommodate a mix of new and improved employment generating uses (use classes B1, B2 and B8).
- To safeguard and develop port operational areas to accommodate new and relocated port uses with limited land reclamation and a new access road (within the port boundary) in line with the Port Masterplan.
- To support the comprehensive reconfiguration of Lady Bee Marina.
- To address deprivation through partnership working with Adur Homes, Action Eastbrook Partnership and local service providers.
- To improve sustainable transport links with surrounding communities.
- To support improvements to local housing estates and community facilities, including enhancing Fishersgate recreation ground.
- To enhance biodiversity by creating and improving habitats and improved green infrastructure links, including landscape enhancements to social housing estates.
- To support the delivery of the England Coast Path through the Southwick Waterfront area.

### About the area

- 4.5.1 The Fishersgate and Southwick area comprises a mix of residential, community, open space, recreational, port and employment uses. Within the residential community there are pockets of deprivation which is the focus for the work of the Action Eastbrook Partnership.
- 4.5.2 The area extends from the district boundary to the lock gates over the Canal.
- 4.5.3 The eastern end of this character area comprises the Fishersgate neighbourhood, between the railway line to the north and the busy A259 to the south. There is a footbridge over the railway line at Fishersgate station. The residential areas located here are in very close proximity to the industrial activities of the port including the fuel storage facility as well as a nearby industrial estate and electricity substation.



- 4.5.4 There are a number of community assets including two community centres, a recreation ground with children’s play area, Shoreham Academy’s Gateway Centre, and a children and family centre. Fishersgate has been identified as a focus area requiring better facilities for youth services. Currently there is no dedicated youth centre close by, although there are a number of community facilities which could offer or do offer a youth service provision.
- 4.5.5 The area is a densely populated urban area with a high proportion of flats. The housing is predominantly terraced with some semi-detached houses and two Adur Homes-owned estates with multi-storey flatted developments reaching up to six storeys high. The surrounding public landscaped space is fairly sparse but serves as a green buffer between housing and the road.
- 4.5.6 The Mill Road Industrial Estate, located to the east of the Fishersgate area, comprises a mix of retail units, manufacturing warehouses, office space and storage (including self-storage) warehouses. In the west of this character area is the Grange Industrial Estate which comprises a mix of retail units, manufacturing units, printing companies and distributing warehouses.

4.5.7 Southwick Waterfront, adjacent to the lock gates, has been identified as an allocation for new employment floorspace. The lock gates carry the National Cycle Route (NCN2) across the harbour and are an important pedestrian route to South Quayside and Southwick Beach. Many of the buildings and public realm in this area is of poor quality. However it is adjacent to the popular Lady Bee Marina and Southwick Riverside Conservation Area, which includes the Grade II listed Sussex Yacht Club boat store.



Lock gate and Southwick Waterfront



Lady Bee Marina and Southwick Riverside Conservation Area

## Transport and connections

- 4.5.8 Refer to the Shoreham Harbour Transport Strategy for details of the package of measures proposed to support the development of Allocation Southwick Waterfront and the wider character area.
- 4.5.9 Southwick town centre is located north of the railway line, outside the regeneration area. There are two access points linking the centre of Southwick with the Southwick Waterfront area. Pedestrian and cycle connections linking Fishersgate with surrounding areas are poor. The A259 is the main east-west route.
- 4.5.10 The transport strategy proposes a range of measures for this area including junction improvements to the A259/Lady Bee Marina junction; A259 bus priority measures; improvements to the NCN2 cycle route across the lock gates; an A259 cycle facility linking and improved cycle and pedestrian crossing points and public realm.
- 4.5.11 Natural England will deliver the England Coast Path, a new National Trail around the coast of England. Although the final route has not yet been decided, it is expected that this will pass through CA5 – Fishersgate and Southwick, crossing over the lock gates.

## Flood risk and sustainable drainage

- 4.5.12 Most of Fishersgate and Southwick are situated outside of the area at risk of tidal and fluvial flooding for present day flood risk. The estimated flood depth for this site during a 1 in 200-year tidal flood event has been shown to be relatively low (up to 0.4m). The 2115 prediction factoring in climate change however indicates that flood depths could increase to between 1m and 1.6m and much of the site becomes at risk of flooding.
- 4.5.13 At the Southwick Waterfront allocation, existing land levels vary from 3.6m AOD (Above Ordnance Datum) to in excess of 8m AOD. The majority of the site is at a level of between 4.0m and 5.0m AOD. Only the northern section of the site exceeds 5.0m AOD.
- 4.5.14 Parts of the waterfront fall within Tidal Flood Zones 2 and 3. The estimated maximum flood depth for this area for the 1:200 year tidal event is 0.40m.
- 4.5.15 The risk associated with this form of flooding increases significantly when sea level rise associated with climate change is factored in. In this scenario, maximum estimated flood depths increase to about 1.4m with increased flood velocities. Development in this location will need to take this flood risk constraint into consideration.

- 4.5.16 The Brighton Marina to River Adur Strategy identifies improvements to flood defence infrastructure in this locality. Improvements will help protect areas identified for development and because no residential development is identified for this allocation, it is considered appropriate that building level resilient and resistant measures will be sufficient.
- 4.5.17 Surface water flooding is also a risk to the site as it can result in pollution to water and development in this location will need to take this flood risk constraint into consideration.
- 4.5.18 Developers should include SuDS and building level resistant and resilience measures as part of proposals, ensuring development is safe for its intended lifetime. The approach set out in the following publications (or subsequent replacement documents):
- Adur & Worthing Councils and/or Brighton & Hove Council's SFRAs
  - Water. People. Places: A guide for master planning sustainable drainage into developments
  - CIRIA SuDS Manual
- 4.5.19 Refer to the *Shoreham Harbour Flood Risk Management Guide SPD* (2015) for full details of requirements in relation to protection from flooding.

## Green infrastructure

- 4.5.20 East of Lady Bee Marina the North Canal Bank slopes steeply from the canal up to the A259. This undeveloped grassland provides an important green infrastructure role as a linear wildlife corridor, and is an important habitat for common lizards and slow worms.
- 4.5.21 The partnership will support Shoreham Port Authority to manage and enhance this area. Potential interventions include landscape and ecological improvements such as planting of native hedgerows, plug planting of suitable species and improved sustainable transport links.
- 4.5.22 To the north of Fishersgate Terrace/Albion Street (A259) the social housing estates are set amongst areas of grassed space. These spaces have significant enhancement potential to provide both amenity space to residents and ecological benefits. Two pocket parks have already been created at Coates Court, Southwick and Laylands Court, Fishersgate. The partnership will continue to work with Adur Homes and Action Eastbrook Partnership to improve these areas

- 4.5.23 The grassed areas around the housing estates, the North Canal Bank and Fishersgate Recreation Ground form key elements of the proposed green corridor through the regeneration area.
- 4.5.24 The *Shoreham Harbour Green Infrastructure Strategy* will set out detailed proposals for these areas.



North Canal Bank



Fishersgate Recreation Ground



Frontage to housing estate

## Development opportunities

4.5.25 For the foreseeable future the waterfront area adjacent to Fishersgate will remain safeguarded for port-operational uses. As port uses change over time it will be important to take account of the effect on nearby residential areas..

## Allocation: Southwick Waterfront

4.5.26 Southwick Waterfront has been identified for a minimum of 4,000m<sup>2</sup> new employment floorspace and provision of small scale business units (use classes B1 and B2). It is acknowledged that a lower level of development may be achieved if some buildings are refurbished, rather than redeveloped. Residential development is not appropriate due to the proximity of port operations.

4.5.27 A public right of way, and part of the national cycle route (NCN2) run through the area, crossing over the lock gates. Public realm in this area is poor. This could be improved as part of new development and the delivery of the England Coast Path.

## Lady Bee Marina and Riverside Conservation Area

4.5.28 Lady Bee Marina currently contains an eclectic assortment of interesting buildings, many dating from the 19th and early 20th centuries. The marina has a quaint, maritime charm and includes a chandlery and pub/restaurant. It has 120 pontoons for private boats and is a popular spot for anglers and dog walkers.

4.5.29 Parts of Lady Bee Marina fall within the Riverside Conservation Area including the Grade II listed Royal Sussex Yacht Club. The Riverside Conservation Area also includes several residential dwellings, a pub and the former Southwick Town Hall now used for offices.

4.5.30 The Port Masterplan describes this location as lacking design quality and integrity with spatial constraints causing car parking to be marginalised and squeezed into any available space. It identifies the area as having significant potential for enhancement to improve the leisure offer within the port.

4.5.31 There is a flat area of green space to the east of the marina, accessed on foot via a narrow path or steps down the steep retaining north canal bank from the A259. This is commonly used for dog walking and angling however suffers from littering. The Port Masterplan identifies this area as having potential for improvements including a canal-side walkway, a new service road, car park, dry boat store and new base for local youth groups. This location could act as a buffer between the more industrialised North Quayside area and a new revitalised marina.

## Policy CA5: Fishersgate and Southwick

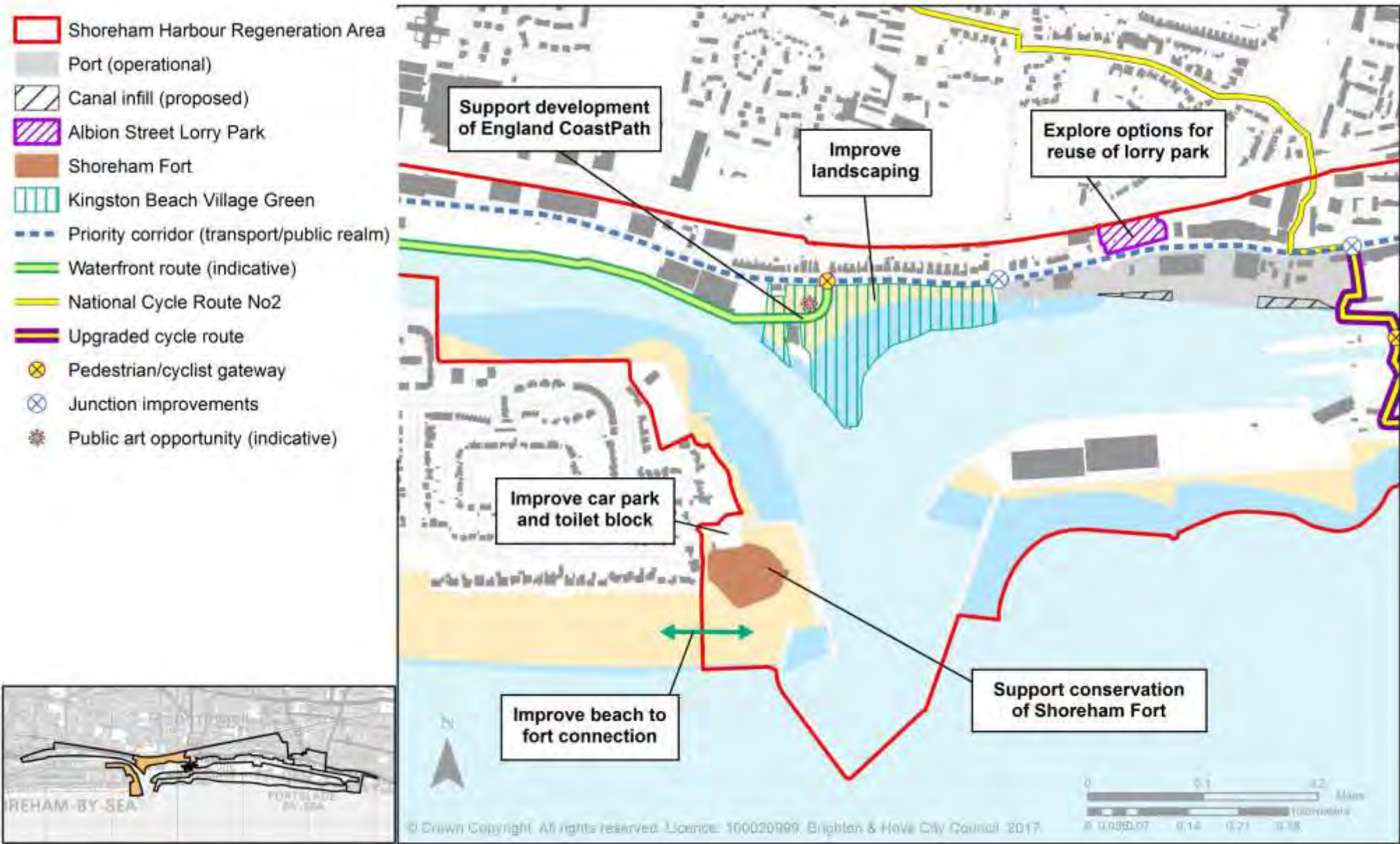
1. Southwick Waterfront is designated as a strategic employment area (Allocation Southwick Waterfront).
2. The partnership will work with, developers and stakeholders to deliver a minimum of 4,000m<sup>2</sup> new employment floorspace. The partnership will support the redevelopment of sites to deliver high quality, modern employment floorspace.
3. The partnership will work with developers and stakeholders to deliver the reconfiguration of Lady Bee Marina. This will include:
  - Improved marina facilities, expanded berthing capacity and waterside leisure provision, including a new slipway, utilising canal edge water space to the east
  - Complimentary waterside facilities
4. Port operational areas, including the dry dock, are safeguarded for future commercial port operations and related activities.
5. Ongoing protection will be provided for the functioning of the dry dock ensuring that land uses in the immediate vicinity do not compromise its ongoing efficient use.
6. Development should respect and connect with surrounding areas. Where appropriate proposals will be expected to enhance townscape around key linkages and junctions, in particular pedestrian and cycle routes from Southwick station and Southwick Green across the lock gates to the beaches, and an improved alignment of the Nautilus House access road serving Allocation Southwick Waterfront and the dry dock.
7. The partnership will support Adur Homes, Action Eastbrook Partnership and local service providers to deliver improvements and harness benefits arising for harbour-side communities. Emerging priorities include:
  - Enhancing Fishersgate Recreation ground
  - Supporting and enhancing local community facilities
  - Supporting improvements to housing estates
  - Promote opportunities to support communities in improving green infrastructure to provide amenity to residents and enhance biodiversity
8. The partnership will support and identify mechanisms for implementing ecological and landscaping improvements to the frontage of housing estates to Fishersgate Terrace/Albion Street (A259), Fishersgate Recreation Ground and the North Canal Bank as part of the green corridor along the A259.
9. The partnership will work with developers and stakeholders to deliver the package of transport measures for Fishersgate & Southwick as set out in the *Shoreham Harbour Transport Strategy*. Critical measures include:
  - Improvements to the following junctions:
    - Albion Street (A259)-Riverside junction serving Lady Bee Marina
    - Improvements to the Albion Street (A259) junction serving Southwick Waterfront
  - Improvements to cycling facilities along the A259.
  - Improvement to the pedestrian and cycle route across the lock gates.
  - Improved pedestrian and cycle crossing points.
  - Bus stop improvements.
10. The partnership will support the delivery of the Southwick Waterfront access road, with limited canal infill where required, to create space for an access road and waterside footway / cycle path.



# HARBOUR MOUTH







## 4.6 Character Area 6 – Harbour Mouth

### Area priorities

- **To support the conservation of Shoreham Fort.**
- **To enhance connections between Shoreham town centre, Shoreham Beach and Shoreham Fort through environmental and landscaping improvements.**
- **To support the redevelopment of Shoreham Rowing Club and enhance the public realm environment of Kingston Beach.**
- **To explore options for the future use of the Albion Street lorry park.**
- **To support Adur Homes in exploring options for redevelopment of housing sites.**

### About the area

- 4.6.1 CA6 – Harbour Mouth is split across either side of the River Adur at the mouth of the river. This is the entrance to the harbour. The southern section is also within the area covered by the emerging Shoreham Beach Neighbourhood Plan.
- 4.6.2 At Shoreham Beach are the remains of Shoreham Fort, a Scheduled Monument. The fort was completed in 1857 and is one of the celebrated south coastal defences built under the Victorian Prime Minister Lord Palmerston. It is of national historical importance and was a vital part of the south coast defence system.
- 4.6.3 A local charity, the Friends of Shoreham Fort supported by Shoreham Port Authority, have taken responsibility for conserving the fort. This area is a popular destination for walkers. It is well used by anglers and home to the National Coastwatch Institute look-out tower.
- 4.6.4 In recent years there have been various plans for the fort including local interest for incorporating an educational facility and improving the public toilet block.

- 4.6.5

The Environment Agency plan to improve the layout, surfacing and public realm of the car park area at the Fort through the Shoreham Adur Tidal Walls scheme. The fort will benefit from this improvement. In addition, an upgrade including improved signage, benches, and potentially a café/visitor centre facility would further improve the area.
- 4.6.6

To the west of the fort is Shoreham Beach, a residential community almost entirely surrounded by water, connected to the town centre by Norfolk Bridge and the Adur Ferry Bridge. The beach area has a fascinating history. It was originally empty scrub created by a shingle bank that developed over centuries through longshore drift.
- 4.6.7

The beach itself is designated as a Local Nature Reserve (LNR) and Site of Nature Conservation Importance (SNCI). The designating feature of the LNR is its rare and beautiful flowering vegetated shingle that has adapted over time to the harsh conditions.
- 4.6.8

On the riverside of Shoreham Beach is Silver Sands, a small sandy beach between Sussex Wharf and Soldier's Point, which sees the flowering of wild Geranium and Childing Pink, a nationally rare and protected plant species.
- 4.6.9

Directly opposite the harbour mouth is Kingston Beach, designated with Village Green status to safeguard it as a public space. The beach is home to Shoreham Rowing Club as well as the new RNLI lifeboat building, a maritime themed, low carbon building of significant architectural merit.
- 4.6.10

Kingston Beach is also home to the Grade II listed Kingston Buci Lighthouse, a distinctive local landmark. There is a wealth of local history that could be better interpreted in this location through imaginative signage. There is significant potential to improve the landscaping and street furniture to make it more accessible and appealing as a local amenity area.
- 4.6.11

Directly opposite Kingston Beach is a row of terraced housing, including several Adur Homes-owned properties.
- 4.6.12

To the east of these properties on the south-side of the A259 is the port operational area; whilst on the north-side of the A259 are a number of dwellings, Albion Street Lorry Park, and a range of light industrial and employment generating uses.

### Development opportunities

- 4.6.13 The existing port operational area will be retained for port use. There are significant opportunities to improve the amenity value of Shoreham Fort and Kingston Beach for the benefit of local residents and visitors.
- 4.6.14 The Albion Street lorry park is no longer required in this area. The partnership is exploring alternative uses for the site, including relocation of businesses from elsewhere in the regeneration area.
- 4.6.15 Adur Homes is exploring opportunities to redevelop a number of older properties on the northern side of Albion Street. The partnership will support the redevelopment of these sites.
- 4.6.16 The proposed waterfront route along the Western Harbour Arm will end at Kingston Beach. The partnership is exploring options to integrate this route with the village green and connect to the proposed A259 cycle route.



Shoreham Fort and Shoreham Beach



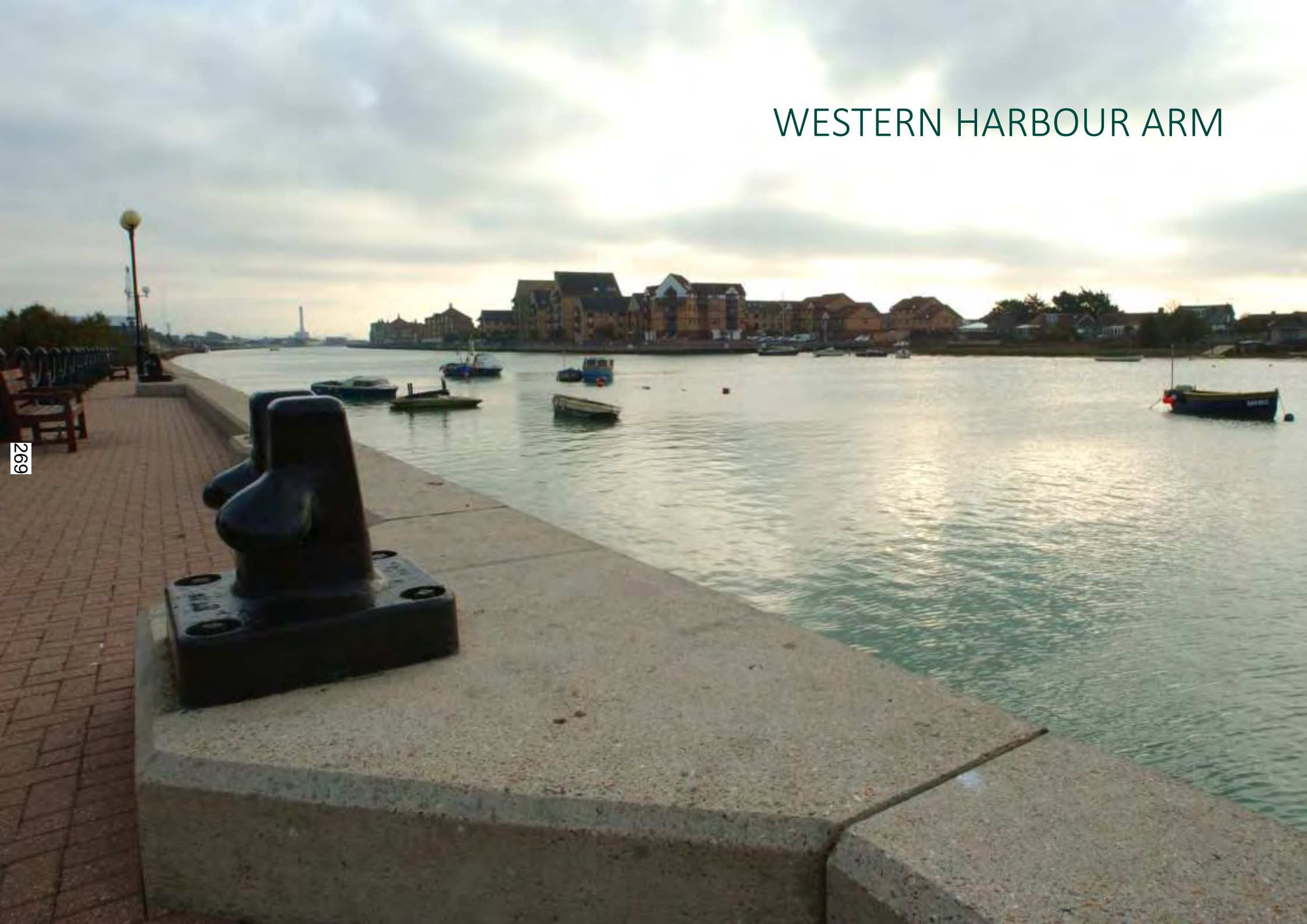
Kingston Buci Lighthouse and Shoreham Lifeboat Station

## Policy CA6: Harbour Mouth

1. The existing port operational areas will be safeguarded for future commercial port activity.
2. The partnership will work with the community and stakeholders to support the conservation of Shoreham Fort and enhancement of the surrounding area including:
  - Explore potential to provide visitor centre / café.
  - Improved car parking configuration and delineation of bays, including disabled parking.
  - Explore potential to improve public toilet block.
  - Improve sense of arrival and entrance on to site, ensuring disabled access as well as improved access between the car park and Shoreham Beach.
  - Upgrade of street furniture such as benches, signage, bins and lighting.
  - Improved way-finding connections to new footbridge.
3. The partnership will ensure that the Shoreham Beach Local Nature Reserve is protected. In particular the most sensitive sections of the beach in terms of ground nesting birds and vegetated shingle.
4. The partnership will work with the community and stakeholders to improve Kingston Beach including:
  - Redevelopment of Shoreham Rowing Club.
  - Upgrade of public open space areas in accordance with the Shoreham Harbour Streetscene Guidance and Shoreham Harbour Green Infrastructure Strategy.
  - Improve delineation/ formalisation of parking area.
  - Promote opportunities for interpretation of marine environment and biodiversity.
5. The partnership will promote appropriate streetscape planting along Albion Street and Brighton Road (A259) to extend the green corridor.
6. The partnership will support Adur Homes to maximise the use of its housing sites, including potential redevelopment.
7. The partnership will explore options for the alternative uses for Albion Street lorry park.
8. The partnership will explore options to deliver the eastern entry to the proposed Western Harbour Arm waterfront route.



