





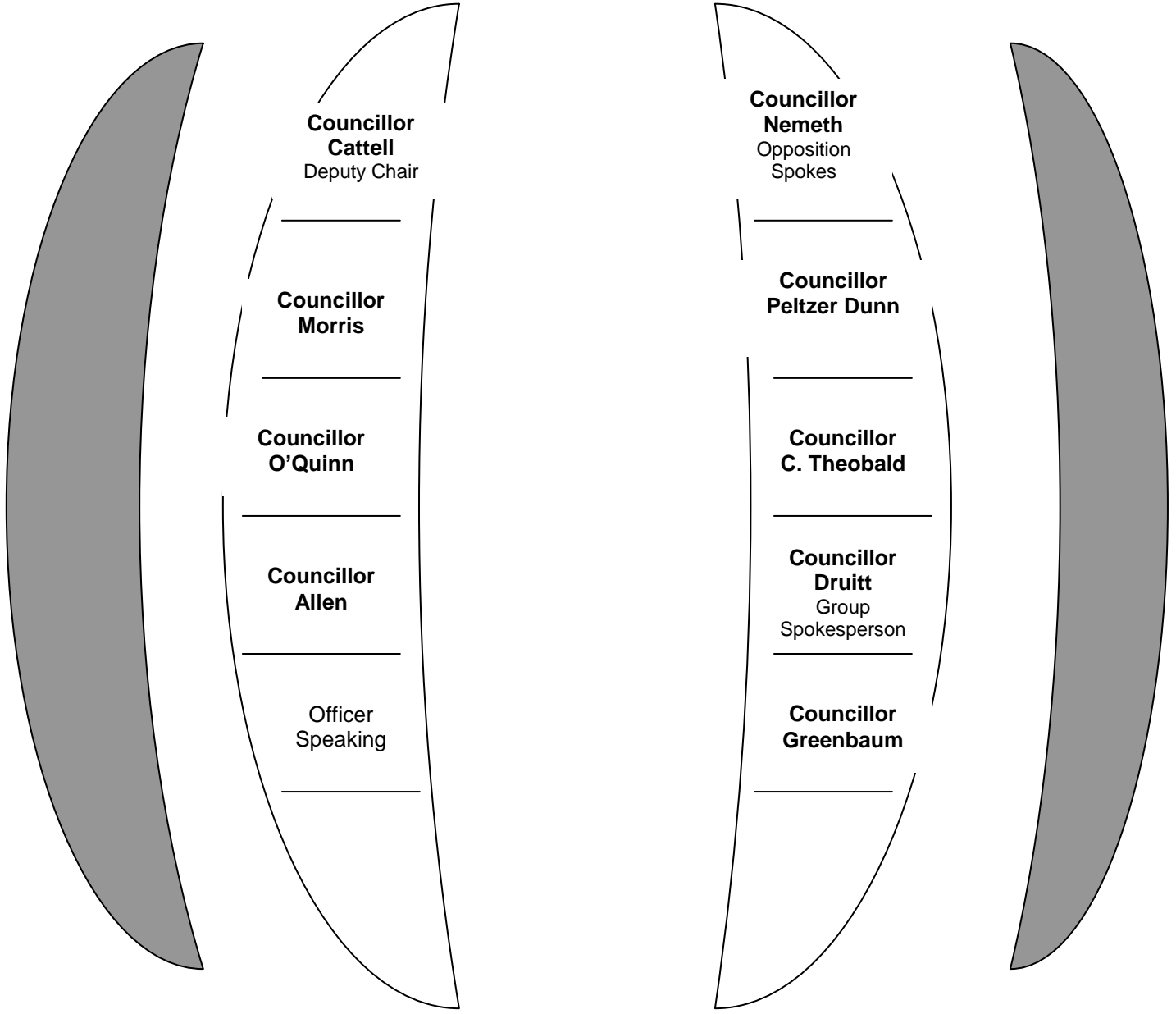
Brighton & Hove
City Council

Economic Development & Culture Committee

Title:	Economic Development & Culture Committee
Date:	16 June 2016
Time:	4.00pm
Venue	Conference Room 2, Jubilee Library, Jubilee Street, Brighton
Members:	Councillors: Robins (Chair), Cattell (Deputy Chair), Nemeth (Opposition Spokesperson), Druitt (Group Spokesperson), Allen, Greenbaum, Morris, O'Quinn, Peltzer Dunn and C Theobald
Contact:	Ross Keatley Democratic Services Manager 01273 29-1064 ross.keatley@brighton-hove.gov.uk
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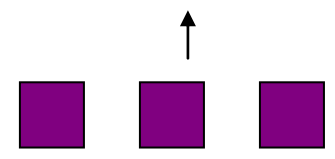
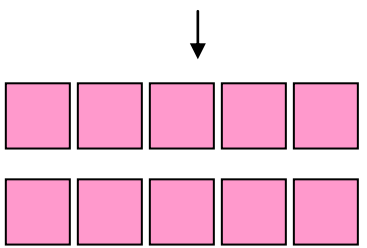
Democratic Services: Economic Development & Culture Committee

Democratic Services Manager	Assistant Chief Executive	Councillor Robins Chair	Executive Director	Legal Officer
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Public Speaker	Public Speaker
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Public Seating



Press

AGENDA

PART ONE

Page

1 PROCEDURAL BUSINESS

(a) Declaration of Substitutes: Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.

(b) Declarations of Interest:

- (a) Disclosable pecuniary interests
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

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

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

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

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

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

2 MINUTES

1 - 10

To consider the minutes of the meeting held on 3 March 2016 (copy attached).

Contact Officer: Ross Keatley

Tel: 29-1064

3 CHAIR'S COMMUNICATIONS

ECONOMIC DEVELOPMENT & CULTURE COMMITTEE

4 CALL OVER

- (a) Items 7 - 9 will be read out at the meeting and Members invited to reserve the items for consideration.
- (b) Those items not reserved will be taken as having been received and the reports' recommendations agreed.

5 PUBLIC INVOLVEMENT

11 - 14

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

- (a) **Petitions:** to receive any petitions presented to the full council or at the meeting itself;
- (b) **Written Questions:** to receive any questions submitted by the due date of 12 noon on the (9 June 2016);
- (c) **Deputations:** to receive any deputations submitted by the due date of 12 noon on the (9 June 2016).

Bi360 Traffic in Trafalgar Road and Church Road, Portslade –
referred from Council 24 March 2016.

6 MEMBER INVOLVEMENT

15 - 22

To consider the following matters raised by councillors:

- (a) **Petitions:** to receive any petitions submitted to the full Council or at the meeting itself;

Bi360 Traffic in Trafalgar Road and Church Road, Portslade –
referred from Council 24 March 2016

- (b) **Written Questions:** to consider any written questions;

- a) **Empty Shops –** Councillor Druitt
- b) **Events on Brunswick Lawns –** Councillor Mac Caffery
- c) **Section 106 Funds –** Councillor Peltzer Dunn
- d) **Hove Lagoon Beacon (Queen's 90th Birthday) –** Councillor Pelzer Dunn
- e) **Brighton & Hove Economic Partnership –** Councillor Nemeth
- f) **New Brighton Pier Owners –** Councillor Nemeth
- g) **Major Projects –** Councillor Nemeth

- (c) **Letters:** to consider any letters;

Estate Agent's Board, Article 7 Area Extension – Councillor Nemeth

- (d) **Notices of Motion:** to consider any Notices of Motion referred from Council or submitted directly to the Committee.

Madeira Terraces Public Update – Councillor Nemeth

ECONOMIC DEVELOPMENT & CULTURE COMMITTEE

7 CITY PLAN PART TWO 23 - 108

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

Contact Officer: Liz Hobden

Tel: 01273 292504

Ward Affected: All Wards

8 ICE RINK - POTENTIAL PROVISION IN BRIGHTON & HOVE 109 - 116

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

Contact Officer: Ian Shurrock

Tel: 01273 292084

Ward Affected: All Wards

9 DEVELOPER CONTRIBUTIONS TECHNICAL GUIDANCE UPDATE 117 - 162

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

Contact Officer: Debra May

Tel: 01273 292295

Ward Affected: All Wards

10 MAJOR PROJECTS UPDATE 163 - 180

(attached for information).

11 ITEMS REFERRED FOR COUNCIL

To consider items to be submitted to the 21 July 2016 Council meeting for information.

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

ECONOMIC DEVELOPMENT & CULTURE COMMITTEE

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.

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For further details and general enquiries about this meeting contact Ross Keatley, (01273 29-1064, email ross.keatley@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Wednesday, 8 June 2016

BRIGHTON & HOVE CITY COUNCIL

ECONOMIC DEVELOPMENT & CULTURE COMMITTEE

4.00pm 10 MARCH 2016

CONFERENCE ROOM 2, JUBILEE LIBRARY, JUBILEE STREET, BRIGHTON

MINUTES

Present: Councillor Morgan (Chair) Robins (Deputy Chair), Peltzer Dunn (Opposition Spokesperson), Druitt (Group Spokesperson), Greenbaum, Morris, Nemeth, C Theobald, Yates and Hamilton

PART ONE

40 PROCEDURAL BUSINESS

(a) Declarations of Substitutes

40.1 Councillor Hamilton was present in substitution for Councillor O'Quinn.

(b) Declarations of Interest

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

(c) Exclusion of Press and Public

40.3 The Chair noted that there were no Part Two items listed on the agenda.

41 MINUTES

41.1 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 12 November 2015 as a correct record.

42 CHAIR'S COMMUNICATIONS

42.1 The Chair gave the following communications –

Royal Pavilion & Museums

“We have the following exhibitions and collections across the city’s museums and cultural spaces

- A collection of rare Star Wars items loaned from the private collections at Hove Museum & Art Gallery
- The 'Museum Lab' at Brighton Museum's offering the public opportunities to engage with material from our collections with a special emphasis on Designated Natural Science collections.
- 'Pavilion Blues: Disability and Identity', a display telling the little-known story of the 6,000 amputee soldiers who received treatment, rehabilitation and training at the Hospital for Limbless Men in the Royal Pavilion during the First World War.
- Preston Manor is to host a unique display of artefacts and documents from the personal collection of local witch Doreen Valiente: the exhibition 'Folklore, Magic and Mysteries: Modern Witchcraft and Folk Culture in Britain' opens on 2nd April.
- 'Fashion Cities Africa', the first major UK exhibition dedicated to contemporary African fashion opens at Brighton Museum on 30 April"

Tourism & Venues

"This week we will be hosting a trip for 25 Chinese tour operators which is a fantastic opportunity to showcase the city so that it can be included within future holiday packages. VisitBrighton has engaged Brighton-based agency China Travel Outbound to follow-up on this visit and ensure the tour operators have all the information they need.

The Brighton Centre has recently installed a Changing Places accessible facility which is available for delegates, event customers and will also be made available to members of the public (event dependant).

The Brighton Centre has also received the Gold standard charter for Attitude is Everything. Attitude is Everything improves Deaf and disabled people's access to live music to implement a Charter of Best Practice across the UK – we are only one of only seven venues across the UK to have been awarded the Gold standard."

Ice Rink

"Following the receipt of petition to Full Council last year calling on the city council to support efforts to build a new ice arena in the city I have requested that officers draw up a report for the next meeting of this Committee which sets out:

- The history of ice arena provision and previous proposals in the city.
- An overview of the funding and operation of ice arenas in the UK.
- A soft market testing exercise to identify if there is the potential for an ice arena in the city.

The report if agreed will contain a recommendation to initiate a four month period of soft market testing from potential site owners, potential developers and potential operators. If the soft marketing testing shows there is the possibility of a viable ice arena, then the information gained will help inform the next steps to seek an ice arena for the city - built and run at no cost to the council.

This appeal would be made through the most appropriate ice sports associations and relevant media to reach a wide audience of potential investors, developers and

operators. While the council does not have a site for an ice arena, we would work with developers to see if potentially suitable sites can be identified in the city.

I hope that today marks the first step in a process which will lead to the return of a permanent ice sports arena to Brighton and Hove.”

43 CALL OVER

43.1 The following items were reserved for discussion:

- Item 46 Library Plan
- Item 47 Dalton’s Bastion Site, Maderia Drive – Leisure Attraction Proposal
- Item 48 City Employment & Skills Plan 2016-2020 Progress Report
- Item 49 Toad’s Hole Valley Supplementary Planning Document - Issues and Options Consultation
- Item 51 Coastal West Sussex and Greater Brighton updated Local Strategic Statement for Delivering Sustainable Growth 2015 – 2031

43.2 The Democratic Services Officer confirmed that the items listed above had been reserved for discussion, and that the following reports of the agenda, with the recommendations therein had been approved and adopted.

- Item 50 Planning Advice Notes on energy efficiency
- Item 52 Local Aggregates Assessment for East Sussex and Brighton & Hove

44 PUBLIC INVOLVEMENT

44.1 The Chair explained that one petition had been referred from Council on 17 December in relation to a request for a planning brief for the Hove seafront.

44.2 The Chair read the following response –

“Many thanks for your petition. I note your concerns about the need for a planning brief for Hove Seafront.

I can assure you that with the adoption of the City Plan, the retained Local Plan policies and supplementary guidance – there is already a robust framework in place for making decisions on planning applications in this area. In the case of Shoreham Harbour – there will also be the Joint Area Action Plan which will also be providing a clear policy framework for decisions in South Portslade and Aldrington Basin areas.

In addition to this there are pressures for planning briefs in other parts of the city where there isn’t a clear policy framework in place.

For these reasons and due to the limited resources available for planning project work I am advised it would not be possible to prepare a planning brief for Hove Seafront at this time.”

- 44.3 Councillor Peltzer Dunn proposed that the Committee receive a full report to a future meeting.
- 44.4 This was seconded by Councillor Nemeth.
- 44.5 The Chair put the proposal to the vote. This was **not carried**.
- 44.6 **RESOLVED** – That the Committee agreed to note the petition.

45 MEMBER INVOLVEMENT

- 45.1 The Chair noted there were no items listed under Member Involvement.

46 LIBRARY PLAN

- 46.1 The Committee considered a report of the Assistant Chief Executive. Sally McMahon, Head of Library Service, introduced the report and explained that it included the results of the Public Consultation that was conducted between November 2015 and February 2016. It was detailed to the Committee that the public survey received a good response with 1,124 responses and all the findings and comments collected were published on the website.
- 46.2 The Head of Library Services noted that some concerns were raised in the comments and these were being collated into a paper. The main concern related to the public wanting more detail about the Library Plan.
- 46.3 It was explained to the Committee that any potential disposal of the current Hove Library building would be subject to further evaluation and a report would be brought to the Policy & Resources Committee for approval. It was added that the moving of Hove Library to Hove Museum would save Brighton & Hove City Council an estimated £350,000 per year, plus the on-going maintenance and repairs needed currently estimated at £750,000. The Head of Library Service explained that if Hove Library were to remain in its current location, the estimated saving would need to be found elsewhere within the library service.
- 46.4 In response to Councillor C Theobald, the Head of Library Service explained that when the library changes were reviewed, monitoring work would be undertaken to ensure the new library system was meeting the needs of the library users.
- 46.5 The Head of Library Services clarified to Councillor Peltzer Dunn that the missing 9% of transport user statistics were library users using taxis, or they did not answer the question. It was also noted that they wished to create an outside space at Hove Museum, which was linked to the museum and library complex, to have activities for children.
- 46.6 It was confirmed that the questions were drafted by Council Officers, the Head of Library Services included, and staff that had expertise in consultations. The questionnaire was comprised of multiply choice questions and four open ended questions for more detailed responses.

