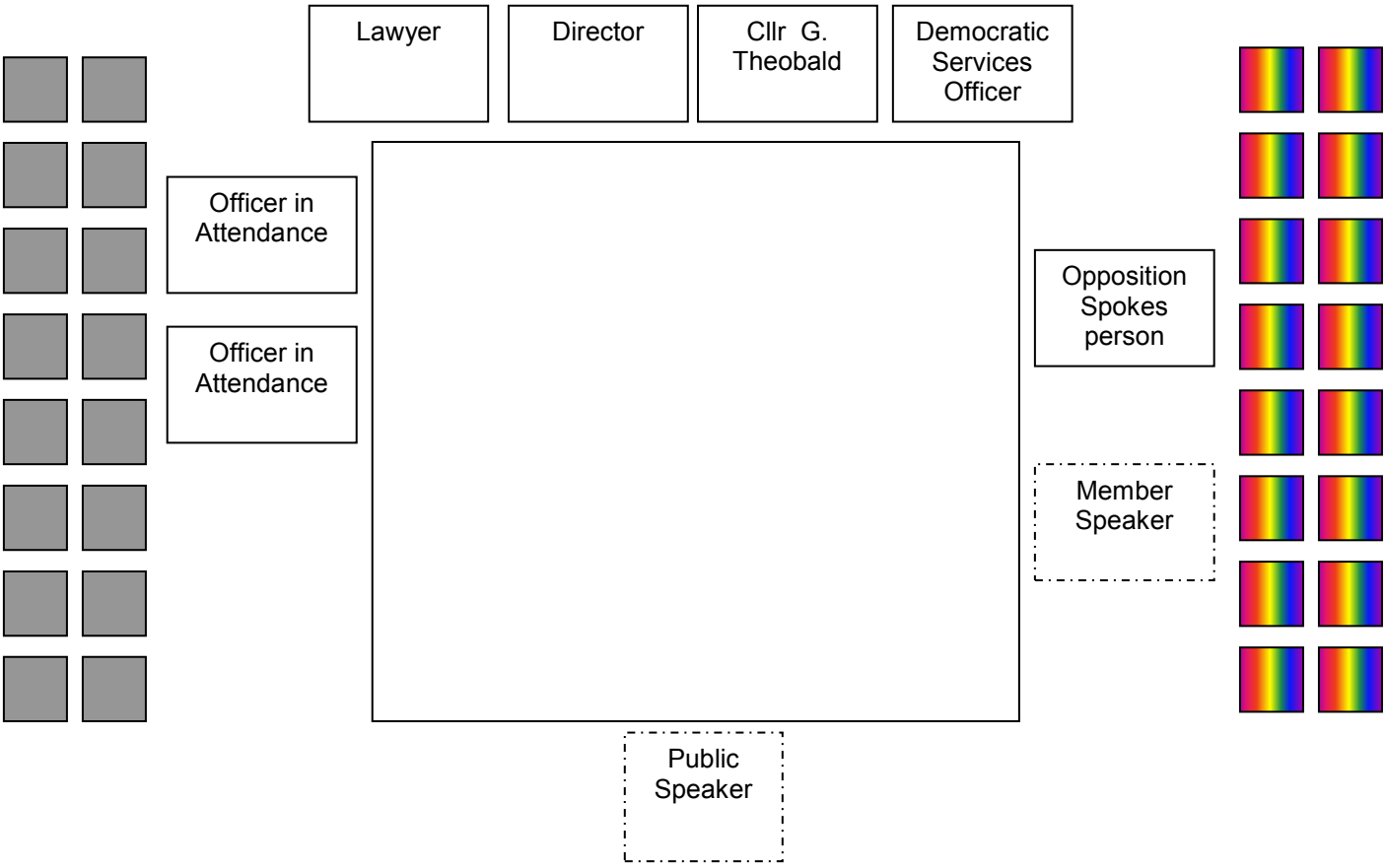
Brighton & Hove City Council

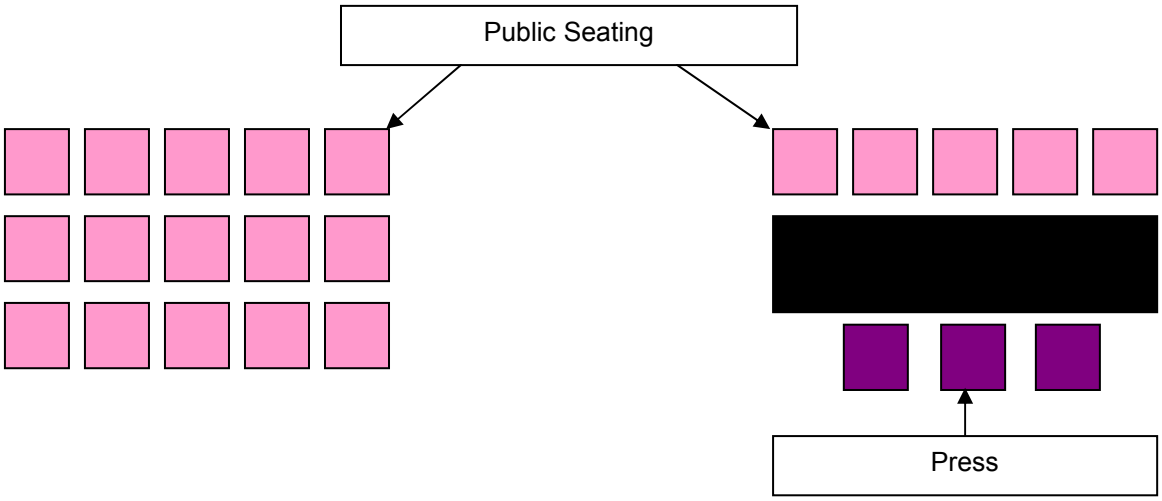
Cabinet Member Meeting

Title:	**Environment Cabinet Member Meeting**
Date:	**25 March 2010**
Time:	**4.00pm**
Venue	**Council Chamber, Hove Town Hall**
Members:	**Councillor:** G Theobald (Cabinet Member)
Contact:	**Tanya Massey** Senior Democratic Services Officer 01273 291227 tanya.massey@brighton-hove.gov.uk

	**The Town Hall has facilities for wheelchair users, including lifts and toilets**
	**An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter and infra red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.**
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Democratic Services: Meeting Layout





ENVIRONMENT CABINET MEMBER MEETING

AGENDA

Part One **Page**

94. PROCEDURAL BUSINESS

(a) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.

(b) 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 2 of the Agenda states in its heading either that it is confidential or the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the categories of exempt information is available for public inspection at Brighton and Hove Town Halls.

95. MINUTES OF THE PREVIOUS MEETING 1 - 6

Minutes of the meeting held on 26 January 2010 (copy attached).

96. CABINET MEMBER'S COMMUNICATIONS

97. ITEMS RESERVED FOR DISCUSSION

(a) Items reserved by the Cabinet Member

(b) Items reserved by the Opposition Spokesperson

(c) Items reserved by Members, with the agreement of the Cabinet Member.

NOTE: Public Questions, Written Questions from Councillors, Petitions, Deputations, Letters from Councillors and Notices of Motion will be reserved automatically.

98. PETITIONS 7 - 8

Report of the Director of Strategy & Governance (copy attached).

Contact Officer: *Tanya Massey* *Tel: 29-1227*
Ward Affected: *All Wards*

99. PUBLIC QUESTIONS

(The closing date for receipt of public questions is 12 noon on 18 March 2010)

No public questions have received by date of publication.

100. DEPUTATIONS **9 - 18**

(The closing date for receipt of deputations is 12 noon on 18 March 2010)

(a) Deputation concerning Old Shoreham Road/Neville Road/Sackville Road Crossroads (copy attached).

(b) Deputation concerning Dangers of Crossing Old Shoreham Road at the Junctions of The Upper Drive and The Drive (copy attached).

(c) Deputation concerning the former Royal Alexander Hospital site Planning Brief (copy attached).

101. LETTERS FROM COUNCILLORS **19 - 20**

(i) Request for Priority Re-Inclusion into CPZ Consultation Programme. Letter from Councillor Kennedy (copy attached).

102. WRITTEN QUESTIONS FROM COUNCILLORS **21 - 22**

(copy attached).

103. NOTICES OF MOTION

No Notices of Motion have been received.

PUBLIC SAFETY MATTERS

104. Health & Safety - Annual Service Plan 2010/11 **23 - 44**

Report of the Director of Environment (copy attached).

Contact Officer: *Roy Pickard* *Tel: 29-2145*
Ward Affected: *All Wards*

105. Official Feed and Food Controls Service Plan 2010/11 **45 - 76**

Report of the Director of Environment (copy attached).

Contact Officer: *Nick Wilmot* *Tel: 29-2157*
Ward Affected: *All Wards*

ENVIRONMENT CABINET MEMBER MEETING

SUSTAINABLE TRANSPORT MATTERS

106. Old Shoreham Road Cycle Route **77 - 100**

Report of the Director of Environment (copy attached).

Contact Officer: *Mark Prior* *Tel: 29-2095*
Ward Affected: *Goldsmid; Hangleton & Knoll; Hove Park; Preston Park; South Portslade*

107. Local Transport Plan Capital Programme 2010/2011 **101 - 108**

Report of the Director of Environment (copy attached).

Contact Officer: *Andrew Renaut* *Tel: 29-2477*
Ward Affected: *All Wards*

108. Hanover & Elm Grove Resident Parking Review Community Consultation **109 - 130**

Report of the Director of Environment (copy attached).

Contact Officer: *Owen McElroy* *Tel: 29-0368*
Ward Affected: *East Brighton; Hanover & Elm Grove; Queen's Park*

109. Various Changes to Controlled Parking Zones (CPZ) Order and Areas Outside of CPZ **131 - 192**

Report of the Director of Environment (copy attached).

Contact Officer: *Charles Field* *Tel: 29-3329*
Ward Affected: *All Wards*

CITY PLANNING MATTERS

110. Nature Conservation and Development Supplementary Planning Document **193 - 240**

Report of the Director of Environment (copy attached).

Contact Officer: *Matthew Thomas* *Tel: 29-2371*
Ward Affected: *All Wards*

111. 19 Brunswick Place - Urgent Works in Default **241 - 252**

Report of the Director of Environment (copy attached).

Contact Officer: *Tim Jefferies* *Tel: 29-3152*
Ward Affected: *Brunswick & Adelaide*

112. Stanmer Conservation Area Review **253 - 302**

Report of the Director of Environment (copy attached).

Contact Officer: *Sanne Roberts* *Tel: 29-2261*
Ward Affected: *Hollingdean & Stanmer*

113. Planning Brief - Former Royal Alexandra Hospital Site **303 - 346**

Report of the Director of Environment (copy attached).

Contact Officer: *Jo Thompson* *Tel: 29-2500*
Ward Affected: *Regency*

114. Local Development Framework Core Strategy - Updated Background Studies **347 - 352**

Report of the Director of Environment (copy attached).

Contact Officer: *Liz Hobden* *Tel: 29-2504*
Ward Affected: *All Wards*

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.

Agendas and minutes are published on the council's website 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 Tanya Massey, (01273 291227, email tanya.massey@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Wednesday, 17 March 2010

ENVIRONMENT CABINET MEMBER MEETING	Agenda Item 95 Brighton & Hove City Council

BRIGHTON & HOVE CITY COUNCIL

ENVIRONMENT CABINET MEMBER MEETING

4.00PM 26 JANUARY 2010

COMMITTEE ROOM 3, HOVE TOWN HALL

MINUTES

Present: Councillor G Theobald (Cabinet Member)

Also in attendance: Councillor Davey (Opposition Spokesperson, Green)

Other Members present: Councillors Watkins and West

PART ONE

81. PROCEDURAL BUSINESS

81a Declarations of Interests

81a.1 There were none.

81b Exclusion of Press and Public

81b.1 In accordance with section 100A of the Local Government Act 1972 ('the Act'), the Cabinet Member for Environment considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press or public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100I(1) of the Act).

81b.2 **RESOLVED** – That the press and public be not excluded from the meeting.

82. MINUTES OF THE PREVIOUS MEETING

82.1 **RESOLVED** – The minutes of the meeting held on 5 November 2009 were approved and signed by the Cabinet Member as a correct record.

83. CABINET MEMBER'S COMMUNICATIONS

83.1 The Cabinet Member wished to record his, and the Council's, thanks to all staff within the Environment Directorate who had worked hard during the recent snowfall. In

particular, officers from City Clean, City Parks and the Seafront Office had made huge efforts to tackle the difficult conditions, in addition to working with colleagues in Adult Social Care to reach vulnerable people.

84. ITEMS RESERVED FOR DISCUSSION

84.1 **RESOLVED** - That all the items be reserved for discussion.

85. PETITIONS

85(i) Petition – Parking Zones M. N and O

85.1 Councillor Watkins presented a petition signed by 120 people requesting that controlled parking zones M, N and O be merged.

85.2 The Cabinet Member stated that as there was also a deputation relating to the same matter, he would deal with them together late on the agenda.

85.3 **RESOLVED** – That the petition be noted.

85(ii) Petition – Traffic in Ditchling Rise

85.4 Councillor West presented a petition signed by 170 people requesting a meeting with traffic engineers to discuss measures to reduce the amount of traffic in Ditchling Rise.

85.5 Local resident, Mr Steve Foster, explained the problems of rat-running in Ditchling Rise and use of the road by heavy vehicles.

85.6 The Cabinet Member advised that arrangement had already been made for officers to meet with local residents and councillors to discuss the issues and that officers would report back on possible measures.

85.7 **RESOLVED** – That the petition be noted.

85(iii) Petition – Use of bus travel cards for the disabled

85.8 Councillor Phillips had submitted a petition signed by 45 people with disabilities requesting the right to use their travel cards in order to get to work.

85.9 Councillor Phillips was unable to attend the meeting.

85.10 **RESOLVED** – That the petition be noted and a written response be provided.

85(iv) Petition – communal bins in Brunswick Town

85.11 Councillor Elgood had submitted a petition signed by 35 people requesting that pedal assisted communal bins be returned to Brunswick Town.

85.12 Councillor Watkins presented the petition on behalf of Councillor Elgood, who was unable to attend the meeting due to Council business.

85.13 The Cabinet Member explained that one of the main problems with the communal bins with the foot pedals was that the pedals would frequently break and residents ended up having to lift a larger and heavier lid instead. He stated that the council advised residents to take smaller amounts of rubbish to the communal bins and that where residents could not use the bins the council was able to offer assistance.

85.14 **RESOLVED** – That the petition be noted.

85(v) Petition – gating order, Farman Street

85.15 Councillor Elgood presented a petition signed by 70 people requesting that the Council agree to fit a gate to the Western Road end of the Farman Street alley to prevent improper use at night.

85.16 Councillor Watkins presented the petition on behalf of Councillor Elgood, who was unable to attend the meeting due to Council business.

85.17 The Cabinet Member reported that officers had met with local councillors and residents to listen to the concerns and discuss possible ways forward; the setting up of a local working group had been agreed. The council had an agreed Gating Order protocol to follow and officers were working with the local community to gather information in support of a potential Gating Order and identifying the specifications of a feasible scheme. He advised that officers hoped that the information gathered, along with the residents' incident reports, would enable a draft scheme to be produced for consultation and which could form the basis of a Gating Order.

85.18 **RESOLVED** – That the petition be noted.

86. PUBLIC QUESTIONS

86.1 The Cabinet Member reported that one public question had been received.

86.2 Mr Davys asked the following question:

"Have the developers of the Brighton O entered into and/or signed any form of development agreement with Brighton & Hove City Council?"

86.3 The Cabinet Member gave the following response:

"There is no development agreement as such between the Council and Paramount Attractions Limited, who are the proposed developers of the Brighton O. If planning permission were to be granted there would be a s106 Agreement entered into as well as relevant property documentation.

There is, however, an Exclusivity or Lock Out Agreement which expires on 31.03.10. That Agreement includes termination provisions and provides that all planning and challenge risk is with the developer.

Scott Marshall, Director of Culture & Enterprise, has recently been appointed as the Project Director for the Brighton O and he is working with other officers to see if development of the O is possible, in such a way that does not prejudice the Sailing Club, the i-360, the West Pier Trust and the seafront generally. This includes looking at alternative sites."

86.4 Mr Davys asked the following supplementary question:

"Is there any more you can tell us?"

The Cabinet Member advised that there was nothing else he could add, but asked the lawyer to the meeting, who was also the council's lawyer for the i360, as well as the Brighton O project, if he could provide any further information.

86.5 The lawyer to the meeting explained that discussions were ongoing. Although the planning application was scheduled to be considered at a forthcoming meeting of the council's Planning Committee and officers had recommended that approval be refused, the decision could still be deferred to allow attempts to be made to overcome the prejudice to the sailing club prior to consideration by the Committee. The council hoped to have further discussions with Paramount Attractions Ltd.

87. DEPUTATIONS

87.1 The Cabinet Member reported that one deputation had been received.

87.2 The Cabinet Member considered a deputation from Ms Juliette Hunting requesting controlled parking zones M, N and O be merged to form one central zone to alleviate the individual pressure on the each of the zones and allow residents more freedom to park (for copy see minute book).

87.3 Councillor Watkins spoke in support of the proposals detailed in the deputation and supporting petition.

87.4 The Cabinet Member advised that the objective of reducing parking pressure in Zone M could be achieved through using some of the spare parking capacity in Area O. The Area O scheme was at 89% capacity with 1,929 permits on issue for the 2,167 permit spaces available. Merging the two schemes would therefore benefit Area M residents by increasing the number of permit bays available to them. Area O residents would have less to gain from merging the two parking zones. With larger zones, internal commuting within the zone could become an issue although, due to the size and geography of the potential new OM zone, it was unlikely that this would cause significant problems.

A suggested merger of Areas O, M and N would be more problematic and would be unlikely to reap the same benefits as an OM merger. Zone N was at 97% capacity and so a merger with Zone N would not significantly increase the amount of parking available. Area N was also one of the largest zones and, if the three zones were to be merged, internal commuting within the new large zones could present problems, particularly with the draw of parking close to Western Road shops.

The Cabinet Member advised that the council would include a review of Areas O and M in the future priority parking scheme timetable to ensure that the council had the available resources to look into it carefully. The agreement of the Goldsmid Ward councillors would be required in order to proceed with the investigation.

87.5 **RESOLVED** – That the deputation be noted.

88. LETTERS FROM COUNCILLORS

88.1 There were none.

89. WRITTEN QUESTIONS FROM COUNCILLORS

89.1 There were none.

90. NOTICES OF MOTION

90.1 There were none.

91. CIVITAS ROAD SAFETY CAMPAIGN

91.1 The Cabinet Member considered a report of the Director of Environment concerning the CIVITAS Road Safety Campaign project and seeking approval to progress the identified sites to Detailed Design stage and to advertise any necessary Traffic Regulation Orders (for copy see minute book).

91.2 The Cabinet Member stated that, ideally, such projects would not be needed, however, given that the need was driven by accidents, he was pleased to see that efforts were being made to improve road safety amongst the most vulnerable road users. He added that it was encouraging to hear that such minor interventions had the potential to make a significant impact on people's lives.

91.3 Councillor Davey welcomed the report and agreed that many benefits could come from small scale projects. He stated that the de-cluttering of London Road would make a significant difference to the area and improve safety. He added that the Another London Road Group were likely to appreciate the installation of central refuges.

91.4 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendation:

(1) That approval be given to progress the five sites in London Road and Lewes Road to detailed design stage and advertise Traffic Regulation Orders.

92. CYCLIST PRIORITY NETWORK

92.1 The Cabinet Member considered a report of the Director of Environment seeking approval to work up recommended and contingency small scale cycling projects as part of the CIVITAS Cycle Priority Network (for copy see minute book).

92.2 The Cabinet Member explained that high quality, accessibility for all, was key to the city's cultural, financial and academic economy and that the ability to choose how to move around the city was also a priority. He stated that that were gaps in the quality of the city's existing cycling infrastructure, and that it limited accessibility and transport choice for some residents. He advised that the report detailed proposals for improvements to the cycle network, and would in particular improve links between the city and the University.

92.3 Councillor Davey welcomed the report and in particular the measures proposed for Coombe Terrace.

92.4 The Cabinet Member added that one of the benefits of the CIVITAS project was that the council was required to report back on progress.

92.5 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendation:

(1) That approval be given for work to continue on the four recommended and two contingency projects to detailed design stage and to advertise Traffic Regulation Orders.

93. FEES AND CHARGES 2010/11

93.1 The Cabinet Member considered a report of the Director of Environment concerning proposed fees and charges for 2010/11 (for copy see minute book).

93.2 The Cabinet Member advised that two corrections needed to be made to the fees and charges detailed in Appendix 1:

- That in relation to Traders Permits, the permit period be amended to 3 months; a 1 year permit did not exist.
- That the Norton Road car park charge for 12 hours be amended to £4.50 to bring it into line with the on road parking.

93.3 Councillor Davey wished to pass on Councillor Kitcat's gratitude for the new tariffs proposed for the Regency Square Car Park, which he hoped would have a positive impact in the surrounding area.

93.4 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendation:

(1) That the proposed fees and charges for 2010/11 be agreed.

The meeting concluded at 4.40pm

Signed Cabinet Member

Dated this day of

ENVIRONMENT CABINET MEMBER MEETING	Agenda Item 98 Brighton & Hove City Council

Subject:		**Petitions**		
Date of Meeting:		**25 March 2010**		
Report of:		**Director of Strategy & Governance**		
Contact Officer:	**Name:**	**Tanya Massey**	**Tel:**	**29-1227**
	E-mail:	**tanya.massey@brighton-hove.gov.uk**		
Key Decision:	**No**			
Wards Affected:	**Various**			

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 To receive the following petitions presented at Council, any petitions presented directly to the Environment Cabinet Member Meeting or any e-Petition submitted via the council's website.

98. (i) To receive the following petition presented at Council on 10 December 2009 by Councillor Bennett and signed by 65 people:

We ask the council to listen to residents and change the proposal [for Court Farm Road] from double yellow lines to single yellow lines operating weekdays only 8am-5pm

98. (ii) To receive the following e-Petition submitted via the council's website and presented at Council on 18 March 2010 by Councillor Elgood and signed by 40 people:

We the undersigned petition the council to bring the on-street parking contract back in-house when the contract is up for renewal in two year's time.

98. (iii) To receive the following e-Petition submitted via the council's website and signed by 118 people:

We the undersigned petition the council to Implement congestion charge for the city centre of Brighton and improve public transport.

98. (iv) To receive the following e-Petition submitted via the council's website and signed by 35 people:

We the undersigned petition the council to bring forward and commit to a specific date for the residents of Worcester Villas to be consulted on a parking scheme for residents and visitors.

98. (v) To receive the following e-Petition submitted via the council's website and signed by 9 people:

We the undersigned petition the council to provide more salt/grit bins throughout the city in time for the next severe weather spell.

98. (vi) To receive the following e-Petition submitted via the council's website and signed by 131 people, to be combined with a paper petition presented by Councillor Davis:

We the undersigned petition the council to take immediate measures to reduce speeding traffic in our neighbourhood and, in particular, ensure a much safer crossing for pedestrians at the junctions of Old Shoreham Road and The Drive and The Upper Drive. These increasingly dangerous junctions are used by hundreds of school children every morning and afternoon.

98. (vii) To receive the following e-Petition submitted via the council's website and signed by 138 people:

We the undersigned petition the council to stop the cutting down of the plane trees on Clyde Road, and consider pollarding and other means of saving these majestic trees.

CABINET	Agenda Item 100 Brighton & Hove City Council

DEPUTATIONS FROM MEMBERS OF THE PUBLIC

Two deputations have been referred from Council on 28 January 2010. The Cabinet Member will note the response given at that meeting and provide an update where appropriate.

(a) Deputation concerning Old Shoreham Road/Neville Road/Sackville Road Crossroads – Mr John Towers (Spokesperson).

(b) Deputation concerning Dangers of Crossing Old Shoreham Road at the Junctions of The Upper Drive and The Drive - Ms Paula Slinn (Spokesperson).

One deputation has been submitted directly to the Environment Cabinet Member meeting. A period of not more than fifteen minutes shall be allowed at each ordinary meeting for the hearing of deputations from members of the public. Each deputation may be heard for a maximum of five minutes following which the Cabinet Member may speak in response. The deputation will be thanked for attending and its subject matter noted.

(c) Deputation concerning the former Royal Alexander Hospital site Planning Brief – Mr Mike Hales (Spokesperson)

100(a) Deputation concerning Old Shoreham Road/Neville Road/Sackville Road Crossroads - Mr John Towers (Spokesperson)

"As residents of Painters Corner, we are deeply concerned about the nearby Old Shoreham Road/Neville Road/Sackville Road crossroads. There are no pedestrian crossings on the north or southbound carriageways at the junctions on Neville and Sackville Roads. We have written to the Council many times about the dangers and the need for safe and effective pedestrian crossings, but no action has been taken.

Our petition
We petitioned **212 residents** living in five roads in Painters Corner, and all but two signed. This shows **99% support** for pedestrian crossings as described above. **We attach their signatures as part of this document.**

Comments from residents included:

- Three children involved in accidents
- Eye-witness accounts of vehicle crashes
- Multiple examples of near misses of pedestrians by vehicles
- A blind person unable to cross at this junction
- Older children unable to cross unsupervised
- Elderly residents and their relatives frightened of crossing
- Traffic speeding and jumping red lights
- Confusing traffic light sequences making crossing hazardous
- Inadequate space on the central islands, especially for parents with buggies and small children
- No safety barriers on the central islands with speeding traffic dangerously close to pedestrians
- Pedestrians stranded in the central islands due to traffic light sequence giving priority to vehicles
- Concerns about increased traffic and pedestrian safety with Sackville Place development
- Written complaints to the Council by residents have to date achieved nothing."

Response from Councillor Theobald, Cabinet Member for Environment, at Council on 28 January 2010.

Brighton and Hove City Council

Supporting Information

Deputation concerning road safety improvements for Old Shoreham Road/Neville Road/Sackville Road Crossroads, Hove

The local community are deeply concerned about the Old Shoreham Road/Neville Road/Sackville Road crossroads. This is because there are no safe pedestrian crossings at this junction. We want the Council to introduce measures to improve pedestrian safety. This deputation is being made as, to date, written complaints to the Council by residents have achieved no improvements.

A door to door petition of 212 residents in five roads in Painters Corner showed that 99% felt strongly that action must be done to improve pedestrian safety at these crossings.

The dangers

There are many reasons why this crossroads is dangerous for pedestrians. There are no pedestrian crossings on the north or southbound carriageways at the junctions on Neville and Sackville roads.

It is a complicated junction. The traffic light sequence and filter lanes are confusing to drivers, and vehicles often speed and jump red lights. Pedestrians of all ages and abilities put themselves at risk by having to negotiate these hazards.

There is inadequate space on the central islands for pedestrians, including parents with buggies and small children. Pedestrians are often stranded in the central islands due to traffic light sequences giving priority to vehicles. There are no safety barriers on the central islands, with speeding traffic passing perilously close to pedestrians.

Data from Mark Prior, Assistant Director Sustainable Transport, confirms that '*during the three year period to 30 November 2009 there were 10 reported injury collisions at these crossroads. Two were classed as 'serious injury collisions' and eight were classed as 'slight injury collisions'. From these collisions, there were four pedestrian casualties, two of which were serious.*' These figures undoubtedly mask a larger number of unreported and near accidents.

The impact on the community

Many people cross here every day. This includes hundreds of children going to schools in Hove Park, Blatchington Mill, Aldrington, Cottesmore St Marys, and Cardinal Newman, as well as many employees who work in the immediate vicinity, and those using Hove Park.

Because of the present dangers many people are fearful of crossing or do not cross here at all. Elderly people and their relatives reported that they are frightened to cross, many older children are not permitted to cross unsupervised, and for anyone with a disability this junction presents a major obstacle.

Action needed
Whilst we understand that the Council is waiting for the developers of the Sackville Place Retail Park to fund road safety improvements at this junction, we cannot wait indefinitely for a private finance solution. We have seen no guaranteed time frame for this development nor a prioritised schedule of work as regards road safety improvements included in it. We therefore ask the Council to consider immediate and urgent action.

We need an immediate safety audit to be undertaken on week days at peak times (e.g. school times) to identify the problems. Protective railings need to be installed on the central islands and traffic calming measures introduced. Above all we need a green man crossing system to be introduced.

John Towers (spokesperson)

28 January 2010

100(b) Deputation concerning Dangers of Crossing Old Shoreham Road at the Junctions of The Upper Drive and The Drive - Ms Paula Slinn (Spokesperson).

"We wish to raise the issue of the dangers of crossing the Old Shoreham Rd at the junctions with The Upper Drive and The Drive. Some 3000 school children are at school around these junctions and there is no provision to enable them to safely cross the road at these junctions. We ask that the Cabinet Member for Environment agrees to review the situation and consider taking action to safeguard the welfare of the children and others who wish to cross the road."

Deputation to Council

In support of Petition being presented by Cllr Melanie Davis to improve safety at Upper Drive/Old Shoreham Road Junction and The Drive/Old Shoreham Road junction

My name is Paula Slinn. I am a resident in Hove, having lived in two streets leading off the Old Shoreham Road (Bigwood Avenue and Chanctonbury Road) which are at opposite ends of the stretch of the Old Shoreham Road between BHASVIC – Dyke Road and the Upper Drive for over 11 years. I have two children – a 13 year old who attends Cardinal Newman and a 10 year old who attends Somerhill Junior School. I have concerns about the safety of the crossing at the Upper Drive/Old Shoreham Road and the lack of crossing at the Drive/Old Shoreham Road.

I am also a Planning and Highways Solicitor and have often thought that there should be greater road safety measures implemented along this road.

It is clear that both junctions are very busy, and the Upper Drive junction is used predominantly by school children.

At the junction with the Drive, there are no pedestrian traffic signals. There is no time delay between the change of lights to allow school children or other pedestrians to cross safely.

At the junction with the Upper Drive, there is a crossing, however, there have been many incidents recently of cars speeding through this crossing to avoid the lights changing and actually driving through red lights, crashing into railings or narrowly avoiding pedestrians. My neighbour and her daughter were nearly killed at this crossing before Christmas, and my window cleaner was nearly run over by a speeding car last week. I myself was involved in a car collision in December caused by a speeding car that was overtaking a stationary line of traffic just before the crossing. She unfortunately lost control of her car and careered on to the pavement on the other side of the road just before the crossing, hitting a tree and just missing the bus shelter. This was at 8.45 am. Had it happened 5 minutes earlier, it may have affected school children.

The design of the Old Shoreham Road is, I consider, partly to blame. The carriageways are wide and they encourage overtaking. There are also bus stops immediately before the crossing on either side of the road and when buses stop, cars overtake at the crossing. In fact, the whole stretch of the Old

Shoreham Road just before the Upper Drive and up to The Drive is wide and motorists appear to treat it like a dual carriageway with the accompanying speeds.

There are no signs indicating that there are schools along this part of the Old Shoreham Road (the only signs being halfway up the Upper Drive). I find this quite shocking bearing in mind that there are 3 schools located at this junction (Cardinal Newman, Brighton & Hove High Junior School, and Cottesmore Primary School) with approximately 3000 children attending. There is also no speed camera, no traffic signal camera and no device which advises motorists to slow down. All of these are present on other roads in the City.

It is alarming that school children have to cross a busy road that is effectively being used as a dual carriageway.

I have spoken to many parents in the area, including parents at Somerhill Junior School for which I am a parent governor, and they too raise their concerns about this stretch of the Old Shoreham Road and the safety of their children attending the secondary schools. Many reported incidents of their children being very upset having been stuck in the middle of the roads whilst cars speed by, or having to throw themselves out of the way whilst crossing.

There are measures that can be taken. I have taken advice from a highways engineer who advises that the simplest measure would be to erect school signs just before the junction of the Upper Drive approaching south, east and west. Secondly, to prevent overtaking, and to slow the traffic down and prevent the Old Shoreham Road being treated like a dual carriageway, the carriageways could be physically narrowed, or if that is too expensive, hatching could be placed in the middle between the carriageways to prevent overtaking. Thirdly, a slow down device could be erected. Lastly, if this stretch of the Old Shoreham Road was reduced to a 20 mph zone, the traffic would slow down. As this road has a school crossing, that would be a good reason to make this part of the road 20 mph. If signs are too expensive, road markings could indicate this.

As parents, we like our children to attend their local schools and to be able to walk to school rather than be driven. However, we want them to be able to walk to school safely.

We need the crossing and the junction to be made safer by slowing down the traffic and making motorists aware that the crossing is a school crossing.

Therefore, I would ask the Council to support this Petition.

Signed: Paula Slinn
Date: 21 January 2010

Response from Councillor Theobald, Cabinet Member for Environment, at Council on 28 January 2010.

100(c) Deputation concerning the former Royal Alexander Hospital site Planning Brief - Mr Mike Hales (Spokesperson).

See attached supporting information.

Submitted to the Environment cabinet, Brighton and Hove City Council : March 25th 2010

Planning brief for the Royal Alex site - A deputation by residents of the Alex Triangle

The Alex Triangle is the area of land within the Montpelier and Clifton Hill conservation area that is enclosed to the rear of properties on Dyke Road, Clifton Hill and Clifton Road. The Triangle includes the Royal Alexander hospital site at its southern apex. 2-300 residents have homes that look out into the Triangle. In December 2009, Triangle residents submitted comments during the Council's consulation on the Royal Alex Planning Brief (*Conservation and amenity inside the Alex Triangle - A submission by neighbouring residents on requirements for the planning brief for the Royal Alex site*, 15 December 2009).

In this deputation we summarise the four main issues highlighted in that submission and ask the Cabinet Member for Environment to describe how the Planning Brief addresses each of them.

Our question

With regard to each of the four issues summarised below, we ask the Cabinet Member to describe:

a) How the planning brief addresses this issue; and
b) What force the brief has, to guarantee outcomes on this issue, not only at the present time but also with regard to development of the site in future years?

Four issues

1 An amenity issue - new development on the crown of Clifton Hill

The sector enclosed by the north and west boundaries of the Alex site contains the highest point of Clifton Hill, and ground falls away steeply to the north and west. Any development in this sector of the site will potentially loom over all adjacent properties, since the fall of the land means that a three-storey building at Alex ground level is effectively five stories or more when viewed from the back doors and gardens of neighbouring properties in the Triangle. In our submission we suggested that height limits should be specified in the Planning Brief, that pitched - not flat - roofs should be specified, and that set-back of new buildings from the north and west boundaries should also be specified.

2 A commercial viability issue - densities in the north-west sector of the site

The area of the Alex site adjacent to the north and west boundaries contains no conservable buildings, and conservation of buildings in other parts of the site implies that, in order to achieve commercial viability, a developer will wish to achieve higher densities in this part of the site. In view of the issue of height and dominance over adjacent properties outlined in 1 above, we would like to know how the Brief deals with this pressure to stack units in the north-west sector of the site.

3 A conservation issue - the character of this part of the Conservation Area as an open space

The Triangle is an unexpectedly large area of land behind the street frontages, with long sight lines and an open aspect punctuated only by mature trees; apart from trees, nothing rises higher than two storeys (plus roof) above Alex ground level. In our submission we argued that this quality of shared open space, opening out to the north and west, should be conserved and enhanced, as a valuable and beneficial characteristic of the environment, not only for the 2-300 current residents (including 100-or-so occupants of retirement flats) but also for occupants of 100-or-so future homes and users of other facilities (eg a GP surgery) that may be created by development on the Alex site.

4 A second conservation issue - the architectural qualities of structures in different sectors of the redeveloped Alex site

Within the Triangle, at the 'back' of the Alex site, the scales, rhythms and textures of structures are distinct from those at the 'front' of the site, especially on Dyke Road. The diversity and greater intimacy of rear extensions, flint walls, gardens and other small-scale features within the Triangle contrast with the grander proportions of Victorian buildings facing into Dyke Road, and constitute the charm of this particular kind of off-the-street townscape within the Conservation Area. In view of the nature of previous development proposals for the site, which applied a standard structural module and exterior style across the entire site regardless of these characteristic variations, our submission argued that the Brief should assert a '360-degree' view of the conservation of urban space, taking into account the differing rhythms, textures and scales of the Victorian environment in different sectors of the Alex site.

March 15th 2010

Members of the deputation, on behalf of Alex Triangle residents:

Dr M Hales, 73 Homelees House, Dyke Road/Clifton Road, BN1 3JP
Mr M Smith, 33 Homelees House, BN1 3JP
Mr J Tyson, 3 Clifton Road, BN1 3HP
Mr T Cook, 18 Clifton Road, BN1 3HN
Ms S Kennedy, 19 Clifton Hill, BN1 3QH
Ms P Sankey, 20 Clifton Hill, BN1 3QH

Councillor Amy Kennedy

Brighton & Hove City Council
King's House
Grand Avenue
Hove BN3 2LS

Cllr Geoffrey Theobald
Cabinet Member for Environment
Brighton & Hove City Council
King's House
Grand Avenue
Hove BN3 2LS

Monday 1st February 2010

Dear Cllr Theobald

REQUEST FOR PRIORITY RE-INCLUSION INTO CPZ CONSULTATION PROGRAMME

I am writing to you as Cabinet Member for the Environment in order to request that the following streets in Preston Park ward be re-included into the council's ongoing Controlled Parking Zone consultation programme as a matter of priority:

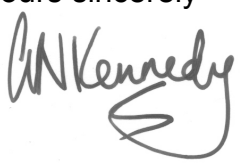
- Springfield Road
- Florence Road
- Southdown Avenue
- Rugby Road
- Grantham Road
- Edburton Avenue
- St. Andrew's Road
- Semley Road

These roads form the 'northern block' of the original consultation area for the new 'Viaduct Rise' CPZ which will be introduced later on this year, and as you are aware following the deputation presented by residents at last November's Environment Cabinet Member Meeting, many people who live at the edge of the new CPZ are very concerned about the impact of displacement once the scheme is implemented.

I am advised that the CPZ consultation programme is fully booked until March 2011, and thus I respectfully request that the streets named above are re-included into the programme with a view to their earliest possible re-consultation in 2010, as soon as possible after the introduction of the 'Viaduct Rise' scheme.

Many thanks in advance for your time and attention in considering my request.

Yours sincerely



Cllr Amy Kennedy

Telephone/Fax: (01273) 296445 Email: amy.kennedy@brighton-hove.gov.uk

Green Member for Preston Park Ward

ENVIRONMENT CABINET MEMBER MEETING	Agenda Item 102 Brighton & Hove City Council

WRITTEN QUESTIONS FROM COUNCILLORS

The following questions have been received from Councillors and will be taken as read along with the written answer to be circulated the meeting. The Councillor asking the question may then ask one relevant supplementary question which shall be put and answered without discussion.

(a) Councillor Kennedy

"The introduction of a residents parking scheme in Preston Park Avenue has led to increased numbers of commuters parking all day in Preston Park itself. Residents who wish to use the park for leisure are reporting that it is difficult to find a parking space for just a few hours while they enjoy the park.

“I understand that as park land is not part of the ‘public highway’, yellow lines and prohibitive signage are not enforceable by law; they are simply there to give a clear message to the public to exercise consideration for other park users.

“However such consideration is not being shown by commuters towards genuine park users. Therefore, please can the Cabinet Member for the Environment advise me what the council’s plans are to deal with all-day commuter parking in Preston Park, in order to free up parking spaces for those who genuinely wish to use the park’s facilities?”

Councillor Theobald, Cabinet Member for Environment, will respond.

ENVIRONMENT CABINET MEMBER MEETING	Agenda Item 104 Brighton & Hove City Council

Subject:		**Health & Safety Annual Service Plan 2010/11**		
Date of Meeting:		**25 March 2010**	**Environment Cabinet Member Meeting**	
		29 April	Council	
Report of:		**Director of Environment**		
Contact Officer:	**Name:**	**Roy Pickard**	**Tel:**	**29-2145**
	E-mail:	**roy.pickard@brighton-hove.gov.uk**		
Wards Affected:	**All**			

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 The Health & Safety Annual Service Plan required under the Health & Safety at Work Act etc 1974 Section 18 standard is part of the Council's Policy Framework on which Environment Cabinet Members and stakeholders are normally consulted before final proposals are formulated.

2. RECOMMENDATIONS:

2.1 That the Cabinet Member endorses the Health & Safety Annual Service Plan 2010/2011 and recommends Council to approve it.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 The Health & Safety Annual Service Plan is a statutory document required under guidance issued by the Health and Safety Executive (HSE), Section 18 Standard. The Annual Service Plan for this year reviews 2009-10 and details the aims and objectives for the enforcement of health & safety as a function of the Health & Safety Team.

3.2 To ensure local transparency and accountability, it is a requirement that the Health & Safety Service Plan is submitted to the relevant member forum for approval.

3.3 The attached plan (Appendix A) sets out the arrangements for enforcement' under Section 18 of Health & Safety at Work etc Act 1974 (HSWA). The primary purpose of the HSWA is to control risks from work activities. The role of the Local Authority is to ensure that duty holders manage and control these risks and thus prevent harm to employees and to the public.

3.4 In accordance with the Standard and guidance contained in HELA Local Authority Circular 67(2) the Health & Safety Service should provide a range of

risk-based interventions. This would include routine inspection of high risk businesses, planned enforcement initiatives, investigation of accidents, investigation of complaints, advice, training and advisory activity, visits to new premises, revisits to check and enforcement, Safety and Health Awareness Days etc;

3.5 In addition, local priorities have been identified and these include working with BME takeaways on workplace violence, working with retailers in respect of retail robbery, working with faith groups on working from height and supporting community events.

4. CONSULTATION

4.1 A Senior Lawyer and Accountant have been consulted regarding the legal and financial implications. The service plan will be part of a rigorous consultation process in March 2010 involving members of the public, employers, employees, internal and external stakeholders such as trade Unions, human resources and local business forum. It must be a published document and is also available on the Council's website.

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Financial Implications

The annual Health and Safety Service Plan sets out the approach that the Council will use to fulfil its statutory duties. The 2010/11 net budget for the Health and Safety service within Environmental Health is £138,480, and this include a figure to cover the appropriate proportion of the Head of Environmental Health & Licensing and administrative support.

Finance Officer consulted: Karen Brookshaw Date: 03/02/10

Legal Implications

5.2 Every district and unitary council in Great Britain has a statutory duty under Section 18 of the Health and Safety at Work etc Act 1974 to ensure it makes adequate provision for health and safety regulation in its area.
The S18 Standard sets out the requirements with which the Local Authority will eventually be obliged to comply with in making 'adequate arrangements for enforcement' for those areas which are deemed to be the responsibility of local authorities.

5.3 It has been given legal effect as Health & Safety Commission guidance to Local Authorities under section 18(4)(b) of HSWA (section 18 guidance). HSWA requires Local Authorities to perform their duties as enforcing authorities in accordance with Section 18 guidance. However, although the Standard will have effect from 1st April 2008, it does not require immediate full compliance with its requirements. Instead, both LAs and FOD are required:

- from 1st April 2008, to work towards compliance with the requirements of the Standard, and

- from 31st March 2011, to comply fully with all the requirements of the Standard.

5.4 The Council's Commercial Enforcement Policy gives due regard to the Human Rights Act 1998 in respect of the Council's enforcement powers under Health & Safety laws. There are no further Human Rights Act issues. The Council's Constitution requires the adoption of the Health & Safety Annual Service Plan be reserved to full Council.

Lawyer consulted: *Simon Court* *Date: 02/02/10*

Equalities Implications:

5.5 An Equalities Impact Assessment has been completed as part of our contact with groups during consultations in 2009. It has identified that additional work with BME takeaways is required, that no work streams have been identified as part of our contact with LGBT businesses and that work is required with faith groups in respect of working from height.

Sustainability Implications:

5.6 Unacceptable risk, fatalities and major injuries would reduce development of the city, tourism and benefits to local people, in addition to private and family lives.

Crime & Disorder Implications:

5.7 Reduction in crime and disorder as part of the work place violence projects and retail robbery projects.

Risk and Opportunity Management Implications:

5.8 A sensible approach to health & safety protects the Councils reputation as a responsible authority. Leading and promoting health & safety avoids tragedy and consequent adverse impacts.

Corporate / Citywide Implications:

5.9 A safe and healthy workforce benefits the local economy and develops the city's tourism

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1 None. The Service Plan is a statutory requirement.

7. REASONS FOR REPORT RECOMMENDATIONS

7.1 Compliance with statutory duties.

SUPPORTING DOCUMENTATION

Appendices:

1. Health & Safety Annual Service Plan 2010/2011

Documents In Members' Rooms

None

Background Documents

None

Brighton & Hove City Council – Service Plan - Health and Safety at Work – 2010/11

Overall **Aim** of the Service:

"To enforce the law fairly with better use of public money, protecting the environment while growing the economy."

"To work with others to protect people's health and safety by ensuring risks in the changing workplace are managed properly."

Our key delivery **priorities** are:

- To manage the risk in high risk, poor performing and/or rogue trader businesses reducing the flows on incapacity benefits from employment
- Investigating major injury incidents and fatalities.
- Responding to enquiries
- Promoting sensible risk management
- Work with business to achieve compliance with the law without increasing financial burdens

Local Priorities:

- Bulk LPG storage
- BME Takeaways – including development of a tool kit for small businesses.
- Retail Robbery – In partnership with the police
- Violence in the licensed premises - In partnership with the licensing team & police
- Faith buildings – Working from height
- CDM – Planning applications
- Outdoor Events
- Noise in the entertainment industry
- Sunbeds
- Asbestos duty to manage
- Officer competency training development RDNA

Regional Priorites:

- Liquid Petroleum Gas (LPG) – bulk storage tanks
- Asbestos Duty to Manage (DTM)
- Construction (LACE)
- Twin Peaks (including Motor Vehicle Repair - MVR)
- Beauty Industry – sunbeds
- Retail Violence

Key National Indicators:

NI 15 – Serious Violent Crime Rate
NI 20 – Assaults with injury crime rate
NI 21 – Dealing with local concerns about antisocial behaviour and crime by local council and police
NI 28 – Serious knife crime rate
NI 29 – Gun crime rate
NI 120 – All-age all cause mortality rate
NI 122 – Mortality from all cancers at ages under 75
NI 137 – Healthy life expectancy at age 65
NI 173 – People falling out of work and on to incapacity benefits
NI 182 – Satisfaction of businesses with local authority regulatory services
NI 183 – Impact of local authority regulatory services on the fair trading environment

National Priorities for local Authorities

- LPG inspection campaign
- Construction
- Asbestos DtM
- Respiratory disease
- Asthma in bakeries
- Dermatitis in catering
- Dermatitis in hairdressing
- Noise – 'Sound Advice'
- MSDs
- Sun beds
- Work-related violence and aggression
- Stress in finance and public sector organisations
- Royal Mail
- Heavy loads
- Workplace temperatures
- Workplace transport
- Promoting leadership
- Vulnerable and migrant workers
- Slips and trips
- Ladder Exchange
- Safe interventions at balers and compactors

Our Achievements: 2009/10 – 'Selling our story' –Review of the 2009/10 Service plan

The team's achievements in 2008/09 were:

- Completion of 250 high risk planned general inspections.100% of programme.
- Visits to 150 businesses in the night time economy to raise awareness of work related violence.
- Responded to 600 service requests.
- Reviewed 300 accident notifications and investigated as necessary.
- Scrutinised 100 new and varied licence applications & planning applications.
- Participated in the Sussex Liaison Health & Safety Group Asbestos project that included letter drop to 100 businesses in Brighton & Hove and inspection of those businesses over 2 days
- Business enterprise exhibition –Business contacts made and information and advice given.
- Ensured that the City's outdoor events ran safely and included advice and assistance given to Pride, White Air, Burning of the Clocks, Chinese State Circus and the Brighton Festival, Brighton carnival and the children's parade.
- Participating in the Sussex flexible warranting scheme.
- Received a Best Practice Award from LACORS and HSE for retail violence project.
- Presentations to the refugee forum, the LGBT village pub watch and the institute of conflict management to raise the profile of the service and promote work with communities.
- 12 messages of the month sent to over 200 businesses on mailing list
- Health and safety e-newsletter to 2,500 small & medium sized businesses.

Ensuring Quality

To ensure that the service we offer to residents and businesses is of high quality we will ensure that:

- All officers carrying out enforcement work are appropriately authorized, according to their ability, qualifications, expertise and experience.

- That officer's competence is continually assessed and that we support officers to develop their skills and widen their experience.
- That we will ask for feedback from business and residents on the quality of the service we provide and strive to continually improve
- That our work is audited externally by the British Standards Institute to ensure compliance with ISO9000 Quality Assurance.
- We will continue to participate in local peer reviews with neighbouring local authorities to ensure consistency and best practice.
- To continually update our data base to provide accurate details of business to help us communicate targeted health & safety messages effectively.

Work plan and resources

Staff resources – 4.5 FTE Health & Safety Team – 3.25 FTE Occupational Health Team

Item	Resources	Timescales	How	Outcome
BME Takeaways – Work related violence				
To complete visits to 50 BME takeaways, working with the racial harassment forum, the partnership community safety team, and police to raise awareness of work related violence and ensure compliance with other related H&S requirements.	0.15 FTE	Throughout 20010/11	Visits to 50 premises (takeaways) Advice given on violence at work, stress at work, Slips trips and falls, gas/electrical safety,	**National Indicator** NI 15 – Serious Violent Crime Rate NI 20 – Assaults with injury crime rate NI 21 – Dealing with local concerns about antisocial behaviour and crime by local council and police NI 173 – People falling out of work and on to incapacity benefits **Performance indicator** Number of completed visits % increase in confidence in management %increase in those premises that are H&S compliant. **Outcome** Increased standards of

				employee and public health and safety in night time economy premises. Increased awareness of specific and general H&S issues pertinent to night time economy businesses.
Development of a H&S Toolkit				
To develop a H&S toolkit to help small and medium sized enterprises achieve compliance with H&S requirements.	0.15 FTE	Throughout 2010/11	Create a toolkit for specific business communities to help them comply with health & safety requirements	**National indicator** NI 173 – People falling out of work and on to incapacity benefits NI 182 – Satisfaction of businesses with local authority regulatory services NI 183 – Impact of local authority regulatory services on the fair trading environment **Performance indicator** Completion of toolkit **Outcome** Increased compliance with health & safety requirements
Retail Robbery				
To follow up intelligence from the police in respect of retail robberies and visit premises to ensure compliance with H&S requirements	0.15 FTE	Throughout 2010/11	Visits to 50 businesses. Advice given on work related violence and ensure compliance with H&S requirements	**National indicator** NI 15 – Serious Violent Crime Rate NI 20 – Assaults with injury crime rate NI 21 – Dealing with local

				concerns about antisocial behaviour and crime by local council and police NI 28 – Serious knife crime rate NI 29 – Gun crime rate NI 120 – All-age all cause mortality rate NI 173 – People falling out of work and on to incapacity benefits **Performance indicator** Numbers of premises inspected % increase in confidence in management. % increase in premises that are H&S Compliant. % reduction in repeat robberies. **Outcomes:** Reduction in repeat robberies. & corresponding associated violence to workers
Licensed Premises – Work Related Violence				
To follow up information from Joint intelligence meetings of violence in licensed premises and carry out visits to ensure compliance with H&S requirements	0.15 FTE	Throughout 2010/11	Visits to 50 businesses. Advice given in respect of work related violence and ensure compliance with H&S requirements.	**National Indicator** NI 15 – Serious Violent Crime Rate NI 20 – Assaults with injury crime rate NI 21 – Dealing with local

				concerns about antisocial behaviour and crime by local council and police NI 28 – Serious knife crime rate NI 29 – Gun crime rate NI 120 – All-age all cause mortality rate NI 173 – People falling out of work and on to incapacity benefits **Performance indicator** Number of premises inspected % increase in confidence in management % reduction in reported incidents in those premises **Outcomes:** Reduction in corresponding associated violence to workers
Supporting Small & Medium Sized Enterprises				
Send monthly health & safety messages promoting sensible risk management.	0.1 FTE	Throughout 2010/11	Press release new service, collect email addresses from visits & self assessment risk rating questionnaires. Use BHCC email system to deliver messages.	**National Indicator** NI 173 – People falling out of work and on to incapacity benefits NI 182 – Satisfaction of businesses with local authority regulatory services NI 183 – Impact of local authority regulatory services on

				the fair trading environment **Performance indicator** Number of messages sent **Outcome** Increased standards of employee and public health and safety business contacted. Sensible risk management promoted
Working from height				
Letter drop and inspection of faith buildings in the city	0.2 FTE	Throughout 2010/11	Carry out 100 inspections of faith buildings in the city	**National Indicator** NI 120 – All-age all cause mortality rate NI 173 – People falling out of work and on to incapacity benefits **Performance indicator** Number of premises inspected % increase in confidence in management %Increase in H&S compliance **Outcome** Working from height risk assessed & workers trained @working from height
Bulk LPG Storage				
Carryout inspections of Bulk LPG storage facilities in the city	0.1 FTE	Throughout 2010/11	Carryout inspections of bulk LPG storage facilities in Brighton & Hove that	**National Indicator** NI 173 – People falling out of work and on to incapacity

			have been identified by the HSE as high risk	benefits NI 120 – All-age all cause mortality rate **Performance Indicator** Number of premises inspected % increase in confidence in management %Increase in H&S compliance **Outcome** Reduced risk of LPG explosion and consequent major injury and death
Community Events			.	
Support the following community events • Ladyboys of Bangkok • Childrens Parade • Brighton carnival • Brighton Festival Performance • Chinese State Circus • Hanover day • Pride • Zippo Circus • White Air • Fiery food • Burning of the clocks • Brighton Marathon	0.2FTE	Throughout 2010/11	Attend meetings, give advice, review event management plans and risk assessments. Attend events where necessary to enforce and give advice. Monitor and enforce occupation noise exposure limits.	**National indicator** NI 120 – All-age all cause mortality rate NI 173 – People falling out of work and on to incapacity benefits **Performance indicator** Number of Event Management Plans Reviewed **Outcome** Increased safety at public community events. Forming links with communities

Partnership Working				
Participate in the Sussex Liaison Group (SHSLG) pan Sussex health & safety project	0.1 FTE	Throughout the year January-March 2011	Chair the SHSLG Represent BHCC at SHSLG Participate in Sussex wide Health & Safety initiative	**National indicator** NI 120 – All-age all cause mortality rate **Performance indicator** Number of meetings attended Project completed. **Outcome** Joined up approach to regional health & safety initiatives.
Implementation of Sussex wide peer review	0.1 FTE	April 2011	Work towards improving S18 compliance as set out in peer review action plan	**National indicator** NI 120 – All-age all cause mortality rate **Performance indicator** Implementation of Peer Review Action Plan. **Outcome** Raise standards of compliance with 'mandatory practice' S18 guidance.
To review new and varied license applications & planning applications and make representations where appropriate.	0.2FTE	Throughout 2010/11	Scrutinise and comment on applications where appropriate. Advice on CDM regulations & workplace regulations. Visits to premises as necessary.	**National Indicator** NI 120 – All-age all cause mortality rate **Performance indicator** Numbers of licence & planning applications reviewed. **Outcome** Proactive development of

				consistent and high standards of health and safety in proposed new commercial operations and licensed premises.
Programme work				
To carry out appromixetly150 High risk planned general inspection targeting the highest risk (A, B1 & B2) including Cooling Towers	0.5 FTE	Throughout 2009/10	To carry out 150 planned general inspections to high risk business due to be inspected in 2009/10. To advise and carry out enforcement as necessary.	**National indicator** All specified NIs **Performance Indicator** Number of inspections undertaken. % increase in confidence in management % increase in H&S compliant businesses **Outcome** To maintain or where necessary improve standards of employee and public health and safety in local businesses.
To respond to 600 requests for service	2FTE	Throughout 2009/10	Respond to 95% of Service Requests within deadlines.	**National Indicator** All specified NIs **Performance Indicators.** Percentage of Service Requests responded to within departmental deadlines. **Outcome** Maintain standards of customer service at a high level.

To review all accident notifications and to investigate them all appropriately.	0.2 FTE	Throughout 2009/10	To review accident notifications and investigate accidents where they meet BHCC criteria for investigation	**National Indicator** All specified NIs **Performance Indicator** Number of accidents investigated. **Outcome** Reduce the level of work place accidents in local businesses
Quality				
To update the data base using food safety registration details and business rates details.	0.2FTE	Throughout 2009/10	Premises data from food safety registration forms and businesses rates to be placed on the health & safety premises data base. All new businesses to be sent risk rating questionnaire.	**National Indicator** All specified NIs **Performance Indicator** Number of business placed on data base **Outcome** Better targeting of resources to the highest risk premises.
Healthy Work Places				
Out reach workplaces NHS health checks	3.25FTE	Throughout 2009/10	Qualified nurses offering NHS health & safety checks targeted at men over 40. Tackling health inequality, obesity, lifestyles, mental health & well being Improved return to work	**National indicator for all projects** NI 120 – All-age all cause mortality rate. NI 122 – Mortality from all cancers at ages under 75 NI 173 – People falling out of work and on to incapacity benefits. **Performance Indicator** Number health checks carried out.

			(vascular risk assessment & management programme)	**Outcome** Improved health of workers
Stress Management awareness and training			Offer external employers, managers and team leaders free stress management training to raise awareness about stress in the workplaces. Offer tools, such as the HSE stress risk assessment tools to develop action plans to reduce stress in the workplace.	**Performance Indicator** Number of participants, action plans and evaluation forms **Outcome** Increased awareness about stress in the workplace, early detection and better management of stress in the workplace. Reduced sickness absence.
Free Stop Smoking courses in workplaces			Offer Individual stress management courses are also offered to council employees in partnership with MIND, to help reduce stress within the council and for the council to act as an exemplar employer.	**Performance Indicator** Number of participants and evaluation forms **Outcome** Reduced stress within the council

The B&H Healthiest Workplace Award Business Tournaments			Promote NHS smoking cessation sessions in the workplace; information about smoke free legislation. Sponsor the Brighton & Hove Healthiest Workplace Award as part of the annual B&H Business Awards (BAHBAs) for the third year running to raise awareness of wellbeing in the work place and to reward good practice. Set up and promote business tournaments in partnership with Sussex County Sport Partnership	**Performance Indicator** Uptake monitored by NHS Brighton & Hove **Outcome** Reduced number of employees that smoke. Improved health and reduced sickness absence. **Performance Indicator** Number of award applicants Outcome Increased awareness about benefits of promoting good health and wellbeing in workplaces. **Performance Indicator** Number of participating workplaces **Outcome** Increased number of employees from local workplaces participating in physical activity.

Healthy Eating Weight Management in workplaces Healthy Workplace Website			and as part of the annual Take Part Sport Festival to raise awareness of benefits of physical activity for employees Promote access to healthy eating in workplaces through a Phase 2 launch of the healthy choice food award in partnership with NHS Brighton & Hove and B&H Food Partnership Pilot free weight management session in small to medium sized businesses in partnership with B&H Food Partnership Update the Health Work	**Performance Indicator** Number of awards **Outcome** Increased availability of health food choices for people eating away from home and at work **Performance Indicator** Uptake and evaluation forms **Outcome** Improved access to affordable weight management session. Reduced risk of obesity. **Performance Indicator** Website hits **Outcome** Increased awareness of benefits of and resources available to support employers to create

B&H Healthy Workplace Network			& Wellbeing B&H website with information for local employers about how to create health promoting workplaces, benefits and resources available locally. Continue to promote the website to local employers via the B&H Healthy Workplace Network, press releases, events, mail and e-mail shots. Continue to support the B&H Healthy Workplace Network, including representatives from local businesses and organisations with meetings and e-mail news update	health promoting workplaces. **Performance Indicator** Number of participants **Outcome** Increased awareness of benefits of and resources available to support employers to create health promoting workplaces. Increased uptake of resources. Improved staff health and wellbeing.

ENVIRONMENT CABINET MEMBER MEETING	Agenda Item 105 Brighton & Hove City Council

Subject:		**Official Feed and Food Controls Service Plan 2010/11**	
Date of Meeting:		**25 March 2010**	**Environment Cabinet Member Meeting**
		29 April	Council
Report of:		**Director of Environment**	
Contact Officer:	**Name:**	**Nick Wilmot**	**Tel: 29-2157**
	E-mail:	**nick.wilmot@brighton-hove.gov.uk**	
Key Decision	**Yes**	**Forward Plan No: ENV13301**	
Wards Affected:	**All**		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 To agree the Official Feed and Food Controls Service Plan previously known as Food Law Enforcement Service Plan required by the Food Standards Agency.

2. RECOMMENDATIONS:

2.1 That the Cabinet Member endorses the Official Feed and Food Controls Service Plan 2010/2011 and recommends Council to approve it.

3. RELEVANT BACKGROUND INFORMATION/IMPLICATIONS

3.1 The Food Standards Agency's Framework Agreement on Local Authority Food Law Enforcement requires the production and publication of a service plan. Every local authority is required to develop an annual food enforcement service plan, which provides the basis on which local authorities are monitored and audited by the Food Standards Agency.

3.2 To ensure local transparency and accountability, it is a requirement that the Official Feed and Food Controls Service Plan is submitted to the relevant member forum for approval.

3.3 The attached plan (Appendix A) is an integral part of the organisation of the food service within Environmental Health & Licensing and Trading Standards. Both services come within the Environment Directorate. As a result of this close relationship a joint service plan is submitted. This reduces duplication, improves the effectiveness of service delivery and meets the monitoring requirements of the Food Standards Agency.

3.4 In accordance with the Standard outlined in the Framework Agreement the food service should be a mix of enforcement, intelligence based work, investigation

and education. It is planned that a performance targets of the completion of 98% of programmed food safety interventions of risk category A to D premises, the employment of an alternative enforcement strategy in respect of low risk premises (category E and F) and 90% of complaints responded to within 5 days are met.

3.5 NI 184 measures the number of number of food establishments that are broadly compliant with food hygiene law. In addition to achieving 98% of the intervention due the service will aim to achieve a target of 85% of premises broadly compliant.

3.6 In addition, areas of current good practice, and opportunities for further improvement, have been identified, both in Food Safety and Food Standards, in section 6.3 of the Service Plan. The targeting of resources to these areas of work aims to provide a balanced mix of services, which is most likely to benefit the business sector, consumers and other stakeholders. In line with the amendment to the Food Safety Code of Practice in June 2008 the service will continue to focus enforcement action on the poorer performing businesses.

3.7 A healthy food award scheme has been developed to improve healthy life expectancy and tackle obesity. Health Development Advisers also provide NHS vascular risk assessments (health checks).

4. CONSULTATION

4.1 This integrated report covers Food Safety and Food Standards, has been produced after close consultation and joint working between the relevant officers of Environmental Health & Licensing and Trading Standards.

4.2 Brighton & Hove Food Partnership were consulted during the drafting of this plan.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications

5.1 **Food Safety** - The projected budget for 2010/2011 providing the food safety service within Environmental Health is detailed below. The staffing figures include a figure to cover the appropriate proportion of the Head of Environmental Health & Licensing and administrative support:-

	Food Safety	Infectious Disease
Staffing	659,900	52,780
Transport	13,330	1,110
Supplies and Services	10,510	1,470
Total	683,740	55,360

5.2 **Food Standards** - It is difficult to detail the time spent on the food standards function as it is carried out during a comprehensive inspection. Time monitoring is not currently used to apportion time to the food function. Cost of the food standards function in 2009/10 was as follows based on the percentage of time

officers spend on the food function. Similar apportionments would be expected for 2010/11.

Inspection, complaints and advice	
Staffing	
Management	£ 3200
Food Team	£30,680
Total	£ 33,880
Sampling	
Purchases	£500
Supplies	£8,650
Total	£9,150
Total	£43,030

Finance Officer consulted: *Karen Brookshaw* *Date: 03/02/10*

Legal Implications

5.3 The Food Standards Agency under The Framework Agreement on Local Authority Food Law Enforcement that incorporates the latest guidance, places a requirement on local authorities to develop and submit a service plan. Local authorities are audited and assessed by the Food Standards Agency on the basis of their food law enforcement service as provided for in their Service Plans. The Council's Commercial Enforcement Policy gives due regard to the Human Rights Act 1998 in respect of the Council's enforcement powers under food safety laws. The Food Safety Act 1990 (Code of Practice) places a requirement on local authorities to operate an inspection rating scheme, which determines frequency of intervention of food premises. The Official Feed and Food Controls Service Plan 2010/11 identifies the planned number of interventions for that period. The Council's Constitution requires the adoption of the Official Feed and Food Controls Service Plan be reserved to full Council.

Lawyer consulted: *Simon Court* *Date: 01/02/10*

Equalities Implications:

5.4 See 2.4.5 of appendix 1 for profile of food premises registering with the food service during the year 2009/2010. The service is mindful of the greater assistance food business operators require where their first language is not English. Written information, translation and interpreting services are employed where necessary to assist businesses to comply with regulatory requirements.

Sustainability Implications:

5.5 Liaison with relevant agencies in connection with local food initiatives, including the Brighton & Hove Food Partnership

Crime & Disorder Implications:

5.6 None

Risk and Opportunity Management Implications:

5.7 SMART target for the food safety service is (98%of due interventions achieved x 0.3 + 85 %of broadly compliant premises x 0.7)

Corporate / Citywide Implications:

5.8 Food safety standards protect the City's reputation, helps develop tourism and the local economy and helps visitors have a positive experience.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1 There is no legal alternative to the statutory service plan.

7. REASONS FOR REPORT RECOMMENDATIONS

7.1 In order to comply with the Food Standard Agency Code of Practice.

SUPPORTING DOCUMENTATION

Appendices

1. Official Feed and Food Controls Service Plan 2010/2011

Documents In Members' Rooms

None

Background Documents

None

Brighton & Hove City Council
Official Feed and Food Controls Service Plan 2010/2011

1. Service Aims and Objectives

1.1 Aims and Objectives

1.1.1 Brighton & Hove City Council's food service function is enforced by Environmental Health & Licensing and Trading Standards. Both sections come within the Environment Directorate.

1.1.2 The Environmental Health & Licensing service is primarily concerned with protecting and improving public health and the environment across the City. Within this service, the Food Safety Team works to ensure the safety of food prepared and sold. This is achieved by carrying out a programme of interventions at food businesses, sampling and investigating complaints. In addition, the Team aims to respond promptly to requests for advice from both businesses and members of the public. Wherever practicable, links are formed with the business community and all relevant professional groups with the objective of increasing and promoting food safety awareness.

1.1.3 The overall objective of the service is to provide a comprehensive food safety service to consumers and the business community, with a considered balance between enforcement, investigation, advice and education.

1.1.4 The purpose of the Trading Standards service is to provide a comprehensive range of enforcement and advisory services to the community within a statutory framework. Its aim is to contribute, in conjunction with other agencies, to the development of a safe, fair and equitable trading environment for all consumers, by means of advice, information, education and enforcement.

In respect of food standards the aims are: -

- Accurate and informative labelling of food
- That compositional standards of food are maintained

The objectives being: -

- To carry out risk based and intelligence led activities
- To undertake screen testing and food sampling to reflect identified areas of concern.
- To respond appropriately to food complaints and initiate proportionate action.
- Respond to trader requests in a timely manner
- To educate the public on compositional and labelling issues to improve eating habits

1.2 Links to Corporate Objectives and Plans

1.2.1 The City Council's Corporate Plan for 2008-2011 has five priorities:

- *protect the environment while growing the economy;*
- *better use of public money;*
- *reduce inequality by increasing opportunity;*
- *fair enforcement of the law;*
- *open and effective leadership.*

1.2.2 The feed and food service has strong links in with these priorities. In particular the service objective to provide advice, education and enforce relevant standards in the food industry is key to protecting the environment while growing the local economy. The service recognises the impact of current economic conditions on all businesses. Wherever practical, assistance and guidance is offered to ensure feed and food businesses comply with legal requirements and do not pose an undue risk to public health or the environment.

1.2.3 The service reduces inequality by funding training and coaching to small and medium businesses that may otherwise struggle to comply with legal requirements. Where English is not the first language, interpretation and translation services are provided.

1.2.4 The Official Feed and Food Control Service Plan is part of the corporate annual planning and development process.

1.2.5 In line with the core priorities and central Government's better regulation agenda, the Environmental Health service has a published Enforcement Policy. This policy is a cornerstone for fair and open enforcement.

1.2.6 The service reports on two key national indicators:

NI 182 – Satisfaction of businesses with local authority regulation services.

This indicator measures whether businesses think they have been treated fairly and helpfully by local authority regulators. The aim is to inspire local authorities to recognise the important contribution regulatory services make to local and national priorities, and encourage regulatory services to recognise their own role in supporting local business.

NI 184 – Food establishments in the area which are broadly compliant with food hygiene law.

This indicator monitors the level of compliance of local businesses using information collected by the Food Standards Agency (FSA). The indicator uses information on business compliance standards for

structure, operational hygiene and management controls, and brings the data together within an overall 'broad compliance' measure. Measurement and performance against NI 184 is detailed in 3.1 and 6.2.1 of this plan.

1.2.7 The food service also has links with other National Indicators:

NI 53 Prevalence of breastfeeding at 6 – 8 weeks from birth See 3.7.1 of this plan.

NI 55 Obesity among primary school age children in Reception Year See 3.7.1 & 3.8

NI 56 Obesity among primary school age children in Year 6 See 3.7.1 & 3.8

NI 120 All-age all cause mortality rate – The whole service.

NI 122 Mortality from all cancers at ages under 75 – See 3.7.1 & 3.8

2. Background

2.1 Profile of the Local Authority

2.1.1 Brighton & Hove is a unitary authority on the south coast of England. It is approximately 50 miles from London. Bounded by the English Channel to the south and the South Downs to the North, it covers an eight-mile stretch of seafront and extends inland for approximately five miles.

Key Statistics from the 2001 Census:	
Resident Population	247,817
Number of households	114,479
Average household size	2.09
Area (hectares)	8,267
Density (residents/hectare)	30 per ha

Ethnicity	
White	94.2%
Mixed	1.9%
Asian or Asian British	1.8%
Black or Black British	0.76%
Chinese	0.53%
Other	0.65%
Total non-white	5.8%

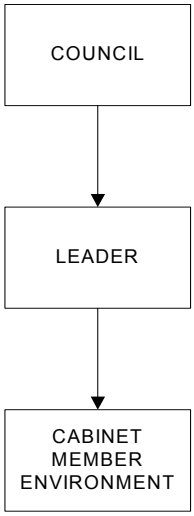
2.1.2 Figures from the Economic Impact Assessment Study for 2005 showed that eight million people visit Brighton & Hove each year. The value of tourism to the economy is estimated at £388 million per annum, supporting 13,000 jobs. The city boasts 4293 bedrooms, offering a bed

stock of approximately 10,000. There are a large variety of hotels, many food retailers, and over 400 restaurants serving cuisine from around the world. The VisitBrighton Visitor Survey 2007 identified that 70% of visitors put going to a restaurant or place to eat as one of the most popular activities to do in Brighton & Hove.

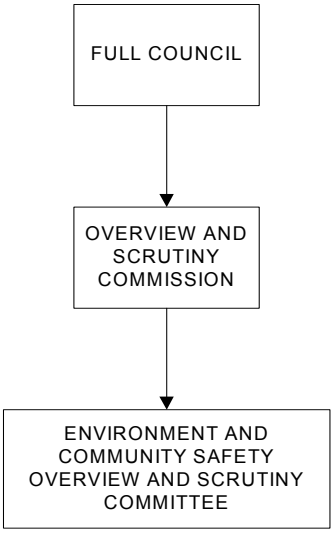
2.2 Organisational Structure

2.2.1 The Environmental Health & Licensing and Trading Standards sections come within the Environment Directorate. Brighton & Hove City Council has a cabinet style structure with the Environment Directorate under the responsibilities of the cabinet member for Environment. The service reports to the Environment and Community Safety Overview Scrutiny Committee. Relevant structures are detailed below.

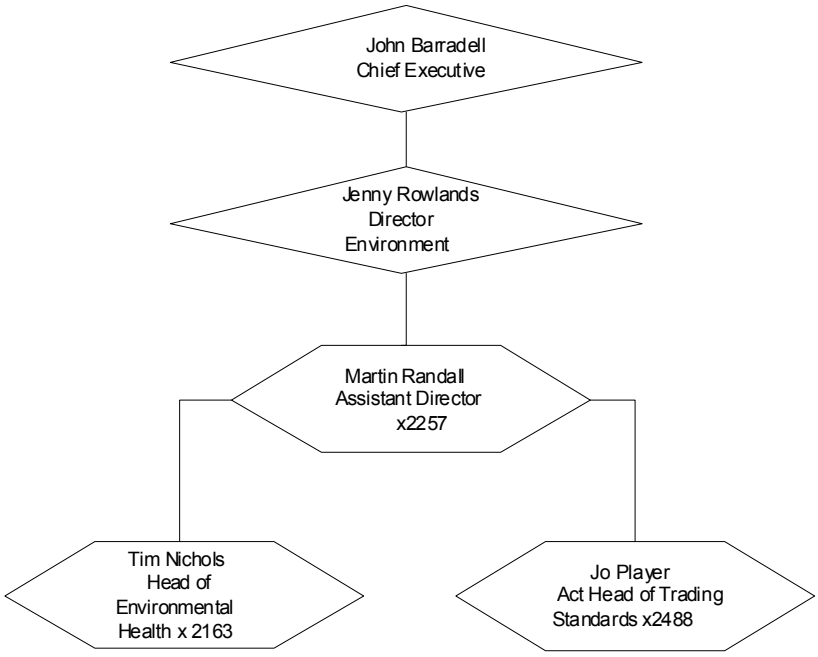
CABINET STRUCTURE



COMMITTEE STRUCTURE



OFFICER STRUCTURE



2.2.2 The Head of Trading Standards is responsible for the food standards function. In conjunction with the food officers an Inspection and sampling programme is established to ensure that specific targets are met or areas of concern are identified and/or addressed.

2.2.3 A formal arrangement is in place with the Health Protection Agency's Food Water & Environment laboratory based at the Ashford, Kent for the analysis of samples that require microbiological examination.

2.2.4 The Public Analyst contract was awarded to Worcestershire Scientific Services in May 2009 and will last for four years. The aim was to reduce duplication and costs and improve service delivery. £8,650 is currently allocated for Sample Analysis. The focus of the contract remains composition and labelling plus some chemical contamination.

2.2.5 The entomologist from a local natural history museum assists with insect identification.

2.3 Scope of the Feed and Food Service

2.3.1 A specialist Food Safety Team within Environmental Health carries out the food safety function. The work of the team includes the following:-

- Inspecting food premises;
- The investigation of food safety complaints;

- Food poisoning investigations when linked to a premises;
- Investigating infectious disease notifications;
- Microbiological food sampling;
- Food safety training;
- Responding to requests for advice;
- Initiatives relating to working with the community and businesses;
- Taking appropriate steps to publicise and act upon national food alerts;
- Publicising the food hygiene standards of local businesses.

2.3.2 The food standards function is carried out by Trading Standards Officers in the Business Support Team. The work of the team includes the following: -

- Risk based enforcement activity
- Complaint investigation
- Food Analysis and investigation
- Service Requests from businesses
- Education programmes
- Reacting to Food Alerts

2.3.3 Food Standards work is undertaken in conjunction with work on other areas of Trading Standards law. For instance, a programmed food visit will also include giving advice about other matters such as prices, business names and weights and measures. In this way a comprehensive visit is under taken so as to minimise any inconvenience caused to the general day-to-day running of the business.

2.3.4 Trading Standards are responsible for enforcing relevant legislation in respect of imported feedstuff, whilst Environmental Health & Licensing enforce relevant legislation controlling imported food of non-animal origin and products of animal origin.

2.4 Demands on the Feed and Food Service

Food Safety

2.4.1 As at January 2010 there are 3121 food businesses registered with the Council. These premises are broken down into the following profile:-

3	Primary Producer
39	Manufacturer/Processor
1	Importer/Exporter
35	Distributors/Transporters
642	Retailers
2398	Restaurants and other Caterers
3	Manufacturers mainly selling by retail
3121	TOTAL

2.4.2 Three food businesses are approved under Regulation (EC) 853/2004 for specific dairy, fish and meat products processing.

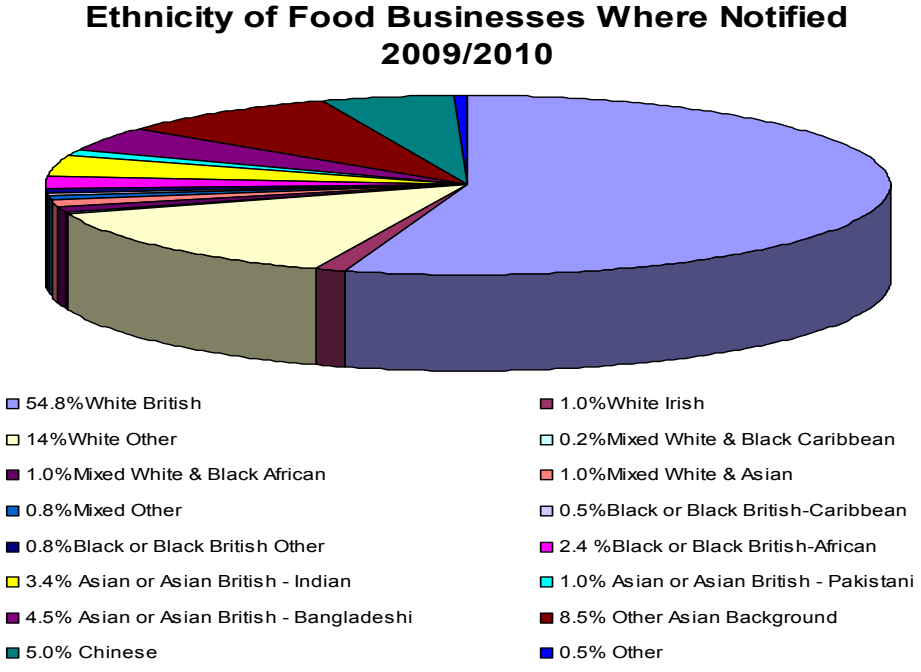
2.4.3 The nature of the City causes a considerable seasonal variation in the department's workload. Some businesses only open during spring, summer or school holidays so the intervention programme has to be tailored to meet these service needs. There is a dramatic increase in the number of visitors in the spring and summer and this increases the volume of requests for service, enquiries and other reactive work. Outdoor events such as music events, festivals, specialist markets, farmers' markets, open-air concerts and funfairs also add to the seasonality of the workload.