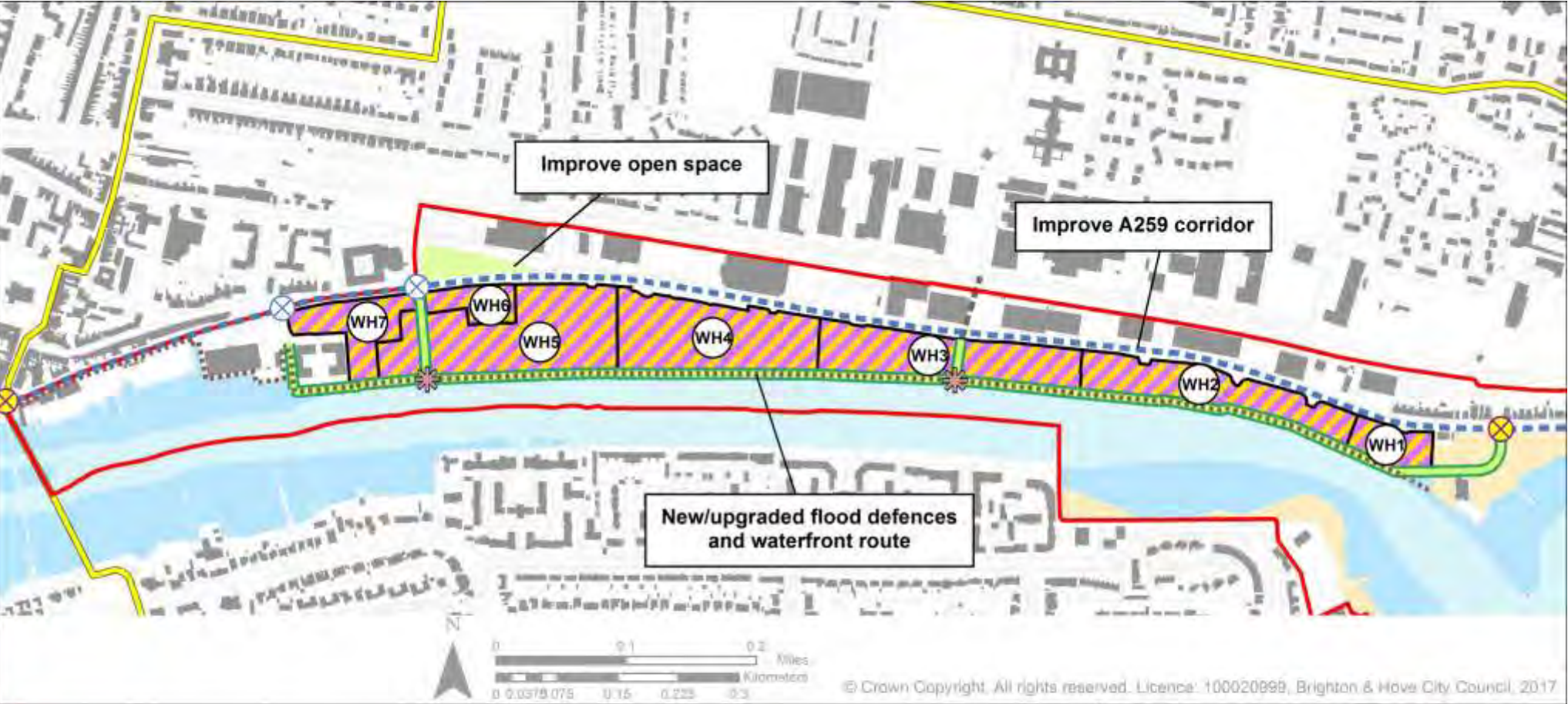
# WESTERN HARBOUR ARM



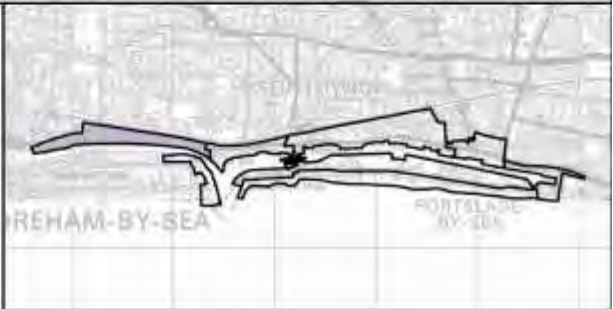


Map 12 – CA7: Western Harbour Arm

270



- |                                    |  |                                     |
|------------------------------------|--|-------------------------------------|
| Shoreham Harbour Regeneration Area | New/upgraded flood defences (proposed)     | Potential pedestrian cyclist bridge |
| Allocation                         | Priority corridor (transport/public realm) | Pedestrian/cyclist gateway          |
| Residential (proposed)             | Waterfront route (indicative)              | Junction improvements               |
| Employment (proposed)              | National Cycle Route No2                   | Public art opportunity (indicative) |
| Open space (existing)              |  |                                     |



## 4.7 Character Area 7 – Western Harbour Arm

### Area priorities

- To designate Western Harbour Arm Waterfront as an allocation for new mixed use development.
- To facilitate the comprehensive development of the Western Harbour Arm Waterfront to become an exemplar sustainable mixed-use area (use classes B1 and C3).
- To improve legibility, permeability and connectivity through high quality building design, townscape and public realm, ensuring to respect and complement the character of surrounding areas.
- To maximise intensification and redevelopment opportunities of existing lower grade, vacant and under-used spaces.
- To facilitate the strategic relocation of industrial uses to elsewhere in the harbour or local area to free up waterfront opportunity sites.
- To improve access arrangements to create better linkages with Shoreham town centre and surrounding areas.
- To improve connections around key linkages including Shoreham High Street/Norfolk Bridge (A259) – Old Shoreham Road (A283), Brighton Road (A259) – New Road – Surry Street, and Brighton Road (A259) – Ham Road.
- To deliver a comprehensive flood defence solution integrated with a publicly accessible waterfront route including pedestrian / cycle way and facilities for boat users.
- To ensure that new development proposals mitigate noise and air quality impacts.
- To enhance the area's natural biodiversity by incorporating multi-functional green space, creating and improving habitats and improved green infrastructure links.
- To support the delivery of the England Coast Path through the Western Harbour Arm area.

### About the area

- 4.7.1 CA7 – Western Harbour Arm is on the northern bank of the River Adur between the Harbour Mouth and the historic centre of Shoreham-by-Sea. The area is highly constrained by Brighton Road (A259) and the railway. The Western Harbour Arm is the principal approach to Shoreham-by-Sea from the east. To the north of the railway line, the area is abutted by residential neighbourhoods and a large industrial estate.
- 4.7.2 Shoreham-by-Sea town centre, a few minutes' walk to the west has a peaceful, coastal charm consisting of predominantly two storey terraced cottages on streets leading off from the primary shopping area. There are open views across the River Adur to the south as well as river glimpses between buildings where remnant slipways and hards remain. There is a marked contrast moving east out of the town and along Brighton Road (A259) where there are only limited views of the waterfront and public access to it.

- 4.7.3 Along the Western Harbour Arm there are a range of different employment uses. The waterfront sites are predominantly large industrial and open storage premises including fuel storage, plastics manufacturing, aggregates handling and metal recycling. The majority of the sites are privately owned.
- 4.7.4 Closer to Shoreham-by-Sea town centre is The Ham, an open space which includes a popular skate park. There is a car show room and some office and workshop units such as the Riverside Business Centre and Ham Business Centre.
- 4.7.5 On the northern side of the A259 are mainly 'big box' retail warehouses, a supermarket and the local municipal waste facility.
- 4.7.6 A number of the premises along Brighton Road (A259) are coming to the end of their useful life and are no longer ideally suited for modern business needs either requiring significant investment on-site or relocation to a better facility elsewhere.
- 4.7.7 The river wall and flood defence infrastructure is in need of upgrade and repair and some of the land stands vacant and underused.

- Transport and connections**
- 4.7.8 The Brighton Road (A259) road frontage is harsh and unattractive due to the industrial uses that prevent views across the water. The road is a very popular route with cyclists despite the lack of a formal cycle lane, poor surfacing and heavy use by heavy goods vehicles.
  - 4.7.9 Natural England will deliver the England Coast Path, a new National Trail around the coast of England. Although the final route has not yet been decided, it is expected that this will pass through CA7: Western Harbour Arm between Kingston Beach and Adur Ferry Bridge.

- Environmental considerations**
- 4.7.10 The Western Harbour Arm is subject to a number of environmental constraints which need to be taken into account when planning for the area. These include:
    - Proximity to the Adur Estuary, a Site of Special Scientific Interest (SSSI).
    - Proximity to Shoreham Beach, a Local Nature Reserve (LNR) and Site of Nature Conservation Importance (SNCI).
    - Shoreham-by-Sea Air Quality Management Area (AQMA) that covers the town centre and the western part of the Western Harbour Arm.
    - A municipal waste site.
    - A metal recycling facility. It is proposed that this be relocated
    - A Health and Safety Executive (HSE) Consultation Zone which determines the distance for different types of development from a 'major hazard' based on the current gas storage use. It is proposed that this be relocated.
    - The presence of contaminated land.
    - The presence of underground water mains and sewers. This infrastructure needs to be protected and new development needs to ensure its operation remains unaffected.



## Historic Assets

- 4.7.11 The Western Harbour Arm is partly within the Shoreham-by-Sea Conservation Area. The conservation area includes 47 listed buildings; including the Grade I listed St Mary de Haura Church. The church is clearly visible from Shoreham Beach, the South Downs and much of the wider area and it will be important for any new development at the harbour to respect views of the church and its setting.
- 4.7.12 Also visible from the Western Harbour Arm are the Kingston Buci Lighthouse (Grade II listed) and Shoreham Fort, a Scheduled Monument.
- 4.7.13 There is a wealth of local maritime history that could be better interpreted in this location and there is significant potential to improve the landscaping and setting of the river. This will make the area more attractive and accessible.

## Flood risk and sustainable drainage

- 4.7.14 The Western Harbour Arm is adjacent to the lower reaches of the River Adur where it flows into the English Channel. Given this low lying location, there are a number of potential sources of flooding which will be a key consideration in planning for the future of this area.
- 4.7.15 Sites along the Western Harbour Arm are vulnerable to surface water, fluvial, and most significantly tidal flooding meaning that any new residential development would need to be lifted up above likely flood levels. Development will need to be protected through flood defence provision and will need to be safe for the intended building lifetime taking into account climate change and sea level rise.
- 4.7.16 The Adur and Worthing Councils' Strategic Flood Risk Assessment (SFRA) identifies a number of sites in this area as Tidal Flood Zone 2, 3a and Non-functional Flood Zone 3b. This latter category recognises that some sites have the same risk of flooding as Flood Zone 3a but do not have a significant storage or conveyance potential which materially impacts flood risk elsewhere. Some sites also fall within Fluvial Flood Zones 2, 3a and 3b.

- 4.7.17 The partnership has worked closely with the Environment Agency to develop a comprehensive vision for an upgraded flood defence network to protect a redeveloped Western Harbour Arm. The Shoreham Harbour Flood Risk Management Guide SPD (2015) and Technical Annex details about the recommended approach for this stretch.
- 4.7.18 Comprehensive land raising and/or flood defence provision will be essential to protect existing and future residents and businesses as well as the A259. This approach, which focuses on flood defence provision from the Adur Ferry Bridge to Kingston Beach, will ensure the complete closure of the flood cell and continuation of the line of new defences currently being provided via the Shoreham Adur Tidal Walls Scheme - an Environment Agency funded flood defence scheme which ends at the Adur Ferry Bridge.
- 4.7.19 It is essential that the new flood defence network is integrated with a high quality public realm environment that promotes a positive inter-relationship with the river. Flood defences can often physically divide one area from another therefore an important ambition for the Western Harbour Arm is to promote permeability through the entire site.

4.7.20	Developers should include SuDS and building level resistant and resilience measures as part of proposals, ensuring development is safe for its intended lifetime. the approach set out in the following publications (or subsequent replacement documents):				
	<ul style="list-style-type: none"> <li>• <u>Adur &amp; Worthing Councils and/or Brighton &amp; Hove Council's SFRAs</u></li> <li>• <u>Water. People. Places: A guide for master planning sustainable drainage into developments</u></li> <li>• <u>CIRIA SuDS Manual</u></li> </ul>				
4.7.21	Refer to the <i>Shoreham Harbour Flood Risk Management Guide SPD</i> (2015) for full details of requirements in relation to protection from flooding.				
			<b>Green infrastructure</b>		
		4.7.22	The Western Harbour Arm is dominated by industrial land-uses and generally has a low diversity of terrestrial habitats.	4.7.27	SuDS should be incorporated into design proposals as an integrated system during masterplanning of individual sites. This could include rain water harvesting, green walls and roofs, rain gardens, vegetated swales and porous surface materials.
		4.7.23	The River Adur to the south includes areas of coastal saltmarsh and intertidal mudflat. These habitats form part of the wider network of intertidal habitats in the River Adur Estuary; however these are of limited extent and quality.	4.7.28	Appropriate planting alongside Brighton Road could extend the proposed green corridor from Kingston Beach as far as The Ham and Shoreham town centre.
		4.7.24	The Western Harbour Arm is adjacent to the Adur Estuary SSSI and falls within its Impact Risk Zone. Consultation with Natural England will be required in order to avoid harmful impacts on the SSI. Environmental Impact Assessment may also be required.	4.7.29	The proposed waterfront route for pedestrians and cyclists and onsite amenity open space also present significant opportunities for green infrastructure enhancement. Appropriate planting could include areas of vegetated shingle along the route, and on connections through to Brighton Road.
		4.7.25	The creation of a new species rich native hedgerow along the southern boundary of The Ham would provide wildlife value but also act as a buffer to noise and pollution from Brighton Road (A259).	4.7.30	Where mitigation measures to prevent impact to intertidal habitat are not feasible, any impact or any loss of intertidal habitat as a result of new development or associated flood defence improvements will require the creation of compensatory habitat. Habitat creation and enhancements to new and existing flood defences and revetments/piling such as timber baulking should be incorporated to increase the biodiversity of the river edge.
		4.7.26	The Western Harbour Arm Waterfront is the largest of the allocations in this plan. As such it has significant potential to provide green infrastructure enhancements and a net gain in biodiversity.		



4.7.31	Buildings should be designed to accommodate green walls (or planting) and green roofs (preferably bio-solar). These could compensate for any loss of habitats at ground level, as well as provide additional areas of vegetated shingle.				
4.7.32	New residential development will generate the need for new open space provision. Some of this will be required on site. However, improvements to existing open spaces will be considered where appropriate.				
4.7.33	The Shoreham Harbour Green Infrastructure Strategy will set out full details of requirements in relation to green infrastructure and biodiversity.				
			<b>Development opportunities</b>		
		4.7.34	Many of the business occupiers currently situated on the waterfront do not specifically need a portside location and are not dependent on access to the harbour for their operations.	4.7.38	There is currently development pressure for change along this strip as land owners seek to maximise the value of their land recognising that the location has long been earmarked for redevelopment as a new waterside community.
		4.7.35	The existing businesses provide a significant amount of employment floorspace and jobs. A key consideration for this area is the importance of working with the harbour businesses to retain them either in the port itself or within the local area in suitable, modern accommodation.	4.7.39	The Western Harbour Arm Waterfront allocation is made up of several sites, some of which are in multiple ownerships: <ul style="list-style-type: none"> <li>• WH1: 5 Brighton Road. This site has been purchased by a housing developer. The council is currently engaged in pre-application discussions.</li> <li>• WH2: Kingston Wharf (including Kingston Railway Wharf). This site has been purchased by a housing developer. The council is currently engaged in pre-application discussions for a mixed use development.</li> <li>• WH3: Egypt Wharf. This site is expected to come forward towards the end of the plan period.</li> <li>• WH4: Lennard's Wharf, Fisherman's Wharf and New Wharf. This site is expected to come forward towards the end of the plan period.</li> </ul>
		4.7.36	Shoreham Port Authority remains responsible for ensuring the river remains navigable and is periodically dredged to a level suitable for existing uses.		
		4.7.37	It is proposed that existing port-related uses in the Western Harbour Arm are relocated within the commercial port area in the Eastern Arm of the River Adur or the Canal. Marine-related uses that contribute to the character of the harbour could potentially remain		

- WH5 – Free Wharf. This site has been purchased by a housing developer. The council is currently engaged in pre-application discussions for a mixed use development.
  - WH6 – 37 – 41 Brighton Road and Ham Business Centre. This site is expected to come forward towards the middle of the plan period.
  - WH7 – 63 – 77 Brighton Road. This site is expected to come forward towards the middle of the plan period.
- 4.7.40 Development of 132 residential units and ancillary retail space at 79 – 81 Brighton Road is nearing completion.

Residential development

- 4.7.41 Western Harbour Arm Waterfront is a prime riverside site that could offer a vibrant mix of new uses. Development of a minimum of 1,100 new residential dwellings (use class C3) will be instrumental in delivering the sustainable transformation, enabling the creation of an attractive new setting and creating a greater sense of vibrancy along the waterfront.
- 4.7.42 Sites to the north of Brighton Road (A259) are outside the allocation. These sites are not considered likely to come forward within the plan period. This does not preclude appropriate mixed use development on these sites if opportunities arise within the plan period. This would support a comprehensive approach taking in both sides of the road.

Employment-generating floorspace

- 4.7.43 Adur District Council will require development within the Western Harbour Arm Waterfront allocation to include new employment generating floorspace as part of mixed use schemes. This should be predominantly high quality office space (use class B1a). Proposals will be encouraged to provide a range of commercial spaces in smaller format units.
- 4.7.44 Through the Greater Brighton City Deal, the wider Shoreham Harbour area is being promoted as a hub for environmental technology and digital media technology-related businesses. Major development proposals will be expected to incorporate floorspace designed to be suitable for such uses where appropriate.
- 4.7.45 Employment floorspace should be of modern, high quality design with an emphasis on providing studio style or office-based flexible workspace that could accommodate a comparatively higher number of jobs per unit of floorspace than the former industrial uses.

- 4.7.46 Smaller scale (preferably marine-related) leisure facilities will also be supported. These activities will play a major role in adding diversity and interest to the waterfront, and helping to generate footfall.
- 4.7.47 The partnership will continue to liaise with landowners and businesses to understand their ambitions and ensure that the process of land use change is managed sensitively. For example, it is understood that some operators are already considering alternative sites outside of the Western Harbour Arm for relocation purposes. However, other businesses have no immediate desire to relocate, and as such may not come forward for redevelopment until the latter part of the plan period. This plan seeks to maintain sufficient flexibility to enable a phased redevelopment approach.
- 4.7.48 The release of sites for redevelopment to alternative uses along the Western Harbour Arm is a long term process which requires careful management and will rely on working in collaboration with landowners and businesses.

Ancillary retail uses

- 4.7.49 Shops, cafes and restaurants that are ancillary to new mixed-use developments have an important role to play in realising the vision for regeneration of the Western Harbour Arm. Although residential dwellings and employment generating floorspace will be the primary land use, ancillary retail development will help to bring life to the waterfront and strengthen the overall offer of Shoreham-by-Sea complementing the town centre.

New waterfront route and open spaces

- 4.7.50 New developments will be expected to incorporate areas of public open space which will help to increase the accessibility and visibility of the waterfront, attract visitors to spend time in the area, provide new space for community activities and events and enhance the local environment.
- 4.7.51 As set out in the Shoreham Harbour Transport Strategy, development of a new, publicly accessible waterfront route for pedestrians and cyclists is proposed. The route would increase access to the waterfront by opening up previously restricted vistas and connecting Shoreham town centre and Adur Ferry Bridge with Kingston Beach and beyond framed by the attractive harbour setting.
- 4.7.52 The waterfront route will provide the new residential and commercial properties in the Western Harbour Arm with an attractive outlook over the harbour. The route must be well lit with appropriate signage and landscaping.

- 4.7.53 To accommodate the route, development must be set back from the waterfront. A setback is likely to be required for the purpose of flood risk management. Prior consent of the Environment Agency is required for any works within 16m of the tidal River Adur.
- 4.7.54 The waterfront route will not be complete when the England Coast Path is created through the area. This means that the trail will initially have to follow a different route. It is proposed that once the waterfront route is in place, it is adopted as part of the coast path.

- Waterfront leisure facilities**
- 4.7.55 Despite popular demand, the harbour is currently lacking in good quality, modern waterfront facilities for boat-users and for local residents and visitors to enjoy. It is proposed to increase the number of berths in the harbour for both visitors and new residents through the incorporation of new publicly accessible quays or floating docks/pontoons linked to new developments and open spaces. This will significantly improve the facilities on offer for the boating community and attract visitors in to the area supporting the local economy. All new features would be subject to the appropriate environmental approvals processes with the relevant statutory bodies.

- Improved connections and streetscape**
- 4.7.56 As shown in Map 11, a series of new north-south connections from the waterfront route to Brighton Road (A259) are proposed. The exact form and function of these will depend on a number of factors. In some cases, these links may be pedestrian or cyclist only, whilst others will enable site access or direct connections to the waterfront.
  - 4.7.57 The incremental introduction of mixed use development to the south of the road will be a trigger for the gradual enhancement of the A259 corridor to ensure that conditions for pedestrians and cyclists are improved.
  - 4.7.58 There is considerable scope for highways interventions such as public realm and streetscape improvements and improved crossing facilities. Landscaping treatments will also be important for creating setbacks between new developments and the A259 corridor to prevent noise and air quality impacts.

## Social and Community Infrastructure

Contributions towards improving local community facilities, or in some instances, provision of new facilities, will be required to support the increased population resulting from development of the Western Harbour Arm. Full details are contained within the *Infrastructure Delivery Plan* (IDP) that accompanies the *Adur Local Plan* (2016). Refer also to Policy SH10 in Section 5. Social and community infrastructure requirements include:

### Childcare / Early Years Provision

- 4.7.59 Additional childcare places will be required through financial contributions for expanding local provision delivered by private, voluntary and independent childcare providers.

### Health and Medical Services

- 4.7.60 Health infrastructure providers have identified the need to replace the existing Shoreham Health Centre in Pond Road. The present 1960s building is of a poor quality and expensive to maintain being unsuitable for modern healthcare deliver. New development on the Western Harbour Arm will be expected to contribute towards improvements.

## Education

- 4.7.61 The project partners are working together to address the need for suitable education provision in the Shoreham area, arising from growth. Existing primary schools are nearing capacity with planned improvements, and opportunities for further expansion are limited. Work is being undertaken to ensure any feasible opportunities to increase capacity at existing schools in the area can be brought forward during the plan period or if other sites can be identified. If not, innovative solutions to address need will be considered by all authorities.

### Library Provision

- 4.7.62 The library offer will need to be improved or expanded to facilitate the development at the Western Harbour Arm. Infrastructure providers are considering the potential for a new library facility at Pond Road in Shoreham as part of a comprehensive redevelopment of the site including the provision of new healthcare facilities.

## Facilities for Young People and Teenagers

- 4.7.63 Mixed-use developments will be expected to incorporate features and facilities that attract young families such as play areas and leisure uses. There may be opportunities to improve the existing skate park at The Ham as part of new developments in the vicinity.

### Emergency Services

- 4.7.64 Contributions towards emergency services, including the police and the fire and rescue services will be required as a result of development at the Western Harbour Arm. Sussex Police has identified the need for improved accommodation and equipment in the Shoreham area. The West Sussex Fire and Rescue Service has identified the potential need for new or improved facilities.



## Development form and typology

4.7.65 It is important to avoid a single development form being repeated across the whole allocation. Buildings should be oriented to maximise views across the river. However, the exact form is partly dependent on the depth of the site and the mix of uses. The following potential typologies are recommended:

- It is proposed that deeper sites (WH4, WH5) are arranged as horseshoes of flatted development. Employment floorspace on lower storeys will provide a frontage to Brighton Road (A259). The residential layout will maximise views across the river.



- It is proposed that narrower sites (WH2, WH3) are arranged as pairs of north-south blocks. Employment floorspace will be provided on lower storeys. This will also maximise views across the river.



4.7.66 Mixed employment space should be incorporated into development across allocation Western Harbour Arm Waterfront. Sites should be designed in an urban format with parking at lower levels and trading areas above.

4.7.67 Site WH1, at the eastern end of the Western Harbour Arm Waterfront, has the dual function of forming a strong edge to Kingston Beach, helping to define the space, and to mark the gateway to the Western Harbour Arm. A key consideration here is the potential navigational impact of residential development. Discussions will be required with Shoreham Port Authority at an early point in the design process to ensure navigational issues are addressed.

4.7.68 The Western Harbour Arm Waterfront will be a high density neighbourhood. In general buildings should be developed up to 5 storeys on the Brighton Road (A259) and River Adur frontages. Within deeper sites, heights could step up away from these frontages.

4.7.69 The *Western Harbour Tall Buildings Capacity Study* (2017) has identified a number of significant views that should be protected, and heritage assets that should be considered as part of development proposals:

- Kingston Buci lighthouse is Grade 2 listed and is a prominent landmark signalling the entrance to the harbour, and to the town of Shoreham-by-Sea from the west. Development of over 3 storeys at sites WH1 and WH2 has the potential to impact the setting of the lighthouse. This must be considered when preparing development proposals.
- There are several views from Shoreham Beach to the South Downs. Development of sites WH2, WH3, WH4 and WH5 should ensure that views are retained.

- St Mary de Haura church is the most prominent landmark in the town centre. Most development sites are not close enough to significantly impact the prominence of the church. However developers should consider the potential impact on views of the church.

4.7.70 Significantly taller buildings could create issues, such as traffic congestion, infrastructure provision and creation of a microclimate through trapping of air pollutants. Towards the centre of the allocation (western part of site WH3, site WH4 and eastern part of site WH5), there may be scope for taller buildings provided that it can be demonstrated that these issues have been addressed, and the proposal is of exceptional design quality.

4.7.71 The findings from the Objectively Assessed Need for Housing: Adur District study undertaken in 2015 identifies a limited demand for dwellings with four or more bedrooms. The focus of provision of market housing in Adur should be on two and three bedroom housing both for younger households and older households wishing to downsize. The provision of smaller dwellings should be focussed in and around town centres and Shoreham Harbour.