- 46.7 In response to Councillor Druitt, it was explained that Libraries & Information Services would have to reduce expenditure, like all departments within the Council. It was expressed that the timing was challenging as the budget had already been set for 2016/17; however, it was noted that they wished to give the public a full three months of consultation.
- 46.8 The Head of Library Services explained that she was of the view that the public would be willing to volunteer to support the libraries; therefore, ensuring longer opening hours. It was stated that 292 people, who took part in the consultation, expressed an interest to volunteer on the anonymous survey and the libraries already used 170 volunteers.
- 46.9 In response to the Chair, it was clarified that if the Hove Library didn't move to the Hove Museum site, the saving would be the equivalent to the closure of five to seven community libraries.
- 46.10 Councillor Yates noted that the decision in relation to the Hove Library move would be decided at a Policy & Resources Committee and the Planning Committee would have to agree the plans that proposed any significant changes to the Carnegie building. It was added that the recommendations were to note the outcome of the consultation and agree to refer the report to the next Full Council meeting.
- 46.11 It was also commented that libraries resources should not be focused to central Brighton and Hove as services were needed across the city. Councillor Yates explained that if he would choose to move one library, instead of closing five to seven community libraries as it was important that residents across the city could retain library access.
- 46.12 Councillor Druitt noted his view that there was a large amount in the report that he supported, including; the modernisation of the service; extended opening hours; the use of community hubs. He also questioned whether there was an alternative to keep Hove Library in the Carnegie building, for instance, using the money from the Kings House sale.
- 46.13 Councillor C Theobald stated that the Carnegie building was historic with listed fixtures, and it should be made a recommendation to ensure these were retained.
- 46.14 Councillor Nemeth referenced that the report stated the amount of space for library service delivery will reduce by about 15%, but this included flexible space. He added that if this was not included in the statistics, more space from either the new library or the museum could be lost and this could lead to an even more greatly reduced service, therefore he could not support the Officer recommendations.
- 46.15 Councillor Robins noted that Members should consider the plan as a whole rather than support parts and not others. He expressed that budget savings needed to be made from within the.
- 46.16 The Chair concluded the debate and stated that he had respect for all those that had campaigned to keep the building. He noted that the Library Plan included extended hours and no library closures; therefore, would be supporting the recommendations.
- 46.17 The Chair then put the recommendations to the vote.

46.18 **RESOLVED –**

- 1) That the Committee agreed to note the results of the public consultation as outlined in the report.
- 2) That the Committee agreed to recommend that the Libraries Plan 2016-2020, and the changes to Library Services proposed as part of this Plan, as contained in the appendix to the report, and outlined in brief in section 3 with amendments in section 6, are referred to Full Council for adoption.

47 DALTON'S BASTION SITE, MADEIRA DRIVE – LEISURE ATTRACTION PROPOSAL

47.1 The Committee considered a report of the Assistant Chief Executive & Acting Executive Director, Environment Development & Housing. Ian Shurrock, Head of Sport & Leisure, introduced the report and explained that the purpose of the report was to seek approval to grant Landlord's consent, subject to final determination of Heads of Terms under officer delegated powers, for the development of a new zip wire leisure attraction and café on the Dalton's Bastion site on Madeira Drive.

47.2 The Head of Sport & Leisure explained to the Committee that a Seafront Investment Plan was currently being developed building upon the draft Seafront Strategy and was responding to the recommendations of the Seafront Infrastructure Scrutiny Panel. It was added that Madeira Drive had been highlighted as an area in need of investment and this proposal would maintain a leisure attraction on the Dalton's Bastion site after the Brighton Wheel ceased to operate.

47.3 The Chair agreed to accept three questions from C.A. Heal & Sons. The Head of Sport & Leisure read the following questions and responses -

Why no tendering process on expiry of the (upper level) 5 year lease and the lower level 10 year lease granted in 2014?

The current lease for the upper level (Dalton's Bastion) is for 5 years and is due to expire on 29th August 2016. The lease is outside of the Landlord and Tenant Act. When a lease expires the council will consider the performance of the business and tenant and the demand for the premises and the level of investment when deciding whether to offer a new lease. This is standard practice with all seafront properties that do not have security of tenure."

Whether limitations on usage as a café (in the 2014 lease) will continue?

Paramount Entertainments Ltd propose to continue to operate a beach goods and ice-cream parlour at beach level as permitted under the 2014 Lease.

The impact of noise nuisance on those playing mini-golf underneath?

The proposed route for the Zip wire does not pass over the mini golf site.

- 47.4 It was clarified to the Committee that the proposed hours for the attraction were to be open between 1000 hours – 2300 hours and would not exceed this. Toni Manuel, Seafront Development Manager, added that the zip wire leisure attraction would operate all year round but the opening times could vary seasonally.
- 47.5 Councillor Greenbaum noted that she had received an email from the Kingscliffe Society regarding the development and wished that the public were informed and consulted before a press release. Councillor Robins agreed with Councillor Greenbaum and added that he was pleased to keep an attraction on the Dalton's Bastion site.
- 47.6 In response to Councillor Peltzer Dunn, it was explained that the Brighton Wheel was currently on highway land; however, subject to Planning, the highway land would become council Seafront land to ensure the entire site could fall under one Lease.
- 47.7 The Chair commented that he was pleased an attraction would be replacing the wheel and it would have a positive impact on Madeira Drive.
- 47.8 **RESOLVED** – That the Committee agreed to grant Landlord's consent for the Brighton Zip and cafe development on the Dalton's Bastion site on Madeira Drive and that officers negotiate Heads of Terms for the required Agreement to Lease and Lease to be agreed under delegated powers by the Acting Executive Director, Environment, Development & Housing, Assistant Director Property & Design and the Head of Law.

48 CITY EMPLOYMENT AND SKILLS PLAN 2016-2020, PROGRESS REPORT

- 48.1 The Committee considered a joint report of the Executive Director for Children's Services and the Acting Executive Director for Environment, Development & Housing. Cheryl Finella, Economic Development Programme Manager, introduced the report and stated that it was an update report to inform the Committee on the development of the new City Employment & Skills Plan (2016-2020) and to inform the Committee of the outcomes from the consultations, the emerging priorities and recommendations for action.
- 48.2 The Economic Development Programme Manager highlighted in her introduction that the apprenticeship levels within Brighton & Hove were low, with a low level of completion. It was stated that an Apprenticeship Levy was to be introduced in April 2017, resulting in large employers being taxed that would receive the money back if they were to employ a new apprentice.
- 48.3 It was explained to the Committee that two consultations had taken place which were both well attended. The Economic Development Programme Manager stated that three main themes emerged from them these being: no one left behind, to ensure everyone is benefitting from growth; learn to earn, to give affective career advise and support those making career transitions from learning to earning; benefitting from growth, key growth sectors could access employees with the right technical skills, aptitude and readiness for work.
- 48.4 In response to Councillor Yates, the Officer clarified that business support was currently being given further consideration. It was added that Brighton & Hove City Council were

beginning to work collaboratively with West Sussex County Council and East Sussex County Council, as they were facing similar challenges.

48.5 It was explained to Councillor Druitt that groups of young people and apprentices had been involved in the consultation and that the City Employment & Skills Plan would involve different focus groups.

48.6 **RESOLVED:**

- 1) That the Committee agreed to note the emerging priorities and recommendations for action to be taken forward for the new City Employment & Skills Plan (2016-2020).
- 2) That the Committee agreed to note the development of an options appraisal model for delivery new vehicle to deliver apprenticeships in the city and the Greater Brighton City Region.
- 3) That the Committee agreed to note the report.

49 **TOADS HOLE VALLEY SUPPLEMENTARY PLANNING DOCUMENT - ISSUES AND OPTIONS CONSULTATION**

49.1 The Committee considered a report of the Acting Executive Director for Environment, Development & Housing in relation to Toads Hole Valley Supplementary Planning Document – Issues and Options Consultation. The Officer introduced and explained that the report provided an overview on the production of the Toad's Hole Valley Supplementary Planning Document and it sought approval to consult on an Issue and Options paper that would inform the production of a Draft Supplementary Planning Document for the site.

49.2 It was detailed that the site would include 700 new homes, a new school and business space. The Officer added that a six week consultation with local residents and Councillors would take place in addition to the two meetings that had been organised.

49.3 In response to Councillor Yates, it was clarified that they wished to secure a GP surgery on the new site.

49.4 The Officer explained that the new school could be a primary, secondary or free school, dependent on the greatest need in the area. The Chair clarified that Toad's Hole Valley would not be the site of the new university free school.

49.5 **RESOLVED** – That the Committee agreed to give authority to consult on the Issues and Options paper to inform the preparation of a Draft Supplementary Planning Document and to authorise the Acting Head of City Planning and Development may make any necessary minor amendments to the Issues and Options Paper prior to stakeholder consultation.

50 PLANNING ADVICE NOTES ON ENERGY EFFICIENCY

50.1 **RESOLVED** – That the Committee noted the consultation findings and approved for publication the Planning Advice.

51 COASTAL WEST SUSSEX AND GREATER BRIGHTON UPDATED LOCAL STRATEGIC STATEMENT - DELIVERING SUSTAINABLE GROWTH 2015-31

51.1 The Committee considered a report of the Acting Executive Director for Environment, Development & Housing in relation to Coastal West Sussex and Greater Brighton updated Local Strategic Statement - Delivering Sustainable Growth 2015-31. By way of introduction it was explained that the report sought approval of the update to the Coastal West Sussex and Greater Brighton (CWS&GB) Local Strategic Statement (LSS).

51.2 It was highlighted that the new Coastal West Sussex Strategic Planning Board was established in October 2012 to facilitate joint planning work; the LSS was prepared for the area and was agreed at the Board Meeting in late 2013 and subsequently ratified by the Committee in January 2014.

51.3 In response to Councillor Peltzer Dunn, the Officer clarified that Brighton & Hove faced challenges regarding green spaces and that there were more open spaces in other areas.

51.4 Councillor Yates added that the report showed that the established areas were struggling and newer areas had better opportunities; therefore, felt the Councillors needed to work together to try and resolve the problems.

54.5 RESOLVED:

1) That the committee agrees the Coastal West Sussex and Greater Brighton Local Strategic Statement update January 2016 and the attached Memorandum of Understanding and Terms of Reference; and notes that the LSS will be subject to a full review in the medium term to assist with future development plan reviews and infrastructure planning.

2) That the committee notes the purpose and content of the LSS Monitoring and Delivery Framework in annex 4 of the LSS.

52 LOCAL AGGREGATE ASSESSMENT FOR EAST SUSSEX AND BRIGHTON & HOVE

52.1 **RESOLVED:** That Committee:

1) Approves and agrees to the publication of the Local Aggregate Assessment 2014/15 for East Sussex and Brighton & Hove.

2) Delegates authority to the Executive Director Environment, Development & Housing, to approve and publish future annual Local Aggregate Assessments and report the findings to the Committee.

53 MAJOR PROJECTS UPDATE

- 53.1 The Committee considered the Major Projects Update that was circulated for information.
- 53.2 In response to Councillor C. Theobald it was clarified that demolition of Circus Street would start by the end of March and it was explained that the premises had only just been fully emptied.
- 53.3 It was clarified for to Councillor Robins that the original toll booths on the i360 site had deteriorated; therefore, they were being reconstructed.
- 53.4 **RESOLVED** – That the Committee note the update.

54 ITEMS REFERRED FOR COUNCIL

- 54.1 There were no items referred to Council.

The meeting concluded at Time Not Specified

Signed

Chair

Dated this

day of

Subject: Deputation Referred from the Council meeting held on the 24 March 2016

Date of Meeting: 16 June 2016

Report of: Executive Lead for Strategy, Governance & Law

Contact Officer: Name: Ross Keatley Tel: 29-1006
E-mail: ross.keatley@brighton-hove.gcsx.gov.uk

Wards Affected: All

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT:

- 1.1 Under the Council's Procedural Rules a deputation presented at a Council meeting will be referred to an appropriate Committee meeting for consideration.
- 1.2 A deputation concerning the proposal to route traffic for the i360 via Trafalgar Road and Church Road in Portslade was presented at the Council meeting on 8 May 2014, by Rachel Furno as the lead spokesperson.

2. RECOMMENDATIONS:

- 2.1 That the Committee either
 - (a) Notes the deputation; or
 - (b) Notes the deputation and calls for an officer report on the issues raised by the deputation.

3. CONTEXT/ BACKGROUND INFORMATION:

- 3.1 A copy of the deputation is attached to the report as appendix 1.

4. ANALYSIS & CONSIDERATION OF ALTERNATIVE OPTIONS:

- 4.1 The deputation was received at the Council meeting in accordance with the agreed protocol, which included 5 minutes for the Lead spokesperson to outline the reasons for the deputation and for Councillor Morgan as the Chair of the Economic Development & Culture Committee to respond.
- 4.2 The Procedural Rules states that 'the lead spokesperson will receive written confirmation of the response given to the deputation and that the signatories to the deputation will be invited to attend the meeting and hear the Committee's decision. However, given that the deputation was presented at council, there are no further speaking rights and the response for the spokesperson.

SUPPORTING DOCUMENTATION

Appendices:

1. Deputation concerning the proposal to route traffic for the i360 via Trafalgar Road and Church Road in Portslade.

Deputation concerning the proposal to route traffic for the i360 via Trafalgar Road and Church Road in Portslade
Spokesperson – Ms. Rachel Furno

We would like to voice our strong opposition to the proposal that traffic bringing the expected 750,000 visitors per year to the i360 in Brighton, be directed by brown signs, or any other method, via Trafalgar Road and Church Road in Portslade.

The suggested route, via Hangleton Link junction, down to Old Shoreham Road and then on to the coast road via Trafalgar Road and Church Road, sends traffic away from the natural flow and direction of its destination. It is 8 miles long, which means excessive additional mileage for all vehicles using that route, and has 14 sets of traffic lights, all of which will result in unnecessary air pollution in the area.

The roads already suffer high levels of traffic as they are the main route for the HGVs travelling to and from Shoreham Harbour. An average of 18 buses an hour and numerous cars also take this route, which only adds to the issue.

Both Trafalgar Road and Church Road are highly residential and there are 4 primary schools on or near these roads, as well as a health centre and a community centre. All of these homes and local services generate a large number of pedestrians, both children and adults, who need to cross these already busy roads. Even with the current levels of road traffic, it can at times take several minutes to be able to cross the road safely. To add to the traffic levels would only exacerbate this issue.

Both roads are narrow, being single lanes each way for the majority of their lengths. Most of the properties have either small front gardens or none at all, with front doors that open directly onto the pavement, and are therefore more susceptible to roadside pollution.

According to the diagram provided on page 9 of the Brighton & Hove City Council Air Quality Action Plan Technical Appendix (which can be found online at [https://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/Air%20Quality%20Action%20Plan%20Appendix%20\(pdf%204%20MB\).pdf](https://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/Air%20Quality%20Action%20Plan%20Appendix%20(pdf%204%20MB).pdf)), the levels of nitrogen dioxide on the northern half of Trafalgar Road and southern half of Church Road are far in excess of the legal limit (see Diagram 1). Further statistics in the appendix outline the impact that the HGVs have on the NO2 levels in Trafalgar Road (see Diagram 2).

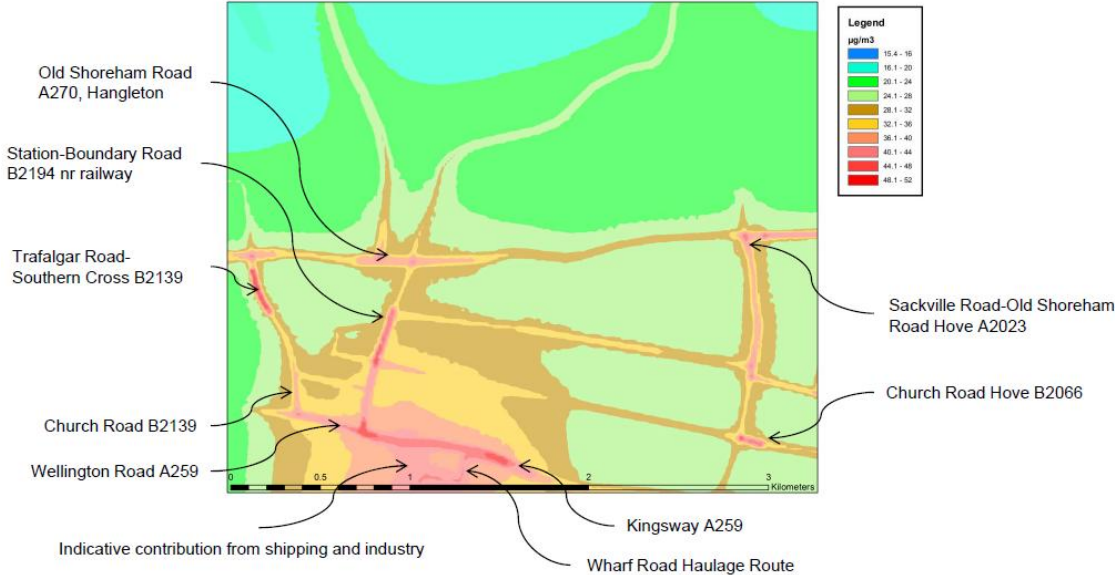
The Air Quality Action Plan 2015 ranks Trafalgar Road (the B2193) 8th in a table showing the highest nitrogen dioxide levels in Brighton and Hove by transport corridor - that is three places above that of the much discussed Rottingdean High Street. The road has 148 residential dwellings at risk of exceeding the legal nitrogen dioxide level (which is 30 micrograms per cubic metre) and its roadside NO2 level is 53 micrograms per cubic metre.