Food Standards

2.4.4 Premises data is captured on Uniform and therefore the premises profile is the same but as the risk assessment is based on the LACORS scheme the individual premises have a different inspection frequency for Food Standards. As of the 1st January 2010 2294 premises were considered to have an inspectable risk for Food Standards work. It has been noted that there is a high turnover of new premises requiring food standards advice.

Access to services

2.4.5 When businesses apply to register as a food business they are asked if they would like information in another language in addition to English. Of the 389 businesses who register in the year 2009/2010 85, 22%, said they would like information in other languages. See below for a breakdown of the ethnic origin of these businesses from returns received between April 2009 and January 2010.



2.4.6 In addition to having a number of key food safety advice leaflets in a variety of languages, the service has the capacity to have any leaflet, letter or other document translated as required. Wherever possible, opportunities are taken to provide information about services to ethnic communities. Food safety training courses have been staged in languages other than English including Bengali, Cantonese, Thai and Turkish which have proven to be successful and popular with traders. Where necessary, interpreters accompany officers on planned interventions. Where necessary, officers can access *thebigword* On-Call Language Service translation service by telephone when carrying out visits.

2.4.7 Service users are able to access the service by visiting either of the two City Direct Advice Centres situated in central Brighton, open between 9am and 4:30pm Monday to Friday and central Hove, opening hours 8:45am to 4:30pm on weekdays. Remote access to council services is facilitated through 'self-help' in 25 locations across the city including all the main council offices, libraries, leisure centres and some schools. General telephone calls are fielded via a Call Contact Centre on (01273) 292161. Advice can also be accessed via the council's web site, brighton-hove.gov.uk, or by email to ehl.food@brighton-hove.gov.uk.

2.4.8 Food Standards complaints are initially received by Consumer Direct South East. There is a referral protocol with them regarding food issues requiring enquiries to be sent to Trading Standards within 24 hours.

2.4.9 The Food Safety Team operates a Food Safety Hotline where businesses and consumers can obtain immediate advice from a food safety officer, during office hours. Senior food competent Environmental Health staff provide cover for an out of hours service to respond to food safety emergencies and incidents.

2.4.10 New food businesses registering with the service are provided with a detailed information pack and offered a one to one advice meeting to assist with compliance with food safety legislation.

2.5 Regulation Policy

2.5.1 Brighton & Hove City Council has a Corporate Enforcement Policy in line with the national Compliance Code for Enforcers. This provides and overarching policy for all regulatory services provided by Brighton & Hove City Council. In addition the Environmental Health service has adopted a service Enforcement Policy in line with the national Compliance Code, Statutory Codes of Practice and relevant guidelines issued by Central Government departments and co-ordinating bodies. This policy is based on the seven 'Hampton Principles' of economic progress, risk assessment, advice and guidance, inspections and other

visits, information requirements, compliance and enforcement actions and accountability.

2.5.2 The activities of the services detailed in this plan will be affected by the requirements contained in the Regulatory and Sanctions Act 2008 that came into force in April 2009.

2.5.6 Any breaches of food law noted in businesses where Brighton & Hove City Council has an interest, either as proprietor or responsibility for structural repair, are brought to the attention of the Chief Executive without delay.

3 Service Delivery

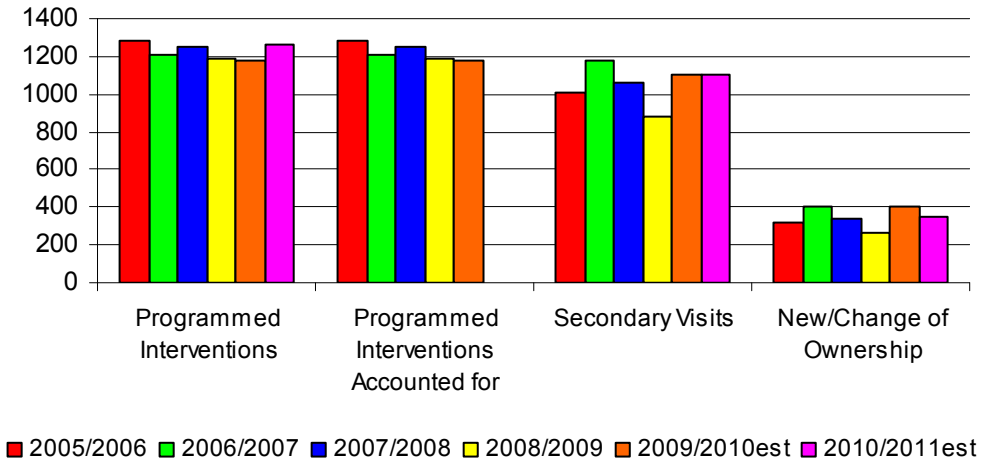
3.1 Interventions at Food and Feedingstuffs Establishments

Food Safety

3.1.1 This section details the planned risk based food safety intervention programme for 2010/2011. The level of achievement in food safety intervention based activity over the past four years is shown in the chart below along with estimates for completion of the current year and 2010/2011.

3.1.2 The revised Food Safety Code of Practice published in 2008 gave local authorities flexibility to introduce a mixture of interventions. Implementation of an intervention-based programme enables services to reduce the level of burden on compliant businesses and focus more resources on those with poorer standards. See detailed in 3.1.19 below the approach to be adopted by the food safety service for the year 2010/2011.

Chart of Intervention-Based Activity 2005-2011



See tables 3.1.1 and 3.1.3 for further details.

3.1.3 The service follows a risk-based approach when implementing the local food safety intervention programme. It aims to account for a minimum of 98% of businesses due for intervention in the year 2010/2011 in accordance with the Food Safety Code of Practice as detailed in 3.1.7 below. Table 3.1.1 gives details of performance against target since 2005 and estimates the number of planned interventions for the current year and 2010/2011. The target is set at 98 % to take account of possible service or operational problems such as a turnover of staff at the end of the year, emergencies or difficulties contacting seasonal or home caterers.

Year	**05/06**	**06/07**	**07/08**	**08/09**	**09/10est**	**10/11est**
Programmed Interventions	1283	1208	1255	1193	1173	1262
Accounted for	1282	1208	1248	1188	1173	
Target %	98 A-D	98 A-D	98 A-D	98 A-D	98 A-D	98 A-D
Achieved%	99.9 A-D	100 A-D	99.4 A-D	99.6		

Table 3.1.1 Achievement of Planned Food Safety Inspection/Intervention Programme 2005-11.

3.1.4 The Food Safety Code of Practice contains a mechanism for risk rating each businesses based on factors such as:- if open high risk-food is handled, prepared or cooked; size of the business; any high-risk operations are undertaken; number of customers; vulnerability of the customers to foodbourne illness; standards of hygiene; condition of the structure and confidence in management. By scoring all of these factors, an overall risk rating of A to E is arrived at. Category A premises are the highest risk and E the lowest.

3.1.5 As category E premises tend to present a minimal risk due to the limited types of food they deal with and/or they cater for a limited number of people. In line with the Food Safety Code of Practice, an alternative enforcement strategy is used to maintain surveillance of the low-risk, category E premises. This strategy enabled the service to provide greater focus on higher risk category A to D premises.

3.1.6 The alternative surveillance of low-risk businesses follows a structured documented procedure. The strategy employs postal questionnaires, sample inspections to check the validity of the information gained and follow up inspections where either the information returned leads to the conclusion that an intervention is necessary or no information is returned. Table 3.1.2 below shows the number of premises dealt with by this alternative method since 2005.

Year	05/06	06/07	07/08	08/09	09/10 est	10/11 est
Number of premises	107	133	285	243	188	414

Table 3.1.2. Number of Premises dealt with under alternative strategy.

3.1.7 Planned food safety interventions programme for the year 2010/2011 as at January 2010 is:-

Risk Category of Premises	Number of Interventions Due
A	2
B	84
C	838
D	338
Total	1262
Low-risk premises to be dealt with Under alternative strategy	414

3.1.8 It is the intention of the service to account for a minimum of 98% of the 1262 high-risk (A–D) establishments due during the year as above. The three product-specific premises approved under Regulation (EC) 853/2004 will receive interventions within the risk rated programme as necessary.

3.1.9 The Food Safety Code of Practice encourages food enforcement services to provide greater focus on the outcomes of activities rather than the traditional approach of reporting on activity alone. From the year 2008/2009, local authority performance has been monitored by the FSA through the Local Authority Enforcement Monitoring System (LAEMS). The key performance indicator being:-

<u>% of due interventions achieved x 0.3 + % broadly compliant premises x 0.7</u>

3.1.10 In addition to achieving 98% of the intervention due the service will aim to achieve a target of 85% of premises broadly compliant (previously 90% see below). The overall target will therefore be:-

(98% x 0.3) + (85% x 0.7) = 88.9 %

3.1.11 As at January 2010 the level of broadly compliant businesses stood at 89% of all food businesses. In last year's service plan it was reported that 92% of food establishments were broadly compliant. The calculation of this did not include those new businesses that had registered but not been inspected. The Food Standards Agency has made it clear that such businesses must be included in this calculation as not broadly compliant. The reduction in the target and number of broadly compliant businesses is due to this recalculation.

3.1.12 **Secondary Interventions** - The main purpose of secondary interventions is to monitor food business that fail to comply with significant statutory food hygiene requirements, or where directly required by Regulation. Failure could include:-

- Failure to comply with a single requirement that compromises food safety, public health or prejudices consumers;

- Failure to comply with a number of requirements that, taken together, indicate ineffective management; or
- Service of a hygiene emergency prohibition notice or order.

3.1.13 When considering both the need for and timing of a secondary intervention, consideration is given to the seriousness of any failing, history of the business, confidence in management and the likely effectiveness of this action when compared to any other enforcement option.

3.1.14 Secondary interventions are categorised as those that are not primary interventions but include:-

- Additional interventions of establishments that are subject to product-specific food hygiene regulations;
- Sampling visits;
- Visits to check on the progress of measures required after a previous intervention;
- Visits to investigate food and food premises complaints;
- Visits to discuss implementation of Hazard Analysis of Critical Control Points based system;
- Visits involving training of food handlers;
- Inspections of premises to assess a licence.

3.1.15 **Interventions at New Businesses/Change of Ownership** - Where the service becomes aware that ownership of a food business has changed or a new business has commenced, it aims to undertake an intervention within 28 days of the business starting trading.

3.1.16 The purpose of the intervention is to establish the scope of the business, gather and record information, determine if food sampling or swabbing is necessary, identify food safety breaches, determine relevant enforcement action to be taken by the food service, communicate this to the business and evaluate risk rating score. Based on the last five years data, it is predicted that there will be 350 new businesses or changes of ownership in 2010/2011.

3.1.17 **Monitoring of Vacant Premises** - Where food premises fall vacant, arrangements are made to monitor activity at the premises. When new businesses open, it is important that support and guidance on food safety issues are given at an early stage.

Year	05/06	06/07	07/08	08/09	09/10est	10/11est
Secondary inspections	1013	1180	1060	855	1100	1100
New Premises or Change in Ownership	317	399	336	267	400	350

Table 3.1.3 Estimate of secondary inspections & new businesses inspections for 2010/2011 based on data since 2005.

3.1.18 The estimation of the number of staff required to carry out the programme of inspections plus other visits as estimated above is 8 full

time equivalents. Resources required to undertake secondary visits generated by complaints, enquiries or to undertake sampling are included in the appropriate part of this plan.

3.1.19 **Intervention Plan 2009/2010** - The Food Safety Code of Practice suggests a sliding scale of interventions, with the better performing businesses requiring a lesser level of intervention.

3.1.20 The practical use of interventions in the Brighton & Hove area is heavily influenced by the local 'Scores on the Doors' scheme. All high-risk food businesses operators scoring less than the maximum five stars must be given the opportunity to improve their score. Establishments may only be rescored if the intervention used is an audit, inspection or part audit/inspection. The service therefore plans to:-

- inspect all high-risk food premises scoring less than five stars;
- carry out inspections or another official control ie audit, monitoring, surveillance, verification or sampling as appropriate of all other high-risk establishments;
- carry out an either an official control or other control ie education, advice and coaching or information and intelligence gathering including sampling where the analysis is not carried out by an official laboratory at category D establishments;
- Continue with Alternative Enforcement Strategy for category E establishments.

3.1.21 All official controls must include a visit to the food establishment, have appropriate accompanying documentation and a measurable outcome. The risk rating score of the business may be revised in the case of the first two interventions only.

Food Standards

3.1.22 The LACORS system requires high-risk premises to be visited each year, medium risk every two years and low risk every five years. This means that 28 high risk, 321 medium risk and 324 low risk premises should be visited each year.

3.1.23 The target for 2009-10 was to visit 100% High and 50% of those medium risk premises liable to inspection. Similar targets will remain in place for 2010/11.

3.1.24 There is no commitment to visit low risk premises but in 2009-10, 611 low risk premises were visited as a result of project work, complaints and other routine inspections.

3.1.25 Approximately 5% of inspections require a follow-up visit. Officers do not work exclusively on the food function. Follow up visits will be made to all premises when a non-compliance is detected and formal action is contemplated.

3.1.26 Three part time posts make up the food team. All officers within the team work on a part time basis and their time is equivalent to 1.37 FTE. About 80% of their time is spent on the food function. A qualified food officer has also been appointed for 5 weeks during 2009/10 to ensure that medium risk inspections are undertaken and that new premises receive a visit.

3.1.27 **New Businesses** - All new businesses assessed and if appropriate will be inspected within 56 days of being identified. On registration an information pack containing advice on food standards, food safety and other relevant legislation will be supplied to the business offering a communication channel between the Local Authority and the business. The initial visit will be to establish the scope of the businesses activity, identify its compliance with food standards legislation and to determine the level of support required. An intervention programme will be designed to reflect the needs of the business and reviewed after one year. Inspections will then be programmed based on the LACORS risk assessment.

3.1.28 **High Risk Premises** - All premises will be assessed to determine the most appropriate intervention method for them. Premises with good management control, no history of contraventions or complaints will be advised that they will be the subject of a 'light touch' approach and will only be inspected if they change their product range or complaints are received.

3.1.29 **Poorer performing High Risk Premises** -These premises will be inspected every year but may be the subject of additional interventions depending on their compliance.

3.1.30 **Medium Risk Premises** - These premises will receive an intervention at two yearly intervals. These interventions will alternate between comprehensive inspections, and a mix of sampling visits, complaint visits or other monitoring or surveillance. At least 50% of the premises liable to an inspection will be subject to a comprehensive visit.

3.1.31 **Low Risk Premises** - A programme of interventions will be based on the intelligence received about the individual premises or where the business requests support/advice.

3.2 Feed and Food Complaints

Food Safety

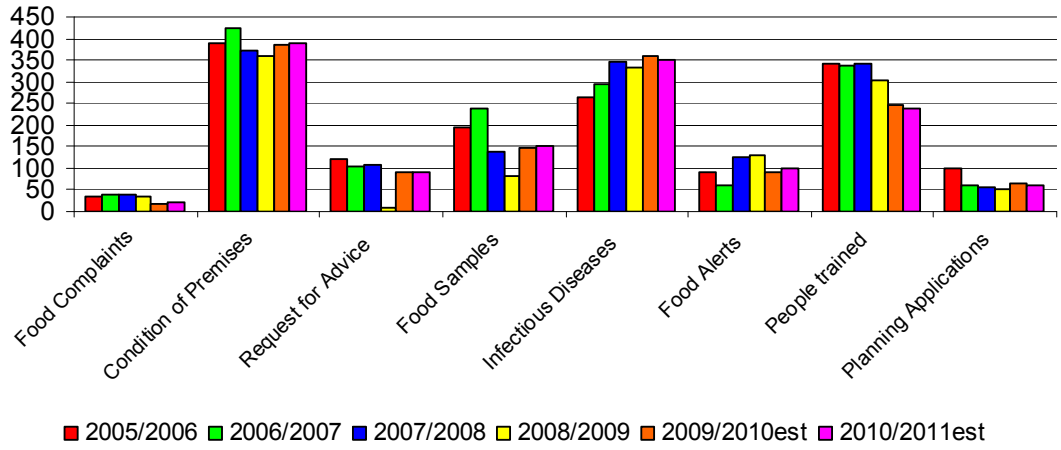
3.2.1 It is the policy of this Authority to respond promptly to all requests for advice from business. It is the target of the service to respond to 90% of planning application consultations within 10 days, and all other demand driven work within 5 days.

Year	05/06	06/07	07/08	08/09	09/10est	10/11est
Within target %	97	96.6	97	96.6	97.5	97

Table 3.2 Percentage of Demand Driven Work within Target

3.2.2 All food complaints received are investigated in accordance with the council's Enforcement Policy and documented procedures. See below for a chart showing the pattern of demand driven work since April 2005 and estimates for the current year and 2010/2011. The source figures for this chart are contained in tables within the relevant part of the plan.

Chart of Demand Driven Work 2005-2011



See tables 3.2.1, 3.4.1, 3.4.3, 3.5.1, 3.6 and 3.8 for the source of data.

Year	05/06	06/07	07/08	08/09	09/10 est	10/11 est
Food Complaints	35	37	41	36	17	20
Condition of Premises	391	422	370	357	385	390

Table 3.2.1 Estimate of Number of complaints for current year and 2010/2011 based on data from 2005 onwards.

3.2.3 It is estimated that 1.5 Full Time Equivalent officers will be required to meet this level of complaints.

Food Standards

3.2.4 It is the policy of this Authority to respond promptly to all food complaints and to carry out enquiries in accordance with the complaints' procedure.

Level of Complaints:						
2003	2004	2005	2006	2007	2008	2009
79	64	170	183	253	295	279

3.3 Home Authority Principle and Primary Authority Principle

3.3.1 Brighton & Hove Council fully supports the LACORS Home Authority principle, and has entered into six formal and 22 informal arrangements

with businesses whose operational activity extends outside of the city. Currently there are no primary authority food businesses in the City.

3.4 Advice to Businesses

Food Safety

3.4.1 The service follows a policy of graduated enforcement in assisting businesses to comply with legal requirements. The key first step of this approach is to provide advice and information to businesses. Contact is made with new or potential businesses through the provision of new business information packs and via the development control planning process.

3.4.2 In addition to this, advice is given by an officer when carrying out interventions, making an officer available for one to one advice sessions and having a duty hotline service covering office opening hours.

3.4.3 Advice and information is also available through the council's website.

Year	05/06	06/07	07/08	08/09	09/10est	10/11 est
No of Requests	121	105	108	80	90	90
Planning Applications	98	59	55	53	65	60

Table3.4.1 Showing number of requests received since 2005 and estimates for the current year and 2010/2011

3.4.4 It is estimated that 0.5 Full Time Equivalent Officer is required to meet this estimated demand.

3.4.5 The service is committed to good liaison arrangements with proprietors of food businesses, to encourage effective two-way communication and to provide information and training on legislation and good practice.

3.4.6 Local businesses were consulted on recent significant developments in policy such as the introduction of the 'Scores on the Doors' food hygiene rating scheme in 2007 and revision of the Environmental Health Enforcement Policy in 2009.

3.4.7 A Food & Safety newsletter is produced twice a year, which informs proprietors of new legislation, advice on good practice, and general items of interest. This is widely distributed throughout the city and sent out with intervention reports.

Food Standards

3.4.8 Requests by businesses for advice are recorded as Service Requests. There was a significant increase in the number of requests for advice in 2007 and this level has remained reasonably constant since then.

Level of Service Requests

2003	2004	2005	2006	2007	2008	2009
24	30	28	32	150	192	151

3.5 Feed and Food Sampling

Food Safety

3.5.1 The service participates in national sampling initiatives organised by LACoRS, countywide programmes co-ordinated by the Chartered Institute of Environmental Health (CIEH) Sussex Food Liaison Group, local Health Protection Agency (HPA) and those instigated by the FSA. The sampling programme includes food or food-contact surfaces at approved premises, food manufacturers, and manufacturers selling mainly by retail as well as caterers and retailers. Samples of food and swabs of food-contact surfaces are also taken as part of routine work and when investigating specific issues at food premises.

3.5.2 During 2009/20010, the service took part in national food sampling programmes:-

- Ready-to-Eat cooked meats and hygiene practices in butchers' shops, with a focus on *E.Coli*, from April 2009 to June 2010;
- Large scale events – preparatory work for Olympics 2012. As part of this project mobile food stalls associated with Pride 2009 were sampled;
- Pre-packed sandwiches from institutional settings focusing on *Listeria monocytogenes* October 2009 to March 2010.

3.5.3 In addition to these nationally agreed programmes, the service took part in three regional wide microbiological sampling programmes across Kent, Hampshire, Surrey and Sussex.

- Ice and ice machines in pubs;
- Rice, spices and cleaning cloths from takeaways and restaurants;
- Ready to Eat Pies and Pastries.

3.5.4 Where any unsatisfactory results were found corrective action was put in place to ensure the quality of food products.

3.5.5 The national topics set for 2010/2011 will be a repeat of the large events study carried out in 2009, hygiene practices in retail/catering premises and ready-to-eat foods focusing on *Listeria monocytogenes*.

3.5.6 The CIEH Sussex Food Liaison Group has yet to finalise countywide studies.

3.5.7 An Environmental Health Officer within the Food Safety Team is responsible for organising and co-ordinating food safety sampling: it is estimated 0.25 Full Time Equivalent officer will be required for this service.

Year	05/06	06/07	07/08	08/09	09/10est	10/11est
No. of samples	194	237	137	82	146	150

Table 3.4.3 Number of Food Safety Samples Submitted for Analysis 2005-2009 & estimate for the current year and 2010/2011.

3.5.8 Arrangements are in place with the local Health Protection Agency laboratory for the analysis of samples that require microbiological examination. The allotted cost for sampling for the financial year 2009/2010 was £11,429.

3.5.9 As at the end of January 2010, the allocation for the year 2010/2011 had not been confirmed.

Food standards

3.5.10 Food Standards work is performed during a comprehensive inspection of the premises and generally linked to the metrology function. Officers currently undertake the food standards programme and deal with enquiries from consumers and businesses. The percentage of Officer time devoted to these functions has already been described earlier in this document. The food standards function equates to approximately 1.37 FTE.

3.5.11 A budget of £ 8,650 was allocated in 2009/10 to facilitate the contract with the appointed Public Analyst for the purposes of food analysis. A budget of £9,000 will be allocated in 2010/11. Sampling will be initiated to reflect perceived or identified problem areas but it is intended that we will be involved in at least one FSA led initiative, two regional projects, and two local projects in 2010/11. Sampling is undertaken in accordance with documented procedures and in accordance with the Codes of Conduct produced under the provisions of the Food Safety Act. Further funding is allocated for sample purchases.

Food Sampling Work undertaken in 2009/2010

MONTH	PROJECT
April to August	FSA Imported Food Activity
December	Mince (LACORS)
July/August	Value Brand Nutritional properties (regional)
October	GM Oils in catering establishments (regional)
Year long	Spirits Sampling as a part of the inspection programme
Year long	Home Authority Sampling

3.5.12 The national initiative is fully funded and takes account of potential problems requiring further investigation. The cost for the regional and local projects will be set to allow for contingencies, such as, complaints and reacting to food hazard warnings.

3.5.13 **Control and Investigation of Outbreaks and Food-related Infectious Disease** - Specific infectious diseases are notifiable to the local authority. The department investigates these cases in an attempt to identify the cause of illness and any practical measures to control potential outbreaks. See below for the number of cases investigated from 2005 to 2009 and an estimate of the numbers expected for the current year and 2010/2011. Investigations of outbreaks must commence as soon as practical. In individual notifications, the investigation has to commence within 5 days. It is estimated that 0.5 FTE officer will be required to meet this level of complaints.

Year	05/06	06/07	07/08	08/09	09/10est	10/11est
No. of reports	264	294	344	333	360	350

Table 3.5.1 Estimate of Number of notifications for 2009/2010 & 2010/2011 based on data from 2005 onwards.

3.5.14 The number of notifications included in table 3.5.1 has been corrected to discount those illnesses not associated with food such as mumps, measles and hepatitis. Table 3.5.2 below shows the number of *Campylobacter* and *Salmonella* cases notified from 2005 onwards. The number of *Campylobacter* confirmed notifications are predicted to drop significantly for the year 2009/2010 based on cases reported to January 2010. The number of *Salmonella* cases reported are predicted to rise slightly for the same year from a low of 2008/2009. Due to the number of variables involved, it is unsure if these patterns will continue. The FSA has the reduction in incidents of these two food poisoning bacteria as a national core aim.

Year	**05/06**	**06/07**	**07/08**	**08/09**	**09/10est**	**10/11est**
Campylobacter	171	173	217	202	122	130
Salmonella	66	70	61	34	60	50

Table 3.5.2 Estimate of Number of specific notifications for 2009/2010 & 2010/2011

3.6 Feed/Food Safety Incidents

3.6.1 An out of hours emergency service is staffed by senior staff who are suitably authorised to carry out the full range of food safety functions including responding to emergency food safety incidents.

3.6.2 Information regarding national food safety alerts, such as product recalls from the FSA, are received during office hours via the national alert system.

3.6.3 The Environmental Health Manager (Food Safety) and senior staff within the food safety team are registered on the rapid alert system to receive food alerts through a text message scheme direct to their mobile phones. The information contained in the food incidents is distributed and acted on as deemed necessary.

Year	05/06	06/07	07/08	08/09	09/10 est	10/11 est
Food Alerts	92	60	127	130	90	100

Table 3.6 Estimate of Food Alerts for the current year and 2010/2011 based on data from 2005 onwards.

3.7 Liaison with Other Organisations

Food Safety

3.7.1 There are a number of arrangements in place with other professions and local authorities to promote consistency: -

- The Environmental Health Manager (Food Safety) has been appointed Secretary for the Sussex Food Liaison Group for 2010/2011. This group identifies and develops common approaches to food safety legislation, best practice and food safety training needs across Sussex.
- An Environmental Health Officer in the Food Safety has been appointed Secretary of the Chartered Institute of Environmental Health's Sussex Food Study Group. This group discusses common food safety delivery problems and develops joint procedures and practices for food safety issues.
- The Food Safety Team has regular liaison meetings and agreed working arrangements with Educational Services and catering contract supervisors to ensure consistent enforcement within schools.
- The Health Development team within Environmental Health & Licensing develop initiatives such as increasing breastfeeding in restaurants.
- The service works with nutritional advisers for the PCT on the Healthy Choice Award initiative to promote healthy menu options in eateries. Since launching in 2008 11 gold level awards have been issued, 16 silver and 11 bronze. There are currently another 12 applications pending for assessment.
- Officers from Environmental Health & Licensing attend the District Control of Infection Committee co-ordinated by the Community Consultant in Disease Control that reviews procedures and agrees communicable disease outbreak and food poisoning control measures.
- The authority is a member of the Brighton & Hove Food Partnership. The partnership includes representatives from local business and community groups, community workers and members of the Sustainability Commission. The partnership raises awareness of food producers in supporting health, the economy and the environment increasing access to nutritious, safe, affordable food and providing a network for information exchange.
- A liaison arrangement is in place with Sussex Career Services and local schools to enable teachers and students from Brighton & Hove to come into the department and gain work experience.
- The service participates in a variety of Best Value benchmarking exercises in conjunction with other councils.

- During 2009/2010 the Environmental Health & Licensing service took part in the LACoRS/LBRO/CIEH national Regulatory Services Peer Challenge, see section 5.1.4 for further information.
- The service will be audited in May 2010 as part of the CIEH Sussex Inter Authority Audit.

This work is accounted for in the reactive work estimate of resources required.

Food Standards

3.7.2 We work closely with 18 other Trading Standards Services in the southeast that together make up Trading Standards South East (TSSE). Activities include liaison on all trading standards issues, coordinated activities, sampling and advice projects and sharing of information via the TSSE intranet.

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3.7.3 Trading Standards liaise closely with Environmental Health colleagues regarding healthy eating issues and support the Food Partnership activity wherever possible.

3.8 Feed and Food Safety and Standards Promotional Work, and Other Non-Official Controls Interventions

3.8.1 The service organises a number of food hygiene training courses per year. The Food Safety Training Activity April 2009 to January 2010and total numbers of people trained are given below.

3.8.2 Type of Course — Number of Delegates

CIEH Level1 Award in Food Safety in Catering Awareness	11
CIEH Level 2 Award in Food Safety in Catering	202
TOTAL	213

Year	2005/06	2006/07	2007/08	2008/09	2009/2010est	2010/2011est
No. Trained	341	337	340	301	245	240

Table3.8 Total Training Undertaken Since 2005

3.8.3 Twelve Level 2 Awards in Food Safety in Catering courses have already been scheduled for 2009/10.

3.8.4 The service offers the new qualification CIEH Level 3 Award in Implementing Food Safety Management Procedures designed specifically to assist food businesses to comply with requirements introduced in 2006.

3.8.5 In addition to this training, the service has allocated funds to arrange training for the poorer performing and new businesses to help them comply with legal requirement to introduce a documented system of

food safety control measures. 44 businesses attended workshops and associated 1-2-1 training sessions mounted during 2009/2010. A similar level of support is planned for 2010/2011.

3.8.6 Officers of the Food Safety Team have given hygiene training sessions at a number of schools, and taken part in the week long 'Safety in Action' promotion event. The 2009/2010 project of advice sessions aimed at older people was Highly Commended in the Best Health & Well Being Initiative category at Brighton & Hove City Council's Excellence Awards 2009.

3.8.7 The service plans to take part in the 2010 Food Safety Week, 7th to 13th June. This theme being 'Cooking Thoroughly and Avoiding Cross Contamination'.

3.8.8 Two Food and Safety newsletters are produced per year. The newsletters carry articles and information for businesses and members of the public. A copy is posted on the web site and sent out with correspondence.

3.8.9 For the past five years the Food Safety team has been invited to have an information stand at the Chinese New Year celebration event at Hove Town Hall.

4. Resources

4.1 Financial Allocation

Food Safety

4.1.1 The 2010/2011 projected budget for the food safety service within Environmental Health & Licensing is detailed below. The staffing figures include a figure to cover the appropriate proportion of the Head of Environmental Health and administrative support and management time: -

	Food Safety	Infectious Disease
Staffing	£ 659,900	£ 52,780
Transport	13,330	1,110
Supplies and Services	10,510	1,470
Total	£ 683,740	£ 55,360

Food Standards

4.1.2 It is difficult to detail the time spent on the food standards function as it is carried out during a comprehensive inspection. Time monitoring is not currently used to apportion time to the food function. Cost of the food standards function in 2009/10 was as follows based on the

percentage of time officers spend on the food function outlined above and below:

Inspection, complaints and advice	
Staffing	
Man'ment/Support	£ 3200
Food Team	£30,680
Total	£ 33,880
Sampling	
Purchases	£500
Analysis	£8,650
Total	£9,150
Total	£43,030

The budget has not yet been set for 2010/11 but we envisage similar funding levels as this year.

4.2 Staffing Allocation

Food Safety

4.2.1 Establishment of the Food Safety Team for the year 2010/2011 is 11.8 full time equivalent field officers plus two full time equivalent administrative Technical Support Officers and management, broken down as follows:-

1 x Environmental Health Manager
2 x Senior Environmental Health Officers
5.8 x Environmental Health Officers
2 x Senior Technical Officers
1 x Technical Officer

4.2.2 Officers and external contractors have to comply with strict guidelines governing qualifications and competencies before they are permitted to undertake food safety duties. The Senior Technical Officers hold Higher Certificates in Food Premises Inspection and are able to inspect all risk categories of food businesses. All Environmental Health Officers are qualified to undertake inspections of all risk categories of food businesses.

4.2.3 Four officers within the other Environmental Health & Licensing teams retain competencies to undertake food safety inspections. All food competent officers must undergo a minimum of 10 hours food safety training per year to retain their authorisation to undertake food safety inspections. In addition to the competencies and qualifications required by the Food Safety Code of Practice, officers engaged in food safety inspections must have undergone additional 'Scores on the Doors' consistency training.

Food Standards

4.2.4 The Inspection and Sampling team is responsible for Food Standards Inspection. The proportion of time allocated to this function is estimated as follows

Support	0.05
Management	0.05
Food Staff	1.37
Total	1.47 FTE

4.3 Staff Development Plan

4.3.1 The Authority has a structured appraisal and development system. During staff appraisals, individual training needs and any gaps in competence are identified. The information is used to produce individual training and development plans for each officer for the coming year. Brighton & Hove City Council was awarded accreditation to Investors in People in early 2009.

4.3.2 The Food Safety Team also has team meetings every six weeks. Any training needs of the service as a whole are identified and discussed at these meetings.

4.3.3 Through this system, the service ensures that all food competent officers receive sufficient good quality focused food safety training to comply with relevant codes of practice and professional membership schemes.

4.3.4 The service currently has three staff undergoing part time of distance learning to become Environmental Health Officer and three working towards a Higher Certificates in Food Premises Inspection

5.0 Quality Assessment

5.1 Quality Assessment and Internal Monitoring

Food Safety

5.1.1 The service has a documented procedure relating to food safety duties. Internal audits are carried out to ensure compliance with these procedures. The service is accredited to ISO 9001 and externally audited by the British Standards Institute.

5.1.2 The service actively seeks the views of businesses by giving out post-inspection questionnaires to traders inspected. The most recent data available covers the first six months of 2008/2009. 65 businesses returned the questionnaires. The key findings of these returns were:-

- 92.3% of respondents were either very satisfied or satisfied that Brighton & Hove City Council had done all that it could to help deal with their premises inspection.
- 100% of respondents understood the purpose of the visit to their premises.
- 96.9% found the information given to them by the visiting officer easy or very easy to understand.

Similar high levels of satisfaction were recorded from questionnaires returned in the previous five years.

5.1.3 Information from these returns are also incorporated in Brighton & Hove City Council's return in respect of national performance indicator NI 182 'Satisfaction of Businesses with Local Authority Regulatory Services'.

5.1.4 The Environmental Health & Licensing department volunteered to take part in the national Regulatory Services Peer Challenge during 2009. The report produced by the external Peer Challengers congratulated the service for it's excellent delivery of core services and it's dedicated, committed and ambitious staff. The challengers added that *'we feel confident that the service will be successful in maintaining the momentum provided by the peer challenge process in improving what is already a very good service'*. The resulting Improvement Plan identified seven areas for improvement that the Management Team were already working on and three areas of best practice that have been submitted to LACoRS for inclusion on a national database.

Food Standards

5.1.5 We aim to continually improve the level of service provided. Procedures are implemented and reviewed where necessary to incorporate identified improvements.

6. Review

6.1 Review Against the Service Plan.

Food Safety

6.1.1 In addition to the quality checks detailed in 5.1, performance is reviewed against the service plan by comparing the number of interventions achieved against the number programmed. Monthly statistical reports are produced so that performance can be closely monitored and managed through the year. Any problems are promptly identified and resolved through management reviews, team meetings and monthly one to one's between field staff and their line manager.

6.1.2 Official Feed and Food Controls Service Plans are produced and reviewed on an annual basis by management review, consideration by the Environment and Community Safety Overview and Scrutiny Committee and Full Council.

6.1.3 In the year 2008/2009 99.6% of the due food safety interventions were accounted for. This included interventions carried out and businesses that ceased trading before they could receive their planned intervention. In addition, 267 interventions were undertaken of new businesses or premises that had changed ownership. The 2009/2010 service plan predicted that a total of 1176 food safety interventions would take place in this year. To the end of December 2010, 285 inspections of new businesses were undertaken and the service is on target to achieve the goal of carrying out interventions in at least 98% of the businesses due.

6.1.4 From April 2009 to the end of January 2010 the Food Safety team served two Hygiene Emergency Prohibition Notices, 30 Hygiene Improvement Notices, accepted two voluntary closures of establishments, undertook four successful prosecutions and two simple cautions. The prosecutions attracted total fines of £ 10,150 and costs of £ 9,112. One owner was prohibited from managing a food business

6.1.5 Charts in section 3 give a detailed break down of service activity from April 2005 to March 2009 and an estimation of the activity for the remainder of the current and coming year.

6.1.6 The two areas for improvement identified in the 2009/2010 plan, to draft a departmental Enforcement Policy and take part in the national Regulatory Services Peer Challenge were completed during 2009.

Food Standards

6.1.7 Service reviews are carried out on a quarterly basis to check that our inspection programme is on target and to ensure that projects are being completed in the agreed timescale.

6.1.8 The Service Reviews indicate that we are on target to achieve our interventions programme. We undertook an additional LACORS project on mince in December.

6.1.9 During staff 1:1's, each officer's performance is monitored, to identify good performance and any areas of improvement.

Complaints are responded to within the stated timescales.

6.2 Identification of Any Variation from the Service Plan

Food Safety

6.2.1 As at the end of December 2008, 92.4% of the food establishments in the city were graded 'broadly compliant' or better with food hygiene law, see 1.2.6 of this plan for further guidance on this outcome measure, NI 184 and 3.1 for further details. Since the production of the 2009/2010 Service Plan the Food Standards Agency has clarified that those establishments registered but not yet inspected must be counted as 'not broadly compliant. Consequently the level of 'broadly compliant' food businesses has fallen to 88.9%. To take account of this the aim of 90% of food business being broadly compliant has been lowered to 85%.

Food Standards

6.2.2 There was no significant variation from the plan except that one project was not completed.

6.3 Areas of Improvement

Food Safety

6.3.1 In addition to the programme of work detailed in this plan the service currently has a number of improvements it wishes to implement through 2010/2011:

- Stage local Curry Chef and Oriental Chef of the year competition to build on the good working relations with ethnic food businesses and enhance the standing of small local businesses with the public;
- Incorporate the areas of improvement identified during the Peer Challenge process;
- Ensure that good practice identified in the recently published Food Standards agency guidance document 'Making Every Inspection Count' is incorporated into service delivery; and
- Ensure that the relevant recommendations of the Pennington report following the *E.Coli* food poisoning outbreak in South Wales acted on.

Food Standards

6.3.2 Advancements have been made in the delivery of food law enforcement. There are many examples of joined up working and cooperation where coordinated sampling programmes and officer training feature highly. However there are still areas for improvement. They are as follows:

- Improved use of the Environmental Health newsletter to provide businesses with information.

- Increasing the number of voluntary contacts by businesses
- Developing the access to on line business advice.
- Better publicity for the healthy eating education message.
- Developing links with the schools
- Increasing and maintaining the competency and professional development of food officers.
- Establishing consumer concerns and reflect in local activity.

ENVIRONMENT CABINET MEMBER MEETING	Agenda Item 106 Brighton & Hove City Council

Subject:		**Old Shoreham Road Cycle Route**	
Date of Meeting:		**25 March 2010**	
Report of:		**Director of Environment**	
Contact Officer:	**Name:**	**Mark Prior**	**Tel: 29-2474**
	E-mail:	**mark.prior@brighton-hove.gov.uk**	
Key Decision:	**Yes**	**Forward Plan No: ENV15277**	
Wards Affected:		**Goldsmid; Hangleton & Knoll; Hove Park; Preston Park; South Portslade**	

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 To inform the Cabinet Member of the results of the public consultation on the Old Shoreham Road Cycle Route Scheme and concerns surrounding the design of the proposals.

1.2 The provision of a cycle route along the Old Shoreham Road formed part of the Council's Local Transport Plan 2006/7-2010/11 programme of proposed transport improvements designed to improve transport mode choices, residents' health and reduce congestion.

1.3 The proposed route would run east – west along the Old Shoreham Road and link with the cycle lane at Grand Avenue and The Drive.

1.4 The council has been progressing the proposals over the past year and has consulted with the public and key stakeholders. As the scheme has developed, a number of issues relating to the design have arisen which has led to concerns from Ward Members, key stakeholders and some members of the public on the benefits and quality of the cycle route scheme.

2. RECOMMENDATIONS:

2.1 That the Cabinet Member decides whether or not to proceed with the scheme based on the information in this report.

3. RELEVANT BACKGROUND INFORMATION

Policy Context and history

3.1 The proposal for cycle improvements along Old Shoreham Road was adopted as part of a package of capital schemes in the current Local Transport Plan 2006/07-2010/11. The scheme was intended to increase cycling trips by 5% per year, reduce congestion by 5% and improve health.

3.2 Officers began to develop the concept of the scheme in early 2009. Approval was granted at the Environment Cabinet Member Meeting in July 2009 to begin further work to develop the scheme and undertake a public consultation exercise.

Initial aims of the scheme

3.3 The full proposed cycle route extended from Applesham Way (Portslade) to BHASVIC (Dyke Road, Hove),

3.4 This scheme was proposed to be developed in two phases

- Phase 1: BHASVIC (junction of Dyke Road and Old Shoreham Road) to Nevill Road
- Phase 2: Nevill Road to Applesham Way (Portslade)

3.5 The scheme was intended to provide a continuous cycle route along the entire route.

Design Issues

3.6 As part of the feasibility work various options were explored including the option of locating the cycle lane on the footway. However, Old Shoreham Road is lined with a number of trees, side roads on the southern side, driveways, and in parts a narrow width of pavement, which meant this option was ruled out.

3.7 Officers began work to develop a scheme on the carriageway which would consist of cycle lanes with new coloured surfacing on the existing road in each direction. The cycle scheme would also include new signs and Advanced Stop Lines as used throughout the City to improve safety at junctions.

3.8 However, the opportunity to provide a continuous cycle route scheme along Old Shoreham Road is precluded by the varying road widths, substandard junctions and potential influence on road traffic flows and capacity. This is particularly notable along the Phase 2 section, but also at the junction of Dyke Road with Old Shoreham Road, and at the railway bridge.

3.9 One solution for the railway bridge would be to provide an advisory cycle lane at this section however this would still mean the route could not be considered continuous. The alternative solution to an advisory lane to ensure a continuous cycle route would be to undertake some heavy and major civil engineering works involving the widening of the bridge. This would be extremely costly. A number of junctions along the route would also require major reconfiguration to accommodate cyclists safely.

3.10 The scheme as proposed in consultation has been subject to a Stage 1 Safety Audit; the results of which indicated that a continuous length of cycle lane has not been provided.

3.11 The lack of a continuous route jeopardises the quality and therefore the objectives of the scheme, particularly that of trying to improve safety for cyclists. Cycling England's Professional Support Team also made similar comments regarding the lack of continuity, particularly for Phase 2 of the scheme.

3.12 An additional concern, voiced by elected members, was that not enough consideration had been given to potential knock-on effects of the proposed scheme, such as vehicle displacement onto bordering roads, increased congestion and the creation of 'rat runs'. It was felt that it would be prudent to use the new city-wide traffic model to try to determine the exact nature of these effects before any further decisions are made on progressing a possible scheme.

4. CONSULTATION

Methodology

4.1 The public consultation comprised of a mail drop to residential addresses along the Old Shoreham Road, using addresses drawn from B&HCC land & property gazetteer, and staffed public exhibitions at Hove Rugby Club (1 to 5 September 2009) and Hove Town Hall (7 and 12 September 2009). A copy of the leaflet and questionnaire is attached in the Appendices.

Results and concerns

4.2 More detailed information on the responses received and a summary of the main comments received from all respondents is provided in the Consultation Analysis Report provided in Appendix 2.

4.3 What is clear from the consultation is that the majority of people (66%) felt they supported the idea of a cycle lane on Old Shoreham Road. However the results also show that people felt that the route should be continuous (Question 7 of Appendix 2). Furthermore, that there would not be enough room to accommodate cyclists safely and that this may discourage people, particularly children from using the route.

4.4 The lack of continuity and safety was also an area of particular concern for elected Members.

4.5 A large majority of people who responded also had concerns about the speed of traffic along the route and felt this was a danger to cyclists. There was also strong concern regarding the volume of traffic along the route.

4.6 The Council also received a formal response from Bricycles who state they felt the proposals were 'deeply flawed' due to its 'narrowness, pinch points and inadequate junction treatments' (letter attached in Appendix 3)

5. FINANCIAL & OTHER IMPLICATIONS:

<u>Financial Implications:</u>

5.1 £750,000 was originally identified for cycle routes within the LTP capital budget for 2009-10. This was set aside to fund the Old Shoreham Road cycle route and the Pier to Marina cycle route. When it became clear that the Old Shoreham Road route would not be completed in 2009-10, the budget was re-profiled into other cycling schemes. Depending on whether the Cabinet Member decides to proceed with the scheme or not funding could be made available from the cycling capital budget in 2010-11.

5.2 There are no current revenue implications for this scheme. However, if the route is completed in the future any maintenance of this cycle lane would have to be covered from revenue budgets.

Finance Officer consulted: Karen Brookshaw Date: 15/03/10

Legal Implications:

5.3 Broadly, the Council's powers and duties under the Highways Act 1980 and the Road Traffic Regulation Act 1984 must be exercised to secure the expeditious, convenient and safe movement of all types of traffic including the provision of cycle lanes and pedestrian crossings. Also, as far as is practicable, the Council should also have regard to any implications in relation to:- access to premises; the effect on amenities; the Council's air quality strategy; facilitating the passage of public services vehicles; securing the safety and convenience of users; any other matters that appear relevant to the Council.

5.4 To achieve the above or any part thereof the Council can in the light of objections /representations received decide to re-consult either widely or specifically when it believes that it would be appropriate before deciding the final composition of the order. In limited circumstances it must hold public inquiries and may do so otherwise.

5.5 Relevant Human Rights Act rights to which the Council should have regard in exercising its traffic management powers are the right to respect for family and private life and the right to protection of property. These are qualified rights and therefore there can be interference with them in appropriate circumstances.

Lawyer Consulted: Elizabeth Clubert Date: 15/03/10

Equalities Implications:

5.6 In order to ensure the opportunity to hear from as many residents, users and interest groups a range of approaches were used to engage with the public and the details of these can be read in Appendix 2.Addresses were drawn from the Local Land & Property Gazetteer (LLPG), which is a centralised unique address database and is used for use to extract addresses to send out to residents. Brighton & Hove City Council's LLPG has been created from 10 different system databases, including Electoral Registration, Land Charges, Council Tax and the Postcode Address File, with the objective of giving the most comprehensive database. Venues used for the exhibition were DDA compliant and the exhibition either had a member of staff in attendance or had clear information and a contact number.

Sustainability Implications:

5.7. The objective of a cycle scheme is to promote and increase cycling along the route which is a sustainable mode of transport. However, given the public concern regarding safety and volume of traffic the route may not attract a significant number of users to have any sustainability implications.

Crime & Disorder Implications:

5.8 There are no crime and disorder implications associated with the proposals.

Risk and Opportunity Management Implications:

5.9 The proposed scheme has been subject to a Stage 1 Safety Audit.

Corporate / Citywide Implications:

5.10 The consultation or proposals do not have any citywide implications.

EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1 By choosing whether or not to proceed with the scheme the Cabinet Member will address the concerns raised in the consultation and those of ward members relating to the city wide implications of safety and traffic impacts.

7. REASONS FOR REPORT RECOMMENDATIONS

7.1 The report provides the results and concerns raised during the consultation process as requested at Environment Cabinet Member meeting in July 2009.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix 1: Consultation Leaflet and Questionnaire
2. Appendix 2: Consultation Analysis Report
3. Appendix 3. Letter from Bricycles

Documents in Members' Rooms

None

Background Documents

1. Local Transport Plan 2006/7-2010/11

Old Shoreham Road Cycle Route Scheme











Brighton & Hove City Council



Introduction

Brighton and Hove City Council are committed to improving cycling facilities for its residents and visitors to encourage and enable people to get on their bikes and move easily around the city, enjoying the facilities it has to offer. Cycling offers many benefits, not only is it healthier but it can improve the environment as it does not add to congestion and with the rising cost of fuel it is a very economical method of transportation.

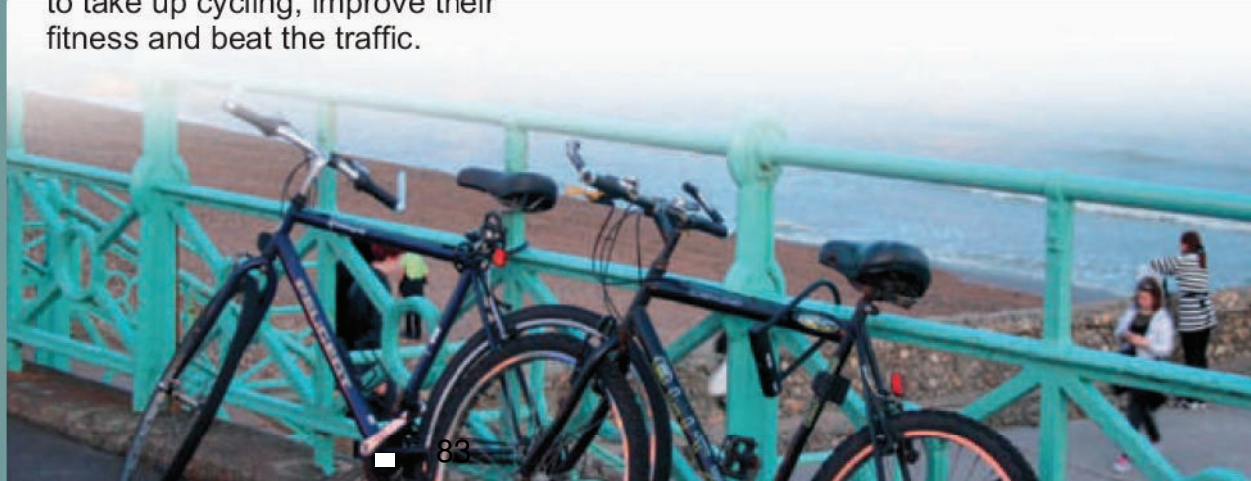
The Old Shoreham Road scheme aims to support the principles and measures of the Cycling Town projects. These aim to provide cycle lanes, increase bike use facilities, cycle training and other initiatives to improve the health, and travel choices of residents, employees, and visitors.

Brighton and Hove has Cycling Town status, alongside 17 other towns and one city who receive funding from Cycling England, providing £100 million of national investment. This is to encourage more adults and children in the UK to take up cycling, improve their fitness and beat the traffic.

Brighton and Hove City Council propose to provide an east west cycle route along the Old Shoreham Road, and a link to the national cycle network. The proposed entire route along the A270 is from BHASVIC to Applesham Way in Portslade.

The Proposals

- An east west cycle route along Old Shoreham Road between BHASVIC to Applesham junction Portslade
- 1.2m to 1.5m wide cycle lanes on both sides of the road
- Advanced Stop Lines (ASL) at junctions
- A signed link into the City Centre



OLD SHOREHAM ROAD JUNCTION WITH SHIRLEY DRIVE/THE DRIVE - PHASE 1

The pictures below show the introduction of a new cycle lane and Advance Stop Line (ASL) at the junction of Old Shoreham Road, Shirley Drive/The Drive. The picture on the left is a photograph of the current view from the west of the junction looking east along Old Shoreham Road, the picture on the right is an image of the proposed scheme.



CURRENT



PROPOSED

The introduction of the new cycle lane still seeks to retain the current two lane approach to the junction with minor alterations to the white lining retaining the current capacity of the junction. This will provide a safe lane for cyclists travelling along Old Shoreham Road marked by a solid white line which separates the cyclist from the general traffic.

OLD SHOREHAM ROAD TO THE EAST OF WILBURY GARDENS - PHASE 1

The pictures below show proposed changes to the Old Shoreham Road looking west, incorporating new cycle lanes on both sides of the carriageway.

The scheme consists of a 1.5m cycle lane with a solid white line, which creates a mandatory cycle lane. This means that general road traffic is not permitted in the cycle lane, but does not restrict access to adjacent properties or streets. The presence of the cycle lane will be reinforced with the use of coloured surfacing to further highlight the safe zone for cyclists.



CURRENT



PROPOSED

OLD SHOREHAM ROAD JUNCTION WITH HANGLETON LINK - PHASE 2

The pictures below show the introduction of a new cycle lane and associated Advance Stop Line (ASL) at the junction of Old Shoreham Road and the Hangleton Link. As with Phase 1, the pictures show both current and proposed layouts. The pictures are taken from Old Shoreham Road looking to the west. The proposed scheme includes a 1.2m wide cycle lane connecting with an ASL at the junction.



CURRENT



PROPOSED

Phase 2 shows a 1.2m mandatory cycle lane on both sides of Old Shoreham Road. As stated previously, this does not allow general traffic to use the cycle lane yet allows vehicles access to driveways and adjacent streets.

To achieve this it is proposed to remove the central island in places to accommodate the extra width needed for cycle lanes. Due to width restrictions, certain sections of Old Shoreham Road can not accommodate a cycle lane, where this is the case, cyclists will mix with general traffic.

OLD SHOREHAM ROAD TO THE WEST OF ENGLISH CLOSE - PHASE 2

The pictures below shows the view to the west along Old Shoreham Road between Holmes Avenue and Stapley Road. This shows how the scene could look with the central island removed. Some sections of traffic lanes will be narrowed whilst still complying with standards to accommodate bus and heavy goods movements.



CURRENT



PROPOSED

Public Exhibition

A public exhibition has been organised to give you the opportunity to review the plans for the scheme in greater detail. The exhibition will take place at Hove Rugby Club and Hove Town Hall on the following dates:

Hove Rugby Club, Hove Recreation Ground, Shirley Drive

Tuesday	1st	September	9am to 5pm
Wednesday	2nd	September	9am to 5pm
Friday	4th	September	9am to 5pm
Thursday	3rd	September	10am to 9pm
Saturday	5th	September	10am to 1pm

Hove Town Hall, Norton Road

Monday	7th	September	9am to 5pm
Tuesday	8th	September	9am to 5pm
Wednesday	9th	September	9am to 5pm
Friday	11th	September	9am to 5pm
Thursday	10th	September	10am to 9pm
Saturday	12th	September	10am to 1pm

Staff will be at Hove Rugby Club and Hove Town Hall on both Thursdays from 10am till 9pm and Saturday from 10am to 1pm to answer questions.

Translation? Tick this box and take to any council office.

ترجمة؟ ضع علامة في المربع وخذها إلى مكتب البلدية.	Arabic ❑
অনুবাদ? বক্সে টিক চিহ্ন দিয়ে কাউন্সিল অফিসে নিয়ে যান।	Bengali ❑
需要翻译？請在这方格內加剔，並送回任何市議會的辦事處。	Cantonese ❑
ترجمه؟ لطفا این مربع را علامتگذاری نموده و آن را به هر یک از دفاتر شهرداری ارائه نمائید.	Farsi ❑
Traduction? Veuillez cocher la case et apporter au council.	French ❑
需要翻译？请在这方格内划勾，并送回任何市议会的办事处。	Mandarin ❑
Tłumaczenie? Zaznacz to okienko i zwróć do któregokolwiek biura samorządu lokalnego (council office).	Polish ❑
Tradução? Coloque um visto na quadrícula e leve a uma qualquer repartição de poder local (council office).	Portuguese ❑
Tercümesi için kareyi işaretleyiniz ve bir semt belediye burosuna veriniz	Turkish ❑
	other (please state) ❑

This can also be made available in large print or on audio tape.

Brighton & Hove City Council

If you have any further queries
please contact us on
01273 290 487
or email us at
travel.planning@brighton-hove.gov.uk
Alternatively, visit our website
www.brighton-hove.gov.uk/cycling

What happens next?

All comments received during the consultation will be carefully considered and the results will be reported to the Environment Cabinet, who will decide if there is sufficient support for the proposals to proceed to the next stage of scheme development.

Old Shoreham Road Cycle Route Scheme
Consultation Analysis Report for CMM

1. Background

1.1 This Appendix summarises the results of responses received during the public consultation period for the Old Shoreham Road scheme which was undertaken for a period of seven weeks between 1 September and 16 October 2009.

2. Methodology

2.1 In order to ascertain the level of public awareness & support for a cycle route scheme along the Old Shoreham road a number of appropriate approaches were used to engage with the public.

2.2 Further information is provided below but overall the consultation included a mail drop to a wider area than just the residential addresses of The Old Shoreham Road, using addresses drawn from BHCC land & property gazetteer. This is a property based database (as opposed to the electoral register, which residents can 'remove' their details from) so ensuring as wider coverage as possible. The mail out comprised of a leaflet inviting people to visit a local venue (with clear information of the times and duration) to see detailed plans & some information of the proposed cycle route on The Old Shoreham road. The leaflet also included information of the scheme and a questionnaire with a freepost return envelope. This information was also accessible on the Brighton and Hove Council's website.

Mailing to local area

2.3 Leaflets and questionnaires were sent to 14706 addresses along the proposed route of the Old Shoreham Road Cycle Route Scheme from BHASVIC to Applesham Way in Portslade. These leaflets provided information about the proposed plans which indicated two phases:

- Phase 1: BHASVIC (junction of Dyke Road and Old Shoreham Road) to Nevill Road
- Phase 2: Nevill Road to Applesham Way (Portslade)

2.4 Large businesses were identified from the address database: these were sent a covering letter, multiple copies of leaflets and questionnaires, and posters outlining how they could get involved in returning their views.

2.5 There are 19 schools and language schools surrounding the proposed route and Heads of schools were sent a covering letter, copies of leaflets and questionnaires and posters.

2.6 Resident Associations were also sent leaflets and posters advising of ways to respond their views.

2.7 In addition to the above, key stakeholders to include ward councillors, emergency services, public transport providers, cycle groups, and other user groups were consulted with a covering letter, leaflets and a questionnaire.

2.8 Ward Councillors were also advised in advance by email of the consultation commencing.

Council website

2.9 Whilst the consultation was open, a link to information about the proposals, copies of plans and an on-line version of the questionnaire was available through the Home Page, the Cycling page and also through the Corporate Consultation pages of the City Council's website.

Exhibition

2.10 Exhibitions were held both at Hove Rugby Club (1 to 5 September 2009) and Hove Town Hall (7 to 12 September 2009). Both exhibitions included times when staff would be available to answer questions and included at least one evening and a weekend period at both sites.

Press Releases

2.11 Details of consultation and exhibitions were publicised in the City News and also The Argus.

Further Residents Associations to the north of the consultation area

2.12 In addition to the above planned approach, Councillor Vanessa Brown requested that for approximately 800 consultation packs be sent to a residents' association to the north of Hove Park.

Schools Eco Conference

2.13 Consultation Plans, Leaflets and questionnaires were also on display at the Schools Eco Conference held at Blatchington Mill School on 15 October 2009. This was attended by staff to answer any questions.

3. Summary of Results

3.1 2994 survey forms were received, 2714 (91%) of these were from the mail out of the leaflet & questionnaire (and the extra consultation area detailed in 2.12 above), 47 (1.5%) of these were returned from the exhibitions and 233 (8.5%) of these were received via the online survey.

3.2 The questionnaire had six main questions with tick box answers about cycling or walking relating to Old Shoreham Road. Each question left a space for people to tell us why they had chosen their answer. The written responses overlapped and so comments have been grouped into themes related to cycling or walking.

Q1 Do you currently use Old Shoreham Road regularly?

3.3 Responses were not mutually exclusive.

	Responses	
Mode	**No.**	**%**
Pedestrian	1583	32
Cyclist	1018	20.5
Car user	2241	45
Other: bus	86	2
Other: taxi	9	0
Other motorcyclist	25	0.5
Total responses	4520	100

Q2 How safe do you feel Old Shoreham currently is for cyclists?

3.4 Responses were as follows. 83 people (3%) did not answer this question:

	Responses	
	No.	**%**
Very Safe	93	3
Safe	324	11
Neither safe or unsafe	512	18
Fairly unsafe	1146	39
Very unsafe	836	29
Total responses	**2911**	**100**

3.5 Overall, 14% feel OSR is safe or very safe for cyclists whilst 68% feel that OSR is fairly or very unsafe. Different types of transport users feel differently about how safe OSR is for cyclists.

How safe is OSR for cyclists?	**Responses by Mode**					
	Pedestrians' views		**Cyclists' views**		**Car Users' views**	
	No.	**%**	**No.**	**%**	**No.**	**%**
Very Safe	60	4	23	2.5	72	3
Safe	176	11	72	7	273	12.5
Neither safe or unsafe	259	17	104	10.5	375	17
Fairly unsafe	593	38	444	44	862	39
Very unsafe	465	30	365	36	625	28.3
Total responses	**1553**	**100**	**1008**	**100**	**2207**	**100**

Q3 Do you agree that measures are required to improve safety along Old Shoreham Road?

3.6 Responses were as follows 70 (2%) respondents did not answer this question:

	Responses	
	No.	**%**
Strongly Agree	1292	44
Agree	804	27.5
Neither Agree or Disagree	276	9.5
Disagree	244	8
Strongly Disagree	308	11
Total responses	**2924**	**100**

3.7 Overall 71.5% agree or strongly agree and 19% disagree or strongly disagree.

3.8 All modal groups support the notion of improving safety for cyclists as shown in the table below, not surprisingly, cyclists show more keen support for safety measures for cycling:

	Responses by Mode					
	Pedestrians		Cyclists		Car Users	
	No.	%	No.	%	No.	%
Strongly Agree	726	47	672	67	940	43
Agree	402	26	211	21	571	26
Neither Agree or Disagree	128	8	34	3.5	195	9
Disagree	120	8	34	3.5	220	10
Strongly Disagree	173	11	53	5	275	12
Total responses	**1549**	**100**	**1004**	**100**	**2201**	**100**

Q4 ***Do you support the introduction of new cycle lanes as set out in the proposed scheme?***

3.9 Responses overall are shown below 92 people (3%) did not answer this question).

	Responses	
	No.	%
Strongly Agree	1111	38
Agree	819	28
Neither Agree or Disagree	226	8
Disagree	290	10
Strongly Disagree	481	16
Total responses	**2927**	**100**

3.10 66% respondents either strongly agree or agree that they support the introduction of new cycle lanes as set out in the proposed scheme whilst 26% disagree or strongly disagree. Of these it can be seen in the table below that cyclists, not surprisingly, show the most support at 82%, followed by 66.5% pedestrians and 62.4.5% car users**.**

Support introduction of cycle lanes	Responses by Mode					
	Pedestrians' views		Cyclists' views		Car Users views'	
	No.	%	No.	%	No.	%
Strongly Agree	617	40	583	58.5	802	36.5
Agree	411	26.5	235	23.5	575	26
Neither Agree or Disagree	106	7	29	3	144	6.5
Disagree	149	9.5	61	6	249	11
Strongly Disagree	264	17	88	9	432	20
Total responses	**1547**	**100**	**996**	**100**	**2202**	**100**

Q5 How safe do you feel Old Shoreham Road currently is for pedestrians?

3.11 92 (3%) people did not answer this question. 45.5% respondents think OSR is safe or very safe for pedestrians whilst 33% feel it is fairly or very unsafe.

	Responses	
	No.	**%**
Very Safe	237	9
Safe	1059	36.5
Neither safe or unsafe	627	21.5
Fairly unsafe	707	24
Very unsafe	272	9
Total responses	**2902**	**100**

How safe is OSR for pedestrians	**Responses by Mode**					
	Pedestrians' views		**Cyclists' views**		**Car Users' views**	
	No.	**%**	**No.**	**%**	**No.**	**%**
Very Safe	132	8.5	83	8	204	9
Safe	516	33.5	362	36.5	852	39
Neither safe or unsafe	270	17.5	224	23	454	21
Fairly unsafe	438	28	232	23.5	508	23
Very unsafe	194	12.5	90	9	178	8
Total responses	**1550**	**100**	**991**	**100**	**2196**	**100**

Q6 Do you feel measures are required to improve safety for pedestrians along Old Shoreham Road?

3.12 222 (7%) did not answer this question.

Improve safety for pedestrians	**Responses**	
	No.	**%**
Yes	1529	55
No	1240	45
Total responses	**2769**	**100**

3.13 Looking at how different mode users answered this question we can see that pedestrians (not unsurprisingly) feel there is a need to improve safety for pedestrians and car users are the least likely group to feel that pedestrian improvements are needed (respondents could tick more than one mode of transport)

Improve safety for pedestrians	**Responses by Mode**					
	Pedestrians' views		**Cyclists' views**		**Car Users' views**	
	No.	**%**	**No.**	**%**	**No.**	**%**
Yes	929	62	508	54	1060	50.5
No	573	38	432	46	1037	49.5
Total responses	**1502**	**100**	**940**	**100**	**2097**	**100**

Q7 Do you think any other improvements or changes are needed to these sections of the Old Shoreham Road?

3.14 These answers are summarised in the tables below along with comments made by respondents about cycling or walking on the OSR. Overall though in terms of comments made about the proposed scheme the majority of those comments reflected that the route should be continuous.

Comments on Cycling changes	**Respondents in support of scheme**	**Neither for or against**	**Respondents against the scheme**	**Total comments**
Comments about proposed scheme				
Must be continuous cycle lane along whole route/ no stopping and starting	45	13	47	105
Prefer cycle lanes away from roads/separated or like the Drive	18	4	14	36
Put cycle lane on pavement	8	2	24	34
Important route & wide enough for cycle lanes	9	-	2	11
Don't want central island removed	5	6	35	46
Don't agree with roadway carriageway narrowing	11	6	66	83
Proposed cycle lanes are not wide enough	5	-	6	11
Does road have to be 2 lanes?	3	-	1	4
Scheme designed for convenience of motorists rather than all	1	-	3	4
Road needs to be wider/ road is not wide enough	3	1	15	19
Don't want separate cycle lanes for each direction	-	-	1	1
Wd prefer extn of cycle route Lagoon to Shoreham Beach/Worthing	3	-	2	5
Pinch point at railway line is a bad idea	2	-	2	4
Danger				
It will make a clearly marked safer area for cyclists	54	2	2	58
Speed of traffic	534	31	94	659
Lorries/ buses/ large vehicles/ commercial vehicles	78	5	21	104
Volume of traffic/ major route into Brighton/ busy road	401	5	114	554
Not enough room for cyclists, 2 lanes of traffic/ overtaking vehicles don't give enough space/ road not wide enough	307	17	83	407
No cycle lanes	191	7	8	206
Dual carriageway/converging lanes	77	5	14	96
Lack of safe crossing points	4	-	-	4
It's unsafe to cycle on OSR	68	4	24	96
Cars are not aware of cyclists when turning	6	1	-	7
Bends in Road	1	-	-	1
Uneven road surface	30	1	7	38
I cycle but won't use OSR currently as traffic too heavy	32	1	3	36
Very dangerous road for child cyclists	33	-	5	38
Junctions are dangerous	42	3	12	57
Difficult to see cyclists in traffic	1	-	-	1

Cyclist behaviour				
Will keep cyclists off pavements (it might help)	105	11	44	160
Cyclists don't follow the law/ need to be taught/ follow highway code/ should pass test	40	20	89	149
Cyclists don't make themselves visible enough	1	1	5	6
Police don't/should enforce bad cycling	3	-	2	5
Cyclists won't use it – they prefer to break the law	3	3	30	36
Cyclists should be on road with other vehicles not on sep lanes				
Driver behaviour				
Poor driving/ drivers don't follow highway code/ police don't enforce dangerous driving	81	16	14	111
Parked cars are a problem	20	2	8	30
Will give more awareness of cyclists to cars, lorries and buses	77	4	3	84
Junctions and specific places				
Drive/OSR junction unsafe for cyclists	6	1	1	8
Tension between cyclists and motor vehicles at controlled junctions/ needs ASLs	7	-	-	7
Two lanes after Goldstone Crescent Lights is v dangerous	5	1	1	7
Does not take into account heavy traffic Trafalgar Rd – down to by-pass	1	-	1	2
Junction Shirley Drive/ OSR unsafe	5	-	2	7
Why no cycle lane – Neville Road/ Goldstone Crescent	3	1	2	6
Improvements needed at Sackville junc.	5	-	-	5
Improvements needed at Hangleton junc.	2	1	1	4
It's safe enough				
Accidents are low on OSR (it's safe)	1	-	7	8
I've never had a problem whilst cycling	1	2	8	11
It's no worse than anywhere else/ no significant problems	20	4	39	63
OSR is safe enough already	12	4	42	58
General Support				
Proposals are a good idea	51	-	1	52
Might encourage more cycling/ if safer/ cycling should be encouraged	258	3	5	266
Cycle lanes are needed/increased no.s of cyclists	41	1	1	43
Will give safer route into the city	5	1	2	8
Will be safer	156	4	3	163
It will reduce accidents	16	-	-	16
Will be better for the environment	46	3	3	52
will improve health	17	-	-	17
(I agree) cyclists need access to all roads	9	-	-	9
Safety for cyclists	218	3	7	228
Safety for drivers	22	1	-	23
Safer for pedestrians	15	-	-	15
OSR serves a lot of residents & connects to schools & city centre	10	1	2	13
Will be safer for child cyclists	35	1	2	36
It will create less road congestion	16	-	-	16
In favour of phase 2	1	-	1	2

General Against				
Scheme not needed/ road is wide enough already	5	5	51	61
Not many cyclists use OSR, no demand	4	8	81	93
It will be more dangerous	5	3	72	80
Better road surface would be better use of funds	-	-	4	4
Cyclists should avoid busy routes altogether	3	7	55	65
Waste of money, cost to taxpayer	3	5	100	108
The Drive cycle lanes have put me off! Don't want scheme like the Drive	3	3	45	51
It will cause more congestion	1	2	45	58
Cycle lanes in B&H useless they stop and start all over the place and narrow the roads	0	3	5	7
Lanes elsewhere in B&H make it harder to be a pedestrian	-	-	1	1
I don't like the look of cycle lanes (ruins streetscape)	-	-	1	1
Will be detrimental to other traffic, create more pressure	2	2	16	20
It's not necessarily the right solution	2	3		
Misc				
Road is very wide	19	5	35	59
I enjoy cycling	2	-	-	2
Want cycle lane up Sackville Road	1	-	-	1
Want to see less dependence on cars	21	-	1	22
Any cycle routes are a good thing	23	1	-	24
I support ASLs at junctions	-	-	2	2
There will be delays during construction				

Comments on pedestrian changes	**Respondents in support of scheme**	**Neither for or against**	**Respondents against the scheme**	**Total comments**
Danger				
Poor pavements/ widen pavements	32	5	11	48
Lack of crossings, more crossings needed	321	26	88	435
Speed of traffic	183	22	45	251
Road crossing hazardous/difficult to cross roads	89	9	17	115
Difficulty crossing roads due to r turning cars	6	-	-	6
Volume of traffic, very busy road	75	6	19	100
Pavements are narrow in places	3	1	1	5
Not safe for children (esp in BHASVIC area)	29	2	9	40
Speed limit should be reduced/ restricted/enforced	42	3	8	57
Cyclist Behaviour				
Keep cyclists off pavement	76	12	34	122
Cyclists are inconsiderate/ don't adhere to the law	5	1	5	13
Cyclists are a danger to motorists and pedestrians	2	-	3	5
Cyclists should have compulsory bells	2	-	1	4
Cyclists should have compulsory insurance	7	1	3	10
More restrictions should be applied to cyclists	-	-	2	2
Money would be better spent on tackling peds/ cyclists who break the law	1	1	4	6

Driver Behaviour				
Lack of enforcement of speeding	5	1	2	8
Cars need to be controlled to protect pedestrians and cyclists	40	4	8	42
Comments about proposed scheme				
Will be less safe if central islands removed	8	4	17	29
More traffic islands needed	2	-	-	2
Lots of schools in the area	35	4	7	46
Junctions and specific places				
It's unsafe at junctions	35	2	8	45
Shirley Drive junction is dangerous	54	8	26	88
Sackville Road junction needs pedestrian crossing	38	3	8	49
Hove Park – Drive junction is unsafe/needs crossing	42	3	12	57
Current crossings are dangerous/ better markings are needed	3	-	3	6
Need crossing to cemetery entrance	8	3	8	19
Fonthill Road needs a crossing	1	-	-	1
Olive Road junction is dangerous	6	-	5	11
OSR/Goldstone Crescent	2	3	1	6
Dangerous at Homebase crossing	4	-	-	4
Upper Drive/OSR	25	5	3	33
Bhasvic junc. Needs crossing	1	-	1	2
Hangleton/OSR	5	-	1	6
It's safe enough				
Enough/ good crossings and lights	127	15	98	244
If you stick to crossings its safe	34	10	26	70
Good/ wide enough pavements	235	22	125	382
Current speed restrictions keep it safe	1	-	-	1
Safe enough already, it's okay as it is	81	8	69	158
General Support				
Money should be spent on pedestrians	9	2	2	13
General Against				
Hardly used by pedestrians	19	3	19	41
It will increase congestion	2	-	3	5
Cyclists should be a priority for investment	2	-	1	3
Misc				
Road designed as car-centric	3	-	4	7
Better enforcement is needed	1	-	-	1
Costs too much				

2 Glovers Yard
121 – 123 Havelock Road
Brighton
BN1 6GN

Bricycles
Brighton, Hove and District Cycling Group
www.bricycles.org.uk

12 October 2009

David Parker
Transport Planning
Brighton and Hove City Council,
Hove Town Hall,
Norton Road
BN3 3BQ

Re: Old Shoreham Road Cycle Route Scheme

Dear David,

I am writing on behalf of Bricycles, the Brighton, Hove and District cycling group, and also as the local CTC (the UK's largest cycling organisation) representative for Brighton and Hove. I am a daily commuting cyclist and have often cycled on the Old Shoreham Road. Bricycles' remit is to promote cycling as a healthy and environmentally friendly means of transport. I have invited the views of Bricycles members in forming this response.

All urban roads should be made safe for cycling with speed reduction to a maximum of 20 mph and traffic reduction. These should be the **fundamental conditions** applied to assist cycling and walking in a so-called Cycling Town. This would make it clear that motorised transport is not prioritised.

Limitations of cycle lanes
Some cyclists do not want facilities which encourage motorists to think that cycling can be peripheralised into a third-rate cycle lane. These serious objections need to be acknowledged. Some recent evidence also shows that motorists overtake cyclists **more closely** when a cycle lane is marked. We know that motorists overtake cyclists wearing helmets more closely. Many motorists expect cyclists to remain in cycle lanes, but this is impossible, and drivers **must** be prepared for cyclists riding at a metre or more away from the kerb, avoiding vehicles emerging from side roads, leaving the lane to overtake other cyclists, positioning to turn right or to avoid glass and debris. Large and high-sided vehicles such as buses and lorries create a wind shock which can destabilise a cyclist, so it is imperative that cyclists are given adequate room by motor vehicles. **The Highway Code tells drivers to give cyclists "at least as much room as you would when overtaking a car",** but this simply does not happen. Motorists regularly drive too close.

Attitudes to cyclists
Cyclists are subject to a great deal of abuse on the roads which is underreported and not taken seriously by the authorities. Operation Crackdown was presented as a means for cyclists to make the police aware of abuse on the roads, but it is unable to produce any summary data of incidents involving cyclists.

Cyclists need to be given real priority on the roads, not fitted in around the edges of motor transport. Bricycles supports a change in liability law so that in the case of a crash, the burden of proof is on the driver, not the vulnerable road user.

At a meeting several years ago, with Dean Spears, Senior Transport Planner, Walking and Cycling, we agreed that improving the Old Shoreham Road for cycling was a priority area for using Cycling Demonstration Town funding which had been awarded by Cycling England specifically for Hove and Portslade. **Our view was ignored** and the council have instead spent funds on roads where improvements were not required and value for money was poor, e.g. Grand Avenue and Madeira Drive (where the cycle facilities regularly spend summer weekends below exhibitors' stalls).

The principle of providing better cycling conditions along the Old Shoreham Road is welcomed by Bricycles members, but the proposed plan is deeply flawed due to its discontinuity, the narrowness of facilities, pinch points and inadequate junction treatments.

Our first request is that the speed limit along the Old Shoreham Road is immediately reduced to 20 mph.

Long distance traffic should be directed to use the parallel A27, thus reducing traffic on the Old Shoreham Road. The Old Shoreham Road does not need to be a four lane dual carriageway anymore. This simply encourages drivers to race each other, to no purpose. There should be a major reallocation of space away from motorised traffic. By removing two traffic lanes, there could be 2 x 2.5 m more space for cycling on each side and the balance of the right-of-way (highway) left for general traffic. This type of solution can be found in Holland.

By abandoning the current over-provision for motor traffic, the junctions would be redesigned to allow cyclists and pedestrians to cross safely.

During the school holidays the amount of traffic on the Old Shoreham Road can easily be accommodated by a single lane road - it is only due to the traffic on the school run that traffic volume is high. If the 9000 school children who attend school in this area cycled, the volume of car traffic would be enormously reduced. Surely, as a Cycling Town, this is what we are aiming for?

The current proposals are unlikely to fulfil the stated aim of encouraging more children to cycle, neither will they satisfy regular on-road cyclists.

There are approximately six gaps, where the cycle lane disappears at various points, including junctions. The lanes are not of continuous width and sometimes narrow, being 1.2 to 1.5m wide. Cyclists ride at different speeds, and they need at least 1.5m - 2m for overtaking.

At present cyclists are entitled to use the proposed route on the ordinary carriageway, but the ‘improvements’ take away some of this continuity and make them second rate road users by creating new “give ways” for cyclists. We are unsure to what extent cyclists have priority, but we want to ensure that traffic gives way to cyclists at all junctions and side roads.

The consultation map is inadequate with all the detail overlaid with large coloured arrows, pink circles and symbols. On the Brighton and Hove City Council website it is impossible to see further detail.

We are concerned that the council will not adequately enforce **parking restrictions** in the cycle lanes and that motorists will park in them, making them worse than useless. We want to see real enforcement of speed limits, and parking restrictions. There should be no parking at any time in cycle lanes.

Starting from the Dyke Road end, it is unacceptable that the cycle lane disappears at the Railway Bridge. This is worse than no facilities. Where road space is in short supply, cyclists should be given priority, not removed.

Advance stop lines are welcome at all junctions.

From Goldstone Crescent to approximately the junction with St. Joseph’s Close, the current proposals offer nothing. From Holmes Avenue to Applesham Way, the provision is extremely discontinuous and the lanes are too narrow. Since the road is already wide enough for two lanes in both directions what is the difficulty in creating a continuous cycle lane?

Concern is also being expressed by members that maintenance of the current cycling infrastructure (potholes, debris, glass, parked vehicles, poor design) should also be improved.

Members would also like improvements from Preston Circus to join the Old Shoreham Road.

Phase 2 provision is worse than phase 1.

We are mindful that the council has totally ignored the results of previous consultations and we therefore have a correspondingly low opinion of the council’s democratic processes.

The proposed cycles lanes are only on the stretches of road where it is not particularly difficult to cycle along at the moment but the parts which really need improving e.g. Southern Cross, Hangleton Link Road, Sackville

Road / Neville Avenue junction and the stretch by Hove Park have been ignored. These sections make up about 40% of the total distance and unless provision is made on these sections then we doubt that the facilities will attract good take up, let alone the thousands of students in schools along this route.