4.7.72 For Shoreham Harbour specifically, there is an opportunity to provide a mix of properties, including one, two and three bed homes as part of a higher density development. The majority of dwellings delivered at Shoreham Harbour will be flatted development. Some sites may be able to accommodate up to ten per cent of dwellings as terraced housing. At the Western Harbour Arm Waterfront there is an opportunity to provide a mix of properties, including one, two and three bedroom homes as part of a high density development. Across the allocation as a whole, the following mix is considered suitable:

- 35% - 1 bed
- 60% - 2 bed
- 5% - 3 bed

## Policy CA7: Western Harbour Arm

1. Western Harbour Arm Waterfront is designated as a mixed use area (Allocation Western Harbour Arm Waterfront).
2. The partnership will work with developers and stakeholders to secure a comprehensive redevelopment of the Western Harbour Arm Waterfront. This will deliver a minimum of 1,100 new homes (use class C3) and a minimum of 12,000m<sup>2</sup> new employment generating floorspace (predominantly use class B1a) on the southern side of Brighton Road (A259) within the plan period. Smaller scale retail, outlets, food and drink, and marine-related leisure facilities are also encouraged.
3. Development proposals for sites to the south of Brighton Road (A259) should not unduly prejudice the potential future development of sites to the north of Brighton Road (A259) and vice versa.
4. New developments should incorporate active uses along the waterfront. This may include the provision of parks, squares, play areas and active frontages such as cafes, shops and workspace.
5. New development should achieve residential densities of a minimum of 100 dwellings per hectare consisting of predominantly flatted development. A mix of dwelling sizes should be delivered.
6. Building heights of up to five storeys are generally considered acceptable on the Brighton Road and River Adur frontages. Away from these frontages, greater storey heights may be acceptable within deeper sites. At sites WH1 and WH2, the setting of Kingston Buci lighthouse must be considered if development over 3 storeys is proposed. At sites WH2, WH3, WH4 and WH5 views from the coast at Shoreham Beach to the South Downs must be retained.
7. Taller buildings may be considered in the centre of the allocation (western portion of site WH3, site WH4 and eastern portion of site WH5). Proposals will be required to demonstrate an appropriate response and high quality design in relation to the following elements:
  - Scale and height
  - Architectural detailing
  - Materials
  - Public realm and open space
  - Public transport accessibility
  - Views into and out of the area, including assessment of glimpse views, local views and long views in relation to the waterfront, local landmarks, the South Downs National Park, conservation areas, and historic assets
- Microclimate impacts including wind, daylight and sunlight effects, air pollution and urban heat island effects.
8. Development should respect and connect with surrounding areas, in particular protecting and enhancing the views from Shoreham Beach, protecting views of St Mary de Haura Church, Kingston Buci lighthouse and better connecting with Shoreham town centre's historic core.
9. Where appropriate, proposals will be expected to enhance townscape around key linkages and junctions, in particular Shoreham High Street/Norfolk Bridge (A259) – Old Shoreham Road (A283), Brighton Road (A259) – New Road – Surry Street, and Brighton Road (A259) – Ham Road.
10. A setback from the waterfront is safeguarded to enable the delivery of a waterfront pedestrian and cycle route between Shoreham-by-Sea town centre and Kingston Beach. Developments should be sufficiently set back from the riverside (at least 8m from harbour wall to building) to incorporate the new waterfront route. The setback may also be required for flood defence maintenance requirements. Set back distance should be discussed and agreed with the Environment Agency.

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11. Developments should be set back from the A259 corridor to prevent a canyoning effect and to ensure that residents are protected from noise and air quality impacts.
  12. Prior consent is required for any works in, under or over the River Adur Tidal, a classified 'main river' under the jurisdiction of the Environment Agency, and subject to its byelaws, or within 16metres of the landward toe.
  13. The partnership will support and identify mechanisms for implementation ecological and landscaping improvements along the waterfront route and alongside Brighton Road (A259) to extend the green corridor.
  14. The new waterfront route must incorporate sustainable drainage features, such as permeable surfacing and incorporating suitable trees and vegetation.
  15. Where open space requirements cannot be met on site, development will be expected to contribute towards the creation of the proposed green corridor along the A259, and/or existing open spaces, such as The Ham and Kingston Beach.
  16. Major waterfront development schemes will be expected to actively respond to the marine/estuarine environment in terms of their design and layout and incorporate features that improve open access to the waterfront and facilities for boat users such as additional moorings, floating pontoons/docks and slipways. Access to existing public hards must remain.
  17. Management agreements should be included as part of the planning application for sites of compensatory habitat to ensure the long term integrity for wildlife benefit.
  18. The partnership will work with developers and stakeholders to deliver the package of transport measures for the Western Harbour Arm as set out in the Shoreham Harbour Transport Strategy. Critical measures include:
    - New waterfront route for pedestrians and cyclists between Shoreham Town Centre and Kingston Beach
    - Improvements to the following junctions:
      - Brighton Road/Norfolk Bridge (A259) – Old Shoreham Road (A283)
      - Brighton Road (A259)/Surry Street
      - Brighton Road (A259)/South Street (A2025)
    - Improvements to the cycling facilities along the A259
    - Improved pedestrian and cycle crossing points
    - Bus stop improvements





# DELIVERY AND IMPLEMENTATION



## 5 Delivery and implementation

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- 5.1.1 The following section sets out how the proposals in this plan will be delivered on the ground and how progress will be monitored over time. The plans will need to remain flexible and adjustable as opportunities emerge over time.
- 5.1.2 The regeneration plans are being driven by the Shoreham Harbour Regeneration Partnership. Members of the Partnership signed up to a renewed joint commitment to deliver renewal plans for the harbour via a Memorandum of Understanding signed in 2011. Partnership work is organised around an agreed governance structure that sets out day to day project management and operating protocols.
- 5.1.3 Progress on project work is overseen by a Project Board of senior officers and key stakeholders that meets every quarter. In turn the Project Board reports back to a Leaders' Board comprising the leaders of each council and the Chief Executive of the Shoreham Port Authority. Key decisions are taken through the relevant committees of each authority.
- 5.1.4 Since 2009, significant technical work has been undertaken by the local authorities to determine the appropriate scale and land use mix to plan for at the harbour. Given the changes in the wider economy and government approach during the recent period, it is critical that the plans are not held back by reliance on a large injection of upfront public funding which may be difficult to access.
- 5.1.5 The current plans aim to provide a pragmatic balance between the aspirations and ambitions for a new waterfront community and the commercial realities of bringing forward complex, brownfield sites under current market conditions.
- 5.1.6 The role of the partnership is to provide a dedicated resource to work with developers and investors to facilitate bringing forward packages of catalyst sites and local area improvement projects.
- 5.1.7 Recent work has been focussed on gaining a better understanding of the barriers and costs that have contributed to the large viability gaps that have stalled previous iterations of harbour plans. This has highlighted potential solutions and alternative approaches to reduce costs, delays and risks that are now being taken forward by the partnership.
- 5.1.8 Examples of current areas of partnership work to support delivery include:
- Technical studies to identify infrastructure costs and delivery mechanisms including flood defence, transport and social infrastructure.
  - Supporting business relocation plans including identifying alternative sites in the local area that better meet business requirements.
  - Communications activities to maintain a positive two-way dialogue with land owners, developers and stakeholders and promote joint working for mutual benefit.
  - Proactively seeking ways to reduce viability gaps and unlock stalled sites.

- Close working and ongoing dialogue with local charities and community groups with an active interest in the harbour area.
- Close working and engagement with key government agencies including Environment Agency, Highways England, Natural England and the Marine Management Organisation.

#### Delivery objectives and dependencies

5.1.9 The objectives for plan delivery are as follows:

- To ensure that the JAAP proposals and policies are realistic, viable and deliverable within the plan period (to 2032).
- To maintain appropriate governance structures and adequate resources to ensure responsibility for implementation.
- To commit to partnership working to identify delivery solutions and to source external funding where required.
- To maximise investor confidence and reduce risk for developers, partners and stakeholders.

5.1.10 The successful delivery of the JAAP is dependent on a number of factors including:

- Delivery of the allocation proposals

- Funding and timely delivery of infrastructure, including flood defences, highway works and social infrastructure.
- Ability to resource working with local community groups and managing the local area improvement projects.
- The members of the partnership and key stakeholders continuing to provide on-going commitment to Shoreham Harbour as a strategic development priority.

#### Delivering site allocation proposals

5.1.11 Bringing forward the major development opportunities will require the formation of land owner and developer partnerships. Some of the key sites are owned by members of the Partnership, particularly the Port Authority which will enable greater control over the nature of proposals coming forward.

5.1.12 Landowner and stakeholder partnerships and potentially joint venture companies will carry forward proposals on the basis of development agreements, within the framework set out in this plan and other supplementary site briefs.

5.1.13 Land assembly and anticipated release of development sites through the proactive work of the regeneration partnership will help to kick start progress during the first five years. It is not intended to utilise compulsory purchase powers (CPO) in implementing site allocations in multiple ownership and/or occupation, as the JAAP places an onus on developers to negotiate any land acquisition with support from the Partnership. However, an approach that takes a CPO route to deliver a scheme may be required if negotiation proves unsuccessful. This will be carried out in accordance with Circular 06/2004.

### Infrastructure requirements

- |        |   |        |  |        |  |
|--------|---|--------|--|--------|--|
| 5.1.14 | <p>Development at Shoreham Harbour will generate the need for additional and improved infrastructure to support the needs of an increased population. Essential infrastructure covers a range of items including social infrastructure (e.g. health facilities, libraries, educational; establishments etc.); physical infrastructure (e.g. highways, flood defences, utility provision etc.) and green infrastructure (e.g. allotments, natural open spaces etc.).</p> | 5.1.17 | <p>The authorities are currently exploring the use of the Community Infrastructure Levy (CIL). Work is on-going to identify which types of developments are applicable for CIL as well as suitable rates and how this might impact on the use of traditional contribution mechanisms such as Section 106 Agreements.</p>   | 5.1.19 | <p>For strategic level infrastructure technical work has been carried out to scope out the critical priorities and costs for the harbour. For example, the <i>Shoreham Harbour Flood Risk Management Guide</i> has now been adopted as supplementary planning guidance. This sets out the parameters for provision of harbour-side flood defences. A <i>Shoreham Harbour Transport Strategy</i> has prepared by WSCC which establishes the priority transport works that are required to support the proposals. Both of these documents will be used as part of planning negotiations to provide greater clarity to developers over contributions.</p> |
| 5.1.15 | <p>Infrastructure Delivery Plans (IDPs) have been drafted for Adur and Brighton &amp; Hove. These are live documents that set out the infrastructure priorities associated with the implementation of the Adur Local Plan and Brighton &amp; Hove City Plan and include requirements for Shoreham Harbour. The IDPs clarify which organisation/s are responsible for delivering the infrastructure, how it will be funded and when it is required.</p>                  | 5.1.18 | <p>Local plan policies and Supplementary Planning Guidance set out the approach to planning obligations that will be applied which can be summarised as follows:</p> <ul style="list-style-type: none"> <li>• On-site obligations required as part of the development including access roads and junctions for development and local public open space.</li> <li>• Community infrastructure standard charges including towards public realm improvements, highways improvements and community facilities that may be required or impacted as a result of the development.</li> <li>• Strategic infrastructure standard charge covering major capacity enhancing projects including transport network and flood alleviation.</li> </ul> | 5.1.20 | <p>The following items of infrastructure are typically likely to be requirements for major developments within the allocated sites:</p> <ul style="list-style-type: none"> <li>• Contributions to public transport and highway network improvements</li> <li>• Upgraded flood defences integrated with public waterfront walking / cycle route (where appropriate – particularly Western Harbour Arm Waterfront sites)</li> <li>• Contributions to social infrastructure</li> <li>• Remediation of contaminated areas</li> <li>• On-site renewable energy systems / low carbon technologies</li> </ul>   |
| 5.1.16 | <p>Private sector funding through planning obligations linked to individual development proposals will be an important mechanism for securing delivery of infrastructure.</p>   |        |  |        |  |



## Securing funding

5.1.21 The work of the Partnership is currently supported by a limited amount of public funding that was awarded by central government prior to 2010. This funding is used to support staff resources, undertake technical studies and provide match funding for future funding bids.

5.1.22 The main current sources of funding include:

- Growth Points Programme funding
- Eco-town funding
- Homes and Communities Agency contributions
- Environment Agency contributions
- Local authority and Shoreham Port Authority contributions

5.1.23 This plan will offer greater certainty for stakeholders to be able to work together to target sources of external funding. Potential sources being currently explored include:

- City Deal
- Coastal Communities Fund
- Coast to Capital Local Economic Partnership (LEP) – Single Growth Pot
- Sustainable Transport Fund
- Heritage Lottery Funding
- EU funding

## Monitoring of progress

5.1.24 The progress of the JAAP will be measured at regular intervals over time against the indicators set out within the Sustainability Appraisal that accompanies this document. As the JAAP evolves, the monitoring framework will be established working in partnership with relevant stakeholders. Final monitoring arrangements will be confirmed in the Sustainability Statement to be produced after the JAAP is adopted.

5.1.25 The local authorities undertake ongoing monitoring of their Local Development Frameworks of which this JAAP is a part. Progress on the delivery of the key opportunity development sites will be contained with the Authority Monitoring Report (AMR) for each respective council.

## Policy SH10: Infrastructure Requirements

- 1. Developers will be required to provide or contribute to the provision of infrastructure made necessary by the development.**
- 2. Infrastructure must be provided at the appropriate time, prior to any part of the development becoming operational or being occupied. Infrastructure needs are identified in each local authority's Infrastructure Delivery Plan (IDP).**
- 3. Direct agreements with utility providers may be required to provide**
- 4. In accordance with each local authority's planning contributions guidance, infrastructure contributions will be sought via Section 106 Planning Obligations where they meet the statutory tests, and potentially through a future Community Infrastructure Levy.**







Shoreham Harbour Regeneration

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### Shoreham Harbour JAAP main amendments

The Draft Joint Area Action Plan has been amended in response to representations received during public consultation between December 2016 and January 2017. The partner authorities have also had the opportunity to make additional changes and factual updates to reflect the progress on other planning documents and policies.

### List of main amendments

The list below presents the significant amendments to the plan. Minor typographic errors and factual updates have not been included.

### Format of Document

Numerous consultees found policy numbering confusing. Brighton and Hove City Council requested amendment to character area policies.

- Area wide policies consist of:
  - **SH1** - Climate change, energy and sustainable building
  - **SH2** - Shoreham Port
  - **SH3** - Economic and employment
  - **SH4** - Housing and community
  - **SH5** - Sustainable travel
  - **SH6** - Flood risk and sustainable drainage
  - **SH7** - Natural Environment, biodiversity and green infrastructure
  - **SH8** - Recreation and leisure
  - **SH9** - Place-making and design quality
  - **SH10** – Infrastructure Requirements
- Character area policies consist of:
  - **CA1** - South Quayside
  - **CA2** - Aldrington Basin (including **Allocation Aldrington Basin**)
  - **CA3** - North Quayside and South Portslade (including **Allocation South Portslade**)
  - **CA4** - Portslade and Southwick Beaches
  - **CA5** - Fishersgate and Southwick (including **Allocation Southwick Waterfront**)
  - **CA6** - Harbour Mouth
  - **CA7** - Western Harbour Arm (including **Allocation Western Harbour Arm Waterfront**)

### Plan Period

- Amended to 2032 in line with Adur Local Plan

### Strategic Objectives

- Objective 6
  - Title changed from “flood risk management” to “flood risk and drainage”

- Amendment was made at the request of the Environment Agency; the change was accepted as it better matches the content of the plan. The amendment has been supported by Adur District Council engineers.
- Objective 7
  - The objective now includes reference to natural capital.
    - The amendment was made at the request of Sussex Wildlife Trust and has been supported by the Environment Agency.

Please note: These amendments are subject to appropriate approvals at each of the partner authorities:

Adur:

- Planning Committee – 18 September 2017
- Joint Strategic Committee – 10 October 2017
- Council – 2 November 2017

Brighton & Hove:

- Tourism, Development and Culture Committee – 21 September 2017
- Council – 2 November 2017 (Provisional date)

West Sussex:

- Cabinet Member decision – September 2017
- Council – 20 October 2017

This will be followed by publication of the plan from 10 November 2017 to 22 December 2017, subject to approval.

After publication, the plan will be prepared for submission to the Planning Inspectorate. This will include any proposed modifications arising from the publication of the plan.



## **Factual updates**

- Objectively Assessed Need (OAN) updated
- Reference to Edgeley Green removed

## **Area Wide Amendments**

- **SH1** – Climate change, energy and sustainable building
  - Removed reference to BHCC Sustainable Building Design SPD as now revoked. Amended reference to City Plan CP8
  - Updated reference to Heat Network study to reflect new study.
- **SH2** – Shoreham Port
  - Background text on minerals wharves updated, and redrafted to avoid repetition and confusing structure.
- **SH3** – Economic and employment
  - No significant amendments
- **SH4** – Housing and community
  - Added paragraph on housing mix
- **SH5** – Sustainable travel
  - Background text redrafted to provide a more coherent structure. Added detail on cycling provision.
- **SH6** – Flood risk and sustainable drainage
  - Objective 6 has been amended to reference “drainage”
  - Clarified position on Environment Agency/Marine Management Organisation licence
    - A licence is required for all development within 16m of river edge.
    - Setback for flood defence maintenance to be agreed with Environment Agency.
- **SH7** – Natural Environment, biodiversity and green infrastructure
  - Added reference to natural capital, and green infrastructure (glossary to be included)
  - Additional reference to contaminated land, at request of EA
  - Additional reference to waste management, at request of ESCC
- **SH8** – Recreation and leisure
  - Added reference to recreation facilities
- **SH9** – Place-making and design quality
  - No significant amendments
- **SH10** – Infrastructure Requirements
  - No significant amendments

## **Character Area Amendments**

- **CA1** – South Quayside
  - Factual amendments on port operations
- **CA2** – Aldrington Basin
  - BHCC allocations disaggregated
  - Non-allocated employment sites to be safeguarded

- Reference to Ferry Wharf amended to reflect waste use
- Ground levels added for flood risk at request of EA.
- Site references updates
- **CA3** – North Quayside and South Portslade
  - BHCC allocations disaggregated
  - Non-allocated employment sites to be safeguarded
  - Site references updated
- **CA4** – Portslade and Southwick Beaches
  - No significant changes
- **CA5** – Fishersgate and Southwick
  - Site levels added at request of EA
  - Amended development requirement at Southwick Waterfront
- **CA6** – Harbour Mouth
  - No significant changes
- **CA7** – Western Harbour Arm
  - Reference to compensatory habitat amended at request of EA
  - Amended housing mix
  - Added site references
  - Amended text on acceptable building heights
  - Amended text on preserving views of heritage assets

## Policy Amendments

- In general there was a large amount of repetition in character area policies (numerous character areas had policy clauses on sustainability, flood risk, green infrastructure and transport). Generic clauses have been drafted and added to area wide policies in order to simplify the plan.
- **Policy SH1**
  - **Amended clause (3):** Where it is feasible and viable, ~~D~~ development should seek to achieve zero-carbon status (~~emitting no net annual carbon emissions from regulated and unregulated energy use~~), in particular within the four site allocations. This will include the use of passive design measures. Proposals must demonstrate good thermal performance and air tightness to prevent heat loss.
- **Policy SH3**
  - **Added clause (4):** “The Councils will seek agreement with developers to secure appropriate training and job opportunities for local residents”.
- **Policy SH4**
  - **Amended clause (2):** Developers will be required to ensure that proposals deliver a mixed and balanced community through providing a mix of dwelling types, sizes and tenures in accordance with identified local needs including suitable family accommodation. ~~A mix of apartments and terraced town houses would be appropriate across all tenures.~~
  - **Removed clause (4):** Developers are encouraged to work towards the principles of Lifetime Neighbourhoods and incorporate Age-Friendly Cities features”
    - Reference remains in the BHCC City Plan but does not apply to Adur.

- **Added clause (5):** Development will be required to contribute towards provision of community and social infrastructure, in accordance with the relevant Infrastructure Delivery Plan.
- **Policy SH6**
  - Clauses on “flood defence and drainage” moved from character areas to area wide policy
- **Policy SH7**
  - **Amended clause (8):** “Where biodiversity impacts on biodiversity cannot be mitigated, compensatory measures actions will be required, taking account of an up-to-date ecological survey ~~Compensatory habitat to be like for like basis based upon up to date surveys~~”.
  - Clauses on natural environment/biodiversity moved from character areas to area wide policy
  - **Amended clause (10):** “All development must comply with the Water Framework Directive. Development must protect surface and groundwater quality and to ensure. Only clean surface water is should be discharged into the River Adur, the Canal and groundwater. Pollution control measures will be required to deal with surface water run-off where this is discharging straight into the River Adur or the Canal, especially where waterside vehicular access is promoted”.
    - Amended at request of the Environment Agency
- **Policy SH8**
  - **Added clause (5):** “The provision of appropriate measures to enhance watersports and other traditional coastal activities will be supported”.
  - **Added clause (10):** “The partnership will work with Natural England to support the delivery of the England Coast path through the Shoreham Harbour Regeneration Area”.
- **Policy CA2**
  - **Amended clause (2):** “The partnership will work with developers and stakeholders to deliver:
    - a) a minimum of approximately 300 90 new dwellings (use class C3) and 7,500m<sup>2</sup>
    - b) a minimum of 4,500m<sup>2</sup> new B class employment floorspace (use classes B1, B2 and B8) ~~(in combination with SS2: South Portslade)~~ The partnership will support the redevelopment of sites to deliver high quality, modern employment floorspace, and appropriately located residential dwellings.
    - c) ancillary leisure, retail and food and drink floorspace”
  - **Amended clause (3):**

“Site allocations at Aldrington Basin (shown on Map 7) are:

    - a) AB1 – North Basin Quay: Allocated for port related and compatible employment floorspace (use classes B1, B2 and B8). Between Hove Lagoon and the Canal an area of open space fronted by ancillary leisure, retail and food and drink uses will be supported in order to improve the connection between Hove Lagoon and the harbour.

**b) AB2 – Aldrington Marina: Allocated for new employment floorspace (use classes B1, B2 and B8)**

**c) AB3 – Ferry Wharf: Allocated for port related and compatible employment floorspace (use classes B1, B2 and B8).**

**d) AB4 – Kingsway/Basin Road North: Allocated for mixed use redevelopment (use classes B1 and B2 at Basin Road North level, use classes A2, B1 and ancillary A1 at Kingsway level, and use class C3 on upper storeys)”.**

At the basin level, plots bounded by Basin Road North, Basin Road South and the Canal (sites A, B ~~and~~ C and D on Map 8 ~~7~~) will be ~~are~~ safeguarded for port related and compatible employment uses (classes B1, B2 and B8).

- a) ~~Building heights of two to three storeys are generally considered acceptable at the basin level. If taller buildings are proposed, care needs to be taken to consider sunlight impacts on other sites.~~
- o **Added clause (5):** “Hove Enterprise Centre and Maritime House are safeguarded for employment generating uses (use classes B1, B2 and B8). The council will support proposals for the upgrade and refurbishment of these premises. The council will resist proposals for change of use to other types of floorspace”.
- o **Added clause (6):**  
“For sites AB1, AB2, AB3:
  - a) Building heights of two to three storeys are generally considered acceptable.
  - b) If taller buildings are proposed, care needs to be taken to consider sunlight impacts on other sites.”
- o **Amended clause (7):**

~~Plots between Basin Road North and Kingsway (site D-E on Map 8 ~~7~~) will be released for mixed-use redevelopment (B1 and B2 at Basin Road North level, A1, A2 and B1 at Kingsway level, and C3 on upper storeys).~~

**For site AB4:**

**a) 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.** Building heights of up to four storeys above Kingsway and six storeys above Basin Road North are considered acceptable subject to high quality design and being suitably orientated to accommodate generous views between new buildings. ~~Development shall not exceed the height of the nearby Vega apartment building and care needs to be taken to consider sunlight impacts on other sites.~~

**b) Development should maintain a sense of openness and promote views through to the harbour wherever possible. The scale of development should provide a positive impact on the street environment along Kingsway.**

**c) Development should provide an attractive character along the A259 and contribute towards the street scene.** Residential development will need to demonstrate compatibility with employment uses at the basin level below in order to prevent future conflicts arising.

- **Policy CA3**

- **Amended clause (3):**

“The partnership will work with developers and stakeholders to deliver:

- a) **a minimum of approximately 300 ~~210~~ new residential dwellings (use class C3) and 7,500m<sup>2</sup>**
- b) **a minimum of 3,000m<sup>2</sup> new B-class employment floorspace (use classes B1, B2 and B8) (in combination with SS1: Aldrington Basin). The partnership will support the redevelopment of sites to deliver high quality, modern employment floorspace and appropriately located residential dwellings.**
- c) **ancillary leisure uses”**

- **Amended clause (4):**

**Site allocations at South Portslade (shown on Map 8) are:**

- a) **SP1 – Prestwich House (and adjoining): Allocated for mixed use redevelopment (use class B1 on lower storeys and use class C3 on upper storeys)**
- b) **SP2 – Former Belgrave Centre (and adjoining): Allocated for residential development (use class C3)**
- c) **SP3 – Wellington House: Allocated for residential development (use class C3)**
- d) **SP4 – Regency House: Allocated for mixed use development (use class B1 on lower storeys and use class C3 on upper storeys)**
- e) **SP5 – Former Flexer Sacks: Allocated for mixed use redevelopment (use class B1 on lower storeys and use class C3 on upper storeys. Associated leisure and assembly (use class D) uses may be permitted provided they are demonstrated to be compatible with residential and employment uses in the vicinity.**
- f) **SP6 – Church Road/Wellington Road/ St Peter’s Road: The southern portion of the site is allocated for new employment development (use classes B1, B2 and B3). Employment uses must be compatible with adjacent residential development. As part of a comprehensive redevelopment, residential development is acceptable on the northern portion of the site, fronting onto St Peter’s Road.**

**g) SP7 – Station Road: Allocated for mixed use redevelopment (use classes A1, A2, A3 and B1 fronting Station Road and use class C3 to the rear and on upper storeys)**

Site A is released for mixed-use redevelopment. Wellington House, The Belgrave Day Centre and adjacent equipment store are suitable for residential development (class C3). The remainder of site A is suitable for mixed-use development—employment (class B1) on the lower storeys, and residential (class C3) on upper storeys.

- ~~a) Building heights of four to six storeys are generally considered acceptable. If taller buildings are proposed, care needs to be taken to consider sunlight impacts on other sites.~~
- ~~b) Proposals for development at the far eastern boundary of the site need to be mindful of impacting access to daylight on the rear of adjacent properties on Station Road. Building heights of three to four storeys are generally considered acceptable.~~
- ~~c) Buildings fronting Wellington Road must be set back beyond the proposed green corridor.~~

- **Added clause (5):** “South Portslade Industrial Estate (as shown on Map 8) is safeguarded for employment generating uses (use classes B1, B2 and B8). The council will support proposals for the upgrade and refurbishment of these premises. The council will resist proposals for change of use to other types of floorspace”.