Given that Brighton and Hove City Council has Air Quality Management Areas, which include Trafalgar Road and Church Road, where is the sense in directing traffic via those roads, which will further compound an already extreme situation.

In short, we, the residents of Trafalgar Road and Church Road, as well as those from surrounding streets, strongly request that you consider our already difficult situation and reject this proposal.

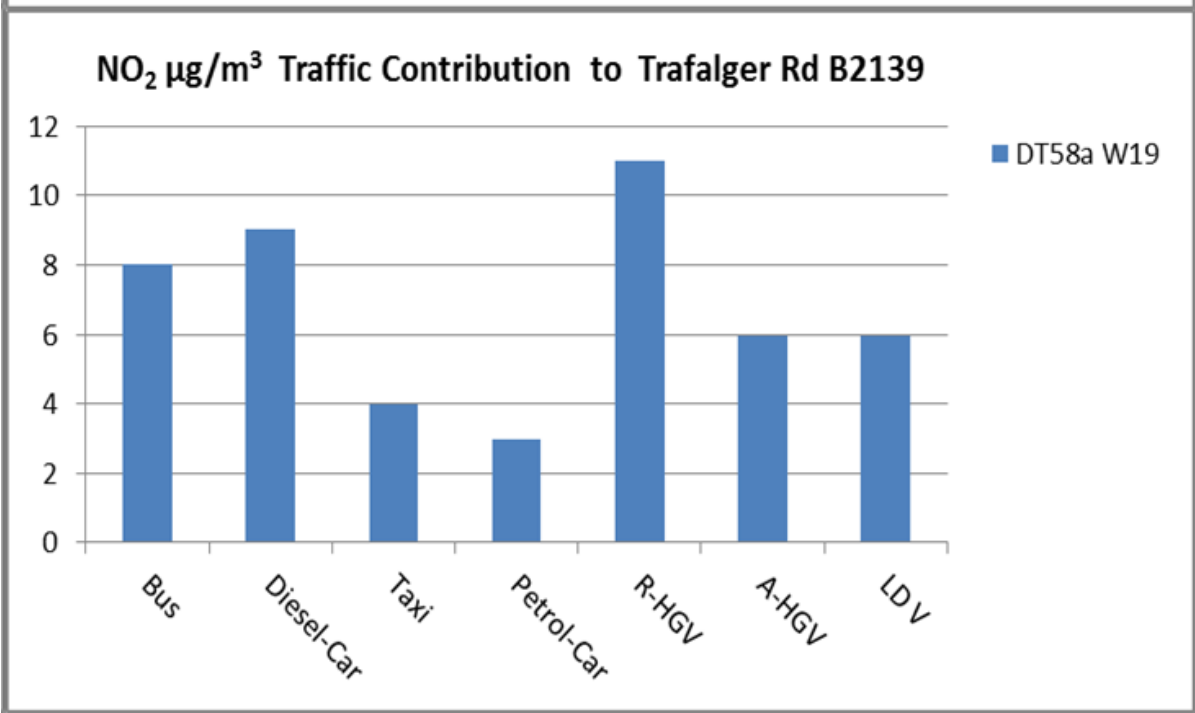
Diagram 1:

Portslade & Hove (9km²) Key AQMA Streets Above NO₂ Legal Limit



Brighton & Hove City Council Air Quality Action Plan Technical Appendix

Diagram 2:



Subject: Member Petitions
Date of Meeting: 16 June 2016
Report of: Executive Lead for Strategy, Governance & Law
Contact Officer: Name: Ross Keatley Tel: 29-1064
E-mail: ross.keatley@brighton-hove.gcsx.gov.uk
Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

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

2. RECOMMENDATIONS:

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

3. PETITIONS

- 3.1 Petitions referred from Council:

(i) Bi360 Traffic in Trafalgar Road and Church Road in Portslade –

To receive the following petition signed by 22 people:

“We the residents of Trafalgar Road and Church Road in Portslade, as well as the surrounding areas, strongly object to the proposal that traffic for the i360 be directed by the use of brown signs, or any other method, via our road.”

Lead Petitioner: Councillor Leslie Hamilton – South Portslade Ward

WRITTEN QUESTIONS FROM COUNCILLORS

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

(a) Councillor Druitt

“Can Cllr Robins confirm how many empty shops there are in the city, how this compares with historical trends and what the administration is doing to encourage businesses to open up for trade in these empty premises?”

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

(b) Councillor Mac Cafferty

“Can the Chair outline what actions are taken by the City Council to ensure that companies and organisations using the Lawns for larger festivals:

- Keep to the times of their licensed activities;
- Respect the amenity of neighbouring residents for current and future events;
- Prevent damage to the fabric of the Lawns, or; if damage is done how mitigation for such damage is calculated
- How abuse of the Lawns is prevented over the longer term.”

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

(c) Councillor Peltzer Dunn

“Would the Chairman of the Economic Development & Culture Committee provide a complete breakdown of the current Section 106 fund with details on the overall balance, the individual amounts that have come from separate projects, any amounts outstanding and any amounts unspent?”

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

(d) Councillor Peltzer Dunn

“In light of the Queen’s 90th birthdays (actual and official), can the Chairman of the Economic Development & Culture Committee outline why the beacon at Hove Lagoon was not lit and why, indeed, the Council took no part in organising any celebratory events in the City?”

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

(e) Councillor Nemeth

“Will the Chairman of the Economic Development & Culture Committee explain why no representative of the Labour Administration attended meetings of the Brighton & Hove Economic Partnership over the past year?”

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

(f) Councillor Nemeth

“What correspondence and meetings has the Chairman of the Economic Development and Culture Committee had with the new owners of the Palace Pier, the largest tourist attraction in the City, during his first month in office (12th May – 12th June 2016)?”

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

(g) Councillor Nemeth

“Given the extremely long lead-in time that is associated with most major projects, and the fact that most of the current major projects were commenced some years ago, can the Chairman of the Economic Development & Culture Committee confirm if any new major projects have actually been initiated during the first year of Labour’s Administration?”

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

Geoff Raw - Chief Executive
Brighton & Hove City Council
King's House

6 June 2016

Dear Geoff,

RE: ESTATE AGENTS' BOARDS REGULATION 7 AREA EXTENSION

I write with respect to the popular and successful introduction in 2010 of a ban on estate agents' boards in certain areas in the city that was introduced by the Council by means of a Regulation 7 Direction. The issue was highlighted by a member of the public, Caroline Lynch, at a meeting of the Economic Development & Culture Committee last year.

Ms Lynch specifically requested an extension of the ban to those Article 4 wards that are not currently covered and referred to the 2009 Student Housing Strategy which recommended this action. Although Ms Lynch's request was turned down, she was told that those carrying out a review of the Student Housing Strategy would be in touch with Ms Lynch with a view to making progress by alternative means. In the first instance, I would like an update on this specific point.

On the matter more generally, I would certainly like to see an extension of the area that is covered by the ban as do many residents and, indeed, the Brighton & Hove Estate Agents Association. As the Secretary of State noted when the Council initially applied for the ban, it should apply just to the streets which have been most affected by sub-division of properties and which are of greatest uniformity of townscape.

There are many streets around the Regulation 7 area, such as St Aubyns or Livingstone Road, which do satisfy the Secretary of State's criteria, that were left off for what appears to be administrative simplicity (they fell just outside, respectively, the Cliftonville and Hove Station Conservation Areas which are covered). These roads, and many others nearby, are permanently blighted by boards and would, therefore, be ideal candidates for inclusion.

I respectfully request that a review is carried out so that other roads which satisfy the criteria can be added to the area in question without further delay.

With best wishes



Cllr Robert Nemeth

NOTICE OF MOTION
CONSERVATIVE GROUP
MADEIRA TERRACES PUBLIC UPDATE

“This Committee resolves to request a full public statement from the Leader of the Council on the Administration’s plans for the Madeira Terraces, with specific reference to the recent Victorian Society report that gave much lower repair figures than official estimates, followed by an Officer report on the topic at the meeting of the Policy, Resources & Growth Committee on 14th July 2016.”

Proposed by: Councillor Nemeth

Seconded by: Councillor Peltzer Dunn

Subject:	City Plan Part Two		
Date of Meeting:	16 June 2016		
Report of:	Acting Executive Director for Economy, Environment & Culture		
Contact Officer:	Name:	Sandra Rogers, Principal Planning Officer	Tel: 29-2502
	Email:	Sandra.rogers@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 Following adoption of the City Plan Part One, there is now the opportunity to prepare and complete Part Two of the City Plan to ensure an up to date, streamlined and consistent Development Plan to assist in the determination of planning applications.
- 1.2 The purpose of the report is to advise Members on the role and scope of the City Plan Part Two; to set out the proposed timetable for the preparation of the City Plan Part Two and to seek approval of the Scoping Paper for public consultation. The scoping stage will be the first formal stage of consultation on the City Plan Part Two.

2. RECOMMENDATIONS:

That the Committee:

- 2.1 Note the scope, purpose and proposed timetable for the preparation of the City Plan Part Two.
- 2.2 Approve the publication of the City Plan Part Two Scoping Paper and Sustainability Appraisal Scoping Report for a 12 week period of public consultation, subject to any minor grammatical or editorial alterations approved by the Acting Executive Director for Economy, Environment & Culture.
- 2.3 Delegate authority to the Acting Executive Director for Economy, Environment and Culture to agree supporting consultation documents (as referred to in paragraph 5.4) which are to be based on the Scoping Document.
- 2.4 Note that the outcome of this consultation will inform the preparation of the draft City Plan Part Two.

3. CONTEXT/ BACKGROUND INFORMATION

Purpose and Scope of the City Plan Part Two

- 3.1 The Brighton & Hove City Plan Part One (CPP1) was adopted in March 2016 and contains strategic policies setting out the overall amounts of development (housing, employment, retail etc.) required across the city to 2030 and the broad locations and Development Areas where new development will take place. It allocates key strategic sites and also sets out key citywide policies to guide development including urban design, transport, affordable housing, biodiversity and sustainability.
- 3.2 The role for the City Plan Part Two (CPP2) is to support the implementation and delivery of CPP1 to build on the strategic framework, to identify and allocate additional development sites and to set out a more detailed development management policy framework to assist in the determination of planning applications.
- 3.3 When adopted the CPP2 will become part of the Development Plan for the city and will replace the currently retained 2005 Brighton & Hove Local Plan policies. The Policies Map (March 2016) will also need to be updated and published to include the additional site allocations and new/updated policy designations related to CPP2.
- 3.4 The City Plan Part 2 will:
 - Follow on from and be consistent with the vision, strategy and objectives and strategic policies set out in CPP1; and it will cover the period up to 2030
 - Contain additional site allocations e.g. for housing and mixed use sites so that the CPP1 strategy for accommodating development needs can be fully implemented
 - Contain amended /updated or new shopping centres boundaries and heritage/ nature designations.
 - Contain a suite of detailed Development Management policies – through replacing some of the ‘saved’ 2005 Local Plan policies and deleting others where appropriate to ensure that there is a more streamlined and straightforward set of development management policies.
 - Conform with the National Planning Policy Framework and respond to Government changes to the planning system – such as proposed introduction of ‘permissions in principle’ and brownfield site registers
 - Result in one up to date City Development Plan – which will be clearer to use for decision taking and for developers and planning applicants.

Timetable for Preparation

- 3.5 The Local Development Scheme (LDS) 2014 set out the proposed timetable for the preparation of the CPP2. The extended examination of the CPP1 has had an impact on the timetable and the anticipated timetable for preparing the City Plan Part Two is set out below. The LDS will be updated in the near future to align with this.

City Plan Part Two stage of plan preparation	Date
Scoping Document (Regulation 18)	June 2016
Draft Plan and SA (Regulation 18)	Autumn 2017
Publication stage (Regulation 19)	Summer 2018
Submission stage (Regulation 22)	Autumn 2018
Examination (estimated)	Winter 2018
Adoption of City Plan Part Two (estimated)	Spring 2019

- 3.6 The Government recently announced a requirement for Local Plans to be in place by 2017. The local plans referred to by the Government are development plan documents adopted or approved under the Planning and Compulsory Purchase Act 2004 Act that set the strategic planning policies for a local planning authority's area and would not include the Brighton & Hove Local Plan 2005 which was drafted under previous legislation. It is considered that the adoption of the CPP1 in March 2016 has met this requirement. Nevertheless it remains important to move quickly to the adoption of the CPP2.

Scoping Stage

- 3.7 The CPP2 has to be prepared in accordance with the Planning and Compulsory Purchase Act 2004; the Town and Country Planning (Local Planning) (England) Regulations 2012; the Environmental Assessment of Plans and Programmes Regulations 2004; and the Conservation of Habitats and Species Regulations 2010.
- 3.8 The scoping stage (Regulation 18 of the 2012 Regulations) will be the first formal stage of consultation on the CPP2. The council is required to invite representations on the proposed scope of the plan, including the proposed subject and plan area (development within city excluding that within the SDNPA) and the proposed plan period (2016 - 2030).
- 3.9 The Scoping Paper, attached at Appendix 1 is structured around a number of policy topic areas and these include housing, employment, retail and town centre uses, open space and natural environment. The final structure and format of the CPP2 may be different but at this stage identifying policy topic areas helps to indicate the full scope of the Plan.
- 3.10 The Scoping Paper has a series of consultation questions seeking views on the issues covered by CPP2 and to check that the shaping document has identified all the relevant issues or whether there are other issues that need to be addressed.

Call for sites

- 3.11 As part of this scoping stage, the Paper does invite respondents to put forward sites for potential site allocations. A formal call for sites will also be undertaken

as part of the annual update of the Strategic Housing Land Availability Assessment (SHLAA). Sites put forward during the consultation will be assessed as part of the plan preparation process. There will be an opportunity to comment on individual site allocations at the draft CPP2 stage.

Background Evidence

- 3.12 The National Planning Policy Framework makes clear, that to be sound, a Local Plan should be positively prepared; justified, effective and consistent with national policy. Much of the evidence that supported the CPP1 will be relevant for the preparation of CPP2. The evidence base will be kept under review throughout the preparation of the CPP2 to ensure it is kept up to date and reflects local circumstances. There is a need for further background studies to support site allocations and certain topic issues. The Sustainability Appraisal referred to below will also help to refine the options and to test suitability of site allocations.