Signage
We would like to see very clear route signage for cyclists with distances stated. We would like to see more reminders to educate motorists to **give cyclists room and to slow down**. In Northern France, there are good ones saying “Share the route” and “Drivers, slow down” which appear frequently. The current official British red triangle cycling sign is of limited use.





Reminder signs in France: “Share the route” and “Drivers, slow down”.

The proposals for the Old Shoreham Road are inadequate. Please come back with a plan for a continuous route along the whole of the Old Shoreham Road which really would encourage more people to cycle along it.

Yours sincerely,

Becky Reynolds,

Bricycles Campaigns Officer - www.bricycles.org.uk
CTC Local Right to Ride Representative, Brighton and Hove - www.communigate.co.uk/sussex/ctcbrighton and www.ctc.org.uk/

ENVIRONMENT CABINET MEMBER MEETING	Agenda Item 107 Brighton & Hove City Council

Subject:		**Local Transport Plan Capital Programme 2010/2011**		
Date of Meeting:		**25 March 2010**		
Report of:		**Director of Environment**		
Contact Officer:	**Name:**	**Andrew Renaut**	**Tel:**	**29-2477**
	E-mail:	**andrew.renaut@brighton-hove.gov.uk**		
Key Decision:	**Yes**	**Forward Plan No: ENV14975**		
Wards Affected:	**All**			

FOR GENERAL RELEASE.

1. SUMMARY AND POLICY CONTEXT:

1.1 The city council secures capital funding for transport schemes through the government's Local Transport Plan [LTP] process. The Policy & Resources Committee principally approved the use of capital funding for LTP projects for 2006/07 to 2010/11 on 1 March 2006. In setting preliminary budget levels for 2010/11, the Cabinet agreed on 9 December 2009 that the council's capital programme should include £3.019 million from the LTP allocation. This allocation has been subsequently considered by the Environment and Community Safety Overview & Scrutiny Committee on 19 January 2010, and was approved at Budget Council on 25 February 2010.

1.2 The LTP is a statutory document and the proposed investment programme is consistent with government policy and the objectives of the council's Sustainable Transport Strategy (STS), which includes improving safety, providing alternatives and choices for some journeys by encouraging use of sustainable transport, and ensuring the highway network is maintained to a high standard. This report enables the Cabinet Member for Environment to consider and approve the allocation of the 2010/11 funding to specific works areas and individual schemes within them.

1.3 In addition to the LTP allocation, the Department for Transport will pay the council an additional Road Safety Grant of £483,863 for 2010/11 to fund road safety measures to help continue to achieve important funding of casualty reduction in the area. This will include work undertaken by the Sussex Road Safety Partnership on behalf of the local authorities.

2. RECOMMENDATIONS:

2.1 That the Cabinet Member approves the allocation of £3.019 million worth of funding for the 2010/11 Local Transport Plan capital programme to the Integrated Transport and Maintenance work programmes set out in Appendix 1 of this report.

2.2 That the Cabinet Member approves that the Road Safety Grant of £483,863 is allocated to the Sussex Safer Roads Partnership and other road safety measures in the city.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 The LTP capital budget available for investment in transport reflects consideration of the council's overall budget position for 2010/11 by Budget Council in February 2010. This resulted in agreement that the total amount to be invested through the LTP in 2010/11 would be £3.019 million.

3.2 The proposed 2010/11 allocation of funds to more specific areas of work or projects set out in Appendix 1 reflects the programmes set out in the LTP2. The basis on which the allocations have been prioritised and made is described briefly below and is consistent with the way in which previous allocations of LTP2 funding have been made.

Integrated Transport

Commitment to ongoing projects from 2009/10

3.3 A number of larger scale transport projects in the city are being carried out over a number of financial years. Therefore there are continued funding requirements for key schemes and works that include the North Street Mixed Priority Route urban realm and road safety improvements (Clock Tower phase); the A23 Sustainable Transport Corridor [STC] works and the completion of the New Road/Church Street/Jubilee Street junction improvement.

3.4 Similarly, the total costs associated with smaller scale schemes started in 2009/10 will include some investment after the main construction works have been completed and therefore require funding e.g safety audits.

Rolling programmes of works

3.5 Continued investment is required in road safety engineering schemes to reduce casualties in line with the positive result achieved in a lower number of people killed or seriously injured during 2008. Safer Routes to School projects will also help reduce casualties.

3.6 Funding for programmes such as the development of urban realm improvements (including feasibility work on Brighton Station Gateway), pedestrian and cycling routes and facilities and improvements to Rights of Way will also be continued.

New construction works

3.7 Work will begin on several schemes including the second phase of pedestrian improvements in the East Street area and the comprehensive improvements for road users at Woodingdean Crossroads.

Partnership and match funding projects

3.8 The council has successfully bid for and secured funding for a number of initiatives that require matched funding from the LTP to support them. These include the European CIVITAS Archimedes Project and Cycle Town status. For example, investment to assist in encouraging travel behaviour change, such as the further development of the popular JourneyOn website and the Personalised Travel Planning Programme, will help to increase travel awareness and therefore achieve more sustainable travel patterns within the city. A number of other measures such as workplace and school travel planning also contribute towards these initiatives.

Maintenance

3.9 In order to further increase the benefits associated with the significant highway works being currently undertaken around Falmer Stadium, the council is taking the opportunity to undertake road maintenance (£200,000) on the A270 Lewes Road (between Coldean Lane and Stammer Park). A further £160,000 will be spent on road maintenance and priority consideration is being given to repair damage that has occurred to key routes following the recent, extreme winter weather conditions. A further £50,000 will help improve the condition of footways.

3.10 Assessments of bridges and structures, such as retaining walls, will also be undertaken (£50,000) to assist in developing programmes of work for future financial years.

3.11 £150,000 has been allocated to assist in reducing the ongoing maintenance requirements for the £10 million-plus worth of street lighting in the city. The council has identified a number of areas that require street lighting column replacement based on surveys and condition assessment.

3.12 All works are fully co-ordinated with other schemes and works by other agencies (gas, water, etc) to minimise disruption and ensure efficient use of funds.

3.13 A government requirement for all Highway Authorities to identify and account for their assets must be fulfilled during 2010/11. £120,000 is estimated to be required during 2009/10 to build on previous work on developing the City Council's Highway Asset Management Plan [HAMP]. The HAMP will form the basis of a comprehensive inventory of all assets, which will then be used to prepare medium and long-term programmes of works to maintain the highway asset at a required standard.

Other Sources of Funding

3.14 The LTP is one of a number of sources of capital funding available to the council to deliver transport schemes in 2010/11. For example, the £5 million pound SEEDA-funded investment to support the Falmer Community Stadium will also provide improvements such as real-time bus information. Access to Community Infrastructure Funds [CIF], which have been secured from the government jointly with West Sussex, will assist in supporting the regeneration of Shoreham Harbour. This will be primarily invested in a number of locations along and adjacent to the A259 between Shoreham and the city centre, including improvements to traffic signals, street lighting, bus stops, pedestrian crossing facilities, and passenger access at Portslade Station. Funding for transport is also secured through the planning process via legal (Section 106) agreements.

4. CONSULTATION

4.1 Where necessary, Integrated Transport Schemes have been, or will be, the subject of consultation with local communities and members and, alongside the Maintenance programme, have also been discussed and agreed with the council's Traffic Manager in terms of the potential effects of works on the overall operation and management of the transport network in Brighton & Hove.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 The transport capital budget for 2010/11 amounts to £3.019 million, and excludes the Road Safety Grant. This is funded through supported borrowing of £1.368 million and direct grant of £1.651 million. The supported borrowing is unlikely to result in any additional revenue support grant funding in 2010/11 and beyond because the council is at the grant floor. The full year effect of financing costs for borrowing amounts to £0.067 million, which will need to be funded from council tax or other sources such as parking revenue. This LTP programme would result in similar levels of borrowing costs again in subsequent years requiring additional income at these levels from council tax, savings or parking revenue.

Finance Officer Consulted: *Karen Brookshaw* *Date: 22/02/10*

Legal Implications:

5.2 There are no direct legal implications associated with approving the 2010/11 LTP2 capital programme. Any relevant legal or human rights implications will be considered when schemes are brought forward for implementation.

Lawyer Consulted: *Elizabeth Culbert* *Date: 05/03/10*

Equalities Implications:

5.3 Improvements to areas of the city, transport routes and facilities will enhance the provision and choice for people, especially those with mobility difficulties, or other disabilities. Road safety schemes improve conditions for vulnerable road users.

Sustainability Implications:

5.4 LTP funding enables the council to meet environmental objectives set out in the Sustainable Transport Strategy and Sustainability Strategy, such as a shift towards greater use of sustainable transport and tackling climate change.

Crime & Disorder Implications:

5.5 There are no direct implications arising from the proposed 2010/11 LTP capital programme.

Risk and Opportunity Management Implications:

5.6 Schemes are safety audited to ensure they comply with current design standards. Regular monitoring throughout the year of the LTP2 capital programme and its projects minimises the risk of not fulfilling the approved investment programme.

Corporate / Citywide Implications:

5.7 The proposed allocation is designed to enable the council to meet the strategic objectives of the LTP, which will contribute to the council's and its partners' wider objectives, including those set out in the council's Corporate Priorities and the 2020 Community Strategy.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1 The proposed programme is consistent with the principal work programmes established in the LTP2 document, and the proposed allocation of capital investment will assist in delivering national and local transport objectives and targets.

7. REASONS FOR REPORT RECOMMENDATIONS

7.1 To approve the allocation of the 2010/11 LTP2 capital programme across key areas of work and enable works to be continued or started, and agree the allocation of the Road Safety Grant.

SUPPORTING DOCUMENTATION

Appendices:

1. Proposed allocation of 2010/11 LTP capital programme.

Documents in Members' Rooms

None

Background Documents

1. Brighton & Hove Council Local Transport Plan 2006/07 – 2010/11 – March 2006

2. Report to Brighton & Hove City Council Budget Council – 25 February 2010

ALLOCATION OF CAPITAL FUNDS FROM 2010/11 LTP SETTLEMENT

SCHEME		Indicative Allocation (£000s)
MAINTENANCE		
Structural maintenance of classified roads and footways		
	Works associated with Falmer Stadium	200
	Highway Maintenance	160
	Footway Maintenance	50
Maintenance of roads and footways		
Highway Asset Management Plan		£120
Street Lighting		£150
Bridges/Structures		£50
	MAINTENANCE SUB-TOTAL	**£730**
INTEGRATED TRANSPORT		
Cycling	Cycling Routes	
	Cyclist Signing	
	Cycling Facilities	
	SUB-TOTAL	**£260**
Walking	Pedestrian Signing	
	Walking Network (East Street)	
	Walking Facilities (dropped kerbs)	
	Easy Access Route (ROWIP)	
	Missing Links Funding (ROWIP)	
	SUB-TOTAL	**£330**
Public Transport	Accessible Bus Stops	
	Access to Rail	
	Other Public Transport Information	
	Journey Time Analysis	
	SUB-TOTAL	**£20**
Road Safety	Road Safety Engineering	
	Woodingdean Crossroads	
	Safer Routes to School	
	SUB-TOTAL	**£820**
Travel Behaviour Change	Travel Awareness	
	Individualised Travel Choices	
	Business Travel Plan Funding	
	School Travel Plan	
	SUB-TOTAL	**£220**
Urban Realm Improvements	North Street	
	New Road/Church Street junction and crossing	
	Scoping/design of future schemes (including Brighton Station Gateway)	
	SUB-TOTAL	**£560**
	Completion of committed 2009/10 schemes	
	SUB-TOTAL	**£79**
	INTEGRATED TRANSPORT SUB-TOTAL	**£2,289**
	INTEGRATED TRANSPORT & MAINTENANCE SUB-TOTAL	**£3,019**
Grants Payments	Road Safety Grant - Sussex Safer Roads Partnership	484
	GRANTS PAYMENTS SUB-TOTAL	**£484**
	GRAND TOTAL	**£3,503**

NOTE – In many cases, costs indicated are preliminary estimates. Expenditure on schemes may need to be increased, reduced or deferred during the financial year as information on scheme progress becomes available, and is subject to network co-ordination with other projects, developers and utility companies, contractor availability and weather.

ENVIRONMENT CABINET MEMBER MEETING	Agenda Item 108 Brighton & Hove City Council

Subject:		**Hanover & Elm Grove Resident Parking Review Community Consultation**	
Date of Meeting:		**25 March 2010**	
Report of:		**Director of Environment**	
Contact Officer:	**Name:**	**Owen McElroy**	**Tel: 29-3329**
	E-mail:	**owen.mcelroy@brighton-hove.gov.uk**	
Key Decision:	**No**		
Wards Affected:		**East Brighton; Hanover & Elm Grove; Queen's Park**	

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 The purpose of this report is to consider the outcome of the community consultation regarding the review of residents parking in the currently unrestricted Hanover & Elm Grove area. This consultation has taken place following requests from both car owning and non car owning residents, and ward councillors

1.2 This report also describes the associated reviews of the existing Area U (St Luke's) and Area C (Queen's Park) controlled parking schemes. Reviews of these areas have also followed requests from both car owning and non car owning residents, and ward councillors.

2. RECOMMENDATIONS:

2.1 That the Cabinet Member agrees for the Hanover & Elm Grove Resident Parking Review to be progressed to the informal consultation stage consisting of a questionnaire and outline parking scheme map sent to all residents and businesses in the affected areas not currently subject to a controlled parking zone.

2.2 That a letter and questionnaire be sent to all residents and businesses in the existing Area U (St Luke's) and Area C (Queens Park) schemes asking for their views on the current operation of those schemes including the times and days of operation.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 A timetable for consulting on Residents Parking Schemes across the City was agreed by Environment Committee in January 2008.

3.2 The Hanover & Elm Grove area was included due to representations received on a regular basis from ward councillors and residents regarding the need for parking controls. This area is bounded on three sides by existing parking schemes and is close to the City Centre and major employers. The housing is mainly of narrow terraced properties with no off street parking.

3.3 The City Council commissioned parking surveys in Hanover & Elm Grove and existing Area U in order to understanding parking characteristics and demand and to inform the development of parking solutions to meet local parking needs. These took place in June & July 2009.

3.4 For the purposes of the parking surveys the data was sub divided into three regions of demand (see Appendix B Brighton Residents Parking Zone Development Hanover & elm Grove Area Survey plan) ;

- north of Elm Grove Region 1
- south of Elm Grove and west of Queen's Park Road Region 2
- east of Queen's Park Road Region 3

reflecting the nature of the streets, residential demand and proximity to long term attractors. Region 2 is above capacity and the turnover data suggests that this is partly caused by visitors and commuters to the area. Region 3 experienced parking demand issues from visitors and commuters. Region 1 less so but displacement issues were identified, if a scheme was introduced into roads south of Elm Grove, overspill could affect streets to the north.

3.5 Elm Grove experiences high demand at all times and a significant proportion of illegal parking activity on footways and on double yellow lines creating difficulties for visibility at junctions and safety and obstruction issues for vehicles and pedestrians. Changes in the regulation of parking in Elm Grove could displace vehicles to nearby streets on the north side.

3.6 There is a high degree of short term turnover at the bottom of streets off Lewes Road suggesting a need for short term exclusive pay and display parking to assist the needs of businesses in this road.

3.7 In Area U St Luke' s a light touch scheme currently operates Monday to Saturday with parking restricted to permit holders only between 10 am & 11am and 2 pm & 3pm. Streets in area U have significant under-capacity with demand falling as low as 16% during the day. The data suggests that the scheme is managing visitor and commuter demand but that it is displacing residential demand to neighbouring streets such as Freshfield Street, Queen's Park Rise and Hendon Street which are over capacity e.g. Queens park Rise between 103% & 106%. The scheme excludes short term pay and display parking and this has caused problems for local businesses and amenities such as the swimming baths as drivers without permits cannot park anywhere close within restricted hours. For the above reasons it is proposed to consult this area on proposed conversion to a full scheme with a mix of permit only, shared and exclusive pay and display spaces.

3.8 Area C Queen's Park scheme is a controlled zone which operates Monday to Saturday 9am to 8pm and has a mix of permit only, shared pay & display and exclusive pay & display spaces. A number of requests have been received for minor changes in various streets that need to be looked at in the context of a holistic review. In addition representations have been received from residents, businesses and ward members that it is difficult to find a space on a Sunday. This zone faces visitor pressures due to its proximity to the sea, and the City Centre. The local hoteliers association have expressed particular concern over this. It is therefore proposed to consult over extending this scheme to Sunday operation as well.

4. CONSULTATION

4.1 As this is a large and complex area with limited capacity and a whole range of parking and access issues a lengthy consultation and design process is required. The consultation has taken place following requests from residents sent to council officers and ward members for parking schemes to be introduced. These requests have come from both car owning and non car owning residents. Members for all the affected wards have been consulted and members from East Brighton and Hanover & Elm Grove wards attended the stakeholder workshops described below.

4.2 Part of the consultation process included holding two stakeholder workshops to which local community groups, transport providers, emergency services, business representatives and ward members were invited and attended. The purpose was to give local interest groups the opportunity to put across their points of view in order to inform the Council of the key issues and shape any parking proposals for the area should a decision be made to proceed to the feasibility stage. The results of the on street parking surveys were fed into the workshop process. The workshops were a first for the council and were well attended with a high quality of debate and a good degree of consensus. This is a proactive form of community engagement and could be considered for further parking reviews.

4.3 Workshop one focused on identifying the existing parking issues. The main issues identified were, lack of parking spaces for residents, commuter and visitor parking pressures, illegal and obstructive parking leading to obstructed footways and problems for emergency access, need for additional cycle parking and car club spaces, need for loading and parking facilities for businesses. There was some conflict between those who favoured on street cycle parking bays in most streets and those who felt this would reduce the number of resident spaces. There were some concerns expressed about displacement of vehicles into adjacent areas should some areas vote for a scheme and others not. A broad consensus was that there was a need for a parking scheme in the area and that the worst parking problems were experienced in the Hanover and Baker's Bottom areas.

4.4 Workshop two looked at a proposed scheme boundary and types of parking i.e. whether permit only, pay and display or shared use? Where other types of parking such as loading bays and cycle bays might be located? Due to the residential character of the area most streets would have a mixture of permit only and shared short term bays with loading bays and exclusive pay & display bays

concentrated in retail and commercial areas and only a limited amount of long term shared pay and display on non residential frontages.

4.5 In Autumn 2009 the council wrote to over 9,000 addresses in the area to ask how residents perceived parking related issues in the area and understand more about their experience of the current situation. The questions asked related to the number of cars in the household, whether there is a parking problem in the street, whether pavement or double parking occurs and what kinds of parking i.e. visitor, commuter, shopper, long stay etc. Nearly 3,000 responses were received, a 33% response rate. A summary of the results is detailed below; the full report is attached as Appendix B.

4.6 Looking at the area as a whole around 70% of people reported parking problems in their street either regularly or sometimes and 30% said there are no problems with parking in their street.

4.7 62% of households have one car, 20% of households have no cars and 15.5% have two cars. This is broadly in line with the 2001 census results.

4.8 To get a clearer picture of the situation in particular neighbourhoods the 126 streets were sub divided into 6 distinct geographical areas. (Appendix A)

- Area A = streets north of Elm Grove,
- Area B = streets south of Elm Grove and west of Queen's Park Road (including Queen's Park Road) i.e. Hanover
- Area C = Freshfield Road and Queens Park Rise
- Area D = Elm Grove
- Area E streets east of Queens Park Road and south of Elm Grove
- Area F Baker's Bottom i.e. Bute Street, Hendon Street, Rochester Street & Canning Street.

4.9 More than 50% of respondents in Areas B & F reported parking problems on a regular basis. More than 50% of respondents in all areas reported parking problems regularly or sometimes.

4.10 More than 50% of respondents in D & F reported pavement parking on a regular basis.

4.11 More than 50% of respondents in areas B & F reported commuter parking on a regular basis.

4.12 Where comments were supplied the following top four made by residents were:

1. No problem/against parking scheme 16%.
2. Pavement parking is a problem 12.5%.
3. Cannot park outside house 7%.

Conclusions & Timetable

4.13 The combined evidence from the parking surveys, community questionnaires (showing over 50% of people in all areas experienced parking problems) and workshops justify proceeding to a full consultation which should include all of the review area so that the council is not knowingly proposing a scheme that will cause vehicle displacement into adjacent areas.

4.14 It is proposed that the informal consultation stage for a possible new residents parking scheme and changes to existing Areas C & U take place Spring/Summer 2010 and that the results are considered by a further cabinet member meeting in Autumn/Winter 2010/11 which, if approved, would be followed by statutory advertisement of traffic orders proposals in early 2011. Representations to the traffic orders would be considered by CMM early in 2011 followed by, if approved, implementation in Summer 2011.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 Any revenue costs associated with the new schemes will be met from existing traffic revenue budgets. The financial impact of the revenue from the proposed new scheme will be included within the proposed budget for 2011-12 agreed at Budget Council in February 2011.

5.2 New parking schemes are funded through unsupported borrowings with approximate repayment costs of £100,000 per scheme over 7 years

Finance Officer Consulted: *Karen Brookshaw* *Date: 01/02/10*

Legal Implications:

5.3 The council's powers and duties under the Road Traffic Regulation Act 1984 to be properly exercised to secure the expeditious, convenient and safe movement of all types of traffic and the provision of suitable and adequate parking facilities on and off the highway have to follow the rules on consultation promulgated by the government and the courts. These can be paraphrased as a need to ensure that the consultation process is carried out at a time when proposals are still at their formative stage, that sufficient reasons and adequate time must be given to allow intelligent consideration and responses and that results are conscientiously taken into account in finalising the proposals.

5.4 At this preliminary stage there are no identifiable human rights issues.

Lawyer Consulted: *Stephen Dryden* *Date: 29/01/10*

Equalities Implications:

5.5 The proposed measures will be of benefit to many road users.

Sustainability Implications:

5.6 Proposed new motorcycle bays, car club and on street cycle parking provision will encourage more sustainable methods of transport.

5.7 Managing parking will increase turnover and parking opportunities for all.

Crime & Disorder Implications:

5.8 The proposed residents parking scheme will not have any implication on the prevention of crime and disorder.

Risk and Opportunity Management Implications:

5.9 Any risks will be monitored as part of the overall project management, but none have been identified.

Corporate / Citywide Implications:

5.10 The legal disabled bays will provide parking for the holders of blue badges wanting to use the local facilities.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1 The alternative option is not to proceed with consultation. However, it is the recommendation of officers that these proposals are proceeded with for the reasons outlined within the report.

7. REASONS FOR REPORT RECOMMENDATIONS

7.1 To seek approval to proceed to the next stage of consultation in respect of the Hanover and Elm Grove Residents parking Review. These proposals are recommended to be taken forward for the reasons outlined within the report.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix A – Map of Hanover & Elm Grove Residents Parking Review community consultation area

2. Appendix B - Brighton Residents Parking Zone Development Hanover & Elm Grove Area Survey plan

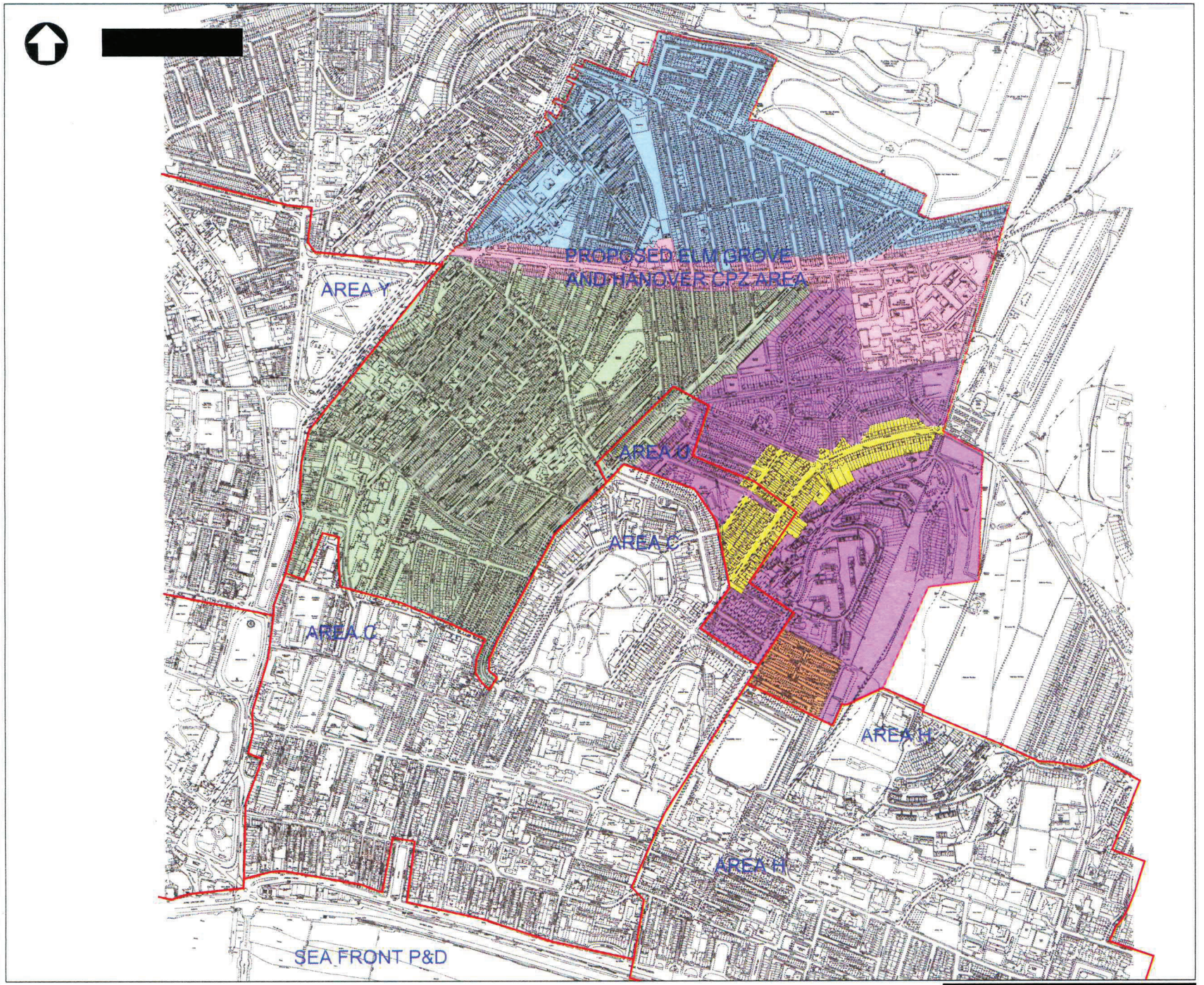
3. Appendix C - Report on results of community consultation

Documents in Members' Rooms

1. Brighton Parking Study: Elm Grove and Hanover Parking Survey Analysis produced by Mott McDonald for Brighton and Hove City Council

Background Documents

None



Notes

PRELIMINARY
DO NOT USE FOR CONSTRUCTION
Date : 02/03/2010

Key to symbols

Community Consultation Report – Sub Areas

- Area A - North of Elm Grove
- Area B - South of Elm Grove and West of Queens Park Road
- Area C - Freshfield Road and Queens Park Rise
- Area D - Elm Grove
- Area E - East of Queens Park Road and South of Elm Grove
- Area F - Bakers Bottom

Reference drawings

APPENDIX A

Rev	Date	Drawn	Description	Ch'k'd	App'd
P2	02/03/10	MR	Changes Following Client Requests	RH	RGB
P1	23/6/09	AS	General Layout	RH	RGB

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Brighton & Hove City Council

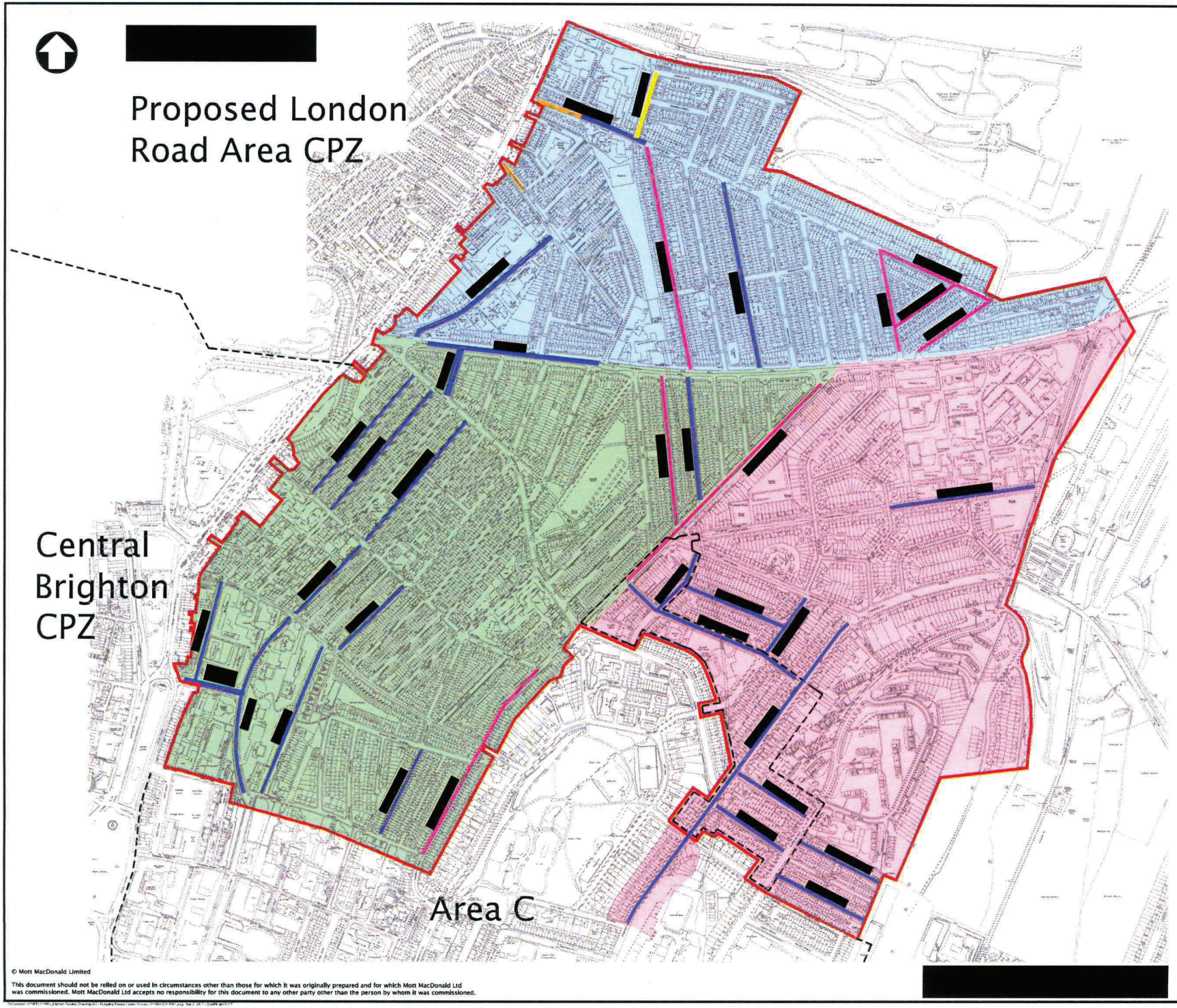
Title
Brighton Controlled Parking Zone Development
CPZ Area Boundaries

Designed			Eng.Chk.		
Drawn	AS	23-6-09	Coordination		
Dwg.Chk.	RH	23-6-09	Approved	RGB	23-6-09

Scale at A1: NTS
Project: 244884
CAD file: 244884-CC-PRE-1001.dwg
Status: PRE
Drawing No: 244884-CC-PRE-1001
Rev: P2

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Notes

PRELIMINARY
DO NOT USE FOR CONSTRUCTION
Date : 02/03/2010

APPENDIX B

Key to symbols

- Accumulation surveys - 5am,10am,1pm,4pm, 8pm
- Accumulation surveys recording number plates - 5am,10am,1pm,3pm,8pm
- Accumulation survey recording number plates - 5am,10am,3pm, 8pm
- Hourly beat survey recording number plates between 8am and 6pm
- Area 1 - North of Elm Grove
- Area 2 - South of Elm Grove and West of Queen's Park Road
- Area 3 - East of Queen's Park Road
- Existing Area U CPZ Boundary
- Proposed CPZ Boundary

Reference drawings



Rev	Date	Drawn	Description	Ch'k'd	App'd
P2	02/03/10	MR	Changes Following Client Requests	RH	RGB
P1	11/05/09	AS	Hannover/Elm Grove Survey Plan	RH	RGB

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Client
Brighton & Hove City Council

Brighton & Hove City Council

Title
Brighton Residents Parking Zone Development
Hannover and Elm Grove Area
Survey Plan

Designed			Eng.Chk.		
Drawn	AS		Coordination		
Dwg.Chk.	RH		Approved	RGB	
Scale at A1		Project	244884		Status
NTS		CAD file	244884-SVY-3001.dwg		
Drawing No	244884-SVY-3001				Rev P2

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Parking in Hanover, Elm Grove and Craven Vale (2009)

Background

Hanover, Elm grove and part of the Craven vale are programmed for a consultation for a residents' parking scheme to take place in the Spring of 2010. The area has unique parking problems. Workshops with residents have been planned to take place in October 2010 and a survey of street by street parking issues was organised to feed into these workshops.

Methodology

9124 addresses in the Hanover, Elm Grove and Craven Vale area were sent a covering letter plus a short questionnaire and a prepaid return envelope, asking about parking issues in each street, whether certain types of informal parking occurred and whether this causes inconvenience.

There are 126 streets in the whole area (see map) and these have been divided into 6 distinct geographical areas as follows:

Area A	Streets north of Elm Grove (excluding Elm Grove)
Area B	Streets south of Elm Grove and West of Queens Park (including Queens Park Road)
Area C	Streets in the existing Area U
Area D	Elm Grove
Area E	Streets east of Queens Park Road and South of Elm Grove (excluding QPR and Elm Grove and excluding Bakers Bottom)
Area F	Bakers Bottom

There are also two private roads in the total area: Hanover Mews and Hanover Crescent and responses from these two roads are shown separately.

Headline Findings

Parking Problems:

- Regularly: 50% or more respondents in Areas B and F.
- Regularly or sometimes: 50% or more respondents in all areas

Informal Parking:

Pavement Parking

- Regularly: 50% or more respondents in Areas D and F.
- Regularly or sometimes: 50% or more respondents in Areas B, D E and F.

Chevron Parking

- Regularly or sometimes: 50% or more respondents in Area C.

Informal Parking causing inconvenience: Informal parking overall does not appear to cause inconvenience but 50% or more respondents in Area C regularly or sometimes report inconvenience caused by double parking and the same

amount in Areas B and F regularly or sometimes report inconvenience caused by pavement parking.

Comments: The top 3 comments made by respondents were:

Comments	No.	%
No problem/against parking scheme	524	16
Blocked pavements	272	8
Cannot park outside house	223	7

Other types of parking:

Parking by visitors:
- Regularly: 50% or more respondents in Areas B, C, E and F.
- Regularly or sometimes: 50% or more respondents in all areas.

Parking by shoppers:
- Regularly or sometimes: 50% or more respondents in Areas B, C, D and F.

Parking by commuters:
- Regularly: 50% or more respondents in Areas B and F.
- Regularly or sometimes: 50% or more in areas B, C, E and F.

Parking for school drop off/ pick up:
- Regularly: 50% or more respondents in Areas C and F.
- Regularly or sometimes: 50% or more in areas C, D and F.

Vehicles left for 2/3 weeks or more:
- Regularly or sometimes: 50% or more in all areas.

Results

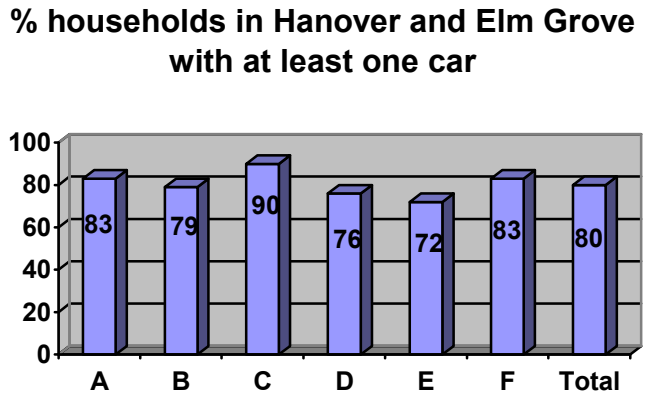
Q1 What street do you live in?

Responses to this question are blocked into areas as given above.

Q2 How many cars are there in your household?

Area	No. of cars in household										Total Respondents
	0		1		2		3		4+		
	No.	%	No.	%	No.	%	No.	%	No.	%	
Area A	147	17	549	63	149	17	16	2	4	1	865
Area B	330	21	1003	64	215	14	21	1	5	0	1574
Area C	8	10	52	66	17	21.5	2	2.5	0	0	79
Area D	31	24	68	54	23	18	3	2	2	2	127
Area E	75	28	154	57	42	15	1	0	0	0	272
Area F	16	17	59	62	20	21	0	0	0	0	95
Total	**607**	**20**	**1885**	**63**	**466**	**16**	**43**	**1**	**11**	**0**	**3012**

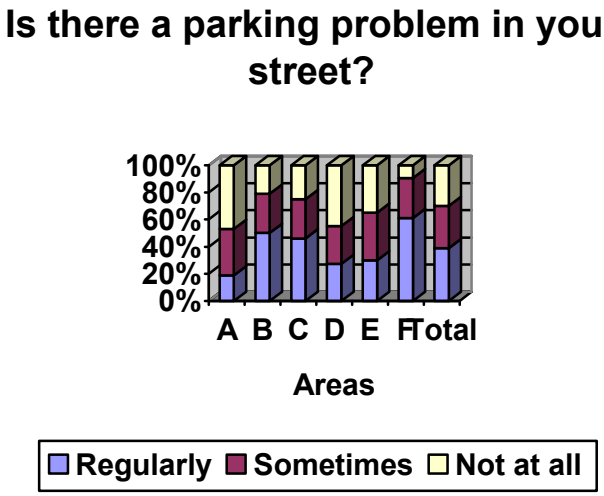
80% of households in the overall area have at least 1 car with Area E having the least levels of car ownership (72% households at least one car) and Area C having the highest levels of car ownership at 90%)



Q3 Do you feel there is a parking problem in your street?

Results on a road by road basis are given in the Appendix. Results for Areas A to F are given as follows:

Area (no. of addresses mailed in each area)	Is there a parking problem in your street?						Response rate for area
	Regularly		Sometimes		Not at all		
	No.	%	No.	%	No.	%	No. (%)
Area A (2601)	167	19	288	34	408	47	863 (33)
Area B (4770)	789	50	468	29	326	21	1583 (33)
Area C (171)	36	46	23	29	20	25	79 (46)
Area D (396)	35	27.5	35	27.5	57	45	127 (32)
Area E (905)	83	30	96	35	96	35	275 (30)
Area F (186)	58	61	28	29.5	9	9.5	95 (51)
Totals (9029)	**1168**	**39**	**938**	**31**	**916**	**30**	**3022 (33)**



The following streets, in particular, experience regular parking problems:

Area A		**Area F**	
St Leonard's Road	67%	Bute Street	61%
Wellington Road	56%	Hendon Street	69%
		Rochester Street	53%
Area E			
Southwater Close	50%		
Area B			
Albion Street	60%	Phoenix Rise	83%
Ashton Rise	78%	Quebec Street	53%
Belgrave Street	73%	Queens Park Road	50%
Coleman Street	52%	Richmond Parade	67%
Elmore Road	75%	Richmond Street	66%
Grove Hill	77%	Southover Place	100%
Grove Street	74%	Stanley Street	68%
Hanover Street	70%	Sussex Street	100%
Hanover Terrace	72%	Sussex Terrace	93%
Jersey Street	57%	Tarner Road	90%
John Street	73%	Tilbury Way	76%
Milton Road	78%	Toronto Terrace	54%
Montreal Road	80%	Windmill Street	73%
Newhaven Street	72%	Windmill Terrace	100%

Q4 Is there informal parking in your street, other than parallel parking alongside the kerb?

Area (no. of addresses mailed in each area)	Does Chevron parking occur in your street?						Response rate for area
	Regularly		Sometimes		Not at all		
	No.	%	No.	%	No.	%	No. (%)
Area A (2601)	72	10	43	6	605	84	720 (28)
Area B (4770)	146	13	85	8	889	79	1120 (23)
Area C (171)	25	38	9	14	32	48	66 (39)
Area D (396)	28	35	11	14	40	51	79 (20)
Area E (905)	12	7	11	7	143	86	166 (18)
Area F (186)	6	14	6	14	30	72	42 (23)
Totals 9029	**289**	**13**	**165**	**8**	**1739**	**79**	**2193 (24)**

Area (no. of addresses mailed in each area)	Does Double parking occur in your street?						Response rate for area
	Regularly		Sometimes		Not at all		
	No.	%	No.	%	No.	%	No. (%)
Area A (2601)	65	9	194	25	505	66	764 (29)
Area B (4770)	163	14	308	26	714	60	1185 (25)
Area C (171)	14	23	18	29	30	48	62 (36)
Area D (396)	13	18	16	22	43	60	72 (18)
Area E (905)	21	11	57	29	116	60	194 (21)
Area F (186)	8	18	13	30	23	52	44 (24)
Total 9029	**284**	**12**	**606**	**26**	**1431**	**62**	**2321 (26)**

Area name (no. of addresses mailed in each area)	Does Pavement parking occur in your street?						Response rate for area
	Regularly		Sometimes		Not at all		
	No.	%	No.	%	No.	%	No. (%)
Area A (2601)	33	5	73	10	606	85	712 (27)
Area B (4770)	478	34	367	27	541	39	1386 (29)
Area C (171)	3	6	4	8	42	86	49 (29)
Area D (396)	95	80	14	12	10	8	119 (30)
Area E (905)	56	26	61	28	100	46	217 (24)
Area F (186)	89	94	5	5	1	1	95 (51)
Totals 9029	**754**	**29**	**524**	**20**	**1,300**	**51**	**2578 (28)**

Streets which regularly experience informal parking include:

Chevron Parking:		**Double Parking:**	
Pevensey Road (A)	70%	St Leonard's Road (A)	50%
Shanklin Road (A)	57%		
St Martin's Place (A)	70%	Grove Street (B)	61%
		Hampden Road (B)	58%
Albion Street (B)	50%	Howard Road (B)	67%
Cobden Road (B)	88%	John Street (B)	59.5%
John Street (B)	76%		
Richmond Parade (B)	67%		
Sussex Terrace (B)	100%		
Freshfield Road (C)	53%		

Pavement Parking:			
Baxter Street (B)	89%	Elm Grove (D)	80%
Carlyle Street (B)	89%		
Clayton Road (E)	56%		
Cromwell Street (B)	50%	Southwater Close (E)	80%
Elmore Road (B)	56%		
Holland Street (B)	59%	Bute Street (F)	91%
Jersey Street (B)	71%	Hendon Street (F)	94%
Lincoln Cottages (B)	62.5%	Rochester Street (F)	96%
Lincoln Street (B)	87%		
Lynton Street (B)	82%		
Newhaven Street (B)	67%		
Phoenix Rise (B)	50%		
Stanley Street (B)	100%		
Sussex Street (B)	50%		
Sussex Terrace (B)	50%		
Tarner Road (B)	90%		
Windmill Street (B)	89%		
Windmill Terrace (B)	67%		

Q5 Does the type of parking given in Q4 cause inconvenience? People could tick more than one type of parking.

Area (no. of addresses mailed in each area	Does Chevron parking cause an inconvenience in your street?						Response rate for area
	Regularly		Sometimes		Not at all		
	No.	%	No.	%	No.	%	No. (%)
Area A 2601	19	4	33	6	451	90	503 (19)
Area B 4770	66	8	76	10	648	82	790 (17)
Area C 171	4	8	9	19	35	73	48 (28)
Area D 396	11	18	4	6	47	76	62 (16)
Area E 905	9	7	9	7	109	86	127 (14)
Area F 186	4	13	5	16	22	71	31 (17)
Totals 9029	**113**	**7**	**136**	**9**	**1312**	**84**	**1561 (17)**

Area (no. of addresses mailed in each area)	Does Double parking cause an inconvenience in your street?						Response rate for area
	Regularly		Sometimes		Not at all		
	No.	%	No.	%	No.	%	No. (%)
Area A 2601	57	10	124	21	397	69	578 (22)
Area B 4770	129	14	270	29	529	57	928 (19)
Area C 171	9	19	16	35	21	46	46 (27)
Area D 396	11	20	13	23	32	57	56 (14)
Area E 905	17	11	47	29	95	60	159 (18)
Area F 186	6	16	12	31.5	20	52.5	38 (20)
Total 9029	**229**	**12.5**	**482**	**27**	**1094**	**60.5**	**1805 (20)**

Area (no. of addresses mailed in each area)	Does Pavement parking cause an inconvenience in your street?						Response rate for area
	Regularly		Sometimes		Not at all		
	No.	%	No.	%	No.	%	No. (%)
Area A 2601	31	6	49	10	420	84	500 (19)
Area B 4770	261	23	311	27	569	50	1141 (24)
Area C 171	3	9	3	9	27	82	33 (19)
Area D 396	27	24	14	12	74	64	115 (29)
Area E 905	34	19	34	19	112	62	180 (20)
Area F 186	29	33	22	25	37	42	88 (47)
Total 9029	**385**	**19**	**433**	**21**	**1239**	**60**	**2057 (23)**

The following streets experience regularly experience inconvenience due to different types of informal parking:

Chevron Parking:		**Double Parking:**	
Newhaven Street (B)	50%	St Leonard's Road (A)	50%
Sussex Terrace (B)	67%	John Street (B)	50%
Windmill Terrace (B)	50%	Newhaven Street (B)	50%
		Sussex Terrace (B)	50%
Pavement Parking:			
St Leonard's Road (A)	100%		
Belgrave Street (B)	53%		
Elmore Road (B)	56%		
John Street (B)	50%		
Newhaven Street (B)	67%		
Phoenix Rise (B)	50%		
Stanley Street (B)	52%		
Sussex Terrace (B)	60%		
Tarner Road (B)	89%		

Q6 Additional information and further comments

Comment	No. of responses	% Responses
No problem/against parking scheme	524	16
Blocked pavements	272	8
Cannot park outside house	223	7
Worried/affected by displacement	182	6
Multiple occupancy vehicles/student accom.	162	5
Road too narrow/have to park on pavement	140	4.5
In favour of a parking scheme	129	4
Restricted access for emergency vehicles	120	4
Residents with commercial vehicles	112	3.5
Parking by non-residents	103	3
Cannot afford/do not want to pay	92	3
Caravans parked long-term	91	3
Amex workers parking	87	3
Driveway/road blocked	82	2.5
Parking on corners restricts visibility	81	2.5
Volume of parked cars	73	2
Hard to park in evenings	68	2
Dangerous parking	66	2
Inconsiderate parking	64	2
Difficult to cross safely due to parking	56	2
Cars from local/independent garages block street	50	1.5
Parked cars block light to basement flats	48	1.5
Nowhere for visitors/trades people to park	47	1.5
Money Making exercise	45	1.5
Better parking enforcement needed	40	1

Make road one-way	39	1
Loading/unloading blocks road	36	1
No choice but to double park	35	1
Bicycles/bicycle racks obstruct pavement	29	1
Brighton college parking overspill	27	1
Hospital parking overspill	25	1
Daytime parking a problem	23	1
Parking on junctions	21	0.5
Speed of traffic	20	0.5
Total	**3,212**	**100**

Q7 Does the following occur in your street?

Area	**Visitor Parking**						**Response rate for area**
	Regularly		**Sometimes**		**Not At All**		
	No.	**%**	**No.**	**%**	**No.**	**%**	
Area A (2601)	306	38	439	55	59	7	804 (31)
Area B (4770)	854	59	559	39	36	2	1449 (30)
Area C (171)	39	52	35	47	1	1	75 (44)
Area D (396)	47	42	56	50	9	8	112 (28)
Area E (905)	133	53	107	43	10	4	250 (28)
Area F (186)	65	76	21	24	0	0	86 (46)
Total (9124)	**1453**	**52**	**1220**	**44**	**118**	**4**	**2791 (31)**

Area	**Shopper Parking**						**Response rate for area**
	Regularly		**Sometimes**		**Not At All**		
	No.	**%**	**No.**	**%**	**No.**	**%**	
Area A (2601)	99	14	137	19	486	67	722 (28)
Area B (4770)	499	38	402	31	406	31	1307 (27)
Area C (171)	13	20	20	31	31	49	64 (37)
Area D (396)	31	29	26	24	50	47	107 (27)
Area E (905)	32	16	34	17	131	67	197 (22)
Area F (186)	24	38	21	33	18	29	63 (34)
Total (9124)	**698**	**28**	**642**	**26**	**1132**	**46**	**2472 (27)**

Area	**Commuter Parking**						**Response rate for area**
	Regularly		**Sometimes**		**Not At All**		
	No.	**%**	**No.**	**%**	**No.**	**%**	
Area A (2601)	88	12	128	18	494	70	710 (27)
Area B (4770)	848	61	227	17	309	22	1384 (29)
Area C (171)	31	47	19	29	16	24	66 (39)
Area D (396)	20	20	21	21	59	59	100 (25)
Area E (905)	65	30	45	21	107	49	217 (24)
Area F (186)	66	84	6	8	6	8	78 (42)
Total (9124)	**1118**	**43**	**448**	**17**	**1001**	**39**	**2567 (28)**

Area	School drop off/pick ups						Response rate for area
	Regularly		Sometimes		Not At All		
	No.	%	No.	%	No.	%	
Area A (2601)	201	27	139	19	408	54	748 (29)
Area B (4770)	199	17	191	17	768	66	1158 (24)
Area C (171)	36	51	13	19	21	30	70 (41)
Area D (396)	38	38	24	24	38	38	100 (25)
Area E (905)	36	19	18	9	141	72	195 (21)
Area F (186)	42	57.5	16	22	15	20.5	73 (39)
Total (9124)	**552**	**23**	**401**	**17**	**1402**	**60**	**2355 (26)**

Area	Vehicles left for 2/3 weeks or more						Response rate for area
	Regularly		Sometimes		Not At All		
	No.	%	No.	%	No.	%	
Area A (2601)	174	23	304	39	296	38	774 (30)
Area B (4770)	415	31	612	46	310	23	1337 (28)
Area C (171)	30	43	26	38	13	19	69 (40)
Area D (396)	32	30	41	38	35	32	108 (27)
Area E (905)	51	22	74	32	104	46	229 (25)
Area F (186)	28	37	35	47	12	16	75 (40)
Total (9124)	**731**	**28**	**1096**	**42**	**777**	**30**	**2604 (28)**

Demographic Information

Gender

189 people (6%) did not answer this question.

Gender	No.	%
Male	1292	45
Female	1578	55
Total	**2870**	**100**

Age

142 people (5%) did not answer this question.

Age	No.	%
U18	2	0.5
18-24	95	3
25-34	472	16
35-44	963	33
45-54	587	20
55-64	391	13.5
65-74	220	7.5
75+	187	6.5

Total	**2917**	**100**

Disability

441 people (14.5%) did not answer this question.

Disability	**No.**	**%**
Yes	434	16.5
No	2184	83.5
Total	**2618**	**100**

Ethnicity

211 people (7%) did not answer this question.

Ethnicity	**No.**	**%**
White British	2522	88.5
White Irish	52	2
Other White Background	151	5
Indian	13	0.5
Pakistani	4	-
Bangladeshi	2	-
Other Asian background	9	-
White & Black Caribbean	4	-
White & Black African	2	-
White & Asian	23	1
Other mixed background	11	0.5
Caribbean	10	0.5
African	13	0.5
Other black background	7	-
Chinese	15	0.5
Other ethnic background	6	-
Don’t know	4	**-**
Total	**2848**	**100**

Religion

579 people (19%) did not answer this question.

Religion	**No.**	**%**
None	1421	57
Christian	892	36
Jewish	16	1
Hindu	8	-
Muslim	14	1
Sikh	3	-
Buddhist	49	2
Other	77	3
Total	**2480**	**100**

Sexuality

826 people (27%) did not answer this question.

Sexuality	No.	%
Heterosexual	1979	89
Bisexual	32	1.5
Gay	130	6
Lesbian	70	3
Other	13	0.5
Total	**2233**	**100**

ENVIRONMENT CABINET MEMBER MEETING	Agenda Item 109 Brighton & Hove City Council

Subject:		**Various changes to Controlled Parking Zones (CPZ) Order and areas outside of CPZ**
Date of Meeting:		**25 March 2010**
Report of:		**Director of Environment**
Contact Officer:	**Name:**	**Charles Field** **Tel: 29-3329**
	E-mail:	**charles.field@brighton-hove.gov.uk**
Key Decision:	**No**	
Wards Affected:	**All**	

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 The Parking Strategy Team receives a number of requests for alterations to parking restrictions within the Controlled Parking Zones and outside the Controlled Parking Zones. These requests are most often from residents, but can also be from businesses, local members, or other teams within the Council such as Road Safety.

1.2 After investigation, if it is decided that the request is justified then it is advertised on a Traffic Order. These amendments often help to improve sustainable transport, for example by providing additional motorcycle bays or can improve accessibility for disabled people by providing disabled parking bays.

2. RECOMMENDATIONS:

2.1 That, having taken into account all of the duly made representations and objections, the Cabinet Member approves the Various Controlled Parking Zones Consolidation Order 2008 Amendment Order No.* 200* and Brighton & Hove (Waiting & Loading/Unloading Restrictions and Parking Places) Consolidation Order 2008 amendment Order No.* 200* with the following amendments:

(a) The proposed removal of disabled parking bays in Godwin Road and Hollingdean Terrace, are to be removed from the Traffic Order as these bays are still required by local residents.

(b) The proposed double yellow lines in Woodland Avenue are to be removed from the Traffic Order due to the reasons outlined in the report.

(c) The proposed double yellow lines in Court Farm Road are to be changed to single yellow lines from the shops northwards to the double yellow lines at the traffic lights due to reasons outlined in the report

(d) The proposed removal of limited waiting bays in Old London Road (Patcham) are to be removed from the traffic order due to the reasons outlined in the report.

(e) The proposed loading bay in Portland Road (Controlled Parking Zone R) is to be deferred in accordance with Paragraph 3.11.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 This Combined Traffic Order includes proposed restrictions for over 150 roads city wide. A number of objections were received to the advertised Traffic Regulation Orders. The objections are summarised and explained in detail in Appendix A and plans showing the proposals, which have had comments/objections are shown in Appendix B. In particular objections were received in relation to the following proposals:

(a) Meadow Parade (Rottingdean Coastal) – proposed double yellow lines
(b) Woodland Avenue (Hove Park) – proposed double yellow lines
(c) Old London Road (Patcham) – proposed removal of limited waiting bays
(d) The Droveway (Hove Park) – proposed double yellow lines
(e) Brownleaf Road/Abinger Road (Woodingdean) – proposed double yellow lines
(f) Windmill Street (Queens Park) – new motorcycle bay
(g) Portland Road (Controlled Parking Zone R) – proposed loading bay
(h) Withdean Road (Withdean) – proposed double yellow lines
(i) Court Farm Road (Hove Park) – proposed double yellow lines
(j) Court Farm Road/Nevill Road Trianglar Island (Hove Park) – proposed double yellow lines
(k) Richmond Parade (Queens Park) – proposed limited waiting
(l) The Rise (North Portslade) – proposed double yellow lines
(m) Mile Oak Road (North Portslade) – proposed double yellow lines
(n) Woodruff Avenue (Hove Park) – proposed double yellow lines
(o) St Luke's Terrace (Controlled Parking Zone U) – new motorcycle bay
(p) Rose Hill Terrace (Controlled Parking Zone Y) – new motorcycle bay
(q) Bankside (Withdean) – proposed double yellow lines
(r) Auckland Drive – relocation of disabled parking bay

3.2 Letters of support were received to the following proposals:

(a) Surrenden (Preston Park – proposed double yellow lines),
(b) Brownleaf Road/Abinger Road (Woodingdean – proposed double yellow lines),
(c) Franklin Road (Hanover & Elm Grove – proposed double yellow lines),
(d) Court Farm Road (Hove Park – proposed double yellow lines),
(e) Nevill Avenue (Hove Park – proposed double yellow lines),
(f) Union Road (Controlled Parking Zone Y – proposed doctors bays),
(g) Osborne Road (Preson Park – new motorcycle bay),
(h) Portland Road/Westbourne Gardens (Controlled Parking Zone R – proposed loading ban),
(i) Dyke Road (Hove Park – proposed double yellow lines),
(j) Laburnum Avenue (Hangleton & Knoll – proposed double yellow lines),
(k) Tivoli Crescent/Tivoli Crescent North (Withdean – proposed double yellow lines),
(l) Withdean Road (Withdean – proposed double yellow lines),
(m) Thornhill Rise (North Portslade – proposed reduction of double yellow lines),

(n) Nevill Way (Hove Park – proposed single yellow line), St Luke's Terrace (Controlled Parking Zone U – new motorcycle bay),
(o) London Road Service Road by Curwen Place (Withdean – proposed double yellow lines).

3.3 There have been 10 objections to the proposed no waiting at any time in Woodland Avenue, Brighton. The majority of the objections are from residents who feel that that the speed of vehicles will increase on the approach to the junction with Goldstone Crescent. It is also felt that the proposal will mean increased danger for pedestrians and all road users due to the increased speed of vehicles.

3.4 Therefore, due to the amount of objections it is proposed that the double yellow lines on Woodland Avenue will not proceed at present but we will continue to monitor this stretch of road.

3.5 There have been 6 objections to the proposed no waiting at any time in Court Farm Road and a petition to change the proposal to single yellow lines has also recently been handed into the Council after the consultation period. Again the majority of the objections are from residents who feel that the proposed double yellow lines should be a single yellow line (Monday to Friday 8am to 5pm) as the problems in Court Farm Road are at school drop off and collection times.

3.6 The Bus Company supports the proposal as the parking currently allowed does cause bottlenecks and delays to buses, especially but not exclusively as school times.

3.7 Officers have considered the issues and are recommending that the double yellow lines from the shops up to the double yellow lines by the traffic lights in Court Farm Road change to a single yellow line Monday to Friday 8am to 5pm as the problems are due to the issues during the school drop off and collection times. However the proposed double yellow lines around the triangular area in Court Farm Road / Nevill Road will remain due to safety reasons.

3.8 There have been two objections to the proposed removal of limited waiting bays in Old London Road (Patcham). The objections are from residents concerning the loss of short use parking for the shops. The garage owner who made the original request now also has concerns about the removal of parking.

3.9 Therefore, due to the objections it is proposed that the removal of the limited waiting bays in Old London Road (Patcham) will not proceed at present but this can be re-considered if we receive further correspondence regarding this issue.

3.10 There have been three objections to the proposed loading bay in Portland Road (Controlled Parking Zone R). The objections are from residents and from the two Ward Councillors who are concerned about the loss of parking and enforcement issues regarding this proposal.

3.11 Therefore, due to the objections received to the perceived need for a loading bay in Portland Road (Controlled Parking Zone R) it is proposed this is deferred to a future meeting. This meeting would consider the objections received and the results of the discussions with Ward Councillors and local residents to consider the best way forward.

4. CONSULTATION

4.1 The Traffic Regulation Order was advertised between the 5 December 2009 and 31 December 2009.

4.2 The Ward Councillors for the areas were consulted, as were the statutory consultees such as the Emergency Services.

4.3 Notices were also put on street for the 5 December 2009, these comprised of the notice as well as a plan showing the proposal and the reasons for it. The notice was also published in The Argus newspaper on the 5 December 2009. Detailed plans and the order were available to view at Hove Library, Jubilee Library and at the City Direct Offices at Bartholomew House and Hove Town Hall.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial implications:

5.1 The full cost of advertising the order and having the lining and signing amended will be covered from the existing traffic revenue budget.

Finance officer consulted: *Karen Brookshaw* *Date: 05/02/10*

Legal Implications:

5.2 The traffic orders have been advertised according to the Road Traffic Regulation Act 1984. As there are unresolved objections and representations they are now referred to this meeting for resolution. There are no human rights implications to draw to Members' attention.

Lawyer consulted: *Stephen Dryden* *Date: 05/02/10*

Equalities Implications:

5.3 The proposed measures will be of benefit to many road users.

Sustainability Implications:

5.4 The new motorcycle bays will encourage more sustainable methods of transport.

Crime & Disorder Implications:

5.5 The proposed amendments to restrictions will not have any implication on the prevention of crime and disorder.

Risk and Opportunity Management Implications:

5.6 Any risks will be monitored as part of the overall project management, but none have been identified.

Corporate / Citywide Implications:

5.7 The legal disabled bays will provide parking for the holders of blue badges wanting to use the local facilities.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1 For the majority of the proposals the only alternative option is doing nothing which would mean the proposals would not be taken forward. However, it is the recommendation of officers that these proposals are proceeded with for the reasons outlined in Appendix A and within the report.

6.2 For the proposals outlined as being removed from the order in the recommendations the only alternative option is taking these forward. However, it is the recommendation of officers that these proposals are not taken forward for the reasons outlined in the recommendations.

7. REASONS FOR REPORT RECOMMENDATIONS

7.1 To seek approval of the Traffic Order with amendments after taking into consideration of the duly made representations and objections.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix A – summary of representations received

2. Appendix B - Plans showing the proposals

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Documents in Members' Rooms

None

Background Documents

None

APPENDIX A - COMMENTS TO AMENDMENT TRAFFIC ORDERS

Who	Road / Ward	Object / Support	Contents	Comments/Recommendations
Resident	Rottingdean Coastal	Object	Proposed Double Yellow Lines in Meadow Parade - Feels that the real problem is not the lack of double yellow lines on the corner, but the current double yellow lines are on the wrong side of the street. Currently the lines are on the inside of the bend which totally obscures the view both up and down the street. Where as if the lines were on the outside of the curve visibility would be greatly improved.	Double yellow lines :- The lines were requested by a resident as there have been several near misses as cars should not be parking on the corners and these lines would improve safety, pedestrian access and visibility.
Resident	Hove Park	Object	Proposed Double Yellow Lines in Woodland Avenue - When accidents occur there were no vehicles parked where the yellow lines are proposed. Therefore it would seem parked vehicles act as a "Pinch-Point" slowing the traffic naturally. Whilst this slowing may cause an irritation to some road users, accidents and injury are currently prevented. If the Council proceed with the double yellow lines, thus increasing the traffic speed on the approach to the junction Goldstone Crescent would suggest it is necessary to lay a "Shellgrip" (Antiskid)	Double yellow lines :- The extension of the lines were requested by a couple of residents as it is difficult for visibility as it is on a slight bend and there are always a lot of cars parked there. These lines would improve safety, pedestrian access and visibility.

Resident	Hove Park	Object	Proposed Double Yellow Lines in Woodland Avenue - At Present cars can park on the street which has two uses - parking for residents and visitors and also they slow the traffic down by creating 'obstructions'. If yellow lines are added the road will become a 'clearway' and thus traffic will be encouraged to drive faster in this residential street. As well as the safety in the road the junction will also be more of a hazard with cars etc approaching it faster, braking harder and increasing the risk of a junction overshoot leading to accidents. Recommend that the current situation is an acceptable status quo for residents, safety etc and the impact of double yellow lines will only be detrimental.	Double yellow lines :- The extension of the lines were requested by a couple of residents as it is difficult for visibility as it is on a slight bend and there are always a lot of cars parked there. These lines would improve safety, pedestrian access and visibility.
Resident	Hove Park	Object	Proposed Double Yellow Lines in Woodland Avenue - Aware of accidents in the area at the bottom if Woodland Avenue. In the past, each time there was an accident there were no vehicles parked where the yellow lines are proposed. Therefore it would seem, parked vehicles act to slow the traffic. Whilst this slowing may cause irritation to some road users, accidents and injury are prevented. These accidents that happened in the past is because drivers have misjudged their speed and/or the slippery gradient of the road surface. The proposal will create a hazard, increase vehicle speed and see an inevitable increase in accidents in the location.	Double yellow lines :- The extension of the lines were requested by a couple of residents as it is difficult for visibility as it is on a slight bend and there are always a lot of cars parked there. These lines would improve safety, pedestrian access and visibility.

Resident	Hove Park	Object	Proposed Double Yellow Lines in Woodland Avenue It is difficult to understand the reasoning behind increasing the length of the double yellow lines from the junction of Woodland Avenue and Goldstone Crescent as this would lead to increased traffic speed up to the junction. Surely parked vehicles act as an effective Pinch Point and slow cars down at a junction of this kind especially as children cross this road to and from school and in getting to Hove Park.	Double yellow lines :- The extension of the lines were requested by a couple of residents as it is difficult for visibility as it is on a slight bend and there are always a lot of cars parked there. These lines would improve safety, pedestrian access and visibility.
Resident	Hove Park	Object	Proposed Double Yellow Lines in Woodland Avenue Concerned that this will increase traffic speeds in a quiet residential road. With many children living in the vicinity, believe that the scheme will actually endanger lives, rather than improving traffic safety.	Double yellow lines :- The extension of the lines were requested by a couple of residents as it is difficult for visibility as it is on a slight bend and there are always a lot of cars parked there. These lines would improve safety, pedestrian access and visibility.
Resident	Hove Park	Object	Proposed Double Yellow Lines in Woodland Avenue The present level of resident parking and indeed loading and unloading of goods to houses at the lower end has been conducive to low speeds of traffic entering and leaving Woodland Avenue. Any opening up of this area to increased speed as double yellow lines would surely do, creates an unacceptable hazard to safety.	Double yellow lines :- The extension of the lines were requested by a couple of residents as it is difficult for visibility as it is on a slight bend and there are always a lot of cars parked there. These lines would improve safety, pedestrian access and visibility.

Resident	Hove Park	Object	Proposed Double Yellow Lines in Woodland Avenue - The proposal to install yellow lines on Woodland Avenue is unnecessary in this semi rural location. Such scheme to other roads much nearer Brighton City Centres including Bigwood Avenue in Hove, effectively lessened parking spaces available to residents, In fact, that small road lost 30 vehicle spaces by installing yellow lines because no longer was it possible for residents in that road to park cars in front of their own driveways. This is a major inconvenience to the residents who are the very people that should benefit from parking controls as they are forced to park elsewhere.	Double yellow lines :- The extension of the lines were requested by a couple of residents as it is difficult for visibility as it is on a slight bend and there are always a lot of cars parked there. These lines would improve safety, pedestrian access and visibility.
Resident	Hove Park	Object	Proposed Double Yellow Lines in Woodland Avenue - Object to the plan for the extra yellow lines in Woodland Avenue. The plan may reduce rush hour congestion slightly, but conversely, increase traffic speed throughout the remainder of the day and this may lead to accidents. The existing vehicle parking helps slow traffic approaching the T Junction. Rush hour queues are a fact of life in this day and age. Please don't meddle with the existing arrangement, which coped adequately even when there was a bus route a couple of years ago.	Double yellow lines :- The extension of the lines were requested by a couple of residents as it is difficult for visibility as it is on a slight bend and there are always a lot of cars parked there. These lines would improve safety, pedestrian access and visibility.

Resident	Hove Park	Object	Proposed Double Yellow Lines in Woodland Avenue - Object to the proposal in it's current form to paint double yellow lines at the bottom of Woodland Avenue. Feel that there is a need for double yellow lines by the post box, as on occasions visitors to the area have parked their vehicles adjacent to the post box, but feel that the continuation of the lines beyond the lamp post is completely unnecessary. It is at the point of the lamp post where the road bends around causing obstruction difficulties. Painting double yellow lines at the post box would leave the bottom of the road clear. In 10 years have never seen an accident caused by parked cars, the only accidents have been cars failing to slow down coming down Woodland Avenue and going out into Goldstone Crescent. Most Motorists really put their foot down when they come around the corner into Woodland Avenue and less parked vehicles will only encourage then to do this more.	Double yellow lines :- The extension of the lines were requested by a couple of residents as it is difficult for visibility as it is on a slight bend and there are always a lot of cars parked there. These lines would improve safety, pedestrian access and visibility.
Resident	Hove Park	Object	Proposed Double Yellow Lines in Woodland Avenue - Object to the proposal. Putting in double yellow lines will just increase vehicle speed and the risk of accidents. Perhaps speed bumps could be installed instead	Double yellow lines :- The extension of the lines were requested by a couple of residents as it is difficult for visibility as it is on a slight bend and there are always a lot of cars parked there. These lines would improve safety, pedestrian access and visibility.
Woodland Avenue is being removed from the traffic regulation order due to the amount of objections and concerns regarding safety issues.				

Resident	Patcham	Object	Removal of Limited Waiting - Old London Road - The entrance to the garage forecourt is protected by double yellow lines so is in no way compromised by the existing parking bays, the rest of the forecourt, which is beyond the pavement next to the bays is lined by raised kerb so removing these bays will not create any greater access to the garage. During it's opening hours the garage often uses the parking bays as it's own forecourt in addition to others parking around the village. The best thing the Council could do with parking in Patcham Village would be to remove all restrictions, encouraging visitors to use bays nearer to the facilities rather than those outside the houses of residents.	Removal of Limited Parking bays A request was received by the garage to reduce the limited parking bay as some of the bay was over the other entrance of the forecourt, which has a dropped kerb. If was felt that the bays should be removed but nothing else would replace them. Subsequently the garage owner now also has concerns about the removal of parking.

Resident	Patcham	Object	Removal of Limited Waiting - Old London Road - This particular waiting area is in constant use because it is situated in the centre of the shopping area in Patcham Village. The local shops there need as much help as possible to make a profit and to serve the people of Patcham with everyday necessities. Removing even this small area for parking will make it that much harder for them to remain in business. The reason given is that it blocks a pavement crossover but there is another, wider pavement crossover immediately to the north of the parking bay, which provides ample access to the forecourt of the garage. This business has managed to trade for many years without needing the use of the crossover blocked by the parking area. There will be at least three effects if this proposal is carried out. The first will be to further increase the pressure on parking in other parts of the village. The second will affect the speed of traffic at the junction of Old London Road and Ladies Mile Road. The third will be a reduction in trade for the local shops	Removal of Limited Parking bays A request was received by the garage to reduce the limited parking bay as some of the bay was over the other entrance of the forecourt, which has a dropped kerb. If was felt that the bays should be removed but nothing else would replace them.Subsequently the garage owner now also has concerns about the removal of parking.
Resident	Preston Park	Support	Double Yellow Lines in Surrenden Road - Extremely pleased that there is a proposal to put double yellow lines on the inside bank at the crossing with Surrenden Road/Bates Road. The lines will definitely aid visibility when crossing the road and therefore will not have to step into the road to see around the cars.	

Resident	Hove Park	Object	Double Yellow Lines in The Droveway - Don't see how the lines will aid safety. The area proposed doesn't make sense as no one parks on the road outside Tesco as there is parking in their forecourt. The area further down the road seems no different to any other area a long the road. The street is now a long stay for commuters using Preston Park Station, leaving residents no where to park. How will this be enforced? Have never seen a traffic warden down The Droveway and people are regularly parking on double yellow lines that already exist.	Double yellow lines :- The lines were requested by a couple of residents as this will give sight line for residents in this section and will assist vehicles coming off the Tesco car park . These lines would improve safety, pedestrian access and visibility.
Resident	Woodingdean	Support	Double Yellow Lines in Browleaf Road/Abinger Road - Fully Behind putting double yellow lines on the corner of Brownleaf Road at the bottom.	

Resident	Woodingdean	Object	Double Yellow Lines in Browleaf Road/Abinger Road - The current usage of the designate portions of the roadsides concerned for parking is extremely low, in fact at a level consider to negligible. Other junctions in this part of Woodingdean are just as vulnerable to potential car parking and/or potential safety issue but can find no endurance of proposals for yellow line for these areas. Looking at traffic movements at the proposed junction would like you to consider the following: Abinger Road is a minor road on the estate and in reality is only used by the residents of the road. Both Abinger Road and Brownleaf Road have little heavy load traffic and have never witnessed any inability to safely negotiate the junction. If the double yellow lines are purely for safety purposed for cars pulling out of Abinger Road then why are you not considering what is really needed, a give way or even a stop white line.	Double yellow lines :- The lines were requested by a resident as cars should not be parking on the corners and these lines would improve safety, pedestrian access and visibility.
Resident	Woodingdean	Object	Double Yellow Lines in Brownleaf Road/Abinger Road - There has never ever been a problem with access in and out of either roads, for cars, vans, lorries or city clean vehicles. Don't understand the reason for this application. The lines are not needed/required.	Double yellow lines :- The lines were requested by a resident as cars should not be parking on the corners and these lines would improve safety, pedestrian access and visibility.
Resident	Hanover & Elm Grove	Support	Double Yellow Lines at several Junctions in Franklin Road - In full Support. This is a busy route between two primary schools and such measures will significantly increase safety for local children	

Resident	Hove Park	Support	Double Yellow Lines in Nevill Avenue - Desperate for these to be implemented as the parking/traffic situation, particularly bearing in mind the high number of schools around here and the safety issues	
Resident	St Peter's & North Laine	Support	Doctors Bays in Union Road - Support the provision of the doctors bays as it is essential that GPS have easy access to their vehicles in order to visit patients at home, especially in urgent situations.	
Resident	Preston Park	Support	Motorcycle Bay in Osborne Road - Supports the idea of a motorcycle bay in this road	
Resident	Westbourne	Support	Loading Ban in Portland Road/Westbourne Gardens - Support the proposal. These changes would be beneficial as it would reduce accidents and possible fatalities caused by illegal parking.	
Resident	Hove Park	Support	Extension of Double Yellow Lines in Dyke Road at the Junction with Onslow Road - Support the proposed double yellow line extension. As the situation at the junction has not changed and it is still impossible to see approaching traffic.	
Resident	Hangleton & Knoll	Support	Double Yellow Lines in Laburnum Avenue - Strongly support this proposal. Currently drivers park half on the narrow pavement, placing children and parents attending Goldstone School in considerable danger. There has been occasions when ambulances have been unable to pass between the parked vehicles. There is also inconvenience, particularly to pedestrians with wheelchairs and/or pushchairs.	

Resident	Hangleton & Knoll	Support	Double Yellow Lines in Laburnum Avenue - Support this proposal. Cars parking on the pavement causes an obstruction. This is a danger and makes the passage to the school very difficult.	
Resident	Queens Park	Object	Motorcycle bay in Windmill Street - There is the purely practical positioning of such a bay, next to an existing car club space, which already causes a lot of access problems in this narrowest end of Windmill Street. The only person who had a motorcycle in this street has now left so the space will be redundant. Richmond Street or Windmill Terrace would be a much better site for such a bay.	Motorcycle bay This was requested by resident as there is no motorcycle bay in the vicinity for motorcyclist to park. Motorcycle bays will encourage more sustainable methods of transport.
Resident	Queens Park	Object	Motorcycle bay in Windmill Street - Already have issues where the road is partially blocked due to the car club parking fully on the road and on occasion this causes incidents where cars coming down the street can not get through. Adding another bay is only going to increase the risk of this occurring. In addition this causes real issues for the men who struggle to get passed these bays and have been known not to collect the rubbish. The only person who had a motorcycle in this street has now left.	Motorcycle bay This was requested by resident as there is no motorcycle bay in the vicinity for motorcyclist to park. Motorcycle bays will encourage more sustainable methods of transport.
Resident	Withdean	Support	Double Yellow Lines at Junction of Tivoli Crescent and Tivoli Crescent North - There is parking on the grass verge around this junction which has made it a dangerous "blind" junction and causes great congestion particularly for vans and lorries. The proposed double yellow lines will properly enforce, ensure free and safe movement around the junction.	

Resident	Withdean	Support	Double Yellow lines at Junction of Tivoli Crescent and Tivoli Crescent North - Support the proposed double yellow lines parking restriction, which will make this junction much safer to manoeuvre for motorists and pedestrians alike.	
Councillor Oxley & Councillor Cobb	Westbourne	Object	Loading Bay in Portland Road - Oppose these changes on the following grounds:- 1) Loss of Parking as parking issues have been acute in Westbourne Ward for many years and receive frequent and extensive complaints about the parking scheme. 2) Concerned that the problems of enforcement at the more eastern end of the road, where there already expressions of concern being received about poor enforcement. 3) It is known that traffic wardens only patrol at particular times of the day and if cars are parked in the bay and a delivery lorry arrives then double parking will result.	Loading bay This request was received by Sainsbury's who have moved to this site. At present deliveries to the site take place in Shelley Road and it is not uncommon for HGV's to block, or greatly restrict movements in this residential side street whilst off-loading. With the new supermarket it is expected that there would be around 7 deliveries per day , mostly by rigid goods vehicles. The Supermarket wishes to avoid causing nuisance or inconvenience to local residents, and also needs to ensure easy, speedy deliveries at any time of the day. Therefore, due to the objections received to the perceived need for a loading bay it is proposed this is deferred to a future meeting.

Resident	Westbourne	Object	Loading Bay in Portland Road - Oppose the proposal to provide a loading bay as a number of parking spaces will be removed to create the loading area, thus depleting the number of bays available for motorists to park. There will be a solitary parking space which will act like a magnet to other drivers who will see the empty area and will be parking on the loading bay . This then creates a dangerous hazard that, should a delivery vehicle arrive whilst the vehicles are illegally parked the driver is unlikely to go away and return later, they will park on the outside thus causing considerable obstruction to the flow of traffic. The enforcement of parking in the area leaves a lot to be desired and no one can envisage a traffic warden being available during the whole time the bay is in operation. When the delivery vehicle arrives due to the width of the vehicle it will protrude out from the bay into the carriageway causing an obstruction. This will be extremely dangerous for both motorist and pedestrians.	Loading bay This request was received by Sainsbury's who have moved to this site. At present deliveries to the site take place in Shelley Road and it is not uncommon for HGV's to block, or greatly restrict movements in this residential side street whilst off-loading. With the new supermarket it is expected that there would be around 7 deliveries per day , mostly by rigid goods vehicles. The Supermarket wishes to avoid causing nuisance or inconvenience to local residents, and also needs to ensure easy, speedy deliveries at any time of the day. Therefore, due to the objections received to the perceived need for a loading bay it is proposed this is deferred to a future meeting.