- **Policy CA5**

- **Amended clause (3):**

The partnership will work with developers and stakeholders to deliver the reconfiguration of Lady Bee Marina. This will include:

- Improved marina facilities, expanded berthing capacity and waterside leisure provision, including a new slipway, utilising canal edge water space to the east
  - Complimentary waterside facilities and attractions, such as an expanded chandlery, café/bar and public conveniences
  - Possible location for a youth sailing centre.
- Amendment is in response to the SPA pursuing a different scheme

- **Policy CA7**

- **Amended clause (6):** Building heights of up to five storeys are generally considered acceptable on the Brighton Road and River Adur frontages. **Away from these frontages, greater storey heights may be acceptable within deeper sites. At sites WH1 and WH2, the setting of Kingston Buci lighthouse must be considered if development over 3 storeys is proposed. At sites WH2, WH3, WH4 and WH5 views from the coast at Shoreham Beach to the South Downs must be retained.**
- **Amended clause (7):**

Proposals for individual ~~Taller~~ buildings **may be considered in the centre of the allocation (western portion of site WH3, site WH4 and eastern portion of site WH5).** ~~Proposals~~ above a threshold of five storeys will be required to demonstrate an appropriate response and high quality design in relation to the following elements:



- Scale and height
  - Architectural detailing
  - Materials
  - Public realm and open space
  - Public transport accessibility
  - Views into and out of the area, including assessment of glimpse views, local views and long views in relation to the waterfront, local landmarks, the South Downs National Park, conservation areas, and historic assets
  - Microclimate impacts including wind, daylight and sunlight effects, air pollution and urban heat island effects.
- **Amended clause (10):** “A setback from the waterfront is safeguarded to enable the delivery of a waterfront pedestrian and cycle route between Shoreham-by-Sea town centre and Kingston Beach. Developments should be sufficiently set back from the riverside (at least 8m from harbour wall to building) to incorporate the new waterfront route. **The setback may also be required for flood defence maintenance requirements. Set back distance should be discussed and agreed with the Environment Agency.**”
  - **Added clause (12):** “Prior consent is required for any works in, under or over the River Adur Tidal, a classified ‘main river’ under the jurisdiction of the Environment Agency, and subject to its byelaws, or within 16metres of the landward toe”.



### Other Character Areas within Shoreham Harbour JAAP and Key Proposals

#### **CA1 – South Quayside** (within Adur and Brighton & Hove)

South Quayside is mostly a port-operational area but also includes a waste water treatment works, power stations and renewable energy generation. The JAAP seeks to safeguard these uses and improve the port facilities.

#### **CA4 – Portslade and Southwick Beaches** (within Adur and Brighton & Hove)

Access to Portslade and Southwick Beaches for pedestrians and cyclist will be improved. Habitats and biodiversity will be created and protected.

#### **CA5 – Fishersgate and Southwick** (within Adur)

Fishersgate and Southwick include a mixture of port operations, employment space, residential areas and green space.

The JAAP seeks to safeguard and improve the port facilities, seeks green space improvements to create wildlife corridors/linear open spaces and supports improvements to the existing housing estates, including the retrofit of energy efficiency measures. It includes a development allocation at Southwick Waterfront, which will deliver a minimum of 4,000m<sup>2</sup> employment generating floorspace. Lady Bee Marina will be expanded and improved.

#### **CA6 – Harbour Mouth** (within Adur)

Harbour Mouth includes port-operational areas, existing housing and employment space, and Kingston Beach. The area includes the historic buildings of Kingston Buci lighthouse and Shoreham Fort.

The JAAP seeks to safeguard and improve the port operational areas and seeks the protection of the historic buildings.

#### **CA7 – Western Harbour Arm** (within Adur)

Western Harbour Arm is predominantly an employment area.

The JAAP includes a proposed development allocation at Western Harbour Arm Waterfront. This will deliver a minimum of 1,100 new homes and 12,000sqm employment generating floorspace.

New flood defences will be built. A new waterfront route will improve connections for pedestrians and cyclists between Shoreham-by-Sea town centre and Kingston Beach. Habitats and biodiversity will be created and protected.



**SUMMARY OF REPRESENTATIONS TO THE REVISED DRAFT SHOREHAM HARBOUR JAAP**

<b>Issue Raised</b>	<b>Support</b>	<b>Object</b>
Biodiversity	11	
Open Space	5	
Green Corridor	9	
Green Infrastructure (GI)	11	2
District Heating	7	1
Renewable Energy	2	1
Light Pollution		1
Underwater noise		1
Noise		5
Air Pollution		4
Congestion		6
Reduced HGV Traffic	5	
Port Access Road	5	1
New Train Lines	1	
Trains	3	
Bus Transit	2	
Footpaths	9	
Cycle Routes	13	
Minimum Parking Requirement		1
Additional Parking	3	
Waterfront Route	15	
Waterfront Route Setback		2
Waterfront Access	6	
Surfing/Water Sports	9	
Improved Leisure Facilities	5	
Improved Community Infrastructure	4	
Slipways		1
Impact On Heritage Assets		1
Flood Defences	6	
Improved Water Quality	12	
Sustainable Urban Drainage (Suds)	2	
Water Efficiency	1	1
Policy On Wastewater	1	
Minerals	10	
Revoking Hazardous Substances Consent	1	
Land Remediation	1	
Land Use Allocations	5	8
Temporary Consent	2	
Density	2	2
Housing	8	3
Affordable Housing	2	1
Employment	7	
Minimum Employment Units		1
New Retail/Eateries	3	
Building Height	3	6
Setbacks A259	2	3
Good Quality Design	7	
Layout of Plan	1	3





<b>Subject:</b>	<b>Community Infrastructure Levy – Preliminary Draft Charging Schedule</b>		
<b>Date of Meeting:</b>	<b>21 September 2017</b>		
<b>Report of:</b>	<b>Executive Director, Economy Environment &amp; Culture</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Clare Flowers</b>	<b>Tel: 01273 290443</b>
	<b>Email:</b>	<a href="mailto:clare.flowers@brighton-hove.gov.uk">clare.flowers@brighton-hove.gov.uk</a>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 This report provides an update on the preparation of a Community Infrastructure Levy (CIL), as previously agreed by Economic Development & Culture Committee (ED&C) on 22 September 2016, and seeks approval to consult on a Preliminary Draft Charging Schedule (PDCS) underpinned by the findings of a bespoke CIL Viability Study.

**2. RECOMMENDATIONS:**

- 2.1 That the committee notes the findings and recommendations of the CIL Viability Study 2017.
- 2.2 That the committee agrees to publish the Preliminary Draft Charging Schedule listed in Appendix 1 for formal consultation, as required under the CIL Regulations 2010 (as amended), for an eight week period and to authorise the Head of Planning to make any necessary minor editorial/grammatical amendments to the Preliminary Draft Charging Schedule prior to consultation.

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 In September 2016 ED&C Committee resolved that work commence on a CIL charging schedule for Brighton & Hove, noting that a key stage was to 'Publish a PDCS for consultation following committee resolution'.
- 3.2 A CIL Viability Study has been carried out by consultants to underpin the PDCS. The study has found that new-build residential development; purpose built student housing; and new retail floor space could all bear a CIL charge within a recommended charging range. Other uses have been recommended for a zero charge.
- 3.3 In accordance with CIL Regulations, the CIL charge will be payable on new residential units and new development creating over 100 sq. m of net additional

floorspace. Exceptions include new affordable housing units, self-build housing and development by charities.

### **Viability Study**

- 3.4 The viability study has used an established, well recognised approach and has considered an appropriate range of development scenarios representative of residential and commercial development likely to come forward in the city. Viability considerations are based upon policy-compliant development including affordable housing provision, with a contingency allowance for site specific s106 planning obligations and/or other site-specific matters not accounted for through other study assumptions.
- 3.5 The full range of parameters put forward in the Viability Report as potential charging rates are shown in Appendix 2 (Executive Summary of the Viability Study) in the table 'CIL charging rates parameters – Recommendations Summary'. A significant buffer has been included in this parameter range to allow for adjustments in economic circumstances as required by national planning guidance.
- 3.6 Due to the range of residential values throughout the city, the Viability Report recommendations are to seek differential residential CIL charges based on 3 geographical zones, which will be consistent with the District Valuer Services (DVS) zones for affordable housing financial contributions (a map of the proposed zones is included within PDCS – Appendix 1). Findings demonstrated no clearly justifiable approach to zone non-residential development rates. Therefore city wide charging rates are suggested for both retail and purpose built student housing.

### **Proposed CIL rates set out in PDCS**

- 3.7 The proposed levy rates indicated in the table below are based upon the findings of the CIL viability study.

<b>Use</b>	<b>Location</b>	<b>Levy (£/sq. m)</b>
<b>Residential - applies to C3 and C2 use classes</b>  <b>Zones shown on Map in PDCS Appendix 1</b>	<b>Zone 1</b>	<b>175</b>
	<b>Zone 2</b>	<b>150</b>
	<b>Zone 3</b>	<b>75</b>
<b>Purpose Built Student Housing - City Wide</b>	<b>City Wide</b>	<b>250</b>
<b>Retail – Larger format – Retail warehousing / Supermarkets</b>	<b>City Wide</b>	<b>100</b>
<b>Other shopping units development</b>	<b>City Wide</b>	<b>50</b>
<b>All other development uses</b>	<b>City Wide</b>	<b>0</b>

- 3.8 National planning guidance sets out that an appropriate balance must be struck between securing additional infrastructure investment to support development

and potential detrimental effects on the viability of developments and that local authorities should exercise judgement with this balance in mind.

3.9 To this end, the proposed charging rates for new residential and retail development are at the lower end of the parameter range of the viability study. This is to secure a predictable longer term infrastructure funding stream; implement a charge that will complement development viability and provide a lower risk approach to supporting overall delivery of residential and retail development. This approach also:

- Acknowledges that the majority of development within the city takes place on brownfield sites which may have existing site specific development constraints in conjunction with higher land values based on existing/ former/ potential uses;
- Recognises the importance of small sites to residential delivery in the city; the fact that smaller schemes can have higher build costs; and that single-unit residential development can be more marginal in terms of viability;
- Allows a better fit with CIL rates on the city boundary with Lewes District Council at Saltdean;
- Future proofs, as far as practicable in CIL terms, the viability of citywide development in the event of significant changes to market circumstances such as an economic downturn, high fluctuations in development costs, sales revenues etc.

3.10 The viability study indicates that generally strong viability is associated with purpose built student housing. With no affordable housing requirements associated with this development type, it is considered that the higher end of the parameter range is included in the PDCS. Student housing built by universities on their own land would not be subject to CIL charges as charitable institutions.

### **CIL funding and Infrastructure provision**

3.11 Infrastructure is taken to mean any service or facility that supports the council area and its population and includes transport, education, health, social infrastructure, green infrastructure, public services, utilities and flood defences.

3.12 A Regulation 123 list will be prepared to indicate infrastructure projects that the local planning authority intends to fund through the levy. A Regulation 123 list can be amended on a regular basis and should be subject to appropriate local consultation, without requiring a revision in the charging schedule. A draft list will be drawn from items within the Infrastructure Development Plan (IDP) update that was agreed by this Committee on 22 June 2017. This draft list is required to demonstrate that there is a funding gap between existing funds to bring forward infrastructure on the list and the total costs of that infrastructure provision. This draft list will be drawn up in consultation with members, and will be required to support the CIL Draft Charging Schedule consultation in spring 2018 and through examination.

- 3.13 CIL regulations require that a meaningful proportion of revenue raised by development is allocated back to those neighbourhoods /parish councils. Rottingdean Parish Council will receive their own portion of CIL to directly spend on infrastructure they have identified, and Neighbourhood Forums have an influence over how their received funds are spent in their area. This returned portion will be 15%, capped at £100 per existing council taxed dwelling; with an adopted neighbourhood development plan in place the portion received is increased to an uncapped 25%.

### **Scaling back s106 planning obligations**

- 3.14 On introduction of CIL there will be a scaling back of s106 obligations to those which only relate directly to a specific site and which are not set out in the Regulation 123 list. This is to prevent 'double-dipping' – charging for infrastructure both through CIL and s106. The PDCS suggests current s106 areas to be scaled back with the introduction of CIL. Further to consultation responses, a draft annex to the Developer Contributions Technical Guidance will be prepared to support the CIL Draft Charging Schedule consultation in Spring 2018 and through examination.

### **Consultation on the PDCS**

- 3.15 The statutory requirements for the PDCS consultation are set out in Regulation 15 of the CIL Regulations 2010 (as amended). The consultation period is not prescribed in these regulations and in this case it is recommended that the consultation should be open for a period of eight weeks. The consultation will include developers, planning agents and landowners; parish councils and neighbourhood forums; adjoining and nearby local authorities; business groups, voluntary, community, amenity and civic bodies on the planning database; relevant utilities and statutory undertakers; universities and other higher education establishments; a press and social media release. The document will be available for comment on the council's Consultation Portal for the duration of the consultation.
- 3.16 Responses to the PDCS consultation will be reviewed and a revised Draft Charging Schedule with supporting documents to include a draft annex for Developer Contributions Technical Guidance and a proposed Regulation 123 infrastructure list; will be brought back to TD&C Committee for committee resolution to allow a second round of statutory consultation in accordance with regulation 16 of the CIL Regulations (as amended).
- 3.17 Once CIL is adopted it is a non-negotiable charge on all eligible development. It is likely that the final CIL charging schedule will be reviewed after a period of 3-5 years depending on prevailing market circumstances.

## **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 As noted above, the PDCS could propose higher charging rates allowed for within the parameters of the Viability Report, as shown in Appendix 2. However CIL rates cannot be negotiated once adopted. Therefore, bearing in mind the range of sites and circumstances in the city, it is considered that the proposed rates:

- Represent a more suitable overall balance and provide for a steady funding stream for infrastructure;
- provide resilience with respect to overall viability considerations over time as well as other planning policy requirements for development, including a scaled-back use of s106 where necessary on a site by site basis.

Consultants undertaking the viability study support the inclusion of the lower rates in the PDCS for these reasons.

- 4.2 As noted by ED&C in 2016, without an agreed CIL Charging Schedule, the provision of required city infrastructure will go into decline due to pooling restrictions around s106 collection introduced in April 2015.

## **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 Adopted BHCC Statement of Community Involvement (SCI) (2015) sets out how the council will consult when preparing CIL. The SCI has been prepared in accordance with the key principles of the Community Engagement Framework.
- 5.2 In preparing the background CIL Viability Study, key stakeholder lists were supplied by the council to viability consultants who used these lists in their initial consultation exercise in April/May 2017 to help inform the viability study and included RSPs, agents, developers, house builders, their consultants and others.
- 5.3 CIL Charging Schedule preparation requires two formal stages of consultation at PDCS Stage and Draft Charging Schedule (DCS) Stage. The DCS and representations made in relation to this DCS will then be submitted to an external examiner in accordance with the Planning Act 2008 (as amended) and the CIL Regulations 2010 (as amended). Anyone that has made representations on the DCS has a right to be heard by the examiner.

## **6. CONCLUSION**

- 6.1 The report recommends the findings and recommendations of the CIL viability study are noted; that the charging schedule rates and zones map of the PDCS are agreed; and the PDCS document is approved for a statutory consultation exercise required under the CIL Regulations 2010 (as amended) for an eight week consultation period. It is considered that the proposed rates strike the right balance between securing additional infrastructure investment to support development and development viability in terms of overall delivery of the City Plan, in compliance with national guidance. Amendments to the PDCS will be considered by this committee in response to relevant consultation responses as part of the next stage of CIL – the Draft Charging Schedule.

## **7. FINANCIAL & OTHER IMPLICATIONS:**

Financial Implications:

- 7.1 The staff time and consultation costs arising from the report recommendations will be met from existing revenue budgets within the City Development and Regeneration department.
- 7.2 Once a scheme is implemented, there will be ongoing costs connected with advising developers of their liability, collecting, monitoring, reporting and enforcing the scheme. An impact assessment by the Department for Communities and Local Government from 2011 estimated that the annual ongoing cost of the scheme to a local authority outside of London will be up to £0.076m.
- 7.3 CIL regulations allow charging authorities to use up to 5% of CIL receipts on expenses in connection with the initial set-up and ongoing operation of the CIL scheme. Consideration has therefore been given to the costs of administration in setting rates to maximise cost recovery.
- 7.4 The current forecast value of receipts the council may receive from the implementation of the CIL is £2 million per annum over the plan period to 2030. However income from S106 contributions will reduce as a consequence. It is anticipated that overall the income from CIL contributions will be at least the same as current S106 contributions.
- 7.5 CIL receipts will be a potentially important source of income for funding infrastructure in the City, however consideration has also been given to ensure that the charges are compatible with the aims and objectives of the council.

*Finance Officer Consulted: Gemma Jackson*

*Date: 25/08/17*

Legal Implications:

- 7.6 Regulation 15 of the Community Infrastructure Levy Regulations 2010 (as amended) provides that a charging authority proposing to issue, or revise, a charging schedule must prepare a preliminary draft charging schedule for consultation. As pointed out in the report, the legislation does not specify a time period for such consultation: however the proposed period of eight weeks would be reasonable.
- 7.7 Regulation 15 requires that adjoining local authorities and parish councils, residents and businesses within the charging authority's area must be consulted as well as such voluntary bodies and bodies representing business interests as the charging authority considers appropriate. The charging authority must take into account any representations made before it publishes its draft charging schedule.
- 7.8 It is not considered that the recommendation of the report raises any adverse human rights implications.

*Lawyer Consulted:*

*Hilary Woodward*

*Date: 04/08/17*

Equalities Implications:

- 7.9 An equalities impact assessment will need to be prepared alongside a CIL Charging Schedule. Income raised from CIL will go towards funding infrastructure necessary to support new development and communities.



#### Sustainability Implications:

- 7.10 Income raised from CIL will go towards funding infrastructure necessary to support new development and communities and should therefore have a positive impact in terms of sustainability incomes

#### Any Other Significant Implications:

7.11 Corporate / Citywide Implications

Implementation of CIL will help to deliver the policies and objectives of the City Plan and other agreed strategies in the city.

### **SUPPORTING DOCUMENTATION**

#### **Appendices:**

1. Preliminary Draft Charging Schedule, September 2017
2. Executive Summary of the Community Infrastructure Levy (CIL) Viability Study - Final Report 2017

#### **Documents in Members' Rooms**

1. Community Infrastructure Levy (CIL) Viability Study – Final Report 2017, DSP

#### **Background Documents**

1. City Plan Part One
2. Infrastructure Delivery Plan Update 2017, Annex 2 to the City Plan
3. Developer Contributions Technical Guidance 2017
4. Statement of Community Involvement 2015



# **Community Infrastructure Levy Preliminary Draft Charging Schedule Brighton & Hove City Council**

**September 2017**



**Views over the City of Brighton & Hove**

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## Consultation Details

The consultation on the Community Infrastructure Levy: Preliminary Draft Charging Schedule is the first stage in the preparation of a Community Infrastructure Levy for Brighton and Hove City Council. All responses will be considered prior to a Draft Charging Schedule being prepared for further consultation.

Comments on the Preliminary Draft Charging Schedule should be sent to the Council via:

Consultation Portal (*link provided to portal document when available*)

Email: [planning.projects@brighton-hove.gov.uk](mailto:planning.projects@brighton-hove.gov.uk)

Postal address: Policy, Projects and Heritage Team; Hove Town Hall, Norton Road BN3 3BQ

The Consultation period on the Preliminary Draft Charging Schedule runs between **TBC** (8 week period). Please note all comments will be made public.

For further information please visit the council webpage (*Link to be provided to page when available*)

## Responding to the Consultation

In responding to the consultation, the Council would in particular welcome comments and views on the following key issues and questions:

- 1) Given the viability assessment and the need to fund infrastructure for the city, are the proposed CIL rates set at a reasonable level, to enable developments to achieve viability?
- 2) Given the viability assessment's analysis of value areas are the proposed CIL zones set realistically, to enable residential developments to achieve viability within each zone?
- 3) Please give comments and views regarding the development contribution areas which are likely to form part of proposals for an associated scaling back of section 106 agreements upon introduction of CIL.

**Comments are also invited on any points raised by this consultation document, whether related to the above questions or not.**



## Relevant Legislation Context

This Preliminary Draft Charging Schedule (PDCS) is issued as the first formal stage in the preparation of a CIL Charging Schedule in accordance with Part 11 of the Planning Act 2008 (as amended by Part 6 of the Localism Act 2011) and the Community Infrastructure Levy Regulations 2010 (as amended by the Community Infrastructure Levy Amendment Regulations of 2011, 2012, 2013, 2014 and 2015). All Regulations referred to within this PDCS refer to those contained within these Community Infrastructure Levy Regulations 2010 (as amended) unless otherwise stated. Relevant matters within National Planning Policy Guidance and the National Planning Policy Framework 2012 have been reviewed in the drafting and content of this PDCS.

The Planning Act 2008, the Localism Act 2011 and the Community Infrastructure Levy Regulations can be accessed via the following website:

[Legislation.gov.uk](http://legislation.gov.uk)

National Planning Policy Guidance can be accessed via the following website:

[PPG Website](http://ppg.gov.uk)

National Planning Policy Framework 2012 can be accessed via the following website:

[NPPF Website](http://nppf.gov.uk)

## The Charging Authority and Charging Area

The Charging Authority and Collecting Authority is Brighton & Hove City Council.

The charging area covers the administrative area of Brighton and Hove City Council excluding the South Downs National Park area. The National Park Authority is the charging authority for its own CIL Charging Schedule implemented on 1st April 2017.



**Easterly views towards Marine Parade, Brighton**



# The Community Infrastructure Levy (CIL)

## CIL Overview

CIL allows local authorities to raise funds from development for the provision of infrastructure in and around their areas. A CIL charge is non-negotiable; however there are exemptions for some types of development such as Affordable Housing.

Once adopted, the CIL Charging Schedule will set out a standard rate (£ per sq. m) based on new Gross Internal Area (GIA) that will be payable by landowners or developers for specific development types within geographical locations as set out in the Charging Schedule. The money collected through CIL will be authorised by the Council to help pay for a range of infrastructure that will support growth and development within the city.

## Advantages of CIL

The Government's CIL regulations and guidance outlines a range of key advantages over the current system of Section 106 Agreements including that:

- It will be less time consuming, reduce the levels of negotiation with applicants and help speed up the planning system;
- It is a non-negotiable charge which is transparent and predictable, meaning that applicants will know their CIL liability prior to submitting a planning application;
- CIL provides a fairer system in that it relates contributions to the size of liable developments in respect of net new floor space provided by a development, and new residential dwellings;
- CIL collects contributions from a wider range of developments than under section 106, providing additional funding to allow local authorities to carry out a range of infrastructure projects that not only support growth but benefit the local community;
- Pooling restrictions from April 2015 allow a maximum of five S106 contributions towards an infrastructure project or a type of infrastructure; so limiting funds from S106 contributions to bring forward strategic infrastructure necessary to support new development. CIL allows a predictable, longer-term funding stream giving strategic infrastructure delivery more certainty.

## Parish and Neighbourhood Fund

Under CIL Regulations, Parish Council areas where development takes place which is liable to CIL charging will receive their own portion of CIL to spend on the infrastructure they have identified. In areas where there is no adopted neighbourhood development plan this will be 15%, capped at £100 per existing council taxed dwelling. Where a neighbourhood plan is in place the portion is an uncapped 25%. Neighbourhood forums work within the same parameters as Parish Councils, and will have an influence over how funds are spent in their area.



# The Evidence Base

When establishing a CIL Charging Schedule and CIL rates, a local authority must show that there's need for infrastructure funding to support its Local Development Plan. The local authority also has to demonstrate available sources of infrastructure funding are insufficient to meet all infrastructure needs over the life span of the local plan, and therefore a funding gap exists.

Therefore, a CIL charging schedule must be informed by available evidence, which includes:

- A bespoke viability assessment to test the likely impact of CIL rates on the viability of developments envisaged by the Local Development Plan;
- An infrastructure delivery plan to demonstrate broad needs and a funding gap; and
- The Local Development Plan

The above documents can be accessed via this council webpage (*Link to be provided to page when available*), and are briefly set out below.

## CIL Viability Study towards a Charging Schedule

Under Regulation 14 (as amended) the Council is required to 'strike an appropriate balance between' the desirability of funding infrastructure from the levy and 'the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area'.

A bespoke CIL Viability Study has been carried out for the purposes of exploring a CIL Charging Schedule for Brighton & Hove City Council by Dixon Searle Partnership between the dates Jan – August 2017, and this is considered to be an appropriate evidence base to underpin the rates and geographical areas being consulted upon within this PDCS.

## Infrastructure Provision under CIL

A list of infrastructure that may be funded by CIL will be drawn from items within the Infrastructure Development Plan (IDP) update agreed by Tourism, Development & Culture Committee on 22 June 2017 as Annex 2 to the City Plan Part One; to conform to CIL Regulation 123 (as amended). This agreed IDP update identifies in its summary that it is 'also an evolving part of the evidence base for an emerging Community Infrastructure Levy (CIL) Charging Schedule and Regulation 123 list'. The June 2017 IDP update is based upon the IDP tested as part of the process to adopt City Plan Part One. This update is considered to be suitable for use as appropriate available evidence at this preliminary draft stage as recommended by CIL planning practice guidance.

The Regulation 123 list will identify specific infrastructure of strategic importance for this funding and will be prepared to support the CIL Draft Charging Schedule at consultation and through an examination in public. The list will evidence a funding gap in the provision of infrastructure and justify the collection of CIL.