Sustainability Appraisal Scoping Report and other Supporting Documents

- 3.13 The preparation of a Local Plan is required to include an accompanying Sustainability Appraisal (SA). This should consider all the likely significant effects that the Local Plan may have on various environmental, economic and social factors. If the Local Plan is likely to have a significant effect on the environment, the sustainability appraisal must also meet the legal requirements of the European Directive on Strategic Environmental Assessment (SEA), which has been implemented in the United Kingdom by the Environmental Assessment of Plans and Programmes Regulations 2004.
- 3.14 When deciding on the scope and level of detail that must be included in the sustainability appraisal, the responsible authority is required to consult the SA/SEA consultation bodies. The sustainability appraisal process therefore begins with a SA Scoping Report which will be published for consultation. The final sustainability appraisal/strategic environmental assessment will be submitted to the Secretary of State with the CPP2 for examination.
- 3.15 Under the EU Habitats Directive (92/43/EEC), as implemented in England and Wales by the Conservation of Habitats and Species Regulations 2010, a Habitats Regulations Assessment (HRA) is required for any proposed plan or project which may have a significant effect on one or more European sites and which is not necessary for the management of those sites. The purpose of the HRA is to determine whether or not significant effects are likely and to suggest ways in which they could be avoided. A HRA screening was carried out on the CPP1 which discounted the likelihood of significant effects. However a Screening process will also be carried out to establish if the CPP2 might have any Likely Significant Effects (LSEs) on any European site and therefore to determine whether a full HRA would be required for CPP2.
- 3.16 The CPP2 will also need to be assessed to ensure that the policies are co-ordinated to address health and well-being outcomes throughout the city. This is through a Health and Equalities Impact Assessment (HEQIA). The screening for

HRA and a Health and Equalities Impact Assessment will be undertaken at the draft Plan stage.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 It is important that the Council has a complete up to date and robust planning policy framework. Whilst the CPP1 provides the overarching strategic planning policies for the City, the eight Development Areas and 23 strategic allocations, it does not allocate all of the sites that will be required to meet the city's identified needs such as housing or a full set of up-to-date detailed development management policies.
- 4.2 The Committee could defer or decide not to prepare the CPP2, however this would mean that the Council would not have a full, up to date Development Plan to guide development across the city and would increase the risk of planning applications being allowed at appeal. This option is therefore not recommended.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Internal consultation with relevant council departments and teams (including Housing, Transport, Economic Development and Environmental Health) has been undertaken to shape the Scoping Paper. Regular meetings of the Internal Officers Advisory Group – that includes representatives from relevant council departments - will be held during the preparation of the CPP2 and their advice and comments sought.
- 5.2 The Cross-Party Working Group on the City Plan has been advised of the purpose and role of the Scoping Paper and the timetable for the preparation of the CPP2.
- 5.3 Consultation on the Scoping Paper will accord with the approach and standards set out in the council's adopted Statement of Community Involvement. The council's Statement of Community Involvement (SCI) sets out policy and standards for engaging residents, local groups, stakeholders and statutory consultees in the preparation of planning-related documents. The SCI reflects the council's Community Engagement Framework.
- 5.4 There will be an extended, 12 week period of consultation starting at end of June. The Scoping Paper and associated documentation will be made available at the council's main deposit points and on the council's consultation portal. The Scoping Paper will be desk-top published and divided up into the different topic areas to make it easier for respondents to comment on the sections that are of most interest to them. Supporting documentation, including a summary 'quick access guide' and posters will be prepared to help publicise, inform and guide people on the purpose and scope of the City Plan Part Two as well as how to make comments. A press release will be prepared and City Plan consultees will be notified. The Scoping Papers will be taken to the relevant city partnerships and presentations/ workshops and/ focus groups will be arranged with key stakeholders.

6. CONCLUSION

- 6.1 The Development Plan can comprise either a single document or a number of documents that set out the spatial planning strategy for the area. The city council has chosen to prepare the City Plan in two parts. Following adoption of the City Plan Part One there is a need to move swiftly to the adoption of the City Plan Part Two.
- 6.2 Before the City Plan Part Two can be adopted, it must go through several stages of formal and informal consultation in accordance with statutory requirements and regulations. Approving the Scoping paper for consultation allows preparation of the City Plan Part Two to formally begin.
- 6.3 A full, up to date Development Plan will provide greater certainty and allow policies at the local level to address local issues and to be fully compliant with up to date requirements. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 planning applications will then be determined in accordance with the Development Plan, including the City Plan Part 2, unless material considerations indicate otherwise.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The cost of officer time, production of documents and consultation associated with the recommendations in this report will be funded from existing 2016-17 revenue budget within the Planning service.

It is anticipated that future costs associated to future stages of adopting the City Plan Part Two will also be funded from approved revenue budgets, subject to future reports to this Committee. Any future variations between approved budgets and expenditure will be reported as part of the budget monitoring process and considered as part of the service budget strategy.

Finance Officer Consulted: Steven Bedford

Date: 13/05/16

Legal Implications:

- 7.2 As set out in the body of this Report, the development plan is of primary importance in the determination of planning applications (s38(6) of the Planning and Compulsory Purchase Act 2004 and s70 (2) of the Town and Country Planning Act 1990).
- 7.3 The process to be followed in preparing and adopting development plans is set out in the Planning and Compulsory Purchase Act 2004 and The Town and Country Planning (Local Planning) (England) Regulations 2012, the first statutory step in the process being the scoping consultation recommended in this Report (Regulation 18).
- 7.4 It is not considered that any adverse human rights implications arise from the recommendations of the Report.

Equalities Implications:

- 7.5 A Health and Equalities Impact Assessment (HEQIA) was undertaken on the City Plan Part Two and an HEQIA assessment will be carried out to inform the draft version of the City Plan Part Two to ensure that the policies are co-ordinated to address health and well-being outcomes throughout the city. Equalities issues will be relevant to a number of issues within the City Plan Part 2, particularly in relation to providing community facilities and meeting housing needs including gypsies and travellers.

Sustainability Implications:

- 7.6 A key requirement of the National Planning Policy Framework is to achieve sustainable development. A Sustainability Appraisal (SA), incorporating the requirements of Strategic Environmental Assessment (SEA) will need to be prepared to support the City Plan Part Two and the preparation and consultation on the SA Scoping Report will be the first stage in the SA process.

Crime & Disorder Implications:

- 7.7 The City Plan Part 1 addressed crime and disorder issues through Development Area proposals, special area policies and a number of citywide policies. The scoping of the City Plan Part 2 will allow consideration of whether further detailed development management policies are required and the site assessment and sustainability assessment process will need to be consider crime and disorder implications

Risk and Opportunity Management Implications:

- 7.6 The risks within this project will be regularly reviewed through quarterly highlight reports. Consulting at an early stage on the scope of the City Plan Part 2 will help ensure that there are fewer issues or omission sites arising at a late stage in the preparation of the plan. The role of the Cross Party Working Group will be to enable the issues and options related to City Plan Part 2 to be discussed at an early stage therefore reducing uncertainty when key decisions are made.

Public Health Implications:

- 7.7 A HEQIA assessment will be carried out to inform the draft version of the City Plan Part Two to ensure that the policies are co-ordinated to address health and well-being outcomes throughout the city.

Corporate / Citywide Implications:

- 7.8 The City Plan Part Two will help with the implementation and delivery of priorities set out in the City Plan Part One. It will contribute to delivering the Corporate Plan, Plans and Strategies across the city council directorates and the Sustainable Community Strategy. The City Plan Part Two will also help to deliver

city-wide strategies of public and voluntary sector partners and promote investment and economic growth.

SUPPORTING DOCUMENTATION

Appendices:

1. City Plan Part Two Scoping Paper

Documents in Members' Rooms

1. SA Scoping Report

Background Documents

1. LDS Report 2014
2. Statement of Community Involvement 2015

Appendix 1

Brighton & Hove City Plan Part Two Scoping Document for Consultation

June 2016

City Plan Part Two Scoping Document

Contents:

	Page no.
1. Introduction	4
2. Housing.....	7
3. Economy & Employment.....	17
4. Retail and town centre uses.....	24
5. Tourism.....	32
6. Transport and Travel	35
7. Biodiversity and Open Spaces	42
8. Addressing pollution, water and energy resources	48
9. Design.....	59
10. Heritage.....	63
11. Community facilities.....	68
12. Student accommodation.....	72
13. Traveller accommodation.....	75

Abbreviations:

AQAP	Air Quality Action Plan
ACV	Asset of Community Value
ANA	Archaeological Notification Area
CIL	Community Infrastructure Levy
Dph	Dwellings per hectare
GBCR	Greater Brighton City Region
GDPO	General Development Permitted Order
GTAA	Gypsy and Traveller Accommodation Assessment
HMO	Houses in Multiple Occupation
LGS	Local Green Space
LTP	Local Transport Plan
MCZ	Marine Coastal Zone
NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guidance
SA	Sustainability Appraisal
SHLAA	Strategic Housing Land Availability Assessment
SPD	Supplementary Planning Document
SSSI	Sites of Special Scientific Interest
SNCI	Sites of Nature Conservation Importance
PBSA	Purpose Built Student Accommodation
SDNP	South Downs National Park
UCO	Use Classes Order

1. Introduction

1.1 The Brighton & Hove City Plan Part One was adopted in March 2016 and sets out the strategic policy framework to guide the new development required across the city to 2030. The City Plan Part One sets the overall amounts of development to be planned for (e.g. housing, employment and retail) and the broad locations and Development Areas where new development will take place. It allocates key strategic sites and also sets out key strategic policies to guide future development including policies for urban design, transport, affordable housing, biodiversity and sustainability. This strategic framework is now part of the statutory Development Plan for Brighton & Hove.

1.2 The role of the City Plan Part Two is to support the implementation and delivery of City Plan Part One; to build on the strategic policy framework; to identify and allocate additional development sites and to set out a detailed development management policy framework to assist in the determination of planning applications. Once adopted, the policies in City Plan Part Two will replace the remaining 'saved' policies from the 2005 Local Plan.

1.3 The City Plan Part Two will:

- Be consistent with the vision, strategy and objectives and strategic policies set out in City Plan Part One; and it will cover the period up to 2030;
- Cover the administrative area of the city council that is not within the South Downs National Park (the South Downs National Park Authority is preparing a Local Plan which will cover the administrative area of Brighton & Hove that falls within the National Park);
- Contain additional site allocations (e.g. for housing and mixed use sites) so that the City Plan Part One strategy for accommodating development needs can be implemented;
- Contain amended/updated or new shopping centre boundaries and heritage/nature conservation designations;
- Contain a suite of development management policies that will replace some of the saved 2005 Local Plan policies and delete others to ensure there is a more streamlined and straightforward set of development management policies;
- Conform with the National Planning Policy Framework (NPPF) and respond to government changes to the planning system e.g. the introduction of brownfield site registers; and
- Result in one City Development Plan (Parts 1 and 2) which will be simpler to use for development management.

1.4 The Policies Map (March 2016) will also need to be updated and published to include additional site allocations and identify new and/or updated policy designations related to City Plan Part Two.

Scoping stage for City Plan Part Two

1.5 This 'scoping' stage is the first formal stage of consultation on Part Two of the City Plan. The aim of this Scoping Document is to outline the role and scope of City Plan Part Two, to clearly outline what Part Two might cover in terms of policy subject and geographical area and to invite representations on the proposed topics to be included and the policy issues to be addressed.

1.6 This stage of the Plan's preparation does not identify specific sites for proposed site allocations. It does however invite respondents to put forward sites for consideration as potential site allocations. A 'call for sites' exercise will also be undertaken as part of the Strategic Housing Land Availability Assessment update process.

1.7 Sites put forward for consideration during this consultation stage will be assessed as part of the plan preparation process. There will be full opportunity to comment on proposed site allocations at the Draft City Plan Part Two stage (see timetable below).

1.8 This early Scoping Paper for City Plan Part Two is structured around a number of policy topic areas e.g. housing, employment, retail, heritage, design, biodiversity, transport and open space¹. Each topic area identifies key policy issues and has a series of consultation questions which seek views on the scope and content of City Plan Part Two. There are also questions which seek to check that the shaping document has identified all the relevant issues or whether there are other issues that will also need to be addressed through City Plan Part Two.

Sustainability Appraisal Scoping Report

1.9 The preparation of a Local Plan is required to include an accompanying Sustainability Appraisal (SA). The role of the SA is to consider all the likely significant effects that the Local Plan may have on various environmental, economic and social factors. The SA process begins with a 'SA Scoping Report' which is also published for consultation at this early stage of plan preparation.

Timetable for the preparation of City Plan Part Two:

City Plan Part Two stage of plan preparation	Date
Scoping Document (Regulation 18)	June 2016
Draft Plan and SA (Regulation 18)	Autumn 2017
Publication stage (Regulation 19)	Summer 2018
Submission stage	Autumn 2018
Examination	Winter 2018
Adoption of City Plan Part Two	Spring 2019

¹ The final structure of City Plan Part Two may take a different format but for the purposes of this early consultation a topic based approach helps to identify key issues.

How to Comment on the City Plan Part Two Scoping Paper

1.10 The City Council would like to know what issues you think the City Plan Part Two should address. Questions are asked throughout this scoping document to help you to tell us what you think. You do not have to comment on everything in this paper. We want to hear your views on those aspects that are of most interest to you.

1.11 Responses to this consultation should be made in writing preferably using the formal representation form which can be completed online via the Council's consultation portal. A guidance note is available to help you do this.

1.12 You are also able to comment by email or letter, but please provide your personal contact details, or your agent's details, and focus your comments on the policy issues set out in the Shaping Document. This also applies if you wish to submit a petition.

1.13 The Scoping Document and copies of the response form are available on the Council's website and within customer service centres at Hove Town Hall and Bartholomew House Brighton and at Jubilee, Hove and Portslade libraries.

<https://www.brighton-hove.gov.uk/content/planning/planning-policy/city-plan-part-two>

1.14 Consultation on the City Plan Part Two Scoping Paper will run for **12 weeks from 30 June to 22 September 2016.**

1.15 Comments should be returned to Brighton & Hove City Council preferably using the consultation portal or by email:

Council's Consultation Portal

<http://consult.brighton-hove.gov.uk/portal>

Email: planningpolicy@brighton-hove.gov.uk (please respond using the Response Form)

Post:

City Plan Part Two: Scoping Document, Planning Policy, Brighton & Hove City Council, Room 201 King's House, Grand Avenue, Hove, East Sussex, BN3 2LS.

2. Housing

Introduction

2.1 A key objective for the City Plan is to provide people with a choice of decent quality housing to meet their need for a stable home at a cost they can afford. Improving housing supply within the city is a key issue identified in the council's 2015 Housing Strategy and particular emphasis is put on improving the supply of housing for key groups in the city such as families and older people and improving the supply of affordable homes.

2.2 In Part One of the City Plan, strategic policies set the overall amount of new housing to be built across the city to 2030 and the broad locations where new housing development will take place. Policies also indicate the need for a mix of new housing in terms of dwelling type, size and tenure. The aim is to ensure that development meets the needs of a growing and diverse range of local housing requirements and contributes to the creation of mixed and sustainable communities across the city.

2.3 The role for Part Two of the City Plan is to build on this strategic framework, to identify and allocate further sites for new housing, to set out a more detailed policy framework that will ensure a high standard of residential development is delivered which is of the type and mix to meet a range of local housing requirements and which can be delivered in a timely manner across the plan period.

Key housing 'policy areas' for City Plan Part Two

2.4 The following key housing policy areas have been identified for City Plan Part 2 to address.

A: General housing (Use Class C3) supply and additional site allocations

2.5 City Plan Part 1 sets a housing provision requirement for at least 13,200 new homes (classed as C3 dwelling houses) to be delivered over the plan period to 2030. Policy CP1 Housing Delivery identifies that approximately 6,000 new homes can be provided within the eight Development Areas set out in Part 1 (Policy DA1 – DA8) and that around 5,200 new homes can be provided across the rest of the city (including 1,000 new homes from the city's urban fringe). Development from very small sites² across the city is likely to contribute a further 2,000 units over the plan period.

2.6 Part 1 of the City Plan already allocates strategic sites for around 3,635 new homes. Significant further capacity for housing is identified in the council's Strategic Housing Land Availability Assessment (SHLAA). The 2014

² Small sites – 6 or less units.

and 2015 Urban Fringe Assessments³ identify there is housing potential for around 1,000 new homes on 39 of the city's urban fringe sites. Emerging Neighbourhood Plans are also able to identify additional housing sites. These sources, along with a further 'call for sites' exercise as part of an update of the SHLAA, will be used to propose site allocations for housing at the draft Plan stage of City Plan Part Two.

2.7 Additional site allocations made through Part 2 of the City Plan will help boost housing supply in the city and will provide more certainty both for communities and developers about where new housing development can be supported. Site allocations will also help to demonstrate how the strategic housing target set in City Plan Part 1 (13,200 new homes) will be met and will assist in demonstrating a sufficient deliverable and developable housing land supply in response to national planning policy requirements.

2.8 Part 1 of the City Plan identifies that the majority of new housing development (87%) will take place on previously developed land known as 'brownfield sites'. Through the Housing and Planning Act, the government is planning to introduce 'Brownfield Site Registers' which will identify brownfield sites suitable for housing. Sites on a Brownfield Register will be able to benefit from a 'permission in principle'⁴. Many brownfield sites in the city also offer the opportunity for mixed use types of development (e.g. a mix of office and housing) where an element of housing development can help deliver other development needs for the city. Because brownfield sites are so important for housing delivery in Brighton & Hove, it is still considered appropriate to identify and take forward many of the city's brownfield sites as proposed site allocations at the Draft Plan stage of City Plan Part Two. Site allocations in a statutory Development Plan will safeguard these sites for much needed new housing development over the Plan period.