Resident	Westbourne	Object	Loading Bay in Portland Road - Residents are concerned that the removal of the four parking spaces and the installation of the loading bay will increase traffic congestion not only on the main Portland Road but also on the minor roads in the area.	Loading bay This request was received by Sainsbury's who have moved to this site. At present deliveries to the site take place in Shelley Road and it is not uncommon for HGV's to block, or greatly restrict movements in this residential side street whilst off-loading. With the new supermarket it is expected that there would be around 7 deliveries per day , mostly by rigid goods vehicles. The Supermarket wishes to avoid causing nuisance or inconvenience to local residents, and also needs to ensure easy, speedy deliveries at any time of the day. Therefore, due to the objections received to the perceived need for a loading bay it is proposed this is deferred to a future meeting.
Resident	Withdean	Object	Double Yellow Lines in Withdean Road at the Junction with Waylands Avenue - The only problems that previously existed on this section of road was the speeding. A problem exists now because of the residence of a celebrity and the presence of the newspaper photographers that are the cause of the problem. By placing double yellow lines this scenario will simply move them along the road. There is of course a much simpler solution wait until the Celebrity tenancy expires in February at which time all will return to normal. If the Celebrity does purchase one of the properties then the perfect solution will be to place single yellow lines which will stop parking in the day but allow residents and their visitors to park at night.	Double Yellow Lines These were requested by a resident and Ward Councillor as it is difficult for visibility as it is on a bend and there are always a lot of cars parked there. These lines would improve safety, pedestrian access and visibility.

Resident	Withdean	Object	Double Yellow Lines in Withdean Road at the Junction with Waylands Avenue - The problem has peaked only due to a celebrity renting a property here and is followed everywhere by the infamous 'paps'. Unless traffic wardens are sent everyday to enforce and move on this tribe, all you are achieving is to create the problem of nowhere to park for the residents and visitors	Double Yellow Lines These were requested by a resident and Ward Councillor as it is difficult for visibility as it is on a bend and there are always a lot of cars parked there. These lines would improve safety, pedestrian access and visibility.
Resident	Withdean	Support	Double Yellow Lines in Withdean Road at the Junction with Waylands Avenue - Support the proposals to restrict parking on the bend. This has become a very dangerous bend.	
Resident	North Portslade	Support	Reduction of Double Yellow Lines in Thornhill Rise - Support the change of length of the double yellow lines.	
Resident	North Portslade	Support	Reduction of Double Yellow Lines in Thornhill Rise Support the proposal to shorten the double yellow lines. This would help the issue of parking on the corner of the road itself whilst also allowing much needed parking for smaller vehicles.	
Resident	North Portslade	Support	Reduction of Double Yellow Lines in Thornhill Rise - Support the shortening the length of the double yellow lines at the bottom of Thornhill Rise the more parking spaces the better.	
Resident	North Portslade	Support	Reduction of Double Yellow Lines In Thornhill Rise - In Favour of the proposal to shorten the double yellow lines by 10 metres at the eastern end of Thornhill Rise at its junction with Overdown Rise.	
Resident	North Portslade	Support	Reduction of Double Yellow Lines In Thornhill Rise - Support the proposal to reduce the length of the double yellow lines in Thornhill Rise.	

Brighton & Hove Bus Company	Hove Park	Support	Double Yellow Lines in Court Farm Road - Support the double yellow lines. This route is used by 7 buses per hour in each direction during the weekday daytimes on routes 5b and 27a, as well as certain school buses and extra buses at peak time. Parking currently allowed does cause bottlenecks and delays to buses, especially but not exclusively as school times. The proposal would organise the parking onto one side of the road and therefore offer a good solution to these problems.	
Resident	Hove Park	Object	Double Yellow Lines in Court Farm Road - Understand the need for a restriction to parking around the triangular green, however, don't think that any yellow lines should be placed all the way up Court Farm Road since this will fundamentally restrict parking in this road. If yellow lines are to be put in place then it would seem far more sensible to just put single yellow lines during peak hours i.e. 8-4.	Double Yellow Lines These were requested by a resident via their ward Councillor as on both sides of the road cars and vans are parking on the pavement making it impossible for parents with children in buggies to walk along the pavement , which means they have to go along the road, which is extremely dangerous, especially as this is on a bus route.
Resident	Hove Park	Object	Double Yellow Lines in Court Farm Road - Object to the proposed plan to paint double yellow lines on the north side of the road. They will not add anything to safety. Everything has worked well for years with no problems. This measure will only cause unnecessary problems for the local residents who do not have a problem with the way things are at present	Double Yellow Lines These were requested by a resident via their ward Councillor as on both sides of the road cars and vans are parking on the pavement making it impossible for parents with children in buggies to walk along the pavement , which means they have to go along the road, which is extremely dangerous, especially as this is on a bus route.

Resident	Hove Park	Object	Double Yellow Lines in Court Farm Road - This road doesn't need any double yellow lines, have no problems, are happy with this road as it is.	Double Yellow Lines These were requested by a resident via their ward Councillor as on both sides of the road cars and vans are parking on the pavement making it impossible for parents with children in buggies to walk along the pavement , which means they have to go along the road, which is extremely dangerous, especially as this is on a bus route.
Resident	Hove Park	Object	Double Yellow Lines in Court Farm Road - If lines down one side of the road people will park in road on the other side rather than on the pavement as they do now. This will not be an improvement. Majority of cars are parked at present on the pavement on both sides of the road keeping the road clear for through traffic. Parking would become difficult for churchgoers at St George's Church, which would cause parking problems at the top of Holmes Avenue, which already has St Peter's Church and their congregation parking there.	Double Yellow Lines These were requested by a resident via their ward Councillor as on both sides of the road cars and vans are parking on the pavement making it impossible for parents with children in buggies to walk along the pavement , which means they have to go along the road, which is extremely dangerous, especially as this is on a bus route.

Resident	Hove Park	Object	Double Yellow Lines in Court Farm Road - Have never deemed the road as needing more parking restrictions than are already in place. Congestion is very apparent at school drop off and collection times. Double yellow lines will not eradicate this. Parents already disregard the restrictions including those that would result in penalty points. Double yellow lines will heavily impact on the church congregation which would be a real shame as this church is very well attended. Putting double yellow lines down one side of the road will only make people park on the unrestricted side to a point that not only will the verges be used but the road itself will be parked on. I can see access problems for those residents on the south side as a result of condensing the parking to one side. If double yellow lines are to be put in then both sides will need them. If traffic flow is to be improved by putting double yellows down both sides then speed will without doubt become unacceptable with the resulting risk to school children and Sunday morning worshippers that will then be forced to walk ir	Double Yellow Lines These were requested by a resident via their ward Councillor as on both sides of the road cars and vans are parking on the pavement making it impossible for parents with children in buggies to walk along the pavement , which means they have to go along the road, which is extremely dangerous, especially as this is on a bus route.

Resident	Hove Park	Object	Double Yellow Lines around the triangular green In Court Farm Road and Nevill Road - Strongly disagree that putting double yellow lines at the island is the answer to the traffic problems. Residents are being penalised for people working in near-by offices (who filled the island with parked cars Monday to Friday causing dangerous vision to the junctions at each corner). Would proposed that bollards are put at each corner of the island to prevent parking that causes lack of vision at the junction and signs on the island that read No Parking between 8am and 6pm Monday to Friday. This would prevent congestion and improve safety for the children at Blatchington Mill. This would also allow the residents and visitors to use the island in the evening and weekends when the school is closed and there is far less traffic.	Double Yellow Lines These were requested by the Police as parking on the footway was a danger for pedestrians.
Court Farm Road proposal will be change on the order to a single yellow line from the shops northwards to the traffic lights. However the triangular green in Court Farm Road and Nevill Road will still have double yellow lines due to safety reasons.				

Resident	Queens Park	Object	Proposed Limited Waiting in Richmond Parade - It should be emphasised that the proposal is basically one to restrict that specific area to one-hourly occupation of each space, with a ban on returning to the same spot within the following hour, and this aspect alone is bound to raise most of the objection rate. There appears to be two point against the proposal: The first is that the three "shops" operating in the area are likely to be little influenced at the traffic flow there simply because they normally commence their daily operations late in the afternoon. The second problem which will arise refers to the daily conduct of the tyre company staff, among other things, swooping on vacant spaces to park their waiting vehicles more legitimately then otherwise might be the case. This proposal will not improve matters and may well create new problems.	Proposed Limited waiting - The signage for the limited waiting was already in place but as there was no road markings the Civil Enforcement Officer could not issue penalty notices. So we have put this on this traffic order so markings can be installed.
Resident	North Portslade	Object	Double Yellow Lines in The Rise - Lodge a complaint against the proposed double yellow lines to be put in The Rise. This road leads up to Acorn Nursery. Unable to park by the nursery or most of the roads leading to it. It will be almost impossible to leave a car anywhere near it. People who work in the Nursery and the children's centre sometimes park there as well as people using the children's centre who might not able to get there otherwise.	Double Yellow Lines These were requested by a couple of residents as it is difficult for visibility as it is on a bend and there are always a lot of cars parked there. These lines would improve safety, pedestrian access and visibility.

Resident	North Portslade	Object	Double Yellow Lines in Mile Oak Road - Assume that the reason for these proposed double yellow lines is due to the obstruction caused by vehicles parking on the pavement/road on this area, thereby causing an obstruction and a danger to other road users. The proposed double yellow lines stop outside No.72. The current problem will then move down the road towards the sixth form college and the two bus stops. The speed of the traffic will increase especially for the cars travelling down the road due to the lack of the current 'obstructions'.	Double Yellow Lines These were requested by a resident via their ward Councillor as this corner is particularly dangerous as cars are parked there and restricts road views.
Resident	Hove Park	Support	Proposed Single Yellow Line in Nevill Way - Happy that something is being proposed for the top of Nevill way, as since the parking restrictions at Hove Park, the all day parking here by office workers causes many problems, especially at peak times. With Blatchington Mill School being close by also, the all day parking causes major problems at school opening/closing times.	

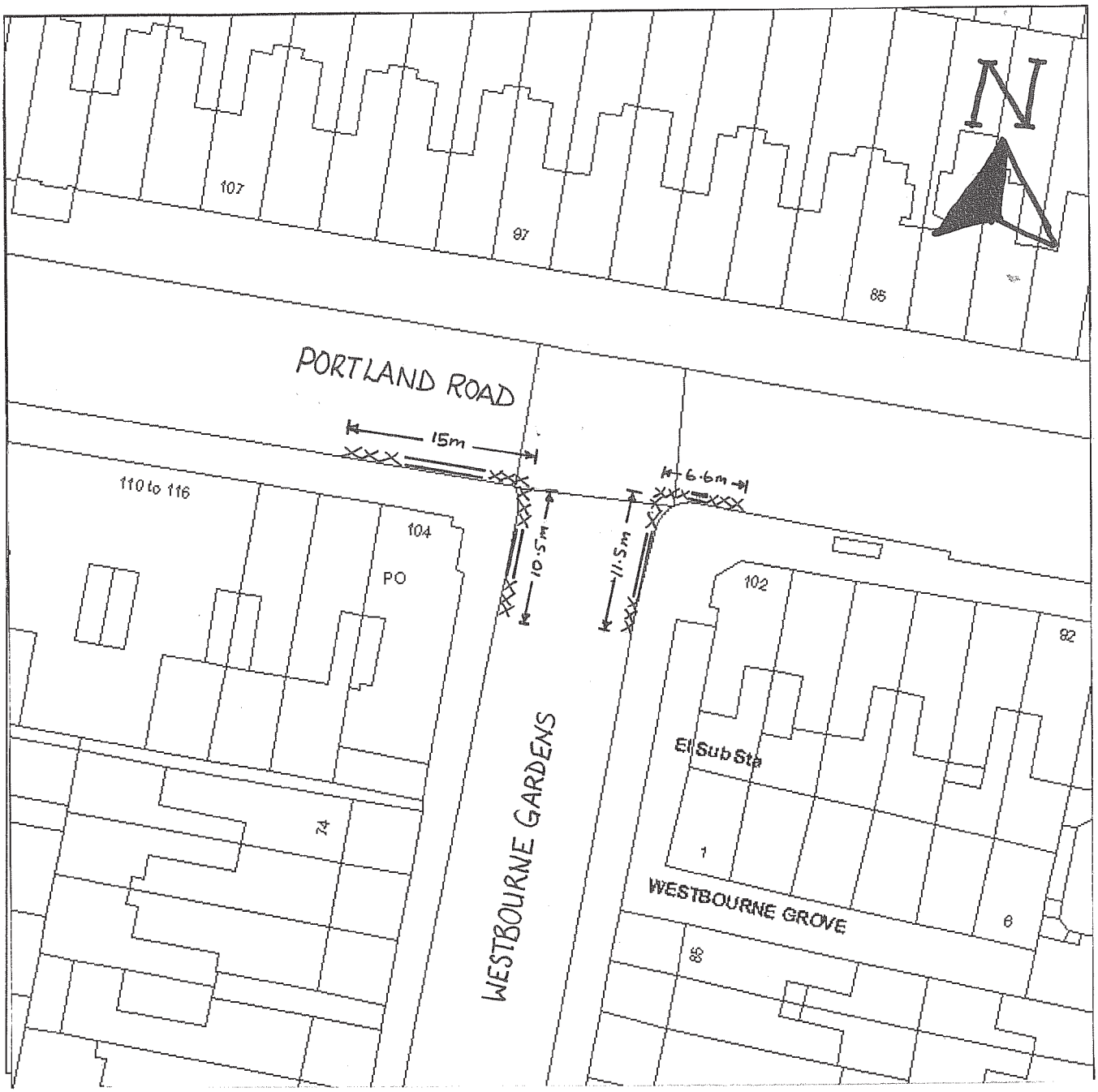
Resident	Hove Park	Object	Proposed Double Yellow Lines in Woodruff Avenue - The grounds for the objection are on the basis that the reason for the additional lines, namely "to improve safety for both pedestrians and vehicles it helps to prevent obstruction to all vehicles", this can be achieved by a less restrictive parking restriction, which would be more convenient to the residents of the affected area. Congestion and safety is only affected during normal working hours from Monday to Friday, as does the increased pedestrian and vehicle traffic. Believe the more appropriate restriction is No waiting Monday to Friday 9am to 6pm, which delivers the benefits south by the double yellow lines, without inconveniencing local residents, their visitors, and users of the nearby Hove Park.	Proposed Double Yellow Lines The request was originally for single yellow line in this stretch of Woodruff Avenue. Officers recommended that they should be double yellow lines. This is because the access problems would be just as difficult in the evenings especially for pedestrians and emergency service vehicles.
Resident	Hove Park	Object	Proposed Double Yellow Lines in Woodruff Avenue - Object to the new double yellow lines proposed for the bottom of Woodruff Avenue at the junction with Goldstone Crescent. This has the effect of displacing the parking further out.	Proposed Double Yellow Lines The request was originally for single yellow line in this stretch of Woodruff Avenue. Officers recommended that they should be double yellow lines. This is because the access problems would be just as difficult in the evenings especially for pedestrians and emergency service vehicles.

Resident	Queens Park	Object	Proposed Motorcycle bay in St Luke's Terrace - Already had a motorcycle bay and it was scrapped because it was never used. This is a small stretch of road and has already lost two spaces because of safety corners and it has two disabled bays already. There is a motorcycle bay at the other end of St Luke's Terrace and it only ever has one motorcycle in it. Very, Very occasionally two. Parking here especially around school times is very busy. If another space is lost for an unwanted motorcycle bay it will only exacerbate the double parking problem and increase the risk of accidents for children.	Motorcycle bay This was requested by a resident to reinstate a former motorcycle bay in this location, as there is not a motorcycle bay nearby. They also state that there is a bay in Queens Park Rise, but this is on a particularly steep part of the road and therefore a somewhat precarious place to park a bike.
Resident	Queens Park	Object	Proposed Motorcycle bay in St Luke's Terrace - Already had a motorcycle bay and it was scrapped because it was never used. This is a small stretch of road and has already lost two spaces because of safety corners and it has two disabled bays already. There is a motorcycle bay at the other end of St Luke's Terrace and it only ever has one motorcycle in it. Very, Very occasionally two. Parking here especially around school times is very busy. If another space is lost for an unwanted motorcycle bay it will only exacerbate the double parking problem and increase the risk of accidents for children.	Motorcycle bay This was requested by a resident to reinstate a former motorcycle bay in this location, as there is not a motorcycle bay nearby. They also state that there is a bay in Queens Park Rise, but this is on a particularly steep part of the road and therefore a somewhat precarious place to park a bike.
Resident	Queens Park	Support	Motorcycle Bay in St Luke's Terrace - Wholeheartedly support the proposal	
Resident	Withdean	Support	Proposed Double Yellow Lines in London Road Services Road by Curwen Place - Support the proposed on the following grounds Cars are currently parking on the footpath causing an obstruction to pedestrian and vehicles parked opposite and also causes damage to the footway.	

Resident	St Peter's & North Laine	Object	Motorcycle Bay in Rose Hill Terrace - The plan to remove another resident parking bay, not a shared bay to make room for motorcycles, of which there are very few and feel it should be put in shared bays near London Road.	Proposed Motorcycle Bay This was requested by resident as there is no motorcycle bay in the vicinity for motorcyclist to park. Motorcycle bays will encourage more sustainable methods of transport.
Resident	Withdean	Object	Proposed Double Yellow Lines in Bankside - If the double yellow lines are placed where suggested, will be unable to exit the garage due to the probability that cars will be parked directly opposite, therefore would need to park on the street, increasing the numbers of cars already parked before. Cannot see the proposal reducing the number of cars in Bankside at all. If change to the current situation is necessary then a) place double yellow lines on both sides of Bankside, b) introduce restricted parking bays i.e. no parking 8.00-10.00am and 2.00-4.00pm without a permit or c) Consider making Bankside a one-way street.	Proposed Double Yellow Lines This was requested by a resident as This is the only part of Bankside where parking is allow on the south side. The grass verges have become a mess and the walls to the entrance of Bankside Court have been knocked down more than once.

Resident	Moulsecoomb & Bevendean	Object	Proposed Relocation of Disabled Bay in Auckland Drive - Very Strongly Object to the proposed relocation of the disabled bay. The issue that needs to be raised is why this bay is required in the first place apart from one person who is disabled but does not own a car, everyone else on this side of the road is perfectly fit. This bay is solely used as a novelty over every one else because this area is very often congested with cars after a certain time in the evening. Also what needs to be looked into or passed on to the disability department is why they accepted a house up a very steep bank or hill if they are that badly disabled why aren't they moving or swapping for a house on the flat which would be more accessible for some one who is so badly disabled.	Proposed Relocation of Disabled bay This was requested by the applicant who stated that this would be easier for them to access and that vehicles park on this side of the road.
The removal of the disabled bay outside No.21 Godwin Road is being removed from the traffic regulation order as the occupant of the property still requires the disabled bay.				
The removal of the disabled bay outside No.186 Hollingdean Terrace is being removed from the traffic regulation order as the occupant of the property still requires the disabled bay.				

CONTROLLED PARKING ZONE R



PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

PORTLAND ROAD AND WESTBOURNE GARDENS, HOVE

KEY:- XXX==XXX PROPOSED NO WAITING AND NO LOADING/UNLOADING BAN

REASON:- TO PREVENT OBSTRUCTION AND IMPTOVE SAFETY TO ALL VEHICLES

SCALE : **NOT TO SCALE REFER ONLY TO MEASUREMENTS**

Please see formal notice, to see what other roads have restrictions proposed, where to view the plans and traffic order and how to object or support this proposal

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CONTROLLED PARKING ZONE R



PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

PORTLAND ROAD, HOVE

KEY:- LOADING PROPOSED LOADING BAY MONDAY TO SUNDAY 8AM TO 6PM

SHARED EXISTING SHARED PARKING

REASON:- TO PROVIDE LOADING BAY FOR BUSINESSES IN THE VICINITY

SCALE : **NOT TO SCALE REFER ONLY TO MEASUREMENTS**

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CONTROLLED PARKING ZONE U



PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

ST LUKE'S TERRACE, BRIGHTON

KEY:- M|C PROPOSED MOTORCYCLE BAY

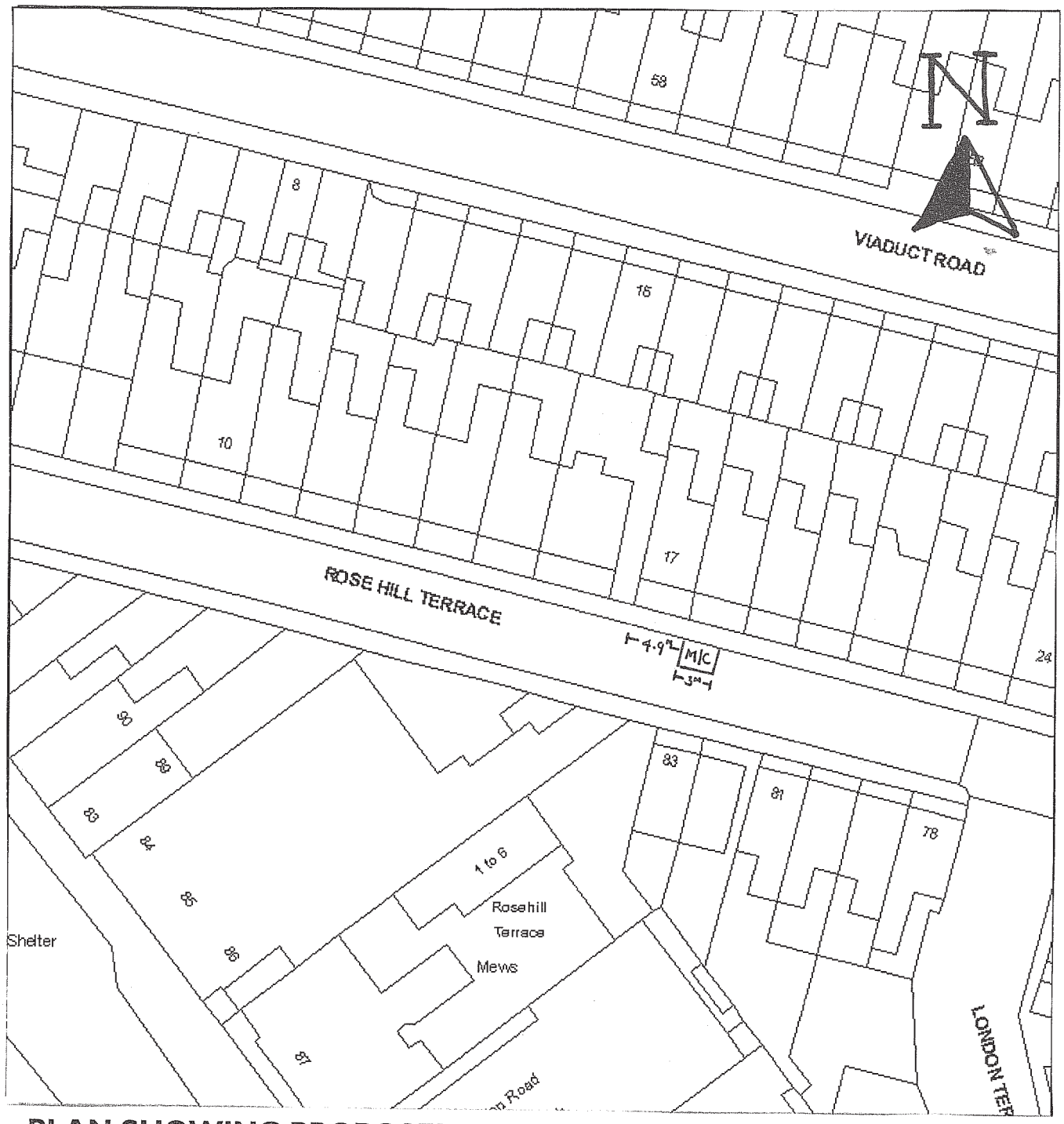
REASON:- TO PROVIDE MOTORCYCLE PARKING FACLITIIES FOR RESIDENTS AND VISITORS

SCALE : **NOT TO SCALE REFER TO MEASUREMENTS**

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CONTROLLED PARKING ZONE Y



PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

ROSE HILL TERRACE, BRIGHTON

KEY:- M|C PROPOSED MOTORCYCLE PARKING BAY

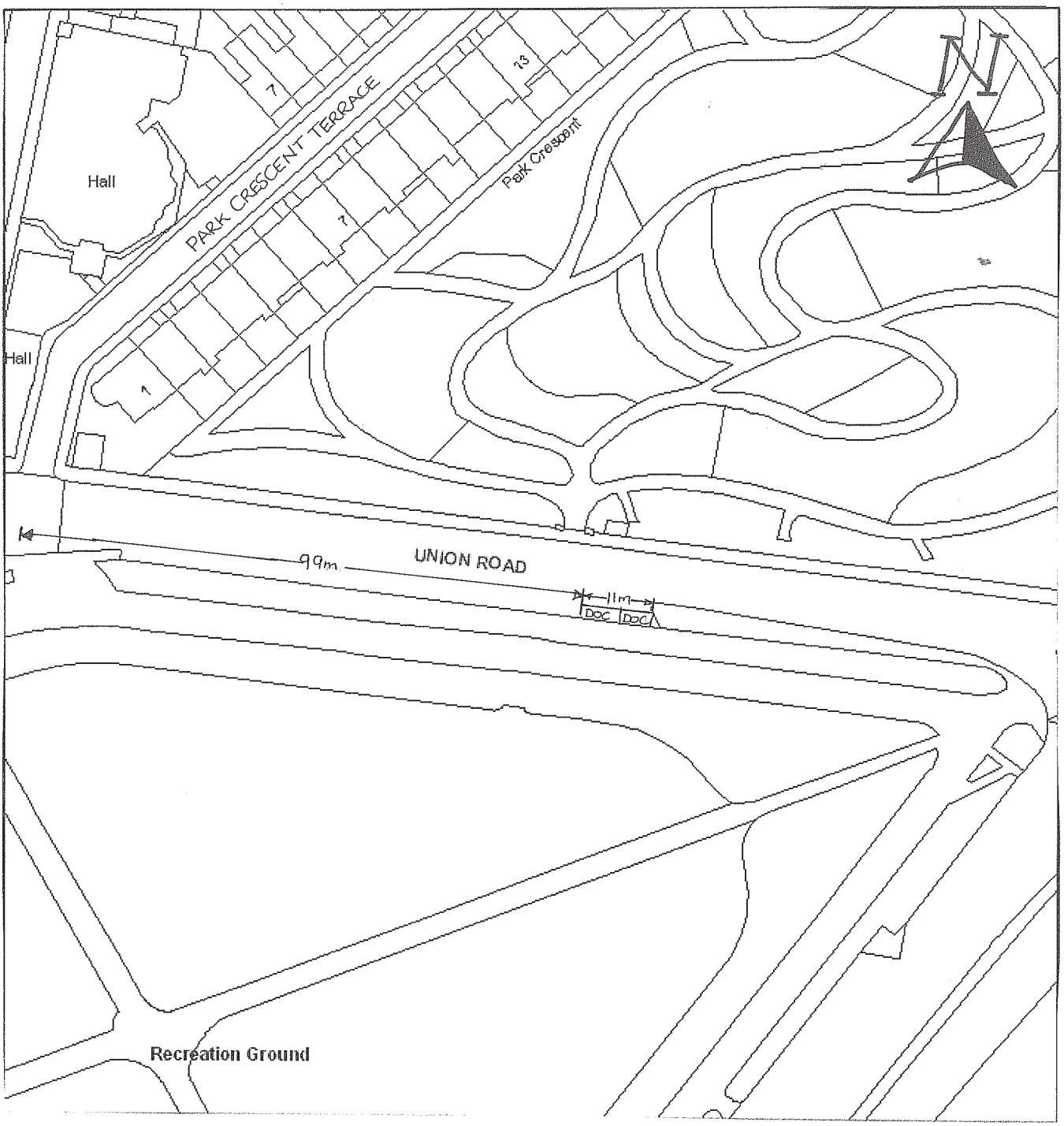
REASON:- TO PROVIDE MOTORCYCLE PARKING FOR RESIDENTS AND VISITORS IN THE VICINITY

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CONTROLLED PARKING ZONE Y



PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

UNION ROAD, BRIGHTON

KEY:- DOC PROPOSED DOCTOR'S PARKING BAY

REASON:- TO PROVIDE PARKING FOR DOCTOR'S IN THE VICINITY

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HANGLETON & KNOLL



PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

LABURNUM AVENUE, HOVE

KEY:- ..... PROPOSED DOUBLE YELLOW LINES

REASON:- TO IMPROVE SAFETY FOR BOTH PEDESTRAINS AND VEHICLES IT HELPS TO PREVENT OBSTRUCTION TO ALL VEHICLES

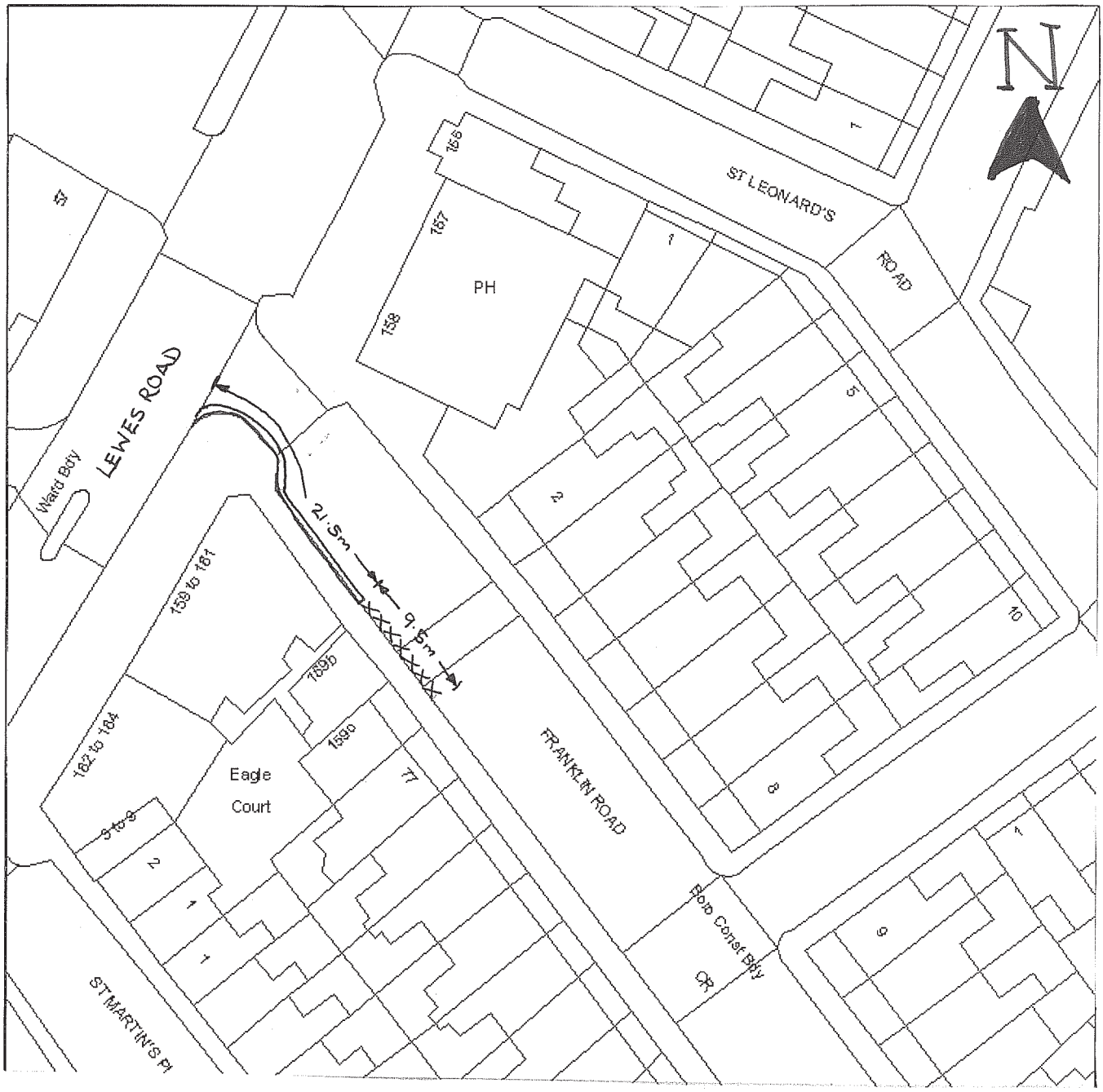
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HANOVER & ELM GROVE



PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

FRANKLIN ROAD, BRIGHTON

KEY:- X X X X PROPOSED REMOVAL OF DOUBLE YELLOW LINES

REASON:- REDUCING DOUBLE YELLOW LINES TO ALLOW FOR EXTRA PARKING PROVISION

SCALE : **NOT TO SCALE REFER ONLY TO MEASUREMENTS**

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NORTH PORTSLADE



PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

THORNHILL RISE, PORTSLADE

KEY:- x x x x PROPOSED REDUCTION OF DOUBLE YELLOW LINES
EXISTING DOUBLE YELLOW LINES

REASON:- REDUCING DOUBLE YELLOW LINES TO ALLOW FOR EXTRA PARKING PROVISION

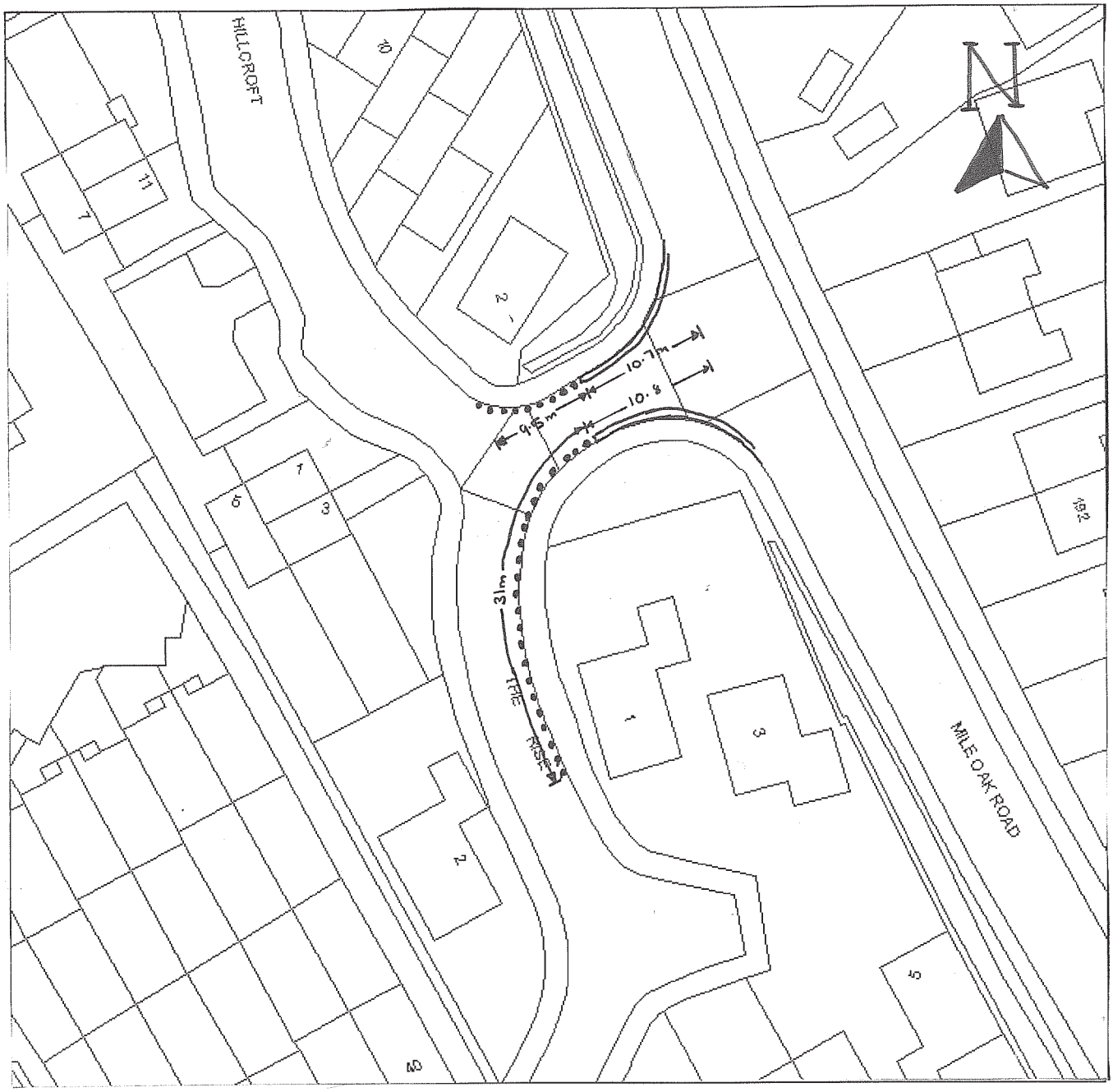
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NORTH PORTSLADE



PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

THE RISE, PORTSLADE

KEY:- ..... PROPOSED DOUBLE YELLOW LINES
═══ EXISTING DOUBLE YELLOW LINES

REASON:- TO IMPROVE SAFETY FOR BOTH PEDESTRAINS AND VEHICLES IT HELPS TO PREVENT OBSTRUCTION TO ALL VEHICLES

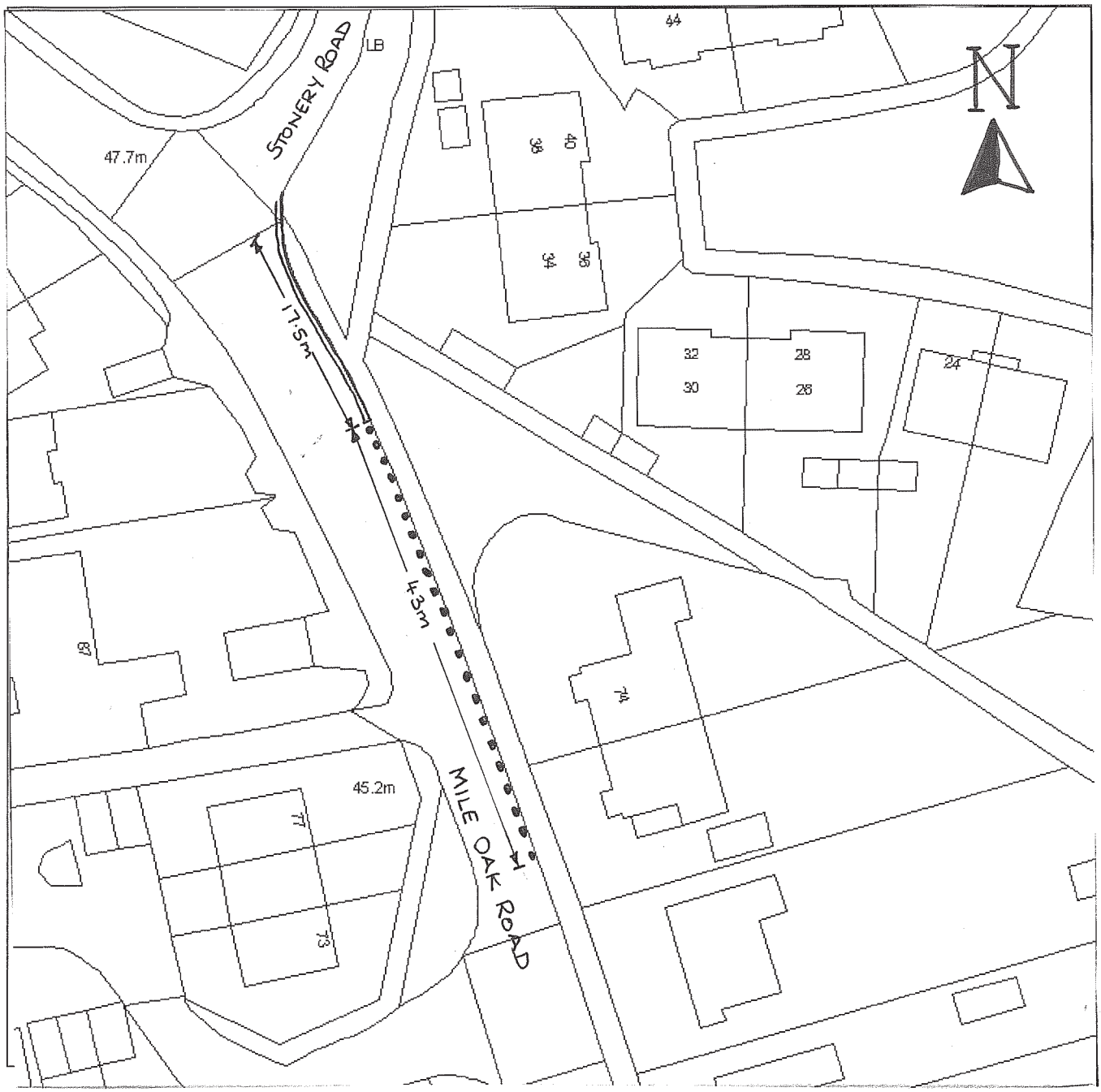
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NORTH PORTSLADE



PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

MILE OAK ROAD, PORTSLADE

KEY:- ..... PROPOSED DOUBLE YELLOW LINES
EXISTING DOUBLE YELLOW LINES

REASON:- TO IMPROVE SAFETY FOR BOTH PEDESTRAINS AND VEHICLES IT HELPS TO PREVENT OBSTRUCTION TO ALL VEHICLES

SCALE : **NOT TO SCALE REFER ONLY TO MEASUREMENTS**

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MOULSECOOMB & BEVENDEAN



PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

56 AUCKLAND DRIVE, BRIGHTON

KEY:- PROPOSED RELOCATION OF DISABLED PARKING BAY

REASON:- TO RELOCATE DISABLED PARKING BAY AS REQUESTEDBY A RESIDENT IN THE VICINITY

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Brighton & Hove

PATCHAM



PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

OLD LONDON ROAD, BRIGHTON

KEY:- LTD PROPOSED REMOVAL OF LIMITED WAITING

REASON:- REMOVING LIMITED WAITING AS PART OF THEM ARE OVER A CROSS OVER

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PRESTON PARK



PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

OSBORNE ROAD, BRIGHTON

KEY:- M1C PROPOSED MOTORCYCLE BAY

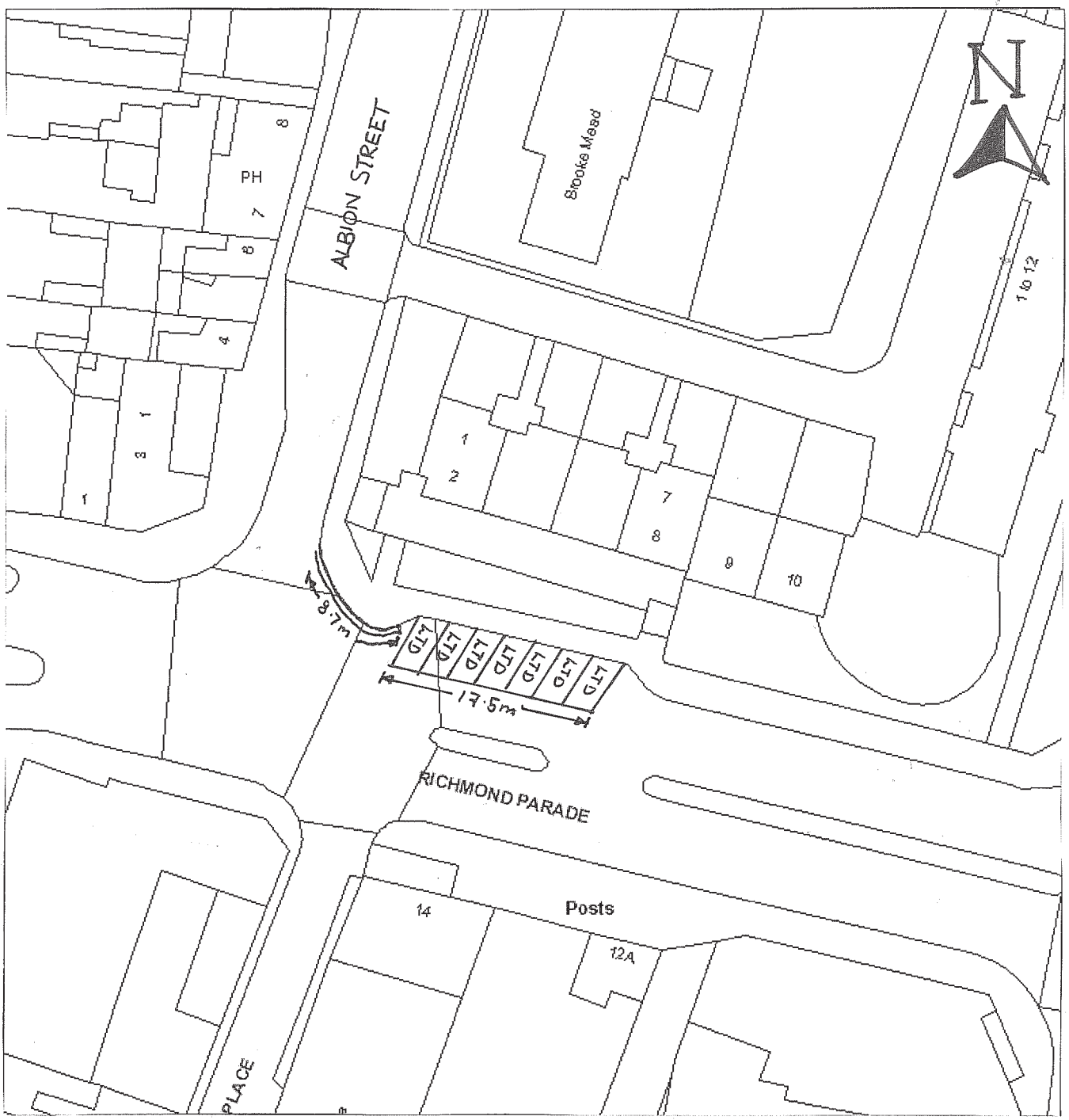
REASON:- TO PROVIDE MOTORCYCLE PARKING FOR RESIDENTS & VISITORS IN THE VICINITY

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Brighton & Hove

QUEENS PARK



PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

RICHMOND PARADE, BRIGHTON

KEY:- LTD PROPOSED LIMITED WAITING FOR 1 HOUR (NO RETURN WITHIN 1 HOUR MONDAY TO SATURDAY 9AM TO 6PM

EXISTING DOUBLE YELLOW LINES

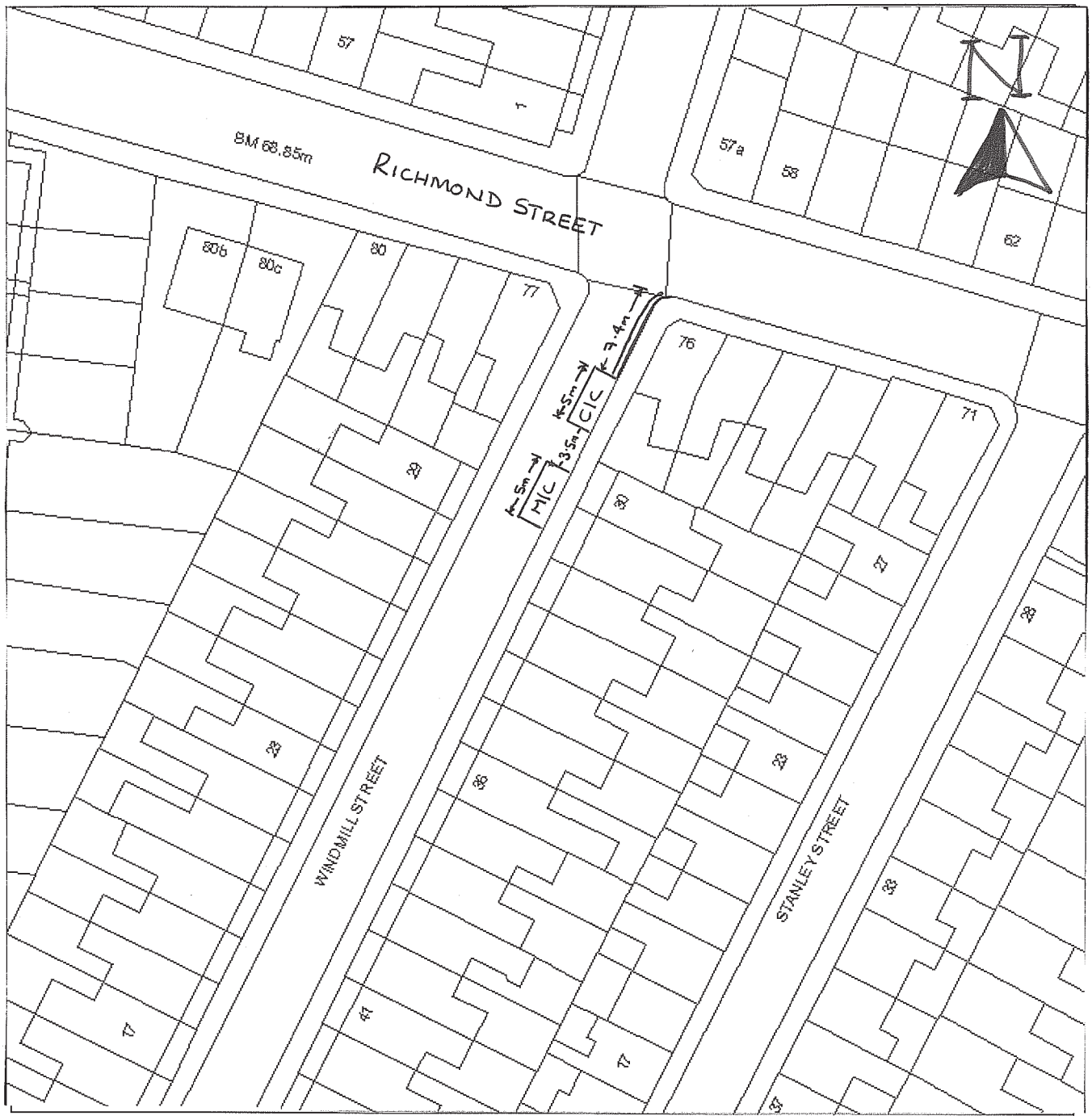
REASON:- TO PROVIDE PARKING FOR NEARBY FACILITIES

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QUEENS PARK



PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

WINDMILL STREET, BRIGHTON

KEY:- M/C PROPOSED MOTORCYCLE BAY

C/C EXISTING CAR CLUB BAY

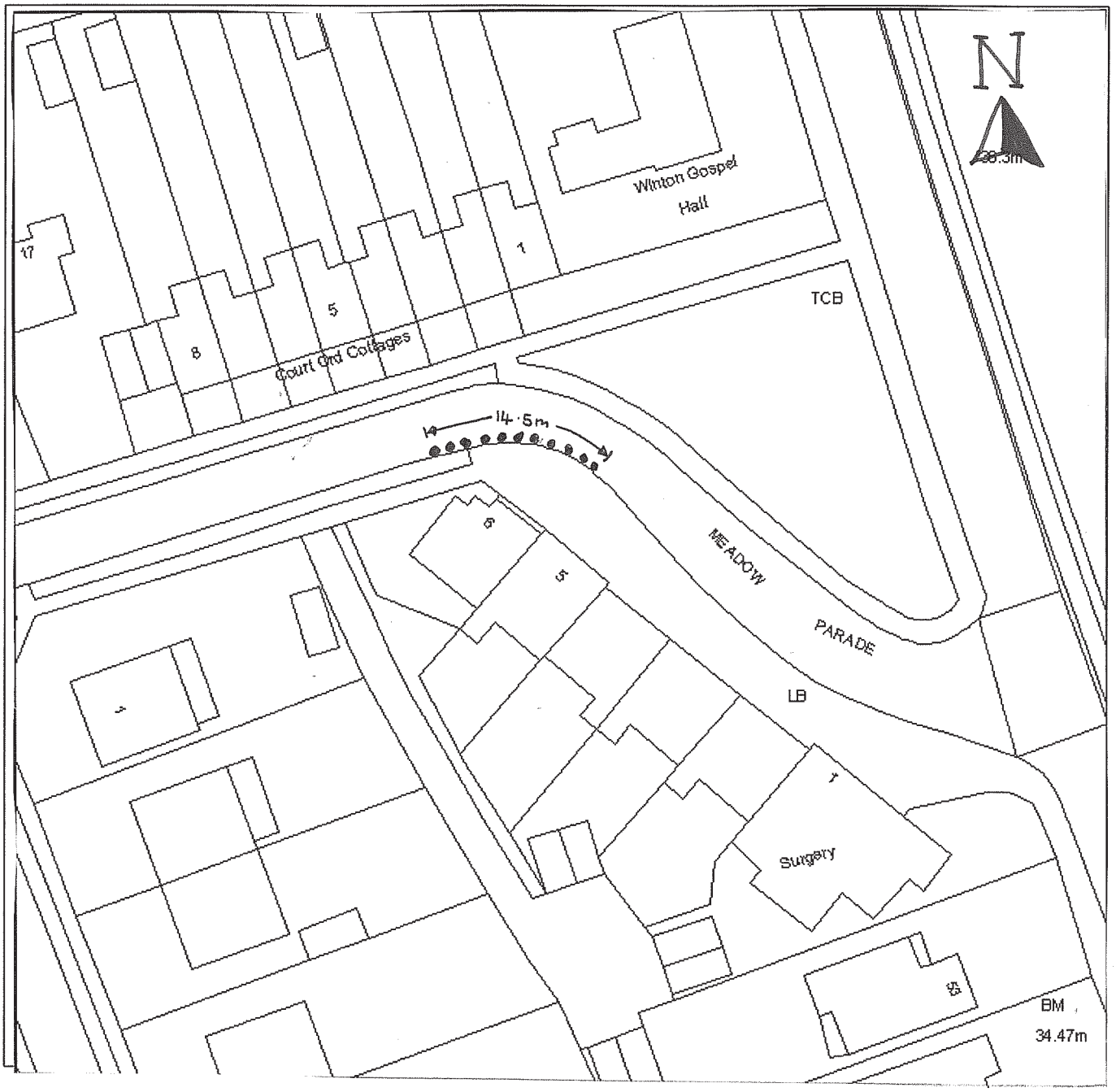
EXISTING DOUBLE YELLOW LINES

REASON:- TO PROVIDE MOTORCYCLE PARKING FOR RESIDENTS AND VISITORS IN THE VICINITY

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Brighton & Hove



PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

MEADOW PARADE, BRIGHTON

KEY:- . . . . . PROPOSED DOUBLE YELLOW LINES

REASON:- TO IMPROVE SAFETY FOR BOTH PEDESTRAINS AND VEHICLES IT HELPS TO PREVENT OBSTRUCTION TO ALL VEHICLES

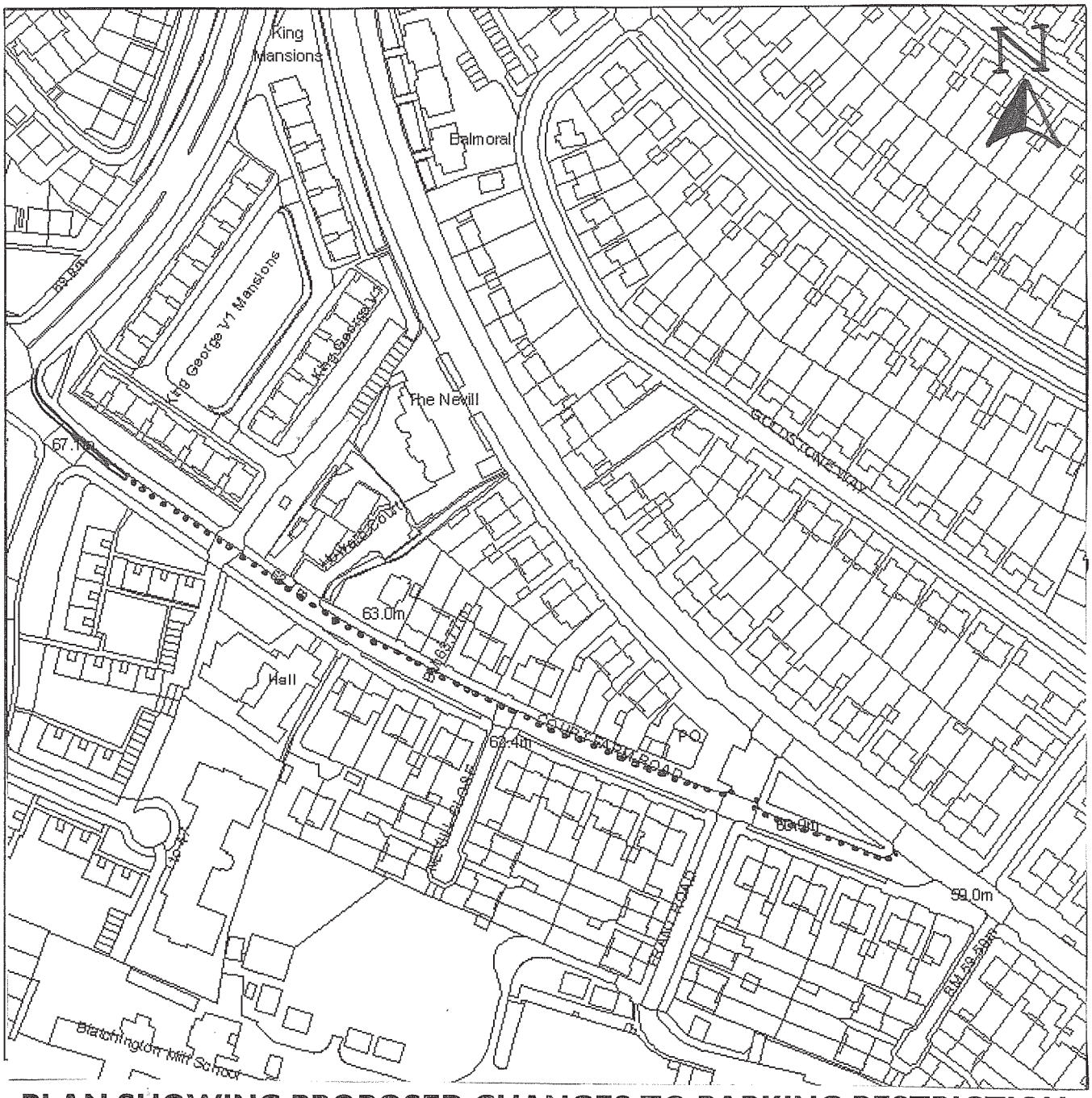
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STANFORD



PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

COURT FARM ROAD, HOVE

KEY:- ..... PROPOSED DOUBLE YELLOW LINES
EXISTING DOUBLE YELLOW LINES

REASON:- TO IMPROVE SAFETY FOR BOTH PEDESTRAINS AND VEHICLES IT HELPS TO PREVENT OBSTRUCTION TO ALL VEHICLES

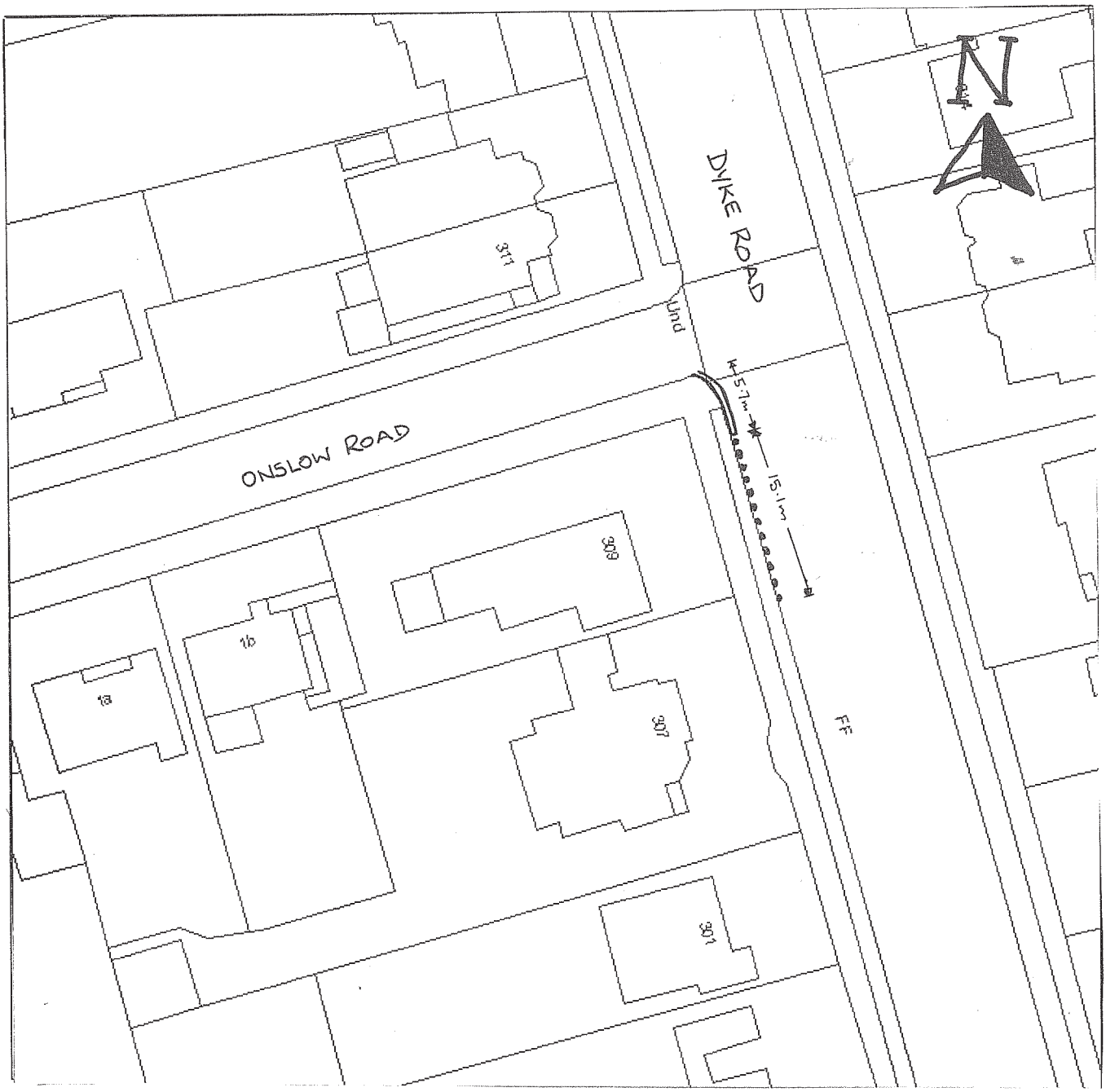
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STANFORD



PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

DYKE ROAD, HOVE

KEY:- ..... PROPOSED DOUBLE YELLOW LINES
EXISTING DOUBLE YELLOW LINES

REASON:- TO IMPROVE SAFETY FOR BOTH PEDESTRAINS AND VEHICLES IT HELPS TO PREVENT OBSTRUCTION TO ALL VEHICLES

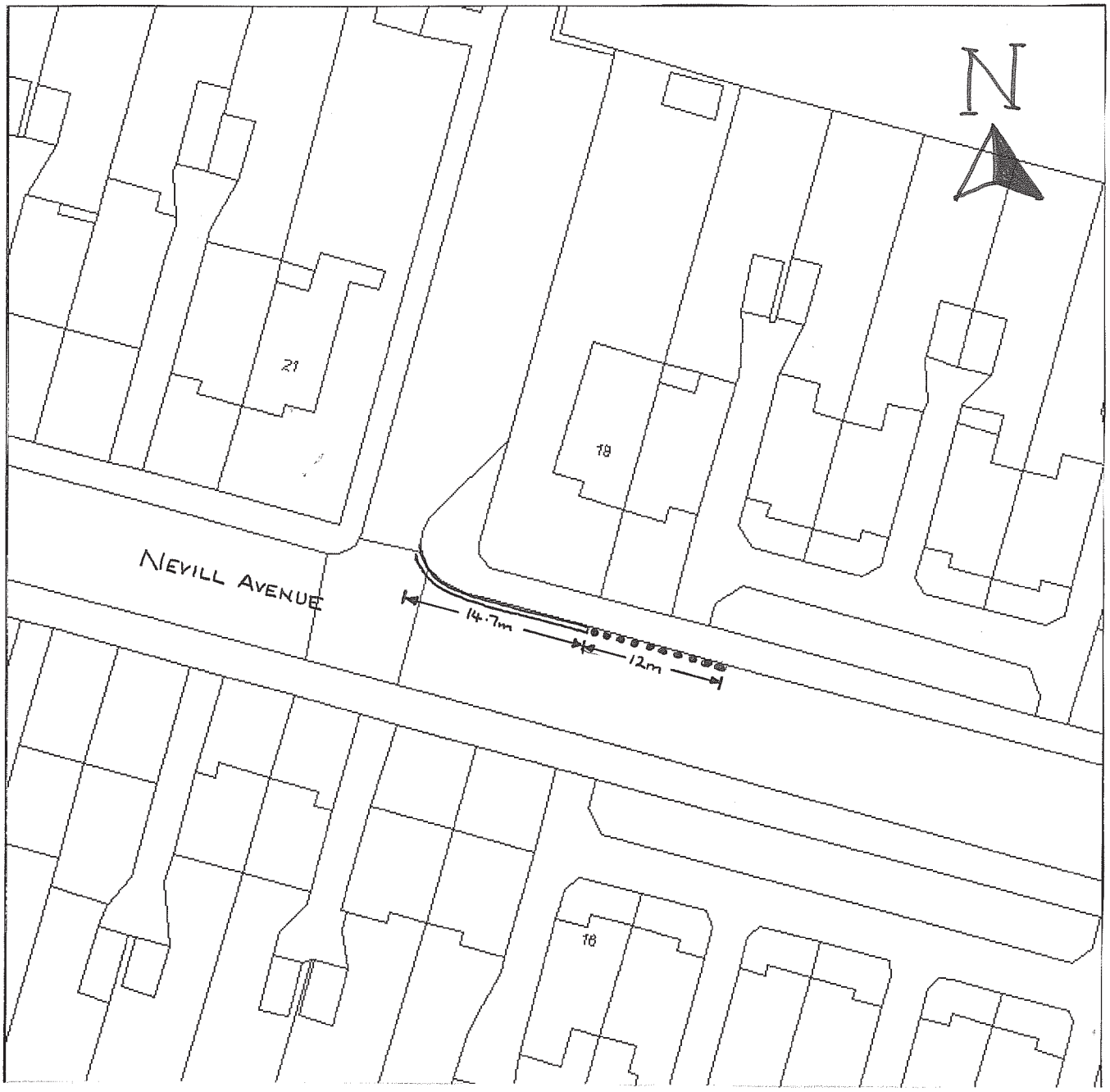
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Brighton & Hove

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STANFORD



PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

NEVILL AVENUE, HOVE

KEY:- ..... PROPOSED DOUBLE YELLOW LINES
EXISTING DOUBLE YELLOW LINES

REASON:- TO IMPROVE SAFETY FOR BOTH PEDESTRAINS AND VEHICLES IT HELPS TO PREVENT OBSTRUCTION TO ALL VEHICLES

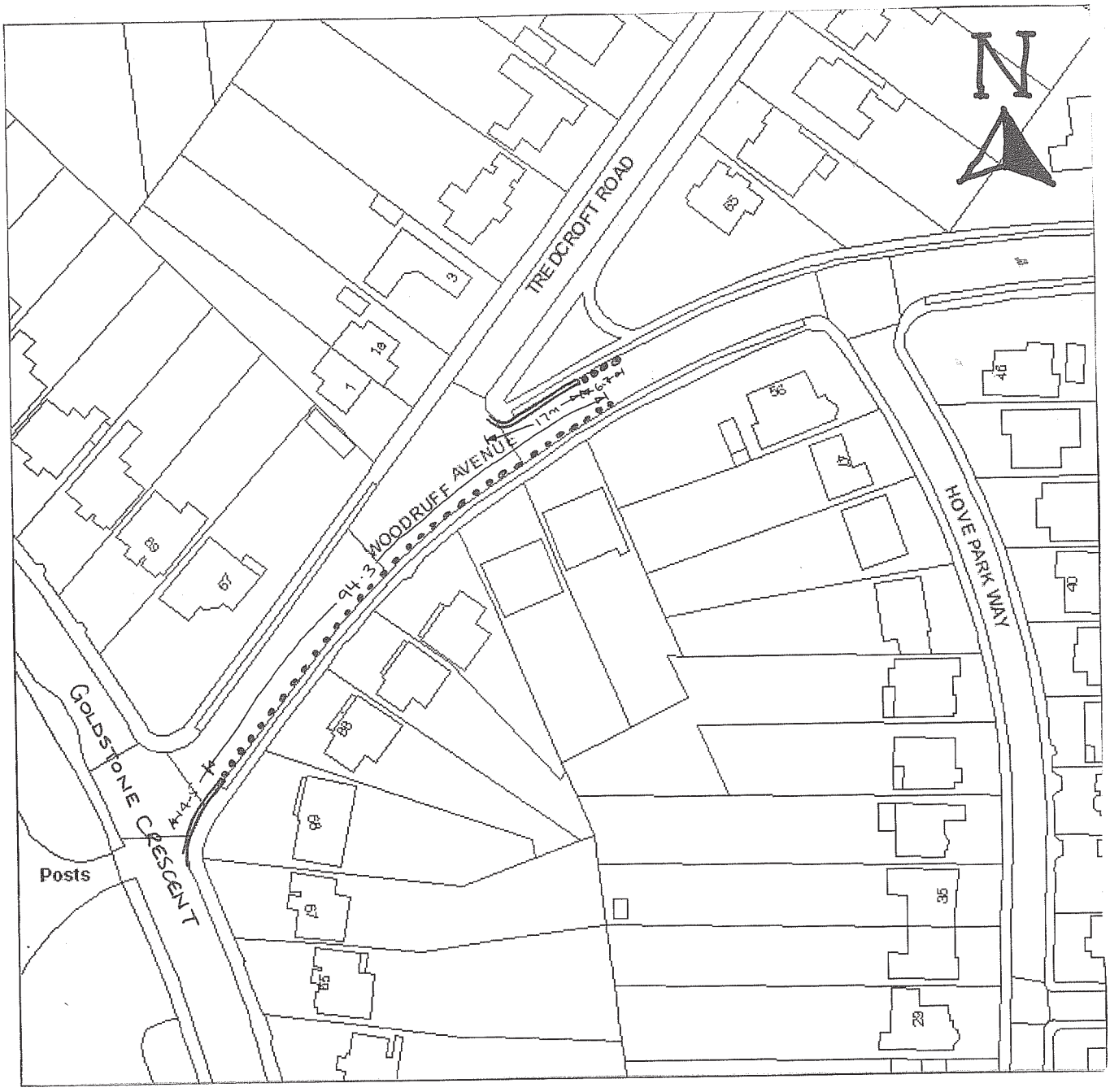
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STANFORD



PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

WOODRUFF AVENUE, HOVE

KEY:- ..... PROPOSED DOUBLE YELLOW LINES
═══ EXISTING DOUBLE YELLOW LINES

REASON:- TO IMPROVE SAFETY FOR BOTH PEDESTRAINS AND VEHICLES IT HELPS TO PREVENT OBSTRUCTION TO ALL VEHICLES

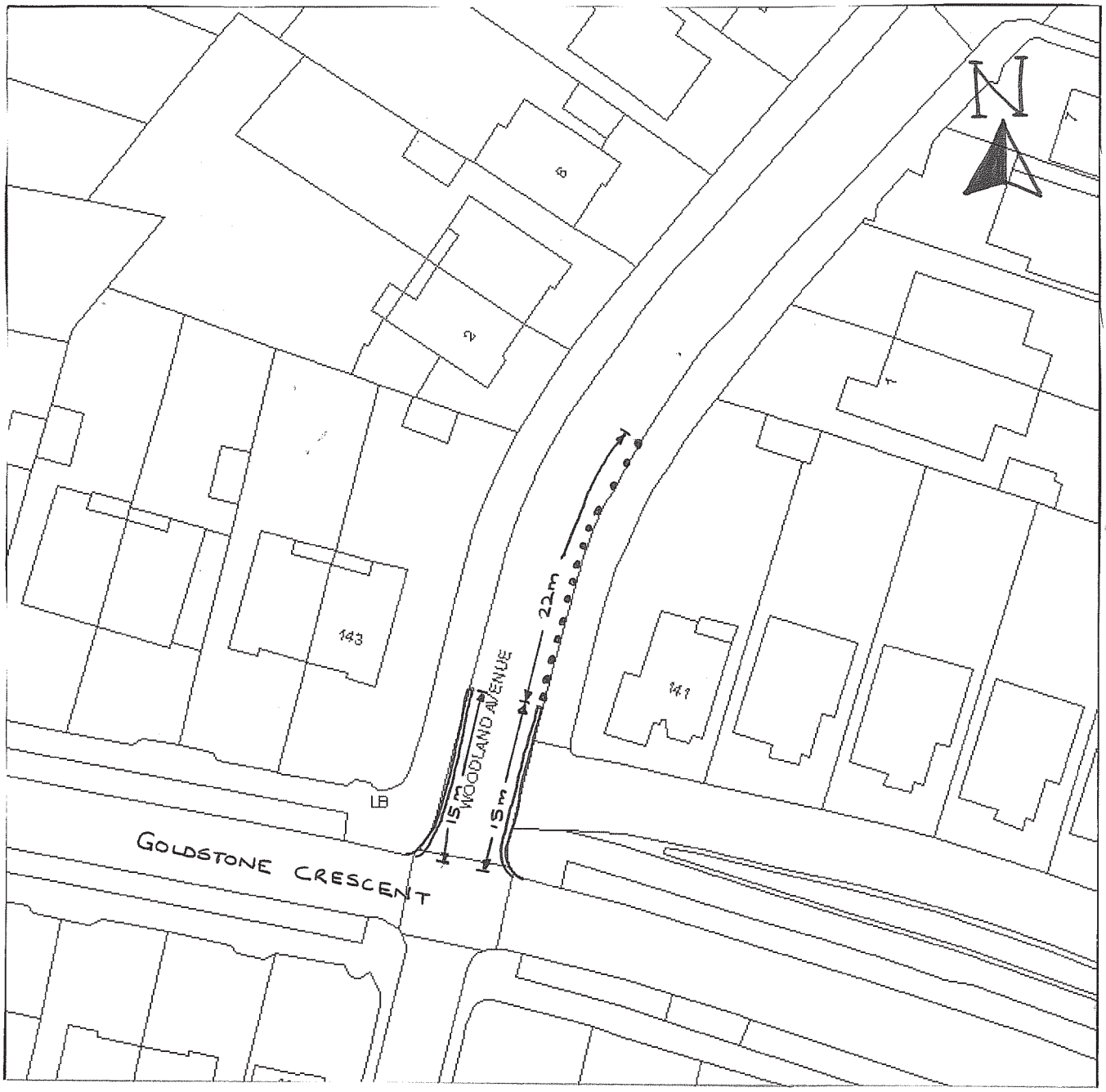
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PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

WOODLAND AVENUE, HOVE

KEY:- ..... PROPOSED DOUBLE YELLOW LINES
EXISTING DOUBLE YELLOW LINES

REASON:- TO IMPROVE SAFETY FOR BOTH PEDESTRAINS AND VEHICLES IT HELPS TO PREVENT OBSTRUCTION TO ALL VEHICLES

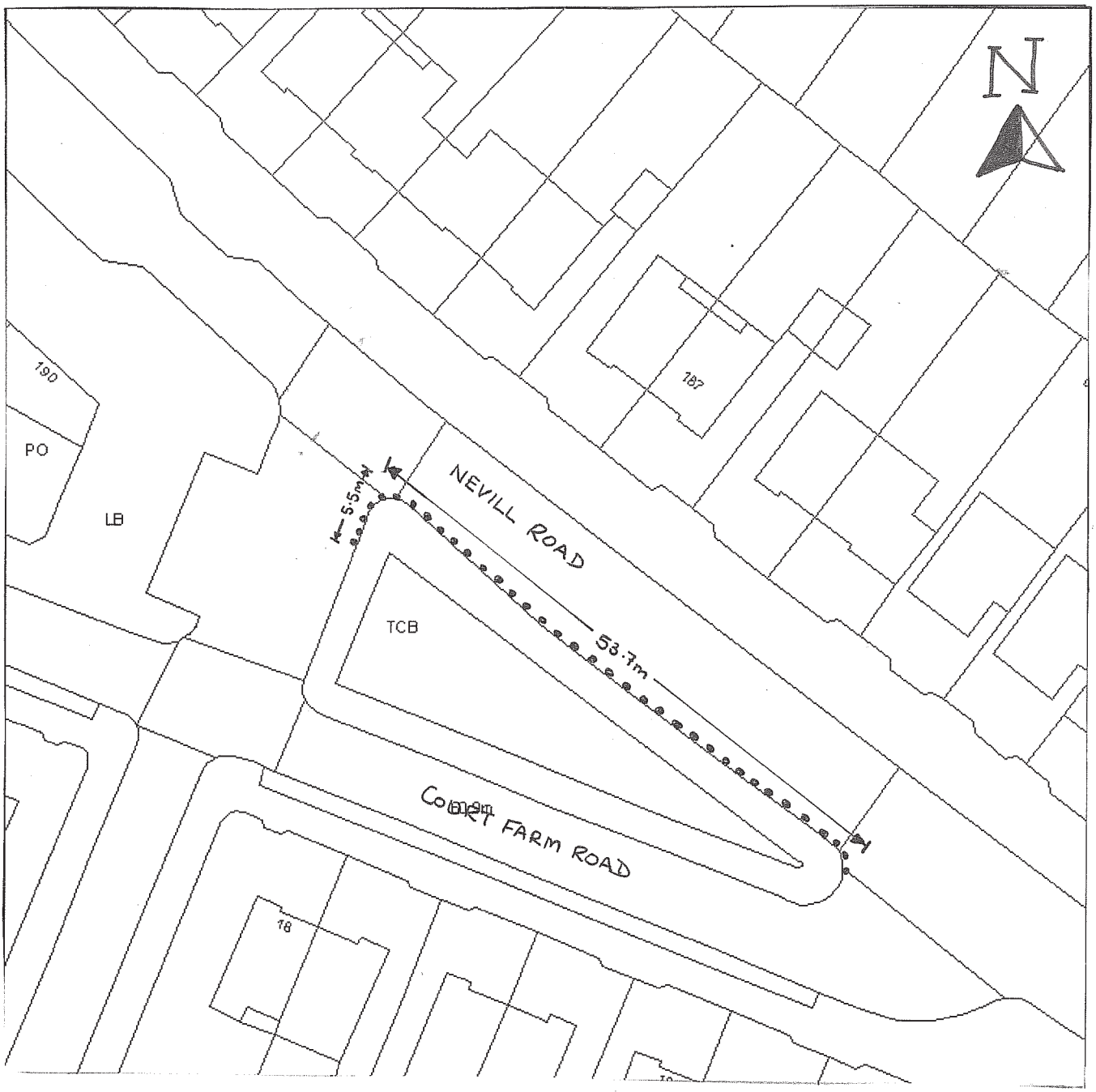
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PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