## Local Development Plan

The Local Development Plan for Brighton and Hove consists of the Brighton & Hove City Plan Part One 2016, retained policies of the Brighton & Hove Local Plan 2005, the East Sussex,

South Downs and Brighton and Hove Waste & Minerals Plan (adopted 2013) and the East Sussex, South Downs and Brighton and Hove Waste & Minerals Sites Plan (adopted 2017).

## Proposed Charging Schedule

The proposed CIL charging rates below are within the scope of the Viability Assessment's guide parameters and findings; and it is considered that these rates will not impede the delivery of the overall Brighton and Hove Local Development Plan.

Use	Location	Levy (£/sq. m)
<b>Residential - applies to C3 and C2 use classes</b>  Zone areas are shown on Map in Appendix 1	<b>Zone 1</b>	<b>175</b>
	<b>Zone 2</b>	<b>150</b>
	<b>Zone 3</b>	<b>75</b>
<b>Purpose Built Student Housing - City Wide</b>	<b>City Wide</b>	<b>250</b>
<b>Retail – Larger format – Retail warehousing / Supermarkets</b>	<b>City Wide</b>	<b>100</b>
<b>Other shopping units development</b>	<b>City Wide</b>	<b>50</b>
<b>All other development uses</b>	<b>City Wide</b>	<b>0</b>

*Notes: Retail – Larger format:*

*Retail warehouses are large stores specialising in the sale of household goods (such as carpets, furniture and electrical goods), DIY items and other ranges of goods, catering for mainly car-borne customers.*

*Superstores/supermarkets are shopping destinations in their own right where weekly food shopping needs are met and which can also include non-food floorspace as part of the overall mix of the unit.*

## Section 106 Planning Obligations

Once the CIL charging schedule is adopted, developers or land owners will still be expected to provide site-specific infrastructure which is:

- necessary to make the development acceptable in planning terms
- directly related to the development
- fairly and reasonably related in scale and kind to the development

through a section 106 (s106) obligation under CIL Regulation 122 (as amended). No items on the Regulation 123 infrastructure list (see above) will be eligible for s106 contributions to avoid 'double dipping'. In order to provide clarity about the extent of the financial burden that developments will be expected to bear so that viability can be robustly assessed, the list below contains areas for development contributions which are likely to form part of a proposed policy for the associated scaling back of s106 agreements at this stage:

Current areas of s106 contributions proposed to be turned off on introduction of CIL:

- Off-site Recreation space contributions;
- Off-site Education provision contributions;
- Off-site Sustainable Transport contributions.

Current areas of s106 contributions proposed to remain secured via s106 on introduction of CIL for on-site provision include:

- Affordable Housing - on site provision or commuted sum in lieu;
- On-site recreation/sports facilities and/or space provision;
- On-site schools/education land and/or building provision;
- On-site transport access and highways works provision under s278 and/ or s38 of the Highways Act 1980;
- On-site Local Employment training/job opportunities provision with supporting financial contribution;
- On-site public realm provision including artistic element;
- Development related flood defenses and coastal engineering;
- Development related water supply & utilities provision, & wastewater drainage;
- Zero rated (£0 per sq. m) developments where site specific mitigation measures may be required.

The methodologies used to calculate the remaining s106 contribution areas are proposed to continue as set out in the updated Developer Contribution Technical Guidance (March 2017).

For further information on the March 2017 Developer Contribution Technical Guidance, please go to our [Developer Contributions webpage](#) .



## Next Steps

### Indicative Timetable for development & adoption of a CIL Charging Schedule

Date	Key Stage
Oct 2017	Publish Preliminary Draft Charging Schedule for eight week consultation following Committee resolution
Spring 2018	Following committee resolution, publish for consultation: <ul style="list-style-type: none"><li>• Draft Charging Schedule (revised following PDCS consultation);</li><li>• Proposed draft annex update to Developer Contributions Technical Guidance intended to operate alongside a CIL Charging Schedule; and</li><li>• Draft CIL Regulation 123 List to identify infrastructure eligible for CIL spending</li></ul>
Autumn 2018	Examination of Draft Charging Schedule and supporting documents
Spring 2019	Adopt CIL charging Schedule following a resolution of Full Council

## Instalment Policy and when CIL is Payable

Liability to pay CIL is triggered by commencement of the development. By default it must be paid within 60 days, but for schemes with phased outline permission payment will be triggered separately for each phase.

In addition and in accordance with Regulation 69B of the CIL Regulations (as amended), a charging authority can set its own policy allowing all large liabilities to be paid by instalments. To implement this, a Council would be required to publish an instalment policy on its website. Such a policy would not be part of the charging schedule and could be changed independently of it. An instalment policy would apply to all developments and should contain the following:

- The date on which the policy takes effect
- The number of instalment payments;
- The amount or proportion of CIL payable in any instalment;
- The time from commencement by which the first and subsequent instalments must be paid;
- Any minimum amount of CIL below which CIL may not be paid by instalment.

The Council intends to consider the appropriateness of introducing an instalment policy prior to the adoption of its charging schedule.

## Discretionary Charitable Relief Policy

In accordance with Regulations 44 to 48 of the CIL Regulations (2010) (as amended), a charging authority can offer discretionary charitable relief for development proposals owned by charities, if they meet the qualifying criteria as set out in the CIL Regulations.

The Council intends to consider the appropriateness of introducing a discretionary charitable relief policy prior to the adoption of its charging schedule.

## Payment in Kind Policy

In accordance with Regulations 73 (A & B) and 74, CIL Regulations give a charging authority the discretion to accept payments in kind to allow land payments or infrastructure delivery (on or off site) 'in kind' for the whole or part of CIL, in respect of chargeable development.

The Council intends to consider the appropriateness of introducing a discretionary payment in kind policy prior to the adoption of its charging schedule.

## CIL Income Estimates and Use

This is an estimated, indicative income for residential development, based on the projected growth and approximate timing of delivery outlined by the Local Development Plan, along with the residential CIL rates and zones proposed by the PDCS.

It is currently estimated for the purposes of this PDCS that in the region of £2 million per annum could be generated from CIL income over the plan period to 2030. This is based on housing delivery as identified within policy CP1 of City Plan Part One is achieved over the plan period.

The amount available to the Council to fund infrastructure will however, be reduced due to the need to net off an administration cost of up to 5%, and allocate neighbourhood funds to Rottingdean Parish Council under the criteria specified above.

Revenues from CIL are therefore not expected to bridge the long term funding gap which will be demonstrated through the IDP by the time of examination.

## CIL and Existing Planning Permissions

Developments which receive planning consent and have concluded section 106 agreements prior to the commencement date of a CIL Charging Schedule, will not be liable to CIL.

Where a planning permission granted before a levy charge came into force is then subject to amendment under s73 (minor material amendment) of the Planning Act 1990 (as amended)



after the commencement date of a CIL charging schedule, then only any additional liability it introduces will be subject to CIL.

## Monitoring and Review

So as to ensure an appropriate CIL rate that allows for changing market and other influences on development viability and deliverability, the Council will put in place an appropriate monitoring and review framework that consists of:

- Reporting of the level of housing market activity and development in the Council's Authority Monitoring Report (AMR).
- Tracking of funding coming forward to meet infrastructure from CIL and other sources.
- The amount of CIL collected since the adoption and commencement dates of a CIL charging schedule; how it has been allocated; and the infrastructure projects part, or wholly supported through CIL.
- A continuation of existing s106 monitoring systems.

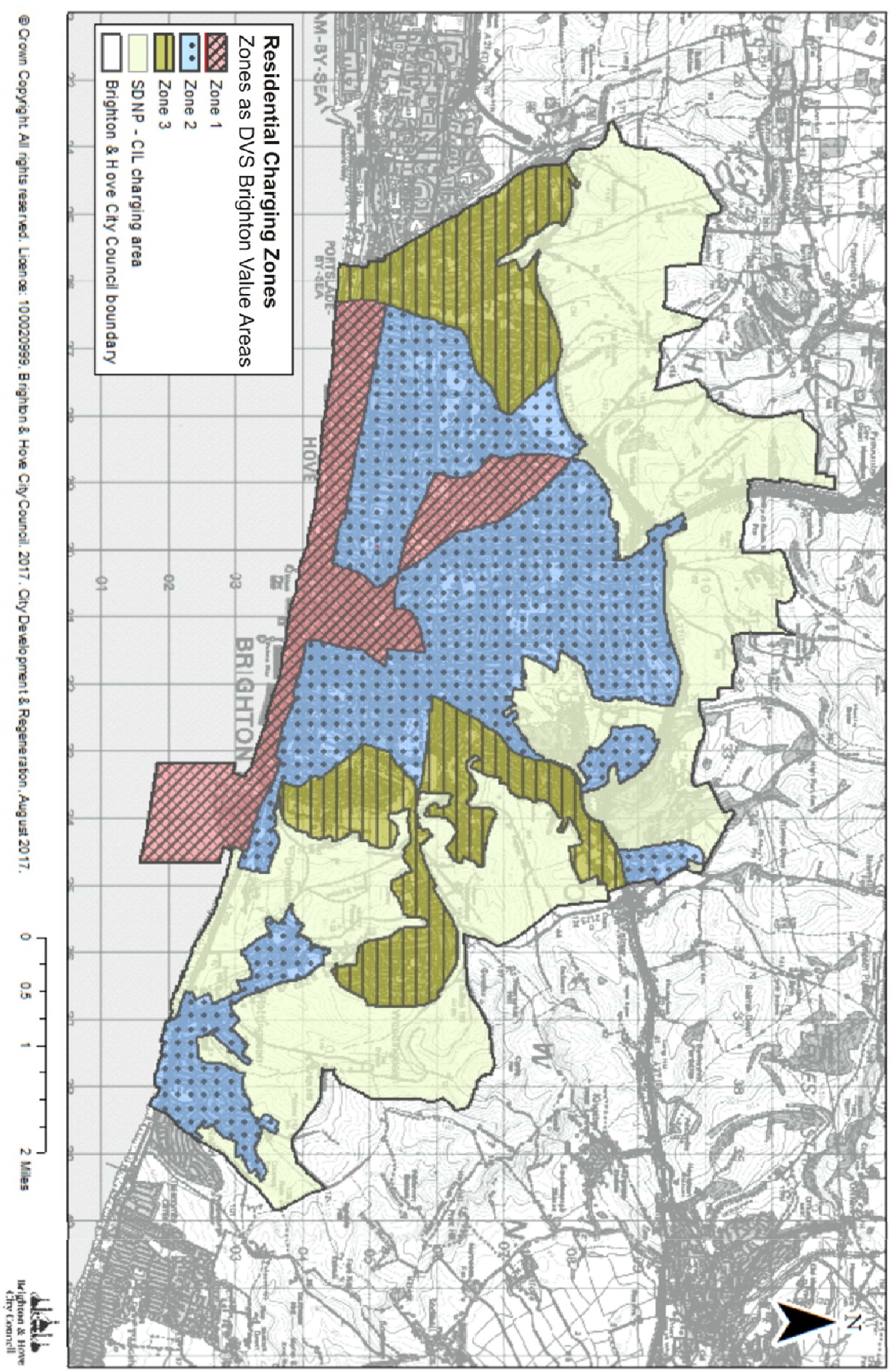
CIL Regulations allow adopted CIL rates to be updated annually for inflation, based on the Building Cost Information Service (BCIS) all tender prices index.

It is also anticipated that the CIL charging schedule and its rates will be reviewed within a 3 to 5 year time period, from its adoption date, or at an earlier date if changing market conditions support this.



**Hove Railway Station, looking west**

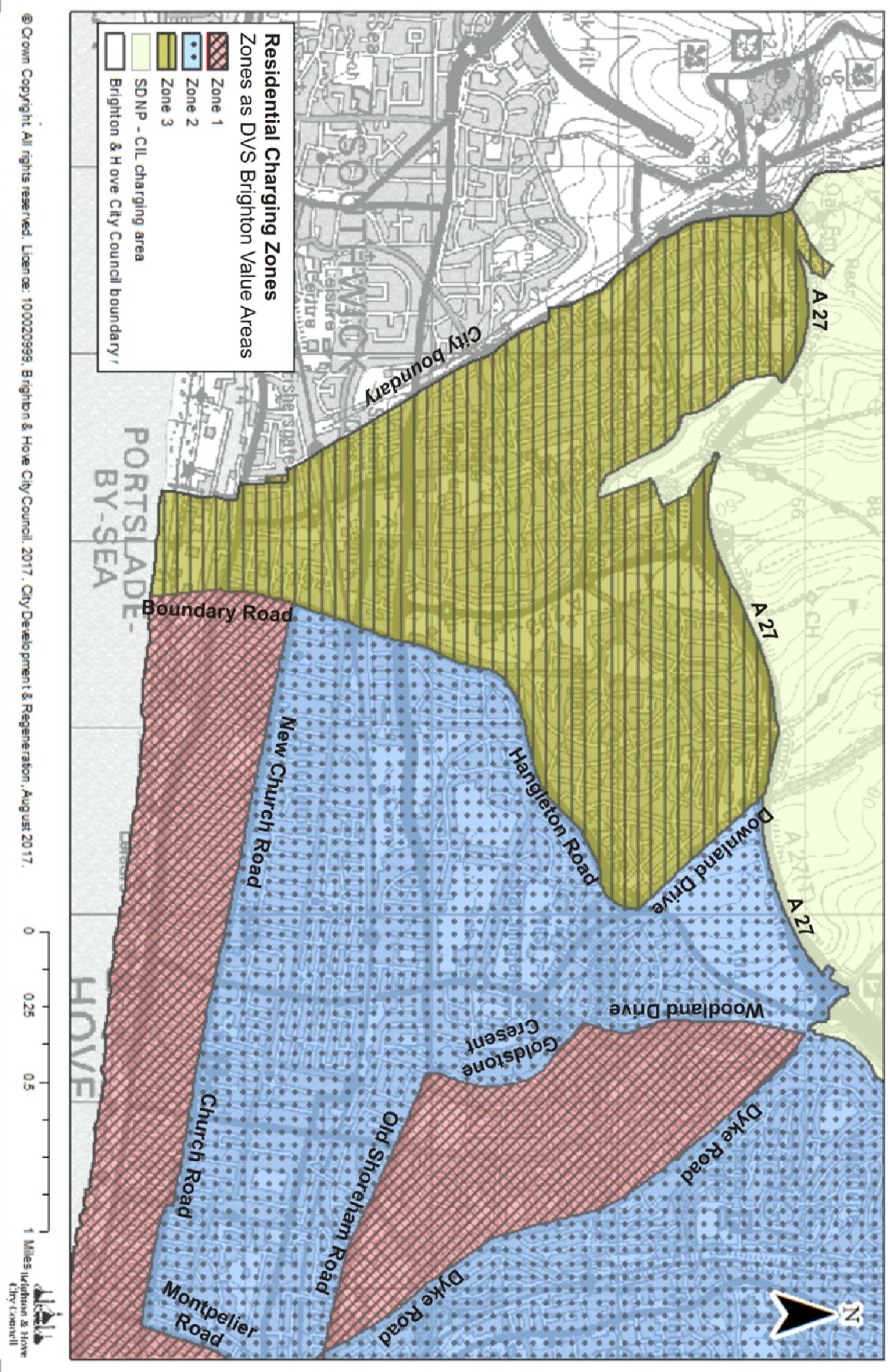
## Appendix 1 Community Infrastructure Levy - Preliminary Draft Charging Schedule map



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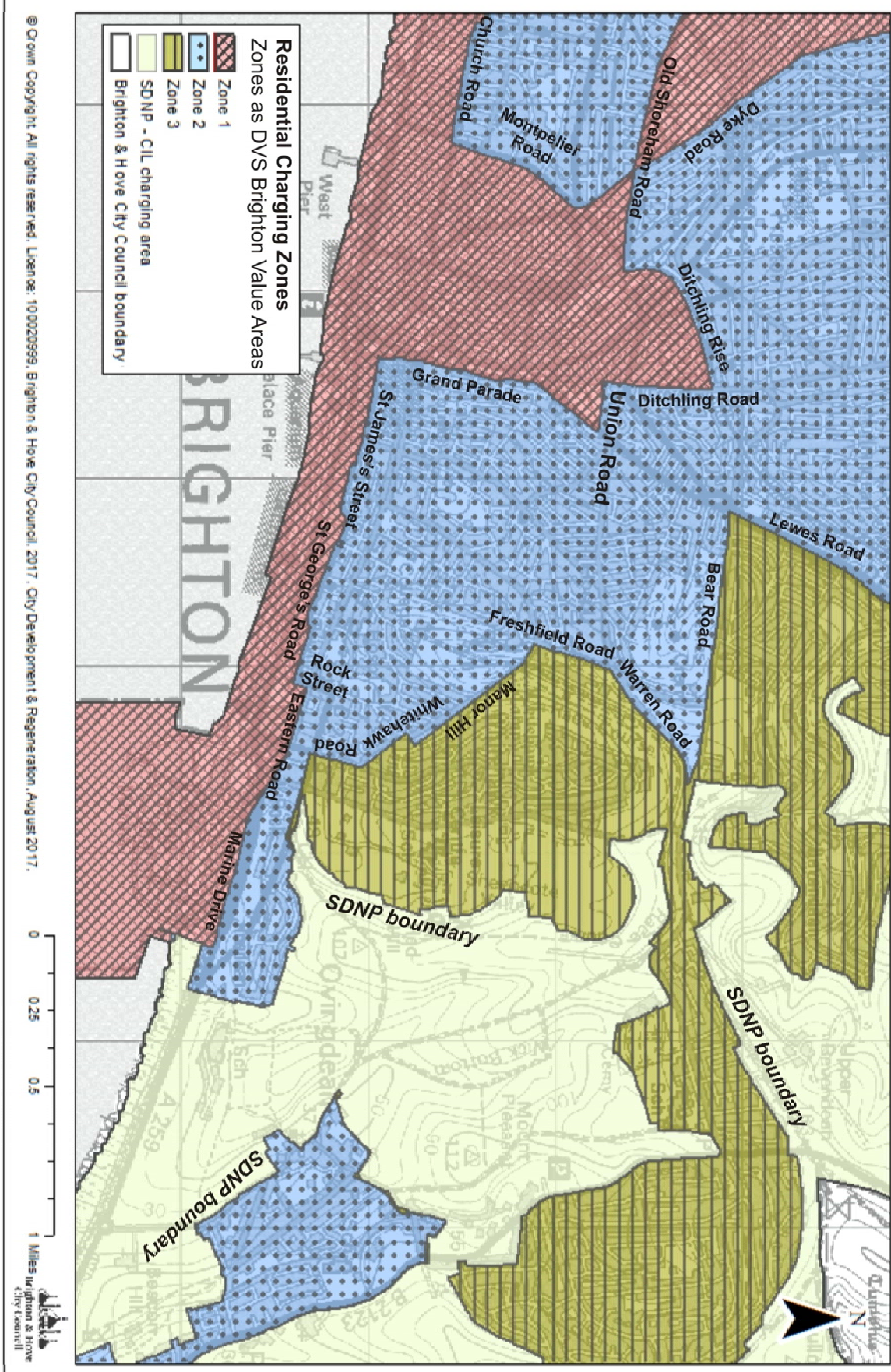


# Appendix 1 Community Infrastructure Levy - Preliminary Draft Charging Schedule map Detail No. 1: City West





# Appendix 1 Community Infrastructure Levy - Preliminary Draft Charging Schedule map Detail No. 2: City East



## **Appendix 2**

### **Executive Summary of Community Infrastructure Levy (CIL) Viability Study**

**Dixon Searle Partnership**

**Final Report**

**August 2017**

## Executive Summary

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### CIL background

1. The putting in place of a Community Infrastructure Levy (CIL) is optional. Currently, a local planning authority can decide whether or not it will set up a CIL; i.e. whether or not to become a charging authority.
2. A CIL is specifically linked to an up to date local development plan (LDP), such as is in place in the case of Brighton & Hove City Council (B&H CC). The LDP in this case comprises the Brighton & Hove City Plan Part One (adopted in 2016) and the Brighton & Hove Local Plan 2005 (retained policies March 2016), together with associated Waste & Minerals planning documents.
3. A CIL does not fund any backlog of infrastructure needs but specifically supports the LDP through securing contributions towards new infrastructure associated with the planned new housing and other development. The type or types of infrastructure that a CIL will support is not prescribed by the Regulations; its scope and rates are set locally. This may include provision for education, roads and transport, health, public protection/emergency services, community facilities and amenities. The scope may include a range of such provision or be narrower and focus on particular priorities to support the LDP. In any event the charging authority must set out what it will spend the CIL receipts on, known as the 'Regulation 123 List'.
4. The content of the R123 List must not overlap with any continued collection of contributions or requirements to carry out works under the established mechanism of section 106. However, the use of s.106 alongside CIL will continue to some degree in most areas, with s.106 often supporting some site-specific requirements (where a development could not proceed without those).
5. However, with a CIL in place, the use of s.106 will be significantly scaled-back. The use of s.106 for pooled contributions for infrastructure is currently greatly restricted, although at present s.106 also remains the key mechanism for securing planning policy required affordable housing. This will continue and a CIL has to be set up to allow also for those and all other policy requirements that have a development cost impact.



providing clear financial scope to support the charges, which are made at fixed (non-negotiable) rates set by the charging authority. The viability of development varies by use type, location and scale of development, all matters considered by this assessment commissioned by B&HCC to inform and support the progression of its CIL proposals. Typically, residential development together with some limited forms of commercial / non-residential development support CIL charging in viability terms.

7. The viability assessment reviews and advises on the charging scope locally, including in respect of any necessary differentiation (variance) in the recommended charging rates related to the varying characteristics of development within the charging authority's area, and relevant to the LDP overall.
8. Although the CIL charging rates and related development types together with any differentiation and / or zoning are set out locally (within the Council's 'Charging Schedule'), the basis for the charging is prescribed through the regulations. The charge is levied per square metre (sq. m) of new development exceeding 100 sq. m in floor area, but including new dwellings of any size. However, existing floor space on a site being redeveloped may not be liable for the CIL, depending on its occupation status. There are also a number of set exemptions that are universally applicable through the regulations too, so that affordable housing, development by charities, self-build housing and domestic extensions are not charged.
9. Whilst the Council cannot vary these regulatory matters, informed by the viability and other evidence, in its Local Plan (HDPF) context, it decides which types of other development should be charged and at what rate(s). To recap, this means the Council considering the LDP relevance of and the viability of various forms of and locations for development in its area, given the local characteristics. Any differentials within its charging set-up (varied rates) should be based on viability evidence. Although it is not necessary for a prospective charging authority to follow exactly the viability assessment, it should be able to show how the assessment has informed its selected approach.
10. The CIL charging rates must not be set to the margins of viability, especially given that once implemented the rates will be fixed and impact alongside all other development costs and requirements. This involves appropriate assumptions setting, for the purpose, within the viability assessment; and often the use of a "buffer" factor to pull-back the rates from the potential maximum levels that may look achievable.

11. The authority will also need to show how it considers that an appropriate balance has been struck between the infrastructure needs and the viability of development, overall. So, together with evidence on viability, the CIL proposals are also dependent on evidence of infrastructure needs, with the CIL aimed usually and realistically to respond to a portion of the overall requirements; based on an identified funding gap.

### **Viability and Assessment Review**

12. To provide the viability information and evidence associated with this, B&H CC sought advice from experienced viability consultants Dixon Searle Partnership (DSP) - in connection with the scope and level of proposed CIL charges for the City area. DSP has a strong track record of involvement with CIL viability from inception to examination stages, as well as long standing experience in other strategic level and site-specific viability assessment.
13. Viability assessment is a key part of the planning policy development process, as set out in the National Planning Policy Framework (the key source of the requirement to consider viability) and the Government's Planning Practice Guidance (PPG) on-line resource. The PPG is now also the source of the national guidance on the CIL.
14. Under the CIL principles it is accepted that not all individual developments will necessarily be viable. However, the CIL charging should be set at levels where development across the area – i.e. the delivery of the LDP as a whole – is not placed at undue risk through the collective costs of policies and obligations (including CIL payments) being too high.

### **Assessment principles**

15. This assessment (the subject of this report – with full details within the main report body and Appendices) uses residual valuation principles. This is an established and common approach, consistent with all other Local Plan and CIL viability assessments by DSP; and also with the earlier LDP related viability work, together with most other similar studies.
16. This is all about the strength of the relationship between the development values and costs across a range of scenarios - based on appropriate available information and researched assumptions.

17. The methodology revolves around an appraisal structure that deducts all development costs (including build costs, finance, professional fees, sales costs, B&H CC LDP policy costs, etc.) from the estimated completed development (sales) value (i.e. the gross development value or 'GDV') so that we can explore whether there is a viability scope to support a CIL charge; and, if so, guide on the level(s) for it or parameters (range) within which it could be set, with respect to the viability testing. This is considered by reviewing whether a surplus exists for CIL, and if so how much, after realistic land value and developer's profit expectations have been taken into account too. Sufficient profit and land value are key ingredients of the market-led process of development, as the national policy and guidance outlines, and other guidance such as by the Royal Institution of Chartered Surveyors (RICS) also puts forward.
18. We test the potential capacity for CIL charging by starting with a nil (£0/sq. m) CIL scenario and then adding in and increasing the charge in small steps. The residual land value (RLV) outputs from the appraisal scenarios are seen to reduce as the CIL 'trial rates' increase.
19. A large number of appraisals (several thousand all together) are run, so that these effects can be considered across an appropriate range of development scenario types and new-build property sales values – all representative of the variety of development expected to come forward through the LDP here. For this strategic overview suitable for CIL informing purposes, however, it is not necessary or appropriate to appraise and review all conceivable development types and variations.