2.9 Part 1 of the City Plan also identifies that some development on greenfield sites will be required to help meet the city's housing needs (e.g. development at Toads Hole Valley, Policy DA7 in City Plan Part 1). It also identifies that development on some of the city's urban fringe sites (Policy CP1 Housing Delivery in City Plan Part 1) will be required and that this can offer positive opportunities for securing more family sized housing and affordable housing to help meet the city's local housing needs. In 2015, the council commissioned further more detailed site assessments for those urban fringe sites identified as having potential for housing in the 2014 Urban Fringe Assessment⁵.

2.10 Where these more detailed assessments continue to indicate there is potential for housing development on some of the urban fringe sites, the

³ 2014 Brighton & Hove Urban Fringe Assessment, LUC June 2014, 2015 Further Assessment of Urban Fringe Sites (Landscape, Ecology and Archaeology).

⁴ A permission in principle will establish 'in principle' issues such as land use, location and amount of development.

⁵ 2015 Further Assessment of Urban Fringe Sites – Landscape and Ecology Assessments and 2016 Further Assessment of Urban Fringe Sites - Archaeology Assessment.

intention will be to consult on proposed site allocations as part of the Draft Plan stage of preparation for the City Plan Part 2.

Consultation Questions:

- Do you support the council's intention to allocate suitable brownfield sites for housing through City Plan Part Two and thereby safeguard their use for housing development over the Plan period?
(NB: Brownfield Site Registers will convey a 'permission in principle' for suitable sites but sites on the register will not have the development plan status that goes with a formal site allocation).
- The 2014 and 2015 Urban Fringe Assessment studies have already looked at a range of considerations (open space, landscape, heritage, ecology and environmental considerations) in establishing whether there is housing potential on some of the city's urban fringe sites. Are there other (i.e. different) assessment considerations that City Plan Part 2 should also consider to guide the allocation of urban fringe sites?
- Are there sites that you are aware of that you would like to see put forward as proposed housing site (Use Class C3) allocations in City Plan Part Two?

B: Housing mix – dwelling types, sizes and tenures

2.11 As well as planning to provide for a suitable amount of new housing development it is important to plan for a range and mix of housing types, sizes and tenures. This is reflected in City Plan Part 1, Policy CP19 Housing Mix and Policy SA6 Sustainable Neighbourhoods and Policy CP20 Affordable Housing. Indeed, national planning policy requires local planning authorities to have a good understanding of the housing needs of their areas and to plan appropriately to meet these needs.

2.12 A range of factors influence the demand/need for different types and sizes of homes. Evidence on the city's objectively assessing housing need⁶ indicates that for market housing the majority of future demand is likely to be for two and three bedroom homes (36% and 34% respectively) reflecting demand for housing from younger persons and from young families. There is also likely to be some demand for medium sized homes from older households looking to downsize but still retain flexibility for friends and family to come and stay. The analysis indicates that for smaller one bedroom properties and larger four bedroom properties demand is lower (14% and 15% respectively) but still notable.

2.13 For affordable housing, the analysis suggests that a greater proportion of one and two bedroom affordable properties will be required. However, the study notes that this does not reflect any specific priorities for family

⁶ Objectively assessed need for housing in Brighton & Hove, June 2015, GL Hearn.

households in need or that smaller homes typically offer more limited flexibility in accommodating changing requirements of households.

2.14 The challenge for Part 2 of the City Plan will be to identify a sufficient mix of sites that can be allocated for housing so that different types of housing development can be delivered to help meet the city's range of requirements. For example, urban fringe sites can offer opportunities for family sized homes to be delivered whereas on smaller brownfield urban sites it is more likely that smaller flats/apartments will be delivered. On some of the city's larger brownfield sites it may also be appropriate for site allocations to specify a broad mix to ensure that a good mix of housing types and sizes is achieved.

Consultation Questions:

- Should proposed housing site allocations in City Plan Part 2 seek to specify a range of dwelling types and sizes or should this be left to a more general criteria-based type of planning policy?
- On urban fringe site allocations, should the City Plan Part 2 seek to secure a specific proportion of family sized housing given the city's lack of suitable sites for family sized housing?
- Can you think of other ways in which City Plan Part Two could help to ensure that a good mix of housing gets delivered in the city?

C: Making full and effective use of sites

2.15 Making full and effective use of sites for housing is particularly important given the city's pressing housing needs and its constrained housing land supply. This issue was addressed through policies in the 2005 Local Plan (QD3 Design –Efficient and effective use of sites and HO4 Dwelling densities) which are now superseded by City Plan Part One Policy CP14 Housing Density.

2.16 CP14 sets minimum net density standards for residential development. Within the Development Areas DA1-DA6 and DA8, residential development is expected to achieve a minimum net density of 100 dwellings per hectare (dph) and outside of the Development Areas a minimum net density of 50 dph is expected. These standards are subject to a range of planning considerations which include criteria around design, townscape, neighbourhood character and accessibility.

2.17 The criteria set out in CP14 will help to ensure that inappropriate 'over-development' of sites is avoided. However, further policy guidance may also be required to ensure that 'under-development' of sites is also avoided so that the full capacity of sites can be achieved and that other important policy requirements (e.g. for affordable housing contributions) are not unduly avoided.

Consultation questions:

- Should City Plan Part Two introduce additional policy to ensure that new development maximises site potential (subject to appropriate criteria) and avoids the under-development of housing sites? If so, what might be appropriate planning considerations to include in such a policy?

D: Housing for key groups in the city

2.18 One of the key objectives of City Plan Part 1 is to achieve sustainable, inclusive and mixed communities (e.g. see policy SA6 Sustainable Neighbourhoods and CP19 Housing Mix). Planning for a mix of housing that reflects the needs of different groups in the community is an important part of this. Such groups will include families with children, older people, people with disabilities and support needs, smaller households and people wishing to build their own homes.

Consultation questions:

- Should City Plan Part 2 include development management policies which seek to address the accommodation needs of particular groups within the city's communities? For example, policies to specifically address and support housing options for older people; for families and for people with specialist housing needs?
- Is it appropriate for site allocations in City Plan Part 2 to specifically seek to address different housing needs? For example, would it be appropriate for some sites to be identified for older person's housing or for family housing or for specialist needs housing? Or, should this be left to the market to decide?
- Should policies and/or site allocations specify that development sites should also make provision for self-build plots and custom build housing?

E: Retaining housing

2.19 Policies in the 2005 Brighton & Hove Local Plan have sought to resist the loss of residential accommodation in the city including houses, flats and other types of residential accommodation such as residential care / nursing homes and supported housing. These policies were concerned with improving housing conditions and standards, bringing vacant housing back into use, resisting the loss or conversion of smaller family dwellings or various forms of supported housing and protecting residential amenity. Under the 2005 policies, where a loss is considered acceptable, then the priority is to secure

additional housing to meet a specific local housing need (including affordable housing or for housing for those with support needs). A further justification for this sort of policy approach is the city's constrained land supply and the need to make the best use of the sites and properties that are available for housing.

2.20 The current intention is for Part 2 of the City Plan to continue with a similar policy approach to retain housing in the city but to allow for appropriate exceptions.

Consultation questions:

- Should policies in City Plan Part 2 resist the loss of housing from within the existing housing stock?
- Are there any particular types of housing which you think should be protected e.g. self-contained dwellings (flats and houses), family homes and residential accommodation for those with various support needs ?

F: Private outdoor amenity space in new housing development

2.21 One of the 'saved' local plan policies from the 2005 Brighton & Hove Local Plan (Policy HO5) requires that all new residential development include the provision of private amenity space. Depending on the type of development this could be in the form of ground floor gardens, balconies or roof terraces. Outdoor amenity space is an essential part of the character and quality of the environment of residential properties. The provision of some outdoor private amenity space allows residents to enjoy some outdoor space and this is recognised as having important health and well being aspects. It can also provide important functional benefits such as an area to dry washing.

Consultation questions:

- Should housing policies in City Plan Part 2 include a requirement for the provision of appropriate outdoor private amenity space?
- Should such a policy provide guidance on the issues that will be considered when assessing whether appropriate amenity space has been provided to ensure it is useable and accessible?

G: Access and space standards in new housing development.

2.22 Last year the government introduced a new approach for the setting of technical standards for new housing⁷. The new system comprises new additional 'optional' Building Regulations on water and access, and a new national space standard for new housing. The new approach will complement the existing set of Building Regulations which are mandatory and will replace local technical standards for new housing.

2.23 In order to secure the higher new technical standards for access and adaptability⁸ together with the new space standards for new housing appropriate policies need to be clearly set out in up to date Local Plans. Any such policies also need to be well justified in terms of setting out an evidenced need for requiring the higher standards. Planning authorities must also consider whether development viability will be affected.

2.24 Standards for sustainable buildings are already set out in Policy CP8 of City Plan Part 1 and these include water and energy efficiency standards. City Plan Part 1 policies CP19 Housing Mix and Policy SA6 Sustainable Neighbourhoods support the introduction of policies in Part 2 of the City Plan to secure high quality and sustainability in new residential development. These policies indicate that Part 2 of the City Plan will seek to include the requirements of the nationally described space standard and the new higher technical standards for access in new homes. Policy CP12 Urban Design addresses the need for all new development to be inclusive, adaptable and accessible.

2.25 'Saved' policy HO13 in the 2005 Local Plan has sought to address accessibility and adaptability in new residential development by requiring new homes to be built to 'Lifetime Homes' standards where feasible. It also seeks an appropriate proportion of wheelchair accessible housing in new development. However, under the government's approach 'Lifetimes Homes' standards no longer apply. Therefore to achieve similar technical standards in new residential development new policies will need to be set out in Part 2 of the City Plan.

Consultation questions:

- Should City Plan Part 2 seek to introduce the new nationally described space standards for new housing development?
- Should City Plan Part 2 seek to introduce the higher optional technical standards for 'access and adaptability' in new housing and an appropriate proportion of wheelchair user dwellings?
- Are there any other issues in relation to the national technical standards for new housing development that you would like to see

⁷ Written Ministerial Statement, Planning Update, March 2015. See also 2015 edition of Approved Document M, Building Regulations Access to and use of buildings.

⁸ Building Regulations Part M Access to and use of buildings. Higher optional standards are Part M4(2) Accessible and adaptable dwellings and M4(3) Wheelchair user dwellings.

H: Houses in Multiple Occupation (HMOs)

2.26 An HMO (Houses in Multiple Occupation) is a property rented out by at least three people who are not from one 'household' but share facilities like a bathroom and kitchen. Examples include bedsits, shared houses, lodgings, hostels, accommodation for workers/employees and refugees.

2.27 Brighton & Hove has a high proportion of HMOs and it is estimated that there are a total of 6,460 HMOs in the city, representing 1 in 35 of all HMOs in England and Wales and nine times the national average⁹. This high proportion is partly due to high house prices in the city and a constrained housing supply. It is also partly due to the supply of Purpose Built Student Accommodation (PBSA) not matching the expansion of student numbers in the city. The city's housing market has responded to increasing student numbers through increasing numbers of family dwellings being converted to HMOs.

2.28 However, it is important to note that not all HMOs accommodate students. The cost of housing in the city means that many younger working people and other people on low incomes are living in HMOs. HMOs can therefore play an important role in terms of providing an alternative form of affordable housing. This was recognised in the 2005 Brighton & Hove Local Plan which has a policy resisting the loss of HMOs (Policy HO14).

2.29 High concentrations of HMOs can cause a number of negative impacts on local communities¹⁰, for example more frequent noise nuisance, depopulation of neighbourhoods during academic vacations, increased pressure on parking due to higher population densities and higher levels of population transience (or turnover) which can contribute to a breakdown of community cohesion.

2.30 Policy tools which seek to mitigate the negative impacts of HMOs have emerged from the recommendations of the City Council's Student Housing Strategy 2009-2014. For example, in April 2013, an 'Article 4 Direction' relating to HMOs came into force within five wards of Brighton and Hove¹¹. Within these wards, the Article 4 Direction means that a planning application is required to change the use of a single dwelling house (defined as Use Class C3 in planning legislation) to a small house in multiple occupation (C4 Use Class). Alongside the implementation of the Article 4 Direction, an extended HMO licensing scheme for small HMOs was also introduced in November 2012.

⁹ Brighton & Hove Housing Strategy 2015

¹⁰ Brighton & Hove Student Housing Strategy 2009-2014

¹¹ Hollingdean & Stanmer, Moulsecoomb and Bevendean, Queen's Part, St. Peters and North Laine and Hanover and Elm Grove.

2.31 Part 1 of the City Plan (see Policy CP21 Student Housing and Houses in Multiple Occupation) sets out how an application for a change of use to HMO will not be permitted where more than 10 per cent of dwellings within a radius of 50 metres of the application site are already in use as a HMO. Within the five wards covered by the Article 4 direction this applies to both small and large HMOs. Elsewhere in the city the policy only applies to large HMOs as permitted development rights for small HMOs still apply outside the Article 4 Direction area. This policy approach has helped to prevent further over-concentration of HMOs in areas of the city with already high densities.

2.32 A key challenge for the City Plan Part 2 is to consider how to balance the continuing demand for HMO accommodation with the need for the city to maintain and deliver a good stock of general housing in order to ensure there are sustainable and balanced communities. City Plan Part 2 will therefore need to consider whether further market intervention through planning policy can make a positive difference to the housing mix and balance between HMOs and more general types of housing, including family housing.

2.33 Part 2 also provides an opportunity to consider whether further steps through planning policy could help mitigate against the negative aspects of HMO concentrations. Extending the Article 4 Direction to other parts of the city would require clear evidence of the need to do so and different options would need to be considered.

Consultation Questions:

- Should the City Plan Part 2 include a policy that seeks to protect existing HMOs? Or, should the loss of HMOs be a matter left to the market?
- Should the City Plan Part 2 seek to include a policy that encourages the conversion of existing HMOs to family-sized dwellings?
- Are there any other ways that the negative impacts associated with concentrations of HMOs could be further mitigated through planning policy?

Are there any other housing issues?

- Can you think of any other policy issues that relate to new housing development (and are not already covered in the sections above) that you think City Plan Part Two should seek to address?

NB: This consultation also includes separate sections on Student Housing and Traveller Accommodation.

**Existing 2005 Local Plan Policies to be replaced / deleted by City Plan
Part Two:**

HO1 Housing sites and mixed use sites with an element of housing
HO5 Provision of private amenity space in residential development
HO8 Retaining housing
HO9 Residential conversions and the retention of smaller dwellings
HO10 Accommodation for homeless people
HO11 Residential care and nursing homes
HO12 Sheltered and managed housing for older people
HO13 Accessible housing and lifetime homes
HO14 Houses in Multiple Occupation
HO15 Housing for people with special needs

3. Economy and Employment

Introduction

3.1 The Brighton & Hove economy has grown significantly over the past decade across a wide range of sectors, but notably advanced service sectors such as finance, digital and media. Public administration, education and health remains the highest employment sector. The city and its partners in the sub-region¹² want to build on that success and develop a city region that is attractive to businesses with the necessary amenities and infrastructure businesses need to thrive. An ongoing priority is to create new space for our businesses to start-up and grow.

3.2 The government requires Local Plans to proactively meet the development needs of business; to provide a policy framework that supports business needs, clusters and growth sectors and to regularly review land allocations¹³.

3.3 The recently adopted employment policies in the City Plan Part 1 reflect the role of the city as a successful regional employment hub, the positive forecast growth in jobs to 2030 and the continuing demand by businesses for good quality employment floorspace¹⁴. The 2016 adopted City Plan Part 1 set out how the council will protect employment land (office, industrial, warehouse and storage sites and premises) to 2030 (see **Policy CP3 Employment Land** and **SA2 Central Brighton and Development Area proposals DA2- DA8**). The City Plan Part 1 identifies and safeguards 13 industrial sites and business parks and 5 employment sites for mixed use employment-led redevelopment. The City Plan Part 1 identifies opportunities for 91,000 – 96,000 sq. m of new office floorspace (B1a, B1b uses) and 9,500 sq. m of Industrial floorspace (B1c, B2 and B8 uses) to be delivered through the Strategic Allocations within the defined Development Areas (DA2-DA8)¹⁵.