NEVILL ROAD, HOVE

KEY:- ..... PROPOSED DOUBLE YELLOW LINES

REASON:- TO IMPROVE SAFETY FOR BOTH PEDESTRAINS AND VEHICLES IT HELPS TO PREVENT OBSTRUCTION TO ALL VEHICLES

SCALE : **NOT TO SCALE REFER ONLY TO MEASUREMENTS**

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STANFORD



PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

THE DROVEWAY, HOVE

KEY:- ..... PROPOSED DOUBLE YELLOW LINES
═══ EXISTING DOUBLE YELLOW LINES

REASON:- TO IMPROVE SAFETY FOR BOTH PEDESTRAINS AND VEHICLES IT HELPS TO PREVENT OBSTRUCTION TO ALL VEHICLES

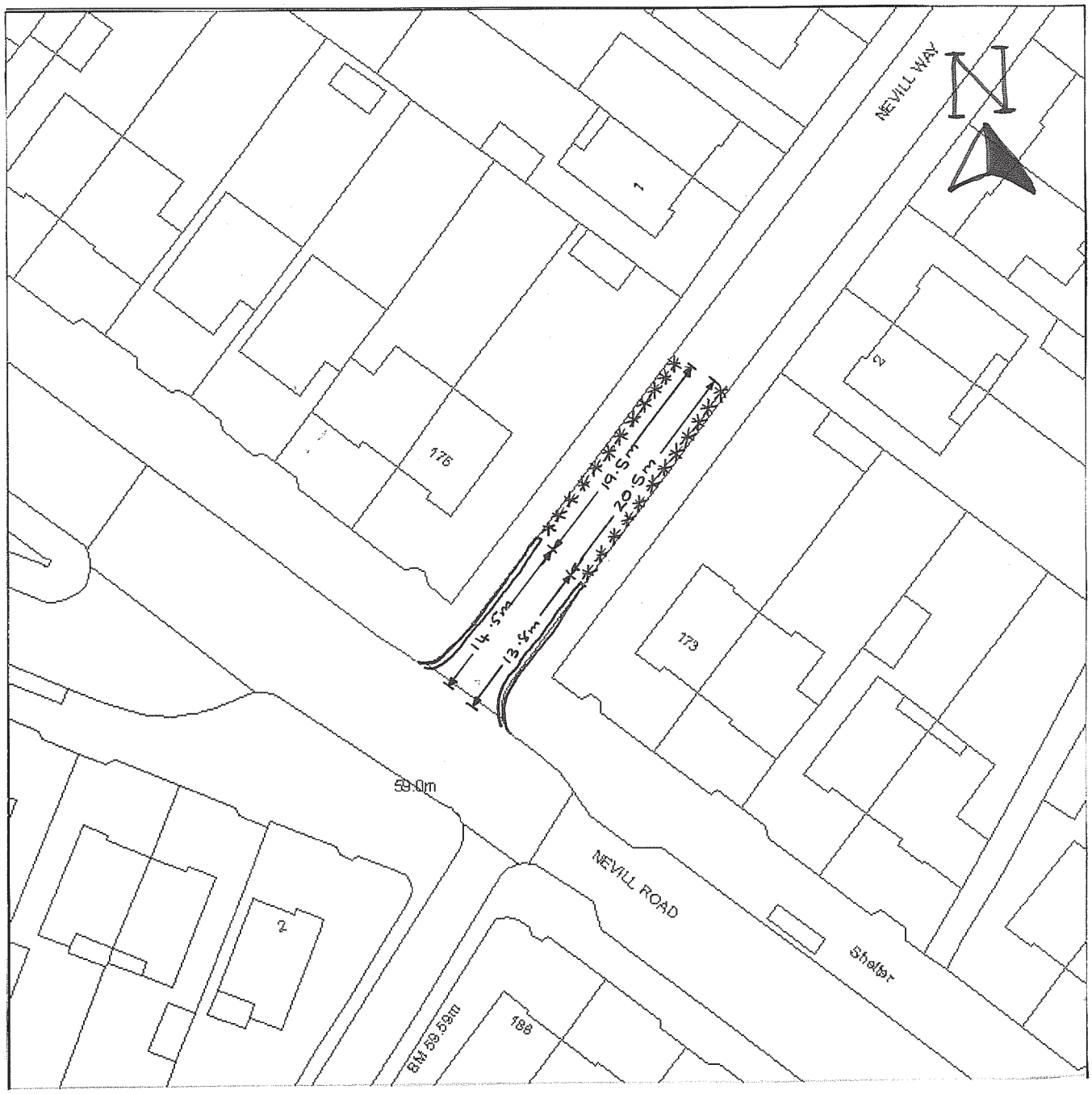
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STANFORD



PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

NEVILL WAY, HOVE

KEY:- * * * * PROPOSED SINGLE YELLOW LINE - MONDAY TO SATURDAY 8AM TO 6PM
EXISTING DOUBLE YELLOW LINES

REASON:- TO PREVENT PARKING THOURGHOUT THE DAY AS THIS CAUSES OBSTRUCTION TO BUS AND OTHER LARGE VEHICLES

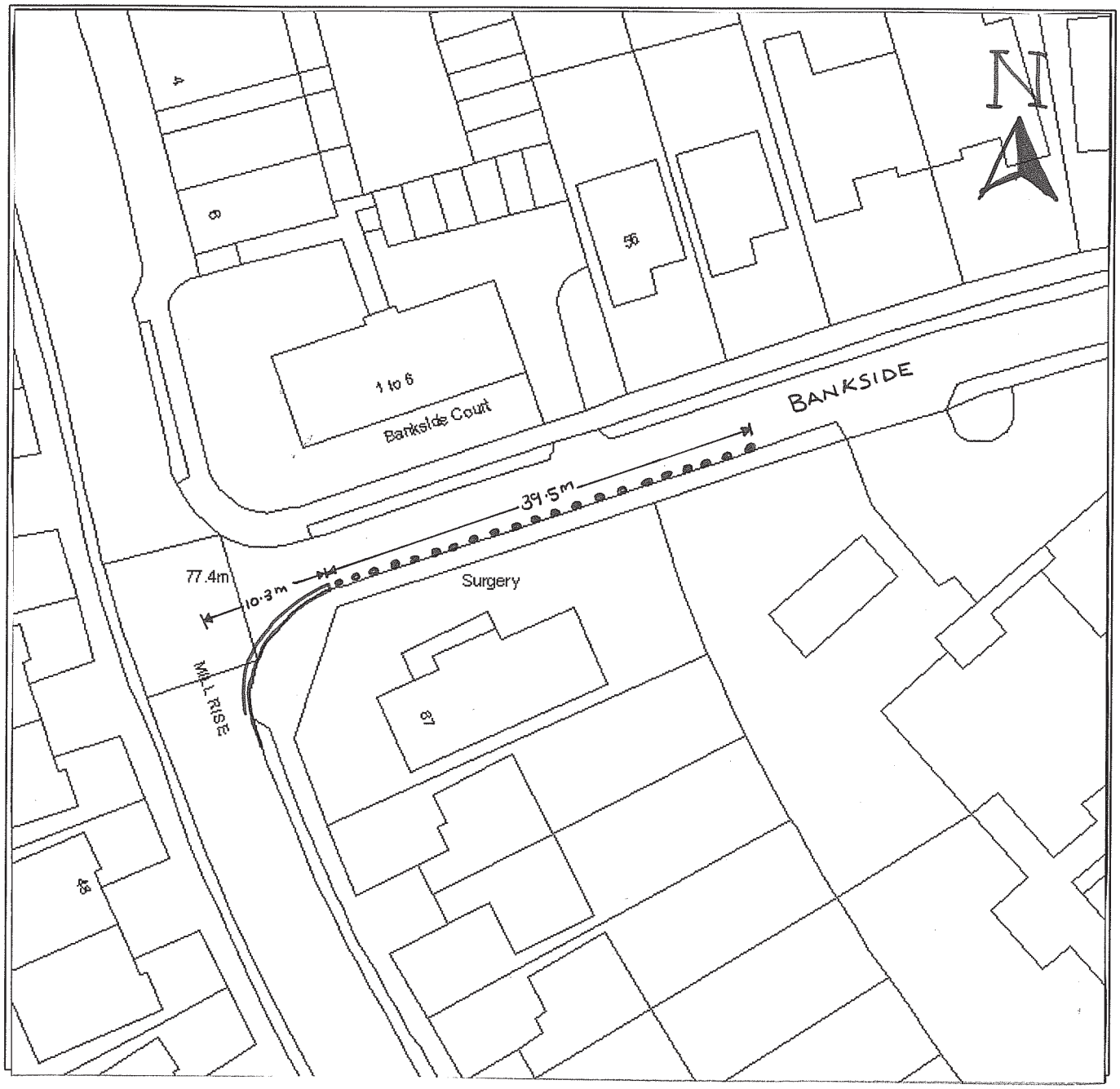
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WITHDEAN



PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

BANKSIDE, BRIGHTON

KEY:- ..... PROPOSED DOUBLE YELLOW LINES
═══ EXISTING DOUBLE YELLOW LINES

REASON:- TO IMPROVE SAFETY FOR BOTH PEDESTRAINS AND VEHICLES IT HELPS TO PREVENT OBSTRUCTION TO ALL VEHICLES

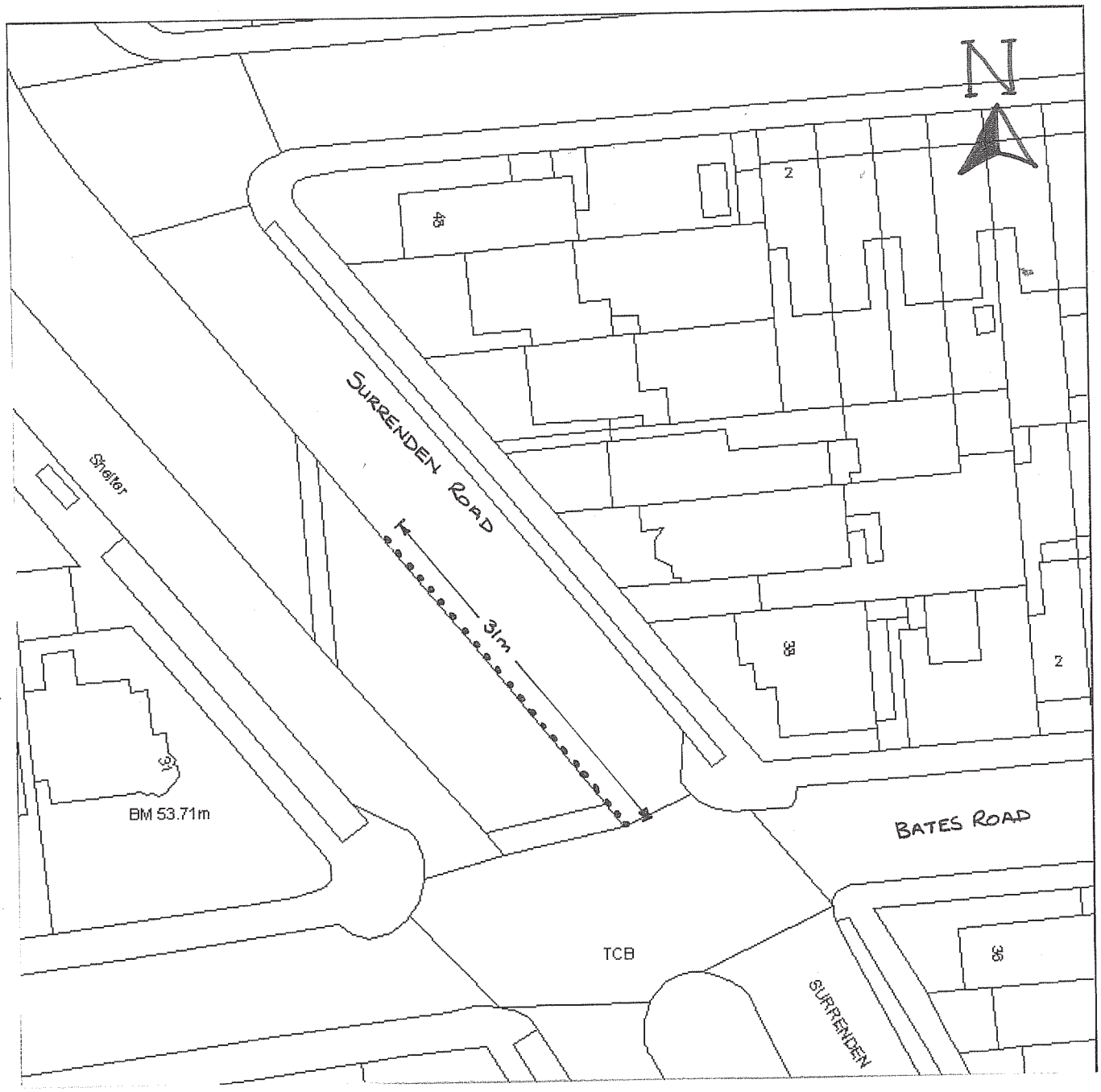
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WITHDEAN



PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

SURRENDEN ROAD, BRIGHTON

KEY:- . . . . . PROPOSED DOUBLE YELLOW LINES

REASON:- TO IMPROVE SAFETY AND VISIBILITY FOR ALL ROAD USERS

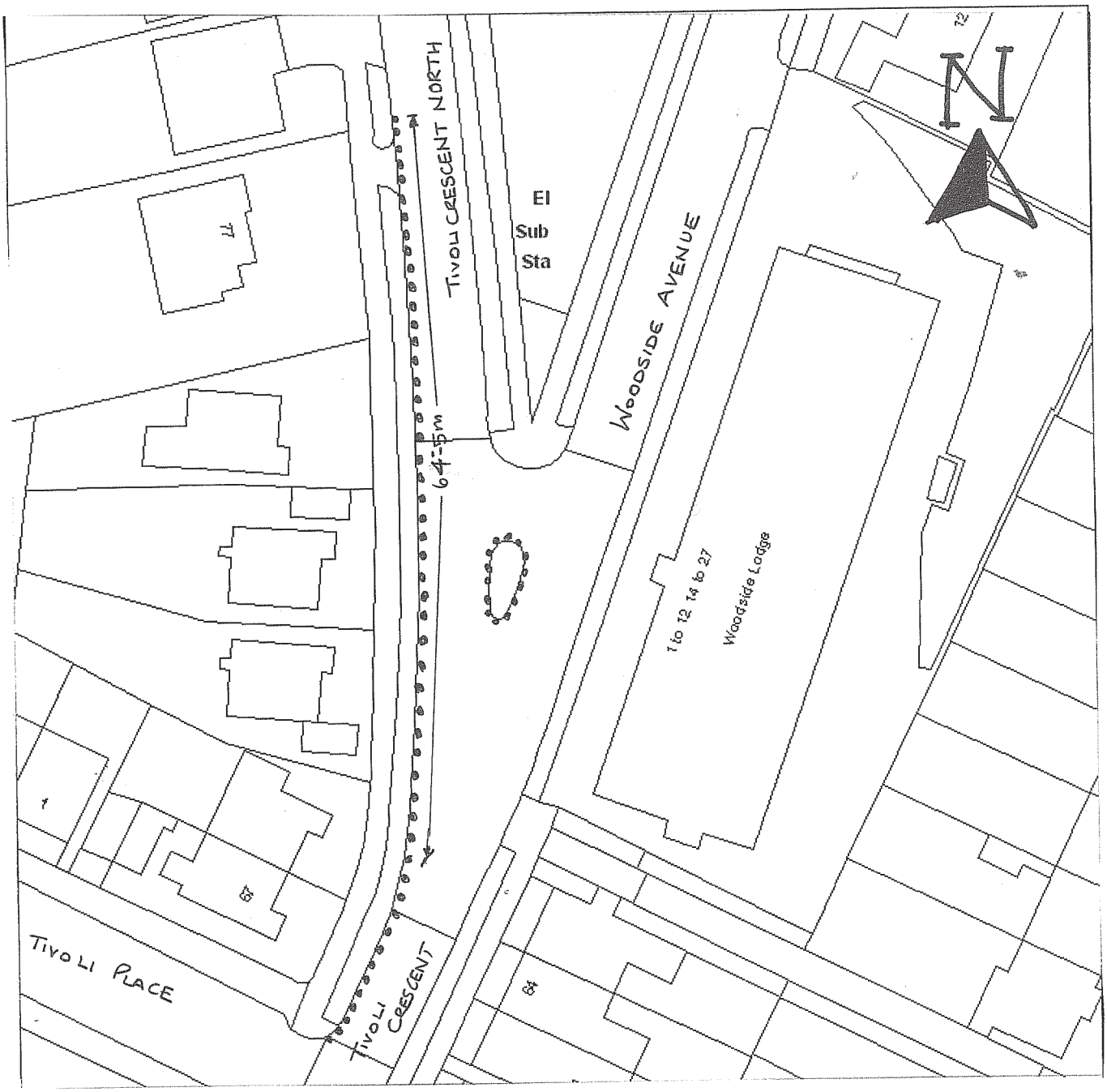
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WITHDEAN



PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

TIVOLI CRESCENT NORTH, TIVOLI CRESCENT & WOODSIDE AVENUE, BRIGHTON

KEY:- PROPOSED DOUBLE YELLOW LINES

REASON:- TO IMPROVE SAFETY FOR BOTH PEDESTRAINS AND VEHICLES IT HELPS TO PREVENT OBSTRUCTION TO ALL VEHICLES

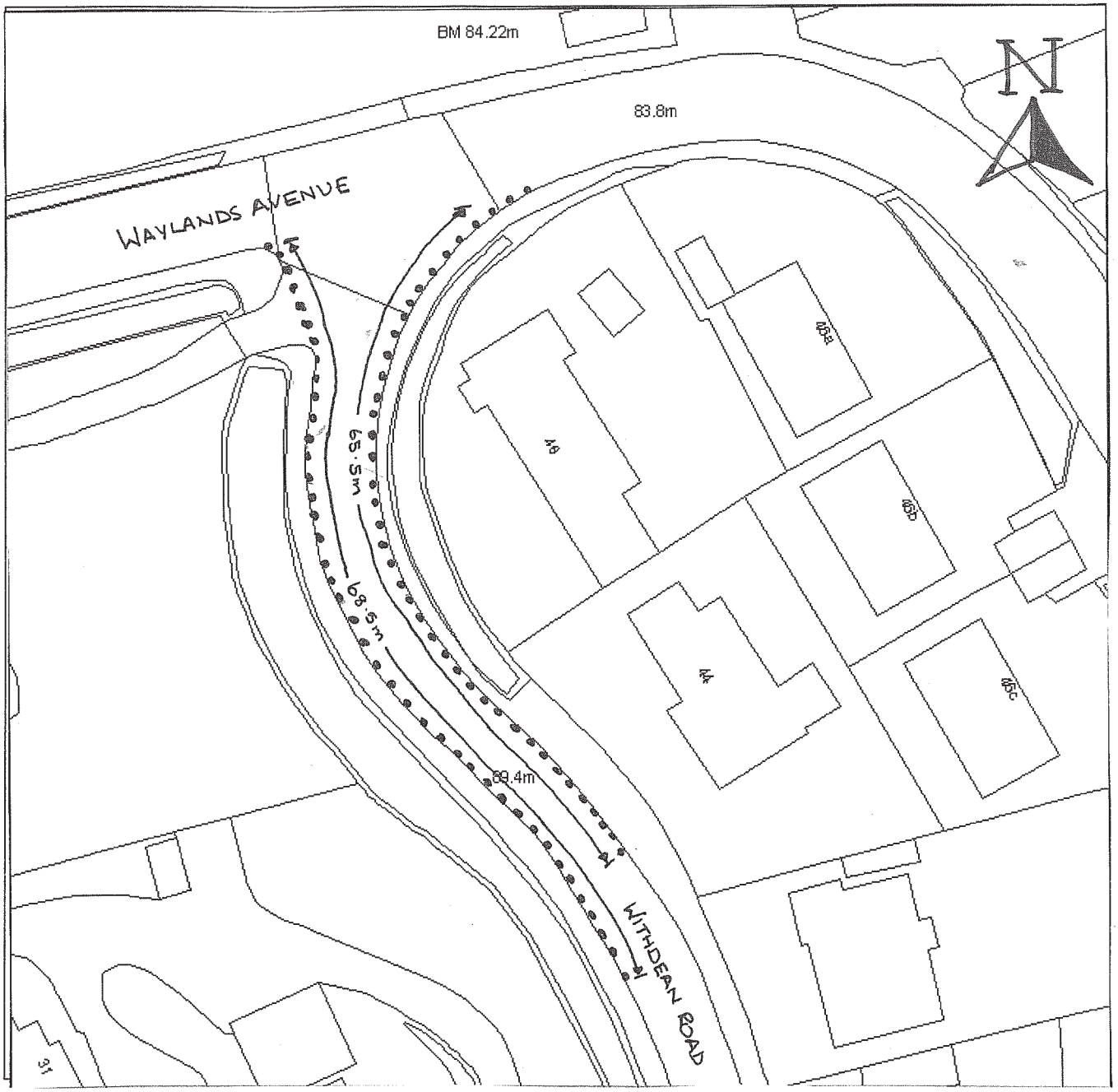
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WITHDEAN



PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

WITHDEAN ROAD, BRIGHTON

KEY:- . . . . . PROPOSED DOUBLE YELLOW LINES

REASON:- TO IMPROVE SAFETY FOR BOTH PEDESTRAINS AND VEHICLES IT HELPS TO PREVENT OBSTRUCTION TO ALL VEHICLES

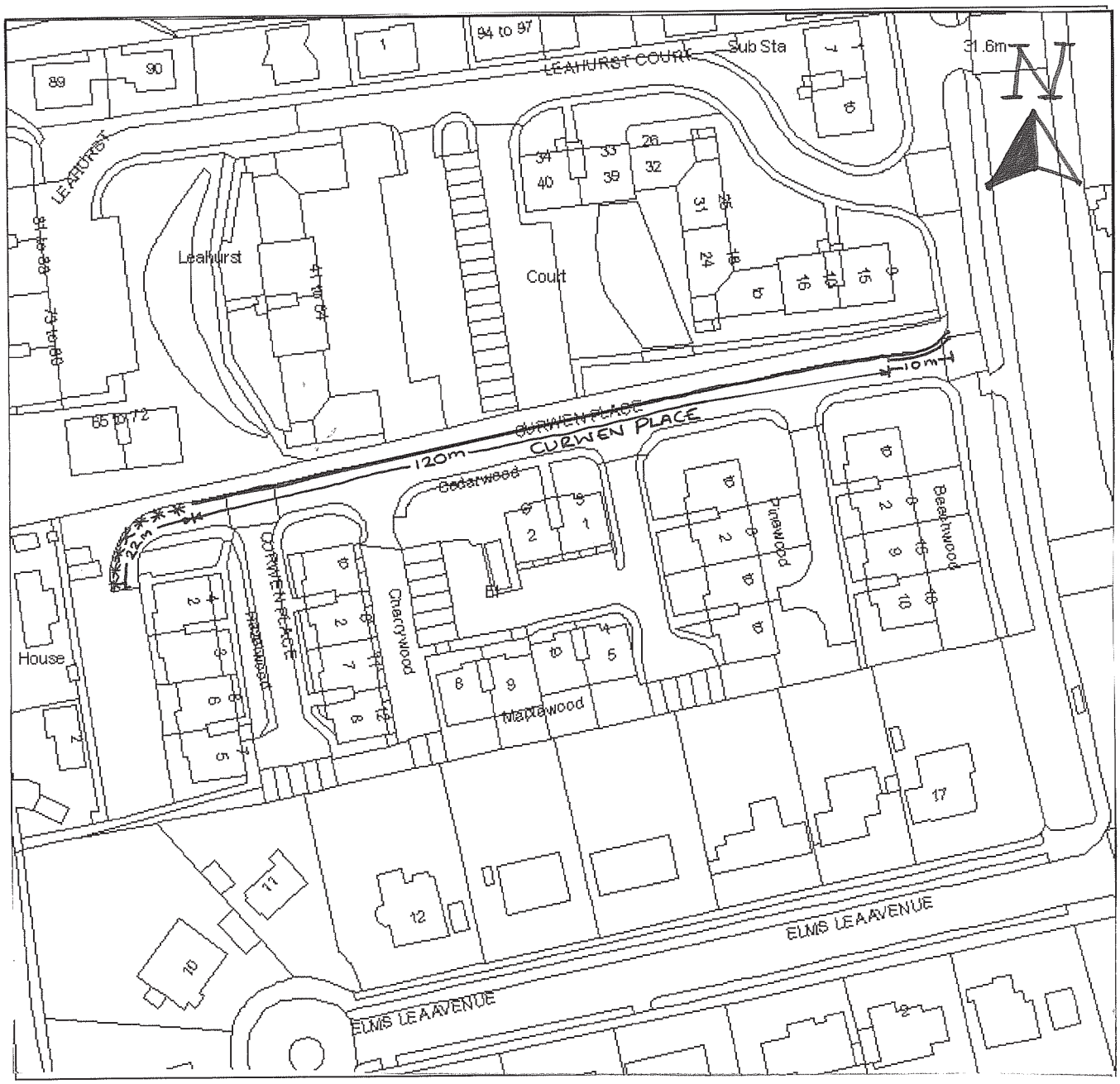
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WITHDEAN



PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

CURWEN PLACE, BRIGHTON

KEY:- * * * * PROPOSED SINGLE YELLOW LINE MONDAY TO SATURDAY 8AM TO 6PM
EXISTING SINGLE YELLOW LINE MONDAY TO SATURDAY 8AM TO 6PM
EXISTING DOUBLE YELLOW LINES

REASON:- TO PREVENT PARKING ON ONE SIDE OF THE ROAD AS THIS CAUSES OBSTRUCTION TO PASSING VEHICLES

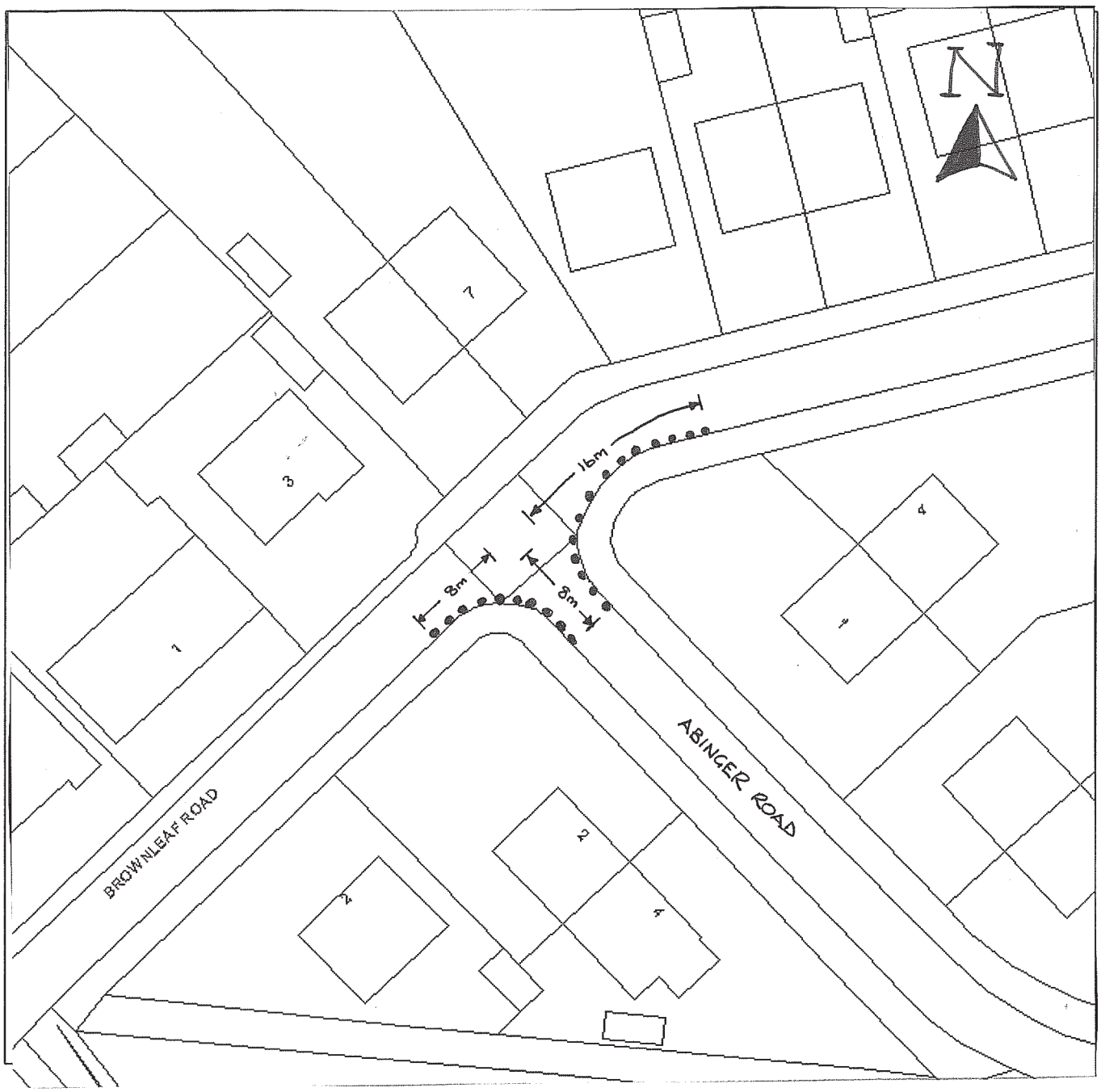
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WOODINGDEAN



PLAN SHOWING PROPOSED CHANGES TO PARKING RESTRICTION

BROWNLEAF ROAD/ABINGER ROAD, BRIGHTON

KEY:- . . . . . PROPOSED DOUBLE YELLOW LINES

REASON:- TO IMPROVE SAFETY FOR BOTH PEDESTRAINS AND VEHICLES IT HELPS TO PREVENT OBSTRUCTION TO ALL VEHICLES BUT INPARTICULAR LARGER VEHICLES SUCH AS THE CITY CLEAN VEHICLES

SCALE : **NOT TO SCALE REFER ONLY TO MEASUREMENTS**

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ENVIRONMENT CABINET MEMBER MEETING	Agenda Item 110 Brighton & Hove City Council

Subject:		**Nature Conservation and Development Supplementary Planning Document (SPD)**
Date of Meeting:		**25 March 2010**
Report of:		**Director of Environment**
Contact Officer:	**Name:**	**Matthew Thomas** **Tel: 29-2371**
	E-mail:	**matthew.thomas@brighton-hove.gov.uk**
Key Decision:	**Yes**	**Forward Plan No: ENV15165**
Wards Affected:	**All**	

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 The report sets out the results of consultation undertaken on the draft Nature Conservation and Development Supplementary Planning Document ("SPD"), seeks approval of the changes made and recommends adoption of the SPD. The Summary of the public consultation is attached in Appendix 1, responses to the consultation are attached as Appendix 2 and the draft SPD is attached as Appendix 3.

2. RECOMMENDATIONS:

2.1 That the Cabinet Member notes the results of the public consultation exercise and endorses the changes made to the Nature Conservation and Development SPD.

2.2 That the Nature Conservation and Development SPD be adopted as part of the Local Development Framework, subject to any minor grammatical and non-material text and illustrative alterations agreed by the Director of Environment in consultation with the Cabinet Member for Environment.

2.3 That the Nature Conservation and Development SPD takes effect on 1 April 2010.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 Supplementary Planning Documents help to ensure development control policies are delivered effectively. They provide further detail to existing policy to avoid ambiguity and to promote the swift and consistent determination of planning applications.

3.2 This SPD on Nature Conservation and Development is one of a series produced by Brighton & Hove City Council. It forms a part of the Local Development Framework (LDF) and is intended to expand upon policies in the Core Strategy and other Development Plan Documents (DPD). The SPD also interprets

national and regional policy (chiefly Planning Policy Statement 9 on Biodiversity and Geological Conservation).

3.3 The SPD provides a clear, sequential process for developers to follow to ensure planning policy on biodiversity is achieved. It introduces 4 steps, from an initial assessment of a potential development site, through to the aftercare of biodiversity post-development. This standard approach promotes the smooth running of the application process by ensuring the nature conservation implications of development are predictable and workable and that only relevant development proposals are affected. The SPD also includes a range of good practice case studies.

3.4 Detailed annexes include a list of notable habitats and species found in Brighton and Hove, a summary of legislation and policy relating to biodiversity, a 'hazard prevention checklist' for biodiversity on development sites and a comprehensive list of useful contacts and further advice.

3.5 The SPD has undergone extensive consultation in four stages since 2005. The first three stages are summarised in Appendix 1. The final stage involved a 6 week period of consultation during July and August 2009. This included a planner's workshop to ensure the emerging document was suitable for use by development control officers. Twenty-four development control officers, policy planners and validation officers attended the workshop and 9 other written representations were received.

3.6 Both the Environment Agency and Natural England are fully supportive of the SPD. Some of the other respondents favoured stronger measures to conserve wildlife, but these were contrary to national and regional planning policy and so could not be included. One member of the public was critical of the detailed content of the SPD but did not object to publication of the document in principle.

3.7 On completion of the 2009 consultation, the following main amendments have been made to the draft SPD (these are detailed in Appendix 2 to this Report):

- Annex 3 (the Biodiversity Checklist) and Annex 6 (Calculating Developer Contributions and New Nature Conservation Benefits) have been simplified to make them quicker and easier to use. The intention is not to implement the developer contributions element of Annex 6 during the current period of economic uncertainty.

- More clarity has been provided to distinguish between entirely new nature conservation features and features created to compensate for those lost during a development.

- A disclaimer is now included to make clear that the council takes no responsibility for work carried out by the ecological consultants referred to in Annex 4.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 There are no direct financial implications arising from the recommendations contained within this report.

Finance Officer consulted: *Patrick Rice* *Date: 08/08/08*

Legal Implications:

5.2 The formal consultation on the draft SPD complied with regulations 17 and 18 of the Town and Country Planning (Local Development) (England) Regulations 2004. The Sustainability Appraisal, which accompanies the draft SPD, complies with Section 39 of the Planning and Compulsory Purchase Act 2004. No adverse human rights implications have been identified as arising from the report. The adopted SPD will be a material planning consideration in the determination of relevant planning applications.

Lawyer consulted: *Hilary Woodward* *Date: 04/08/08*

Equalities Implications:

5.3 Local Development Framework Core Strategy Equality Impact Assessment (EQIA) issues relevant to this SPD have been considered. Monitoring and implementation measures have been put in place to evaluate the impact of this SPD as a result.

Sustainability Implications:

5.4 The SPD aims to secure protection and enhancement of biodiversity within the city and to ameliorate the effects of climate change. Inclusion of biodiversity within new development within the city will assist urban cooling and reduce storm-water runoff amongst other benefits. The SPD was subject to a Sustainability Appraisal.

Crime & Disorder Implications:

5.5 None identified.

Risk and Opportunity Management Implications:

5.6 None identified.

Corporate / Citywide Implications:

5.7 None identified.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1 As part as the SPD development process, alternative options were discussed with stakeholders at the early consultation phase. The Sustainability Appraisal tested the possibility of ‘doing nothing’ and looked at other options for delivery.

7. REASONS FOR REPORT RECOMMENDATIONS

7.1 To make members aware of the representations made on the SPD and officers recommended responses.

7.2 To ensure there is detailed, up to date, clear and locally relevant advice to all those with an interest in the development process on the integration of biodiversity into development.

7.3 To improve the biodiversity value of development in Brighton & Hove and make sure all developments adequately address national planning guidance on biodiversity.

7.4 To enable the local planning authority to prepare for implementation of the SPD and local planning applicants/agents to familiarise themselves with its contents.

SUPPORTING DOCUMENTATION

Appendices:

1. Summary of consultation to date.

2. Summary of responses to public consultation, summer 2009.

3. Nature Conservation and Development SPD.

Documents in Members' Rooms

1. Summary of responses to public consultation, summer 2009.

2. Nature Conservation and Development SPD.

3. Nature Conservation and Development SPD – annex document.

4. Sustainability Appraisal.

Background Documents

1. Consultation Statement.

2. Sustainability Appraisal.

Nature Conservation and Development Supplementary Planning Document (SPD)

Environment Cabinet Member Meeting: 25th March 2010

Appendix 1: Summary of Consultation to date

1. Early stakeholder consultation on Issues & Options for the SPD took place in December 2005. A workshop was attended by representatives of the Council's Wildlife Advisory Group and local and national nature conservation groups. A summary of the findings was sent to all attendees and their comments invited. Responses informed the format and content of the draft Nature Conservation and Development SPD.

2. The first draft Nature Conservation and Development SPD was reported to Committee in September 2006 and approved for consultation with stakeholders and other groups. The subsequent consultation took place during autumn 2006. There was strong support for both the concept and content of the draft SPD.

3. In response to the consultation, Annex 6, which relates to calculating developer contributions towards nature conservation, was extensively redrafted. A second draft of the SPD and Annexes was subsequently approved by Environment Committee on 8th November 2007 for the purpose of statutory public consultation. This took place for a period of six weeks from 12 February to 25th March 2008.

4. Comments made during the second statutory consultation were reported to Cabinet in September 2008. It was resolved to bring the draft Nature Conservation and Development SPD back to a future meeting for adoption following a further round of consultation on Annex 6 (Calculating Developer Contributions and New Nature Conservation Benefits).

5. In the event it was decided to carry out a further round of consultation on the whole draft SPD and this took place from 9th July to 20th August 2009. The draft SPD was sent to several hundred organisations, groups and/or individuals and publicised on the council's website and in the Brighton & Hove Argus. A planner's workshop was also held on 4th August 2009 to assess whether the revisions to Annexes 3 and 6 were suitable for use by development control officers. Among those who contributed to the 2009 consultation were Government agencies, Brighton & Hove City Council officers; members of the public; environment and community groups.

Draft Nature Conservation and Development SPD: Statement of Representations to public consultation, August 2009

Respondent	Summary of Main Comments	Response to Main Comments
Badger Trust - Sussex	Update contact details for the Badger Trust in Annex 4	Annex 4 updated as requested.
Bricycles Brighton, Hove and District Cycling Group	Omit the 'first impressions survey' stage from the SPD process – all applications should be assessed by a qualified ecologist.	Requiring every planning application to be assessed for its ecological impact would place a significant additional burden on applicants and would almost certainly attract significant resistance from developers. Only a small proportion of development proposals have a significant ecological impact so this would not be an efficient use of resources. No change.
	The reasons for when "damage to nature conservation features cannot be avoided entirely" are not made clear. As SE England is under enormous pressure for further development, this appears to permit damage.	The SPD should be read in conjunction with Local Plan (and subsequently LDF) policies. These policies closely follow national and regional planning policy and make clear under what circumstances damage to biodiversity is permitted. The SPD explains what compensatory steps must be taken when damage occurs. No change.
	Evidence for "The majority of developments in Brighton and Hove have no significant effect on existing nature conservation features" should be cited if it exists.	No numerical data has been collected on the nature conservation impact of development proposals in Brighton and Hove and this statement is based on the experience of relevant officers. The majority of planning applications affect very small areas of land, or are for a change of use, new shop front, change of window, or similar small scale

		change which very rarely has an ecological impact. No change.
	not convinced by the mitigation described in the section "A proposal to develop a former private garden of 0.1 hectares for 9 terraced houses appeared to offer few opportunities for urban biodiversity, but biodiversity loss was successfully minimised and new opportunities for wildlife created." The number of reptile casualties during so-called translocation is not specified. The likelihood of the success of 'new habitats' under these circumstances is not assessed, nor the cumulative effect on wildlife of these kind of assaults, which will be more serious than on an individual basis.	The proposal described is intended as an illustration of the application of the SPD only. All the mitigation and compensation measures proposed follow nationally established good practice, recognised and advocated by the relevant specialist wildlife groups. No change.
	We have yet to see a successful "green wall" in Brighton and Hove. What protection is there against the owners of buildings removing the "green wall" at a future date for maintenance or other purposes? Laying store in green walls as a solution to loss of land for development appears very optimistic.	There are several well established green walls around the city, perhaps the oldest being along the retaining walls of Madeira Drive. The respondent 's concerns over subsequent removal of the feature could equally apply to a wide range of other mitigation measures secured through planning but in any case can be addressed by planning agreements. No change.
	The document is short and could be seen as superficial.	The SPD has been kept as concise as possible to aid everyday use and contains references to more

		detailed material wherever relevant. As an adopted SPD the document will carry equal weight to all other SPDs in planning decisions, irrespective of its length. No change.
	would like far more robust measures to prevent loss of biodiversity and green space in Brighton.	The SPD closely follows and often exceeds national and regional policy and good practice. Measures to protect biodiversity need to be reasonable and balanced with other policy issues. No change.
Development Control Consultation Event	Take account of any potential implications of the Marine Bill	Contents of Marine Bill assessed for implications but no significant changes to the SPD were found to be required. No change.
	Text of Annex 3 (Biodiversity Checklist) needs to be simplified to aid use by non-ecologists. Thresholds for when a Checklist is never required should be included to reduce administrative burden. The implications of not completing a Checklist when required should be clearly explained.	Accepted. Text of Annex 3 simplified and introductory text revised to target application of the SPD more tightly to relevant applications only. Sentence added about the implications of non completion.
	Text of Annex 6 needs to be simplified. Include a clear step by step procedure for its application. Thresholds for when a Checklist is never required should be included.	Accepted. Text of Annex 6 simplified and step-by-step procedure introduced. Thresholds introduced.
Environment Agency	Fully support. No other comments	Comment welcomed.
John Patmore, Eco-logically	This SPD appears based upon using an engineering approach to addressing ecological issues; for example by	SPD must apply to the development context and be applicable by engineers, developers and planners. Green roofs are widely accepted as offering

	importing plants from Asia to grow on an industrial scale trellis, or by destroying valuable natural habitat at ground level with a false justification to provide a real habitat instead at roof level.	biodiversity benefits in the urban context. Habitat loss is not justified by the document, but green roofs are offered as one of a menu of legitimate options for introducing biodiversity into development. No change.
	Scant reference to opportunities for Brighton & Hove to deliver on objectives for progressing the UK Biodiversity Action Plan	The national and local BAPs are integrated into Annex 1 and into the list of habitats proposed for including in new development in Annex 6. BAP targets are to be integrated into the monitoring programme for the SPD. No change.
	Only passing mention is made of the Natural Environment and Rural Communities Act 2006 with the formal duty relegated to "…have regard,…,to the purpose of conserving biodiversity."	The NERC Act biodiversity duty is clearly set out in the first paragraph of the SPD, again in paragraph 3.1 (legal and policy base) and in Annex 2. The objective of the duty is integrated throughout the document. No change.
	not a single reference to the 'Guidance for Local Authorities on Implementing the Biodiversity Duty' (DEFRA, 2007) nor the specific guidance on 'Integrating Biodiversity Into Local Development Frameworks' (ALGE, 2005).	Neither of the documents referred to go into detail about the content of SPDs on nature conservation. The DEFRA document provides an overview to integrating biodiversity across all council functions and the ALGE document to integrating biodiversity across the LDF. It is considered that specific reference to them is not necessary within the SPD and that their recommendations, where applicable, have been integrated into the SPD in any case. No change.
	This SPD is scrappily written, we will be amazed if the council tolerates the publication of such a document with its	This view is not supported by examples. The SPD establishes a logical, staged process for assessing the ecological impact of planning applications and then

	currently written structure.	follows through the implementation of the process. No change.
	Brighton and Hove has not engaged with any Regional BAP objectives and certainly ignored any of the UKBAP objectives	The council ecologist sits on the executive group of the regional forum responsible for developing the regional BAP objectives and chairs the urban sub-group of that forum. Regional and national BAP objectives are integrated into the document (see above). No change.
	a major criticism of earlier drafts have been virtually ignored. For some reason the council is recommending planting shrubs and flowers which have no natural links with Brighton, Sussex or even England. An ecologically aware and mature council would refer to the UKBAP objectives before inventing a planting list more suited to a glorified gardening centre.	Previous representations by Mr Patmore's on using only native species in planting schemes have been fully considered in a previous draft. The introduction to table 7.2.1. states: 'In the urban area of Brighton and Hove a wide range of horticultural plant varieties are valuable sources of food for wildlife including nectar, seeds, berries and sap. Others provide nesting or roosting opportunities. In urban areas these may be more appropriate to use in landscaping schemes for aesthetic or horticultural reasons than native species. Alternatively native and ornamental plants can be combined to create colourful, 'near-natural' plantings.'' Other tables in Annex 7 advocate using native species and include lists of appropriate native species. It is not considered realistic or ecologically justified to require native species planting in all urban development scenarios. The purpose of Annex 7.2.1. is to guide developers towards using plants of wildlife value in ornamental plantings. No change.
	Good to see 'corporate social	'corporate social responsibility' is not a central

	responsibility' mentioned. This potentially important opportunity needs far more elaboration	theme of planning and therefore it is not considered inappropriate to elaborate on it further in the SPD. No change.
	Regional BAP policies and objectives are totally absent.	Regional BAP habitats are included in Annex 1. The main regional Biodiversity objective at present is the development of Biodiversity Opportunity Areas which are integrated into the councils Green Network, refereed to in this SPD, which will also be the subject of a separate SPD. No change.
	Local BAP will be fully integrated into local planning. But this is meaningless as one has never been produced.	Brighton & Hove is a partner on the Sussex BAP group which has produced a Local BAP for Sussex (to which the SPD refers). No change.
	Why is an aim to 'minimise' costs to developers? Surely this SPD should optimize nature benefit gains in relation to costs!	The aims of this SPD are also described as including to ensure local planning decisions maintain, enhance, restore or add to biodiversity in Brighton and Hove; to ensure the Local Biodiversity Action Plan is fully integrated into the local planning process and to ensure best practice is followed. It is therefore considered the proposal is already addressed. No change.
	City Council commitments to sustainable development should be holistic and 'mainstream'. Surely this SPD only contributes to the ' ...Development Planning aspects' of the council's commitment? This is excessively lazy language in such a formal DPD.	The wording referred to states: 'To contribute to the City Council's commitment to sustainable development.' It is considered the statement is clear and easily understood in context. No change.

	1.7 Add the 'Intrinsic Value of nature' to this section.	Section 1.7 does not exist. Intrinsic value is not mentioned in PPS 9 and there is only one passing reference to it in the England Biodiversity Strategy. No change.
	2.3 Add Regionally Important Geological Sites (RIGS)	RIGs in Brighton & Hove are incorporated into Brighton to Newhaven Cliffs SSSI. Nevertheless, for completeness, RIGS now included.
	2.6 Amend to 'Many important nature conservation features...'. The sentence currently drafted underplays the real value of such 'features'.	Following sentence reads: 'To be sustainable, it is important that development identifies, conserves and enhances such features.' Considered the importance of such features is already clearly described. No change.
	3.1 We welcome the intention to finally produce a Local Biodiversity Action Plan - Why have local residents been excluded from producing a LBAP?	This requirement is already met through the council's involvement in the Sussex BAP. Local residents will be fully included in any future proposals which may come forward for producing a BAP specific to Brighton & Hove. No change.
	Table A: A1 uses the term 'First Impressions' – this is truly awful and a wholly unprofessional way of assessing a site for its environmental features and opportunities! A good wildlife site in winter will look very sparse. The fundamental basis of any assessment should review existing knowledge about the biodiversity value of the site.	The first impressions survey is not intended to be carried out by professional ecologists and to require this would place a substantial additional financial burden on developments in Brighton & Hove. No change.
	Table A: A5 Conservation should also include enhancements.	'enhancement' added to A5 as requested.

	5.3 Undertaking an ecological survey without expertise is pointless. The most basic guide on ecological assessment always emphasizes the importance of including an ecologist at the earliest preparatory stage (for example, see Institute of Biology, Institute of Environmental Management and Assessment, and IEEM advice which consistently emphasizes this point).	The Biodiversity Checklist (Annex 3) provides a clear set of indicators for developers and planners to carry out a first impressions survey. This has been extensively tested and is considered appropriate for use by non-professionals. Currently the vast majority of applications are submitted without any ecological assessment at all and requiring a full survey to IEEM guidelines would exceed national guidance and place very substantial additional costs on developers and on the council. The IEEM guidance is intended only for use with the very small proportion of developments which are defined as 'EIA developments' under the EIA Regulations. No change.
	5.4 This refers to Annex 3. There is absolutely no mention of BAP habitats or Species here. A stunning omission which should be corrected.	Annex 3 includes a large number of references to BAP habitats and species. It also describes some other BAP habitats and species in layman's terms for ease of use by non-ecologists. No change.
	5.11 If an established survey methodology is being used this should explicitly state which BAP feature is being recorded.	Agree. No change.
	Amend to 'Achieve sustainable development objectives...'. Another example of lazy drafting in this SPD.	The text aims to achieve sustainable development, not the objectives of it. No change.
	5.29 Add consider the impact upon populations of other species which may	Reference to other species of conservation importance included.

	be affected. Why only look at the same species? This does not make ecological sense.	
	5.31 Providing 'nest boxes' in an example of the engineering-approach. It is more important to firstly ensure that adequate habitat is created which links to nearby habitat.	Provision of adequate habitat is already stated in the same paragraph, and the principle of linking habitats is made elsewhere in the SPD (see 5.38.6) . No change
	5.34 Add 'Vegetated Shingle' to this list of important habitats that are difficult to create.	Vegetated shingle of the type found in Brighton & Hove can occur relatively quickly along the coast with minimal intervention (e.g. Black Rock SNCI) and should not therefore be included in the list. No change.
	5.36 does not mention that reducing a site's environmental value conflicts with the council's biodiversity objectives. Again this SPD fails to include identifying improvements or enhancements for nature as part of the initial survey objectives.	Comments bear little apparent relation to the context or meaning of the paragraph. No change.
	5.38 Item 1: Unclear what this means. Where are the new benefits included? Are these newly created ones, not designed to replace lost ones? Or are they to 'compensate' for features that were lost from the development? This needs to be written far more clearly.	Agreed. The word 'new' has been added to paragraph 5.38 improve clarity as follows: In providing <u>new</u> nature conservation features, all developments should adhere to the following principles: Clearly distinguish between the <u>new</u> nature

		conservation benefits offered and any existing features retained or compensated for;
	How will the "integration" be "ensured"?	The SPD now includes a specific planning requirement for new benefits to be integrated and for the first time Annex 6 provides a method for quantifying this. No change.
	mention of connectivity in the wider ecological and landscape welcomed	Comment welcomed
	why does the list of recommended species (Annex 7) include so many inappropriate species? How is the 'urban area' defined? How will the 'Built up area' and 'Urban Fringe' be considered in new planting recommendations?	For a response to comments about the use of ornamental plantings, see above. The built up area and urban fringe are clearly defined in the Core Strategy: 'For the purposes of the Brighton & Hove Local Development Framework the term 'urban fringe' applies to the land between the defined built up area boundary and the boundary of the South Downs National Park.' Policy SA 4 proposed amendments paper June 2009. No change
	Annex 6 barely makes reference to BAP features, objectives or targets.	Both Tables 6.1 and 6.2 include BAP habitats and explicitly encourage their management and creation as part of development schemes. No change
	The Glossary: refusal even here to acknowledge the UKBAP's existence!	The glossary includes generic definitions of BAP and LBAP and the UK BAP is described in Annex 2. The UKBAP is nota a planning document and therefore

		further reference to it is not considered appropriate in this context. No change.
	Annex 1: What is the source of this table? A report produced in 2003 (by the Wildlife Advisory Group and Eco-Logically) provided very similar data, yet is not referenced.	The Table was composed from core reference material and not from the table produced by Eco-logically. No change.
	Annex 2 'Legislation, policy and nature conservation' provides a vague list of references yet totally fails to provide dates, author or publisher information	In almost all cases the material referenced is either an Act of Parliament or Government Planning Guidance and web references are supplied. Otherwise full location details are provided No change necessary.
	Reference should also be made to the UN Millennium Development Goals.	It is not considered this reference would usefully add to the material provided in the planning context. No change.
	Why are Biodiversity Action Plans included so late in this list?	BAPs are not statutory documents and are not planning documents. They therefore carry less weight in planning decisions than the documents previously listed in Annex 2, Hence their position in the list. No change.
	Annex 2: ADD: 'The Local Government Association LGA welcomes the "…identification of local authorities…to provide a lead for the Local Biodiversity Action Plan (LBAP) process" (2001 Position Statement).'	It is unclear why the additional reference is proposed or how it would improve the usefulness of the SPD if used. No change.
	Annex 3: ADD: 'BAP Habitats and Species' - these should be explicitly	'BAP Habitats and Species' of relevance in the local context are already explicitly referred to in Column 3.

	mentioned as a feature to include in a 'Biodiversity Checklist'	Adding this generic term would not improve the usefulness of the checklist and potentially add a source of confusion. No change.
	Annex 3: Within the Table ADD: 'Any Habitats, Species or Feature included within existing BAPs.'	'BAP Habitats and Species' of relevance in the local context are already explicitly referred to in Column 3. Adding this generic term would not improve the usefulness of the checklist and potentially add a source of confusion. No change.
	Annex 6: ADD: 'Contribution to progressing BAP objectives.' Amazingly, BAP objectives are not covered by this critical part of the SPD clarifying practical action. Instead it focuses on providing engineering-solutions such as fitting a 'Green Roof' – this does not contribute to any BAP objectives.	On the contrary, 7 of the 8 habitats listed in Table 6.1 are BAP habitats and 6 of the 13 features listed in Table 6.2 are BAP habitats. Implementation of the Annex will therefore almost always contribute to BAP objectives. No change.
	Annex 7: We WELCOME: 'The use of native species of local provenance should be used in all habitat creation schemes...' However this is not consistent with the details that follow 52. Annex 7: We are CONCERNED at 'inner urban areas' being more suitable for 'aesthetically better suited' species. This further isolates local residents from their natural flora. Also emphasizes a 'garden-centre' consumerist style approach to nature conservation. Many	These issues have been addressed previously in this response. Agree that research has shown the importance of domestic gardens for urban wildlife but few are exclusively planted with native species. No change.

	domestic gardens are potentially the last stronghold for local wildlife, we need to retain our local flora. How is the area 'inner urban' identified in this LDF?	
	OBJECT to the planting lists (detailed changes offered in a table)	This issue is dealt with above. The table supplied is provided without explanation and many of the recommendations contradict the respondent's own views. For example Devil's Bit Scabious and Yellow Archangel are locally native species occurring widely on the downs around the city and yet they are described as 'totally inappropriate' for planting schemes. No change.
	Annex 7: Table 7.2: Again the term 'urban area of Brighton' is used without clarifying if this means within the 'Built Up Area Boundary'	Agreed. The term 'built up area boundary' is inserted into the preamble of Table 7.2 to ensure clarity.
	Juniper *Juniperus communis* D Small leaved lime *Tilia cordata* should be deleted from the list of recommended trees	Both species are not proposed for use on the open downland or urban fringe. Both already occur in urban Brighton & Hove. No reason has been given to explain why the respondent considers these to be 'inappropriate'. No change.
	7.8 Green roofs may indeed provide aesthetic benefits and increase thermal efficiency of the building below. They do not provide an important contribution to progress UK	The text does not make any claims about the contribution of green roofs to UK Biodiversity objectives. No change.

	Biodiversity objectives.	
	7.9 Similarly 'green walls' may help to detract from an building's ugliness. However the biodiversity value is minimal, they are not mentioned in any BAP and will only detract developers from progressing meaningful biodiversity improvements.	Where no other options are available due to the scarcity of land, green walls can provide local biodiversity benefits. Their biodiversity potential is recognised by Natural England (formerly English Nature – see English Nature Report no. 498). No change.
Hove Civic Society	Excellent document	Comments welcomed.
	Concerned about green walls due to potential for dampness.	Modern construction methods ensure green walls do not create damp problems. No change
	Should refer to the street tree pattern adjoining any development site – the need for street tree retention and if possible	Separate SPD recently published on trees and development sites (SPD06) which covers these issues. No change.
James Grozier	Need to challenge concept of "greenfield / brownfield". Brownfield land should not be automatically suitable for development	This is a national policy issue which cannot be addressed through the SPD. No change.
	Where building is allowed on disused land, a portion of the land should always be kept as a green space and not built on.	Core Strategy policy issue which cannot be addressed through the SPD. No change.
	peppered with such woolly, subjective terms such as "suited to developers who … aim to build quality developments."	Introductory paragraphs (such as the one referred to) are intended to set the tone and direction of the document. Conversely prescriptions for development proposals are clear and quantified. No

		change.
	"The guidance … will enable developers to meet Council's aim for high ecology ratings". Is the Council, then, only concerned about ticking boxes?	The Code for Sustainable Homes is a Government sponsored and widely recognised method of assessing the sustainability of development and is not intended to be about 'ticking boxes'. No change.
	Opposed to various forms of "compensation", including translocation, and even an option to "buy off" the council by making a financial payment.	These methods are advocated by national planning guidance and are widely used by planning authorities throughout the UK. The circumstances when financial payments are offered are clearly set out as an option of last resort and are not described or intended to "buy off" the council. No change.
	Opposed to the use of a hierarchy of nature conservation sites and features because it implies other features are less important.	Draft SPD follows national planning guidance (e.g. PPS 9) which clearly advocates a hierarchical approach to the conservation of habitats and species. The draft SPD does nevertheless promote the inclusion of 'commonplace' wildlife in development schemes. No change.
Jonathan Puplett, Council Development Control Team	Ensure the list of ecological contractors which have carried out work in Brighton & Hove is prefixed by a disclaimer.	Agreed. Disclaimer now included to make clear that the council takes no responsibility for work carried out by the consultants listed.
Natural England	Commends the council for a clear and concise document. The SPD is user friendly and approachable. We are impressed by the inclusion of guidelines on how to incorporate green infrastructure into development, such as by the creation of „green walls" and the reference to the Council"s green network	Comments welcomed.

	strategy.	
	recommend a referral to Natural England's new standing advice on when to carry out protected species surveys.	Agreed. Reference to Natural England Standing advice included in Section 5.
	The SPD states that designated sites are present within the boundary of Brighton and Hove but does not state their titles. We would advise adding, for clarification, Brighton to Newhaven Cliffs SSSI and Castle Hill SAC/SSSI, to raise awareness of the protection afforded them.	The titles of both sites are in fact described in Annex 2 of the SPD. No change.
Sussex Ornithological Society	Very much welcome inclusion of nest boxes as one way for developers to earn points when submitting a planning application	Comments welcomed.
	reservation about the weighting given to nest boxes, which seems low and therefore unlikely to be particularly attractive to developers as a way to tip the balance in their favour.	The points system used for nature conservation features in Annex 6 relates to the actual cost of creating those features. Because nest boxes are comparatively inexpensive to include in developments, they earn less points. The system is deliberately designed to create a 'level playing field' for all features and so should not favour one feature over another. No change.
	Could be more prescriptive. Is there any reason why you could not insist that developers should install nest boxes, particularly for swifts, in any suitable	Other respondents to earlier consultations on the draft SPD have been concerned that earlier versions have been too prescriptive. The 'menu' of options has been designed as a response to this and to give

	development you allow?	developers maximum flexibility and at the same time deliver definite biodiversity gains. No change.

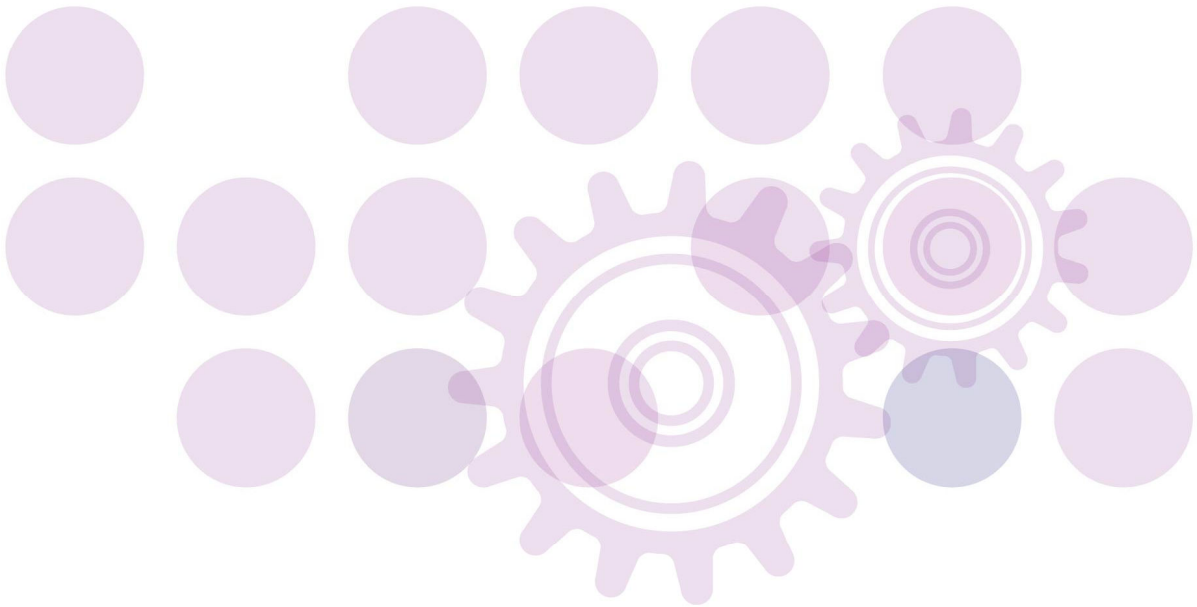
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spd ...

supplementary planning document

Brighton & Hove City Council's Local Development Framework

Nature Conservation and Development



Brighton & Hove

What is an SPD?

A Supplementary Planning Document (SPD) is one of the material considerations that can be taken into account when determining a planning application. It forms a part of the Local Development Framework (LDF) and is intended to elaborate upon policies in the Development Plan Documents (DPD). This SPD is one of a series produced by Brighton & Hove City Council and it is to be read in conjunction with the DPD. Each SPD has been subject to a period of formal consultation and approval under the LDF. In preparing this SPD the council has had particular regard to Government policy as set out in Planning Policy Statement 1: Delivering Sustainable Development and Planning Policy Statement 9: Biodiversity and Geological Conservation.

NOTE: Illustrations will be added to the approved version

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1 Introduction

1.1 Brighton & Hove City Council has a statutory duty under the Natural Environment and Rural Communities Act 2006 to have regard, so far as is consistent with the proper exercise of its functions, to the purpose of conserving biodiversity[1]. Nature conservation is regarded as a key test of sustainable development. The local planning process addresses this duty by the inclusion of a number of nature conservation policies in local planning documents. These include policies NC1 to NC4, QD17 and QD18 of the Brighton & Hove Local Plan 2005, which will be succeeded by policies in the Local Development Framework. This SPD explains how such planning policies should be interpreted and applied. It is intended for use by planning applicants, council officers and local people concerned with the conservation of biodiversity in development.

1.2 Other SPDs of particular relevance to biodiversity conservation in Brighton and Hove include :

- SPD 06 'Trees and Development Sites'.

Application

1.3 This SPD addresses two types of development scenario:

- Development proposals for sites with no current nature conservation value.

- Proposals affecting existing areas of nature conservation value.

1.4 Many development proposals have the potential to benefit local biodiversity. For example even small home extensions might incorporate a House Sparrow nest box under the eves, or a 'green wall'. A small proportion of proposals affect existing biodiversity and these can avoid unnecessary loss by taking account of its value throughout the planning process.

1.5 This document is suited to developers who take a proactive approach to design and who aim to build quality developments. The guidance set out in this SPD will enable developers to meet the Council's aim for high ecology ratings under the Code for Sustainable Homes and also to address corporate social responsibility issues.

[1] Natural Environment and Rural Communities Act 2006 Part 3 paragraph 40 (1)

Aims

1.6 The aims of this SPD are:

- To ensure that the key principles of national planning guidance on biodiversity and nature conservation[2] are fully met locally and specifically that local planning decisions maintain, enhance, restore or add to biodiversity in Brighton and Hove.

- To ensure the Local Biodiversity Action Plan (LBAP)[3] and the Brighton and Hove Green Network[4] is fully integrated into the local planning process.

- To ensure best practice is followed consistently and openly.

- To minimise the cost to development and streamline the application process by ensuring nature conservation implications are as predicable as possible and that only relevant development proposals are affected.

- To contribute to the City Council's commitment to sustainable development.

2 Definitions

Nature Conservation Features

2.1 Biodiversity can be simply defined as 'the variety of life on earth'[5]. Local, biodiversity-related planning policies refer to 'nature conservation features' which can be defined as having the dual functions of contributing to local biodiversity and providing opportunities for people to experience and benefit from it. The benefits to local people provided by nature conservation features are wide ranging. They include valuable 'ecosystem services', such as mitigating the damaging affects of air pollution and climate change, as well as aesthetic and amenity benefits. For example, installing green roofs helps to reduce summer temperatures in urban areas, slows storm water runoff and can lower energy consumption.

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[2] See Planning Policy Statement 9; Biodiversity and Geological Conservation, ODPM August 2005 p3 para. 1

[3] For further information on Biodiversity Action Planning see www.ukbap.org.uk and www.citywildlife.org.uk

[4] 'A Green Network for Brighton and Hove. Final Report. June 2009 provides further information on the Green Network

[5] Working with the grain of nature. A biodiversity strategy for England. DEFRA 2002 para. 1.1

2.2 Nature conservation features include:

- species and their habitats (including feeding, resting and breeding areas);
- geology and geomorphology;
- semi-natural elements of the landscape with particular cultural or historical significance; and
- features which provide links or stepping stones from one habitat to another.

Annex 1 lists species and habitats of particular value in Brighton and Hove.

Nature Conservation Sites

2.3 The most important sites for nature conservation within the boundary of Brighton and Hove are designated as:

- Special Areas of Conservation (SACs) - European importance;
- Sites of Special Scientific Interest (SSSIs) - national importance;
- Local Nature Reserves (LNRs) - local importance
- Sites of Nature Conservation Importance (SNCIs) - local importance.
- Regionally Important Geological Sites (RIGs)

2.4 The boundaries of local SSSIs, LNRs and SNCIs are shown on the Brighton & Hove Local Plan Proposals Map and can also be viewed on www.CityWildlife.org.uk.

Green Network

2.5 The Brighton and Hove Green network is defined in the emerging Local Development Framework. It comprises interlinked green spaces forming a continuous, natural network through the urban area and into surrounding countryside. The Green Network incorporates most of the city's nature conservation sites and other natural habitat of value. It also identifies areas of land suitable for habitat creation to meet local, natural green space and LBAP targets.

2.6 Many nature conservation features occur outside both designated sites and the Green Network. To be sustainable, it is important that development identifies, conserves and enhances such features.

3 Legislation and policy base: Key messages

3.1 Nature conservation planning policy in Brighton and Hove is supported by a comprehensive legal and policy base at national and regional levels. A review of this is provided in **Annex 2**. Key messages for development include:

- The local planning authority has a statutory duty to have regard to conserving biodiversity as part of the planning process.
- The local planning authority is expected to ensure its planning decisions are based on up-to-date information on local nature conservation features.
- Nature conservation features of value frequently occur outside designated sites and these should be conserved, enhanced and additional features created as part of development.
- Maintaining current levels of biodiversity is not sufficient. A Local Biodiversity Action Plan should set out how adequate provision for biodiversity will be made, including through the development control process.
- Brighton and Hove supports several sites, habitats and species of particular importance (see **Annex 1**). The council has a particular responsibility to promote their maintenance and long-term conservation as part of the planning process.

4 A step by step guide to building nature into development

4.1 Adopting the approach summarised in Table 1 will ensure best practice for integrating nature into development is achieved. This is explained in more detail in subsequent sections of this SPD.

Table 1: Successfully integrating nature conservation features into development

<u>Stage A</u>: Preparing to submit a planning application
A1 First impressions Are existing nature conservation features likely to be affected by the development (refer to **Annex 3)**? Yes – go to A.2 No – go to A.5 Although the advice of an ecologist should be sought where feasible, this stage can be carried out by applicants, planning officers and the public. Ensure that the findings of this stage are reported as part of outline and full planning applications.
A2 Nature Conservation survey

Must be carried out by a qualified ecologist. Take account of any nature conservation features within the development site and wider area (refer to **Annex 1**). Compile any relevant information from existing sources - Sussex Biodiversity Record Centre, Booth Museum, www.CityWildlife.org.uk.
A3 Mitigation Working with the consultant ecologist, ensure the layout and design of the development avoids wherever possible and minimises harm to the features identified in A1 and A2. Ensure less obvious impacts are considered, such as effects outside the development boundary, activities during the construction phase, pipes and underground cables, shading and light pollution (refer to **Annex 5**). Failure to avoid damaging impacts may lead to application refusal.
A4 Compensation If damage to nature conservation features cannot be avoided entirely, it may be possible to compensate for these residual effects, or as a last resort, calculate a commuted sum (refer to **Annex 6**). Applications which do not compensate for damage to nature conservation features will be refused.
A5 Conservation and Enhancement All development should deliver adequate provision for biodiversity (refer to **Annexes 6 and 7).**
Stage B: Submitting a planning application Ensure the application includes a nature conservation report. See section 6
Stage C: Planning Permission Granted - Construction phase Ensure good practice is followed during construction. See section 7
Stage D: Aftercare Ensure adequate provision is made for ongoing conservation management. See section 8

5 Stage A: Preparing to submit a planning application

Introduction

5.1 It is a common misconception that surveys for protected species and other nature conservation features can be postponed until after determination and then addressed by condition. Part IV of ODPM Circular 06/2005 makes plain that this practice is not acceptable in almost all cases. Failure to take account of the presence of nature conservation features as part of initial scheme design is a regular cause of unnecessary delay in the development control process and can lead to application refusal on nature conservation grounds.

5.2 It is essential that adequate ecological information is gained from the earliest stages of all development proposals, including those addressed by

outline planning applications. This can be achieved by following a two-part process:

- *First impressions* – a brief scope of the application site and its surroundings to locate any features which may be of nature conservation value (Table 1, Stage A1)

- *Nature Conservation survey* – if the scope locates features of potential value, a more thorough assessment of the area is carried out (Table 1, Stage A2).

Stage A1: First Impressions

5.3 The majority of developments in Brighton and Hove have no significant effect on existing nature conservation features. A small proportion are at risk of damaging the City's natural assets and in most cases such damage can be avoided if the threat is identified at the earliest stage of a development proposal. This can be achieved by carrying out a 'first impressions survey' of the nature conservation value of the site. This survey is a quick and simple process which can be carried out without ecological expertise (although advice from an ecologist at this stage is preferable).

5.4 **Annex 3** contains a checklist to carry out a first impressions survey. It can be used by developers, planners or (where access is available) the public to assess the nature conservation value of a proposed development site and its surroundings. Annex 3 has been compiled to detect the majority of nature conservation features of value in Brighton and Hove, although it is important to note for example, that protected species can occur in very unlikely places. Local knowledge and ecological advice can be invaluable and should be sought where feasible.

5.5 The results of the first impressions survey should be reported as part of the planning application, quoting any relevant indicator number from the table in Annex 3. If the survey reveals that nature conservation features may be affected, a full nature conservation survey and report is required to be submitted as a part of the planning application. The results of the first impressions survey and (if required) the full nature conservation survey are required for an application to be validated. Guidance on the report may be sought from the Council Ecologist (see 'further advice', **Annex 4**) prior to the application being submitted.

5.6 Attempts to exclude or remove nature conservation features could constitute a criminal offence and should never be undertaken.

Stage A2: Nature Conservation Survey

Choosing Consultants

5.7 Nature conservation surveys should be carried out by suitably qualified and experienced ecologists. These should normally be eligible for membership of an appropriate professional body, such as the Institute of Ecology and Environmental Management (IEEM, see **Annex 4**, 'Useful Contacts'). Where a formal Environmental Impact Assessment is required, membership by a consultancy or individual of the Institute of Environmental Management and Assessment (IEMA) is a useful indication of competence. The IEEM has also published guidance on carrying out Ecological Impact Assessments (see http://www.ieem.net/ecia/).

5.8 It is important to ensure that the appointed consultant is qualified and experienced in those fields that require survey. Additionally some protected species can only be handled or trapped by personnel holding Government licences. Detailed guidance on procedures for dealing with protected species is provided in Part IV of ODPM Circular 06/2005 (see http://www.communities.gov.uk/publications/planningandbuilding/circularbiodiversity).

5.9 Ecologists who have experience of dealing with urban environments and in particular the Brighton and Hove area, are likely to be able to make contact with the local relevant organisations efficiently, undertake survey work rapidly, and accurately assess the implications of a scheme in relation to the local context. Council policy encourages the employment of local labour where possible. A list of ecological consultants who have carried out work in Brighton and Hove is provided in **Annex 4**.

Survey Methodology

5.10 The survey should take account of all the possible nature conservation features identified by the first impressions survey and any others which may later become apparent. Standard survey methods are available for assessing different species groups. Many of these are explained by the IEEM on the Internet at http://www.ieem.net/survey%2Dsources/. Reference should also be made to Standing Advice for Protected Species, published for the South East Region by Natural England and available at http://www.naturalengland.org.uk. Survey reports supporting planning applications are expected to adhere to these standards[6]. Note that timing is an important consideration for most species surveys. If it is necessary to vary the method used from accepted good practice this should be clearly explained, as should the effect on the reliability of the results. CIRIA has published guidance on the optimal timing for carrying out specialist

[6] Please note that in the case of bat surveys, dusk emergence and dawn re-entry surveys will always be required in the appropriate season to supplement daytime bat surveys, unless the structure can be demonstrated to provide no suitable roost sites. For further information see Bat Conservation Trust: Bat Surveys: Good Practice Guidelines

ecological surveys and mitigation which is available on the Internet at the Ciria web site (registration required).

5.11 In addition to surveys for particular species, all surveys should also use established methods to assess the plant communities and habitat types present on site. Acceptable habitat assessment methods are the 'extended Phase 1' and the 'Integrated Habitat System'.

5.12 As part of an ecological survey, consultants should take account of previous species records for the site. These are available for the Brighton and Hove area from the Sussex Biodiversity Record Centre, The Booth Museum and the CityWildlife web site (see **Annex 4**).

5.13 The methods, results and conclusions of any nature conservation survey must be compiled and submitted in writing as part of the planning application.

Stage A3: Mitigation

5.14 The findings of ecological surveys should be taken into careful consideration at the earliest design stage of a development. Possible conflicts can be addressed by having the information available at the right stage and by taking an imaginative approach to site design to avoid harm, informed by advice from an ecologist as part of the design team. The objective should be to mitigate potentially negative impacts and integrate existing biodiversity into the scheme. Impacts on existing nature conservation features should be avoided wherever possible and any residual impacts should be minimised. To aid this process a hazard prevention checklist is provided in **Annex 5**.

5.15 In assessing the potential impact of a proposal on nature conservation features, applicants should ensure that all stages of the development are considered. Frequently the disturbed area of the development site during construction is greater than that normally shown on application drawings. Impacts may also extend beyond the site boundary long after construction has completed, for example due to shading, increased light pollution or predation by domestic pets. Damaging impacts on the integrity of networks of habitat through fragmentation should also be considered.

5.16 Applicants should ensure that they take account of the potential effects of a development on all the life stages of species listed in **Annex 1,** taking account of the following essential requirements:

- Food
- Water
- Shelter
- Reproduction

- Dispersal

For example, preserving a Great Crested Newt breeding pond within a development would not be sufficient to conserve the species, if its terrestrial habitat is destroyed.

5.17 The potential habitat fragmentation and isolation effects of a development on the wider environment should be considered. For example, removing a hedgerow or line of trees could sever a bat feeding route with consequential effects on a breeding colony, even if the colony itself is preserved. Developers should therefore consider the use of appropriate species, the creation of buffer zones, stepping stones and wildlife corridors to ensure the development is integrated into the wider environment.

5.18 Applicants should also consider that some potential effects will be acute and easily detectable, while others may be long term and may only become apparent some months or years after construction is complete.

5.19 Damaging impacts on nature conservation features may be identified which cannot be avoided without jeopardising the viability of the development. These impacts should be clearly described and a full explanation given, as a part of both outline and full planning applications. Applicants should be aware that if the council considers the nature of the damage outweighs other material considerations, the application will be refused. This is particularly relevant for proposals involving impacts on designated nature conservation sites or protected species.

Stage A4: Compensation

5.20 In cases where damaging impacts on nature conservation features are identified which cannot be mitigated, compensation, either on or off-site, will be required.

5.21 The objective of compensation is to restore or recreate the nature conservation feature damaged by a development. Compensatory measures should provide, as a minimum, no net loss to the overall quality or area of the nature conservation feature within Brighton and Hove. In some cases a greater quantity of the replacement feature may be required, particularly in cases where there is uncertainty about the quality of the replacement. It may also be necessary to take account of other factors, such as LBAP targets and the effects of climate change. For example some species may be used in compensation schemes in preference to others found in the original habitat because of their known tolerance of the predicted climate in Brighton and Hove. The advice of an experienced ecologist should be sought.

5.22 Compensation should not be regarded as an alternative to avoidance and should only be considered if avoidance is unachievable. The integrity of a nature conservation site as a whole can be adversely effected by a damaging development affecting a proportion of it, even if compensatory measures are carried out elsewhere. Furthermore there is usually a high degree of uncertainty over whether compensation will achieve the nature conservation value of the original, at least within a reasonable period of time. Therefore proposals involving compensatory measures must demonstrate why mitigation is not possible to achieve. Alternative solutions should be described and discussed in the planning application. For compensation to be acceptable, the importance of the development must also clearly outweigh the harm caused.

5.23 It may be necessary to implement compensation measures some time before the development itself proceeds. Some features, such as artificial badger setts, hedgerows and ponds, usually need time to mature and function ecologically before they will offer effective alternative habitat. Applicants should ensure such considerations are fully taken into account in the timing and phasing of development proposals.

Compensation Options

5.24 Compensation can take the form of:

- The translocation of existing nature conservation features to:
  - a new location within the development site, or (if this is not possible)
  - a new location within Brighton and Hove.

- The re-creation of new nature conservation features within the development site or Brighton and Hove to replace those lost or damaged.