### **Findings & Recommendations**

20. Residential property values, the key driver of viability, are high across the City area. There is variation between localities, however, as is usually the case.
21. Following the review of available information and our independent assessment, we concluded that the mapped zones (value areas) used by the District Valuer Services (DVS) to form the basis of the Council's affordable housing financial contributions guidance should be followed for the purposes of a zoned approach to the CIL charging for residential development in our view. This would provide a clear basis, consistent with established practice, and respecting appropriately the viability differentials likely to be seen in moving between the typically highest value areas (Zone 1), through mid-value

areas (Zone 2) to the typically lower value areas (zone 3). The full report text includes the detail and mapping extract illustrating these.

22. Overall, for residential development, our findings for residential development are that the suitable parameters for CIL charging, overall lie in the range say £75 to £250/sq. m. The overview table below, taken from the final section of the full report text, sets out the suggested Zoning.
23. The parameters put forward for the charging rates in all cases allow for an explicit “buffer” factor of approximately 50% from our assessed maximum potential charging rate, although we note also that the maximum theoretical rates (before the halving for buffering) could in fact be higher in many cases than our starting point indications. This significantly buffered approach has been taken here, working further back from the prudently assessed starting indications (maximum potential rates), because the local development characteristics rely heavily on previously developed land (PFL – i.e. “brownfield”) where a range of existing uses and associated site values together with development / cost implications will often be relevant to take account of. As the assessment results show, in many cases it appears that in fact the charging rates scope could be significantly higher.
24. Together with the key findings for the viability assessed CIL charging rates scope for other forms of development, our overview is set out in the table below.

## CIL charging rates parameters - Recommendations Summary

Devt. Use Type / Location / comments		CIL rate (£/sq. m) scope	Comments – any alternative options?
<b>RESIDENTIAL</b>  A differential approach put forward for consideration – for consistency and clarity.  Based on following or broadly reflecting the DVS sourced existing values areas (as used by B&H CC in affordable housing financial contributions calculations). See 2.5.8 (Figure 6) above.  Above applies to C3 and C2 uses  Applies also to purpose-built students' housing	<b>Zone 1 (Red)</b> – Typically highest property values.	<b>175 - 250</b>	Scope to consider in context of site supply and wider evidence in all respects.  Information has also been provided on how both these and potential 'LIT' rates look and compare as %s GDV.  Considered overall that a “one size fits all” (i.e. simple City-wide) approach would probably not respond to all variety and could need to be set at too a low a level overall.
	<b>Zone 2 (Blue)</b> – Area exhibiting mid-range values.	<b>150 - 200</b>	
	<b>Zone 3 (Green)</b> – Typically lowest property values.	<b>75 - 125</b>	
<b>RESIDENTIAL – Larger scale comprehensive development</b>	Aligned to general residential	<b>As per other C3/C2 as above – e.g. 75 – 175 if applying lower parameters within above overall range</b>	Currently no clear viability differential overall – no justification apparent for significant differentiation
<b>RETAIL</b>			Single retail rate not exceeding viability scope for smaller/other retail (@ £50 – 75/sq. m) considered a suitable approach in B&H context.  Alternatively, differential rates within parameters as indicated here could be justified on viability grounds depending on LDP relevance and other factors.
<b>Larger format – Retail warehousing / Supermarkets</b>	City-wide	<b>100 - 150</b>	
<b>Other shopping units development</b>	City-wide	<b>50 - 75</b>	
<b>ALL OTHER DEVELOPMENT USES</b>	City-wide, at the current time	<b>£nil (£0/sq. m) but as with all other aspects, monitor to inform potential review over a relatively short timescale to renewed (2<sup>nd</sup>) charging schedule.</b>	

25. Recommended nil-rating in some cases / circumstances does not mean that developments of these types will not come forward or will consistently be undeliverable. Experience in practice shows that land owners and developers may be able to take particular decisions, reduce scheme costs or compromise in other ways (relative to our assumptions set for the assessment purpose) in order to progress developments. Whilst delivering some types of commercial floorspace will often remain relatively challenging with the still mixed economic backdrop, setting a nil-CIL is not a tool to aid economic development. However, the approach is the most that a charging authority can do in CIL terms, in recognition of what is at best going to continue to be a mixed viability picture for development types and schemes.

### **CIL review**

26. Finally, it is important to recognise that inevitably a CIL Charging Schedule will have a short lifespan relative to a LDP.
27. Currently there are no set criteria on review, but from emerging experience it is likely that Charging Authorities will review and potentially amend their Schedules at between say 2 to 4 years from inception (a rough guide only).
28. Rather than review at fixed points, monitoring will be necessary and it is envisaged that a range of factors including the LDP delivery progress, economic climate and property market, development costs, national policy positions, relationship with s.106 and the like would all need to be considered as a part of taking a further updated look at the context for CIL and at viability; one again to inform decisions about the setting of any revised Charging rates or amended forms of development / locations relevant to the local CIL regime.
29. DSP will be happy to assist B&H CC with any enquiries or further information required on any of these or other aspects, as further progress is made with its CIL.

Executive Summary Ends

Main report follows

Final Report August 2017

DSP ref. 16472



<b>Subject:</b>	<b>HMO Enforcement Update</b>		
<b>Date of Meeting:</b>	<b>21 September 2017</b>		
<b>Report of:</b>	<b>Nick Hibberd</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Nicola Hurley</b>	<b>Tel: 01273 292114</b>
	<b>Email:</b>	<b>nicola.hurley@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 In response to a request from Councillor Hill at the 9 March 2017 Economic Development & Culture Committee it was agreed to bring a progress report on HMO (Houses in Multiple Occupation) enforcement investigations back to Committee. This report gives the current position on those investigations.

**2. RECOMMENDATIONS:**

- 2.1 That Members note the contents of this report

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 The Planning Enforcement Team investigated a high number of complaints across the city covering all aspects of development and has resolved a significant number of breaches of planning regulations during 2016 – 2017. 820 new cases were received and 604 cases were closed. Both of these figures represent a significant increase on previous years and this can be attributed in part to the significant increase in reports of unauthorised HMOs in the city.
- 3.2 In respect of HMO investigations, the position at the date of Councillor Hill's request, and as reported to the Planning Committee in July, was that there were 98 live HMO enforcement cases of which approximately 47 were awaiting planning applications to be decided; 12 enforcement notices had been issued of which 7 were in the appeal process. Four of the 12 notices issued since October 2016 had been as a consequence of an application being refused.
- 3.3 For 2016-2017, there were 192 new complaints raised relating to HMOs. These include complaints from residents, Councillors and referrals from other Council departments. This compared to 72 the previous year.
- 3.4 In the first quarter of the 2017 – 2018 financial year there have been 30 new HMO cases raised. The current total of open HMO cases is 109. In the same period 29 HMO cases have been closed. There have been 12 Enforcement Notices served to cease use as an HMO and 1 successful prosecution (£3,000 fine with costs).

- 3.5 The team, through the investigations to date, have concluded that a high proportion of reported cases are not unauthorised and were established HMOs prior to the Article 4 taking effect in April 2013. For those cases where there is an unauthorised use, the serving of a notice has been largely successful in ceasing the unauthorised use.

#### **4. THE YEAR AHEAD**

- 4.1 The year ahead remains challenging for the Planning Enforcement Team, with continued pressure on the service in terms of caseloads and unauthorised HMOs within the city. An additional officer has been resourced for the duration of this financial year which will continue to help significantly and allow 1 FTE to focus solely on HMO complaints. In addition, efficiencies have been found in the enforcement service through following the migration to the Uniform database in 2016. The team are continuing to explore further options for streamlining the progression of cases including through the improved use of Uniform. Meetings are also scheduled to review how collaboration between Private Sector Housing and the Enforcement Team can continue to improve and ensure more efficient working. In addition, the team are exploring protocols and procedures in respect of HMO enforcement notices and prosecution with Legal Services.
- 4.2 Reports of new HMOs in the Article 4 area will continue to be treated as a high priority.
- 4.3 The Planning Enforcement Team also undertaking a new area of work to assess a the long list of large HMOs outside the Article 4 zone (over 350) in terms of whether enforcement action should be taken..
- 4.4 With the first wave of Notices expiring without compliance, the team are working closely with Legal Services to establish the most efficient way to gather evidence required for a successful prosecution and members of the team have recently had training to assist with this.
- 4.5 The Development Management Team (including Enforcement and the Applications Team) continues to monitor appeal decisions for both applications and enforcement appeals and respond accordingly with approaches/statements and training for staff

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 None required on the report. Residents are consulted on individual planning applications.

#### **6. CONCLUSION**

- 6.1 Over the last year there has been significant progress in investigating and enforcing against unauthorised HMOs. Though HMO investigations continue to challenge the overall work levels of the team, the extra resource within the team (equivalent to one full time planning officer) has allowed the team to continue to prioritise HMO work alongside the other enforcement work.

## 7. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

- 7.1 The cost of for the additional enforcement officer for this financial year will be met from the agreed carry forward of £0.047m from 2016/17 for the Development Management Service. This was approved at Policy, Resources and Growth Committee on 4<sup>th</sup> May 2017 as part of the Targeted Budget Management Outturn 2106/17 report. The cost of the additional officer support will be monitored and reported as part of the Targeted Budget Management process during 2017/18. Successful prosecutions from Enforcement Notices may result in the recovery of costs.

*Finance Officer Consulted: Rob Allen*

*Date: 17/08/17*

### 7.2 Legal Implications:

A planning application is not always needed for a change of use from what could be termed a family dwellinghouse to use as a “small HMO”, namely a HMO for up to six residents. This is because such a change of use, from a Town and Country Planning (Use Classes) Order 1987 Class C3 dwellinghouse to a Class C4 HMO, would be “permitted development” under legislation introduced in 2010 and currently found in Schedule 2 Part 3 Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015. However, a local planning authority may withdraw such permitted development rights by way of an “Article 4 Direction” and the Council has done so by way of an Article 4 Direction covering certain wards within the city. The Article 4 Direction came into effect on 5 April 2013 and so any C3 to C4 changes of use following that date within the affected wards will require planning permission. Changes of use from Class C3 to “sui generis” HMOs (HMOs with more than six residents) are not permitted development and so will always require a planning application to be made.

There is a right of appeal to the Secretary of State should planning permission be refused, or an enforcement notice issued, and the appeal will be determined by a planning inspector. Failure to comply with an enforcement notice is an offence.

It is not considered that any adverse human rights implications arise from the recommendation of the report.

*Lawyer consulted: Hilary Woodward Date: 14/8/17*

### Equalities Implications:

- 7.2 None associated with this report

### Sustainability Implications:

- 7.3 None associated with this report

### Any Other Significant Implications:

- 7.4 None associated with this report



<b>Subject:</b>	<b>Houses in Multiple Occupation – Response to matters raised at full Council</b>		
<b>Date of Meeting:</b>	<b>21 September 2017</b>		
<b>Report of:</b>	<b>Executive Director - Economy Environment &amp; Culture</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Steve Tremlett</b>	<b>Tel: 01273 29(2108)</b>
	<b>Email:</b>	<b>Steve.tremlett@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 This report considers the matters raised at full Council on 20 October 2016 following the submission of a petition on behalf of 'Family Homes Not HMOs, namely that:
- i. The City Plan Part One be reviewed to increase the area of restriction from 50 metres to 150 metres where applications for conversion to HMOs will be rejected if more than 5% of current dwellings are already HMOs;
  - ii. Consideration be given to the extension of the current Article 4 Direction area and options to further extend the licensing of private rented housing; and;
  - iii. Consideration be given as to whether to better align the Planning and Licensing functions in relation to HMOs and learn from other university towns as to more effective management of student HMOs and to request a report on this matter to its next meeting.

**2. RECOMMENDATIONS:**

- 2.1 That the Committee note the contents of this report as a response to the matters previously raised, as set out in paragraph 1.1 above, in particular:
- 2.2 That City Plan Part One is not reviewed and that consequently the radius and % threshold relating to assessments of HMO concentration set out in Policy CP21 are not altered.
- 2.3 That the Committee support the inclusion of additional criteria (as described in paragraph 3.14 of this report) in a draft HMO policy in the Draft City Plan Part Two, due to go out to public consultation in summer 2018.
- 2.4 That the process to seek an extension of the Article 4 Direction area is not commenced at the current time, but the situation be closely monitored.

### **3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 At full Council on 20 October 2016 a petition on behalf of 'Family Homes Not HMOs' regarding the concentrations of HMOs in Bevendean and Moulsecoomb was debated. Council resolved to note the petition and referred it to Economic Development & Culture Committee (EDC) for consideration, with a specific request to consider the three matters set out in paragraph 1.1 above. At EDC on 17 November 2016 the Committee resolved to request an Officer report be brought to a future meeting specifically to consider the matters in question.
- 3.2 This report was first presented to Economic Development & Culture Committee in March 2017, but was deferred to a future meeting to allow revisions to be made. In particular, members wished to be able to further consider potential future planning policy approaches to the issue of proliferation of Houses in Multiple Occupation (HMOs). All members of the Committee were invited to meet with officers to discuss possible options in this regard. The report has been amended to add a further recommendation and the recommendations are now presented for consideration.

#### **City Plan Part One Policy**

- 3.3 As set out in Policy CP21 of the City Plan Part One, the current threshold used in considering planning applications for new build HMOs, or a change of use to HMO, is that they will not be permitted where more than 10% of dwellings within a radius of 50 metres of the application site are already in HMO use.
- 3.4 The policy is being used to determine planning applications. Applications that do not meet the criteria are normally refused. A map showing the locations of planning applications refused and approved for a change of use to HMO, or from a small HMO to a large HMO, over the period 1 January 2015 to 1 August 2017 and a map showing the locations is presented in Appendix 1. It can be seen that in the areas of the highest concentrations, for example around the lower ends of Coombe Road and The Avenue, there have been a number of unsuccessful applications in this period. There is also anecdotal evidence that landlords are avoiding introducing new HMOs in areas where it is known that the concentrations are above the threshold. It should also be noted that permission is sometimes refused on the basis of impact on the area, even if the percentage is less than 10%, for example at 63 Park Road and 25 Wheatfield Way<sup>1</sup>.
- 3.5 Where unauthorised changes of use have occurred these are investigated by the planning enforcement team. The team currently has 109 outstanding cases relating to HMOs. Since the Article 4 Direction came into effect on 5 April 2013 the team has opened a total of 337 cases against alleged unauthorised HMOs resulting in the serving of 45 enforcement notices. Seven out of eight appeals against enforcement action have been dismissed during this period. In these cases the unauthorised use of the building as an HMO must cease.
- 3.6 In order to alter Policy CP21 a formal partial review of the City Plan Part One would need to be undertaken and this would need to go through the full statutory

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<sup>1</sup> A reason for refusal for applications at both these properties was impact on the amenity of neighbouring properties due to the increased activity, noise, disturbance and additional comings and goings resulting from a higher level of occupancy.



plan making processes. Such a review could be started at the latter end of the preparation of City Plan Part Two but would need to be subject to full statutory public consultation processes, before being submitted for independent examination by a Planning Inspector.

- 3.7 It should be noted that the City Plan Part One was subject to the same processes during its period of preparation and was subsequently submitted to the Secretary of State for independent examination by an appointed Planning Inspector. The thresholds for levels of concentration and distance were assessed by the Inspector against the tests of soundness set out in the National Planning Policy Framework (positively prepared, justified, effective and consistent with national policy) and were considered sound.
- 3.8 The threshold for refusing new HMOs in CP21 was intentionally set at what is considered a relatively high level to reflect the sensitivity of a large proportion of the residential areas in the 5 wards covered by the Article 4 Direction which are characterised by high density terraced housing. A benchmarking exercise of other Local Plans with HMO policies has been undertaken which shows that the percentage threshold used in Brighton & Hove (10% within 50m) is one of the most stringent (see appendix 2).
- 3.9 Whilst circumstances will differ in each area, the research undertaken indicates that no other planning authorities have set a threshold below 10%. This would appear to show that a threshold as low as 5% would be hard to justify as a level that causes significant harm to residential amenity. It would need to be demonstrated that a 5% concentration is the 'tipping point' where a locality becomes unbalanced and the negative impacts of HMO concentrations become apparent, and that the current 10% level is ineffective in preventing further deteriorations in residential amenity.
- 3.10 The Article 4 Direction and Policy CP21 are not intended to provide a cap on the total number of HMOs, rather the intention is to prevent further over-concentrations in areas that already have a proliferation by encouraging a more even spread. The evidence in Appendix 1 indicates the policy as currently worded is effective in preventing further proliferation of HMOs in areas of high concentrations. However it should be noted that planning policy cannot be applied retrospectively to reduce concentrations in areas with existing high levels of HMOs.
- 3.11 Extending the distance from the application property from 50m to 150m for the purposes of analysing the existing concentration of HMOs may be hard to justify. Properties at a greater distance away are less likely to be affected by any negative amenity impacts such as noise disturbance that could arise from the potential HMO.
- 3.12 There may also be unintended consequences of extending the radius of the area considered from 50m to 150m. Applications currently refused due to there being over 10% HMOs within 50m could fall below the 10% threshold as a consequence of extra properties being included in the assessment of a wider 150m radius area. For example, a larger radius could include a flatted development several streets away which are usually predominantly C3 residential units. This would make the grant of permission more likely even if the

HMO concentration within the immediate 50m radius is above the threshold. The opposite effect may also occur however, and the overall effect on the number of applications granted is likely to be neutral. To illustrate this a recent HMO approval and refusal decision have been re-examined with the application of a 150m radius and in neither case would the decision have been different (see Appendix 3).

- 3.13 To conclude, any changes to policy CP21 would need to be undertaken through a review of City Plan Part One. Turning to the suggested policy changes - the current concentration threshold set in Policy CP21 (at 10%) is the lowest has been allowed in a development plan (see Appendix 2). Therefore there are concerns that lowering the threshold to 5% would be difficult to justify and unlikely to meet the soundness tests in the National Planning Policy Framework. In terms of an extension of distance, this too would need to be justified and there are concerns that this may have the unintended consequence of allowing more HMOs. It is therefore recommended that City Plan Part One is not reviewed and that consequently the radius and % threshold in Policy CP21 is not changed.
- 3.14 However, consideration could be given to the introduction of additional criteria through a City Plan Part 2 policy. Appendix 2 shows that some other planning authorities restrict the change of use to HMO where this would result in a continuous frontage of three or more HMOs, or a non-HMO property being sandwiched between two HMOs. These measures could further reduce the negative impacts of HMOs at a micro level and could be included in a draft policy in City Plan Part Two which is scheduled to be published for public consultation in mid-2018. As with City Plan Part One and any review thereof, City Plan Part Two will be subject to independent examination by a Planning Inspector.

#### **Extension of Article 4 Direction**

- 3.15 Where a local planning authority wishes to remove rights to develop land permitted under the Town and Country Planning (General Permitted Development) (England) Order 2015 it can make an "Article 4 Direction" withdrawing those rights. In considering whether an Article 4 Direction should be made the legislation provides that a LPA must be satisfied that it is "expedient" that the development in question should not be carried out unless planning permission has been applied for and granted.
- 3.16 Guidance on the use of Article 4 directions is contained in the National Planning Practice Guidance. This states that the use of Article 4 directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area. The potential harm that the direction is intended to address should be clearly identified.
- 3.17 An Article 4 Direction must be justified for both its purpose and extent. In order to consider an extension to the existing Direction, considerable evidence gathering would need to be undertaken in order to demonstrate that ongoing use of the existing permitted development rights would cause demonstrable harm to the area proposed for the extension. Work undertaken by Private Sector Housing to inform decisions on the extension of licensing (see below) could form part of this. The Planning Authority would also need to take into account the important role of HMOs in providing a form of affordable accommodation for those on lower

incomes and the ability to adequately resource the management of an expanded area.

- 3.18 There are a number of policy areas that may need to be addressed through the introduction of an Article 4 Direction. These options will need to be carefully weighed up in the context of limited resources and in consultation with lead councillors. Given the need to demonstrate considerable evidence of the need to justify an extension, it is not considered that an extension to the HMO Article 4 area should be progressed at the present time. However, the situation will be closely monitored and work undertaken by Private Sector Housing to inform decisions on the extension of licensing (see below) can form part of this.

### **Alignment of Planning and Licensing Functions**

- 3.19 The HMO Licensing and Planning functions of the Council are governed by different legislative regimes, notably the Housing Act 2004 and the Town and Country Planning Act 1990 that must be complied with by anyone looking to operate an HMO. It is the responsibility of the owner of the property to ensure that both are complied with: the granting of a licence under the housing legislation does not confer permission under the planning legislation and vice versa.
- 3.20 Planning and Housing officers have a history of close collaborative working in relation to HMOs and their impact on communities. The first Student Housing Study was jointly commissioned and informed the initial Student Housing Strategy that provided the evidence base for the introduction of the additional HMO licensing scheme covering smaller HMOs in the Lewes Road wards and the Article 4 designation in the same area.
- 3.21 Evidence collated by the departments is shared, for example information held by Housing on licensed HMOs is being used by Planning to inform owners and agents of potential requirements for planning permission. Equally, when Housing receive licence applications they use planning application information to inform cases for referral to Planning for investigation. As part of the collaborative working, which includes regular meetings, data sharing and liaison over individual cases, Housing share information on all 3,000 licensed HMOs with Planning colleagues. In all licensing correspondence it is made clear that:
- Processing an HMO licence application and issuing a licence does not grant any planning consent that might be required for the property to be used as a house in multiple occupation;
  - License holders are advised that any extensions/external alterations may require formal planning permission
- 3.22 Planning and Housing have also worked in close liaison on commissioning further work which will form the evidence base for the recently commenced Student Housing Strategy refresh.
- 3.23 In November 2016 the Housing & New Homes (H&NH) Committee agreed to consult on proposals to extend discretionary licensing in Brighton & Hove. The proposals are to introduce additional licensing for smaller HMOs citywide and to

introduce selective licensing for other private rented homes in 12 wards in the city.

3.24 Consultation on the proposals closes on the 10 September 2017. Responses will be considered and a further report will be presented to H&NHC in November 2017 for members to decide whether to proceed with the schemes.

3.25 Consultation with other authorities in other university cities was undertaken as part of the process of implementing the Article 4 Direction, and the various policy approaches taken by other authorities to address the wider student housing and HMO issue are being examined as part of work on the City Plan Part Two. Consideration will also be given to means of establishing regular lines of communication with other similar authorities on this issue.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

4.1 The report sets out options for future planning policy approaches to the issue of HMOs.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

5.1 The report responds to a public petition. The City Plan Part One was subject to comprehensive public consultation and the same processes will be undertaken for City Plan Part Two.

#### **6. CONCLUSION**

6.1 The report responds to the Notice of Motion referred from full Council to EDC Committee, and sets out the officer response to the issues that was requested at EDC on 17 November 2016.

#### **7. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

7.1 There are no direct financial implications arising from the recommendations of this report.

7.2 The cost of reviewing the City Plan, any potential extension of the current Article 4 Direction and potentially aligning the Planning and Licensing functions in relation to HMO's would all be funded from the existing revenue budgets. It is anticipated that any financial implications expected to arise from these actions will need to be assessed within relevant reports or business cases; it is anticipated that any associated costs will be funded from within existing revenue budgets.

7.3 Costs associated with the delivery of the actions set out in the plan will be subject to further committee reports in the event that additional funding is required to be identified.

*Finance Officer Consulted: Rob Allen*

*Date: 17/08/17*

Legal Implications:

- 7.4 The relevant statutory provisions and legal implications are referred to in the body of the report.
- 7.5 It is not considered that any adverse human rights implications arise from the report.

*Lawyer Consulted:*

*Name Hilary Woodward*

*Date: 28/7/17*

Equalities Implications:

- 7.6 No equalities issues directly related to this report.

Sustainability Implications:

- 7.7 The planning policy framework relating to HMOs is intended to ensure that the balance of residential uses within neighbourhoods remains balanced and sustainable.

Any Other Significant Implications:

- 7.8 None identified.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

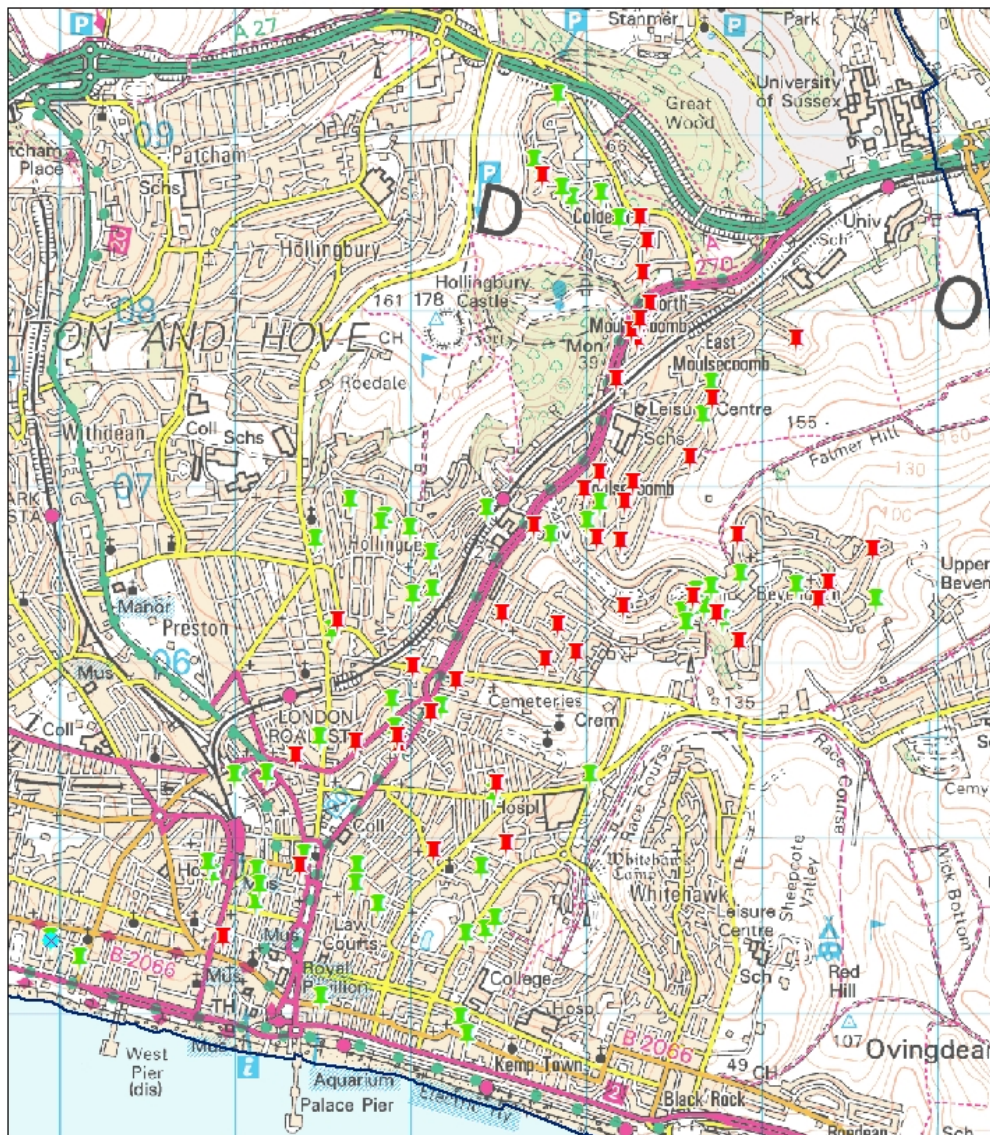
- 1. Map showing locations and outcomes of planning applications for HMOs (Jan 2015 – July 2017).
- 2. HMO concentration thresholds in other Local Planning Authority Areas.
- 3. Examples of effect of a 150m radius on two recent approval and refusals.