3.4 However the City Plan Part 1 was not able to identify sufficient sites to meet all the forecast demand for employment floorspace to 2030 that was identified in the 2012 Employment Land Study Review. There is a shortfall of between 16,240 to 21,240 sq. m of office floorspace and 33,930 sq. m of industrial floorspace.

3.5 The role for Part 2 of the City Plan is to build on this strategic framework; to identify and allocate additional employment sites and mixed use site allocations to help ensure employment land delivery is maintained over the City Plan timeframe.

Key employment ‘policy areas’ for City Plan Part Two

¹² Greater Brighton City Deal; C2C LEP Strategic Economic Plan, Devolution Bid

¹³ National Planning Policy Framework, paragraphs 20-22 in particular

¹⁴ Employment Land Study 2012, NLP

¹⁵ Table 4, City Plan Part 1 identifies the amount of employment floorspace to be delivered.

3.6 The following remaining employment policy areas have been identified for City Plan Part 2 to address:

A: Offices

1. Identifying further sites/ opportunities for new office development

3.7 Whilst the general availability of development sites generally in the city is constrained, further office site allocations could help boost the supply and range of the office space in the city. Offices are classed by the government as 'main town centre' uses so the search for opportunities would need to start with town centre locations first. Central Brighton is the core business area for the city¹⁶ but there are clusters of office space elsewhere in the city in other retail centres, close to good transport routes and in residential locations. Through this consultation the council wants to investigate whether there are further opportunities to bring forward new office floorspace and whether there are further sites or clusters of sites that would be suitable for new office development/ redevelopment.

3.8 This consultation therefore includes a call for sites for additional sites/ clusters of sites that could deliver a range of site sizes and types of office floorspace in central Brighton and other accessible locations which are attractive to the market and suitable for a range of office building types such as managed starter units, affordable business space; co-working spaces and flexible formats suitable for single or multiple lets and suitable for all stages of start-up and growth.

2. Supporting Office Delivery

3.9 An office supply trajectory was prepared to support the City Plan Part 1¹⁷. Monitoring of office delivery to date for the period 2014-2019 indicates that only c.10,000 sq m of the projected 29,559 sq. m office is due to be delivered¹⁸ by 2019. This shortfall could increase if the office sites identified in City Plan Part 1 do not deliver all their identified office space allocation.

3.10 The council therefore needs to ensure that additional office development particularly in Central Brighton and adjacent areas comes forward to help provide a range and choice of supply to meet the needs of different types of occupiers and to provide greater flexibility to meet market requirements to ensure that the supply of new office space does not become constrained. Levels of vacant office space are at their lowest for 10 years¹⁹. Failure to bring forward and unlock the job generating capacity of employment sites will hinder the city's aspirations for job growth.

¹⁶ Exemption Request evidence

¹⁷ Brighton & Hove Employment Land Supply Trajectory: Final Report, NLP June 2013

¹⁸ Figure includes Sussex Innovation Brighton, Brighton Station (the construction will commence in early 2017). City View, Brighton Station site (nearing completion) and Circus Street (office element due to be completed by 2019).

¹⁹ South East Office Focus, Q1 2016 Stiles Harold Williams

3.11 The following barriers to office delivery were identified in 2012²⁰:

- a market perception of a lack of supply of suitable sites in central Brighton for new office development;
- the demand profile for smaller firms in Brighton & Hove means weaker covenant strengths in conventional funding markets and limited prospects for pre-letting; and
- development viability and pressure for higher value uses (e.g. residential) within mixed used schemes.

3.12 However demand for office space remains strong, interest in office investments remains strong, achieved office rental levels have steadily increased and there are examples of speculative office development²¹. Brighton & Hove is one of a number of cities identified as having the greatest opportunity for investment in the office market over the next five years²².

3.13 Through this consultation the council wishes to find out what supporting mechanisms could help deliver office sites which are not coming forward through normal market processes such as:

- Whether a particular mix of uses can help enable office delivery on particularly sites;
- Use of public funding (e.g. Regional Growth Fund) and joint ventures to unlock barriers to sites (such as infrastructure)
- Encourage assembly and development of sites – to make them more attractive to market.
- Marketing strategy – to de-risk speculative development.

3. Safeguarding office sites/clusters outside Central Brighton

3.14 Although new sites and premises are an important component of ensuring economic growth, most new jobs will be created within existing businesses on their current sites and premises. It is therefore also important to ensure an appropriate stock of existing good quality offices remain in employment use across the city. Policy CP3.5 of the recently adopted City Plan Part 1 sets out the managed approach to loss of unallocated office buildings.

3.15 Government changes to the planning system have had an impact on the supply of offices, with a number of office buildings being converted to housing. Monitoring has shown that since the permitted development right to convert offices to residential use came into effect there have been a total of 134 'prior approval' applications²³ and 15,612m² of office space has been lost so far²⁴. The impacts will be kept under review and the potential for the existing Article

²⁰ BHCC Employment Land Study 2012, NLP

²¹ See footnote 6 and 'Focus South East: Brighton – Getting back in the water', Estates Gazette 18 July 2015.

²² The New Geography of Office Demand, Where next in the UK Jones Lang LaSalle, 2015

²³ For the monitoring period 1 June 2013 – 31 March 2015

²⁴ This figure comprises floorspace data for those schemes completed and those conversion schemes that are started at 31 March 2015.

4 Direction²⁵ (removing the permitted development right for conversion to housing) to be extended will be explored. This consultation therefore asks for views on extending the Office to Residential Article 4 direction and asks for nominations of potential office clusters to include.

Consultation Questions:

- Are there additional sites/clusters of sites that could deliver a range of size and type of new office floorspace that you would like to be considered as office site allocations through the preparation of City Plan Part Two?
- How can we better support the delivery of office sites in the city?
- In light of the permitted development right (which allows offices to be converted to residential use) becoming permanent, should the council's office to residential Article 4 direction be expanded? Which other office clusters should be included?

B: Mixed Employment Areas and mixed use allocations

3.16 Employment generating uses such as education, recreation, health, residential care, social work and retail account for approximately 71% of all jobs in Brighton & Hove and according to 2012 Experian job forecasts this proportion is expected to remain broadly constant over the period to 2030²⁶. The land use requirements of these employment sectors are usually estimated and planned for on a different basis than the traditional office and industrial uses ('B Class Uses') and many of them are identified by the government as 'town centre' uses and the preference is given to these being located in town centres. The City Plan Part 1 at Policy CP2 Planning for Sustainable Economic Development (part 6) recognised the importance of employment generating non-B Class uses to the local economy and indicated that appropriate allocations would be made through City Plan Part 2.

3.17 Allowing some higher value development as part of smaller scale mixed use site allocations could also be a potential way of securing office development where speculative office development is seen as high risk. Typical uses that have been allowed for this purpose include education and training uses and private healthcare uses. These 'other' employment generating uses can often bring positive economic benefits in their own right and make the employment site a more attractive proposition. However this approach needs to be applied carefully so that the new office floorspace is provided alongside the other uses.

²⁵ In July 2014 the council introduced an office to Residential Article 4 Direction which means that developers must obtain planning permission to change the use of their offices to residential space in central Brighton, New England Quarter and London Road, as well as the Edward Street Quarter and City Park office sites. Further details can be found on the council's website: <http://www.brighton-hove.gov.uk/content/planning/planning-applications/offices>

²⁶ 2012 Experian job forecasts, Employment Land Study Review 2012 - Appendix 5 categorises those sectors that fall into Non B use class

3.18 This consultation therefore includes a ‘call for sites’, for any sites or premises (not currently allocated in City Plan Part 1) that the council should consider for a mixed employment use allocation in City Plan Part Two.

3.19 The City Plan Part 1 encourages in Policy CP2 Planning for Sustainable Economic Development (at part 3) the bringing forward of a mix of employment floorspace to support the city’s key employment sectors. Is further guidance required to promote/ guide the provision of specific types of new employment floorspace such as managed starter units, live/work units or co-working space, and creative industries workspace?

3.20 The 2005 Brighton & Hove Local Plan sought to manage areas of the city²⁷ that had particular characteristic of a mix of employment uses (creative, IT or media related businesses) such as the North Laine area or provided a particular type of employment floorspace such as Mews premises (former stables and garages/ workshops) as these that were attractive for affordable accommodation for local businesses and start- up businesses. Of particular importance was the retention of ground floor employment floorspace as part of a mix of uses if sites came forward for redevelopment in these areas. The CPP2 will need to consider if certain mixed employment areas do still need protecting through a specific policy or whether the approach set out in the City Plan Part 1 is sufficient protection.²⁸

Consultation Questions:

- Should the City Plan Part 2 seek to identify new mixed use site allocations and indicate a range of appropriate ‘other’ employment uses such as education and training uses and private healthcare uses alongside B1a office use?
- Are there any sites you are aware of that would be suitable for mixed use employment uses and that you would like to see considered for allocation through City Plan Part 2?
- Is there a need for a specific policy to promote/ guide the provision of specific types of employment building types such as managed starter units, live/work or co-working space, and creative industries workspace or is there sufficient guidance in the City Plan Part 1 at CP2?
- Are there existing mixed employment areas that need a specific protection policy or is the approach set out in City Plan Part 1 at CP3.5 sufficient?

C: Industrial

²⁷ Policy EM10 North Laine Area – mixed uses and EM11 Mews – mixed uses

²⁸ see CP3.5 of and SA2.6 in relation to the North Laine

3.21 Despite not being considered an important industrial location, demand for industrial floorspace in the city remains strong with existing local firms looking to expand and businesses who want to be located closer to the main focus of economic and business activity within Brighton & Hove and its immediate periphery. Modest growth in jobs in this sector is forecast to 2030. The advanced manufacturing and engineering sector is identified as a priority sector²⁹. These issues are reflected in the employment land policies in City Plan Part 1.

3.22 Apart from the refurbishment of some existing industrial estates and new build at Woodingdean Business Park, Brighton and at St Joseph's Close, Hove there have been no significant new warehouse/ light industrial schemes developed in the last ten years. Local agents are concerned with this lack of floorspace³⁰ and the council's Economic Development Team regularly receive enquiries for new space/ freehold opportunities for industrial sites/ premises from businesses.

3.23 Recent analysis for the Greater Brighton and Coastal West Sussex area³¹ has indicated that there is a 'missing middle' in terms of a lack of suitable employment space to support the growth needs of small-to-medium sized businesses that have outgrown small commercial units, but do not require large-scale strategic sites to support their space needs.

3.24 Alongside the site allocations in the City Plan Part 1, a number of potential options could be considered to specifically address this shortfall of industrial floorspace through the preparation of City Plan Part 2:

- Intensifying existing industrial estates;
- Identifying a new site or sites;
- Working with neighbouring authorities through duty to cooperate and through the Greater Brighton Greater Brighton and Coastal West Sussex partnership to address the 'missing middle' and to consider how 'spill-over' business needs can be best accommodated.

3.25 Permitted development rights have been introduced by the government to allow the change of use of existing storage & distribution centres to residential use³². A new temporary permitted development right for the change of use of buildings in light industrial use to residential use has also been introduced by the government. However this permitted development right does not take effect until 1 October 2017³³. These permitted development rights have the potential to further erode the lack of supply of industrial sites in the city. The impacts will be kept under review and the

²⁹ Coast to Capital Strategic Economic Plan March 2014

³⁰ Brighton & Hove increasingly an 'industrial desert', Stiles Harold Williams, 2 November 2015: <http://www.shw.co.uk/news/news.asp?id=329>

³¹ Greater Brighton & Coastal West Sussex Background Papers : Background Paper 1 – Economy, NLP

³² This is subject to limitations and conditions including the prior approval of the council in respect of certain matters: see Planning Portal:

³³ Introduced 6 April 2016, subject to limitations and conditions including the prior approval of the LPA in respect of certain matters. See Planning Portal:

potential for introducing Article 4 Directions for strategic industrial areas and business parks will be considered.

Consultation Questions

- Are there any opportunities to identify and safeguard land/site for a new industrial estate in the city? If yes, where?
- Are there opportunities to intensify existing industrial estates to bring forward new industrial floorspace? If so, which estates?
- Should the council consider introducing an Article 4 direction to protect strategic industrial estates and business parks from the new permitted development rights to residential use?
- Are there any other opportunities to bring forward new industrial floorspace in the city?

Are there any other employment issues?

- Can you think of any other policy issues that relate to employment (not already covered in the sections above) that you think City Plan Part Two should seek to address?

Existing 2005 Local Plan Policies to be replaced / deleted by City Plan Part Two:

EM4 New Business Floorspace on Unidentified Sites
EM7 Warehouses
EM8 Live-work units on redundant industrial business and warehouse sites
EM9 Mixed Uses and Key Mixed Use Sites
EM10 North Laine Area
EM11 Mews

4. Retail and town centre uses

Introduction

4.1 The appearance and performance of our town centres continues to evolve and change over time due to a variety of influences (e.g. online shopping, market and economic trends and changing legislation). The aim of the City Plan is to ensure that our town centre locations remain attractive and vibrant places that businesses want to invest in and people want to visit to shop and socialise.

4.2 Policy CP4 Retail Provision, in City Plan Part 1 sets out how the city's shopping centres are positioned in a city-wide retail 'hierarchy'. For Brighton & Hove, this consists of one regional centre, two town centres, three district centres and seventeen local centres. The policy sets out how the hierarchy of shopping centres will be maintained and enhanced through securing a range of facilities and uses, consistent with the scale and function of the centre, to meet people's day-to-day needs, whilst preserving the predominance of A1 (shops) use classes. Policy CP4 is also clear that new centres may come forward; particularly local centres in currently underprovided for areas of the city.

4.3 The role for City Plan Part 2 will be to consider the approach for determining planning applications for main town centre uses in light of national planning policy and guidance and the recently introduced changes to the Use Classes Order and the General Development Permitted Order (GDPO). For information, the table below summarises the main 'uses classes' commonly found in town centres and their current permitted development rights³⁴

Permitted Development From	Permitted Development To
A1 (shops)	<p>A2, or up to 150m² A3 subject to Prior Approval, or up to 200m² D2 subject to Prior Approval and only if the premises were in A1 use on 5th December 2013. A mixed use comprising an A1 or A2 use and up to 2 flats may also be permitted subject to meeting certain conditions. C3 if the cumulative floorspace of the building is under 150m² and subject to Prior Approval.</p>
A2 (professional and financial services) when premises have a display window at ground level, but excluding betting offices or pay day loan shops	<p>A1, or up to 150m² A3 subject to Prior Approval, or up to 200m² D2 subject to Prior Approval and only if the premise was in A2 use on 5th December 2013. A mixed use comprising an A1 or A2 use and up to 2 flats may also be permitted subject to meeting certain conditions.</p>

³⁴ Permitted development rights means that planning permission is not required for certain types of development or changes of use – they are already 'permitted'.

Permitted Development From	Permitted Development To
	C3 if the cumulative floorspace of the building is under 150m ² and subject to Prior Approval.
A3 (restaurants and cafes)	A1 or A2
A4 (drinking establishments)	A1 or A2 or A3 except buildings that may be defined as “community assets”.
A5 (hot food takeaways)	A1 or A2 or A3
B1 (business)	Up to 500m² B8.

More information available via

https://www.planningportal.co.uk/info/200130/common_projects/9/change_of_use/2

Key policy Issues for City Plan Part 2:

A: Boundaries of Primary and Secondary shopping frontages

4.4 Shopping frontage policy designations are an important planning policy tool for ensuring that retail uses, particularly A1 uses, are maintained within defined shopping centres. In Brighton and Hove the frontages set out on the Policies Map are defined as Primary or Secondary.

4.5 Primary frontages have tended to include a high proportion of A1 retail uses which may include food, clothing and household goods and which provide an active street frontage, contributing towards a lively street scene and enabling shoppers to make comparisons between goods when they go shopping.