- A commuted sum paid to the council to improve or create equivalent nature conservation features elsewhere in Brighton and Hove.

5.25 Applications involving compensation proposals should consider the above options in that order, for example only including proposals to recreate nature conservation features if translocation is not possible.

5.26 If it is not possible to translocate or re-create nature conservation features within the development site, an applicant may choose to carry out equivalent measures on land elsewhere in Brighton and Hove.

Translocation

5.27 In some cases translocation may be the only compensation option available, for example if legally protected species are involved. Translocation proposals must be described in detail as part of the planning application. To be acceptable to the local planning authority, proposals must include descriptions of:

- The technique to be used to collect and move the feature, including timing
- The equipment to be used
- The personnel involved
- The location, size and physical characteristics of the donor and receptor sites
- Any habitat management of the donor and receptor areas which may be required before and after the proposed translocation.

5.28 Species and habitat translocation proposals should adhere to the recommendations set out in 'A Policy for Conservation Translocations of Species in Britain' and 'A Habitats Translocation Policy for Britain' published by the Joint Nature Conservation Committee and available for download from the Internet at http://www.jncc.gov.uk. If it is necessary to vary the method used from accepted good practice this should be clearly explained, as should the effect on the reliability of the results.

5.29 To achieve sustainable development, the area of habitat available for species and habitats in Brighton and Hove should at least be maintained and wherever possible increased as a consequence of development proposals. The following translocation proposals are therefore not acceptable:

- translocation of habitats or species to sites outside the city boundary and;
- translocation of species to sites which already support good populations of the same species, or when habitat enhancement to accommodate the increased population size cannot be reasonably achieved.
- the translocated species may have a detrimental impact on other species of conservation importance at the proposed donor site.

5.30 Guidance on the identification of suitable translocation sites may be sought from the Council Ecologist (see 'further advice', **Annex 4**) prior to the application being submitted. The council has identified an area of land within its ownership which is suitable for reptile translocation, should other translocation options not be possible.

Re-creation

5.31 Re-creation proposals should adhere to the guidance set out in **Annex 7**. In cases where a delay is inevitable before a new habitat performs the same ecological functions as that lost, the application must also explain how all reasonable efforts will be made to 'pump prime' the habitat to provide compensatory features of equivalent value, e.g. by including nest boxes to compensate for loss of bird breeding habitat, in addition to replanting an area of scrub suitable for nesting birds.

5.32 Applicants may wish to refer to the series of habitat creation and maintenance handbooks published by the British Trust for Conservation Volunteers which are available from the BTCV web site.

Commuted Sums

5.33 In some cases it may not be possible for a developer to either mitigate or compensate for the effects of development on nature conservation features within the development site or wider Brighton and Hove. In certain circumstances the development may still be justified, taking account of the planning policy context. In such circumstances a financial payment will be required to be paid to the council via a planning obligation, secured through a S.106 Agreement. The purpose of such a payment would be to pay for the council to secure adequate compensatory measures, to ensure the sustainable development objectives of local planning policy are achieved. Guidance on calculating an appropriate payment is provided in **Annex 6**.

Compensation and Irreplaceable Nature Conservation Features

5.34 It is not practically possible to compensate for the loss of some nature conservation features. Applications involving proposals to compensate for loss or damage to the following nature conservation features will be refused unless the need for, and benefits of, the development in that location have been demonstrated to outweigh their loss:

- ancient woodland,
- veteran trees
- ancient hedgerows
- ancient chalk grassland

5.35 Ancient woodland can be identified using the provisional East Sussex Inventory of Ancient Woodland (Nature Conservancy Council 1984) (currently under review) which can also be viewed on the Internet at www.magic.gov.uk (by running the Habitat Inventories option). It should be noted that ancient woodland of less than 2 ha which may occur in Brighton and Hove is not included in the 1984 inventory.

Stage A5: Delivering Adequate New Provision for Biodiversity

5.36 Planning policy requires development to improve and extend nature conservation features wherever possible and local planning authorities are expected to actively pursue and maximise such improvements. All development in Brighton and Hove is required to improve and extend existing nature conservation features and add new features, irrespective of the original nature conservation value of the development site or its size.

5.37 Given the diversity of opportunities created by developments it would not be appropriate to precisely prescribe the amounts or types of nature conservation features which should be provided in every situation. Instead **Annex 6** should be used to achieve the required number of 'habitat points' for an applicable development. The Annex uses a menu of options to provide maximum flexibility to developers while also ensuring that nature conservation is adequately delivered in accordance with policy requirements.

5.38 In providing new nature conservation features, all developments should adhere to the following principles:

1. Clearly distinguish between the new nature conservation benefits offered and any existing features retained or compensated for;

2. Ensure that adequate provision is made for all nature conservation features (new and existing) to be managed appropriately. Sustainable practice should be employed in any landscaping scheme, including :

   - the use of only peat-free composts, mulches and soil conditioners.
   - avoiding the use of pesticides (which include herbicides, insecticides, fungicides and slug pellets);

3. Take a creative approach to maximising nature conservation, particularly those which deliver multi-functional benefits. For example incorporating green roofs or sustainable urban drainage systems can also deliver open space and wildlife befits. Promoting wildlife gardening in the gardens of show homes can have important educational benefits, and minimising impermeable paved areas can reduce storm water runoff and create opportunities for new habitats.

4. Address the regional water shortage through water conservation measures such as rainfall harvesting and using rainwater irrigation and drought-resistant plants;

5. Ensuring that new biodiversity benefits are fully integrated through the scheme, not fragmented into isolated pockets or restricted to peripheral parts of the development site;

6. Take account of the wider landscape and ecological context of the development to ensure opportunities to promote the connectivity of habitats are maximised.

7. Ensure that adaptation to and amelioration for the effects of climate change are fully taken into account (likely climate change impacts include extended periods of summer drought, periods of heavy rainfall in winter, warmer summers, strong winds and more intense summer storms);

8. Ensure the plant species used to create new nature conservation features are appropriate to Brighton and Hove, the local context and the development (**see Annex 7).** In the urban area, these need not be native but they should be chosen to maximise the biodiversity of the site and to avoid any negative impacts on areas of LBAP habitat in the vicinity;

9. Seek to contribute to the achievement of LBAP objectives (for further information see the 'useful contacts' section and **Annex 1**. **Annex 7** contains more detailed guidance about the creation and management of selected nature conservation features in the local context) and

10. Wherever possible take opportunities to include biodiversity onto the fabric of buildings, for example:

    - Incorporate 'green roofs' on both flat and pitched roofs and planted 'green walls'. Such features promote urban biodiversity and offer other important sustainability benefits, such as reduced energy consumption, adaptation to climate change and opportunities for new open space. Locally native vegetation and local growing media should be used. Green roofs and green walls are however not appropriate for Listed Buildings, Buildings of Local Interest and traditional buildings.

    - For technical guidance on incorporating nature conservation features into buildings see www.ciria.org/buildinggreener and www.livingroofs.org.uk. The Council Ecologist may also be contacted for informal, pre-application advice (see contacts, **Annex 4**).

5.39 Where biodiversity is not provided for adequately, sufficient explanation should be provided. In such cases a commuted sum will be required equivalent to the cost of creating the required features, taking account of the guidance and standards set out in **Annex 6**. The commuted sum will be used by the council to create new nature conservation features within the Brighton and Hove Green Network.

6 Stage B: Submitting a Planning Application

6.1 By the time a planning application is ready for submission, a 'first impressions' survey should have been undertaken and depending on the outcome, a nature conservation survey may also have been completed. The process described in stages A3 to A5 of this SPD should also have been documented. All planning applications should include:

- a list of any relevant Biodiversity Checklist indicator numbers (see Annex 3). If there are none, then this should be stated;
- a statement explaining the steps planned to address any existing nature conservation value and
- appropriate proposals for new biodiversity provision.

Nature Conservation Reports

6.2 All applications where a full nature conservation survey is required must submit a Nature Conservation Report before the application can be validated.

6.3 Nature Conservation Reports should (refer to Table 1):

- Describe how stages A1 and A2 have been achieved
- Locate and describe existing nature conservation features of value, with scale plans where appropriate.
- Describe how stages A3, A4, A5, C and D would be achieved.
- Provide contact details, qualifications and experience of all relevant personnel.

6.4 Following the good practice set out in this SPD will avoid unnecessary delay during the determination process and will ensure nature conservation makes a positive contribution to new developments.

6.5 Applicants are advised to also consider SPD03 (Construction & Demolition Waste), SPD06 (Trees and Development Sites) and SPD08 (Sustainable Building Design) before submitting a planning application.

7 Stage C: Planning Permission Granted: the Construction Phase

7.1 During construction it is essential that steps are taken to ensure all personnel understand the nature conservation objectives of the development. Temporary signage of sensitive areas is advisable and

regular checks of the nature conservation features and any protective fencing should be carried out. Nature conservation reports should describe the measures which will be taken to ensure existing nature conservation features are conserved during the construction phase (see **Annex 5**). Such reports should also address:

- Identification of and contact details for responsible personnel.
- Timing of works to minimise the risk of disturbance to protected and other species.
- Procedures for dealing with unexpected discoveries, such as previously undetected protected species or injured wildlife. If a protected species is found after planning permission has been granted, the developer should stop work immediately and contact Natural England for further advice.

8 Stage D: Aftercare

8.1 Planning applications should include costed maintenance specifications and monitoring proposals for each of the nature conservation features addressed and describe how these aspects would be implemented. This could include a description of the resources required, the personnel involved and a procedure for ensuring that any new owner/occupiers are made aware of their responsibilities.

9 Hypothetical good practice case studies

The two case studies below are hypothetical and any resemblances to actual developments, planned or implemented, are entirely incidental. Please see Annex 6 for further details.

1. Small back-land housing development

A proposal to develop a former private garden of 0.1 hectares for 9 terraced houses appeared to offer few opportunities for urban biodiversity, but biodiversity loss was successfully minimised and new opportunities for wildlife created.

The Site
The development site was typical of a large back garden in suburban Brighton with a mix of vegetable gardens, fruit trees and flower borders.

The Proposal

The proposal involved developing the site for 9 terraced three-story houses with small courtyard gardens. The proposal was supported by a strong policy base encouraging high density development on previously developed land but it also had to demonstrate that there would be no net loss of biodiversity and that opportunities to increase biodiversity had been maximised, in order to meet biodiversity policy requirements.

Taking account of Biodiversity

A1: First Impressions Survey

During the initial visit, the architect carried out a 'first impressions' survey of the potential biodiversity of the site, using **Annex 3** to this SPD. The following indicators of biodiversity were identified:

Biodiversity Indicators	**Notes (indicators of :)**
1. Development involves clearance of shrubs/scrub or woodland of more than 50m^2	Nesting birds, bats
7. Change to derelict areas with exposed soil, brambles, piles of rubble, etc.	Reptiles (Adder, Viviparous Lizard, Slow-worm), invertebrates, plants of value
10. Loss of a hedge (including garden hedges) of any length	Nesting birds
13. Any of the following observed on or within 30 metres of the application site: Narrow paths passing under thick vegetation or fences; small soil excavations; burrows of a diameter greater than 20cm	Badger

A2: Nature Conservation Survey

On the basis of the findings of this survey, the developer employed a consultant ecologist to carry out an ecological survey of the site and to make recommendations for mitigation, compensation and enhancement. The consultant was employed in good time to ensure the survey could be carried out at the appropriate season and so that their recommendations could be integrated into the development from the earliest design stages.

The ecological survey discovered several species listed in **Annex 1** to this SPD. These included a large population of Slow-worm over the whole site. Badger, House Sparrow, Pipistrelle Bat, and Song Thrush were also found to use the site but were not resident. A pond of 7m^2 was also discovered.

A3: Mitigation

The findings of the ecological survey formed the basis for a strategy for minimising harm and maximising the biodiversity value of the development. This was achieved in the following ways:

Access for badgers to the adjacent green network / Greenway was retained via a 'badger corridor' to mitigate for the effects of the development on local badger populations.

A4: Compensation

Loss of the mature garden as Slow-worm habitat was unavoidable. The developer was unable to provide land under their control to re-create the habitat off-site. However, using Annex 6, the developer agreed to pay the council a commuted sum of £1,720 to maintain for 10 years 0.1 ha of new Slow-Worm habitat at a pre-agreed site in the ownership of the council. The developer's consultant ecologist prepared the translocation site and carried out the reptile translocation.

A 7m^2 pond was also created on communal green space within the development to compensate for the one lost.

A5: New Benefits

100m^2 of green roofs were fitted to sections of the roofs of the new houses. Although these were new nature conservation features, use of a chalk grassland plant community on the roofs also provided compensatory feeding habitat for House Sparrow, Pipistrelle Bat, Song Thrush and other wildlife, and therefore contributed to targets in the Local Biodiversity Action Plan (LBAP).

20m^2 of green wall was fitted to one end of the block of houses and five bat boxes and five bird boxes for House Sparrow were fitted to the wall behind it to provide opportunities for these species to become established on site, to enhance its biodiversity value and address LBAP targets.

A green, open space was created in front of the new houses, including 7m^2 compensatory pond (fenced) to provide visual interest for the householders and a feature for wildlife. Wildlife friendly amenity planting was integrated into 100m^2 of Local Area for Play. The householders make an annual payment to a management company to maintain the space in accordance with a pre-agreed management plan (secured through the Section 106 agreement). The space also provides opportunities for the householders to actively participate in habitat management and to be involved in an annual review of priorities.

Calculation of 'Nature Points' *(refer to Annex 6)*

Total number of habitat points required: 1,000 = points	1,000

Habitat points earned by the enhancement measures:

100m^2 of chalk grassland green roof at 5 points per m^2:	500

20m^2 green wall at 15 points per m^2:	300
7m^2 pond	84
6 bird boxes @ 3 points per box	18
5 bat boxes @ 5 point per box	25

Total number of points earned by the development: 927
Shortfall (1000-927) 73

£21 x 73 = £1,533

Total commuted sum (inc. reptile translocation): £1,720 + £1,533 = £3,253

2. Public building adjacent to a Local Nature Reserve

A proposal to provide a new public facility ensured that biodiversity can play an enhanced role in improving quality of life for the local community.

The Site
The development site comprised 0.3 ha of amenity grassland in a neighbourhood of Brighton and Hove which had been identified as suffering from multiple deprivation.

The Proposal
The development proposal involved creating a new 1,500m^2 floor space community facility on two floors, including a nursery, office space, a computer suite, coffee bar and training facilities.

Taking account of Biodiversity

A1: First Impressions Survey
The council-led proposal was put together by a multi-disciplinary team to ensure the final scheme would be socially, environmentally and economically sustainable. In accordance with the requirements of Section 40 of the NERC Act 2006, biodiversity considerations were integrated into the scheme from the outset and the costs factored into the funding bid.

A 'first impressions' survey found that the development site was of low biodiversity value. No additional survey (stage A2) was therefore required and the scheme concentrated on delivering biodiversity gain and contributing to LBAP targets.

A3: Mitigation and A4: Compensation
None required.

A5: New Benefits

Biodiversity features were integrated into the new community facility, including a 'green roof', 'green walls' and ten wall-mounted nest boxes for House Sparrow. The roof was vegetated with a native chalk grassland seed mix to contribute to LBAP targets. This also helped to disguise the building in long-views. Surrounding landscaping used wildlife-friendly plants, including a variety of scented species in open space attached to the nursery. Spiny *Pyracantha*, was grown against the walls of the facility to provide berries and nesting opportunities for birds, and as a deterrent to climbing teenagers! Green wall planting at the rear of the facility was installed to deter graffiti. A species-rich hedgerow was grown along the boundary of the site with the LNR to help screen long views and provide a new habitat for nesting birds and other wildlife.

Calculation of 'Nature Points' *(refer to Annex 6)*

Total number of habitat points required:		3,000
500m^2 chalk grassland green roof at 5 points per m^2:		2,500
30m^2 green wall at 15 points per m^2		450
10 bird nest boxes at 3 points per box	30	
65m hedgerow at 3 points per m		195
Total	3,175	

Nature conservation enhancement requirements exceeded by 175 points!

10. Glossary of terms

BAP and LBAP: Biodiversity Action Plans and Local Biodiversity Action Plans (BAPs & LBAPs) review the current resource of habitats and species and establish broad objectives for improvement into the future. They also set specific targets for achieving the broad objectives and identify methods of delivery, resources and a programme of action. BAPs exist at national and local levels**.**

BREEAM: The Building Research Establishment's Environmental Assessment Method has been used to assess the environmental performance of both new and existing buildings. It is regarded by the UK's construction and property sectors as the measure of best practice in environmental design and management. For further information see www.breeam.org.

Climate Change: Current projections are for hotter, much drier summers and warmer, wetter winters in the UK. These changes would have marked effects on existing biodiversity. However nature conservation features can ameliorate climate change, for example by reducing storm water runoff and cooling

summer heat. Further information can be found on the Internet at www.defra.gov.uk/wildlife-countryside/resprog/findings/climatechange-biodiversity/index.htm.

Local Nature Reserves are statutory nature conservation designations made by local authorities under the National Parks and Access to the Countryside Act 1949.

Green Roof: A roof supporting vegetation. **Biodiverse roofs** are designed to support species-rich habitats such as chalk grassland. Brown Roofs use recycled rubble to support specialist plant communities. For more information see www.livingroofs.org

Green Wall: Walls deliberately designed to support climbing vegetation. These are commonly fitted with purpose-built supporting frames but more sophisticated schemes can include irrigation and support whole plant communities such as the 'vertical garden' at the Musée du Quai Branly in Paris.

Sustainable development is development which meets present needs without compromising the needs of the future. True sustainable development achieves mutual benefits for economic, social and environmental objectives, rather than 'trading off' one objective against another.

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Albanian ☐

"إذا كنت ترغب في الحصول على هذه المعلومات مترجمة للغة العربية, يرجى وضع علامة في الخانة المبينة و إعادة هذا إلى أي مكتب من مكاتب مجلس البلدية".

Arabic ☐

'আপনি যদি এই তথ্যটির অনুবাদ [বাংলা ভাষায়] পেতে চান তাহলে অনুগ্রহ করে পার্শ্বের বক্সে ঠিক দিয়ে যে কোন কাউন্সিল অফিসে পাঠিয়ে দিন'

Bengali ☐

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Cantonese ☐

"اگر مایلید این اطلاعات به زبان(فارسی) ترجمه شود، خواهشمندیم شکل مربع را علامت زده و فرم را به هر آدرس شهرداری که در اختیار دارید پس بفرستید."

Farsi ☐

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Mandarin ☐

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Portuguese ☐

Eğer bu bilgilerin Türkçe tercümesini isterseniz, lütfen kutuyu işaretleyip herhangi bir Belediye bürosuna götürünüz.

Turkish ☐

Other (please state)

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

ENVIRONMENT CABINET MEMBER MEETING	Agenda Item 111 Brighton & Hove City Council

Subject:		**19 Brunswick Place – Urgent Works in Default**		
Date of Meeting:		**25 March 2010**		
Report of:		**Director of Environment**		
Contact Officer:	**Name:**	**Tim Jefferies**	**Tel:**	**29-3152**
	E-mail:	**tim.jefferies@brighton-hove.gov.uk**		
Key Decision:	**No**			
Wards Affected:		**Brunswick & Adelaide**		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 The report seeks approval to carry out urgent works to secure the preservation of an unoccupied listed building, which is include in the council's register of Buildings at Risk, and to recover the cost of carrying out those works from the owner of the building.

2. RECOMMENDATIONS:

2.1 That the Cabinet Member agrees for urgent preservation works to be carried out on number 19 Brunswick Place, Hove under Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2.2 That action be taken to recover the costs of carrying out urgent preservation works from the owner of number 19 Brunswick Place, Hove under Section 55 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 Number 19 Brunswick Place, Hove is a grade II listed building forming part of a listed terrace within the Brunswick Town conservation area. The building is five storeys plus basement and has been vacant since at least April 2006. The established use of the property is non-self contained accommodation and it is known to have been in such use since before 1979.

3.2 Officers became aware of the poor external condition of the building in July 2009 as a result of complaints from neighbours. At that time the building was occupied by squatters. The squatters were subsequently evicted but an external inspection showed that the property was in visibly poor condition. Of most concern, a temporary plastic sheet covering applied to the building at roof level had come loose and the attic storey was seen to be open to the elements. The property was formally included in the council's register of listed Buildings at Risk.

3.3 Since August 2009 officers have attempted to gain access to the building in order to assess its condition but until recently no co-operation has been received from

the owners. In December 2009 a Warrant for Entry was granted at Brighton Magistrates Court and subsequently the owners agreed to allow access.

3.4 On 4 February 2010 officers inspected the property, internally and externally, together with a surveyor. This inspection revealed that the property is in very bad condition and wholly uninhabitable. The attic storey is open to the elements and three rear flat roofs have been stripped of their lead coverings and gutters. As a result the building is very wet throughout and a number of ceilings have collapsed. There are several broken or missing windows and the basement entrance is not secured. The building and rear yard is full of combustible rubbish and debris and there is evidence of fire damage at basement level.

3.5 The owners have advised that they do not currently have the finances available to carry out the necessary repair works but are seeking finance to carry out not only the urgent works but a full repair. However, to date they have been unable to provide a commitment to making the building weathertight. Negotiations are continuing and the owners have also been in discussions with the council's Empty Properties Officer. However, in view of the seriousness of the building's condition it is considered an appropriate case for the council to carry out urgent works in default. This would prevent further decline and damage to the listed building, which retains a significant number of original historic and decorative features, whilst a long term solution is sought.

3.6 A Schedule of Urgent Works is attached at Appendix 1. These are considered to be the minimum works necessary in order to make the property secure and weather tight. With regard to the long term future of the building, officers have offered to discuss this with the owners in order to find an appropriate solution.

4. CONSULTATION

4.1 Ward councillors have been consulted on the matter. Support for the proposed action has been received from Councillor Elgood.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 The cost of carrying out the works in default has been estimated by the consultant surveyor at £25,000-£30,000 (+ VAT), including 10% for fees for supervision of the works. Actual costs will be dependent on tender costs received. Should the tender costs be significantly greater than the estimated figure, a further report would be submitted to a future Cabinet Member Meeting. The council will seek to recover the costs from the owner as a simple contract debt via the courts (investigations indicate that there are no other charges against the property). Any non-recoverable costs incurred will be funded from revenue budget.

5.2 Similar action was authorised in December 2008 in respect of 2 St George's Place, Brighton and the works were successfully carried out in default. A claim for full costs was made but is the subject of an appeal to the Secretary of State, whose decision is awaited.

5.3 The cost of employing a surveyor to prepare a Schedule of Works was £850.00 plus VAT. This cost is not recoverable from the owners and will be met from within existing revenue budget.

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

Legal Implications:

5.4 Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 allows a local authority to "execute any works which appear to them to be urgently necessary for the preservation of a listed building in their area". Section 55 of that Act allows for a local authority to recover the expenses of such works.

5.5 The implications of the Human Rights Act have been taken into consideration in the drafting of this report but no issues have been identified as arising.

Lawyer Consulted: *Ann Wilkinson* *Date: 10/02/10*

Equalities Implications:

5.6 None have been identified. An Equalities Impact Assessment has not been carried out because the report does not concern matters of new policy.

Sustainability Implications:

5.7 The proposals in this report have no substantial impact upon the four priorities of the UK's Sustainable Development Strategy. But in terms of Sustainable Consumption and Production, the retention and timely repair of existing buildings reduces construction and demolition waste.

Crime & Disorder Implications:

5.8 In its current condition the building remains vulnerable to further occupation by squatters.

Risk and Opportunity Management Implications:

5.9 The failure to retain and maintain listed buildings could lead to significant adverse publicity for the council.

Corporate / Citywide Implications:

5.10 The proposals accord with the priority to protect the environment whilst growing the economy and also accord with the priority of fair enforcement of the law, by ensuring that formal action is based upon openness and transparency.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1 The only alternative option would be to continue to press the owner and his agent to carry out the works voluntarily, but this has not been successful to date.

7. REASONS FOR REPORT RECOMMENDATIONS

7.1 Works are needed to ensure that this listed building is weather tight and secure. Officers are concerned that if works are not carried out urgently, the condition of the building will continue to deteriorate significantly. The owner has, to date, given no commitment to carry out the necessary works.

SUPPORTING DOCUMENTATION

Appendices:

1. Schedule of Urgent Works

Documents In Members' Rooms

None

Background Documents:

1. Reports to the Cabinet Member Meeting for the Environment on 4 July 2008 and 24 September 2009 entitled Maintenance of Historic Buildings.

2. Letters to the owners of 19 Brunswick Place.

3. Letter from surveyor.

19 Brunswick Place, Hove
Schedule of Urgent Works

1.0 ACCESS

1.1 Provide scaffold access to the front and rear elevations and the roofs of the property sufficient to enable the specified works to be carried out safely and in accordance with health and safety legislation, including the CDM Regulations 2007 and the Work at Height Regulations 2005.

2.0 ROOFS

Main Crown Roof

2.1 Cut out cracks to the main asphalt crown roof in various locations and make good with two coats of mastic asphalt laid in accordance with BS8218. Cracks to be cut out to approximately 50mm either side of the existing crack. Form a staggered joint in the asphalt layer and bond new asphalt to the existing.

2.2 Repair 8 linear metres of cracks to the centre part of the roof and 7 linear metres of cracks at the asphalt upstands either side.

2.3 Cut back the front edge of the asphalt roof approximately 500mm from the front edge of the roof. Provide and fix temporary felt apron from 250 gm/m^2 felt tacked to boarding and dressed down over slates min 250mm. Apron to be bonded to slates with hot bitumen. Extend new asphalt over the apron to form a weatherproof edge drip at the head of the mansard roof.

2.4 Remove kerb stones, pieces of timber and other debris lying on the roof surface and cart away from site.

2.5 Remove loose satellite dish and aerials from roof area and cart away from site.

2.6 Provide and fix new roof hatch formed from 18mm thick WBP plywood with approximately 100mm x 25mm preservative treated softwood drip edges.

2.7 Provide and fix 2No. tower bolts to hatch and drill sockets in existing rooflight surround to receive bolts. Clad roof hatch with felt underlayer and mineral finished capping sheet, neatly folded and tacked in position.

Rear Extension Roof

2.8 Remove the existing tarpaulin and loose pieces of masonry from the rear extension roof together with all debris including pieces of corroded cast iron fire escape balcony.

2.9 Clear debris out of gutter at junction of roof and back wall of building.

2.10 Make good to head and inner face of bungarouche parapet walls with Telling Unilit 30 lime mortar mixed with a preparation of 10mm aggregate to leave an even surface and smooth finish ready to receive new felt.

2.11 Prior to obtaining access on to the roof, check exposed roof timbers and joists for soundness. Ensure that roof is safe for working access.

2.12 Include the provisional sum of £400 for possible emergency repairs to prop or strengthen the roof to enable the weathering works to be carried out safely.

2.13 Overlay existing roof covering with felt roof covering comprising a vapour barrier with a layer of BS747 5U fixed with large headed galvanised clout nails. Vapour barrier to be sealed with hot bitumen at lap joints and nailed at 50mm centres at laps and 150mm centres elsewhere.

2.14 Provide and lay underlayer fully bonded with hot bitumen with a 180gm/m^2 polyester carrier and a sanded finish. Lay capping sheet with a mineral finish having a 180 gm/m^2 polyester carrier. Capping sheet to be fully bonded in hot bitumen. New felt to be taken up inner face of parapet wall and fully bonded to inner face of wall. No torch-on products are to be used owing to the fire risk from the use of blow torches. Maintain a fire watch for at least 1 hour following application of hot bitumen.

2.15 Remove Buddleia bush and approx 5 linear metres of loose coping stones to the head of the parapet wall around the rear roof. Re-bed coping stones in 1:1:6 cement/lime/sand mortar.

Rear Addition Lower Roofs

2.16 There are three roofs to the lower part of the rear addition of the building. One roof has a defective felt covering, the other two roofs have been stripped.

2.17 Remove wood cored rolls from roofs as necessary and install temporary felt roofing to all three roof areas, all as in clauses 2.13 and 2.14 above.

2.18 Strip off corroded rainwater pipework on the first floor rear addition roof together with cast iron guttering and cart away from site.

2.19 Provide and fix new 112.5mm half-round black plastic guttering complete with fixing brackets, stop ends, bends and running outlet. Provide and fix section of 65mm diameter black plastic downpipe, approximately 1.8m long, to connect to existing cast iron pipe.

2.20 Replace missing section of guttering around the second floor rear extension roof, together with a section of downpipe approximately 4m long.

All as in clause 2.19 above.

Front Bay Roof

2.21 Temporarily prop front bay roof prior to obtaining working access onto the roof area.

2.22 Strip out and remove all debris and other material left on the bay roof and cart away from site.

2.23 Check decking on roof. Include the provisional sum of £200 for essential repairs to decking and the joists to enable the roof to be worked on.

2.24 Dub out surface of brickwork adjacent to the roof with Telling Unilit 30 mortar and 10mm aggregate to leave a smooth surface for new felt.

2.25 Lay new felt roof covering as in clauses 2.13 and 2.14 above. Felt to be dressed minimum 200mm up face of front parapet wall and thoroughly bonded to the face of the wall. Apply a silicone sealant at the junction of the felt and the existing render.

2.26 Clear out existing outlet to the front roof area. Include the provisional sum of £250 for possible repairs to the outlet. Ensure that new roof covering drains in to the rainwater goods at the front of the property.

Front Mansard Roof Slope

2.27 Strip off the existing slate roof covering to the front roof slope. Salvage sound slates for re-use.

2.28 Re-fix slates as far as practicable to existing battens using copper clout nails to BS1202. Allow for the provisional quantity of 30 linear metres of new preservative treated softwood batten if required. Slates to be laid to existing gauge.

2.29 Install temporary felt flashings at abutments with firewalls either side of roof and at abutments with dormers.

2.30 Make good to render on fire walls as necessary to provide a surface to receive new flashings. Felt to be bonded in hot bitumen.

2.31 Clad the sides and the heads of the two front facing dormers with felt as in clauses 2.13 and 2.14 above. Felt to be dressed over soakers.

3.0 WINDOWS

Dormer Windows

3.1 Strip out the makeshift dormer window to the southeast room. Provide and fix 50mm x 100mm sawn softwood frames in window screwed to

existing timber. Face over studwork on exterior with 18mm WBP plywood sheet. Paint plywood sheet with two coats of masonry paint, colour: grey.

3.2 Seal junction of plywood and existing frame with a silicone sealant to prevent water penetration.

3.3 Form ventilation slots in new plywood covering at both the head and base approximately 225mm x 150mm in size.

3.4 Provide and fix fine gauge galvanised steel mesh to interior face to prevent pigeon and insect entry through the ventilation grilles. Fix Code 3 lead cowls over ventilation grilles screw fixed to plywood to prevent wind driven rain entry through ventilation openings.

Rear Southwest Top Floor Window

3.5 Remove the rotted and decayed sashes from the windows. Set aside and store. Provide and fix 18mm WBP plywood and frame with vents all as in clauses 3.1 and 3.2 above.

Windows at First/Second/Third Floor Levels

3.6 Open sashes of windows approximately 50mm at tops and bottoms to provide air ventilation. Temporarily screw fix sashes in position. Provide and fix fine gauge galvanised steel mesh to openings to prevent bird and insect entry.

Rear Access Door to Fire Escape

3.7 Strip out the existing frame to the door onto the rear fire escape. Provide and fix 100mm x 50mm sawn softwood studwork and plywood to opening with ventilation holes all as in clauses 3.1 and 3.2 above.

4.0 GUTTERS AND RAINWATER DOWNPIPES

4.1 Check all existing gutters and rainwater downpipes at the rear for blockages. Rod and flush through guttering and leave in working order.

4.2 Include the provisional sum of £150 for possible temporary downpipes and guttering to ensure that the water from the roof discharges into the drains.

4.3 Include the provisional sum of £150 for clearing out gulleys and drains to ensure water can drain away at ground level.

4.4 Check the cast iron downpipe at the front. Clear any blockages and rod through. Include the provisional sum of £150 for temporary repairs to the downpipe to leave it in working order.

Soil Vent Pipe at Rear

4.5 Remove the dislodged and dangerous sections of soil vent pipe at the rear and cart away from site.

5.0 FRONT ELEVATION CORNICE

5.1 Check over the projecting cornice at the front of the property for any loose or dangerous pieces of masonry and render. Remove any loose masonry and cart away from site. Carefully dub out surfaces with 1:1:6 mortar if necessary and leave safe.

6.0 INTERNAL WORKS

Top Floor

6.1 Remove existing debris and rubbish from the top floor of the building, including floor coverings, and cart away.

6.2 Remove all pigeon guano from top floor, together with all carpets and other floor coverings. Removal of pigeon droppings to be carried out by a pest control specialist. All areas to be treated with an approved biocide to protect against bacterial infection.

Northeast Room

6.3 Test the existing artex covered ceiling for asbestos content. Report findings to the CA.

6.4 Remove plaster from the existing lath and plaster ceiling owing to risk of ceiling collapsing.

6.5 Assuming artex contains asbestos, work to be carried out by a licensed asbestos removal contractor in accordance with the Control of Asbestos Regulations 2006 and HSE Code of Practice L143.

Top Floor Landing

6.6 Take down section of damaged plasterboard ceiling above staircase approximately 1m². The ceiling is covered in artex and work to be carried out by a licensed asbestos removal contractor as in clause 5.3 above.

Third Floor

6.7 Generally remove all existing furniture and debris from the rooms including old cookers, appliances, etc. and cart away from site.

6.8 Remove floor coverings and cart away.

6.9 Carefully take down and cart away badly water damaged sections of lath

and plaster ceiling as follows:-

- Southeast room section of ceiling approximately 10m².
- Northeast room section of ceiling approximately 6m².

Small Bathroom off Half Landing

6.10 Remove all debris and material from the room, together with the floor coverings.

6.11 Take down the existing ceiling of the room and cart away.

Second Floor

6.12 Cart away all debris, furniture and other materials on this floor level, together with the floor coverings.
Attention: ***There are syringes and other potentially hazardous materials present, both here and possibly elsewhere in the building.***

Kitchen

6.13 Take down the water damaged ceiling in the kitchen off the main front room, approximate area 4m².

Living Room

6.14 Remove loose sections of plaster around the perimeter of the collapsed second floor front living room bedsitting room ceiling.

Half Landing and Adjacent Room

6.15 Take down remaining water affected lath and plaster ceiling on second floor half landing and cart away from site. Approx 3m².

6.16 Remove timber laths from ceiling where there is some evidence of possible dry rot decay. Brush apply an approved timber preservative to the remaining joists above this ceiling.

6.17 Take down ceiling in the adjacent half landing wash room.

6.18 Take down ceiling in half landing bathroom approximately 6m².

6.19 Remove all debris from half landing and adjacent bathroom and remove floor coverings.

First Floor

6.20 Strip out all material and debris, including floor coverings, and cart away from site.

6.21 Carefully take down loose sections of first floor front ceiling allowing to carefully cut existing lath and plaster clear of coving in order to save original coving around perimeter of ceiling.

Half Landing

6.22 Remove broken pane of glass from upper part of first floor half landing sash. Replace with new section of plywood, approximately 1.2m², painted grey on exterior.

Half Landing Rear Room

6.23 Take down loose sections of badly damp affected lath and plaster ceiling. Allow $2m^2$.

Half Landing Rear Room Window

6.24 Remove 1No. rotted sash approximately 600mm x 700mm and board up windows as in clauses 3.1 and 3.2 above.

Ground Floor

6.25 Cart away all stored material and debris, together with the floor coverings.

Front Room

6.26 Check the existing water damaged ceiling and carefully remove any sections of loose lath and plaster ceiling. Allow for areas totalling 3m².

Rear Kitchen

6.27 Take down sections of loose plasterboard ceiling in the rear ground floor kitchen and cart away from site. Approximately 2m².

Windows

6.28 Board over all windows at the rear of the ground floor, including 1No. door and 5No. windows in the rear addition and 1No. window to the main back wall. Boarding to be in accordance with clauses 3.1 and 3.2. Re-glaze the bottom sash of the front south window and leave internal shutters to these windows closed.

Front Entrance Door

6.29 Block up letterbox on interior with plywood securely screw fixed in place.

6.30 Board over glazed panels to door with plywood on interior securely screw fixed in place.

Basement

6.31 Board over 4No. basement windows at the rear. Drill 15mm diameter ventilation holes in top and bottom of plywood and decorate exterior with two coats of masonry paint, colour: grey. Provide and screw fix fine gauge galvanised steel mesh to interior face of plywood over the ventilation holes.

6.32 Remove any loose sections of plasterboard and lath and plaster ceilings in rear two basement rooms allow approx. $2m^2$.

6.33 Board over both inner and outer face of basement door and window at the front of the property with 18mm WBP plywood securely fixed with countersunk screws. Paint external face of boarding with 2 coats of masonry paint, colour: grey.

6.34 Board over 2No. basement windows at the front of the property as in clauses 3.1 and 3.2 above. Boarding to be fixed to both the interior and exterior of the frames. Do not leave ventilation holes.

7.0 GENERAL ITEMS

7.1 Comply with all relevant Health and Safety legislation, including the CDM Regulations 2007, the Control of Asbestos Regulations 2006 and the Work at Height Regulations 2005.

7.2 Remove all debris arising from the work from site and dispose of to a registered tip.

ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 112

Brighton & Hove City Council

Subject:		**Stanmer Conservation Area Review**	
Date of Meeting:		**25 March 2010**	
Report of:		**Director of Environment**	
Contact Officer:	**Name:**	**Sanne Roberts**	**Tel: 29-2261**
	E-mail:	**sanne.roberts@brighton-hove.gov.uk**	
Key Decision:	**No**		
Wards Affected:		**Hollingdean & Stanmer**	

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 The report seeks approval of the Stanmer Conservation Area Character Statement, following public consultation. The Character Statement seeks to define the character and appearance of the conservation area, which is important to preserve and enhance. A clear, comprehensive appraisal provides a sound basis for development control and for developing initiatives to improve the area. It will assist in securing the preservation and enhancement of the city's historic built environment, which is given high priority by the Council.

2. RECOMMENDATIONS:

2.1 That the Stanmer Conservation Area Character Statement be adopted, subject to any minor grammatical and non-material text and illustration alterations agreed by the Director of Environment in consultation with the Cabinet Member for Environment.

2.2 That an Article 4(2) Direction be made for unlisted dwellings in the village (numbers 11, 12 and 19 Stanmer Village) under the Town and Country Planning (General Permitted Development) Order (1995), as proposed by the Stanmer Conservation Area Character Statement and detailed in appendix 3.

2.3 That the proposed boundary changes, as set out in the Character Statement and in Appendix 4, be approved and formally designated.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 Stanmer Conservation Area was designated in 1970. It was reviewed in 1986, at which point an extension to cover the parkland approach to the House was proposed. This was approved in 1988. A Historic Landscape Survey and Restoration Management Plan for Stanmer was undertaken by Colson Stone in 2003 and adopted by the Council.

3.2 The revised character statement identifies the special historic and architectural interest of Stanmer as an 18th century designed landscape estate. In reviewing the boundary, the draft statement suggested: Removal of the area to the south of the A27 (Removal E); Extension and rationalisation of the east and west boundaries to include the perimeter woodland belts (including inclusion of the southern part of Great Wood, Extension F); Inclusion of the walled garden to the northeast of the area; Extension to include a 19th century flint-walled agricultural structure to the north of the village. The draft statement also recommended the making of an Article 4(2) Direction to control incremental change to unlisted dwellings.

4. CONSULTATION

4.1 A draft Stanmer Conservation Area Character Statement was approved at the Cabinet Member Meeting on 17 December 2009. Formal public consultation was carried out for four weeks between 8 January 2010 and 4 February 2010. Copies of the draft statement were made available on the council's website and at CityDirect Offices. Local residents, businesses, Ward Councillors, Stanmer Park Stakeholders Group, local and national amenity societies, English Heritage and other key stakeholders were engaged in consultation. Posters were placed in the area. It was also reported to the Conservation Advisory Group (CAG). An article about the review appeared in the December 2009 / January 2010 edition of City News.

4.2 A total of fifteen representations were received and these are summarised at Appendix 1, which also sets out how the character statement has changed, or not, in response to the representations.

Main issues arising from the consultation

4.3 The results of public consultation were broadly supportive of the Stanmer Conservation Area Review and its recommendations, including the proposed boundary changes. The main issues raised during consultation related to the Boundary Review (Removal E and Extension F), Traffic Management, the proposed Article 4(2) Direction and the areas identified as inappropriate planting.

4.4 **Extension F** – to include the south part of Great Wood – was well received; however some respondents suggested extending the area to include the north part of the Wood. Reasons given to retain **Removal E** (area to south of A27) within the conservation area included concerns that it would be considered for development or lose its archaeological, landscape or wildlife significance.

4.5 Conservation Area designation is however not appropriate for protecting landscape features, as it is primarily concerned with the built environment, as set out in Planning Policy Guidance note 15: Planning and the Historic Environment para 4.6. Case law has determined that it is legitimate to designate the setting of the primary buildings in the area, or historic park and gardens containing structures that contribute to the area, but this does not apply to these areas. The north part of Great Wood feels removed from the parkland and House, being more closely associated with the designed farmland. The areas remain within the registered historic park and garden, confirmed National Park, a Site of Nature Conservation Importance and the proposed Local Nature Reserve, with Archaeologically Sensitive Areas and Scheduled Ancient Monuments located in

Great Wood. These designations more accurately reflect the significance of the areas. Removal of Area E from the conservation area has not been prompted by proposals for development on this site.

4.6 There has been some concern regarding re-opening discussions on **traffic management** in Stanmer Park. Concerns were also raised that current arrangements are inadequate but there is also an appreciation that the park should not become a car park. The statement does not seek to make any proposals or changes. It seeks to identify the impact of current arrangements on the character of the park and the general desire to minimise traffic impact on the village and park, to inform any future decisions. Representations emphasised the importance of the vacant plot in the village as residents parking, as opposed to development, and this is now reflected in the revised statement.

4.7 Comments received on the **Article 4(2) Direction** affecting the frontages of numbers 11, 12 and 19 Stanmer Village were generally supportive. There was some concern that the proposal would prohibit change. The Direction is, however, a method of controlling change rather than prohibiting it; ensuring the character of the area is preserved. Subject to approval, this proposal will therefore be brought forward. A list of those permitted development rights affected is included in appendix 3. Notice of the making of the Article 4(2) Direction will be served on the affected dwelling houses in Stanmer Village, and advertised in the Leader. Representations will be invited over a 21 day period, after which they will be considered and, if appropriate, the Direction will be confirmed.

4.8 Recommendations to remove/relocate **inappropriate planting** – especially that along the drive and fruit tree specimens – received several representations, both in favour and against. In conservation terms however, the trees remain inappropriate to the park, significantly altering its historic character. It is appropriate that the statement identifies this, in order to inform future decisions regarding the management of the park. In view of the results of public consultation, however, the recommendation will be amended to promote a long term strategy of non-replacement and future planting that is in-keeping with the historic character of the park.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 Costs will comprise staff time and local press notices. These will be met from within the existing revenue budget.

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

Legal Implications:

5.2 The council has a duty under section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 from time to time to review its area to determine whether any parts or further parts should be designated as conservation areas. There is no statutory requirement for public consultation prior to designation but the Government's PPG15 on Planning and the Historic Environment states that it is highly desirable that such consultation should take place. The proposed

Article 4(2) Direction would be made under the Town and Country Planning (General Permitted Development) Order (1995 and as amended) and provides a means through which to fulfil the council's obligation to preserve and enhance the character and appearance of the conservation area. No adverse human rights implications are considered to arise from the Report.

Lawyer Consulted: *Alison Gatherer* *Date: 15/02/10*

Equalities Implications:

5.3 None have been identified. An Equalities Impact Assessment has not been carried out because the report does not concern matters of new primary policy.

Sustainability Implications:

5.4 The proposals in this report have no substantial impact upon the four priorities of the UK's Sustainable Development Strategy.

Crime & Disorder Implications:

5.5 None have been identified.

Risk and Opportunity Management Implications:

5.6 The failure to maintain the character and appearance of the area and its historic buildings could lead to significant adverse publicity for the council.

Corporate / Citywide Implications:

5.7 The proposals accord with the corporate priority to protect the environment whilst growing the economy. More specifically the guidance is a response to the council's priority to protect the historic built environment and to secure new uses for redundant historic buildings.

7. EVALUATION OF ANY ALTERNATIVE OPTION(S):

7.1 None considered.

8. REASONS FOR REPORT RECOMMENDATIONS

8.1 Stanmer Conservation Area does not currently have an up-to-date character statement, and its boundary was last reviewed in 1986; prior to the 1987 storm and construction of the bypass. An updated appraisal and boundary review for Stanmer would accord with the council's adopted Conservation Strategy (2003), policy LU4 of the Stanmer Historic Landscape Survey and Restoration Management Plan (2003), and with national and Government guidance (English Heritage Guidance 2006, Planning Policy Guidance note 15: Planning and the Historic Environment). The results of public consultation are broadly supportive. The recommendation to adopt the Statement and implement its recommendations has taken account of the representations received during public consultation and the changes made to the document are a result of those comments. The revised wording of the character statement is attached in appendix 2. The making of an Article 4(2) Direction will help preserve the

character and appearance of the unlisted dwellings in the village through controlling incremental change.

SUPPORTING DOCUMENTATION

Appendices:

1. Table of responses to public representations

2. Stanmer Conservation Area Character Statement with proposed amendments highlighted

3. Permitted Development Rights removed by Article 4(2) Direction

4. Plan showing proposed boundary changes

Documents In Members' Rooms

None

Background Documents

1. Letters of representation

2. Minutes of the Conservation Advisory Group 02 February 2010

3. City News December 2009 / January 2010.

Respondent	Summary of Main Comments	Response to Main Comments
Ann Markwick	Most interested to read the new proposals. Worried that no mention was made of the water catcher that runs parallel with Back Lane. The pond at the top of the village is an integral part of the whole water scheme. There was once a canal joining the pond at the top of the village with that by the pond; running behind the cottages	The water catcher is mentioned in the historic background section. It currently lies outside the conservation area. It is not considered appropriate to include it in the conservation area, as it is protected by listed building designation and it does not have a visible impact on the character or appearance of the area. The archaeological significance section will be amended to highlight the extent and likely survival of the water catchment system. The pond at the top of the village is evident on the 1840 tithe map, and therefore predates the water catcher.
Ann Markwick	No mention made of the horse engine behind Stanmer House or the donkey wheel, both of which were part of the 18th century water scheme designed by Nicholas Dubois	Both the horse engine (gin wheel) (p13) and donkey wheel (p19) are mentioned in the report. The gin wheel is 17th century in date, and therefore predates Dubois' scheme. It is unclear when the donkey wheel dates to; it may be 18th century or earlier. The report will be amended to clarify this information.
Ann Markwick	Stanmer Preservation Society has a licence to care for and run Stanmer Church from the Church commissioners until such a time as a tenant is found for it	Noted
Hugo Blomfield, CityParks	Would it be possible to prioritise the car parks in terms of which have the most impact on the landscape	The report will be amended accordingly
Hugo Blomfield, CityParks	The recommended 'coherent strategy for paraphernalia along the drive' would usefully discuss general presumptions regarding 20mph signs vs painted 20mph on the road surface, painted double yellow lines vs signs (temporary or otherwise) and the possibility of better speed humps	The report will be amended accordingly
Hugo Blomfield, CityParks	Clarity required on the Character Area maps showing positive and negative features. For example, it is not clear in the Parkland Character Area map on p23 what the northernmost strip of hatched 'negative feature' relates to.	Additional labels will be added to the maps to clarify
Friends of Stanmer Park	We would like to have had the time to make contact with other Stanmer based organisations to hopefully come forward with a united voice on the issues raised. Why is it necessary to have such a restricting time schedule if the Council really wants local consultation? We would like to have been able to undertake a paragraph by paragraph assessment but the restrictive timescale already referred to above prevents this. Therefore we are only able to make general comments.	Stakeholders were notified in October. The timeframe and 4-week consultation period provided are in line with national and local guidance and has been set out in order to review the conservation area prior to the commencement of the National Park
Friends of Stanmer Park	We do not accept the reasons set out for removing the areas of woodland to the south of the A27 bypass. Indeed the reasons given for extending the area to the north and east to 'frame' the park can equally well be applied for retaining the areas to the south, in that when using the outlying parts of The Great Wood for walking and other recreational activities, it is imperative that the remains of Coldean Belt and Coldean Wood on the opposite side of the by-pass remain protected by their Conservation Area status as they are highly visible from the walks on the Great Wood southern perimeter.	Conservation Area designation is primarily concerned with the built environment. PPG15 states that designation is not an appropriate means of protecting landscape features. Case Law determines that it is legitimate to designate the setting of important buildings, and historic parks and gardens that contain structures of special interest. This is not the case for this area, which can be more appropriately identified as the setting of the conservation area, rather than the setting of the House. It therefore does not warrant retention now that it is visually and physically removed from the area. It is protected as part of the registered historic park and garden, confirmed National Park, Site of Nature Conservation and proposed Local Nature Reserve. These designations more accurately reflect its significance.
Friends of Stanmer Park	We support the proposed boundary extensions to the Conservation Area	Supports appraisal. No amendments required

Friends of Stanmer Park	We feel strongly that the proposed boundary to the Conservation Area in Northwest, Great Wood, is totally fictitious and that ALL Great Wood, through to Chalk Hill, Old Boat Corner, the Upper Lodges, Iron Square and the woodland areas between and connecting to the Village on its northern side should be included in the Conservation Area. The reason for this again, as put forward by yourselves, being the 'framing' of the Village.	Conservation Area designation is primarily concerned with the built environment. PPG15 states that designation is not an appropriate means of protecting landscape features. Case Law determines that it is legitimate to designate the setting of important buildings, and historic parks and gardens that contain structures of special interest. Further consideration of this area has been undertaken. It is not felt that this part of the wood comprises part of the immediate setting of the House. The area feels removed from the parkland and the House, with instead greater visual and physical links to the designed farmland forming the northern portion of the registered historic park and garden. The area is protected more appropriately as part of the registered historic park and garden, confirmed National Park, Site of Nature Conservation, Environmentally Sensitive Area, proposed Local Nature Reserve and containing a number of Archaeologically Sensitive Areas and Scheduled Ancient Monuments. These designations more accurately reflect its significance.
Friends of Stanmer Park	The Friends of Stanmer Park staged a long, hard and successful campaign over several years, eventually persuading the Council that the regular users of the park did NOT want the existing small car parks removed by creating a new, large car parking area on what is presently a pleasant large grass area to the north of the Lower Lodges, used for football and other pitches and by large events. We reject the view that the present traditional car parks do not sit comfortably within the layout of the park. However, we do have views about their now inadequate size and the manner in which they should be better disguised.	Noted. However the cars and car parking do have an impact on views across the park, and this needs to be identified in the report in order to inform any future management decisions required to overcome the present problems with parking provision. The report does not recommend any changes to the traffic management in the park, but seeks to identify the issues in conservation terms
Friends of Stanmer Park	Similarly, we do not accept the proposed removal of lime, cherry and other trees planted in the park in recent years for being aesthetically and historically detrimental to the park. A number of these trees have been privately provided in memory of deceased loved-ones. It must be remembered that any park, woodland or open space is a living organism, unlike buildings which can be framed in the time in which they are constructed. As such they cannot be time restricted for, whatever man may try to do, they will continue to grow and develop and should be allowed to do so according to the trends of the day, without restrictions inflicted by man.	Agree that a park is living and will evolve over time, but, in order to ensure the park retains its special interest and historic character for which it is popular, it is important that future developments, including the planting of new trees, are managed appropriately. The report will be amended to promote a long-term strategy of non-replacement and future planting strategies that are in-keeping with the historic character of the area, rather than the removal/relocation of existing trees.
Friends of Stanmer Park	Friends of Stanmer Park consider it highly regrettable that the Review now seeks to revive issues previously raised (particularly points 6 and 7 above) which have been a Council decision NOT to proceed with. We strongly feel that whilst the Council may wish to put these forward as long term objectives, the decisions taken over the past few years including that of not implementing car parking charges should be recognised and should be the subject of consultation with Stanmer Stakeholder Groups before being implemented at any time in the future.	There is a general appreciation that current arrangements are inadequate, and that at some point changes will be required. This report does not look to make any changes or specific proposals such as implementing car parking charges. The report provides a statement of the historic character of the park in terms of its special architectural and historic interest, identified in order to manage any decisions regarding its future. If any changes are proposed in future these will be part of a different process and subject to consultation at that time
Karen Hooper	Character Area 1: The House. (i) Certainly a use should be found for the old stables, it is wrong that the lease was not renewed for the villagers to continue to use it as a community space. (ii) Agree the public realm in the ancillary area should be improved. (iii) Walled garden, orchard and the renamed Harvest Farm should be included.	Supports appraisal. No amendments required
Karen Hooper	Character Area 2: Agree that the long barn should be put to enhanced useage, with repair works carried out, but I think any plans should be balanced with the current usage of them as additional stables. Having horses in the village adds character and many people visit in order to see the various animals including the horses. The hardstanding opposite the tearoom/around the toilet blocks needs improvement, along with the adjacent buildings which should be put to good use to build upon the feeling of this being a hub for the village, centred around the tearoom. All other farm buildings should also be used between there and Home Farm	Agree that opportunities for the continued presence of livestock at the farm would be beneficial. Report will be amended to reflect this. Other comments support appraisal and require no amendments

Karen Hooper	Cars parked on the pavement occurs as now all the cottages are fully occupied and with no regular bus service to the village, residents need to have cars. There are too many cars to park just on the street, and the overflow area used by residents is the vacant plot. I feel this area should be improved to become a car park for residents only with gravel/asphalt and marked bays to maximise space. Your suggestion of adding a small scale housing development will only increase the pressure of cars in this village. The car parking area for the public also needs attention as there is not enough provided elsewhere in the park, and on a busy day people park all the way up to the vacant plot. A sign at Home Farm entrance to the village should advise the public that only those with limited mobility or residents are allowed past that point. Over time when the cottages become more fully occupied with changes of tenancy, the parking situation will only become more of an issue. There is no capacity to park cars at the north end of the village as they will then block tractors etc.	Noted. The benefical use of the vacant plot has been noted, and this will be considered as part of any planning brief/enhancement plan for the village centre. The report will be amended to reflect this. Any improvements to the site will also be considered as part of a planning brief/enhancement plan.
Karen Hooper	Character Area 2 (contd): Pavements where provided need maintaining. I agree with recommendations (i), (ii) and (iv). Point (iv) I agree with in principle, but feel that solar panels are a future addition to houses that are a necessity and if they reduce pollution then they should be allowed to be mounted to unlisted buildings, even in this village. Also changing roof types I feel is acceptable.	Supports appraisal. Agree that sustainable energy sources are important, and will become increasingly so. However, the Article 4 Direction is not a means of stopping such development. It is a method of controlling change - ensuring that sympathetic systems are used and located appropriately as to not harm the character of the area.
Karen Hooper	Character Area 3: I understand that you wish to respect the historic design of the parkland, but feel that fruit trees are not inappropriate. Surely we should accept their existance and utilise them. Any trees are surely better than having none. A balance is needed between the original design and what currently exists.	Some fruit trees do not have long lifespans so their historic inappropriateness should be identified in this report in order to inform future management decisions. Agree that a balance is needed; not attempting to wholly recreate the 18th century design. The report will be amended to emphasise a long-term strategy of non-replacement and future planting that has regard to the historic character of the area, rather than removal/relocation
Karen Hooper	Removal of the central pitch would be welcomed and agree that the university grassland is very much part of the park.	Supports appraisal. No amendments required.
Karen Hooper	Tenantlain belt and Coldean belt areas do need improvement as suggested	Supports appraisal. No amendments required.
Karen Hooper	How can noise and pollution levels be reduced from the A27? Is a sound boundary appropriate in the form of fencing and trees?	Existing planting and fencing do provide some mitigation against noise and visual disturbance from the A27. The report will be amended to emphasise the importance of these considerations for any future proposed developments.
Karen Hooper	Lower Lodges. No difference in levels of maintenance noticed, except the information oval sign which needs replacing	This was evident only in summer 2009 and will be omitted from the report
Karen Hooper	Parking areas do need to look tidier, but the various modern introductions of bunding, bollard etc has occurred due to people driving on the grass to picnic near their vehicle as well as joy riders skidding all over the grass at night time. Both of these were not issues in previous centuries and only increasing park wardens and locking gates at night will otherwise solve these problems. Both options cause more cost to cover staffing or maintenance of equipment so presume will not occur	Agree that bunds and bollards are of benefit in deterring driving on the grass, and the report does not recommend their removal. However the impact of such intrusions on the character and appearance of the park still needs to be identified in order to inform future decisions in order to preserve and enhance the area, at a time when, for example the wooden bollards may need replacing
Karen Hooper	Street lighting needs to be low level and effective, currently it is neither and poses a safety issue for pedestrians, number of which will increase as buildings are fully used. Effective signage needs to be inkeeping and maintained.	Supports appraisal. No amendments required
Karen Hooper	With regard to recommendations: (i) How will you restrict car borne trips to those that are only essential? Most visitors bring dogs for a walk and would not have time or inclination to get on a bus. There is no bus service in the park on week days. Other people who visit the park are families / groups. If a bus service were offered it would be very expensive for such numbers of people to visit, as it is cheaper for them to come by car.	Such considerations lie outside the scope of this document, but may be considered as part of any future traffic management proposals.

Karen Hooper	(ii) It is completely not acceptable to remove trees from the driveway, even if they are not inkeeping with the original design. There are a large number of big specimens that you would have to destroy, this should never happen. Ones that can be relocated could be elsewhere as long as they are still able to thrive.	The creation of an avenue remains inappropriate to the park and will significantly alter views across the valley and the character of the drive. It is appropriate that the report identifies this, in order to inform future decisions regarding the management of the park. In view of the results of public consultation, the recommendation will be amended to promote long term strategies of non-replacement and future planting that has regard to the historic character of the park
Karen Hooper	(iii) Agree	Supports appraisal. No amendments required
Karen Hooper	(iv) The current boundary should include extension C, D and F. I do wish to know what would be proposed for the area called Removal E. It comprises of wood and walks and areas for wildlife and concern is that if removed it would then be considered for development. Therefore until a time when alternative plans for this area are provided I feel it should stay included in the parkland. Archaeological remains were found on the Varley Halls bank, during the construction of the A27, so even though this area is not in the sight line whilst in the park, it is adjoining and only separated by the A27 and modern housing.	Conservation Area designation is primarily concerned with the built environment. PPG15 states that designation is not an appropriate means of protecting landscape features. Case Law determines that it is legitimate to designate the setting of important buildings, and historic parks and gardens that contain structures of special interest. This is not the case for this area, which therefore does not warrant retention now that it is visually and physically removed from the area. It is protected as part of the registered historic park and garden, confirmed National Park, Site of Nature Conservation and proposed Local Nature Reserve. These designations more accurately reflect its significance and will form important material considerations of any future proposed development. Removal of Area E from the conservation area has not been prompted by proposals for development on this site
Ms Brenda Pollack	Welcome the assessment of the importance of woodland in and around Stanmer Conservation Area. When I walk in the area, the woodland sections are equally part of the landscape and enjoyment. I therefore support the proposed boundary changes incorporating woodland to the east and west. I believe however that the proposals would be further improved if the Great Wood new area was extended to include all the woodland westwards of Old Boat Corner and around to the Upper Lodges. This is an alternative route into Stanmer Park and provides attractive tracks on foor through mature woodland and would make a more sensible new boundary to those using the area on foot.	Conservation Area designation is primarily concerned with the built environment. PPG15 states that designation is not an appropriate means of protecting landscape features. Case Law determines that it is legitimate to designate the setting of important buildings, and historic parks and gardens that contain structures of special interest. Further consideration of this area has been undertaken. It is not felt that this part of the wood comprises part of the immediate setting of the House. The area feels removed from the parkland and the House, with instead greater visual and physical links to the designed farmland forming the northern portion of the registered historic park and garden. The area is protected more appropriately as part of the registered historic park and garden, confirmed National Park, Site of Nature Conservation, Environmentally Sensitive Area, proposed Local Nature Reserve and containing a number of Archaeologically Sensitive Areas and Scheduled Ancient Monuments. These designations more accurately reflect its significance.
Ms Brenda Pollack	The section about the Village mentions (p21): 'Cars park on both sides of the street and on the pavement, and impact on the street's historic character and on views along its length. The hardstanding opposite the tea shop is in a poor state of repair, and used informally as additional parking.' However, there is no direct recommendation regarding this issue at the end of this section along the with recommendations relating to the village aspect. I should like to see some clear recommendations set out here. I suggest that the informal use of the hardstanding is made more formal and that visitors are directed to park here.	The future formal use of the hardstanding is dependent on the future use of the adjacent farm buildings, and therefore needs to be considered as part of any planning brief or application for this site. No recommendations are therefore given at this stage
Ms Brenda Pollack	I support recommendation (i) (p27) and suggest a minor addition (in bold below) to ensure that it is understood that this relates to various areas across the park, not just the access road. 'Vehicular access to the park should be carefully managed, (a) to restrict car borne trips to the village to essential trips only, so as to preserve the village's rural character and (b) to locate parking **throughout the park** in a manner that minimises visual impact and enhances enjoyment of the park.	Supports appraisal. The text will be amended to clarify
Dr Sue Berry	Highlights a number of historical inaccuracies	The report will be amended accordingly

Conservation Advisory Group (CAG)	Mrs Markwick (Stanmer Preservation Society) described her Society's concern over the suggested felling of trees along the drive, and the deteriorating condition of the Stanmer House stable block. She reported that the house was for sale. She urged new uses for the stables and the long barn, and welcomed the proposed actions described in the appraisal and the expansion of the conservation area. Mrs Montford queried the use of the terms landscape and parkland, suggesting reference is only made to parkland as the land was designed and planted in a conscious manner. Overall the group welcomed the appraisal and felt it was very well written and carefully considered.	Generally supports appraisal. Regarding the use of the word 'landscape' vs 'parkland'; confusion also arises from referring to the whole estate as parkland vs the formal park area/grassed approach as parkland. Therefore park/parkland will be used where appropriate, and the term 'designed landscape' or similar elsewhere in order to clarify. As discussed under SPS's comments, recommendations regarding inappropriate planting will be amended to promote a long-term strategy of non-replacement and new planting that has regard to the historic character of the area rather than removal of existing trees.
Charlotte McLean, English Heritage	I was very pleased to see the new conservation boundary line and had no major comments. I would support proposals to remove/relocate modern planting, particularly along the drive. In restoration terms the way in which the house and landscape is revealed to the visitor is a key part of the landscape design and more recent planting interferes with the structure of 18th century views and planting. With regard to Removal E, this was once part of the park - it still lies within the registered park boundary and should remain so. However, I'm not sure how it serves the aims and objectives of the Conservation Area.	Supports appraisal. Area E will remain in the registered historic park and garden. No amendments required
Friends of Hollingbury and Burstead Woods	Welcome the very positive assessment of the importance of woodland in, and adjacent to, the Stanmer Conservation Area, and support the proposed boundary changes incorporating woodland to the east and west of the present area. We suggest that if such incorporation is confirmed the definition of the Parkland 'character area' on p12 should be revised: at present 'some woodland' is the last element mentioned, the list comprising 'open green space, including access land, amenity grass and some woodland'. With the inclusion of east ridge woodland, and, particularly, much of the Great Wood, the definition as it stand would misrepresent the relative 'weight' of the features mentioned.	Agree. Report will be amended accordingly
Friends of Hollingbury and Burstead Woods	We suggest that the proposed northern limit to the conservation area in respect of the Great Wood be reconsidered: while it may make sense in relation to some aspects of estate history we think that in relation to the Wood itself it is arbitrary. Extending that boundary to Old Boat Corner and around to the Upper Lodges would make it 'legible on the ground' (to borrow a phrase from the recommendations on p28 in respect of the proposed A27 boundary) and facilitate uniform management of the Great Wood.	Conservation Area designation is primarily concerned with the built environment. PPG15 states that designation is not an appropriate means of protecting landscape features. Case Law determines that it is legitimate to designate the setting of important buildings, and historic parks and gardens that contain structures of special interest. Further consideration of this area has been undertaken. It is not felt that this part of the wood comprises part of the immediate setting of the House. The area feels removed from the parkland and the House, with instead greater visual and physical links to the designed farmland forming the northern portion of the registered historic park and garden. The area is protected more appropriately as part of the registered historic park and garden, confirmed National Park, Site of Nature Conservation, Environmentally Sensitive Area, proposed Local Nature Reserve and containing a number of Archaeologically Sensitive Areas and Scheduled Ancient Monuments. These designations more accurately reflect its significance.
Friends of Hollingbury and Burstead Woods	We have some reservations about the recommendation that 'inappropriate modern planting (especially along the drive and beside Old Lodge Clump) should be removed or relocated to more historically appropriate planting positions in the park. Any further planting in the park should follow the strategy set out in the Restoration Management Plan', a strategy which is 'to restore the largely intact 18th century planting scheme, and remove most of the postwar plantings.' We acknowledge that the Plan goes on to note that this might be controversial, and even mentions a possible long-term policy of non-replacement as a mode of implementation.	The rare survival of a 18th century designed landscape at Stanmer is central to the area's special interest and present character as reflected in its designation as a registered historic park and garden and as a conservation area. The creation of an avenue remains inappropriate to the park and will significantly alter views across the valley and the character of the drive. It is appropriate that the report identifies this, in order to inform future decisions regarding the management of the park in order that the special interest and character of the area is preserved and enhanced. In view of the results of public consultation, the recommendation will be amended so that it does not recommend removal, but promotes long term strategies of non-replacement and future planting that has regard to the historic character of the park

	Nonetheless, we feel that there may be an over-emphasis on one historic plan for the estate: not only has there been a change of use from private estate to country park, and a change of access from foot or horse to car, but it is unrealistic to assume that the estate owners would themselves have implemented decade after decade a scheme set up by forebears. We should certainly not commit ourselves to doing so centuries later. (The importance of this is demonstrated by the proposal in the review for 'substantial' planting to shield the park from the A27, clearly no part of the 18th century vision). We believe that woodland managers should be asked to 'have regard to' original planting schemes - we hope that they would do so, anyway! - but not more tightly constrained in their decision making	
South Downs Society	The Society welcomes the preparation of this report and its consideration of the special features of the Conservation Area and how they can be adapted to meet the changing needs of society and the resources that are available	Supports appraisal. No amendments required
South Downs Society	The Society agrees with the analysis of the landscape structure of the conservation area; the special views, open spaces, and landmarks and the character area of the parkland areas. It agrees that there has been a tendency to over-plant with trees so that the flow of open spaces around the parkland and the views between areas has become restricted. Some of the planting species are out of character (eg Lime Avenue on the drive and cherry trees in the pleasure gardens). Their relocation elsewhere would be supported. The landscape detailing has become unsympathetic to the historic landscape with industrial scale fencing and lighting and holes in flint walls and poor surfacing and loss of kerb stones. There is a need to generate a more distinctive landscape house style.	Supports appraisal. No amendments required
South Downs Society	The Society agrees that finding suitable new uses for the vacant main buildings in the vicinity of the mansion eg the stables, walled garden, church and Home Farm is crucial to the future prosperity of the Stanmer estate. Such development must be self-supporting, sympathetic to the rural landscape character, sympathetic to the objectives of the National Park, require minimum change to the historic built structure, generate limited traffic movement, provide opportunities for education, provide opportunities for young people, provide a managed staff presence in the evenings.	Noted. Comments are consistent with advice in appraisal and will inform the planning brief / enhancement plan
South Downs Society	Some of the buildings require emergency building repairs now to safeguard their structure and further decline. They include the stables, village farm barn and bothies in the walled garden.	Noted. Need for repairs identified in appraisal
South Downs Society	Landscape enhancement of the pleasure gardens and the land surrounding the mansion would help to enhance its setting as a key feature in the parkland and help stimulate restoration work	Noted. Supports appraisal. No amendments required
South Downs Society	The walled garden to the west of the House is a service area not normally visited by the public. It is a large brick walled area with a variety of buildings including several brick bothies. Although in poor condition, with only half the buildings currently in use, the area with the adjoining orchard, City College and the Care Co-operative Farm has the potential to develop in to a model environmentally friendly nursery. We would urge that all the buildings in this area, including those north of the walled garden, be including within the conservation area.	Supports appraisal. No amendments required
South Downs Society	The village has developed as a classic farm estate village with buildings of considerable historic character. Sadly due to changing management and demands the two principal buildings; the Village Barn and the Church are redundant. Some of the buildings are in poor condition and are in need of repair. Generally the landscape detailing of the walls, kerbs and pavements require attention. The society supports the report's objectives to find new uses that are compatible with the village's rural location, secure sympathetic restoration of the traditional buildings and enhance its position as a recreational gateway to the National Park	Supports appraisal. No amendments required

South Downs Society	We support the recommendation for the preparation of a development brief and enhancement plan for the farm area of the village and the provision of an Article 4 Direction to remove permitted development rights for the unlisted buildings within the village.	Supports appraisal. No amendments required
South Downs Society	The A27 diversion has had a significant impact on accessiblity in the southern part of the Park and created substantial visual and noise pollution. The planting of a tree belt of appropriate species along the north side of the A27 would help to reduce the impact and would be supported by the Society. The land south of the trunk road, now served from the Park proper by the A27 has been included within the National Park, can continue to provide a buffer for noise disturbance and, for that reason, may beneficially be retained within the conservation area.	Conservation Area designation is primarily concerned with the built environment. PPG15 states that designation is not an appropriate means of protecting landscape features. Case Law determines that it is legitimate to designate the setting of important buildings, and historic parks and gardens that contain structures of special interest. This is not the case for this area, which therefore does not warrant retention now that it is visually and physically removed from the area. It is protected as part of the registered historic park and garden, confirmed National Park, Site of Nature Conservation and proposed Local Nature Reserve. These designations more accurately reflect its significance.
South Downs Society	The construction of a new access road, past the Park entrance lodges and across the corner of the Park to join up with the Sussex University campus and its car parks, will intrude visually into the Park and additional screening may be required.	Additional screening through planting and earthworks is a condition of the planning permission
South Downs Society	The Society agrees that car parking along the drive can be detrimental to the landscape character and that no further areas should be allocated. Although the bollards on either side of the road detract from the parkland character they have been successful in reducing trespassing and damage from vehicles off road. Vehicular access to the Park should be carefully managed, to meet village needs and help people with special access requirements, but great care should be taken to minimise the visual impact and disturbance of visiting vehicles.	Supports appraisal. Agree that bunds and bollards are of benefit in deterring driving on the grass, and the report does not recommend their removal. However the impact of such intrusions on the character and appearance of the park still needs to be identified in order to inform future decisions in order to preserve and enhance the area, at a time when, for example the wooden bollards may need replacing
South Downs Society	The Sports Pitch in the centre of the park is inconsistent with the character and informal recreational use of the Park and its removal would be supported	Supports appraisal. No amendments required
South Downs Society	The extension of the conservation area boundary to include the surrounding woodland within the boundary of the Park is supported. The woods form an intrinsic part of the setting of Stanmer Park and part of its designed landscape.	Supports appraisal. No amendments required
South Downs Society	In conclusion the Society considers that Stanmer Park is a valuable historic and recreational facility within the National Park. Major works are however urgently required to conserve and manage the estate for future generations which are beyond the resources of a local authority at the present time. The Society would therefore support a community approach to the National Lottery for assistance to secure its long term conservation. Works and management measures to conserve and enhance the conservation area will need to be the subject of a management plan: the Society will be keen to contribute to the development and implementation of that plan and we would be grateful to hear the intended timescale for this	Noted. Future management planning will be undertaken in consultation with interested parties and the National Park Authority
Pru Gridley	As a lifetime user of Stanmer Park I welcome the City Council's decision to review Stanmer Park Conservation Area, but find para 2 of the introduction confusing to say the least in defining the compass points. Given that the 2 sports pavilions at the A27 entrance to the park are known as Pavilion North and Pavilion South. The drive entering between the Lower Lodges from the A27 is East Drive, while the drive that leads out of Stanmer Village to the Upper Lodges has always been West Drive. Indeed many of the correct names of the buildings referred to in this report have not been used. When read in conjunction with The Colson Stone Historic Landscape Survey the Conservation Draft appears conflicting to anyone not familiar with the Stanmer Park Estate.	West Drive is consistently identified by this name in existing literature, and the report will be reviewed to ensure it does the same. However the main drive is referred to variously in the Colson Stone report as 'the drive', 'the approach drive', 'the main drive' and 'the South Drive'. Although aware that the sports pavilions are named 'North' and 'South', the true alignment of the park is closer to north-south along the axis of the main drive. As such, and as there is no consistent historic terminology to suggest otherwise, the report will retain its current form. The introduction paragraph has been included to try and avoid confusion but will be reviewed to see if it can be made clearer. Similarly, there is a lack of consistency in other terminology. The Colson Stone report refers to the barn in the village as 'the barn', 'Farm Barn', 'Long Barn' and 'Village Barn'. The Review will endeavour to be consistent and clear within itself.