### **Background Documents**

- 1. City Plan Part One.







Applications for change of use to HMO, or for small HMO to large HMO, determined January 15 to July 17





## Appendix 2 – HMO Thresholds in Other Local Planning Authority Areas

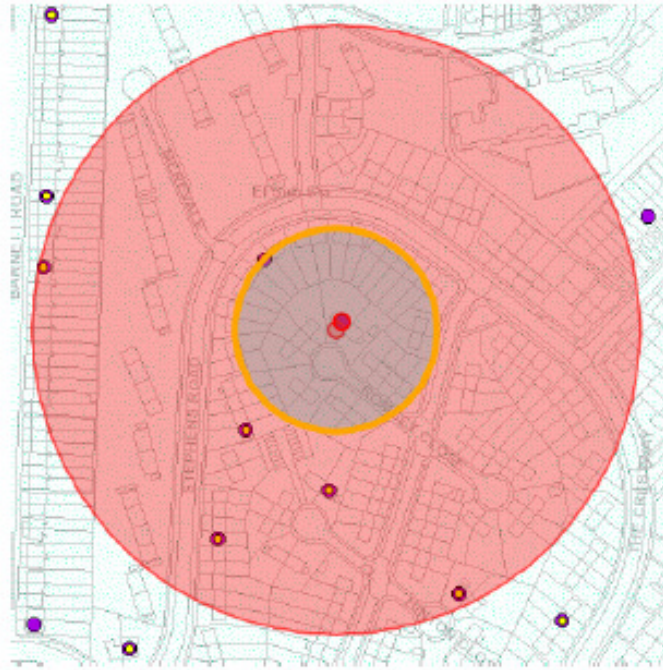
Local Planning Authority	Threshold in Article 4 areas
Barking & Dagenham	10% of the total number of houses in the road; and no two adjacent properties, apart from dwellings that are separated by a road, should be converted.
Welwyn & Hatfield	20% within 50m
Birmingham	10% within 100m
Bath	25% within 100m
Milton Keynes	20% within 100m
Southampton	10% within 40m
Leeds	No specific threshold but Article 4 Direction in place.
Oxford	The proportion of properties within 100 metres of street length either side of the property does not exceed 20%
Exeter	25% within certain areas, no radius from individual properties.
Leicester	No specific threshold but Article 4 Direction in place.
Manchester	No quantified threshold, merely “high concentration”, however supporting text to policy states <i>“once a 20% threshold is reached problems become harder to manage, but... a tipping point would be difficult to set universally across Manchester due to varying capacities of neighbourhoods to accommodate this type of housing”</i>
Nottingham	10% within the Census Output Area within which a development proposal falls and all Contiguous Output Areas (those with a boundary adjoining the Home Output Area). <i>(draft policy yet to be subject to examination)</i>
Plymouth	No specific threshold but Article 4 Direction in place.
Portsmouth	10% within 50m
Warwick	10% within 100m, and the proposal does not result in a non-HMO dwelling being sandwiched between 2 HMOs; or lead to a continuous frontage of 3 or more HMOs.



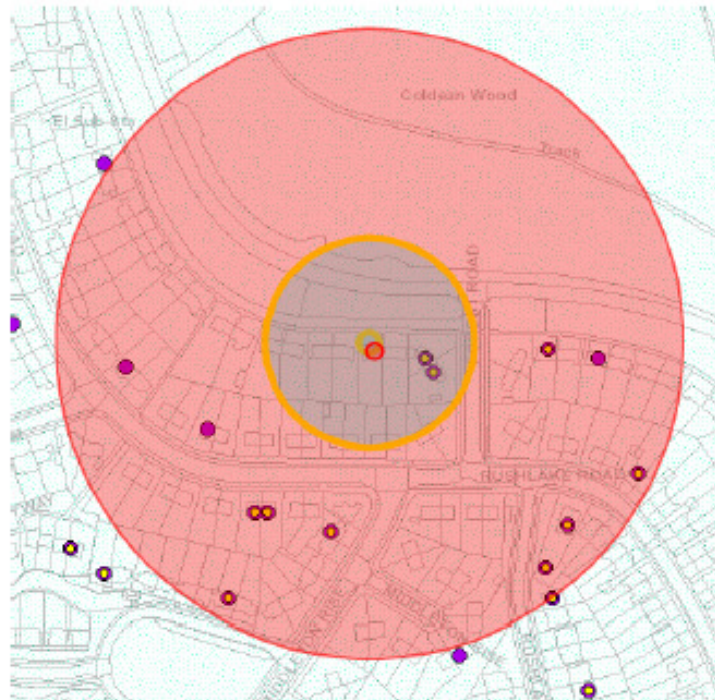


### Appendix 3 – Effect of a 150m radius compared to a 50m radius on a recent approval and refusal.

BH2016/02875 8 Romsey Close. Application approved. Would also have been approved with a 150m radius.



BH2016/02971 40 Coldean Lane. Application refused. Would also have been refused with a 150m radius.







<b>Subject:</b>		<b>Revised Local Development Scheme, 2017 - 2020</b>	
<b>Date of Meeting:</b>		<b>21 September 2017</b>	
<b>Report of:</b>		<b>Executive Director - Economy Environment &amp; Culture</b>	
<b>Contact Officer:</b>	<b>Name:</b>	<b>Steve Tremlett</b>	<b>Tel: 01273 29(2108)</b>
	<b>Email:</b>	<b>Steve.tremlett@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>		<b>All</b>	

**FOR GENERAL RELEASE**

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The purpose of this report is to seek approval of the revised Local Development Scheme (LDS). This is the three year work programme setting out the timetable for the preparation of the set of documents that make up the development plan for Brighton & Hove, and covers the period from 2017 to 2020.

**2. RECOMMENDATIONS:**

- 2.1 That the Committee:
- 2.2 Approves the revised Local Development Scheme 2017 - 2020.
- 2.3 Resolves that the scheme is to have effect from 21 September 2017.

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 All Local Planning Authorities (LPAs) are required to produce a Local Development Scheme (LDS) under s15 of the Planning and Compulsory Purchase Act 2004. The LDS is a public statement of a LPA's programme for the production of Development Plan Documents (DPDs), including City Plan Part Two.
- 3.2 DPDs set out policies on the development and use of land in a local authority area. The scheme outlines in advance when major public consultations are due to take place, when DPDs are expected to be submitted to the Secretary of State for public examination, and finally when the documents are due to be adopted.
- 3.3 The LDS includes a three year timetable showing the stages for community and stakeholder involvement in producing DPDs. It also covers Supplementary Planning Documents (SPDs).
- 3.4 The revised LDS follows a similar approach to the previously approved version which covered the period 2014 – 2017, and reflects the adoption of the City Plan Part One, Waste and Minerals Sites Plan and Parking Standards SPD during the

previous three year period. To summarise, the key changes from the previous version relating to ongoing and future work are:

- *An updated timetable for City Plan Part Two. A draft Plan consultation will take place in summer 2018, with submission to the Secretary of State for examination scheduled for Spring 2020 and adoption expected in early 2021. This is considered to be a realistic timetable which reflects the progress to date, available resources and the local government elections in 2019;*
- *An updated timetable for the Shoreham Harbour Joint Area Action Plan, taking into account progress made over the last three year period, which has included the need for an additional consultation on a draft Plan. Adoption is now expected in autumn 2018;*
- *The inclusion of a review of the Waste and Minerals Local Plan, as agreed at TDC Committee in June 2017. This will commence with a scoping consultation in autumn 2017, with adoption expected in summer 2019;*
- *The inclusion of a Community Infrastructure Levy (CIL) Charging Schedule which will secure funding from developers to help deliver required infrastructure to support proposed new development in the city. Consultation on a draft Charging Schedule will take place in winter 2017/18, with the proposed date for adoption of the CIL in winter 2018/19.*
- *The inclusion of Toads Hole Valley and Sustainable Urban Drainage SPDs.*

3.5 Full details and timetables are set out in the revised LDS, which is included as an appendix to this report.

3.6 The council's performance is assessed against the LDS timetable in the Authority Monitoring Report (AMR) which is published annually in December.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

4.1 The council is required by law to produce a LDS. The alternative options considered and evaluated in preparing the LDS relate to the type of development plan documents to be prepared over the next three years, how they will be resourced and prioritised, and when the key stages will be undertaken. The proposed timetable is considered the best option with the resources available

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

5.1 The LDS is not subject to public consultation, however the production of all DPDs set out within it includes a number of stages of public consultation.

#### **6. CONCLUSION**

6.1 Approval of the LDS will ensure that there is an up to date timetable for preparing development plan documents in accordance with government guidance.

## **7. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 7.1 There are no direct financial implications as a result of the revised Local Development Scheme. The cost of preparing the revised Local Development Scheme has been met from existing revenue budgets.

*Finance Officer Consulted: Rob Allen*

*Date: 17/8/17*

### Legal Implications:

The statutory background to the production of a Local Development Scheme and its purpose is set out in the body of the report.

It is not considered that any adverse human rights implications arise from the report's recommendations.

*Lawyer Consulted:*

*Name Hilary Woodward*

*Date: 16/8/17*

### Equalities Implications:

- 7.2 The LDS will make the planning system more accessible and transparent to the community. The Council has already adopted a Statement of Community Involvement, which will be updated shortly. This encourages effective social inclusion for all groups to influence the policy-making agenda. Individual development plan documents are subject to an Equality Impact Assessment.

### Sustainability Implications:

- 7.3 Sustainability considerations are central to the planning system. Each local development document requires an integrated sustainability appraisal.

### Any Other Significant Implications:

- 7.4 None identified.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Revised Local Development Scheme 2017-2020



# **Brighton & Hove Local Development Scheme 2017 - 2020**

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## 1. Introduction

- 1.0.1 This is the 2017 version of the **Local Development Scheme (LDS)** produced by Brighton & Hove City Council. This document revises the previous version of the LDS that was approved by the city council in December 2014.
- 1.0.2 The scheme sets out the three year work programme for **Development Plan Documents (DPD)** in Brighton & Hove. DPDs are the set of planning policy documents that form the development plan for the area. DPDs and the LDS are produced in accordance with the Planning and Compulsory Purchase Act 2004 (including subsequent revisions) and relevant regulations.
- 1.0.3 This amended LDS provides the most up to date timetables for the production of the DPD being produced by the Council. It also explains the role of these documents and the reasons for changes to previously published timetables.
- 1.0.4 The LDS also sets out the timetable for other **Local Development Documents (LDD)**. These are secondary documents that do not form part of the development plan but provide additional guidance and information relating to development issues.

### 1.1 Documents set out in the Local Development Scheme

- 1.1.1 There are two types of document set out in the LDS. These are:

- **Development Plan Documents (DPDs)**
- Other Local Development Documents, primarily **Supplementary Planning Documents (SPD)** and the **Statement of Community Involvement (SCI)**.

Alongside these, the council produces this **Local Development Scheme** and the **Authority Monitoring Report**, which sets out annually the progress of adopting and implementing DPDs.

- 1.1.2 The principal DPDs for Brighton & Hove are the City Plan Part One, adopted in 2016, and the forthcoming City Plan Part Two. Some policies in the Brighton & Hove Local Plan (2005) continue to be saved until CPP2 is adopted. The status of policies and plans in the transitional period from the previous local plan are set out in section 5. Appendix D also summarises the status of Supplementary Planning Guidance notes that have been saved as part of the transition to the local development system.

### 1.2 Other Documents & Duty to Co-operate

- 1.2.1 This LDS also includes the DPDs that are part of the **Waste and Minerals Local Plan (WMLP)** prepared jointly with East Sussex County Council and the South Downs National Park Authority. The Waste and Minerals Plan and Waste and Minerals Sites Plan for East Sussex, South Downs and Brighton & Hove were adopted in 2013 and 2017 respectively. A review of policies in these documents is planned.

- 1.2.2 In addition, the council is producing a **Community Infrastructure Levy Charging Schedule** and is working with Adur District Council and West Sussex County Council to jointly produce a **Shoreham Harbour Joint Area Action Plan**.
- 1.2.3 Alongside the production of DPDs, the council undertakes work with adjoining authorities in accordance with the **Duty to Co-operate**. This work addresses policy areas that have implications for cross-boundary working including housing, employment, gypsies and travellers, and transport.

### 1.3 Neighbourhood Planning

- 1.3.1 Neighbourhood planning, introduced in the Localism Act 2011, allows parish councils and neighbourhood forums to draw up a **Neighbourhood Development Plan (NDP)** for their area; once adopted, these plans become Development Plan Documents and guide decision-taking for the areas covered. Neighbourhood planning is community-led, with support provided by the Local Planning Authority. The timetable for preparing neighbourhood plans, and the primary resources for doing so, are the responsibility of the Parish Council or Neighbourhood Forum; the LDS does not therefore include information about the preparation of neighbourhood plans.
- 1.3.2 There are currently a number of communities in the city that are working towards the preparation of neighbourhood plans for their areas. Further details can be found on the council's website, where the progress of these plans will be recorded and updated:

[www.brighton-hove.gov.uk/content/planning/neighbourhood-planning](http://www.brighton-hove.gov.uk/content/planning/neighbourhood-planning)

## 2 The Local Development Scheme 2017-2020

### 2.1 Development Plan Documents

2.1.1 The adopted documents in table 1 form the statutory development plan for Brighton & Hove, alongside saved policies from previous DPDs. Once adopted, the proposed DPDs listed in table 2 will form the statutory development plan and replace the remaining saved policies from the 2005 Local Plan.

**Table 1 – Adopted Development Plan Documents**

Table 1	
Development Plan Document	Description
City Plan Part One	To provide an overall strategic vision for the city to 2030. It sets out priorities to meet the challenges of the future and identifies the broad locations, scale and type of development and supporting infrastructure that is required. It makes both strategic allocations and employment site allocations.
Policies Map	This was adopted with the City Plan Part One and will be updated as each new DPD is adopted.
Waste and Minerals Plan	Sets out the vision, objectives and strategy for sustainable waste development and minerals production in the area to 2026 and will provide the framework for development control.
Waste and Minerals Sites Plan	Identifies sites which are potentially suitable for new waste management facilities whilst safeguarding existing waste management sites. It also safeguards railheads and wharves that could be used for bulk transport of waste and minerals.
Waste and Minerals Adopted Policies Map	Shows on a geographical basis the application of the policies in the waste and minerals DPDs listed above.

2.1.2 A number of policies in the Brighton & Hove Local Plan (2005), have been saved, and will continue to form part of the development plan for Brighton & Hove until replaced by the City Plan Part Two. See section 5 for further details of saved policies.

**Table 2 – Proposed Development Plan Documents**

Table 2	
Development Plan Document	Description
City Plan Part Two	This document will include site allocations not shown in the City Plan Part One as well as detailed development management policies.
Waste & Minerals Local Plan Review	A review of policies in the adopted Local Plan, principally intended to update minerals policies.
Shoreham Harbour Joint Area Action Plan	To set out a vision, objectives, strategies, policies and detailed site allocations for Shoreham Harbour.

Table 2	
Community Infrastructure Levy Charging Schedule	Sets out charging rates for various development types in the city to fund infrastructure projects necessary to support new development and which benefit the local community.

## 2.2 Other Local Development Documents

2.2.1 The Local development documents listed in table 3 provide additional guidance and information relating to the implementation of policies contained in DPDs. The following documents do not form part of the statutory development plan for the city.

**Table 3 – Other Local Development Documents**

Table 3	
Document	Description
Supplementary Planning Documents	Give additional guidance on the implementation of particular policies or site allocations. The following SPDs are planned: <ul style="list-style-type: none"> <li>• Urban Design Framework SPD</li> <li>• Toads Hole Valley SPD</li> <li>• Sustainable Urban Drainage SPD</li> </ul>
Statement of Community Involvement	Guides how local communities and stakeholders will be involved in the preparation of the Local Development Documents. The SCI was revised in 2015 to bring it into line with updated local plan regulations and the Council's own Community Engagement Framework.
Authority Monitoring Report	Assesses the performance of the Council in implementing the LDS and whether policies in the Development Plan Documents are meeting their aims. The AMR also monitors the effectiveness of the SCI and the performance of the Development Control section against key indicators, as well as giving information on the number of new dwellings provided over the year and projected into the future.
Sustainability Appraisal	Promotes sustainable development through the integration of social, environmental, and economic considerations into the policies and guidance in Development Plan Documents (DPDs). A Sustainability Appraisal will be produced and consulted on in parallel to the development plan documents in order to inform the final submission versions.

## 2.3 Links between Development Plans and Strategies

2.3.1 There are clear links made in the City Plan between planning policy and other local strategies, including the Sustainable Community Strategy and the housing economic, health and community safety strategies.

2.3.2 The Sustainable Community Strategy is the principal city-wide strategy which informs the Development Plan Documents. Effective links have been made through the following measures:

- Ensuring that there is full alignment between the policies of the City Plan and the Sustainable Community Strategy;
- Mapping and analysing how the City Plan delivers on Sustainable Community Strategy priorities and regular reporting on this to Brighton & Hove Connected (BHC – the city's Local Strategic Partnership);
- Consulting and engaging with BHC and the city Partnerships on emerging documents;
- Sharing monitoring information.

2.3.3 Development Plan Documents are an important mechanism in helping to deliver a number of Brighton & Hove's citywide strategies. These include the economic, local transport, housing, community safety, climate change, tourism, sports and cultural strategies. Links are made with these strategies via the council's Local Development Internal Officers Advisory Group.

## Timetable of Development Plan Documents and Supplementary Planning Documents

2.3.4 Table 4 shows the key stages for the development plan documents. For a more detailed breakdown of the timetable for each document, see Appendix A. Figure 1 shows the milestones for local development documents in a visual format.

**Table 4: Schedule of Proposed Development Plan Documents**

Table 4				
DPD Document	Consulting on the Scope of the Sustainability Appraisal	Publication of the DPD	Submission to the Secretary of State	Proposed date for Adoption
City Plan Part 2	Completed	Autumn 2019	Spring 2020	Early 2021
Policies Map	As part of City Plan preparation	As part of City Plan preparation	As part of City Plan preparation	As part of City Plan preparation
Waste and Minerals Local Plan Review	August 2017	Autumn/winter 2018	Early 2019	Summer 2019
Shoreham Harbour Joint Area Action Plan	Completed	Winter 2017	Spring 2018	Autumn 2018
Community Infrastructure Levy (CIL) – Charging Schedule	n/a	Consultation Draft Charging Schedule Spring 2018	Autumn 2018	Spring 2019

2.3.5 Table 5 shows the key milestones for the SPDs as well as a description of each document.

**Table 5: Proposed Supplementary Planning Documents (SPDs)**

Table 5			
SPD	Description	Public Consultation	Proposed date for Adoption
Sustainable Urban Drainage	To provide detailed planning guidance on the provision of sustainable drainage systems for the disposal of surface water and rainwater.	Early 2018	Summer 2018
Urban Design Framework	To provide detailed and city-wide policy guidance to support the Urban Design policy in the City Plan. It will take forward the background evidence of the Urban Characterisation Study into strategic policy and set out priorities for future intervention.	2018 - 2019	2020



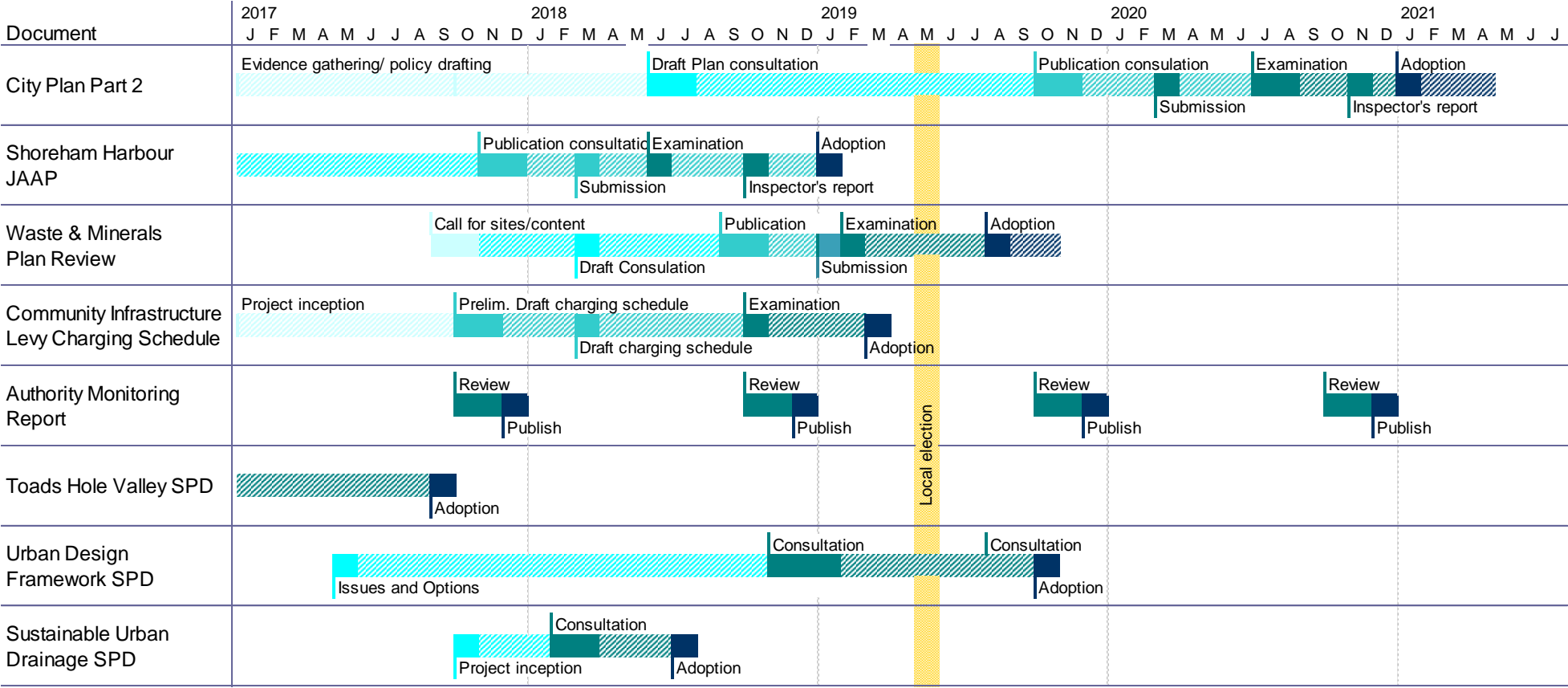
Table 5			
SPD	Description	Public Consultation	Proposed date for Adoption
Toads Hole Valley	To provide detailed planning guidance to inform the development of the Toads Hole Valley site (Development Area DA7 in City Plan Part One)	Completed	Autumn 2017

2.3.6 Table 6 shows the timeframe for publishing other local development documents and associated documents.

**Table 6: Other Documents**

Table 6	
Document Title	Timeframe
Authority Monitoring Report	Published at the end of every year, covering the previous period from 1 April through to 31 March.
Sustainability Appraisal	Produced alongside development plan documents.

Figure 1 - Local Development Scheme (2017) - Timetable & Milestones



### **3 Saved Policies**

#### **3.1 The Brighton & Hove Local Plan (2005)**

- 3.1.1 The Brighton & Hove Local Plan was adopted in July 2005 and all but nine policies in the document were saved in agreement with the Secretary of State (by letter from June 2008). A number of these policies were replaced by City Plan Part One, however 91 remain saved and will be replaced by Part Two of the City Plan, once adopted.

#### **3.2 Supplementary Planning Guidance (SPG)**

- 3.2.1 A number of SPG notes linked to the adopted Brighton & Hove Local Plan are saved until they are superseded by new Supplementary Planning Documents, are out of date, or until the policies to which they are attached are replaced by policies in Development Plan Documents. The saved SPGs are listed in appendix B.