4.6 Secondary frontages provide for more diversity of uses such as restaurants, betting shops and leisure activities whilst maintaining their primary retail role. Both types of frontage are likely to contain few retailers who do not have window displays, (e.g. Banks) or ‘takeaways’ which may only open during evenings creating a ‘dead frontage’ during daytime and reducing interest for pedestrians using the street.

4.7 Health checks of shopping centres within the retail hierarchy are undertaken annually by the local planning authority and these show that there are some parts of the primary and secondary frontage area which have not improved their retail offer over time. Some of these frontages have a large number of residential and office uses on the ground floor. Other areas of the retail frontage do not benefit from sufficient footfall to sustain retail uses within these areas.

4.8 An option for the City Plan Part 2 to consider is whether to consolidate some of the shopping frontages within certain centres and remove other areas which are not considered to offer an active frontage. Similarly, over recent years, some sites have been developed which could now be included within

the shopping frontages of some defined centres. An example is the Jubilee Street development in central Brighton within the Regional Centre boundary. Potential additions to and deletions from retail frontages could be consulted upon at the Draft Plan stage of preparation.

Consultation Questions:

- Should City Plan Part 2 seek to amend / remove some less successful sections of defined shopping frontage from designated shopping centres?
- Are there successful stretches of shops (not currently protected) that should be included in defined primary or secondary frontages of defined shopping centres?

B: Updating Retail Frontage Policies

4.9 The 'saved' local plan policies in the 2005 Local Plan which address changes of use in primary and secondary shopping frontages now need updating to align with the National Planning Policy Framework and to reflect changes in permitted development rights and use class order definitions. Since 2010, the Government has introduced many new 'permitted development rights'³⁵. Many of these rights are subject to the prior approval process and can include shops being converted to residential or other uses subject to prior notification with the planning authority (as indicated in the table above).

4.10 Local planning authorities have the ability to restrict permitted development rights through the making of 'Article 4 Directions'. An Article 4 Direction can be introduced where the authority considers that development would be prejudicial to the proper planning of their area or constitute a threat to the amenities of their area. The authority may wish to consider Article 4 Directions to remove Permitted Development rights where monitoring of centres in the retail hierarchy show concern in terms of the retail offer.

4.11 The particular benefits of retail frontage policies are that they support the strength of the retail offer within shopping frontages and provide clear planning policy for developers and the public. Alternatively, some may argue that frontage policies restrict a more diverse mix of uses within the frontage areas and this may not reflect the changing nature of the retail industry and how this impacts on shopping centres.

4.12 A number of saved policies in the 2005 Local Plan focus on addressing changes of use within the shopping centres identified in the retail hierarchy (e.g. policies SR4, SR5 and SR6). The criteria listed specify the acceptable breaks in the retail frontage and the proportion of non-retail uses.

³⁵ Through the General Development Permitted Order

4.13 A different approach for City Plan Part 2 could be to set out policy criteria for primary and secondary frontages for all shopping centres (rather than different approaches for each level of centre) to ensure a consistent approach through the city. This would also help to streamline the amount of policies contained within City Plan Part 2.

Large Format Stores

4.14 The city has a good supply of larger retail premises (above 1,000 sqm) both within the primary frontage of the Brighton Regional Centre in Churchill Square and also along Western Road and North Street. Any future loss of these units could have an impact on the vitality and viability of the regional centre as these larger units typically contain the anchor or destination shops which attract shoppers. Some of these premises also have several upper floors of A1 retail space such as Marks and Spencer, H&M, C&H Fabrics, Primark, and New Look on Western Road.

North Laine and The Lanes – Special Retail Areas

4.15 The North Laine and The Lanes are a unique part of the city's retail offer. North Laine is an area home to over 400 independent retailers. These include shops, cafes and entertainment venues offering a mix of comparison, convenience and service units. Likewise 'The Lanes' provides a mix of antique jewellery, boutique fashion and design shops as well as restaurants and cafes, representing a mix of both multiple and independent retailers. In both the North Laine and the Lanes, many of the streets are pedestrianised which gives these areas a different feel to other parts of the Regional Shopping Centre. One option for City Plan Part 2 would be to differentiate between the rest of the Regional Centre and the North Laine and the Lanes by having a different policy approach which sought to restrict amalgamation of units to ensure that the character of the area remains attractive to small format town centre uses and continues to attract independent retailers and start-up businesses as well as multiples.

Consultation Questions:

- Would it be better to have a single policy setting out the criteria for changes of use in Primary and Secondary Frontages within all defined shopping centres rather than separate policies for each type of centre in the retail hierarchy?
- Should there be policy to restrict the loss of large retail units (more than 1,000sqm which includes all retail trading floors) in Primary Frontages?
- Do we need a separate policy for special retail areas such as the North Laine and the Lanes or could these areas be dealt with by a general frontage policy?
- Should policy seek to restrict changes of use to new large³⁶ A3/A4 uses to service seated customers only?

³⁶ For units above 150sqm

C: Brighton Marina – Special Retail Area Policy

4.16 The commercial area at Brighton Marina does not have any retail policy designation at present. Policy DA2 Brighton Marina, Gas Works and Black Rock Area in Part 1 of the City Plan explains that the Marina currently lacks the full range of shops and services such as banks and post offices to support the proposed expansion in residential population. The aim is to enhance the choice and performance of retail activity at the Marina by encouraging mixed retail activity and improvements to the public realm. The supporting text to policy DA2 sets out that a detailed policy regarding the appropriate type and mix of A1 and non-A1 uses in the Marina will be set out in Part 2 of the City Plan.

Consultation Questions:

- Should Part 2 of the City Plan have a special retail area policy for the Marina? If yes, what criteria should be considered in the policy?
- Alternatively, could changes of use within the Marina area be addressed through a general frontage policy as set out in section d) below?

D: Local Centres and Parades

4.17 Local centres and parades within the city do not have defined primary and secondary frontages. There are also other retail areas of the city, e.g. the seafront area which are outside of any town centre designation. To address these areas, one option might be to have a general policy to assess changes of use in these types of location.

4.18 As identified in the City Plan Part 1 Policy CP4, some new centres could come forward in the retail hierarchy which would need to be allocated in Part 2 of the City Plan e.g. a new shopping centre designation to support the Toads Hole Valley development (Policy DA7, Part 1 City Plan)

Consultation Questions:

- Is there a need for a separate policy for assessing changes of use in local centres and parades?
- Alternatively, could there be a general policy to assess changes of use in these and other retail areas in the city which fall outside of town/district centre designations? (e.g. the seafront)
- Should Part 2 designate any additional local centre's coming out of large scale housing developments such as at Toads Hole Valley?

E: Important Local Parades

4.19 Local parades are typically located within residential areas, varying in size, providing walk-in convenience shopping and limited local services. Stores in these parades tend to be small and provide for top-up / distress purchases with a high number being independent in operation. Parades in Brighton and Hove differ in their size, vacancy rates and shopping function and some parades have a significant evening economy role whilst others serve less accessible or deprived areas where car ownership may be lower.

4.20 The 2005 Local Plan sought to protect local parades. An initial assessment of parades indicates there may be several local parades, which could be designated as 'Important Local Parades' to offer further protection to their significance in local neighbourhoods. A parade would need to offer a good range of local services, including a high proportion of retail uses, low vacancies and a high footfall to be considered for the designation. It is intended that a full assessment of the parades in the city will be undertaken to assess their strengths and weaknesses.

Consultation Questions:

- Should Part 2 of the Plan seek to name some local parades in the city as 'Important Parades' due to their neighbourhood significance? If so, which ones?

F: Individual Shops and Small Clusters of Shops outside Protected shopping centres and parades

4.21 The 2005 Local Plan currently has policy SR8 which refers to Individual Shops and policy SR7 which refers to Local Parades. A general policy which considers how to address the loss of shops outside of protected shopping centres and parades may also be appropriate for City Plan Part 2.

4.22 An important consideration is that the GDPO (as amended 6 April 2016) now allows shops to change to residential use with prior notification provided a number of criteria are met. These include, that the loss of the retail unit does not have an undesirable impact on an adequate provision of shops and financial and professional services and secondly, that there is no reasonable prospect of the building be used for such services. The authority therefore would not be able to apply a criteria based policy for the protection of shops to any shop premises below 150sqm.

Consultation questions:

- Given changes to the GDPO, is there a need for policy to protect shops and parades outside of existing centres? Should the City Plan Part 2 include a policy that covers larger shops over the 150sqm threshold of the GDPO?

G: Floorspace above shops and commercial premises

4.23 Appropriate uses for space above shops and commercial premises might include leisure, community, commercial or residential uses. Policy SA2 Central Brighton in City Plan Part 1 indicates that the council welcomes proposals to create flats over shops and commercial premises as these would contribute to increasing natural surveillance during the daytime and night time.

4.24 Policy SA2 only relates to the central Brighton area; so a broadening of this type of policy to all town, district and local centres could be a consideration for City Plan Part 2.

Consultation questions:

- Should the City Plan Part 2 include a policy to guide appropriate uses for floorspace above shops and commercial premises in shopping centres outside of the Central Brighton Area?

H: Markets

4.25 Local planning authorities are encouraged to retain and enhance existing markets and where appropriate re-introduce or facilitate new ones. The city has a successful permanent market operating in London Road at the Open Market site. Aside from this the city has a number of temporary markets operating throughout the year at various locations around the city³⁷. A matter for City Plan Part 2 might be to consider whether there is scope for any additional permanent markets in the city.

Consultation questions:

- What are the key criteria that should be taken into account when assessing proposals for additional permanent markets?
- Are there any sites that might be considered for allocation for a permanent market use?

Are there any other retail issues?

General Question

- Are there any other retail and town centre issues that should be addressed through City Plan Part 2?

Retained Local Plan 2005 policies that CPP2 will replace (or may be deleted)

- SR4 Regional Centre
- SR5 Town and District Centres
- SR6 Local Centres

³⁷ Temporary markets do not generally need planning permission to operate.

- SR7 Local Parades
- SR8 Individual Shops
- SR9 Brighton Post Office, 51 Ship Street
- SR11 Markets and car boot sales
- SR12 Large Use Class A3 (food and drink) venues and Use Class A4 pubs and clubs)
- HO20 Retention of Community Facilities

5. Tourism

Introduction

5.1 The City Plan Part One sets out the overarching objective to develop Brighton & Hove as a major centre on the South Coast for sustainable business growth and innovation, for creative industries, retail provision and tourism. A key objective is to enhance the seafront as a year round place for sustainable tourism, leisure, recreation and culture whilst protecting and enhancing the quality of the coastal and marine environment.

5.2 The adopted City Plan Part One Policy CP5 Culture and Tourism sets out the approach to supporting improvements to existing tourism facilities and the approach to assessing new visitor attractions. Policy SA1 The Seafront sets out a coordinated overarching strategy for the seafront and identifies a number of major development sites along the seafront such as Black Rock and the King Alfred site. The role for Part 2 of the City Plan is to build on this overarching strategy and to consider whether there are any further seafront development sites that need to be allocated and whether further detailed policy guidance is required to guide and assess planning applications.

5.3 As part of the evidence gathering to support the preparation of the City Plan Part Two, an updated Hotel Futures Study will be commissioned. This will ensure that the application of the adopted Policy CP6 Visitor Accommodation is supported by an up to date evidence base. If the updated study indicates a need to allocate sites for hotel development this will be addressed through Part 2 of the City Plan.

The Seafront

5.4 The seafront is of considerable importance to the city as a much visited recreational resource by both residents and visitors alike. The seafront plays a major part in the cultural and tourism offer of the city and therefore contributes significantly to the visitor economy of the city, which is valued at £800 million per year and supports 20,000 jobs (15,000 full time equivalents). Therefore, it is essential that the seafront is well maintained and managed and remains an attractive place to visit.

5.5 The heritage structures and infrastructure managed by the council along the seafront require significant investment (estimated in the region of £100 million). Key issues include the condition of the seafront arches which provide structural support to the A259 and are now in need of ongoing renewal, but also house many businesses, and Madeira Terrace which needs extensive renovation. The seafront railings and retaining walls are also priorities for investment in coming years. Maintaining seafront infrastructure is currently a high priority issue for the council.

5.6 The City Plan Part 1 sets out a coordinated overarching strategy for the seafront with identified priorities; defined areas and a strategic allocation for

the King Alfred Site. This coordinated approach is supported by city-wide policies. Through Strategic Allocations, major regeneration proposals are made for Brighton Marina, the Black Rock site, Brighton Centre and Churchill Square Redevelopment area and Shoreham Harbour through the Development Area policies.

5.7 Positive recent progress has been made in relation to the major regeneration projects along the seafront development sites allocated in the City Plan Part 1. This includes construction commencing on the Brighton i360, progress with the procurement of a development partner for the King Alfred site, and the ongoing progress with the Brighton Waterfront project.

5.8 The City Plan Part 2 will need to support future investment plans; and ensure development supports the co-ordination of improvements to seafront infrastructure, including transport infrastructure and flood defences whilst protecting heritage and natural environment assets. In particular the Plan will need to reflect the recommendations of the emerging Regeneration Strategy/ Investment Plan for the area east of Palace Pier to the Marina³⁸;

5.9 The City Plan Part 2 will also need to consider the potential for development opportunities that will support the city's visitor and tourist economy in relation to the area of the seafront between Palace Pier and Black Rock.

Consultation Questions:

- Are there any further seafront development sites, in particular in the area East of Palace Pier to Brighton Marina, that need to be allocated?
- Is there sufficient guidance in the City Plan Part 1 to assess planning applications that come forward on the seafront?

Visitor Accommodation

5.10 The City Plan Part One sets out the planning policy framework (Policy CP6 Visitor Accommodation) for assessing planning applications for new visitor accommodation and is guided by national policy and guidance which identifies hotels as 'main town centre uses' and the 2007 Hotel Futures Study.

5.11 The central Brighton seafront and streets and squares running immediately off it account for the majority of the city's current supply of hotel and guest accommodation. In recent years a number of new hotel

³⁸ The Eastern Seafront Strategy study is due for completion in Summer 2016 and will outline a range of options for the maintenance and renewal of the Brighton Eastern seafront including high level assessment of potential transport improvements and potential development opportunities.

developments have opened up around Brighton station. New hotel developments are directed firstly to central Brighton. Policy CP6 recognises there may be the potential to locate new development outside central Brighton either for a destination offer or to permit a hotel to serve a particular market or to help regenerate an area.

5.12 Whilst there remains continued interest in new hotel development in the city, the 2007 Hotel Futures Study projections for future requirements for hotel development indicated that the Council did not need to identify additional hotel sites over and above those that were proposed/ planned to 2016³⁹. Nor did it need to prioritise specific types and standards of hotel in terms of hotel investment marketing. The study indicated that much of the long term future growth in demand for the additional accommodation was likely to relate to the redevelopment of the Brighton Centre and the implementation of planned major leisure development major projects such as the i360 and Black Rock.

5.13 As part of the evidence gathering to support the preparation of the City Plan Part 2 an updated Hotel Futures Study will be commissioned. This will ensure that the application of CP6 Visitor Accommodation is supported by an up to date evidence base and will inform how the Council should be planning for future hotel growth and responding to hotel investment enquiries post 2016. If the study indicates a need to allocate sites for hotel development this will be addressed through Part 2 of the City Plan. However, site availability in Central Brighton is constrained and opportunities for new hotel development may have to come forward as part of a range of acceptable uses on new mixed use sites.

Consultation Questions:

- Should further need for hotel accommodation be identified, how best should this be accommodated within the Central Brighton area?

Are there any other issues relating to tourism?

Consultation Questions:

- Do you have any other issues for this topic area to consider?

Existing 2005 Local Plan Policies to be replaced/ deleted by City Plan Part Two:

SR18 Seafront Recreation

³⁹ The Hotel at Block J is nearing completion and will be a 98 bedroom hotel operated by Indigo. The outstanding allocation for a new hotel in the City Plan Part One is identified in the Strategic Allocation for the New Brighton Centre and Expansion of Churchill Square DA1.B.1 where a new hotel would be permitted as part of the mix of uses.

6. Transport and Travel

Introduction

6.1 Transport and travel is a key issue for Brighton & Hove. To create a sustainable city an important strategic objective in the City Plan Part One is to facilitate and accommodate planned development by providing an integrated, safe and sustainable transport system to improve air quality, reduce congestion, reduce noise and promote active travel⁴⁰.