Pru Gridley	Due to the diversity of interest and special features in Stanmer Park it is my opinion that a single Conservation Appriasal for the future protection and enhancement of the Park should be drawn up that co-ordinates buildings/wildlife/parkland and recreational issues. Forming a team from all the Council's departments that pull together as 'one' for the preservation of Stanmer Park the jewel in the city's crown. Buildings and Wildlife issues are closely linked for example the: Long Barn is a roosting/nesting site for bats and barn owl; vacant farm buildings in the village are nesting sites to visiting House Martins; 3 modern agricultural buildings adjacent to the village pond have for 2 years been the nesting site of Kestrels. Yet change of use was granted in 2009 to allow an artist group use of one of these barns during the nesting season and the RSPB had to be asked to intervene.	Noted. This report concentrates on heritage conservation, and to consider other factors is outside its scope. However, the implementation of changes to the park as per its recommendations will consider all factors. The Historic Landscape Survey and Restoration Management Plan similarly considered all factors in detail within one report.
Pru Gridley	Broadly speaking I support the majority of recommendations in this appraisal, but wish to add some observations of my own: The buildings that are referred to as neglected/rundown/different degrees of maintenance etc are owned by BHCC	Noted
Pru Gridley	p16: To include all area known as Stanmer Organics in the conservation area in order to retain a tighter control over the erecting of unsympathetic buildings, and to ensure a high standard of ground maintenance. To repair and put back into use both the orangery and glass house. To extend the conservation boundary to include the pets cemetery adjacent to the formal gardens and orchard lining the south wall of the walled garden. To reinstate the flint ha ha in Great Wood to the south of Pets Cemetery.	Noted. The current character of Stanmer Organics is not of historic or architectural interest, and it therefore does not warrant inclusion in the area. Inclusion would dilute the character and historic integrity of the conservation area. The pets cemetry is included in the conservation area
Pru Gridley	p20: Regarding the former housing plot: To build two new cottages fronting the village street, their design to be sympathetic to the adjacent houses.	Supports appraisal. No amendment necessary
Pru Gridley	p21: To open talks with the Stanmer Preservation Society for joint use of The Long Barn/former farm yard/stores/shelters with the purpose of establishing a South Downs Visitors Centre similar to that at Beachy Head (but without the cheap trashy souvenirs). Sales items should be relevant to visitors use, ie maps, relevant publications, sun cream, trek sticks etc. This should enable the majority of the buildings to remain within 'Agricultural Rateable Values'. Note that the SPS has brought the Church back into community use. To extend the boundary to include all three barns that are adjacent to the village pond.	Noted. However this lies outside the remit of this document. Consultation on future uses of the Long Barn and other farm buildings would form part of the production of any planning brief and enhancement plan. The modern portal-framed buildings (other than that proposed for inclusion) are of no historic or architectural merit and do not warrant inclusion in the area
Pru Gridley	p24: Parkland: The 'inappropriate fruit tree specimens' provide a vital source of food for many species of birds that inhabit Stanmer Park. The Tenantlain Belt did once screen the road. But the new Sussex University access road currently under construction now and will in future dominate this end of the park. The southwest corner of the conservation area, south of the A27 is the hunting ground of Owl and Kestrel, also home to many species of butterflies. It also provides a pedestrain link via a footbridge to Great Wood and must therefore be retained within the conservation area. It would provide and ideal location for a 'Wildlife Tower Home'.	Screening for the new access road is a condition of its planning permission. Wildlife issues lie outside the auspices of conservation area designation. The southwest area to the south of the A27 is designated as part of the proposed Local Nature Reserve, a Site of Nature Conservation and part of the confirmed National Park. These designations are more appropriate to protecting these wildlife concerns.
Pru Gridley	p25 - The Drive: The hard standings created by the military are 'Tank Stands' now by virtue of their age they qualify as Ancient Monuments	Noted. The appraisal will be amended to highlight that these areas do reflect a period in the history of the Park
Pru Gridley	p27 (i): If car borne trips to the village are to be restricted, a free and frequent alternative public transport service must be provided seven days a week between the hours 7am and dusk	Noted. However this is beyond the scope of this document. This will be considered as part of any future traffic management proposals
Stanmer Preservation Society	We have read the review carefully and found it generally to be a well-written and helpful document highlighting many of the important issues facing the park.	Supports appraisal. No amendment required

Stanmer Preservation Society	The House: There are historic remains that would be of great public interest: the ice wells, now hidden under Stanmer House car park, and the horse engine, which contrary to agreement seems not to be clearly available for public access. The House's fencing, especially in the grounds behind the House, is also out of character with the park. Every effort should be made to ensure that the grounds behind the House remain as open to the public as they are at present.	Noted
Stanmer Preservation Society	If there is a possiblity that the House will return to Council control, consideration should be given to possible uses. One proposal is that the council considers using it for the local records office, using money that would be saved by new building on a greenfield site apparently being considered for Woollards Field. Having the record office in Stanmer Park would have ready-made parking, would not require heavy traffic, would be easily accessible for local people and would put the records in an ideal historical context, as well as setting it in an area with other important resources such as the museum, and the Stanmer Digital Archive, which we hope to launch later this year.	Noted. However this lies outside the scope of this document
Stanmer Preservation Society	Ancillary Area: Repairs to the Stables are urgently needed as is documentation of the remaining historical fittings (eg floorings, doors), possibly using planning gain funding. In particular, the village was granted a club room in the stable block in 1850 by the then Earl of Chichester. This space was lost and not replaced when the house was leased. Although there was a plan for riding for the disabled, the stable block has remained empty and undeveloped and is deteriorating. No replacement social club for the village has been made available and the community has suffered as a result. Any consideration of conservation has to consider the human element and it is vital that the villagers have a place to meet and socialise. SPS recently ran a Christmas decoration-making workshop that attracted 26 people out of a 26-residence area, showing that it is still possible to draw on the strengths of the community.	Noted.
Stanmer Preservation Society	Behind the nursery is an almost unique water catcher and associated structures, which should be preserved. SPS restored it many years ago but the area was then taken over as the nursery buildings encroached, and it has regretfully again fallen into disrepair.	The significance of the water catcher is highlighted and protected by its designation as a listed building and through inclusion in an ASA. These designations are considered more appropriate than inclusion in the conservation area as the structure does not have a visible impact on the character or appearance of the area. The archaeological significance section will be amended to highlight the extent and likely survival of the water catchment system. Its presence is mentioned and will be further highlighted in the historic background section too
Stanmer Preservation Society	The ancillary area could be made more obvious to the public with sign-posting. The left turn at this junction needs to be made more visible and would make a good place for a noticeboard. Naturally all signage should be in keeping with the character of the area.	This can be dealt with as part of the coherent strategy for paraphernalia along the drive
Stanmer Preservation Society	The report comments that 'unsightly or inappropriate buildings and structures' should be removed. We agree that this is the case but wanted more detail about how and by whom the decisions are to be made. We would also urge restoration of the orangery. We have in our archive some interesting photographs of it before its decline.	Decisions will be made through the normal planning control process
Stanmer Preservation Society	Church and Donkey Wheel: While the House is the 'centrepiece', it is important to highlight the church as being central to the iconic view of the park. It encapsulates the scenic and rural enviornment and is the building that most visitors see, and photograph. SPS now opens the church every Sunday and events are held ad hoc. Sunday openings typically attract over 50 visitors and special events have achieved up to 250 visitors. However, because SPS only has a temporary lease, long-term planning is not currently possible. With a longer lease the church could become the centre for activities across the park, such as walks, tours and craft sessions, and act as a display for the history of the park and local area. At present it acts as a display and demonstration area for weaving, dyeing, spinning, the Stanmer Rural Costume Project and Knitting the Map. These activities could all be continued and developed.	Noted. However this lies outside the remit of this document

	There is enormous potential for informal and engaging educational activity about the past and the future: for example last year we ran a 'sheep' day that informed people about the past economy of wool, and incolved them in a game illustrating the 'tragedy of the commons' dilemma as a way to think about how we can best share finite resources. The Donkey Wheel, also run by SPS, is a very popular attraction, bringing in almost 3000 visitors last year. It could be improved simply with a small notice explaining its function, leaving the window (where the explanation is currently located) free for viewing.	
Stanmer Preservation Society	The Barn and Farmyard Area: The report's suggestion of a 'South Downs Interpretation Centre' would fit in well here. We feel that in addition the area would be ideal for rural craft demonstrations, artisan workshops and local history displays. The whole area could be used as a place for workshops and local history societies to come together. This would lead to an educational, practical and informative space that would show the history of the area in both hands-on and documentary ways as well as acting as a gateway to the South Downs.	Supports appraisal. No amendments required
	SPS has had much interest expressed in the idea of a rural craft and history quarter here and it would provide creative synergy with the groups who are currently involved in cultivation eg Stanmer Organics, Special Branch, Nourish (Care Co-ops) and the Earthship, and with the Sussex Wildlife Trust. Possible activities might include the Rural Museum (and refurbishment of the milking equipment in the barn), local archaeology (eg Brighton and Hove Archaeological Society), glass blowing, spinning and weaving. These activities would fit well with the work of the blacksmith, especially if longer leases were available to help users develop sustained business planning	
Stanmer Preservation Society	The Village: Agree that additional protection to the village is needed. Removing cars from the street would improve views. The vacant plot provides ideal off-street parking hidden from public view by mature trees. Our suggestions for use of the barn and stables will inevitably attract more traffic, so very careful thought needs to be given to reducing its impact in the village and encouraging truly sustainable transport policies. Farm vehicles, villagers and drop-offs would need access but reducing the amount of traffic would create a more rural impression and make the area safer for the elderly, the disabled, small children and dogs. There is a real opportunity to develop a new model of how business and tourism can combine in a way that reduces reliance on private transport and supports those who need extra help (eg the many visitors who are elderly or disabled who visit the park).	Noted. The benefical use of the vacant plot as car parking has been noted, and this will be considered as part of any planning brief/enhancement plan for the site. The statement will be amended to reflect this. Specific proposals for car parking in the village lie outside the scope of this document and would be considered as part of any future traffic management proposals.
Stanmer Preservation Society	The toilet block should be rebuilt so as to be more in keeping with the village and measures taken to preserve the telephone kiosk. It should also be noted that there is a medieval dovecot of chalk in the corner of what is now a stable yard. A useful addition would be a notice board for village news and events. At present there are few places to inform people of events and to have a centralised location for notices would increase attendance. The rest of the hardstanding would be more attractive if cleaned. Action needs to be taken against fly-tippers and car dumpers who frequently use the area. The current fencing of the open barn has restricted some of the dumping but severely detracts from the area and dumping continues outside the fencing. The Northern Terminus could be improved by some general cleaning and making the small pond more visible, with information about its historical importance.	Noted. Improvements to the hardstanding will be incorporated as part of any planning brief / enhancement plan for the farm buildings.
Stanmer Preservation Society	Parkland: There are currently 4 football pitches at the lower end of the park. The one furthest from the lodges should be removed, because it seems not to be necessary and is anyway very sloping. We would support refurbishing Dukes car parking and repairing and rebuilding the toilet block to the west of the lower lodges, as well as sympathetic improvement of the existing Pavilion on the east side of the park. The Frankland monument at the edge of the woods behind the house is also in dire need of repair and protection.	Noted. Supports appraisal. No amendments required.

Stanmer Preservation Society	We applaud the suggested boundary changes, which are very forward-thinking and will do much to protect Stanmer. However, we were very sorry to see that it was assumed Millbank Walk (woodland south of A27) would be lost for 2 reasons: First, although the road development has damaged and separated it, we do not think this is a reason to exclude it: the permission for the football stadium explicitly acknowledged that it would damage the park, but we still aim to minimise the damage in all ways possible. Second, the walk is still part of the history of Stanmer, and forms part of a pleasant woodland walk along the side of Coldean Lane. There may be archaeological value present, as in other parts of the park, but this has not been investigated.	Conservation Area designation is primarily concerned with the built environment. PPG15 states that designation is not an appropriate means of protecting landscape features. Case Law determines that it is legitimate to designate the setting of important buildings, and historic parks and gardens that contain structures of special interest. This is not the case for this area, which therefore does not warrant retention now that it is visually and physically removed from the area. It is protected as part of the registered historic park and garden, confirmed National Park, Site of Nature Conservation and proposed Local Nature Reserve. These designations more accurately reflect its significance.
Stanmer Preservation Society	The report implies that the avenue of lime trees is relatively new. In fact, an avenue of trees appears to have existed since the village cottages were built in the 18th century, and the avenue was simply extended when the lower lodges were built and the drive extended further down towards the lower end of the park. We therefore do not agree that there is 'no historical precedent for an avenue of trees'. The trees are popular and form a pleasant cover, hiding the cars driving along the drive and the drive itself, as well as being habitat for lime hawk moth caterpillars.	Historic maps of the park show that planting along the drive was comprised largely of formal 'clumps' of trees, with some specimen tree planting further to the north along the valley bottom. The current lime 'avenue' therefore does not have any historic precedent. It is appropriate that the report identifies this, in order to inform future decisions regarding the management of the park in order that the special interest and character of the area is preserved and enhanced. In view of the results of public consultation, the recommendation will be amended so that it does not recommend removal, but instead promotes long term strategies of non-replacement and future planting that has regard to the historic character of the park
Stanmer Preservation Society	Woodland: The woodland in Stanmer Park is a very important asset. There has not been a single dedicated team of forestry workers since the forestry team retired and were replaced by a series of private contractors. It is crucial that there is integrated oversight and management of the forestry. Problems reported to us include dogs attacking deer, people picking orchids and unauthorised digging. Foot or cycle patrols by wardens could help, as well as more public education, as would be provided for example by an interpretation centre.	Noted
Stanmer Preservation Society	Views: The architecture of the University of Sussex is an excellent example of how sympathetic architecture and careful planning can allow building that does not intrude on views of a rural landscape. The same cannot be said of much of the new development: for example, new building at the University of Brighton and the stadium development intrudes on previously attractive rural vistas and there seems to have been no attempt to design the buildings in a way that is sympathetic to a rural downland environment. The new buildings also produce large amounts of glare. Tree-planting and earth banks might mitigate this somewhat, and more consideration should be given to this aspect in any future development	Noted. The open vistas across this adjacent hillside are however important to the character of the area, and should not be blocked completely by planting and earthworks (this is more effective for closer intrusions such as the A27 and new access road). The statement will be amended to emphasise the importance of these considerations for future proposed developments.
Stanmer Preservation Society	Access to the Park: Car parking provision in the park is a hotly-debated subject and there is no overall agreement and no easy solution. However, all agree that the existing car parks could be designed and marked so cars could use the existing space more efficiently, and there needs to be consideration of the needs of disabled and elderly visitors. The bunding has done much to prevent illegal parking, joyriding and encampments on the grass. The appearance of the bunding is seen by many as a minor factor compared to the damage previously wrought by these illegal activities and it encourages people to use the grass for playing and picnics. If the posts had reflective tags this would prevent collisions with posts, especially at night.	Agree that bunds and bollards are of benefit in deterring driving on the grass, and the report does not recommend their removal. However the impact of such intrusions on the character and appearance of the park still needs to be identified in order to inform future decisions in order to preserve and enhance the area, at a time when, for example the wooden bollards may need replacing. Improvements to the car parks would form part of any future traffic management strategy
Stanmer Preservation Society	Current car parking is generally unsatisfactory, as noted in the report, and causes many problems. The 78 Sunday service bus into the park sometimes gets blocked by badly parked cars and is suspended. Measures could include a larger car park at the lower lodges, with only the small, single car spaces on the right hand side of the drive available up to where the drive separates. The appearance of car parks could be improved by tree planting. The parking area beyond the one-way system/separation of the drive could remain, possibly with additional foliage cover, with no further public parking available until Church car park. This would mean that while the park had ample parking it would be obscured from view. There are also many spaces by Stanmer House, and the use of these depends on future plans for the House.	Noted. If changes to current traffic management are proposed in future, all options will be considered (including that of retaining the present arrangement) at that time, and will be subject to public consultation. This report seeks to identify the issues with parking in the park in conservation terms, which will be one material consideration of any future traffic management scheme. To propose a new traffic management scheme is beyond the scope of this review.

	Encouraging use of the park with inevitably encourage an increase in traffic, and mitigation of this needs to be addressed before it happens. Many park users could use the excellent bus and train services to the park and more could be done to help those who need support, eg providing disabled parking bays and rewarding use of public transport. Recently more people have taken the bus but more needs to be done, such as increasing subsidy of the 78 service, as well as enforcement of existing parking restrictions.	
Stanmer Preservation Society	A major issue for Stanmer is travellers. Although the problem has been reduced significantly by bunding and posts, travellers continue to take over car parks for long periods, causing some the the parking problems and leaving large amounts of rubbish that need to be cleared. We are aware that the council has been addressing this vigorously but problems remain.	Noted
Stanmer Preservation Society	Environmentally-friendly Stanmer: Stanmer Village could be a candidate for becoming carbon-neutral. Although the houses are clearly not highly efficient, the area could cut emissions, for example by reducing traffic. The very foundation of Stanmer was driven by the importance of water, as shown in the name. A complex system of water catcher, springs, underground tanks and ponds shaped the development and growth of the village. As well as giving more prominence to conserving and displaying this important aspect of Stanmer history, perhaps it could be used productively to generate power and work alongside the water requirements of village activities. Biodiversity needs to be encouraged and while many species live in the park at present, further protection needs to be placed on them.	Noted. However this lies outside the remit of this document
Stanmer Preservation Society	Management of the Park: We have been told of several unfortunate incidents where damage has apparently been caused unintentionally in the park, and we would like to be assured that there is integrated and informed management of the park to prevent this in the future. For example, the land is now farmed through individual private contractors. In 2009 some contractors apparently disc-harrowed Patchway field in contravention of its archaeological status as uncultivated since the 16th century. The gear and fully functional mechanisms for the water catcher were, it seems, taken out and destroyed without consultation and without knowledge of their significance. Elements of the fountain at the back of Stanmer House were apparently subjected to an attempt at removal and have not been restored. We are not aware of any inventory or audit detailing what assets exist in the park, House and buildings, and are concerned that the lack of this may lead to further damage and loss.	Concerns noted
Stanmer Preservation Society	Comments were based on committee meetings, a specially-convened meeting, a survey, and experiences of meeting the public every week at the museum and church. Many people expressed interest in new ideas for use of the buildings eg craft workshops, glass blowing, wood working, wheelwrights, willow growing, dyeing gardens, city farm and rural demonstrations. Others wanted church open more than SPS can currently manage and more events. Requests for a community garden, refurbishment of the orangery to grow fruit, the House to be open to the public with a museum in it. Construction of historic reproduction buildings such as an Iron Age roundhouse or Anglo Saxon long barn, perhaps with help of Weald and Downland museum. Many requests for energy reduction, such as horse-drawn or electric transport up and down the bridleway, and for the general preservation of the buildings and area.	Noted
Stanmer Preservation Society	The 'road' running through the park, referred to frequently in the report, is technically a bridleway and should remain as such. The church has not been deconsecrated but is decommissioned.	Noted. Report will be amended to reflect this
Sussex Garden Trust	Welcomes the initiative to review the conservation area designation and fully supports the proposed amendments to the conservation area boundary	Supports appraisal. No amendments required

Sussex Garden Trust	Stanmer Park and Village is a highly significant landscape area within the South Downs National Park. It is a unique heritage resource vibrantly illustrating an 18th century estate parkland and the working village that developed around the principal house. Regrettably in the latter part of the 20th century the lack of comprehensive planning, and, most particularly because of unsympathetic usage and maintenance, the parkland and the village have lost key elements in their distinctive character. The conservation area review provides a vehicle through which these issues are raised and its recommendations are key to giving the whole estate an assured future. For this reason the detailed suggestions relating to the maintenance, planting and usage of the area contained within the Review are supported and should, within the document, be highlighted to give them due prominence.	Supports appraisal. Maintenance, planting and usage are highlighted in the document and will be emphasised where possible
Sussex Garden Trust	In regard to the open areas of the Parkland, the Park still retains the framework of the original plan so the removal of the playing field and 'modern' and 'urban' features along the driveway is supported to reclaim the open, planned, landscape character. The removal of trees not in character with the Park is also supported. While some controls are necessary to ensure vehicles are constrained into acceptable areas the means of providing these controls should be to a comprehensive style. It is inevitable that visitors will wish to come by car but the presence of vehicles must not detract from the primary character of the area.	Supports appraisal. No amendments required
Sussex Garden Trust	It is disappointing to note that the whole of the Stanmer Park Nurseries area to the north-west of the stables has not been included within the reviewed area. This feature is an integral part of the estate complex and requires careful management in association with the remainder of the Park and village to avoid its further degradation. Having been used as productive gardens or nurseries this type of use could be encouraged through the community or individuals to maintain the historic character of the locality. By being a contained area its security and management for such usage is greatly assisted.	Its current character is not of historic or architectural interest, and it therefore does not warrant inclusion in the area. Inclusion would dilute the character and historic integrity of the conservation area
Sussex Garden Trust	The effective conservation of the House and Village areas is a significant issue. The noticeable lack of pride, maintenance and unsympathetic minor development in much of these areas detracts from the visual amenity visitors should expect in such a fascinating location. Lack of a cared for environment will discourage investment to maintain the village. If the character of the area is to be secured - and it is inevitable that with reduced farming activity and loss of the raison d'etre of the village change will have to take place - a new focus for the village has to be developed. Its location within the heart of the new National Park could be a driving factor in attracting the necessary investment. While this may not be the primary function of the Conservation Area Review the Review must firm in its policies by securing the planning position to facilitate these changes. Establishment of an Article 4 Direction to control minor development in the village is a good but only a first step. Stronger statements to achieve the desirable outcomes should be included in the Review recommendations.	Noted. The statement will be amended accordingly
Jamie Hooper	Main concern is that there should be a balance between preserving the past, and the practicalities of living in the 21st century.	Agree
Jamie Hooper	The Colson Stone report that you quote is a useful reference tool but the research that its authors made did not include speaking to the village inhabitants, or finding what services were, and were not, available in the village. The report was presented to the Council's Environment Committee in September 2002 after just 2 weeks of consultation. At no time has the Report been wholesalely endorsed by B&HCC. The countryside department has acted on a number of recommendations, but the council has chosen nor to act on others. Some of those recommendations were controversial and did not enjoy significant support, especially those on future accessiblity by cars and car park provision. After this had been made manifest by the public over a number of years, B&HCC relented in 2006 and agreed to the present arrangements, which whilst not perfect by any means, continues to allow the public access by car.	Noted. There is however an appreciation that current arrangements are inadequate. If changes to current traffic management are proposed in future, all options will be considered (including that of retaining the present arrangement) at that time, and will be subject to public consultation. This report seeks to identify the issues with parking in the park in conservation terms, which will be one material consideration of any future traffic management scheme. To propose a new traffic management scheme is beyond the scope of this review. The report does not reopen the recommendation from Colson Stone

	The Appraisal (p26) states 'car parking areas along the drive are detrimental to the open historic landscape character and to views across the park'. I respectfully suggest that this suggestion has been fully debated, and that Cllr Theobald has agreed upon the present arrangement. To reopen this recommendation from Colson Stone is not helpful and will again be fiercely resisted. The park was purchased to give citizens a chance to enjoy a public space, which many of them living in flats could not enjoy at home. Stanmer Park is not easily accessed by public transport and besides many pensioners and young families choose to visit by car because of the impracticalities they would encounter on the roughly 282 days a year when there is no bus service into the park. If they are not allowed to park easily in the Park, they would not choose to visit as often.	
Jamie Hooper	The small informal car park between 16 and 19 in the village can presently accommodate about 6 cars belonging to villagers. There is a wide plot of disused land behind it sloping up to the copse at the rear. This could be cleared at a fairly small price if it was given a similar informal covering as the car park if it was wished to encourage villagers not to park in the village street. However I believe householders should retain the right to park outside their homes particularly at night.	The benefical use of the vacant plot as car parking has been noted, and this will be considered as part of any planning brief/enhancement plan for the site. The statement will be amended to reflect this. Any improvements to the site will also be considered as part of a planning brief/enhancement plan.
Jamie Hooper	I understand perfectly that the views in the village and other areas should not be marred by unsympathetic development, but I am a little disturbed by the reference to 'negative' features, and the recommendation to 'secure the demolition of unsightly or inappropriate buildings and structures' shown on p18 and 21.	The milking parlour and barn are identified as negative in order to inform future development plans for this area. Relatively speaking, they are of less architectural and/or historic interest, and impede the arrangement of buildings and vistas across the farm yard. Their identification as a negative feature does not mean that they will necessarily by demolished, but this identification as negative in their current state will be a consideration in any future planning brief or enhancement plan
	I cannot concur in the assumption that the former milking parlour and barn shown on your map as negative. The milking parlour was built around the late 1940s/1950s in brick stock, and is demonstrative of how a group of buildings are added to, as work patterns change. The barn is not visible from the street, and whilst unattractive in itself, I am more concerned that a viable future is devised for the collection of buildings.	
	The Long Barn is listed, and therefore the adaptations that can be made for future use are limited. I believe that the former milking parlour could be used as community space, and that because it is not listed it could be adapted to conform to present Accessibility legislation. Similarly the barn identified at the rear of the Long Barn can be redevised as possible workshops/studios whose rents could subsidise the upkeep of the Long Barn and other vulnerable buildings.	
	I have been trying for 5 years to prod B&HCC into taking responsible action as both the owner and planning authority in securing a future for the redundant farm buildings. At the same time I have asked B&HCC to consider providing some much needed community space to replace that lost when the Victoria Rooms in the Stable Block were withdrawn from public use by the leaseholder, Cherrywood Developments.	Noted. The report aims to secure a future for the redundant farm buildings
Jamie Hooper	I have pointed out at our recent Forum meeting that because of weak signals due to the local topography, that some villages gain their TV signal via a satellite dish. Mine is on the rear elevation, and is in no way visible from the street. You have assured me that these will not be prohibited. Similarly, there is no gas available in the street, and therefore some people have LPG conisters or oil tanks in their rear gardens.	Noted. The Article 4 Direction is not a means of stopping such development. It is a method of controlling change - ensuring that such modern additions are located appropriately as to not harm the character of the area. As the Direction will be an Article 4(2) Direction, it will relate only to alterations to house frontages
Jamie Hooper	The hipped porches (p20) are regarded as sympathetic. The rear gardens are not overseen from the street and therefore sympathetic rear extensions such as mine should not be presumed as negative. Small rear extensions should be allowed if designed carefully, if thought necessary by the owners (mainly either B&HCC or the Conservation Trust)	As the Direction will be an Article 4(2) Direction, it will relate only to alterations to house frontages
Jamie Hooper	I would like to see any Leaseholder for the disused Stables Block adjacent to Stanmer House be compelled to undertake emergency repairs whilst a future use is found for the collection of buildings.	Noted. Negotiations are in progress

Jamie Hooper	The lime trees that flank the main South Drive in the Park were paid for by relatives as a memorial to their loved ones. In some cases, ashes have been deposited by these trees, and relatives occasionally visit them. Whilst they do not appear in the Figg Plan, they are an attractive feature in the summer, and their removal would please no one except those that cherish a hope that the park could somehow revert to how the Park looked before cars, and the public ownership of Stanmer.	The creation of an avenue remains inappropriate to the park and will significantly alter views across the valley and the character of the drive. It is appropriate that the statement identifies this, in order to inform future decisions regarding the management of the park. In view of the results of public consultation, the recommendation will be amended to promote long term strategies of non-replacement and future planting that has regard to the historic character of the park
Jamie Hooper	If Figg is regarded as important, then the Lower Lodges would need to be removed as they are a later addition, and the original lodges be re-erected where they previously stood halfway up the drive.	The Lower Lodges are depicted on the Figg plan, having been built in 1770. However the report is not promoting the wholesale restoration of the Figg design, it instead identifies the special interest of the park as that of a relatively intact 18th century designed landscape, the character and appearance of which it is important to preserve and enhance.
Jamie Hooper	No objection to the public parking in the immediate vicinity. The rough parking area opposite the tea rooms could be made more attractive as you have noted. We are not happy that vehicles are left in the street that are not used, and may not be owned by villagers but this is probably not within the scope of your review.	Noted. The future use and any improvements to the hardstanding are dependent on the future use of the adjacent farm buildings, and therefore need to be considered as part of any planning brief or application for this site. No recommendations are therefore given at this stage
Brighton and Hove Environmental Action Group (BHEAG)	We welcome any initiative for the preservation of the Stable block and fully support emergency repairs to halt the structural decline. We should also like to see the Village Community Centre, previously known as the Victoria Rooms, reinstated within the complex as a focal point for social and community activities. Contrary to popular myth, this was not simply a drinking den but a vibrant community facility where generations of villagers had enjoyed christening, wedding and funeral receptions as well as the regular and seasonal meetings and gatherings associated with rural community life.	Noted.
BHEAG	The inclusion of the orchard and the Care Co-operative Farm is also supported	Supports appraisal. No amendment required
BHEAG	We fully support new uses for the Long Barn and Church that will ensure the continued repair and maintenance of both. Such use could well include a visitor and education facility both for the history and significance of the Stanmer Estate and the South Downs National Park.	Supports appraisal. No amendment required
BHEAG	Whatever uses are decided for the adjacent farmyard enclosures, it is imperative that these retain the rural and agricultural character for which they were intended by leasing or letting to suitable tenants as at present. We would have no objection to the demolition of the obtrusive milking parlour. The pleasure that visitors, especially children, derive from seeing cows and calves and the horses and ponies has to be witnessed to be believed. For many of them, a visit to Stanmer Park is the only time they have experience of our great rural heritage.	Supports appraisal. The agricultural character of the buildings at Home Farm is extremely significant and should be maintained. Opportunities for the continued presence of livestock at the farm would be beneficial. The report will be amended to encourage this
BHEAG	The site of the former vicarage or dwellings between numbers 16 and 19 is currently used as a car park by the villagers. Whilst its capacity is strictly limited, there is scope for enlargement in its present well landscaped manner and we would recommend that, subject to the concurrence of the villagers themselves.	The benefical use of the vacant plot as car parking has been noted, and this will be considered as part of any planning brief/enhancement plan for the site. The report will be amended to reflect this. Any improvements to the site will also be considered as part of a planning brief/enhancement plan.
BHEAG	The Article 4 Direction is supported so long as this does not inhibit residents' ability to enjoy 21st century facilities such as oil or gas storage, television reception and rear garden leisure facilities. We support the boundary extension to the north of the village.	Noted. The Article 4 Direction is not a means of stopping such development. It is a method of controlling change - ensuring that such modern additions are located appropriately as to not harm the character of the area. As the Direction will be an Article 4(2) Direction, it will only affect house frontages

BHEAG	Vehicular access and car parking is one of the most contentious issues to have been addressed in relation to the park in recent years. The Colson Stone report recommended a single centralised car park at the southern end of the parkland and this was seized upon by elements within the Council who wished to introduce parking charges. These proposals were vigorously opposed by the vast majority of park users and stakeholders that resulted in a comprehensive examination of alternatives under the Stanmer Traffic Management Scheme. A Working Group was formed from the Stanmer Park Stakeholders, under the chairmanship of the then Countryside Manager, that proposed and planned the refurbishment of the existing six informal car parks and was agreed and authorised by the Environment Committee of the day.	Noted. However observation and consultation has emphasised that current parking arrangements are generally deemed inadequate and will require improvement, especially if the redundant buildings are brought back into use. If changes to current traffic management are proposed in future, all options will be considered (including that of retaining the present arrangement) at that time, and will be subject to public consultation. This report seeks to identify the issues with parking in the park in conservation terms, which will be one material consideration of any future traffic management scheme. To propose a new traffic management scheme is beyond the scope of this review. The report does not reopen the recommendation from Colson Stone
	The accepted plan allowed for 325 parking spaces within the parkland, with a provision for overflow arrangements on special event occasions. Regrettably, this figure was not achieved in its implementation and has subsequently been exacerbated by the loss of 100 spaces in Duke's Car Park due to the new approach road structure. Further details provided. We do not support revisiting this issue other than to amend its implementation in order to compensate for the loss of Duke's Car Park and achieve the planned 325 spaces.	
BHEAG	We do not support the removal of what we agree is historically inappropriate tree planting because of the emotive nature of such action. The avenue of limes was wrongly approved in the first place but has achieved a memorial status for the many people who subscribed to its creation.	It is appropriate that the report identifies the impact of the avenue, in order to inform future decisions regarding the management of the park in order that the special interest and character of the area is preserved and enhanced. In view of the results of public consultation, the recommendation will be amended so that it does not recommend removal, but promotes long term strategies of non-replacement and future planting that has regard to the historic character of the park
BHEAG	We fully support a more coherent strategy for signage and lighting	Supports appraisal. No amendment required
BHEAG	We agree with proposed boundary changes 1, 2 and 3. Change 4 is not supported as it excludes Pudding Bag Wood and the Upper Lodges that form an integral part of the historic landscape and backdrop to the House and parkland. We recommend that the boundary should extend to the whole of the existing western flint wall up to and including the Upper Lodges and the modern car parks, the run south east along the line of the southern fencing of Patchway Field, New Field and Nursery Field before following your proposed entry into the rear of the Nurseries and walled garden as shown in Appendix 1.	Conservation Area designation is primarily concerned with the built environment. PPG15 states that designation is not an appropriate means of protecting landscape features. Case Law determines that it is legitimate to designate the setting of important buildings, and historic parks and gardens that contain structures of special interest. Further consideration of this area has been undertaken. It is not felt that this part of the wood comprises part of the immediate setting of the House. The area feels removed from the parkland and the House, with instead greater visual and physical links to the designed farmland forming the northern portion of the registered historic park and garden. The area is protected more appropriately as part of the registered historic park and garden, confirmed National Park, Site of Nature Conservation, Environmentally Sensitive Area, proposed Local Nature Reserve and containing a number of Archaeologically Sensitive Areas and Scheduled Ancient Monuments. These designations more accurately reflect its significance.
South Downs Joint Committee (SDJC)	P1 (introduction) - The references to both AONB and National Park could cause confusion. We would suggest either only referring to the NP, or stating that the area is currently AONB, but shortly to be replaced by the NP	Mention of the AONB will be removed
SDJC	P20 - The document states that the paddock has a 'major impact' on the streetscene - it needs to explain whether this is positive or negative.	The report will be amended to clarify

SDJC	Lighting - p21 of the document states that lighting within the village has a neutral effect - we would suggest that it actually has a negative effect. We agree with comments elsewhere in the document regarding insensitive lighting in other parts of the CA. The document suggests replacing such lighting with less intrusive low level lighting - we would agree with this where there must be lighting, but in some cases, we would suggest complete removal.	On consideration, it would be illogical to exclude lighting in the village from the production of any coherent street paraphernalia strategy and therefore the report will be amended.
SDJC	Other clutter - we feel that there is too much signage and other unnatural features on the approaches to the house (including bunding, rocks, and posts intended to control parking). However, we accept that parking needs to be controlled somehow.	Supports appraisal. No amendment required
SDJC	Inappropriate Tree Planting - We agree that ideally the inappropriate trees could be removed. However, we understand that many are memorial trees, and so their removal may therefore be difficult/insensitive	Supports appraisal. It is appropriate that the report identifies the negative impact of the planting, in order to inform future decisions regarding the management of the park. In view of the results of public consultation, the recommendation will be amended to promote long term strategies of non-replacement and future planting that has regard to the historic character of the park
SDJC	Parking areas - These need to be rationalised. We would suggest 3 areas - either side of the entrance and at the church car park in Stanmer Village. These three areas would keep visual intrusion to a minimum.	Noted and generally supports appraisal. However to propose a new traffic management scheme is beyond the scope of this review.
SDJC	The 'Forest Garden' - This contains some excellent trees and could be promoted as an arboretum.	Noted.
SDJC	Boundary extensions - We agree with the reasons for boundary extensions to include areas of woodland, but elsewhere the document refers to various management regimes - does extending the CA designation (and therefore tree protection) take into account implications for future tree management? We agree with inclusion of the flint building remains at the northern end of the village and that the land severed by the A27 no longer reads as part of the CA	The designation will have no effect on the management of the woodland by the local authority
SDJC	Detracting features within the village - perhaps minor, but nevertheless these things cumulatively detract from the character of the village: 'residents cars only beyond this point' sign on crush barrier; wheelie bins; garden paraphernalia (eg 1st dwelling on west side immediately north of paddock).	Agree. Report will be amended accordingly
SDJC	Unlisted buildings in the village - we would suggest emphasising the importance of retaining timber framed windows and would support the document's suggestion of an Article 4 Direction for those buildings that are not listed.	Supports appraisal, which will be amended to emphasise the importance of retaining timber framed windows.
SDJC	New dwellings in the village - The document recommends a new dwelling between 16 and 19. The village does not have a designated Settlement Policy Boundary and infilling is not normally permitted (as per Local Plan Policy NC6). In addition the foundations of a previous building are known to occupy this plot, and so there may also be a risk to archaeology. We would draw your attention to application BH2004/02516/FP. This was withdrawn following advice from the City Council, although the detailed reasons for withdrawal are not available online. It would therefore seem inappropriate for the document to be encouraging development on this site	Any application would have to be considered, having regard to relevant 'downland' planning policies
SDJC	Stables and Long Barn - We agree that both of these buildings are in need of repair and a long term use quickly secured, and generally agree with the removal of unsightly buildings. However, with regard to Long Barn and immediate surrounding area, see also comments below regarding farming use.	Supports appraisal. No amendment required

SDJC	Agricultural use - The document acknowledges that a number of agricultural buildings have become redundant as a result of changes to farming in the park. We agree that a secure future is needed for the Long Barn and it may well be that a sensitive use could be found that would not conflict with continuing agricultural use of the adjacent areas. However, the working farm (whether or not it includes the Long Barn itself) is a crucial part of the village's character, as emphasised by the Colson Stone report.	Agree that agricultural use (and, as commented elsewhere particularly the presence of livestock in the village) is particularly important to the character of Home Farm and the village. The report will be amended to emphasise this.
	We therefore feel that the Conservation Area Appraisal seriously underplays the importance of retaining this agricultural use. Even the modern buildings identified as negative features contribute to the character of a working farm, and therefore to the unique character of the Conservation Area. Whilst it is acknowledged that the main enterprise can no longer be focussed in this area, surely B&HCC, as landowner, could encourage the tenant to retain some form of agricultural use un the area at the southern end of the village? There may even be an opportunity to gain some income from visitors - eg as a children's farm, possibly also housing the Stanmer Rural Museum collection?	
SDJC	Wider impacts from outside of the CA - The document identifies noise from traffic on the A27 as an impact - could low-noise surfacing be added as an aspiration? Also the school, university and sports buildings on the other side of the railway line detract from views from the southern end of the Park, and this should be reflected in the document.	Noted. The negative impact of views of developments to the south will be emphasised further in the report
SDJC	Military hardstanding - We would not suggest that this would make them worthy of retaining, but should the document acknowledge that the evidence of military occupation reflects part of the history of the site?	Agree. Report will be amended accordingly

Stanmer Conservation Area Appraisal

Designated: 1970
Extended: 1988 and 2010
Area: 78367 Hectares / 193.65 Acres (replace with area of new boundary)
Character Statement Adopted: 2010

Introduction

Location and Setting

Stanmer Park forms a distinct area to the north east of Brighton, approximately 5km from the city centre. Physically and visually removed from the city, it retains a rural downland context. It comprises an important, and well-used, open recreational space for the city, and provides walking and cycle access from the city to the South Downs. The area around the House and village was designated as a conservation area in 1970. The designation was reviewed in 1986, at which point an extension to include a large area of parkland was proposed. This was approved in June 1988.

The area forms a gently rounded, dry chalk valley, aligned north-west to south-east on the dip slope of the South Downs. For the purposes of this assessment, this will be simplified to a north-south alignment. Stanmer House lies at the head of the valley to the north, from where two smaller valleys extend to the east and west. Stanmer Village lies within the eastern of these valleys. The parkland associated with the House extends to the south, and is bisected by the drive, which provides access along the valley bottom from the Lower Lodges to Stanmer House. The parkland comprises amenity grass, sports pitches, access land and woodland. The area is bounded to the east and west by woodland, which delineates the chalk ridges to either side of the valley. The modern A27 is located in a deep cutting to the southwest, but is elevated to the south. The campus for Sussex University is located to the east, whilst agricultural land lies to the north.

The area is designated as a Registered Historic Park and Garden (Grade II), and contains 27 listed buildings. The area also falls within the confirmed South Downs National Park. Parts of the area are also designated as a proposed Local Nature Reserve, a Site of Nature Conservation Interest, and included in the South Downs Environmentally Sensitive Area.

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A conservation area is defined as '*an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance*'. This document seeks to define and assess the 'special interest' of Stanmer Conservation Area. Due to a number of changes in the area following its last review, most notably the 1987 storm and construction of the A27, this document also reviews and updates the current conservation area boundary.

Historic Landscape Survey and Restoration Management Plan

A Historic Landscape Survey and Restoration Management Plan was produced in 2003 (Colson Stone 2003). It covers the extent of the registered historic park and

garden, and thus a much wider area than the conservation area. Its aims were to assess the condition and value of historical, wildlife and landscape elements of the park and put forward a series of proposals to achieve its future restoration and management.

The study identifies many layers of significance at Stanmer. In particular it identifies its significance as an 18th century designed landscape that remains largely complete and in single ownership. It was concluded that the detailed Figg Plan (1799-1800) should form the basis for the future management of the landscape at Stanmer. It does not suggest that the Figg landscape should be 'restored'. Rather, that future management should seek to re-establish the broad layout, visual qualities and character of the 18th century landscape, whilst accommodating, where possible, existing uses. From this standpoint, the study identified a range of conservation policies, objectives and specific proposals to guide future management. Of these, policy LU4 identifies the need to review the conservation area and particularly its boundary.

The Colson Stone Report provides a comprehensive overview of the history and character of the Stanmer Park landscape. It does, however, cover a much wider area, and is primarily focussed on the landscape element of the park, rather than the built elements of the village and House. As such, whilst the Colson Stone Report has informed the following assessment, this assessment will focus more closely on the conservation area, and particularly on the built elements as the centrepiece of the area.

Assessment of Special Interest

General Character and Landscape Setting

The conservation area comprises a country house, its stables and other service facilities, the estate farm and estate cottages; all set on the valley floor within extensive open informal parkland with lodges at the principal park entrance and woodland along the ridge tops; these features, in association, collectively make up this historic parkland estate.

The estate landscape was redesigned during the late 18th century in keeping with the 'naturalistic' fashion of the time; it remains a rare survival of a largely 18th century manorial designed landscape, including tree clumps, walks and rides in an open valley landscape contained by ridge top woodland belts. Its original wider open downland setting is still evident, and is registered as an historic park and garden, but various parkland views southward are now affected by the A27 and various adjacent late 20th century educational, leisure and commercial developments. The park is a popular destination for residents of the city, and a popular site for sporting and leisure events.

Stanmer House provides the architectural focus to the park. Built in the 1720s, it is an attractive warm stone fronted 18th century country house, recently restored and in use as a venue for hire for conferences, special events and meetings. It fronts the drive and lawn, and is seen in picturesque association with the Victorian church and churchyard by visitors entering the park from the south. The garden front to the

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House faces the open parkland to the south but is now part obscured by later planting. To the rear stand various nursery buildings and the former stables, now dilapidated. Specimen tree and woodland planting complete the scene.

The village, which largely dates from the 18th and 19th centuries, is nearby but visually contained. The former farm house, long timber clad barn and various farm yards frame the single street; beyond which lie a number of estate cottages, all faced in brick and flint, of similar building detail and backing onto enclosed fields and woods.

Historic Background and Archaeology

The origins and historic development of the area

The name Stanmer is Anglo-Saxon in origin, meaning 'Stony Pond'. In 765, Aedwulf, King of Sussex granted the Estate of Stanmer to the Canon and Monks of St Michael in South Malling. The boundary of this Estate is fossilised in the modern-day boundary of Stanmer Parish. Stanmer Village comprised part of this estate and has existed as a unit since at least the time of the Domesday Book of 1086. At this point, it is likely that 29 villeins and 5 cottagers were resident in the village. By 1327, 25 taxpayers are recorded.

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The estate remained under the ownership of the Canons of South Malling until the dissolution of the monasteries in 1538, when it was taken over by the crown. In 1547 the estate was let to John Michelborne of Westmeston, for a period of 80 years. A survey of crown assets was undertaken in 1608. This records a demesne farm of 93 acres and a small community of just under 30 dwellings, supported by sheep and corn husbandry. In 1615 the estate was purchased by another John Michelborne on behalf of his brother Richard of Broadhurst, both great-grandsons of Michelborne of Westmeston. Over the remainder of the 17th century, Michelborne gradually acquired the village farmland and amalgamated the estate. With the loss of farmland, only those villagers required to run the estate remained at the village. Village occupancy reduced to one quarter of the original by 1635, and there were only 3 residents by 1664. The village shrunk as a result, and the earthworks in the field to the west are now all that survive of the houses, barns and crofts that became redundant.

Peter Gott, Receiver General for Sussex, bought the estate in 1700. The sale particulars record that the village comprised of only 12 dwellings, and it can be inferred that the estate contained no woodland at that time. The estate was sold on again to Henry Pelham of Lewes in 1712, and passed to his son, also Henry Pelham, in 1721. He immediately set about improving the estate. Construction of a new house began in 1722, designed by French architect Dubois. Dubois also designed the gardens around the House, including extensive landscaping, water courses, a bowling green and a walled kitchen garden. Some of the surrounding woodland was also planted at this time.

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The estate passed through successive generations of the Pelham family. In 1737 it passed to Thomas Pelham, who was then still a minor. His trustees commenced a scheme of enhancement and expansion in the 1730s and 1740s, with further enhancements from the 1770s onwards, when Thomas Pelham came of age. The

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park was improved in the naturalistic manner associated most commonly with Capability Brown. The designs followed the principles of the ferme ornée, through which much of the park remained as productive farmland; improved aesthetically through ornamental features and landscaping. Pelham assets elsewhere were sold in order to purchase land to the south in 1770, and the present Lower Lodges were constructed within the following year. A survey of the estate by Yeakell and Gardener in 1778-1783 shows the extent of the park and the village at this point. The village already displays its distinctive linear form, with north-south aligned street.

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Thomas Pelham was created 1st Earl of Chichester in 1801. The William Figg Survey of 1799-1800 provides a detailed plan of the estate at this time (Map 1). The field that fronts on to the west of the village street is labelled as 'The Green'. A secondary access route to the village from the west is shown for the first time on this plan, including Upper Lodges. Like the Yeakell and Gardener survey, this plan shows the church located at the southern terminus of the village street. This church was destroyed by fire in 1837, and replaced by Henry Pelham, 3rd Earl of Chichester, the following year.

A further terrace of cottages was constructed on the east side of the village street during the 19th century. This replaced buildings and a circular pond shown on the Figg Map. The pond to the north of the village was also created by 1840 (Map 2), with two ranges of farm buildings added to its immediate north by 1875 (Map 3). In 1870-5 a water catchment system was constructed to the design of Thomas Jones, estate foreman, to supply rainwater to the House and estate buildings. This survives to the northwest of the House and is designated as a listed building.

The main development in the village in the early 20th century was the addition of a pair of almshouses on the east side of the street. Built in 1912, these were dedicated to Lilla, Countess of Chichester, who had died the previous year. The estate remained in the Pelham family until 1942, when it was requisitioned by the War Office. A condition survey and a number of accurate plans were drawn up, providing a record of the estate at this time. This showed that the Pelhams had maintained the estate to extremely high standards. Unfortunately, extensive damage was caused throughout the military occupation, especially to the village, buildings around the House, and to areas of woodland which were used for tank training.

Following the war, the site was acquired by Brighton Corporation. The farmland was leased, a garden nursery established, the village houses restored and the parkland opened to the public in 1953. Despite repairs to the House, the north and west wings were deemed beyond economic repair and demolished in 1961. In the mid 1960s the University of Sussex established a new campus in the southeast corner of the estate. In the village, a semi-detached property, including the Stanmer Tea Shop, was constructed, whilst the property to its north, including the post office, was demolished following a fire.

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The woodlands were severely damaged by the storm of 1987, and the A27 was constructed across the southwest corner of the park in 1988. The council's garden nursery closed in 1991, and the area is now used by a variety of community-based horticultural enterprises. The walled garden and greenhouses are used by the council parks department. Due to changes in farming in the park, most of the

agricultural buildings in the village became redundant in 2005. Stanmer House is now privately run, providing function rooms for business and events.

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Archaeological Significance

Stanmer and the surrounding area is rich in archaeology, dating back as far as the Neolithic period, much of which is visible as surviving earthworks. The park contains numerous earthworks and remains relating to the Bronze Age. Two Bronze Age settlements have been excavated to the west; beneath the Brighton University Varley Halls site on Coldean Lane, and beneath the A27.

The Roman site of Rocky Clump, and the surrounding area, has been subject to archaeological investigation by the Brighton and Hove Archaeological Society for many years. A 13th century farmstead has been excavated to the southeast of the Upper Lodges, and to the south of Rocky Clump. Archaeological remains of parts of the original Stanmer Village survive as a deserted medieval village to the immediate west of the current village.

In 2004, excavations to the rear of the House revealed the remains of the former service wing, incorporating parts of an earlier Jacobean manor house and possibly a medieval building. A vaulted tunnel accessing the ice house was discovered, with further culverts likely to relate to the late 19th century water management system. This system incorporated the water catcher to the west of the village and a sewage system with gas engine located beside the drive. The water catcher's timber and slate superstructure has been lost; its location now only identifiable as a large area of concrete. The underground tanks however, and presumably other archaeological remains, survive largely intact.

The conservation area contains the majority of an archaeologically sensitive area (ASA) centred on the village and including the water catcher, and a small part of an ASA located in the Great Wood to the southwest of the walled garden, centred around two Scheduled Bowl Barrows.

Spatial Analysis

Comment [S1]: Spatial analysis figure and inset need to be reinserted following amendment

Views in to and out of the conservation area are important in placing the area in its setting. Internal views, spaces, landmarks and permeation routes are important in defining the area's character, and to the visitor's experience of the park. Alterations to these can have a significant impact on the 'special interest' of the conservation area.

Important views in the conservation area include:

V1. View from the top of the drive, across the lawn to the House and church
V2. View from the gap in woodland on the east ridge to the House and church (Figure 1)
V3. View from the east front of the House across the park
V4. Views from the parkland south across the Downs, framed by woodland to the east and west; in particular the views south from (a) Marquee Brow and from (b) the gap in woodland (Figure 2)

Comment [S2]: Change caption for Figure 2 to 'View V4b'

V5. View of the church from across the pond
V6. Gradually unfolding views along the length of the village street, to the church, into the farm yards and across the paddock to the west

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Important spaces and permeation routes in the conservation area include:

S1. The Lower Lodges provide a fitting historic entrance to the park and conservation area
S2. The drive forms the main permeation route through the conservation area, providing a direct link between the main entrance at the Lower Lodges and the House, and on towards the village, which together form the centrepiece of the area
S3. The lawn to the east of the House is of particular spatial importance, as it acts to unite the three elements of the designed landscape: the House, the church and village, and the surrounding parkland
S4. The village and paddock, with the tea shop as a focus for visitor activity

Important landmarks in the conservation area include:

L1. Stanmer House
L2. The Church
L3. Lower Lodges

Character Analysis

Comment [S3]: Reinsert amended Character Area Figure

The area can be divided into three distinct character areas: The House, The Village, and The Parkland. The Village comprises agricultural and residential buildings, arranged in a linear form. The House is set to the west of this, and relates directly to its surrounding pleasure gardens and stables. A number of operational buildings are located to the north and west of the stables, in what is termed here the 'Ancillary Area'. These include the Stanmer Rural Museum and City College (Stanmer Park Campus), as well as the entrance to the walled garden. The Parkland forms the majority of the area, and includes access land, amenity grass and woodland. Whilst each area displays its own distinct character, the areas are linked through their shared development as part of the Stanmer Estate.

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Character Area 1: The House

Comment [S4]: Reinsert The House Character Area Figure

The centrepiece of the area, Stanmer House comprises an 18th century country house. The main frontage forms a restrained classical-style, near symmetrical warm sandstone façade, overlooking parkland. The pleasure grounds are located to the south and rear (west) of the House, and comprise a formal fountain garden and Cedar Lawn, with woodland beyond. Modern planting to the south obscures the traditional relationship between the parkland and the House and pleasure gardens, whilst promoting a strong sense of enclosure to the gardens.

The prestigious stable block is located to the north. Vacant and in a poor state of repair, it is hidden in formal views. Beyond the stables, an ancillary area now includes the Stanmer Rural Museum, City College Brighton and Hove (Stanmer Park

Campus) and the entrance to the walled garden. This area utilises topography and planting to be visually removed from the House.

The House and ancillary area form the focal point for business activity in the area both historically and now, and are thus under pressure for change.

Important buildings

Stanmer House

Listed at grade I, Stanmer House (Figure 3) dates primarily to 1722-7, although it is likely to incorporate parts of an earlier house. It was designed by Nicholas Dubois for Henry Pelham, with the designs completed for Thomas Pelham, after his brother's death. An enclosed porch with Tuscan pilasters was added in the early 19th century, and the main façade extended to the north in 1860. It is brick-built, with local Lindfield sandstone ashlar fronts to the main east and south elevations, and render to the remainder. Of two storeys with attic, it has hipped slate roofs. On the main east facade, the central three bays project forward and are capped by a pediment housing an occulus window. The roofline incorporates a number of prominent chimney stacks.

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Although the focus of the park, Stanmer House occupies a relatively secluded location, nestled at the base of the valley, and not visible from much of the park. When approaching from the south for example, it only becomes visible abruptly at the left-hand turn at the top of the drive. This effect has been over-emphasised by recent planting, which has obscured the original more open aspect between the House and much of the park. The restrained classical style of the House contrasts sharply with the picturesque vernacular style applied to the village. With the Great Wood as a backdrop to the House, its formal architecture is also juxtaposed directly with the surrounding 'natural' landscape and vegetation.

The House originally comprised four wings, of which two have now been demolished, and replaced by temporary car parking. The fencing and lighting in this area is modern, and unsympathetic to the historic character of the park. The rear area contains a 17th century gin wheel and a number of remnants of flint walls and buildings, which add historic and architectural interest. The rear aspect of the House presents an irregular roofline, which may provide subtle evidence for the pre-18th century house.

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Stables

The prestigious stable block was constructed in 1778 (Figure 4). It has coursed flint and red brick walls to the exterior, gault brick walls to the internal courtyard elevations and hipped slate roofs. It is U-shaped, with a central carriageway entrance along its north side housed beneath a squat tower. On this side, the stables form a hard edge to the road. This, alongside mature vegetation, encloses views in the area. Empty and dilapidated, the future of the building is uncertain. Its current condition erodes the character of the area.

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The open side of the courtyard orientates towards Stanmer House, with the two buildings relating directly to one another. However, surrounding vegetation is designed and located so that the stable block is not visible in views of the House or from the gardens.

Spatial Features

The Pleasure Gardens

A formal square lawn (Figure 5), containing a central fountain, fronts the south elevation to Stanmer House. It was first levelled in the early 18th century, possibly as a bowls green, and the fountain was present by 1875. The use of the garden for events associated with the House has led to some modern intervention, including the erection of a tall fence to the south. The levelled area extends to the south, to a further lawn, bordered on three sides by vegetation, and with a steep 20th century earthwork to the west, which is of little historic character. This area retains a character somewhere between the formal space of the fountain garden and the more informal character of the rest of the park. It is accessed via a 20th century decorative iron gate.

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The cedar lawn (Figure 6) comprises a gently sloping grassed area with a number of large and particularly majestic cedar trees. The size, shape and colour of these trees are distinctive, and they are visible from many areas across the park. The area is bounded by belts of vegetation, which limit views out of the area, and create a sense of seclusion. This is overemphasised by 20th century vegetation to the south, including a cherry tree orchard and dense hedge. These have a harmful effect on the originally more open aspect between the House and parkland to the south. A vacant glasshouse beside the walled garden and a ruined orangery building (built in the 1970s based on historic precedent) identify the presence of, and provide access to, the ancillary area to the north. However, their neglected state has a negative impact on the area, and the access routes are not immediately apparent. The cedar lawn is bounded by woodland to the west, which contains remnants of flint walls and the pet cemetery; further clues to the historic nature of the area. In some areas the flint walls require stabilising and repair in order to halt further decay.

The area to the immediate north of the House was originally a formal garden, comprising three oval flower beds within a lawn, as shown on the Figg Plan. It is now overgrown and largely overlooked, forming a generic part of the parkland setting to the House, and screening views to the stable block.

The Ancillary Area

The ancillary area is based around an area of hardstanding, from where the Rural Museum is accessed to the south, the walled garden to the west and City College (Stanmer Park Campus) to the north. It lies to the immediate northwest of the House and stables, but is hidden from view, reflecting its subservient position in relation to the House. Due to the demands of varied modern use, the area has been subject to higher levels of modern intervention. The legibility of the area has broken down, leaving a somewhat incoherent character.

The area of hardstanding is used informally for parking, and requires maintenance. The entrance to the walled garden provides a focus to the area, comprising tall brick piers and an iron gate (Figure 7). It is flanked by a glasshouse to the south (and pedestrian access to the cedar lawn), and a 19th century grade II listed store shed of brick, flint and weatherboarding to the north. Both the walled garden and store currently lie outside the conservation area, but merit inclusion.

There has been a building in the location of the Rural Museum (Figure 8) since at least the 1840s, but the current building appears mostly 20th century in date, with brick walls, concrete lintels to large openings, a pitched slate roof and brick chimney. The building is set behind a poor modern gate and tall hedge.

The City College is located to the north of the stable block. It comprises a collection of temporary buildings, sheds and polytunnels, surrounded by beds, grass and vegetation. This area used to form part of the paddock, providing an open setting to the stable block. A straight road runs north-south across the grounds, following the line of the original paddock boundary as shown on the Figg Plan (1799-1800). This marks the boundary to the conservation area. Although the area forms a pleasant and well-maintained space, there is no historic precedent for its character. Further, it obscures the original relationship between the stable block and open pasture to its immediate north. The ad-hoc arrangement of poor quality (mostly temporary) buildings has a negative impact. This land is bounded to the south by a flint wall, which has in places been replaced with insensitive modern fencing, and merits rebuilding.

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Conclusion

Stanmer House is the most significant architectural piece within the conservation area. The House, its gardens, the stables and ancillary area contribute to the special interest of the conservation area.

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As this area is the focus for many of the modern uses in the park, it is generally under most pressure for modern intervention and change. The area contains a number of intrusive elements which are damaging to the special interest of the conservation area:

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- 20th century trees and vegetation to the south of the House have significantly altered views to and from the House and gardens, creating a false sense of enclosure
- The stable block is empty and dilapidated. The condition of the building will continue to deteriorate unless works are undertaken to consolidate the building and a suitable new use found
- The area of hardstanding outside the Rural Museum and entrance to the walled garden requires maintenance
- The City College buildings obscure the previously open aspect to the north of the stables. The character of the College is pleasant, but has no historic precedent
- The orangery and glasshouse are in disrepair and detract from the character of the cedar lawn

- Areas of flint walling are in disrepair or have been replaced with poor quality fencing
- The lighting, signage and gates to the area to the rear of Stanmer House are unsympathetic

Recommendations

(i) Negotiate a new use for Stanmer Stables and secure emergency repairs to preserve the fabric of the building

(ii) Improve the public realm in the ancillary area

(iii) Improve the area of the cedar lawn including opening up views out of the area.

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(iv) Adjoining areas merit inclusion in the conservation area, including the walled garden (Figure 9), which is a prominent historic feature in the area. The boundary should also be extended to include the orchard to the south of the walled garden (Figure 10) and Care Co-operative Farm to the west (extension A as shown in appendix 1). A brief character statement for this area follows:

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> The flint and brick walls of the 18th century walled garden to Stanmer House survive largely intact and act as a reminder of the historic nature of the area. The walls are approximately 2.5 metres high and built in red brick and flint, with numerous areas of rebuilding and alteration. The entrance forms a dominant feature, and is set to the north of the east wall. It comprises two rebuilt brick piers with a projecting course to the top, supporting a large iron gate. The walled garden is used as a nursery, and contains a series of north-south aligned glasshouses, polytunnels and storage areas, displaying varying levels of use and maintenance. Although these structures are modern in character, its continued use for horticulture is in-keeping. The tall wall acts to enclose the area, promoting a sense of detachment from the rest of the park.
>
> A range of bothy buildings, including the two storey Gardener's House survive along the north wall of the walled garden. These are built in traditional local materials, including knapped flint, flint pebbles and brick in a high variety of treatments and patterns Figure 11), with pitched and mono-pitched clay tile roofs. The structures are of considerable aesthetic, architectural and historic interest, and should be included. Some require maintenance, and a strategy for repair and use of the buildings should be implemented.
>
> The orchard lining the south wall of the walled garden, and the Care Co-operative Farm to the west, are depicted in the Figg Plan as under horticultural use. The current uses of these areas are therefore in-keeping with their historic use. They form pleasant green, secluded spaces, which merit inclusion in the conservation area. The south wall of the walled garden is a dominant feature in views in the orchard and, combined with the woodland to the south, promotes an extremely high sense of seclusion in the area. A flint wall is present to the rear of the Care Co-op Farm and orchard.

Character Area 2: The Village

Comment [S5]: Reinsert The Village Character Area Figure

This is a single quiet village street, now lacking farm activity, but nevertheless still popular with visitors to the park and downs. Restricted visitor parking is provided beside the church. The southern end is dominated by the church and former farmstead, the northern end comprises an orderly group of typical downland cottages of a picturesque vernacular style. Between the two are the village amenities, including a tea shop, type K6 telephone kiosk, 20th century letterbox and toilets, which form the village focus. The surrounding fields and woodland rise steeply to the east and gently to the west so as to contain the village and preclude long views in or out of the village.

The character is of a traditional 18th and 19th century farm estate hamlet that has grown in an orderly sequential fashion, with common features that reflect its shared development by the Pelham Estate and later farm and housing management by the Council. The village barn and adjacent yards, stores and shelters, currently forlorn in appearance, require new uses. Incremental change is restricted to buildings within the farmyards. Interestingly the street alignment is offset, such that the village is seen in a sequence of unfolding vistas; with the bend outside the tea shop articulating the farm and residential sections of the village as visually discrete parts. Each part engages as much with the countryside beyond as with each other. The church and the long double height barn running parallel with the street are visually dominant.

Important buildings and groups of buildings

Church

Built in 1838 in the Early English Style, the church is highly picturesque, with galletted flint walls, stone dressings and an elegant shingle spire (Figure 12). Decommisioned, its future use is uncertain. It is situated in a small graveyard with flint boundary wall and railing. A ha-ha to the south links this green space directly to the park. An ancient yew to the north of the church emphasises the antiquity of the area. The village well and donkey wheel are located in a small flint structure to the north of the graveyard. Contemporary with the present church, it reuses fabric from the former church. The church is a major landmark, with the spire visible from much of the park, across the adjacent pond and as the south terminus of the village street.

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Home Farm

Home Farm constitutes the south half of the village. The farmhouse is set in a large plot with flint boundary wall and orchard to the rear, and with flint and brick walls and a slate roof. Its size and materials promote a level of prestige, relative to the other dwellings in the village. The long, double-height barn is the most visually striking building, fronting directly on to the east side of the street (Figure 13). It is flint-built with red brick dressings, and weatherboarding to its street frontage.

A range of pitched-roofed farm buildings, stores and covered stalls bound the area into a series of yards. Although the fabric of these structures is not all historic, their scale, massing and materials are significant. Above all, the arrangement of buildings

to enclose and form open yards is of particular importance to the character of the area. Contained views are apparent across the yards to the open parkland beyond.

The farm buildings are currently vacant and require a new use to ensure their future. In order to maintain their character, and that of the village, residential conversion is unlikely to be appropriate.

Cottages

The north half of the village comprises small-scale residential dwellings (Figure 14). Built over the 18th and 19th centuries, they display uniformity in scale and materials, including:

- two storey height,
- pitched or hipped clay tile roofs,
- flint walls with brick dressings,
- timber horizontal sliding sash windows,
- prominent decorative brick chimney stacks, and
- low flint boundary walls with half-round brick coping and white picket gates.

Hipped porches were added to most properties in the second half of the 20th century, and maintain the picturesque architectural style. A pair of brick-built 20th century almshouses similarly preserve the scale and character of the village.

Whilst sharing these unifying features, each group of buildings differs slightly in its detailing and relationship to the street, emphasising the variation in construction dates. The overall uniformity in design and materials means the character of the village is particularly sensitive to incremental change. Three cottages in the village are unlisted, but remain visually well-conserved. An Article 4(2) Direction under the Town and Country Planning (General Permitted Development) Order (1995) would be desirable to ensure future planning control over minor alterations to these properties. The retention of traditionally-styled timber sliding sash windows is particularly important to the character of the area.

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The former housing plot between numbers 16 and 19 is now vacant; presenting a belt of vegetation to the streetfront, with parking for residents behind. The use of the site for parking is of benefit in reducing pressure for on street parking. This site could provide the opportunity for a new small-scale housing development, in order to clarify and re-establish the original continuity of built form along the street. However, any benefits of development would need to be weighed against that of parking. Any development proposal would need to contain careful consideration of car parking and of the archaeological potential of the site.

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Spatial Features

Paddock

The paddock is located along the west side of the street, and is bordered by a low flint wall, with a raised strip of grass and mature chestnut trees along the street

front. It contains a number of subtle earthworks relating to the deserted medieval village, and a belt of trees serve as a backdrop, enclosing the area. The paddock forms a clear break in the linear built form, and has a major positive impact on the streetscene. Despite being leased privately, the paddock gives the impression of a village green, which further identifies the area around the tea shop as the village focus.

Public Realm

The pavements throughout the village comprise either red brick paving with cobble setts to the kerb, or red brick kerbs to tarmac pavements, and are in need of some maintenance. Strips of grass alongside the pavements add to the rural village character. Cars park on both sides of the street and on the pavement, and impact on the street's historic character and on views along its length. The hardstanding opposite the tea shop is in a poor state or repair, and used informally as additional parking. The lighting is of a standard modern design and has a negative effect on the area, whilst garden paraphernalia and wheelie bins also clutter the streetscape. Signage to prevent vehicular access to the village for visitors is intrusive and appears temporary in nature. If such a sign is required it could be made more permanent and constructed in more sympathetic materials.

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Northern Terminus

The northern terminus to the village is marked by a belt of trees that form a visual screen with the historic agricultural parkland to the north. A small circular pond bounded by metal railings is largely hidden in vegetation and does not form a major part of the village scene. A handful of modern portal framed farm buildings and agricultural fields lie to the north, beyond the tree belt and outside the conservation area. The southernmost of the modern farm buildings reuses flint walls from a 19th century farm yard structure and open-sided shed, which is orientated towards the adjacent pond. Although of little aesthetic value in its current state, this structure forms an element of the historic village, having been formerly associated with Home Farm to the south.

Conclusion

Stanmer Village forms a highly picturesque agricultural estate village of considerable historic character, which contributes positively to the special interest of the conservation area. However, some intrusive and negative features within the area are damaging to its special interest:

- The recent closure of Home Farm means that there are now a significant number of historic buildings (including the grade II listed Barn) with an uncertain future. Some of the buildings are already in need of some repair.
- Some areas of pavement and the hardstanding beside the toilet block in particular are poorly maintained, and currently detract from the historic character of the village.

- Ivy, although relatively picturesque, is in some areas enveloping buildings, including farm buildings and number 3 Stanmer Park. Ivy can be very damaging to buildings, and requires pro-active management and/or removal.
- Parked cars – particularly on the pavement - impact on views along the village street, detracting from its historic character.

Recommendations

(i) Priority should be given to finding new uses for the long barn and church that:

- preserve their character and special interest;
- would enhance visitor enjoyment of the park and downs, and
- which may provide for other uses displaced from within the park.

(ii) New uses are required for the former farm yard enclosures adjacent to the barn, and which lie at the very heart of the village. The uses should:

- be compatible with the village's rural location,
- enhance its position as a recreational gateway to the open downs,
- secure the retention and sympathetic restoration of the traditional agricultural buildings, and
- secure the demolition of unsightly or inappropriate buildings and structures.
- encourage opportunities for the continued agricultural use of buildings and presence of livestock at Home Farm

(iii) A planning brief and an enhancement plan are necessary for the farm yard enclosures and the vacant plot between numbers 16 and 19 (Figure 15). The brief should identify appropriate land use and design opportunities.

(iv) An Article 4(2) Direction under the Town and Country Planning (General Permitted Development) Order (1995) is recommended to remove permitted development rights for numbers 11, 12 and 19 Stanmer Village, the unlisted dwellings within the village.

(v) Whilst the conservation area boundary remains largely legible and logical in this area, it is proposed that the boundary should be extended to the north to contain the open-sided agricultural building (extension B as shown in appendix 1). This building retains substantial remains of a 19th century flint-walled structure (Figure 16). It orientates directly towards the adjoining pond, and provides greater coherence to the location and setting of this feature. Although mature trees shield views between the structure and the village, and the modern over-structure is visually poor, the building historically forms a constituent part of both Home Farm and the village, and should be included for completeness of the village unit.

Character Area 3: The Parkland

Open parkland with specimen tree planting, tree clumps and woodland belts, originally laid out in the 18th century. The park constitutes the setting and main approach to the House and to the village and nurseries beyond. It also now

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Comment [S6]: Reinsert The Parkland Character Area Figure

functions as an 'edge of town' country park, with recreational facilities, but preserves its rural character through containment within the rolling downs. The woodland belts atop the ridges reinforce the sense of self containment and contribute to its historic downland setting. This setting is however now affected by some visual and noise intrusion from the A27 and adjacent late 20th century developments to the south.

Use

The park and farmland is subject to a number of countryside management regimes introduced to recreate the historic designed landscape and improve its ecological value. The character of the area is largely dependent on these. Different areas are managed as amenity grass, access land, woodland, sports pitches and pasture.

The amenity grass mostly lies to the west of the drive. It is a well-used part of the public park. The area is mostly open, with areas of tree planting. Some of this planting has historic precedent, but much is modern, obscuring the original 18th century designed landscape. In particular, modern planting alongside the historic Old Lodge Clump will, once fully grown, obscure views along the valley and visually enclose the central portion of the park. This will significantly alter the design and character of the parkland. The tongue of higher ground known as Marquee Brow is managed as longer grass, which is mown once a year and is of high ecological value (Figure 17). The Brow affords particularly good views to the south, with open downland and woodland belts visible beyond the A27 and modern developments. These woodland belts form part of the wider 18th century designed landscape.

The access land (Figure 18) lies mostly to the east of the drive. Recent removal of fences means the whole area is now open as one, with numerous gated access points. The area forms open cattle grazing, interspersed with clumps of trees of varying size and shape. These clumps do not exactly correlate to those shown on the Figg plan, but nevertheless work in harmony with the designed landscape to frame and channel particular views. The area is bordered to the east by fenced woodland, which runs along the ridgeline. Extensive views are afforded from a gap in this woodland, particularly to the south frontage of Stanmer House, the church spire, across the park more generally and over the developments and downs to the south.

The woodland to the west of the conservation area comprises a Forest Garden, containing winding 'serpentine' paths amongst spaciously planted and varied specimen trees. Although there is no historic precedent for a Forest Garden, this area originally constituted a wilderness garden, which would have retained a similar character. It is a pleasant area in which to walk, with added interest in the varied foliage and glimpsed views back to the parkland. The boundary between the Forest Garden and neighbouring amenity grass is blurred due to recent planting, including inappropriate fruit tree specimens.

Sports pitches are located to the south and centre of the park, and introduce an urban recreational character. The central pitch is located in a sensitive area, and is harmful to the historic parkland character of this area. Its removal would be encouraged. Modern generic changing pavilions are associated with the southern

pitches. A line of bollards marks the ownership boundary between Sussex University land and the park, but the open grass under University ownership still remains a coherent part of the parkland. The buildings of Sussex University are mostly screened by vegetation, but are visible from some locations. This vegetation incorporates and expands on historic planting known variously as Oval Clump (on Figg) or Russell's Clump (on later maps).

A fragmentary surviving strip of historic woodland named Tenantlain Belt (to the east) and Coldean Belt (to the west) forms the southern boundary to the park. This screens views between the road and park, and contains areas of parking. The area is rather neglected, with poor surfacing, a modern flint-walled toilet block ruined by vandalism, and evidence of fly tipping.

The southwest corner of the conservation area comprises part of a large field, bounded to the east and south by woodland and sloping gently to the south. Although originally connected to the park, the construction of the A27 means this is now a discrete area, with no direct physical access or visual relationship with the park. The A27 is partially situated in a deep cutting (Figure 19), but is also visible in part from the park. It has had a significant affect on accessibility, and creates substantial visual and noise pollution across the lower portions of the park.

Management of use is of critical importance if the historic designed landscape is to be safeguarded and enhanced and the park's peaceful rural qualities are to be preserved. Demands on the space are high and may conflict. Priority should be given to management regimes that are sympathetic to the historic character of the area, whilst facilitating public access and enjoyment of the park.

Built Features

Lower Lodges

The Lower Lodges (numbers 37 and 38 Stanmer Park) mark the principal entrance to the park and are a fitting historic gateway to the conservation area (Figure 20). Comprising a symmetrical pair, they are each of one storey, painted white brick with a hipped slate roof and dentil eaves cornice. Each Lodge is set within a garden with bow top fencing. Number 37 has been extended by a small lean-to to the west, which has a slight negative impact on the symmetry of the pair.

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The Drive

The drive is a linear tarmaced route, mostly designated as a bridleway but with vehicular access. It bisects the parkland and forms the main permeation route from Lower Lodges through the park. Trees have recently been planted to either side of the drive, creating the impression of an avenue. There is no historic precedent for an avenue at Stanmer, and the insertion of this feature significantly alters views across the valley and the character of the drive itself. This will only become more apparent as the trees reach maturity. The drive splits to the north, forming a one way loop system branching to the west towards the House and then returning via the village to the east. The area between the two parts of the drive contains specimen trees, which generally retain the character of historic planting in this area.

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The alignment of the drive gives direct views to the church, before turning to the west to give a sudden close view of the House.

Parking areas (Figure 21) are scattered along the length of the drive, utilising areas of hardstanding created by the military during World War II, and vehicular access is restricted by stones, bollards and bunds. There is no historic precedent for these areas, and the surfacing as well as the presence of parked cars in these areas is detrimental to the open historic parkland character and to views across the park. Modern street lighting and signage is also intrusive in some areas.

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Evidence for military occupation along the drive and in the park reflect an important part of the later history of the park.

Frankland Monument

Located in the Forest Garden, the monument was built in 1775 and dedicated to Frederick Frankland (Figure 22). Triangular in plan and classical in style, it is built in coade stone, with a large base with latin inscription, above which a funerary urn surmounts a column resting on three tortoises. The monument is largely hidden in views within the park. Its unexpected discovery when walking through the woodland acts as a reminder of the historic nature of the area.

Conclusion

The park comprises a rare survival of a largely 18th century designed estate landscape, reflected in its designation as part of a registered historic park and garden. It constitutes the setting and approach to Stanmer House.

A number of intrusive factors are, however, damaging to the character and special interest of the area:

- The A27 has a significant affect on accessibility, and creates substantial visual and noise pollution across the lower portions of the park. The bypass has wholly divorced the area to the southwest from the park, both physically and visually
- Developments on the adjacent hillside have a negative impact on views from the park to the south.
- Car parking areas along the drive are detrimental to the open historic parkland character and to views across the park. The car parks become increasingly intrusive on progressing up the drive to the House.
- Modern interventions, including lighting, signs, bunds and bollards along the drive and perimeter of the grassed areas detract from the character of the area. This is heightened by any growth of weeds on the bunds. The bunds and bollards have, however, been of huge benefit in restricting vehicular access onto the grass. Vehicles on the grass would further detract from the character of the area and from views, so such restrictions should be retained.
- Some areas of new planting are not in-keeping with the historic character of the area, obscuring views and altering the spatial arrangement of the park.

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This includes the creation of a lime avenue along the drive and planting to the west of Old Lodge Clump in particular

- The area of Coldean and Tenantlain Belts is poorly maintained
- The sports pitch to the centre of the park is inconsistent with the use and character of this area

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Recommendations

(i) Vehicular access to the park should be carefully managed, (a) to restrict car borne trips to the village to essential trips only, so as to preserve the village's rural character and (b) to locate parking in the park in a manner that minimises visual impact and enhances enjoyment.

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(ii) A long-term strategy of non-replacement should be instigated for inappropriate modern planting (especially fruit tree specimens beside the pleasure gardens and along the perimeter of Great Wood, trees along the drive and beside Old Lodge Clump). Any further planting in the park should have regard for the historic character of the park and for the original landscape design, as set out in the Restoration Management Plan. Native parkland specimens would be more appropriate additions to the park, if located appropriately.

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(iii) Any future development proposals at the south of the park or beyond should look to mitigate their impact on the park. Opportunities to strengthen screening of existing developments – including the A27 and University of Sussex Campus – should be sought.

(iv) A coherent strategy should be formulated for paraphernalia in the park, and along the drive in particular. Signs, surface markings and other modern interventions should be kept to a minimum and, where they are necessary, located sensitively. In general, well-placed and well-designed surface markings would be more appropriate than signs to control speed. Traffic calming measures would introduce a more urban character to the area, so should be avoided wherever possible. If found necessary, they should be as sympathetic as possible to the historic character of the area. Double yellow lines would generally be inappropriate in the park. Tarmacadam should be replaced where possible with gravels.

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Benches and other park furniture should be carefully located in the park in order to minimise impact on its character. Their design and materials should be in-keeping with the historic character of the area. When and where possible, modern lamp standards should be replaced with less intrusive low level lighting.

(v) The current boundary for Stanmer Conservation Area within the Parkland character area no longer reflects the character of the area, nor the House's setting and approach. Four boundary changes are therefore proposed, as shown in appendix 1:

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- The woodland belts along the east ridgeline form an intrinsic part of the 18th century designed landscape, the setting of Stanmer House, and the character of the conservation area. They act to heighten the sense of enclosure in the

park, and channel views to the south. They also form part of the historic circuit, and contain archaeological features. Although now lined in concrete and somewhat neglected in appearance, Lots Pond (Figure 23) to the north of the woodland may have originated as a historic dew pond. Thus predating the 18th century park landscape, it is of historic interest in itself. The woodland belts, up to and including Lots Pond, should therefore be included in the conservation area (Extension C). The boundary should be drawn along the fenceline on their eastern edge. To the north, the boundary should follow the east-west path to the immediate north of Lots Pond and continue across the access land to meet the boundary at the north terminus of the village. This loosely follows the crest of the ridgeline in this area, and therefore forms the limit of the visual setting of Stanmer House.

- The area of open grass to the southeast of the area forms part of the open parkland setting of the approach to Stanmer House (Figure 24). It comprises closely mown grass to the south, and longer grass to the north, bordered by a belt of woodland screening Sussex University. It comprises an integral part of the parkland approach to the House, in views from the drive in particular. The woodland incorporates the remains of the late 18th century Russell's Clump. This area therefore merits inclusion in the conservation area (Extension D). The boundary should be drawn around the east boundary of the belt of woodland dividing the park from Sussex University.

- The area to the south of the A27 should be removed from the conservation area. There is no longer any visual or physical relationship between this area and Stanmer House. As it no longer forms part of the setting of the House, and is severely impacted by the noise and modern visual aesthetic of the A27, the special interest of the area has been lost and it thus no longer merits designation as part of a conservation area (Removal E). The new boundary should follow the alignment of the new road under construction into Sussex University. In order to remain legible on the ground, the boundary should follow the north kerb of the road.

- The Forest Garden and Great Wood to the west of the conservation area comprise an integral part of the surviving 18th century designed landscape and of the setting and approach to Stanmer House. Similar to the woodland belts on the east ridgeline, they frame and channel views to the south. The Great Wood also forms the backdrop to views of Stanmer House. The woods retain remnants of a number of flint walls and archaeological remains. They therefore merit inclusion in the conservation area (Extension F). The boundary should follow the fenceline at the top of the A27 north escarpment. At the crest of the hill, the boundary should follow the paths down the slope to the rear of Care Co-operative Farm. This loosely follows the topography of the area, and thus the visual extent of the setting and backdrop to Stanmer House.

Statement of Special Interest

Stanmer Conservation Area comprises significant elements of an 18th century designed estate landscape. It includes Stanmer House, stables and associated ancillary area, the estate village and the parkland approach.

The House forms the centrepiece to the area. The polite architecture of the House contrasts with the picturesque vernacular style of the village, and with the verdant surrounding parkland. The village retains a characteristic linear form, with uniform building materials and style. This promotes the image of a quintessential rural village, which is emphasised further by the large paddock to the west, which gives the appearance of a village green.

The south façade of the House and the elegant spire of the church form prominent landmarks, and views of these from the surrounding parkland are important to the identity and character of the area. The sense of enclosure created by belts of woodland along the east and west ridges, as well as longer views to the downs, woodland and developments to the south are also a key feature of the area. The drive is a significant feature and route through the area, but its character has been altered through modern planting schemes. As a whole, Stanmer Conservation Area retains a quiet, secluded character, comprising all major elements of an 18th century estate.