## **6. Monitoring and Review**

- 6.1.1 The performance of the council against the LDS timetable will be monitored in the Authority Monitoring Report (AMR). This will be published annually. It will be made publicly available at the City Council's Customer Service Centre offices and on the council's website ([www.brighton-hove.gov.uk/ldf](http://www.brighton-hove.gov.uk/ldf)).
- 6.1.2 The AMR monitors and reviews a number of areas and provides information on the following:
- performance against the timetable as set out in the LDS;
  - the effectiveness of saved policies;
  - the effectiveness of new policies (in future it will determine the timetable for review of local development documents);
  - an up to date list of superseded and 'saved' policies;
  - the effectiveness of the Statement of Community Involvement; and
  - the amount of new housing currently being delivered and likely to be delivered in the future.
- 6.1.3 The information in the AMR will be used to identify work priorities. The LDS will be reviewed as the need for further documents emerges and to ensure that a three year programme is maintained.
- 6.1.4 As development comes forward in the city, the work of the Planning Enforcement Team will ensure that adopted planning policies are properly implemented, that the city's built environment is protected from the effects of unacceptable development and that harmful effects are remedied.

**APPENDIX A- Profile of Development Plan Documents (DPDs)****1. CITY PLAN PART ONE (DPD)**

<b>OVERVIEW</b>	
<b>Role and Subject</b>	To provide an overall strategic vision for development in the city to 2030. It will set out priorities and meet the challenges of the future, identifying the broad locations, scale and type of development, as well as the supporting infrastructure required, to 2030.
<b>Coverage</b>	Citywide
<b>Status</b>	Development Plan Document
<b>Conformity</b>	National planning policy
<b>Status</b>	Adopted

**2. WASTE AND MINERALS PLAN**

<b>OVERVIEW</b>	
<b>Role and Subject</b>	Sets out the vision, objectives and strategy for sustainable waste development and minerals production in the area to 2026 and will provide the framework for development control.
<b>Coverage</b>	Citywide
<b>Status</b>	Development Plan Document
<b>Conformity</b>	National planning policy
<b>Status</b>	Adopted

**3. WASTE AND MINERALS SITES PLAN**

<b>OVERVIEW</b>	
<b>Role and Subject</b>	Provides the site specific policies required to achieve the objectives of the Waste and Minerals Plan. Identifies sites which are potentially suitable for new waste management facilities whilst safeguarding existing waste management sites. It also safeguards railheads and wharves that could be used for bulk transport of waste and minerals.
<b>Coverage</b>	Citywide
<b>Status</b>	Development Plan Document
<b>Conformity</b>	National planning policy and the Waste and Minerals Plan
<b>Status</b>	Adopted

#### 4. CITY PLAN PART TWO (DPD)

OVERVIEW	
Role and Subject	This document will include site allocations not in the City Plan Part One and detailed development management policies.
Coverage	Citywide
Status	Development Plan Document
Conformity	National policy and guidance and the City Plan Part 1

TIMETABLE	
Stage	Date
Start scoping and initial evidence gathering	Completed
Scoping consultation	Completed
Reg 18: Draft plan consultation	Summer 2018
Publication of the plan	Autumn 2019
Publication consultation	Autumn 2019
Submission	Spring 2020
Examination hearing	Summer 2020
Inspector's report	Late 2020
Estimated date for adoption by the council	Early 2021

ARRANGEMENTS FOR PRODUCTION	
Role	Officers
Organisational Lead	Head of Planning, Brighton & Hove City Council
Political Management	Tourism, Development and Culture Committee and full Council
Internal Resources	Planning Manager (Policy), Policy Team and support from other planning teams and the Internal Officers Advisory Group and the Cross Party Working Group.
Stakeholder Resources	These include the Housing and Economic Partnerships, Brighton & Hove Connected, the Primary Care Trust, and the various city partnerships. There will be the need to engage at larger-than-local level with neighbouring authorities and the Local Economic Partnership, as well as local stakeholder groups around a number of issues including design, community safety and sustainability.
Community and Stakeholder Involvement	The approach to stakeholder and community involvement is set out in the Statement of Community Involvement.



**5. WASTE AND MINERALS LOCAL PLAN REVIEW (DPD)**

<b>OVERVIEW</b>	
<b>Role and Subject</b>	The Waste and Minerals Local Plan Review is principally intended to update minerals policies in the following representations made at the Public Examination of the Waste & Minerals Sites Plan in summer 2016. A high level review of other Local Plan policies will also be undertaken to determine the detailed scope of the First Review. However, it is unlikely that waste policies will need any significant updating or that additional waste capacity will be required as this would have come to light during the recent Sites Plan preparation.
<b>Coverage</b>	Citywide and countywide
<b>Status</b>	Development Plan Document
<b>Conformity</b>	National policy and guidance and the adopted Waste & Minerals Plan

<b>TIMETABLE</b>	
<b>Stage</b>	<b>Date</b>
Call for Sites / Content (Reg18)	Autumn 2017
Draft Plan Consultation (Reg 18)	Spring 2018
Pre-Submission Consultation (Reg 19)	Autumn / Winter 2018
Submission of Plan to Government	Early 2019
Public Examination	Early 2019
Adoption	Summer 2019

<b>ARRANGEMENTS FOR PRODUCTION</b>	
<b>Role</b>	<b>Officers</b>
Organisational Lead	Head of Planning (Brighton & Hove City Council), Assistant Director of Policy (East Sussex County Council), and Director of Planning (South Downs National Park Authority).
Political Management	Tourism, Development and Culture Committee and full Council (Brighton & Hove) and Cabinet and full Council (East Sussex County Council), South Downs National Park Authority Board.
Internal Resources	Policy Manager and Policy Team.
External Resources	Joint working with officers at East Sussex and the South Downs National Park Authority. Consultants commissioned for Sustainability Appraisal, Habitats Regulations Assessment and Strategic Flood Risk Assessment work.
Community and Stakeholder Involvement	The approach to stakeholder and community involvement is set out in the three Statements of Community Involvement.

**6. SHOREHAM HARBOUR JOINT AREA ACTION PLAN (DPD)**

<b>OVERVIEW</b>	
<b>Role and Subject</b>	To set out a vision, objectives, strategies, policies and detailed site allocations within the Shoreham Harbour regeneration area until 2031.
<b>Coverage</b>	Shoreham Harbour and South Portslade area
<b>Status</b>	Development Plan Document
<b>Conformity</b>	General conformity with national policy and the emerging Brighton & Hove City Plan and the emerging Adur Local Plan.

<b>TIMETABLE</b>	
<b>Stage</b>	<b>Date</b>
Commencement of document	Summer 2011
Consultation with Statutory Bodies on the Scope of the Sustainability Appraisal	November 2011
Public consultation (Reg. 18) on Draft JAAP and Sustainability Appraisal Report	February - April 2014
Additional draft JAAP consultation	Dec 2016 – Feb 2017
Publication of Proposed Submission JAAP and consultation	November 2017
Representations period (Reg. 19) on 'soundness' of Proposed Submission JAAP and Sustainability Appraisal Report	November – December 2017
Submission of JAAP and final Sustainability Appraisal Report to Secretary of State	March 2018
Public Examination	June 2018
Receive Inspector's Report	October 2018
Estimated date for adoption by the council	January 2019

<b>ARRANGEMENTS FOR PRODUCTION</b>	
<b>Role</b>	<b>Officers</b>
Organisational Leads	Head of Planning, (Brighton & Hove City Council), Strategic Director (Adur District Council) and the Coastal West Sussex Regeneration Manager (West Sussex County Council).
Political Management	Joint Leaders Board, Tourism, Development and Culture Committee and full Council (Brighton & Hove), Cabinet and full Council (Adur) and Cabinet and full Council (West Sussex).
Internal Resources	Policy Manager and Policy Team, Principal Planning Officer & Development Manager (joint funded), Head of Transport Strategy (Brighton & Hove) and Transport Team West Sussex CC
External Resources	Government agencies including Environment Agency
Stakeholder Resources	Community Partnerships. Economic Partnerships.
Community and Stakeholder Involvement	The approach to stakeholder and community involvement is set out in the Statements of Community Involvement for each individual local authority and Shoreham Harbour Consultation Statement.

**6. COMMUNITY INFRASTRUCTURE LEVY CHARGING SCHEDULE (DPD)**

<b>OVERVIEW</b>	
<b>Role and Subject</b>	Sets out charging rates for various development types in the city to fund infrastructure projects necessary to support new development and which benefit the local community.
<b>Coverage</b>	Citywide
<b>Status</b>	Development Plan Document
<b>Conformity</b>	National policy and guidance

<b>TIMETABLE</b>	
<b>Stage</b>	<b>Date</b>
Project Inception	January 2017
Preliminary Draft Charging Schedule	October 2017
Draft Charging Schedule	Spring 2018
Public Examination	Autumn 2018
Adoption	Spring 2019

<b>ARRANGEMENTS FOR PRODUCTION</b>	
<b>Role</b>	<b>Officers</b>
Organisational Lead	Head of Planning & Building Control (Brighton & Hove City Council), Assistant Director of Policy (East Sussex County Council), and Director of Planning (South Downs National Park Authority).
Political Management	Tourism, Development and Culture Committee and full Council (Brighton & Hove) and Cabinet and full Council (East Sussex County Council), South Downs National Park Authority Board.
Internal Resources	Policy Manager and Policy Team.
External Resources	Joint working with officers at East Sussex and the South Downs National Park Authority. Consultants commissioned for Sustainability Appraisal, Habitats Regulations Assessment and Strategic Flood Risk Assessment work.
Community and Stakeholder Involvement	The approach to stakeholder and community involvement is set out in the three Statements of Community Involvement.

## APPENDIX B – Adopted Brighton &amp; Hove Local Development Documents

ADOPTED DOCUMENTS		
Document Name	Document Type	Date Adopted
Brighton Centre: Area Planning and Urban Design Framework	SPD	Jan 2005
Brighton & Hove Local Plan (saved policies)	DPD	Jul 2005
Statement of Community Involvement	LDD	Sep 2015
Shop Front Design	SPD	Sep 2005
Edward Street Quarter	SPD	Mar 2006
Circus Street Municipal Market	SPD	Mar 2006
Trees and Development Sites	SPD	Mar 2006
Construction and Demolition Waste	SPD	Dec 2006
Advertisements	SPD	Jun 2007
Architectural Features	SPD	Dec 2009
London Road Central Masterplan	SPD	Dec 2009
Nature Conservation and Development	SPD	Mar 2010
Waste and Minerals Plan	DPD	Feb 2013
Waste and Minerals Sites Plan	DPD	Feb 2017
Design Guide for Extensions and Alterations	SPD	Jun 2013
Shoreham Harbour Flood Risk Management Guide	SPD	Sep 2015
City Plan Part One	DPD	Mar 2016
Parking Standards	SPD	Oct 2016

## APPENDIX C – Transition from Supplementary Planning Guidance (SPG) to Supplementary Planning Documents (SPDs)

Many of the city council's currently adopted SPGs will remain a material consideration. The saved SPGs are set out below:

	Supplementary Planning Guidance Note and date
<b>SPG02</b>	External Paint Finishes and Colours – October 1998
<b>SPG10</b>	King Alfred/RNR Site: Planning Brief
<b>SPG11</b>	Listed building interiors – September 2003
<b>SPG15</b>	Tall Buildings – January 2004
<b>SPG19</b>	Fire Precaution Works to Historic Buildings – May 2004
<b>SPG20</b>	Brighton Marina Urban Design Analysis and Development Brief
<b>SPG21</b>	Sustainability Checklist – May 2004

## APPENDIX D – Glossary of Terms and Key Documents

### Glossary of Terms

Term	Definition
<b>Authority Monitoring Report (AMR)</b>	An assessment of the progress against the LDS Includes a commentary on the performance of policies. Published annually.
<b>Area Action Plans (AAPs)</b>	These will provide a planning framework to cover key areas of change or conservation.
<b>Background Documents</b>	Technical documents that will inform the production of LDDs, for example an Urban Capacity Study.
<b>City Plan</b>	The City Plan is in two parts. Part One sets out the vision and spatial strategy for the area and will address important spatial matters including housing, the economy, retail, community safety, tourism, transport issues, areas of regeneration and social infrastructure. A map will illustrate the spatial vision for the city. Part Two of the City Plan will contain the remaining site allocations and detailed development management policies.
<b>Development Plan Documents (DPDs)</b>	The principal Local Development Documents. These are subject to statutory requirements, including submission to the Secretary of State, formal testing through an independent examination and a binding Inspector's report.
<b>Independent Examination</b>	All DPDs are subject to independent examination by a planning inspector. The inspector will carry out an "assessment of soundness" of the document.
<b>Local Development Documents (LDDs)</b>	The collective term for all DPDs, SPDs and the SCI.
<b>Local Development Scheme (LDS)</b>	The document you're reading now. This sets out a three year rolling project plan for the preparation and delivery of the various LDDs. The purpose of the LDS is to inform the public about the production and function of Local Development Documents and the timescales they can expect for the preparation and review of these documents.
<b>Local Plan</b>	For clarity, used only to refer to the Brighton & Hove Local Plan 2005 (however, the NPPF glossary sets out the legal definition).
<b>Policies Map</b>	This will show existing and revised designations of areas of land such as conservation areas and development areas. It will also define the specific sites for particular future land uses or developments, and the areas to which policies apply.
<b>Site Allocations</b>	Particular sites in the city are allocated specifically for certain uses including housing, affordable housing, employment land, retail, leisure, social, health and education. All the development plan documents may contain site allocations, and they will all be shown on the policies map.
<b>Saved Plan</b>	Certain existing plans will be "saved", that is they will remain a material consideration as part of the development plan and are Local Development Documents, until replaced by new development plan documents.
<b>Spatial Planning</b>	Planning that is not just about land use but concerned with delivering sustainable development and that takes into account education, housing, economic development, cultural and other social issues.
<b>Statement of Community Involvement (SCI)</b>	Sets out how the community is to be engaged in the process of producing Local Development Documents and sets standards for involving the community in the preparation, alteration and continuing review of all local development documents.
<b>Supplementary Planning Documents (SPDs)</b>	These will need to be consistent with parent DPDs and will elaborate upon the policies and specific site allocations. They will be capable of being a material consideration in the determination of planning applications although afforded less weight.
<b>Sustainability Appraisal</b>	Sustainability Appraisal is a systematic process to appraise the social, economic and environmental effects of the strategies and policies of a planning policy document. It must be applied to Development Plan



Term	Definition
	Documents and should incorporate the requirements of the Strategic Environmental Assessment Directive.

### **Acronym Buster**

AMR	Authority Monitoring Report
DPD	Development Plan Document
LDD	Local Development Document
LDS	Local Development Scheme
SCI	Statement of Community Involvement
SPD	Supplementary Planning Document





# **Major Projects Bulletin**

**September 2017**

DRAFT

# Royal Pavilion Estate



Proposed scheme

## Background

Heritage Centre Stage is a bold and significant initiative by the Royal Pavilion & Museums (RPM) and Brighton Dome & Festival Ltd (BDBF) to reunite the historic Royal Pavilion Estate. Phase 1 of this ambitious regeneration of the Royal Pavilion Estate (RPE) will deliver a major restoration of the nationally important Grade I listed Corn Exchange & Grade II listed Studio Theatre to enhance audience comfort & help the building operate more efficiently. This will include significant structural improvements that rationalise operations and drive increased revenue surpluses in order to deliver against BDBF's ambitious business plan. Achievement of this plan is central to our vision for the Royal Pavilion Estate and its future contribution to the cultural and economic wellbeing of Brighton & Hove.

## Key Facts

**Current stage:** Phase 1 (Corn Exchange & Studio Theatre) started on site February 2017

**Partners:** Brighton & Hove City Council, Brighton Dome & Brighton Festival, Arts Council England, Heritage Lottery Fund and Coast to Capital LEP

**Architects:** Feilden Clegg Bradley Studios

**Estimated project value:** £21.5M

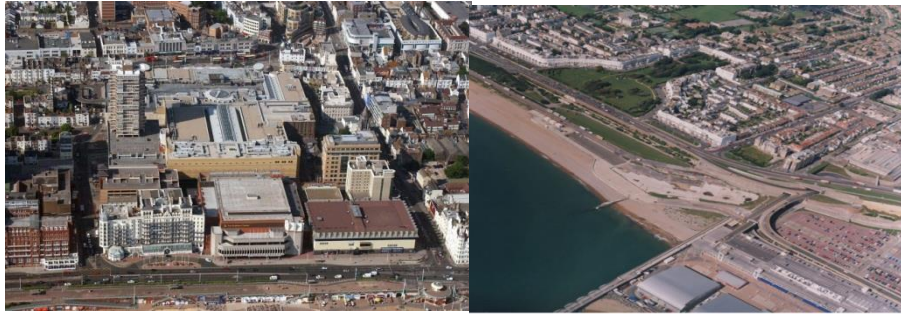
### What happened in the last period?

- Strip out of buildings and completion of all Part Wall Awards
- Excavation and construction of new Corn Exchange basement and ground floor slab
- Gallery area: removal of human remains; pouring foundations; install steel frame

### What's going to happen in the next period?

- Removal and replacement of Corn Exchange roof
- Installation of new Air Handling Units on Dome roof
- Construction of new Gallery building

# Brighton Waterfront



The Brighton Centre and Churchill Square

Black Rock

## Background

We're finalising details of a legal agreement which will deliver a major new conferencing and events venue for Brighton & Hove on the Black Rock site next to the Marina and an expansion of Churchill Square shopping centre.

## Key Facts

### Current stage:

Legal and commercial negotiations

### Partners:

Brighton & Hove City Council and Standard Life Aberdeen

### Architects:

ACME Space, David Leonard Associates (central site)

**Estimated project value:** c£540M

### Outputs:

- 2,000 jobs
- New venue & conference centre
- Improve & expanded destination shopping
- Improved public realm
- Housing and office space

### What happened in the last period?

- Standard Life Investments merged with Aberdeen Asset Management to form Standard Life Aberdeen (SLA)
- Continued dialogue and negotiation

### What's going to happen in the next period?

- Update to Strategic Delivery Board 26<sup>th</sup> September
- Counsel opinion sought with regard to lease structure
- Conditional land acquisition agreement finalised and taken for approval to SLA Board in October
- Executive Director sign-off October
- Strategic Delivery Board final sign-off November

# King Alfred Development



Proposed Scheme

Current King Alfred Leisure Centre

## Background

In 2014 the Council embarked on a procurement exercise to bring about the comprehensive redevelopment of the 1.8 hectare King Alfred site. The primary objective is to replace the outdated Leisure Centre with improved, extended, and modern sports facilities as part of a major mixed-use enabling development, the principal element of which is much needed new homes. Having completed an extensive 'Competitive Dialogue' process with two shortlisted bidders in 2015, the Council selected its preferred bidder in January 2016.

## Key Facts

### Current stage:

Crest Nicholson in partnership with the Starr Trust, a local charity, were appointed preferred bidder in January 2016. Since that time the partners have worked hard to progress the legal, financial, and contractual arrangements, work on which is ongoing.

### Partners:

Brighton & Hove City Council, Crest Nicholson & the Starr Trust

### Architects:

LA Architects – Sports centre and Haworth Tompkins – Wider scheme and master plan

**Estimated project value:** c£200M

### Outputs:

- New sports centre of c12,000 M2
- 560 homes (20% affordable)
- Commercial/retail space
- Community and public space

### What happened in the last period?

- Ongoing discussions on legal, financial, and contractual matters
- Consideration of the Government's (Department for Communities and Local Government) newly launched 'Housing Infrastructure Fund (HIF)' as a possible source of funding

### What's going to happen in the next period?

- Preparation of funding application to HIF, with a view to submission by 28<sup>th</sup> September deadline
- DCLG funding announcements expected from December 2017



## Circus Street



The scheme designs

### Background

The former municipal fruit and veg market will become a mixed-use scheme and 'innovation quarter'. The site, approximately a hectare in area, houses the former Municipal Market building, a university building and a car park. Despite it being in a sought after location, close to the centre of Brighton, the seafront and major transport interchanges, the site is grossly underutilised and has lain largely vacant for nearly 12 years.

### Key Facts

**Current stage:** Construction work is underway

**Partners:** Cathedral (Brighton (U & I plc), SE Dance and Coast to Capital LEP

**Architects:** ShedKM

**Estimated project value:** c£105M

#### Outputs:

- 232 jobs
- 142 homes
- 2,046 M2 Commercial
- 450 Student beds
- Dance Studio
- University Facilities

#### What happened in the last period?

- Withdrawal of University of Brighton from Development Agreement with Cathedral (Brighton) and BHCC, with university to review and develop its facilities at a later date
- Completion of all legal agreements, including Development Agreement
- Appointment by Cathedral (Brighton) of Henry Construction to build all elements of scheme (bar the UoB element)
- Commencement of construction on-site

#### What's going to happen in the next period?

- Construction to continue on-site, with most elements of development scheduled for completion in late 2019 and overall scheme( bar UoB element) to be completed May 2020

# Preston Barracks & University of Brighton



The proposed scheme

## Background

The redevelopment of the Preston Barracks site took a significant step forward in July 2014 when the council exchanged contracts with the University of Brighton and developers U+I Plc. The £150 million Preston Barracks scheme on the Lewes Road is part of a wider regeneration project aimed at transforming this part of Brighton and bringing forward a mixed use development.

The scheme will create a Northern gateway in to the city, and support entrepreneurial makers, inventors, engineers and product designers with the use of a diverse workspace.

## Key Facts

**Current stage:** Contracts exchanged and planning application submitted.

**Partners:** University of Brighton and U+I Plc developers

**Architects:** Studio Egret West (Preston Barracks) & Hassell (University)

**Estimated project value (Preston Barracks):** c£150M

## Outputs:

- 369 new homes
- c1,300 student beds
- Central Research Lab (4,645 M2 & 854 jobs over 10 year period)
- Office and retail space
- New university academic space
- Regenerate key site

## What happened in the last period?

- Ongoing discussions between applicants and the Local Planning Authority
- Arrangements completed to ensure vacant possession of the barracks site is achieved by required time
- Legal work in preparation for planning decision to enable works to commence shortly after determination

## What's going to happen in the next period?

- Planning application to be determined at Planning Committee
- Complete s106 agreement
- Vacant possession achieved
- Legal agreement goes unconditional
- Demolition and enablement works commence
- Construction commences

## New England House



New England House



Fusebox creative space

**Partners:** Brighton & Hove City Council, Department of Communities & Local Government (Greater Brighton City Deal)

**Architects:** TBC

**Estimated project value:** c£25M

### Outputs:

- Increase office space by 7,089 M2

Repair and refurbish council asset

## Background

New England House is already one of the major hubs for Brighton's thriving Creative, Digital and IT (CDIT) businesses. The building accommodates 96 businesses that are primarily from this sector. These businesses employ approximately 1,000 people and many more are employed by the companies that form part of their supply chains.

City Deal and Growth Deal funding will enable the development of New England House into an improved and expanded facility for nurturing small creative-tech businesses and fusing together people with creative and digital skills. This work will put Brighton firmly on the map as Tech City South.

## Key Facts

**Current stage:** Negotiations for potential land deal with adjacent leaseholder and potential developer which would help secure City Deal outputs

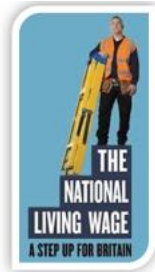
### What happened in the last period?

- Consideration of development options and associated project pathways to secure delivery of City Deal objectives
- Continuation of discussions towards potential land deal with adjacent leaseholder (Longley Industrial Estate) and their preferred development partner

### What's going to happen in the next period?

- Finalise potential land deal discussions with Longley leaseholder and their preferred development partner.
- Provide project plan and seek necessary agreements for delivery.

# Living Wage Housing Joint Venture



## Background

The council is developing a Joint Venture with Hyde Housing to deliver 1,000 homes (500 Living wage rent and 500 Shared Ownership targeted at local people). The proposal is to establish an equal Joint Venture Limited Liability Partnership between Brighton & Hove City Council and Hyde Housing Association. The partners will provide equal funding, totalling £106M, to build new homes for low working households in Brighton & Hove. This will help to further increase the supply of lower rent housing in the city across a range of sites.

## Key Facts

### Current stage:

The project received committee and funding approval in December 2016. Head of Terms are agreed and the Legal documents and Business Plan are currently being reviewed with an aim to launch in summer 2017.

### Partners:

Brighton & Hove City Council and Hyde Housing

**Estimated project value:** £106M

### Outputs:

- 1,000 homes (500 at Living Wage rent & 500 for Shared Ownership)
- Share of annual surplus to the council
- Jobs, training and apprenticeships
- Wider economic and regeneration impacts
- Council Tax revenue

### What happened in the last period?

- Business Plan produced and due diligence analysis by council
- Legal negotiations and documents produced
- Site review

### What's going to happen in the next period?

- Committee decisions by Housing & New Homes and Policy Resources & Growth Committees on Business Plan and sites
- Legal agreements finalised and JV established



## British Airways i360



### Background

Since completion of the BA i360 project in August 2016, the council landscaping scheme on either side of the attraction has progressed to final completion in August 2017.

### Key Facts

**Current stage:** BAi360 complete. Landscaping scheme complete subject to final snagging.

**Partners BA i360:** Marks Barfield Architects, The West Pier Trust (landowner), Brighton & Hove City Council (funder and planning authority), Cost to Capital LEP (funder) and British Airways (sponsor)

**Landscaping scheme:** Brighton & Hove City Council, Robinson Low Francis, Hemsley Orrell Partnership, Fiona Atkinson Landscaping Design, Terrafirma, DO Lighting, Edburton Contractors

**Architects:** Marks Barfield Architects

**Landscaping Project value:** c£1.9M

#### BA i360 outputs:

- Regeneration of key seafront site
- £1M+ per annum income to council from loan interest and 1% of tickets sales
- Est. 444 Jobs and £25M PA into city's economy
- Est. £27-40K additional overnight stays PA

#### Landscaping outputs:

- Improved public realm, lighting, seating and landscaping

#### What happened in the last period?

- Landscaping project completed

#### What's going to happen in the next period?

- Final snagging for landscaping
- New West Pier Trust visitor centre open
- New businesses established and open