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Appendix 3: Classes of Permitted Development to be removed by the Article 4(2) Direction:

Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008

Part 1A: The enlargement, improvement or other alteration of a dwellinghouse
Part 1C: Any other alteration to the roof of a dwellinghouse
Part 1F: Development consisting of: (a) the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such; or (b) the replacement in whole or in part of such a surface

Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008

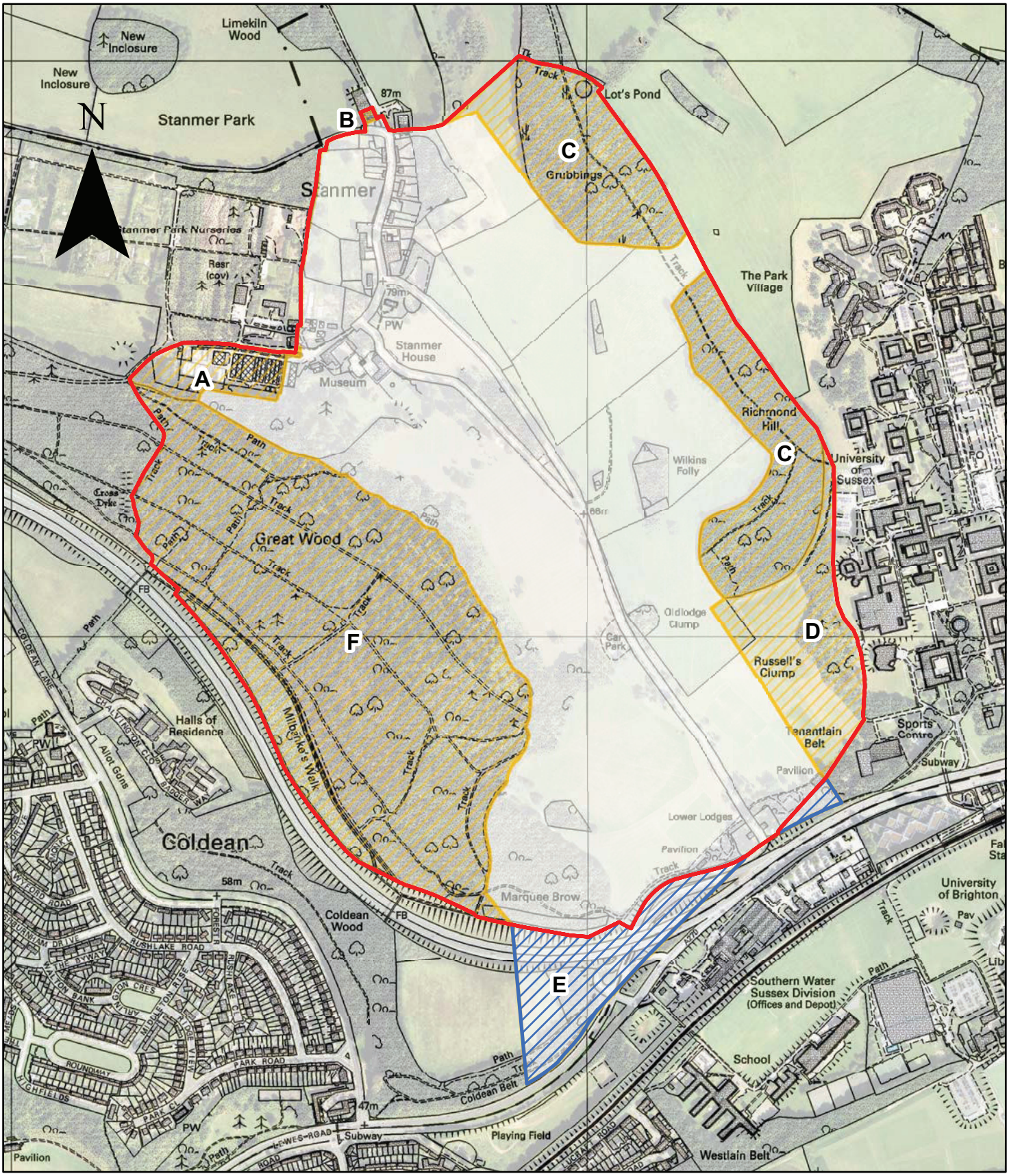
Part 40A: The installation, alteration or replacement of solar PV or solar thermal equipment on (a) a dwellinghouse or (b) a building situated within the curtilage of a dwellinghouse

Town and Country Planning (General Permitted Development) Order 1995

Part 2A: The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure
Part 2B: The formation, laying out and construction of a means of access to a highway which is not a trunk road or a classified road, where that access is required in connection with development permitted by any Class in this Schedule (other than by Class A of this Part)
Part 2C: The painting of the exterior of any building or work

Part 31B: Any building operation consisting of the demolition of the whole or any part of any gate, fence, wall or other means of enclosure

Appendix 4 : Proposed boundary changes



Proposed Conservation Area Boundary

Removed

Extended

Scale: 1:9,000

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ENVIRONMENT CABINET MEMBER MEETING	Agenda Item 113 Brighton & Hove City Council

Subject:		**Planning Brief – Former Royal Alexandra Hospital Site**		
Date of Meeting:		**25 March 2010**		
REPORT OF:		**Director of Environment**		
Contact Officer:	**Name:**	**Johanne Thompson**	**Tel:**	**29-2500**
	E-mail:	**jo.thompson@brighton-hove.gov.uk**		
Key Decision:	**No**			
Wards Affected:		**Regency**		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 The report outlines the consultation process undertaken in relation to the development of a planning brief for the former Royal Alexandra Hospital site and seeks Member's approval of the draft Planning Brief (see Appendix 1).

2. RECOMMENDATIONS:

2.1 That the draft Planning Brief for the former Royal Alexandra Hospital site be approved.

(The Brief will be used to provide up-to-date planning guidance to developers and will assist Development Control officers in the assessment of future pre-application proposals and/ or planning applications concerning the site. The Brief will be a material planning consideration in the determination of planning applications relating to the site.)

3. RELEVANT BACKGROUND INFORMATION

Introduction

3.1 At a case review of the former Royal Alexandra Hospital site on 30 June 2009, Members of the Planning Committee agreed that there was a need to produce an up-to-date Planning Brief in the light of the Appeal Decision by the Planning Inspectorate, which upheld the council's decision to refuse planning permission to Taylor Wimpey UK Ltd (BH2008/02095) for the redevelopment of the site. Members were particularly keen for the Brief to:

- Emphasise the importance of promoting development that would seek to protect as much of the hospital building/s as possible;
- Encourage greater joint working between the landowner, the community and amenity societies about the future of the former hospital site.

The process for developing the Brief has been driven by these aspirations for this important and sensitive site.

Summary of recommendations in the Planning Brief

3.2 The Planning Brief recommends:

- The retention of the principal hospital building – it remains flexible on how this is to be achieved to enable proposals to come forward either as a conversion of the existing building or as a full restoration of the building back to the original Thomas Lainson design of 1881.
- The retention of the open space to the south of the principal building – the space contributes positively to the character of the area and provides the setting for views across the site from various vantage points both within the Montpelier and Clifton Hill Conservation Area and the adjoining West Hill Conservation Area.
- The height of future development must respond to the level changes across the site and must not exceed five storeys.
- The retention of all trees on site with Tree Preservation Orders.

There are many other aspects that the Brief provides guidance on but these are the key recommendations.

Consultation process

3.3 A Scoping Report setting out the process and timetable for the development of a Planning Brief for the former Royal Alexandra Hospital (the Royal Alex) was approved by the Chairman of the Planning Committee and the Cabinet Member for Environment in August 2009. In accordance with Stage 2 of the Scoping Report, discussions were held with a number of stakeholders with an interest in the site (including amenity and residents' associations), to establish their priorities for any future development of the site. These stakeholders included:

- Taylor Wimpey (the landowner)
- Montpelier and Clifton Hill Association
- Brighton Society
- Regency Society
- Clifton, Montpelier and Powis Community Association
- Homelees House Residents' Association
- Residents occupying 20 and 21 Clifton Hill
- Primary Care Trust (PCT)/ GPs

3.4 These discussions have contributed to an enhanced understanding of local aspirations for its future development. The results of this consultation were used to inform the development of draft land-use and design options for the site included as a background document to this report.

Option 1 – Redevelop all of the site

Option 2 – Retain principal building, plus new build behind.

Option 3 – Retain principal with sensitive extension, plus new build behind

Option 4 – Retain cluster of existing buildings, plus new build behind

Option 5 – Retain all older buildings on site (minus existing extensions), plus new build in between

3.5 Members of the public, as well as residents' and amenity organisations, were invited to comment on these draft land-use and design options during a public exhibition staffed by officers in Hove Town Hall Foyer on Saturday 24 October (Stage 6 of the Scoping Report). The exhibition remained in the Foyer until Friday 30 October to encourage people who were unable to attend the public exhibition to comment on the options. The exhibition material was also made available on the council's website via a link from the council's Home page to a dedicated page containing latest information on the former Royal Alexandra Hospital site. Consultees were given a deadline of Friday 30 October for comments on the draft land-use and design options.

3.6 The draft land-use and design options were also presented to the city council's Conservation Advisory Group (CAG) at its meeting on 3 November 2009. CAG members requested more time to consider the options and suggested that the Royal Alexandra Planning Brief should be discussed again at a future meeting of CAG. The Montpelier and Clifton Hill Association (a member of CAG) recommended that the council should consider appointing a conservation consultant, to carry out an assessment of the draft options and to identify any additional options that would merit further consideration. This recommendation was duly acted upon and a consultant[1] was appointed to carry out a Conservation Assessment of the options.

3.7 At the meeting, CAG members also requested a site visit so that they could re-familiarise themselves with the state of repair of the buildings as well as the site's constraints and development opportunities. A visit to the former Royal Alexandra Hospital site was organised for CAG members on 28 January 2010 and was attended by officers of the city council and the landowner (Taylor Wimpey). This was followed up with a second meeting of CAG on 2 February 2010 where feedback on the consultation results from the public exhibition was given, as well as the consultant's Conservation Assessment of the options. A final version of the Planning Brief will be shared with CAG members at its next meeting on 16 March 2010. Any comments from CAG will be verbally reported at the Environment CMM meeting.

3.8 Regular briefings on the development and emerging content of the Brief have been undertaken with the Cabinet Member for the Environment and the Chairman of Planning Committee as well as the local ward Councillors.

Conservation Study

3.9 The report containing the consultant's assessment of the development options is provided as a background document to this report. The Conservation Study identifies a preferred option which seeks to retain the main hospital building and the villa (Administration block) at the rear of the site. This is in recognition of the historic and architectural contribution both buildings make to the visual appearance and character of the Conservation Area. The consultant does, however, consider that retention of the cluster of buildings in the middle of the

[1] Jack Warshaw, who provided evidence in chief on behalf of the city council at the Planning Appeal for the Taylor Wimpey scheme.

site (the Elizabeth Day Centre, the Laundry Building and the Nurses Home) would severely limit the development potential and would also compromise amenity. He states that "there would be no potential for green space in between buildings at the heart of the site. The layout, filled with cars and hard circulation, would be cramped, uninviting and commercially unattractive. Perhaps most importantly, any reference to recovering the original landscape quality and its contribution to the character of the conservation area would be lost".

3.10 The report expresses a preference for the full restoration of the main building back to the original Thomas Lainson building of 1881 i.e. through the removal of the later balconies and the reconstruction of the façade. The consultant contends that the restoration of the original building would most likely result in the building becoming eligible for statutory listing. However, since a full restoration would undoubtedly require much more intervention on the part of specialist contractors, it is likely that this option would be less financially viable than some of the other options which involve straightforward conversion. The Planning Brief therefore recommends that a flexible approach is taken to the retention of the main building to enable proposals to come forward which are not unnecessarily restrictive. Similarly, while the retention of the Villa is desirable, the Planning Brief recognises that this is an aspiration which may or may not be achievable once viability is taken into account.

Viability assessment

3.11 In accordance with Stage 4 of the Scoping Report, the District Valuer was invited to carry out an independent financial assessment of the draft land use and design options for the site. Based on the council's initial assessment of the current economic market, the land-use most likely to attract the highest return on investment was residential, followed by B1 office development and finally hotel development. The draft design options were consequently developed assuming that the principal use of the site will be residential, although B1 office/ hotel development are also shown as potential more minor uses of the main hospital building in those options which assume the retention of the building/s.

3.12 The District Valuer's report is provided as a background document to this report. The District Valuer states that in the present economic climate, even Option 1 (i.e. total redevelopment) which represents strongest financial return, is unlikely to yield any significant profit for developers of this site because of the reduction in land values since they purchased the site. However, it is important to recognise that viability assessments are conducted by applying certain assumptions at a specific point in time. If variables such as land values, build costs or the percentage of affordable housing were to change then the viability of each of the options will be directly affected. For example, using the information supplied by the District Valuer, officers have calculated that a rise in land values or a reduction in the percentage of affordable housing could result in Options 2 and 3 (the retention of the main building) becoming viable (assuming a 15-16% target profit level).

3.13 Recent discussions with the District Valuer service have revealed that since the options were tested in the Autumn of 2009, build costs have reduced and land values have slightly risen. Given that the site is located in a prime residential area, it is anticipated that it could be one the first areas in the city to benefit from

any future recovery from economic recession. This is likely to have a significant bearing on the viability of the site in the future.

3.14 The Planning Brief recognises the limitations of viability assessments but concludes that the assessment is still an important consideration in the deliverability of the future redevelopment of the site. The Brief therefore proposes a more flexible policy response to redevelopment proposals which retain the original building. It is possible that in order to facilitate conversion, the Local Planning Authority may exercise flexibility in relation to policies concerning affordable housing, housing mix/ size of units and Section 106 contributions. However, since this would mean a departure from Local Plan policy, a robust viability case would have to be included as part of any planning application.

Consultation results

3.15 The public exhibition on the options generated 147 written responses from members of the public and 4 formal responses from residents' associations and amenity organisations. Feedback from the public exhibition revealed overwhelming support for the retention in some shape or form of the Royal Alexandra Hospital (93%). 65% of respondents were in favour of the retention of all buildings on site (Option 5) although it should be noted that the results of the District Valuer's report were not available in time for the public exhibition and thus members of the public were not aware that this option was the least viable in financial terms. 22% expressed support for Options 2 (retention of the principal building) and Option 3 (retention of the principal building plus sensitive extension). 6% were in favour of Option 4 (retain cluster of existing buildings), while 7% of respondents were in favour of demolition of the original buildings and the comprehensive redevelopment of the site.

3.16 The results of the consultation have been summarised within a background paper to the Planning Brief in order to apprise developers of the strength of public opinion concerning this important and sensitive site. The main themes arising from individuals' responses were as follows:

Individual's responses

In favour of retention

- The existing building/s contribute significantly to the character of the area and should be conserved.
- Consider the Royal Alex building to be one of the most attractive landmark buildings in the city and of historic significance.
- Council should seek to maintain integrity of conservation areas.
- Demolition in a conservation area makes a mockery of having a conservation area
- Concern about height of any new development.
- Demolition of the existing building/s instead of re-using them is environmentally unsustainable and represents a gross waste of resources.
- Concern that demolition would lead to the establishment of a faceless modern building.
- Replacement buildings must be of high architectural value and sympathetic to surrounding area.

- Taylor Wimpey should sell the main building for sympathetic conversion and develop the rest of the site in consultation with local stakeholders.

In favour of comprehensive redevelopment (including the developer)

- Disappointed that the Taylor Wimpey scheme was rejected by the city council and Planning Inspector because the scheme was attractive in terms of design and the facilities it would provide.
- Retention of the existing low-rise buildings in the south or east of the site is likely to increase the pressure on the remainder of the site, resulting in compromised amenity for the 300 residents living to the north and west of the site.
- The relative lack of architectural merit of the buildings together with the impact retention would have on the provision of social housing, would suggest that comprehensive redevelopment of the site is the best way forward.
- The fabric of the existing building is too compromised and eroded by weather to make use of it in any redevelopment. The smaller buildings are too fragmented for viable development.
- The comprehensive redevelopment of the site should remain an option within the Planning Brief.
- Support the city council's decision to test the viability of the five options to be presented at the public exhibition.
- Keen to retain a medical use (i.e. GP surgery) as part of a mixed use scheme since this would aid viability.
- Support the application of policy HO2 of the Local Plan which requires 40% of units to be affordable because the provision of affordable housing on site secures Housing Corporation funding and therefore reduces financial risk.

Amenity and residents' associations

3.17 Comments were received from four amenity and residents' associations: The Brighton Society, Montpelier and Clifton Hill Association (MCHA), Prestonville Community Association and Homelees House Residents Association. Individual members of the Clifton, Montpelier and Powis Community Association (CMPCA), Regency Society and Silwood Area Residents' Association have also responded but not on behalf of their organisation and have therefore been included under the individuals' responses.

The key issues raised by the amenity/ residents' associations are summarised as follows:

- Retention of as many of the older buildings as possible;
- Concerned that one of the options presented involved the comprehensive redevelopment of the site;
- Do not agree with viability assessment of the options, such an assessment would require specialist knowledge of conversion costs;
- The options should have included use of the roof space in older buildings;
- The assumptions concerning internal circulation space for conversions are wrong;
- Dispute the number of units generated by each of the options;
- There needs to be a feasibility study to assess the full potential of conversion;

- The council should be flexible over standards for housing, car parking and the S106 agreement to help save the buildings;
- The quiet spacious quality of the Triangle is both a significant amenity for residents and a distinct element of the Conservation Area;
- The council options do not take account of the significant changes in levels across the site, height restrictions should apply;
- New buildings to the north or west of the site must not be too bulky, monolithic or have large unbroken flat surfaces.

Neighbouring residents

3.18 A submission by 16 neighbouring residents from within the Alex "Triangle" (i.e. Clifton Hill, Clifton Road, Homelees House) commenting on the options was also received beyond the deadline and has been included in this report. The main issues raised were:

- **Steeply sloping land** – new buildings to the north-east of the site will be located on top of a hill. Their height has the potential to have a major impact on the amenity of residents who live to the immediate north and west of the site – casting shade, taking up the sky, obstructing sightlines and overlooking. The height of development should be restricted in these areas
- **Set back from the boundary** – because of the steep gradient the Alex site looms over adjacent properties. The brief should specify a minimum set back from the north and west boundaries of the site.
- **Roofs** – slate pitched roofs should be required on all main buildings.
- **Space** – the brief should preserve the distinct Victorian character, as a large open space with long open sightlines.
- **Textures** – the diverse range of textures in the Triangle (render, flint, dark red brick, slate and greenery) should be echoed in the palette of materials in new buildings.
- **Trees** – all mature trees should be preserved on site. A belt of trees and greenery at the northern and western boundaries of the site should be encouraged to ensure sufficient set back of new development from the boundary.

3.19 The Primary Care Trust and GPs from the Montpelier Surgery were consulted as part of the early stakeholder discussions as a party with an interest in the site. Their priorities for the future redevelopment of the site are summarised below:

- Keen that the provision of a new GP surgery is incorporated within each of the council's design and land-use options for the site.
- Emphasised that an exhaustive site search has been conducted in the vicinity of the existing Montpelier GP Surgery and that no suitable premises had been identified.
- GP's and PCT need premises which are fit-for-purpose and compliant with the requirements of the Disability Discrimination Act. Their preference is for a new build practice within the curtilage of the Royal Alex site.
- The surgery should ideally be highly visible and accessible.
- Dedicated parking should be incorporated within the overall development for GP's, nurses and visitors (including blue badge holders).

3.20 The Planning Brief has addressed all of the issues identified from the consultation under sections 5, 6 and 7 of the Brief which incorporate guidance on Conservation, Development Principles and Deliverability.

4. CONSULTATION

4.1 Details of consultation are covered in the body of the report.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 All direct costs for the production of the Planning Brief and consultation have been included within City Planning's budget allocation, there are no further costs.

Finance Officer consulted: *Derek Mansfield* *Date: 12/02/10*

Legal Implications:

5.2 Although the Planning Brief is a non-statutory document and therefore cannot be given full statutory weight, it has undergone wide ranging consultation, as outlined in the report, which itself gives weight to the document. The Planning Brief will be a material planning consideration in the determination of planning applications relating to the former Royal Alexandra Hospital site. No adverse human rights implications have been identified as arising from the report.

Lawyer consulted: *Hilary Woodward* *Date: 12/02/10*

Equalities Implications:

5.3 Equality Impact Assessment (EQIA) issues relevant to this Planning Brief have been considered. Equalities principles have been an integral part of the development of the Brief and have particularly informed the consultation process, including the organisation of the early stakeholder discussions, the public exhibition and the dedicated Royal Alex page on the council's website.

Sustainability Implications:

5.4 Sustainability measures inform all of the principles for the future development of the site and are outlined within the Planning Brief.

Crime & Disorder Implications:

5.5 The Planning Brief has been developed to provide for a safer environment in the area through a range of measures including public and private realm improvements and the promotion of good urban design.

Risk and Opportunity Management Implications:

5.6 None identified.

Corporate / Citywide Implications:

5.7 The site is not allocated in the Local Plan, but it is part of the Montpelier and Clifton Hill Conservation Area. As such, the Planning Brief draws upon the history and the character of the conservation area enshrined within the Montpelier and Cliftonhill Area Character Statement. The former hospital is an important part of Brighton life and a well known local landmark. Thus the future development of the site needs to be sensitive to its previous history as a Children's Hospital for the city.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1 Five draft land-use and design options were shared with members of the public at a public exhibition, amenity and residents' associations and the Conservation Advisory Group (CAG). Comments were invited on these draft options and are summarised in Sections 3.15-3.20 of this report.

7. REASONS FOR REPORT RECOMMENDATIONS

7.1 To ensure there is detailed, clear advice to developers on the type of development that is acceptable on this important and sensitive site.

7.2 To assist Development Control officers in the assessment of future development proposals and/or planning applications concerning the site.

SUPPORTING DOCUMENTATION

Appendices:

1. Planning Brief – former Royal Alexandra Hospital site

Documents In Members' Rooms

1. Scoping Report – former Royal Alexandra Hospital site.
2. Land-use and design options.
3. Development Options Conservation Study – Jack Warshaw.
4. District Valuer's report.
5. Planning Brief – former Royal Alexandra Hospital site.

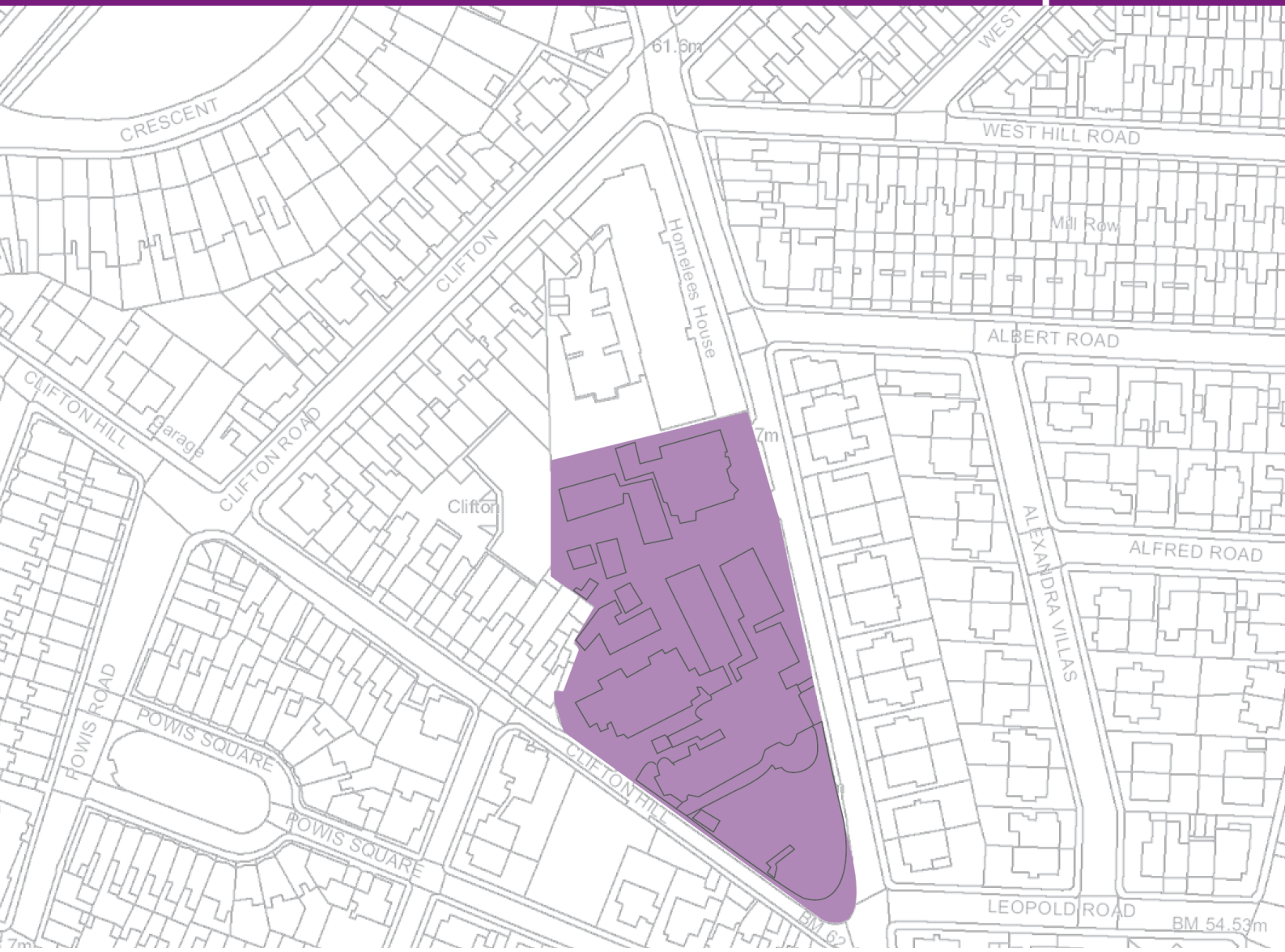
Background Documents

1. Scoping Report – former Royal Alexandra Hospital site.
2. Land-use and design options.
3. Development Options Conservation Study – Jack Warshaw.
4. District Valuer's report.
5. Brighton & Hove Local Plan (adopted 2005).
6. Core Strategy Proposed Submission (February 2010).
7. Conservation Area Character Statements (2005).
8. City Planning Informal Planning Advice Note – Royal Alexandra Hospital for Sick Children (2006).

Planning Brief

March 2010

Former Royal Alexandra Hospital site



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Brighton & Hove City Council

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Disclaimer: This is a current document which will be reviewed in two years time

Executive summary 1

This Planning Brief provides up to date planning guidance concerning acceptable development on the former Royal Alexandra Hospital site. The content of the Brief will be used in the assessment of future pre-application proposals and planning applications and is a material planning consideration in the determination of planning applications relating to the site.

Section 3 provides the background to the preparation of the Brief and outlines the process of stakeholder consultation which has been undertaken in relation to the development principals enshrined within the Brief as well as the council's land-use and design options.

Section 4 provides details on the site, including a description of the former hospital buildings and the characteristics of the surrounding area. It also summarises the planning history of the site and the Inspector's Appeal decision.

Section 5 of the Brief outlines the results of an up-to-date conservation assessment of all the buildings on site. It suggests a ranking for the retention of each of the buildings, based on their architectural merits. The section also provides feedback from the Conservation Advisory Group (CAG) on the conservation assessment and the council's land-use and design options.

Section 6 focuses specifically on deliverability. This is in recognition of the previous planning Inspector's observation that a viable scheme on the Royal Alex site is needed to prevent the physical deterioration and ongoing underutilisation of land and buildings, with the attendant harm to the character and appearance of the conservation area. The section summarises the findings of the District Valuer's financial assessment of the council's five land-use and design options. It also explains the role of market forces such as local market conditions, construction costs, sales and revenue etc. and their impact on deliverability.

Section 6.7 identifies the preferred development approach which requires the retention of the principal hospital building in any proposals for the redevelopment of the site. Material considerations in arriving at the preferred development approach were:

- the Inspector's recent Appeal Decision;
- the results of the community consultation; and
- the conservation assessment and the need to preserve and enhance the character and appearance of the Conservation Area.

The Brief clarifies that the financial viability of proposed development is also a material planning consideration in the determination of planning applications for the site. It recognises that viability will be entirely dependent on the value of the scheme and the state of the local market at the time of submission of the planning application. Any viability case presented by developers will be independently assessed.

Given that the preferred development approach is likely to have viability implications, the Local Planning Authority does accept the need to be flexible in the interpretation of Local Plan policies in order for the city council to realise its aspirations for the site. Policy areas which may be interpreted more flexibly include:

- proportion of affordable housing;
- housing mix and size of residential units;
- S106 contributions towards local infrastructure.

The LPA acknowledges that under current market conditions, despite exercising flexibility in policy, proposals may not be financially viable in the short term. In these circumstances, the LPA would consider proposals which put forward temporary uses of the buildings on site until the market recovers. The Brief also explores other mechanisms, such as deferred planning obligations, to enable development to take place when economic conditions are less favourable.

The final section of the Brief (Section 7) identifies the development principles to guide the holistic regeneration of the site through clarification of Local Plan policy and, where appropriate, the Emerging Core Strategy.

Status of the Brief 2

Planning Briefs do not form part of the Local Development Framework (LDF). Although the Brief cannot be given full statutory weight, the consultation on the document has extended beyond that which is normally undertaken for Planning Briefs. The city council has held early discussions with a number of stakeholders with an interest in the site (including amenity and residents' associations), to establish their priorities for any future development of the site. The draft land-use and design options for the site were also displayed at a Public Exhibition which generated 147 formal written representations. The content of the Brief has also been informed by adopted and emerging planning policy.

The guidance contained within this Brief is a material planning consideration and will be used in the determination of planning applications.

The document was adopted by the city council at the Environment Cabinet Members Meeting (CMM) on 2010.

3 Introduction & background

3.1 Introduction

The relocation of the services provided at the Royal Alexandra Hospital to the Royal Sussex County Hospital in 2006, provides an opportunity to bring about the regeneration of this strategically important and sensitive site. Although the site was purchased by Taylor Wimpey UK Ltd in 2006, it remains vacant following an unsuccessful planning application and subsequent Appeal by the developer/ landowner in 2008. Given the current unfavourable economic circumstances it is unlikely that the site will be developed in the foreseeable future without the proactive intervention of the local planning authority (LPA), which is one of the principal reasons for the preparation of this Planning Brief.

This planning brief provides a development framework that establishes the principles upon which future planning applications will be assessed and as such, it does not present detailed proposals. It also provides guidance to prospective developers of the site on the development opportunities, planning constraints and the responsibilities of delivering development within a conservation area. The proximity of the site to the city centre and its public transport facilities means there is significant opportunity to realise the city's wider sustainability objectives through good design.

Brighton & Hove City Council offers a pre-application service and developers are advised to contact the council at an early stage to discuss proposals for the site.



Former Royal Alex Hospital (Principal building)

3.2 Background

In December 2008, the council's Planning Committee refused to grant planning permission for a residential-led scheme submitted by the landowner of the site,

Taylor Wimpey UK Ltd (BH2008/02095). The scheme proposed the demolition of the former Royal Alexandra Hospital and the erection of three buildings containing 149 flats, a doctor's surgery and a pharmacy.

The landowner appealed against the decision but the appeal was dismissed by the Planning Inspectorate in June 2009 on the grounds that the design of the replacement buildings did not justify the demolition of the existing buildings. However, the Inspector acknowledged that any alternative scheme would need to be financially viable if it is to be built, otherwise the site would remain undeveloped for the foreseeable future, with consequent harm to the character and appearance of the conservation area.

At a case review with Planning Committee on the Royal Alex Hospital site on the 30 June 2009, Members agreed that there was a need to update the Planning Brief in the light of the recent Appeal Decision by the Planning Inspectorate. Members were particularly keen for the Brief to:

- emphasise the importance of promoting development that would seek to protect as much of the hospital building/s as possible;
- encourage greater joint working between the landowner, the community and amenity societies about the future of the former hospital site.

In the light of this case review, the council has sought to bring about a viable solution to the site's development via an up to date Planning Brief to provide advice for developers on what is acceptable in terms of land-use and design.

3.3 Stakeholder consultation

Following the case review, early discussions were held with a number of stakeholders with an interest in the site (including amenity and residents' associations), to establish their priorities for any future development of the site, including:

Montpelier and Clifton Hill Association
Brighton Society
Regency Society
Clifton, Montpelier and Powis Community Association
Homelees House Residents' Association
Residents occupying 20 and 21 Clifton Hill
Primary Care Trust (PCT)/ GPs
Taylor Wimpey (the landowner)
Introduction & background 3

These discussions have contributed to an enhanced understanding of the site, its constraints and stakeholders' aspirations for its future development. The results of this consultation were used to inform the development of the draft land-use and design options for the site which were displayed at a Public Exhibition in Hove Town Hall Foyer on Saturday 24 October.

Public exhibition

The response to the Public Exhibition from members of the public and amenity/ residents' associations was significant. The council received 147 formal written representations on the five draft land-use and design options presented at the Exhibition, either through forms completed at the Exhibition or emailed responses. The material presented on the Exhibition Boards was available in PDF format on the council's website with a link set up on the Home page throughout

the seven day consultation period, which undoubtedly contributed to the high response rate. A summary of the results of this public consultation is included as a background document to this Brief.

Conservation Advisory Group (CAG)

The options were also presented to the city council's Conservation Advisory Group (CAG). Feedback from members of CAG resulted in the appointment of a conservation consultant[1] to undertake a conservation assessment of the council's land-use and design options. CAG have subsequently been advised of the results of the consultant's conservation assessment and his evaluation of the council's land-use and design options. A range of views were expressed by CAG members on the form that retention of the buildings on the site should take. These views have informed the content of this Brief.

Councillors

Regular briefings on the development and emerging content of the Brief have been undertaken with the Cabinet Member for the Environment and the Chairman of Planning Committee as well as the local ward Councillors.

[1] Jack Warshaw, who provided evidence in chief on behalf of the city council at the Planning Appeal for the Taylor Wimpey scheme.

The site 4

4.1 The site description

The former Royal Alexandra hospital lies within the central area of Brighton and covers an area of 0.73 Ha. It is located on the corner of Dyke Road and Clifton Hill within the Montpelier & Clifton Hill Conservation Area and occupies the southern section of a broadly triangular site bounded by Dyke Road, Clifton Hill and Clifton Road. The northern section is principally occupied by a mixture of terraced stucco fronted houses mainly dating from the early 19th century and a postwar development of flats. Dyke Road is a major North-South bus route, the B2121, merging with the A2010 further north. The road rises from south to north as it approaches the southern apex of the site. The eastern side of Dyke Road, fronting the site, is within the West Hill Conservation Area and contains a group of 6 pairs of substantial semi-detached villas.

The site is within close proximity to the main regional shopping area to the south and Seven Dials, the local District Centre to the north, which provides a range of shops and restaurants. To the north east, approximately 450 metres away, lies the main Brighton Railway Station. The location of the site is presented in Map 1 (mark on Conservation Areas).

4.2 The surrounding area

Clifton Hill contains some early buildings of c.1820 but otherwise the buildings in this area are mid-19th century, with St. Michael's Place dating back to the 1860's. Immediately adjacent to the site on Clifton Hill is a terrace comprised of narrow, stucco fronted houses, varying between two and three principal storeys. Further along Clifton Hill are some shops and a public house, with a taxi rank close by, but otherwise the buildings are in residential use.



View of Clifton Hill area

The Dyke Road area, opposite the Royal Alex principal building, is characterised by terraced houses with very small front gardens or paved areas at the northern end of Buckingham Road and semi-detached villas, set in well planted gardens, in the other four roads (including Dyke Road) further west. The majority of buildings in this area are rendered which reflects the mid-late 19th century date when most of them were built.



View of Dyke Road area



View of Homelees House

4.3 Former Royal Alexandra Hospital buildings[2]

Principal building

The Brighton Hospital for Sick Children was founded at 178 Western Road on 3 August 1868 by Dr R.P.B.Taafe. It expanded into an adjacent building in 1870, but in the same year the hospital moved to the disused Church Hill School in Dyke Road where it was reopened with twenty beds on 14 July 1871 by the Bishop of Chichester. The present three-storey red-brick building hospital building was erected on the site in 1880-1 and was officially opened on 21 July 1881 by Princess Alexandra. Decorated with terracotta mouldings, it was designed in Queen Anne style by Thomas Lainson at a cost of £10,500. The girls' ward was named the Taafe Ward in honour of the hospital's founder[3].





Photos of the Former Royal Alex

[2]The descriptions of the different buildings on site have been derived from the Architectural Assessment conducted by Giles Quarme and Associates in October 2005.

*[3]Thomas Lainson designed the Middle Street synagogue (listed Grade II *) in 1875 and was a Brighton based architect.*

Wings to the rear of the building were built in 1904 in a Vernacular Revival style.

The administration block (Victorian Villa)
The administration block or northern lodge, was built sometime before 1867 when it first appeared on a map of the area. The building is a good quality mid-Victorian two storey villa with a Doric portico and pair of half hexagonal projecting bay windows. Between 1867 and 1875 a side extension was added to the northern flank of the building. This is now partly obscured by a modern extension on the front. It remained as a private house until the hospital bought it in 1945. It would appear that the old Victorian and Edwardian extensions were swept away at the time that it was converted into an outpatients annex in 1949.

The Elizabeth Day Centre
The Elizabeth Day Centre was constructed in 1904 as an isolation department of the hospital. It was originally an Edwardian building typical of its age and date. It made no attempt to emulate the Queen Anne style of the main hospital and was built as a two storey department with an adjoining single storey hall. Unfortunately, the building has been further compromised by a series of rectilinear flat roofed extensions of varying dates that have totally obscured the original pebble dash appearance of the building.

The nurses' home
The nurses' home dates from 1896 and is a two storey building crowned with a series of four tile-clad triangular gables. The original building has been altered by later additions such as the metal fire escapes and first floor access doors. In 1913-14 it was incorporated into a much larger building which extended to the north and the south of the original block. There was no attempt to retain any of the original 1896 structure other than its foundations.

The laundry block
The laundry block dates from 1902 and was built in a domestic Tudor revival style. It comprises of a two storey main block, a tower and a single storey gabled element surrounded by a small ventilator. Like the main hospital building it has a traditional red tiled roof covering projecting eaves. Unfortunately, a number of original doors and window openings have been filled in flush with the external brickwork which has disturbed the original symmetry and composition of the building.

4.4 Planning history

Applications for planning permission and conservation area consent for the demolition of the former hospital buildings and erection of 156 residential units and 751 square metres of commercial floorspace (doctors surgery and pharmacy), associated access, parking and amenity space were withdrawn by the applicants, Taylor Wimpey UK Ltd (BH2007/02925 and BH2007/02926) in September 2007.

The scheme was subsequently revised by the applicants and formally resubmitted to the local planning authority in November 2007 (BH2007/04453) but was refused planning permission at Planning Committee in March 2008. An appeal against this refusal was submitted by the appellant to the Planning Inspectorate but was later withdrawn.

Conservation Area Consent for the demolition of existing buildings would have been refused in November 2008 (CAC application BH2007/04462), had an appeal against non-determination not been lodged by the applicant, for the following reason:

Reason
Policy HE8 of the Brighton & Hove Local Plan states that demolition in conservation areas will not be considered without acceptable detailed plans for the site's development. In the absence of an approved planning application for the redevelopment of the site, the demolition of the buildings would be premature and result in a gap site that would fail to preserve or enhance the character or appearance of the Montpelier and Clifton Hill Conservation Area and adjoining West Hill Conservation Area.

Further work was undertaken by the applicants to revise the scheme in the light of the reasons for refusal, resulting in the submission of a new application (BH2008/02095) and conservation area consent (BH2008/02808) for the demolition of the former hospital buildings and erection of 149 residential units comprising 40% affordable units and 807.2 sq m of commercial floor space for a GP surgery (including 102 sq m for a pharmacy) associated access, parking and amenity space. This application was refused planning permission at Planning Committee in December 2008, for the following reasons:

Reason 1
It is considered that the development by virtue of its siting, height, scale, mass, detailing and appearance does not contribute positively to its immediate surroundings and would have a detrimental impact on the character and appearance of both the street scene and the Montpelier and Clifton Hill Conservation Area and the setting of the West Hill Conservation Area. The proposal would therefore be contrary to policies QD1, QD2, QD4 and HE6 of the Brighton & Hove Local Plan.

Reason 2
The proposed development would provide an inappropriate amount of private amenity space and a lack of children's outdoor recreation space on the site for the occupiers of the residential properties, contrary to policies HO5 and HO6 of the Brighton & Hove Local Plan.

There are currently no active applications in relation to the site. However, the Local Planning Authority is aware that the owners of the site, Taylor Wimpey UK Ltd, are likely to submit a new application once they have had the benefit of reviewing the latest guidance contained within this Planning Brief.

4.5 Inspector's decision

An appeal against this refusal was submitted by the appellant to the Planning Inspectorate in December 2008 but was dismissed by the Inspectorate in June 2009. The Inspector's decision letter considered that the proposed redevelopment of the site was of insufficient quality to justify demolition of the existing hospital building/s. His main observations are summarised as follows:

- The principal hospital building and particularly its southern façade and the southern end of the Dyke Road frontage contribute positively to the character and appearance of the conservation area.
- He draws parallels with other red brick and terracotta buildings in the conservation area (i.e. St Mary Magdalen RC Church) which he contends distinguished non-residential buildings from the predominantly stuccoed appearance of the residential buildings.
- Strongly in favour of retaining the open space in front of the south façade.
- He did not consider that the appellants had demonstrated that the building was beyond economic repair, as required by policy HE8.
- He thought that the conversion scheme of 55 units, which could not demonstrate a viable use, was not proof that a viable use could not be found. He suggested that other variations of retention and new-build should be explored which might secure the contribution made by the south-facing façade or part of it to the conservation area.

While the Inspector did not rule out total redevelopment of the site, he said that "the existing main building is of sufficient value, in townscape and architectural terms, as well as fondness shown by local people that any replacement should be of the highest standard that recognises the value of the existing buildings and all that they stand for and would compensate for their loss".

The Inspector's decision has been used to inform the development of the land-use and design options for the site and the content of the Brief.

Conservation principles & guidance 5

5.1 Conservation Area Character Statements

A good starting point for establishing sound principles for development within a Conservation Area, are the city council's adopted character appraisals for conservation areas. Developers are advised to familiarise themselves with the character statements for the Montpelier & Clifton Hill Conservation Area and West Hill Conservation Area included as a background document to this brief.

As these character statements reveal, conservation is not just a matter of retaining historic buildings, it is also a matter of respecting those qualities of space, rhythm and texture which are indicative to the area. The site occupied by the former Royal Alexandra Hospital, is a large triangular shaped area of land within the Conservation Area, with its own character. Although the space is environmentally valuable and diverse, it is somewhat compromised by second-rate and short-life buildings at the rear of the Alex and by some unsympathetic modern development in Clifton Mews. The back of the site therefore represents an opportunity for developers to design a scheme which responds more positively to the rhythms and textures of the surrounding area.

As so often with hospital buildings, incremental changes have eroded the original Lainson design and devalued the architectural merits of the building. However, developers should be aware that the main hospital building remains a landmark building, one that makes a positive contribution to the character of both the Montpelier & Clifton Hill Conservation Area in which it lies and the setting of the adjoining West Hill Conservation Areas.

5.2 Conservation assessment

An architectural assessment of all the buildings on site was conducted by a conservation architect[4] at the time of the site's disposal. The results of this assessment have been used by the consultant[5], an expert in the field of conservation and the conversion of historic buildings, to draw the following conclusions on the architectural merits of the building:

Former principal hospital building

The 1881 main building by Thomas Lainson is seen, notwithstanding its disfiguring later alterations and extensions, as especially significant for:

- Its design philosophy, deliberately contrasting with the prevailing Italienate architecture;
- Its original, picturesque quality of massing, detailing and execution;
- Its historical significance as an innovative centre of excellence serving the local community; and
- Its symbolism, representing the collective memory of the local community of "their" children's hospital.

Whilst it is of some architectural character and merit, this is not sufficient in the opinion of the Department of Culture, Media and Sport and English Heritage to merit listing as a building of special architectural or historic interest. A request that the principal building and others are listed was rejected by the Secretary of State in 2006.

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[4]Giles Quarme a conservation architect appointed by the NHS Trust in October 2005 during the period that the site was being marketed for disposal.

[5]Jack Warshaw, who provided evidence in chief on behalf of the city council at the Planning Appeal for the Taylor Wimpey scheme.

Notwithstanding this decision the assessment completed by English Heritage, states that: "some fine features survive from (the 1880s). *The east elevation, in particular the terracotta porch, is notably intact and of high quality design and construction. The carved detailing on this and the eastern part of the south façade is particularly handsome. The cupolas to the west end are elegant additions to the skyline….(The hospital) has, however, experienced considerable alterations….(some of which) have compromised the integrity of the facades….None of the ancillary buildings are sufficiently architecturally distinguished to merit listing in their own right*".

The decision letter nevertheless reaffirms the view that the building is clearly of interest in its local setting and makes a strong contribution to the conservation area. For this reason, the consultant identifies this building as worthy of retention. Moreover, the consultant recommends that the building is fully restored to the original 1881 Thomas Lainson building (i.e. without the balconies which were added in 1913).

Former Elizabeth Day Centre

The day centre was originally an isolation building but has been severely compromised by later extensions, loss and erosion of original fabric. Whilst there is no technical reason why it could not be restored to its original appearance, it occupies a position on the site which would prevent any substantial new building. The consultant concludes that since "a quantum of development with reasonable prospect of viability must be factored in, the value of restoring the building back to its original appearance is questionable".

Former Laundry Building

This building is the smallest and most utilitarian in character of the group of outbuildings, as befits its former function. Despite alterations, it is still attractive. The consultant concludes "that its loss or replacement should only be considered in the context of being tradeable for a greater benefit".

Former Nurses Home

The building with its multi-gabled form, cladding and relatively better state of external preservation than the other secondary buildings remains attractive from the front but considerably less so from the rear. Although it would easily lend itself to restoration, the consultant believes "it occupies a pivotal position on the site which could unduly constrain the form, layout and scale of any new build elements".

Former Administration Block (Victorian Villa)

This villa fronting Dyke Road is one of the earliest villas in the area and remained a house, probably up to 1945 when it was purchased for hospital use. Although totally replanned internally, the consultant sees "no reason why it could not be returned to use as a single home or two family apartments with a suitable garden".

5.3 Rankings for the retention of buildings

Based on the consultant's assessment, the following rankings have been applied in relation to the architectural merits of buildings on site:

Former principal hospital building	1st
Former administration block (Victorian Villa)	2nd
Former Elizabeth Day Centre	}
Former laundry	} - joint 3rd
Former nurses home	}

Developers are advised to pay heed to these rankings when putting forward proposals for the redevelopment of the site. All development proposals must retain the principal building in the first instance and then explore the feasibility of retaining the former administration block (Victorian Villa) (see Figures 1 and 2). In a full economic recovery of the market, developers will be expected to bring forward redevelopment proposals that retain the principal building and the Victorian Villa. Developers will need to present robust justification for any departure from this preferred development approach, through presentation of a sound viability case.



Figure 1 - Current economic situation



Figure 2 - Full economic recovery

5.4 The options

The consultant was tasked with assessing the council's different land-use and design options, including a short commentary on whether or not they constituted reasonable development scenarios in respect of layout, numbers of units etc. The results of the Conservation Study are included as a background document to this Brief. The consultant was also asked to identify any additional options (if appropriate) which were significantly different from those already proposed that would merit further consideration.

The consultant identified a sixth preferred option as a variant on the five land-use and design options. This sixth option recommends the full restoration of the principal building to the original 1881Thomas Lainson building and the retention of the Victorian villa. He favours new build forms which are laid out across the site rather than around the perimeter in order to create more visual permeability. This option would generate in excess of 100 residential units. When completed, the consultant believes that the retained buildings would most likely become eligible for statutory listing.

The city council's Conservation Advisory Group (CAG) was advised of the results of the Conservation Assessment and the consultant's preferred option. A range of views were expressed by CAG members on the extent of restoration of the principal building, mostly in favour of the retention of the later 1913 balconies in any future restoration of the building. Members were keen that the Planning Brief should not be too prescriptive in relation to the form the retention of the principal building should take. However, as a minimum requirement, the Brief should stipulate that the principal building must be retained in any future redevelopment of the site. CAG was also keen for the Brief to exercise flexibility in relation to Local Plan policies for those schemes which retain the principal building but are financially unviable.

Deliverability 6

6.1 Why is deliverability important?

The inspector's decision letter of June 2009 recognised the need for a viable scheme on the Royal Alex site, to prevent the physical deterioration and ongoing underutilisation of land and buildings, with the attendant harm to the character and appearance of the conservation area. Without an assessment of deliverability, it is likely that unrealistic expectations are formed which may result in the promotion of schemes which are not viable, introducing delays into the development process. That is why the city council decided to appoint the District Valuer (DV)[6] to carry out a viability assessment of the different land-use and design options for the site in October 2009.

Best practice[7] in planning stresses the need for planning briefs to be realistic. This next section of the Brief is designed to bring about an understanding of market imperatives such as local market conditions, construction costs, sales and revenue etc. and their impact on deliverability[8].

6.2 Land-use

Based on the District Valuer's assessment of the current economic market (October 2009), the land-use most likely to attract developer interest and deliver early development of the site is residential, followed by B1 office development and finally hotel development. The draft design options were therefore developed assuming that the principal use of the site is likely to be residential, although B1 office/ hotel development are also shown as potential more minor uses of the main hospital building in those options which assume the retention of the original building/s (see Fig 3).

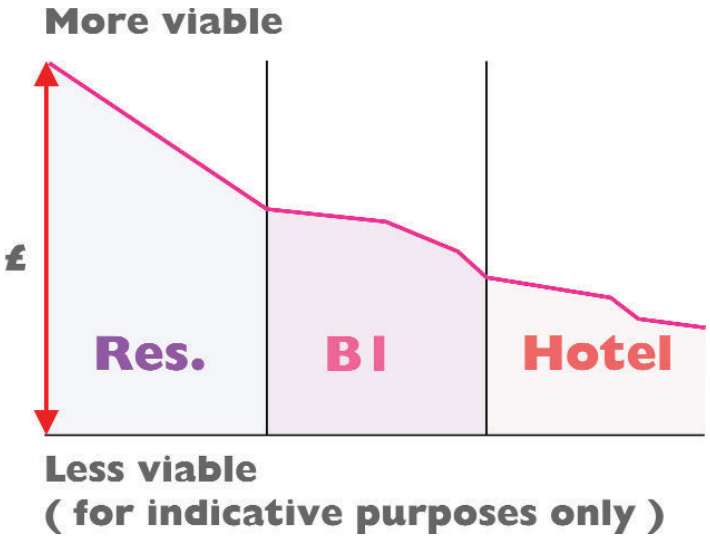


Figure 3

6.3 Assumptions

The number of residential units for each of the options were calculated using the following assumptions (see Appendix 1), all based on the adopted Local Plan policies:

- 40% of the housing on site is affordable (HO2)
- dwelling mix and size of units reflects the June 2009 Affordable Housing Brief and latest Housing Needs Assessment (HO3)

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[6] *The District Valuer, James Feltham, was appointed in October 2009.*

[7] *"Planning and Development Briefs - A Guide to Better Practice", Department of Communities and Local Government.*

[8] *Technical guidance on viability and financial appraisal is contained in Atlas Guide - Planning for Large Scale Development; T10: Financial Appraisal and Project Viability*

Affordable residential units
30% 1 bed @ 51 sq m
45% 2 bed @ 66 sq m
25% 3 bed @ 86 sq m

Private residential units
40% 1 bed @ 51 sq m
50% 2 bed @ 66 sq m
10% 3 bed @ 86 sq m

- internal circulation space is 15% for the new build residential and 25% for the conversion of buildings being retained
- 5% of the whole development and at least 10% of the affordable homes are wheelchair accessible (H013)
- a GP surgery is provided in all of the options
- undercroft parking is provided for all new build residential development to a ratio of approximately 0.6 spaces per household

6.4 Sales revenue and build costs

The assumed level of sales revenue and build costs have been provided in consultation with the DV service's building surveyor and quantity surveyor and are summarised on p2-3 of the DV report (see Appendix 5). In addition to these standard sales revenues and build costs, other items have been included:

- Undercroft parking beneath the new build elements has been costed at £825/sqm or £10,300 per parking space
- Wheelchair access requirement has been costed at £5,000 per unit (across 10% of units)
- Demolition and site clearance has been estimated at £150,000
- Groundwork/ decontamination has been estimated at £50,000
- Perimeter fencing/ boundary works has been estimated at £150,000
- S106 contributions have been estimated at £3,504 per unit (being the amount submitted in the May 2009 Inquiry)
- Professional fees have been estimated at 12.5%

6.5 Profit

The financial appraisals contained within the DV report have been assessed against a target profit of 20% of private residential sales revenue, 8% of affordable residential sales revenue, 8% of community/ medical sales revenue and 15% of commercial (hotel/ B1 office) sales revenue. This produces a blended target profit for each of the options depending upon the mix of uses.

6.6 Viability assessment

The District Valuer's snapshot report of October 2009, concludes that the fall in the residential market since the end of 2007 has compromised the viability of any scheme on the Royal Alex site. The site acquisition price in 2007 represented a historic high but has not been used by the District Valuer to assess current viability. Instead, the current estimate of value is based on its former use as a hospital and equates to £6.85m. Use of this value as the underlying site value renders only Option 1 (total redevelopment) as borderline viable. The land value would have to fall to a range

of £2.9m - £5.25m to render each of the other options as viable. The full results of the District Valuer's assessment are included as a background document to this brief.

The closest options to complete redevelopment are options 2 and 3, which are both residential schemes retaining the main building (option 2) /plus a sensitive extension (option 3). These provide residual land values of £5.1m and £5.25m respectively. In the absence of a current use value, the market fall for residential development land would have fallen from the original acquisition price to about these levels.

Nevertheless, it is important to recognise that viability assessments are conducted by applying certain assumptions at a specific point in time. If variables such as land values, build costs or the percentage of affordable housing were to change then the viability of each of the options will be directly affected. For example, using the information supplied by the District Valuer, it is estimated that a rise in land values or a reduction in the percentage of affordable housing could result in options 2 and 3 (the retention of the main building) becoming viable (assuming a 15-16% target profit level).

Recent discussions with the District Valuer service have revealed that since the options were tested in the Autumn of 2009, build costs have reduced and land values have slightly risen. Given that the site is located in a prime residential area, it is

anticipated that it could be one of the first areas in the city to benefit from any future upturn in the economy and development industry. This is likely to have a significant bearing on the viability of the site in the future.

6.7 Preferred development approach

Retention of the principal building

The LPA recognises and is sympathetic to the historic, cultural and emotional attachment of the local community to the former Royal Alexandra Hospital. The Conservation Assessment, feedback from the public exhibition and from members of the Conservation Advisory Group (CAG), clearly demonstrated a wish among the local community to retain the principal building. The LPA will therefore require the retention of the principal building in any future redevelopment of the site. In order to recognise important conservation principles as key material considerations, it may be necessary to adopt a more flexible approach to the interpretation of planning policies. This is because the cost of retaining and converting the principal building will undoubtedly put additional financial pressure on the viability of future proposals.

Characteristics of preferred development scheme

- 102 residential units
  - 81 new build units
  - 21 conversion units
- A target of 20% affordable housing units to be achieved as a proportion of the new build elements of the scheme (i.e. excluding 21 conversion units)
- Retention of the principal building
- Retention of the open space to the south of the principal building
- Retention of all trees protected by Tree Preservation Orders (TPOs)
- Provision of a G.P. surgery
- Height of development restricted at higher points of the site to 2-3 storeys and should not exceed 5 storeys on the remainder of the site
- Provision of undercroft parking - 50 spaces

Development viability

The viability of proposed development will be independently tested and taken into account in the determination of future planning applications for the Royal Alex site. The assessment of viability will be entirely dependent on the value of the scheme and the state of the local market at the time of submission of the planning application.

Given that the preferred development approach is to retain the principal hospital building and that this is likely to have viability implications, the Local Planning Authority does accept the need to be flexible in the interpretation of Local Plan policies in order for the city council to realise its aspirations for the site. Policy areas which may be interpreted more flexibly include:

- proportion of affordable housing;
- housing mix and size of residential units; and
- S106 contributions towards local infrastructure.

Affordable housing provision

The land-use and design options which were tested by the District Valuer, were based on a number of assumptions (see Section 6.3). There is no doubt that a more flexible approach to policy could have an effect on the overall viability of the preferred development scheme. For example, an assessment of the preferred development scheme i.e. retention of the principal building, has been undertaken applying different proportions of affordable housing and different land values (see Tables A and B), the rest of the assumptions remain the same.

Table A - Using the estimated land value as a hospital

Based upon existing use value as hospital at £6.85m[9]	Affordable housing units	Private units	Total units	Target Profit GDV (%)	Actual Profit GDV (%)	Viable at EUV of 6.85M
Retain principal building - **40% affordable units** (excluding 21 conversion units)	31	71	102	17%	9%	No
Retain principal building - **20% affordable units** (excluding 21 conversion units)	16	86	102	17%	14%	Borderline
Retain principal building - **0% affordable units or 100%** private units	0	102	102	17%	19%	Yes

Table A demonstrates that the preferred development scheme is rendered unviable at 40% affordable housing provision (i.e. Policy HO2). At 20% affordable housing provision, profitability is improved but the scheme is borderline in terms of viability and at 0% affordable housing provision the scheme exceeds target profit levels.

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[9] The District valuer has valued the site based on its former use as a hospital. If the site had been valued as a development site then the value would have fallen to meet the required obligations in planning policy. The DV considered that, in this case, the land value would become so low as to be unrealistic in a hypothetical willing vendor/ willing purchaser of the site. That is why he has chosen to use the asset value as a hospital.

Table B - Using the estimated land value as a housing site

Based upon existing use value as a residential development at £5M[10]	Affordable housing units	Private units	Total units	Target Profit GDV (%)	Actual Profit GDV (%)	Viable at EUV of 5.0M
Retain principal building - **40% affordable units** (excluding 21 conversion units)	31	71	102	17%	16%	Borderline
Retain principal building - **20% affordable units** (excluding 21 conversion units)	16	86	102	17%	21%	Yes
Retain principal building - **0% affordable units or 100%** private units	0	102	102	17%	26.5%	Yes

Table B demonstrates that the preferred development scheme is borderline viable at 40% provision of affordable housing. However, the scheme exceeds target profit levels by 4% and 9.5% respectively at both 20% and 0% affordable housing provision. The scenarios played out in Tables A and B suggest that the provision of 20% of affordable housing is a reasonable aspiration for the site.

A general target of 20% of affordable housing units as a proportion of the new build elements of the scheme will therefore be required. Given the current economic climate and the LPA's keenness for the site to be developed as soon as possible, planning permission will only normally be granted for three years. The target provision for affordable housing for any particular scheme, once agreed, will remain in place for three years from the granting of planning permission. Thereafter, the LPA will carry out a site reappraisal. Developers should be aware that the council will seek an appropriate mechanism through a S106 Obligation, to secure the maximum amount of affordable housing at the time of reappraisal that would allow the scheme to remain viable. In order to facilitate this, the LPA will expect at least 40% of all residential units (i.e. the maximum affordable housing provision under Policy HO2) to be built to the minimum Housing Corporation space standards. This approach should overcome the LPA's concern over viability assessments which are a snapshot of the market at a particular point in time, by ensuring that developers provide an appropriate level of affordable housing, if market conditions change.

Flexible approach

In periods of economic recession and where the developer is able to demonstrate a robust financial case, the LPA may consider a number of flexible mechanisms for bringing the site forward for redevelopment. This flexible approach is particularly relevant on sites of strategic importance which are delivering other key planning objectives, in this case, the retention of the principal building. Mechanisms which the LPA may deploy in relation to the site are:

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[10]The LPA has used a land value that reflects the site's potential for residential development. The £5M figure is based on the DV's assessment (see 1st para under Land Value, p3 of the report) that since the acquisition of the site in 2007 (in excess of £10M), residential development land values have broadly halved due to the recession

- deferred planning obligations;
- the establishment of a longstop date;
- regular review of the local market in relation to the affordable housing provision and S106 contributions;
- agreement of maximum ceilings for financial contributions and affordable housing provision within S106.

Temporary uses

The city council acknowledges that under current market conditions, despite exercising flexibility in policy, proposals put forward by developers may not be financially viable in the short term. In these circumstances, the LPA would consider proposals which put forward temporary uses of the buildings on site until such a time that the market recovers. The life of consent for temporary uses will be limited to three years. Acceptable temporary uses could include medical administration, leisure or B1 office uses but the developer would need to demonstrate that there would not be any adverse environmental impact in terms of traffic generation, parking, noise and disturbance.

Development principles & guidance 7

7.1 National and local planning policy

A summary of all the national and local planning policies relevant to the site is included as a background document to this Brief.

7.2 Acceptable uses of the site

Acceptable land uses for the site are guided by policy HO20 of the Local Plan (see Frame1 below). Since the Royal Alex Hospital has been relocated to the main hospital site on Eastern Road, Exception b of policy HO20 applies:

- priority will be given to residential and mixed use schemes.
- community uses such as a medical centre, G.P. Surgery, school etc. will be encouraged because they are compatible with its former community use as a hospital.
- leisure (i.e. hotel) and B1 (i.e. office) uses may be acceptable if they are ancillary to the principal use of the site.
- residential care home or nursing home uses may be acceptable providing they meet the needs of local people identified within the city council's Housing Strategy and Older People's Housing Strategy.
- day nursery and childcare facilities may be acceptable uses providing they are part of a mixed use development of the site and could demonstrate that they would not result in traffic congestion or prejudice highway safety.

Frame 1 - Local Plan policy
HO20 Retention of community facilities
Planning permission will not be granted for development proposals including changes of use, that involve the loss of community facilities, including hospitals, health centres, surgeries/ clinics, museums, art galleries, exhibition halls, places of worship, day care centres, libraries, schools, crèches, public toilets, church and community halls, theatres and cinemas.

Exceptions may apply when:

a. **the community use is incorporated, or replaced within a new development; or**
b. **the community use is relocated to a location which improves its accessibility to users; or**
c. **existing nearby facilities are to be improved to accommodate the loss; or**
d. **it can be demonstrated that the site is not needed, not only for its existing use but also for other types of community use.**

Where an exception (a-d) applies, a priority will be attached to residential and mixed use schemes which may provide 'live work' and/ or starter business units to meet identified local needs.

The Local Planning Authority would particularly like to encourage developers to consider the inclusion of a GP surgery as part of any future mixed-use scheme. Early stakeholder consultation with Brighton & Hove's Primary Care Trust (PCT) has revealed that the existing Montpelier GP Practice in Victoria Road is not fit-for-purpose, is inaccessible for disabled people and therefore fails to meet the requirements of the Disability Discrimination Act (DDA). The PCT has carried out an exhaustive search for suitable alternative sites and premises without success. Feedback from local residents' associations would also suggest strong support for the establishment of a new and expanded GP practice at the Royal Alex site in place of the existing Montpelier Surgery.

7.3 Unacceptable uses of the site

Principal uses of the site which are not considered acceptable include:

Retail use

The site is outside of the Seven Dials shopping area which is designated a Local centre in the adopted Local Plan. The developer would need to demonstrate that a more suitable site could not be found within an existing defined shopping centre. The only exception which may be applied is if the retail use were very ancillary to the principal use of the site i.e. a small café attached to a Day Care Centre.

Light industrial

Light industrial uses would not be compatible with the historic fabric of the area and its Conservation Area status.

7.4 Design and infill development

There are several areas within the site where new infilling or replacement development might be acceptable. Any new development must take account of the principal building, the character of the conservation area and the surrounding historic context. Specific attention should be paid to the detailed design, scale and use of materials to ensure that any new development is sympathetic to its surroundings.

Consideration should also be given to the design of the public realm to ensure that it meets the aspirations of the emerging Core Strategy CP3 Public Streets and Spaces. New development should contribute towards the implementation of public realm improvements by:

- preserving or enhancing the setting of the city's built heritage;
- encouraging active living and healthier lifestyles;

Developers will be expected to make a positive contribution towards securing Lifetime Neighbourhoods through high quality design of the public realm.

Given that the site is not identified as a taller buildings node within SPG15, development should not exceed five storeys. Developers will be expected to take on board the level changes across the site and to respond appropriately. For example, to the north and west of the site where the ground level falls by two storeys or more, development may need to be restricted to no more than two to three storeys. Neighbourhoods through high quality design of the public realm.

7.5 Architectural features

Flint wall

The boundary of the site consists of a field flint wall, made from flints gathered from the surfaces of ploughed fields. Boundary walls are important to any setting. They provide a sense of enclosure and scale to the street and define public and private spaces.

Through the use of common materials and forms they also define and link the grounds and gardens of properties, provide cohesion to an area and compliment the architecture of the buildings they enclose.

The flint wall boundary should be retained in any redevelopment of the site. In terms of its Conservation Area status, good quality original flintwork must not be rendered, tiled over or painted. Repairs and alterations should be carried out to match, including the flint type; its spacing, coursing and strike as well as the mortar mix, colour and texture and brick or stone dressing style and materials.



Chimney stacks

Chimney stacks are important elements of the historic townscape of Brighton & Hove, enlivening and enriching the roofscape. The height and design of stacks varies greatly depending on the period, style and status of a building. In cases, such as large late-Victorian buildings, chimney stacks were not simply a functional element but a deliberate architectural feature, often very tall and making use of decorative brickwork.

All chimney stacks to the main roof of the principal building, including any pots, must be retained. Demolition of a chimney stack to a rear extension will be permitted provided that the stack does not make a positive contribution to the street scene or the appearance of a public open space.



Cupolas and turrets

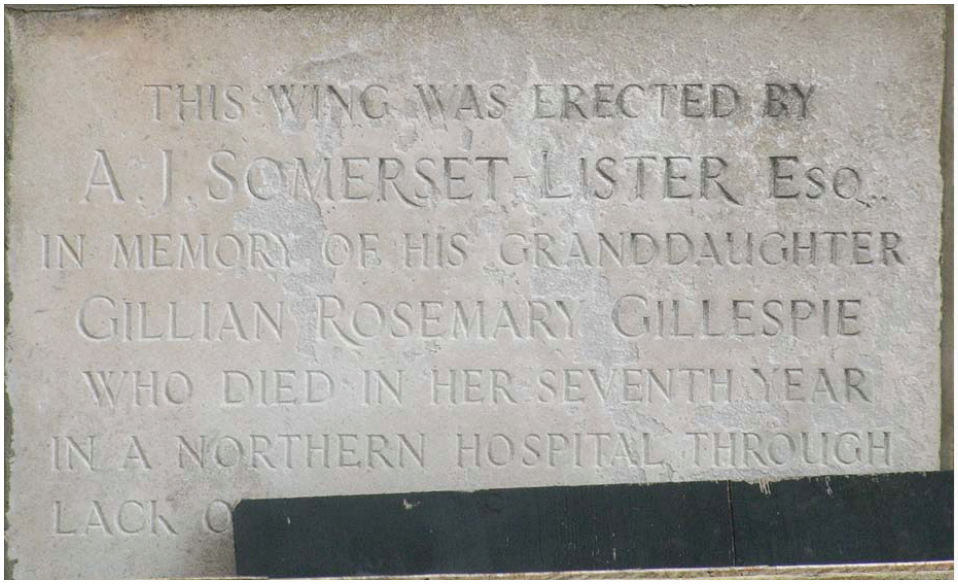
In the case of historic buildings in conservation areas, consideration must be given to the impact of any changes to the roof form not only on the appearance of the building itself but also on the common roofscape of the street or group of buildings of which it forms a part.

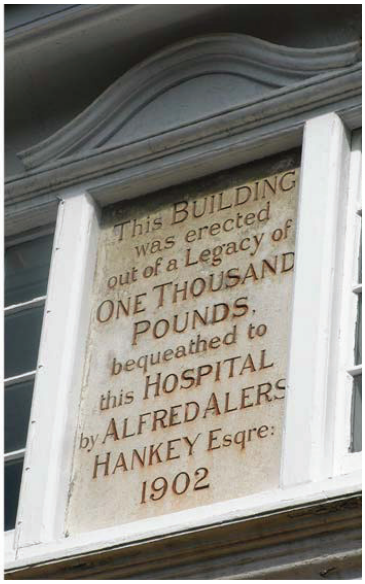
In all cases, embellishments such as turrets and cupolas will be considered an integral part of the building's design and significance and must be retained.



Commemorative stones

There are two commemorative stones which should be retained as interesting architectural features of the principal building, in any future redevelopment of the site.





7.6 Housing

In accordance with exception b of policy HO20, the site is suitable for residential and mixed-use schemes. It is expected that proposals for new residential development and residential conversions (including changes of use) incorporate a mix of dwelling types and sizes that reflects and responds to Brighton & Hove's housing needs (see section 6.3).

Given the changes to the emerging Core Strategy policy CP12 Affordable Housing, which now states that "the Council will negotiate with developers to secure up to a 40% element of affordable housing" some flexibility may be exercised on major development proposals putting forward less than 40% affordable housing. However, the developer would need to demonstrate that the proposal meets the council's aspirations in terms of retaining the principal building and that viability was likely to be adversely effected as a result of pursuing a conversion option. Flexibility may also be exercised in relation to the mix of dwelling types and size of units providing the preferred development approach is delivered.

7.7 Parking

The council's parking standards are set out in policy TR19 of the Local Plan and SPGBH4 Parking Standards. These must be adhered to by the developer in any future redevelopment of the site. The existing car parking standards for residential development in SPGBH4 allow a maximum of 1 car space per dwelling plus 1 space per 5 dwellings for visitors. However, given the proximity of the site to central Brighton and the railway station, residents and users of the site are not expected to be heavily dependent on the private car. Thus a lower car parking ratio than the maximum set out in the standards is likely to be acceptable.

The design of parking areas should be considered as an integral part of the scheme, and should be designed to lessen their visual impact, by incorporating new planting where appropriate and exploring the use of shared surfaces. Given the constraints of the site, the LPA would actively encourage developers to consider the provision of carefully designed and lit basement parking with an emphasis on safety and security (i.e. Park Mark), particularly in support of residential proposals.

7.8 Pedestrian and cycle facilities

The council seeks to achieve sustainable development. Developers should therefore maximise accessibility for cyclists and pedestrians in those areas well served by public transport and centrally located, such as the Royal Alex site. In order to encourage the safe movement of pedestrians and cyclists both within and around the site, all vehicular access to the site, as well as the internal layout of roads, footpaths and parking areas, should give priority to the needs of pedestrians and cyclists. Thus, all future proposals for the site should allow for a high degree of permeability for both pedestrians and cyclists. Where appropriate, pedestrian crossing facilities should be provided by the developer in the area surrounding the site.

7.9 Open space, outdoor recreation space and landscaping

The open space to the south of the principal building must be retained in any future redevelopment of the site. This space contributes positively to the character of the area and provides the setting for views across the site from various vantage points both within the Montpelier and Clifton Hill Conservation Area and the adjoining West Hill Conservation Area. Encroachment by development into this open space will therefore not be permitted. The creation of a wild garden with sitting out areas, for example, would be complementary to either a residential or mixed use of the site. Developers will need to give consideration to whether this space should be public or semi-private. The LPA will review proposals for this space in the light of the mix of land uses proposed.

In the case of residential development, the provision of outdoor recreation space within the site should be in accordance with the standards set out in policy HO6 of the Local Plan and CP6 of the emerging Core Strategy. Any departure from these standards will need to be robustly justified by the developer. Careful attention to high quality design and detailing of the outdoor recreation space will be required, to encourage natural surveillance and active use of the space. Consideration should also be given to the possible integration of the existing TPO trees within proposals for the outdoor recreation space.

The landscape associated with the proposed redevelopment of the site should be an intrinsic part of the overall design concept. The appropriate use of soft landscaping, the inclusion of balconies and roof terraces, good use of street planting and climbing foliage, all assist in providing a contrast to the built form. Any new landscaping should have regard to existing wildlife habitats and the ecology of the area in accordance with CP5 Biodiversity in the emerging Core Strategy. Any hard surfacing materials should be chosen to reinforce the urban, pedestrian scale of the development. They should complement the materials of the built form and natural landscape, with an emphasis on quality and detailing.

7.10 Trees and ecology

All trees with a TPO must be retained in future proposals for the site and should be used to guide the form of the development in line with the requirements of SPD06 Trees and Development Sites. Their setting should be preserved and enhanced, enabling them to continue to make a positive contribution to the character of the area. Any construction work on the site should accord with the British Standards Institute (BS 5837) Guide for trees in relation to construction. New tree planting and/ or good landscaping can help to protect the residential environment by mitigating the effects of noise and fumes. Developers should consider a planting strategy which optimises these environmental benefits, as well as provide privacy and frame views.

Attention to the ecology of the site is also important. Development proposals should conform to the guidance contained within the latest draft SPD on Nature Conservation and Development[11] . The council will actively pursue the maximisation of opportunities to build-in beneficial biodiversity and geological features as part of good design. Such opportunities might include areas of new habitat at ground, wall and roof level (green walls and green roofs), naturalistic landscaping and wall mounted nest boxes. The CIRIA publication "Building Greener" provides detailed guidance on these techniques.

7.11 Sustainability

SPD08 Sustainable Building Design and its associated checklist outline the minimum standards in relation to sustainable design which will be expected on the site. These refer to standards around e.g. energy and carbon dioxide emissions, water use, use of materials and building benchmark standards. The following performance benchmarks are expected to be practical and achievable. There is emerging national evidence which would suggest that achieving these standards in sustainability increases the profitability of private sales.

Code for Sustainable Homes
All new build residential units, including those within mixed-use developments, are expected to emit no annual net CO2 from energy use, be designed to Lifetime Home Standards and achieve a minimum rating of Level 4 of the Code for Sustainable Homes (CSH).

BREEAM ratings
All non-residential developments are expected to score at least 60% in the energy and water sections of the relevant BREEAM assessment within a minimum overall rating of 'Excellent'.

Sustainability Checklist
All developers will be required to submit a completed Brighton & Hove Sustainability Checklist with the planning application and/or a sustainability statement with all full or reserved matters planning applications (in the case of outline applications, a condition will be attached requiring these at reserved matters stage and a Section 106 agreement will provide for any mitigation measures).

Energy efficiency and carbon dioxide emissions
Energy use can most easily be minimised where the design approach includes energy efficiency as a guiding principle at the outset of the design process. This means incorporating the highest possible levels of insulation and airtightness, and applying passive design solutions to maximise passive heating, cooling, lighting and ventilation. All developments are expected to exceed Part L Building Regulations by 20% as a minimum, but residential development should aspire towards zero carbon status (emitting no net annual carbon dioxide emissions from energy use).

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[11] *This SPD is due to be adopted in Summer 2010.*

Construction and operational waste

To minimise the impact of construction on the community, all contractors that work on the construction sites will be expected to achieve a level of performance equivalent to that required under the Considerate Constructors Scheme. This includes measures for controlling working hours, dust and traffic as well as general public safety. In particular, contractors will be expected to make specific proposals for avoiding pollution and for minimising and recycling on-site waste in line with the council's Policy SU13 and SPD03 Construction & Demolition Waste. Specifically, contractors will need to demonstrate compliance with the council's PAN05 Recyclable Materials and Waste Storage PAN to ensure provision is made for recycling waste from both residential and commercial accommodation within the development.

7.12 Section 106 contributions

It is normal for sites of this kind, for contributions to be sought from developers to pay for, or contribute towards, the cost of additional infrastructure needed to service the new development. The level of contribution is generally related to the scale of the new development and its impact on the local environment, as required in Policy CP9 of the emerging Core Strategy.

Where there is robust evidence that development is not able to meet all planning obligations for reasons of viability, then flexibility and timing on meeting those contributions may be allowed that will secure obligations and delivery of development in reasonable timescales, through appropriate triggers in development phasing (see Section 6.7 Para "Flexible Approach").

8 List of relevant documents

Background documents

Draft land-use and design options

Summary of Public Consultation results

Planning Inspectorate's Appeal Decision, 12 June 2009

Conservation Area Character Statements

Development Options Conservation Study, Jack Warshaw, January 2010

"Architectural assessment of the listability of the hospital and its ancillary buildings", Giles Quarme, October 2005

District Valuer's Summary Report - Viability Appraisal, October 2009

National and Local Plan policies

Brighton & Hove Local Plan 2005

Core Strategy Proposed Submission Feb 2010

"Planning and Development Briefs - A Guide to Better Practice", Department of Communities and Local Government, 1997

ATLAS Guide - Planning for Large Scale Development, T10: Financial Appraisal and Project Viability, 2010

Supplementary Planning Documents

SPD 03 - Construction & Demolition Waste (January 2006)

SPD 06 - Trees & Development Sites (March 2006)

SPD 08 - Sustainable Building Design (June 2008)

SPD 09 - Architectural Features (December 2009)

Draft SPD on Nature Conservation and Development (due to be adopted Summer 2010)

Brighton & Hove City Council

ENVIRONMENT CABINET MEMBER MEETING	Agenda Item 114 Brighton & Hove City Council

Subject:		**Local Development Framework Core Strategy – Updated Background Studies**		
Date of Meeting:		**25 March 2010**		
Report of:		**Director of Environment**		
Contact Officer:	**Name:**	**Liz Hobden**	**Tel:**	**29-2504**
	E-mail:	**liz.hobden@brighton-hove.gov.uk**		
Key Decision:	**No**			
Wards Affected:	**All**			

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

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

2. RECOMMENDATIONS:

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

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 The Core Strategy is the main planning policy document within the Local Development Framework (LDF - the new plan making system introduced by the Town and Country Planning and Compulsory Purchase Act 2004). Its role is to provide an overall strategic vision and policy framework for the city to 2026. The Core Strategy is required to conform to national policy and be supported by a sound evidence base. The two updated studies that are the subject of this report form part of this evidence base. Although background studies inform the policy approach they do not determine policy.

3.2 Several background studies were completed and approved in June 2008 linked to the Revised Preferred Options Stage of the Core Strategy including the initial versions of the studies that are covered by this report.

3.3 The two studies updated subject to this report are technical documents produced in order to comply with national planning guidance and to help ensure therefore that the Core Strategy is considered to be sound. The Background Studies under consideration here are:

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

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

4. CONSULTATION

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

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

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

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

Legal Implications:

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

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

Equalities Implications:

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

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

Sustainability Implications:

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

Crime & Disorder Implications:

5.5 None identified.

Risk and Opportunity Management Implications:

5.6 None identified.

Corporate / Citywide Implications:

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

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

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

7. REASONS FOR REPORT RECOMMENDATIONS

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

SUPPORTING DOCUMENTATION

Appendices:

1. Summary of Background Studies

Documents In Members' Rooms

1. Habitats Regulations Assessment Scoping Report (Appropriate Assessment) 2009

2. Sequential and Exceptions Test, October 2009

Background Documents

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

LDF Core Strategy – Background Studies Report

Summary of Findings of the Updated Studies

1. Habitats Regulations Assessment Report (Appropriate Assessment)

Purpose of Report
To assess the impacts of the Proposed Submission Version of the Core Strategy against the conservation objectives of the European Sites designated under the Conservation (Habitats, &c.) Regulations 1994 (as amended).

Reasons for Update
The original Assessment was made on the Refreshed Preferred Options of the Council's Core Strategy. The changes included in the Proposed Submission Version of the Core Strategy could have changed the conclusions of the original Assessment.

Main Findings
The Core Strategy does not support any project proposal where it cannot be demonstrated that the development would not have an adverse effect on the integrity of any European site.

2. Sequential and Exceptions Test

Purpose of Report/Test

National planning policy in PPS25: Development and Flood Risk requires the Core Strategy to give preference to sites in Flood Zone 1 (lowest flood risk) and where that is not possible it must demonstrate that there are no reasonably available sites in areas of lower probability of flooding that would be appropriate to the type of development or land use proposed – the Sequential Test.

If following application of the Sequential Test it is not possible, consistent with wider sustainability objectives, for the development to be located in zones of lower probability of flooding, then the Exception Test can be applied and provides a method of managing flood risk while still allowing necessary development to occur.

Reasons for Update to the Sequential/Exception Test

The Sequential and Exceptions Test was originally prepared in May 2008. It was updated in October 2009 to take into account:

a) **Amendments to the proposals and indicative amounts of development proposed at the Development Areas in the Submission Core Strategy and any associated implications for the contribution of those areas to delivering sustainable development**
b) **Publication of revisions to the PPS25 Practice Guide (June 2008); and**
c) **Publication of the South East Plan (May 2009).**

Main Findings

The overall conclusions of the Sequential and Exceptions Test remain unchanged in the updated background document. The main conclusions are:

- It is not possible or consistent with wider sustainability objectives for the city, for all Development Areas to be located in areas of low probability of flooding;
- A Sequential Test and Exception Test for the principle of development at Brighton Marina is necessary and details are provided; and
- A Sequential Test for Shoreham Harbour is also necessary (at this stage there is insufficient detail about the proposed development and modelling of flood risk to carry out an Exceptions Test).