6.2 Improving accessibility and mobility is a consistent feature of policies in City Plan Part 1, especially Policy CP9 Sustainable Transport, and the Development and Special Area policies (DA1-8 and SA1-6) and the Attractive City policies (policies CP12 and 13).

6.3 Policy CP9 provides the policy basis for providing integrated, safe, sustainable and efficient movement around the city. This policy sets out the broad basis by which this will be achieved at a regional and local level, through land use planning. Within this approach, measures and interventions related to new development will need to be consistent or comply with other council policies or strategies (e.g. the fourth Local Transport Plan (LTP4) and the Air Quality Action Plan).

6.4 Policy CP9 also sets out how transport and travel in the city will be managed and improved to 2030 in response to additional journeys and activities arising from new development. The policy addresses the requirements of national planning policy and is wide ranging providing a strategic framework for future planning decisions. As a consequence, and given the overarching aim to reduce the amount of policy in the development plan, it is considered that only the areas set out below will need to be addressed through further policies in City Plan Part 2.

Key policy areas for City Plan Part Two

A: Improving public health

6.5 Transport has a significant impact on air quality and noise pollution in the city. Roadside levels of nitrogen dioxide are a significant problem and the council has a statutory duty to meet the Government's Air Quality Objective for nitrogen dioxide. In some areas of the city, road transport can contribute up to 80 per cent of localised nitrogen dioxide levels and this can cause significant health problems. The council's Air Quality Action Plan (AQAP), agreed in October 2015, sets key aims to target the most polluting traffic emissions that happen in high density retail and residential areas that have limited land and space.

⁴⁰ Strategic objective SO11, City Plan Part 1, March 2016.

6.6 Land use planning is an important mechanism for introducing measures to address and deliver improvements to air quality and this is reflected in the sustainable transport objective (SO11) and policies (CP9 and CP18 Healthy City) in the City Plan Part 1. Policy CP9 provides a strategic framework for addressing how transport and travel will be managed in a way that will contribute towards reducing emissions and addressing air quality issues.

6.7 Noise pollution can have a detrimental impact on public health, such as sleep disturbance, psychological problems, cognitive impairment and a general diminished quality of life. Within the city, noise mapping undertaken by the Government's DEFRA has identified that there are 38 Important Areas (locations where the effects of noise may need further investigation and action) within the wider Brighton area (which includes parts of Adur, Arun, Lewes and Worthing). It was estimated that 1,400 dwellings and 2,600 associated people within Brighton & Hove could be adversely affected by noise.

6.8 The key issue for City Plan Part Two therefore is whether more detailed policy is needed to tackle these issues more effectively and how this should be done.

Consultation Questions:

- Do you think there should be more detailed policy on transport/travel and air quality and noise issues or is Policy CP9 in Part 1 of the City Plan sufficient?
- What issues could a more detailed policy include that are not already covered by Policy CP9?
- If you consider a more detailed policy is the best option, what might be your preferred approach, for example:
 - **A single focused policy on air quality and noise** - Introduce a new sustainable transport policy with a set of criteria against which new development (by size/scale of development) should be assessed?
 - **A Zonal approach to air quality and noise** – identify priority zones for air quality and noise improvement that will include a set of criteria against which new development will be assessed and identifies priorities for mitigation via future developer contributions/CIL payments.
 - **An Holistic approach** – a single policy combining health, safety, air quality and noise priorities relating to transport and travel in the city that may combine zones and criteria.
- Is there scope for a general transport mitigation policy in the City Plan Part 2 linked to developer contributions/CIL to cover a number of issues, e.g. improved air quality, reduced noise, cycling, walking, better public realm, sustainable transport?

B: Transport Information requirements for New Development/Uses

6.9 Policy CP9 Sustainable Transport in City Plan Part One sets out the framework for requiring the submission of transport assessments for all new major development schemes (CP9.2c) and for Travel Plans (CP9. 5). These are important tools for assessing, addressing and mitigating travel impacts of new development and are a requirement of national policy.

6.10 The development management process often requires additional information, processes or activities to be carried out in order to enable the implementation of a planning permission. This can include the submission of a Construction and Environmental Management Plan (CEMP) or the completion and implementation of a legal agreement e.g. a Section 278 or 38 Agreement.

6.11 The key issue for City Plan Part Two is whether more detailed guidance is required to provide more clarity on the interpretation and implementation of the framework in Policy CP9 and whether it is appropriate to capture this through a single policy.

Consultation Questions:

- Should policy require more clarity regarding the submission, thresholds and content for Transport Assessments, Statements and Travel Plans?
- If yes, could this be provided through a policy in Part Two of the City Plan or would this be better provided through planning guidance (Supplementary Planning Document or Planning Advice Note)? Can you please explain why?

C: Increasing Active Travel

6.12 A number of strategies in Brighton & Hove and the wider Greater Brighton City Region [GBCR]⁴¹, aim to promote active modes of travel (cycling and walking). There are two key benefits to promoting active travel – it reduces the amount and need for some car journeys especially those made over short distances and it can lead to demonstrable benefits in terms of health and well-being both personally and in local neighbourhoods .

6.13 Positive outcomes can include the increased efficiency of the city's transport network which helps to support the growth of its economy; greater equality of access to jobs and services; reduced CO2 emissions; reduced costs for the NHS; improved air quality and helping people to be happier and healthier by incorporating physical activity into their everyday life. These benefits can be maximised by providing the right kind of encouragement and

⁴¹ Eg. Health and Well Being Strategy, Local Transport Plan 4. GBCR Active Travel Strategy

information and infrastructure and support, especially to people who are not already travelling actively, but who are prepared to do so.

6.14 The priority is to make cycling and walking an attractive and safer option by improving the public realm and its design and by providing facilities (e.g. pedestrian way-finding and crossings and dedicated cycle routes). Land use planning can have an important role in delivering these priorities. Policy CP9 in the City Plan (specifically part 4) sets out a number of measures to help encourage cycling and walking as active forms of travel, when development proposals come forward. These include:

- A list of priority areas for public realm improvements (key routes and areas);
- Implementation of a citywide cycle network by 2030; and
- Improving Rights of Way and access to the South Downs National Park

6.15 The key issue for Part Two of the City Plan is whether further policy or guidance is required to assist with promoting and enabling greater active travel as part of a development proposal and making stronger links to priorities for a healthy city.

Consultation Questions:

- Is there a need for a new policy in City Plan Part 2 to set out how new development will assist in promoting and enabling more active travel? Or, is this better delivered through new planning guidance (SPD or Planning Advice Note)?
- Is there already sufficient policy on active travel through existing policy including CP9 Sustainable Transport, healthy city policy (CP18), developer contributions/CIL policy (CP7) and guidance (Developer Contributions Technical Guidance)?
- Is there scope for a general transport mitigation policy in the City Plan Part 2 linked to developer contributions/CIL to cover a number of issues, e.g. cycling, walking, better public realm, improved air quality and noise levels, sustainable transport?

D: Increasing Equality, Mobility and Accessibility

6.16 A key strategic objective in City Plan Part 1 is to reduce inequalities for different groups of people within the city (SO20), especially those with 'protected characteristics' as defined in the Equalities Act.

6.17 In terms of transport and travel, disabled people are amongst those who are the most vulnerable and/or have the greatest need. The planning process enables the council to ensure that the day-to-needs of disabled people are provided for as part of new development and that improved mobility and access are secured for as many forms of transport as possible e.g. car, bus,

train, taxi and pedestrian and wheelchair-friendly routes. This can be achieved through a well-designed public realm, in accordance with national policy and legislation, and local guidance. Internal layouts and accessibility within buildings is now addressed through Building Regulations. However in the case of major and strategic development schemes, particularly with a commercial or public element, there are likely to be public realm, parking and access issues that need to be addressed through land use planning.

6.18 A key issue for City Plan Part Two is whether there is the need for additional policy to draw together and provide a more detailed policy framework to address transport and disabled access (within the requirements of national policy and guidance). An example would be a policy to address Shopmobility which seeks to improve disabled access and mobility in shopping centres (District, Town and Sub-Regional).

Consultation Questions:

- Should there be a new transport/travel policy that is focused on equality/mobility accessibility in Part 2 of the City Plan? Or, can this be addressed by a wider/general policy on public realm and/or developer contributions/CIL that address priorities for disabled people and other important matters?
- Should Shopmobility be incorporated into a new policy focused on equality/mobility accessibility for disabled people or public realm/developer contributions policy?
- Should the amount or content of existing policies be reduced and these matters addressed through planning guidance?

E: Sustainable Transport Site Allocations

6.19 This consultation seeks your views about whether there should be any proposals for site specific allocations to meet identified sustainable transport priorities. Any such proposals would need to be justified in terms of demonstrating the need for site specific allocations e.g. explaining why alternative methods/management cannot deliver the associated policy objectives and outlining how the allocation would then meet citywide strategic priorities. Sustainable Transport site allocations in the City Plan Part Two could therefore include:

- Park and Ride
- Lorry Park
- Coach Park

Park and ride

6.20 The Submission City Plan (2013) enabled informal, rather than purpose-built, Park and Ride to be implemented from existing large car parks on the periphery of the city. Any such scheme could serve the city centre and the National Park. Therefore, when testing the impacts of the city's planned growth to 2030 on the transport network and identifying necessary mitigation measures, Park and Ride was not required to enable the Plan to be found 'sound' ⁴². Since then, the city council has been a significant partner in the development of proposals for the Greater Brighton City Region (GBCR) that are expected to be considered as part of the Government's emerging Devolution process. The GBCR's Devolution prospectus 'Platforms for Prosperity' includes transport proposals for better bus and rail connections and Park and Ride to serve the wider GBCR. Therefore, should circumstances change in terms of conditions on the city's transport network and levels of development in the city, then Park and Ride may offer an effective transport option for some journeys to the city that could be further considered through Part Two of the City Plan.

Coach and lorry parking

6.20 Through the development of its LTP4, the council has recognised that issues relating to the operational needs of coach and lorry drivers require further consideration. In November 2015, the council agreed to consider coach facilities as part of a broader Transport Interchange Strategy, and freight and deliveries as part of the Citywide Traffic Network Management Strategy. These strategies could include the provision of dedicated parking facilities, but given the limited availability of suitable sites for transport activities it may be appropriate to consider if they are required and, if so, how these may be provided across the wider GBCR area i.e. outside Brighton & Hove.

Consultation Questions:

- Are there any site allocations required in City Plan Part Two that would be suitable to provide the sustainable transport facilities described above? If yes, can you explain why they are required both in terms of city priorities and any evidence of need?
- Should the solution to providing site specific transport facilities for Brighton & Hove involve looking across the wider city region (beyond the boundary of Brighton & Hove)?

Are there any other transport / travel issues

General Question:

- Are there any other transport / travel matters that should be addressed through a policy in Part Two of the City Plan?

⁴² As evidenced in the City Plan Part 1 Strategic Transport Assessments (2012 and 2014).

**Existing 2005 Local Plan Policies to be replaced / deleted by City Plan
Part Two:**

TR4 Travel Plans – should be superseded by CP9
TR7 Safe Development;
TR9 Pedestrian Priority areas
TR11 Safe Routes to School and school safety zones
TR12 Independent movement of children
TR14 Cycle access and parking - should be superseded by CP9
TR15 Cycle network
TR17 Shopmobility
TR18 Parking for people with Mobility related disability
TR20 Coach parking
TR21 Long term coach and overnight lorry park

7. Biodiversity and Open Space

Introduction

7.1 The natural environment provides a wide variety of important functions and contributes to the health and quality of life of residents, workers and visitors to the city. It plays a key role in the delivery of sustainable development; forms one of the three 'dimensions' of sustainable development defined in national planning policy and is intrinsically linked to the other two: economic and social.

7.2 Strategic policies in Part One of the City Plan emphasise a need to protect and enhance the biodiversity⁴³ and open space of the city. Part One sets out open space standards and establishes that there is an increased demand for open space during the plan period. Nearly all the Development Areas in City Plan Part One seek the extension and strengthening of Green Infrastructure⁴⁴ (DA3-DA7) and new public open space is allocated within Toads Hole Valley (DA7). Policy CP10 Biodiversity sets a strategic approach to nature conservation, its restoration and enhancement. It seeks the linking and repairing of habitats and sites to achieve landscape scale improvements to biodiversity.

7.3 The aim is to ensure development mitigates for any harm to the natural environment and contributes to the provision of additional features and spaces creating sustainable communities across the city. The role for Part Two of the City Plan is to build on this strategic framework. It needs to ensure the natural environment's full multi-functional offer can be protected and enhanced.

Key 'policy areas' for City Plan Part Two

7.4 The following key policy areas have been identified for City Plan Part Two to address:

A: Landscape Scale Approach

7.5 National policy indicates that local plans should set a strategic approach for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure. In order to minimise impacts on biodiversity and geodiversity⁴⁵ planning policy should plan for biodiversity at a 'landscape-scale' across local authority boundaries.

⁴³ The City Plan Part One defines Biodiversity as: "The range and variety of life (including plants, animals and micro-organisms), ecosystems and ecological processes."

⁴⁴ The NPPF defines Green Infrastructure as: "A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities. "

⁴⁵ The NPPF defines Geodiversity as: "The range of rocks, minerals, fossils, soils and landforms."

7.6 National policy also indicates that Local Plans must contain a clear strategy for enhancing the natural, built and historic environment, and support Nature Improvement Areas (NIA)⁴⁶ where they have been identified. Where a NIA has been identified in a Local Plan consideration should be given to specifying the types of development that may be appropriate in the area.

7.7 The city has an identified NIA which is shown on the City Plan Part 1 policies map. The South Downs Way Ahead NIA⁴⁷ is one of twelve NIA's that were announced by Government in February 2012⁴⁸. Its focus is on safeguarding endangered chalk grassland which is vital for rare and endangered wildlife and the provision of clean drinking water and green space. The NIA covers the downland in the National Park and has links extending into the city. The most noticeable NIA project within Brighton and Hove is the creation of bee and butterfly banks.

7.8 Policy CP10 Biodiversity in City Plan Part One requires development proposals to provide net gains for biodiversity, taking account of the wider ecological context of the development and of local Biosphere objectives⁴⁹. Policy CP10 sets a strategic approach to nature conservation enhancement within the NIA. It indicates that 'within the setting' of the NIA, development will be encouraged to incorporate innovative approaches to nature conservation enhancement, such as biodiverse roofs/walls. Off-site nature conservation provision is to be directed to the NIA wherever possible.

7.9 Policy C16 Open Space in Part One of the plan expects development to improve access and the links to the city's open space framework including the NIA. It sets a strong positive approach to the retention and enhancement of the open space identified on the policies map. Policy CP16 does not specify what development will be appropriate in the NIA, the majority of which forms identified open space or highway land.

7.10 The South Downs Way Ahead NIA does not cover the whole of the National Park. The South Downs National Park Authority (SDNPA) has been working on a South Downs Green Infrastructure Framework⁵⁰ which is a landscape scale approach greater than the NIA to inform its own Local Plan. The SDNPA has been working jointly on the framework with surrounding local

⁴⁶ The NPPF defines NIA as: "Inter-connected networks of wildlife habitats intended to re-establish thriving wildlife populations and help species respond to the challenges of climate change."

⁴⁷ The South Downs Way Ahead NIA was one of twelve NIA projects announced and given funding from DEFRA between April 2012 to March 2015. Most of the core area lies within the National Park with linear corridors and stepping stones extending into the city.

⁴⁸ The 12 NIA announced in February 2012 were pilot partnership projects and funded for three years.

⁴⁹ The Biosphere Reserve area extends between the River Adur and the River Ouse and includes Countryside; City/Towns and Coast – two nautical miles out to sea. It seeks three outcomes: conserve and enhance nature; sustainable human development; and, encourage environmental knowledge and engagement. It is not a restrictive protected area but an area that seeks improvements in quality of life and the local economy whilst improving the environment.

⁵⁰ South Downs Green Infrastructure Framework Consultation Draft was published January 2016 for consultation purposes and sets out what green infrastructure includes.

authorities, including Brighton & Hove City Council, to facilitate strategic delivery of green infrastructure across local authority boundaries. This will help attract the scale of funding only achievable through partnership working, helping to deliver a joint landscape-scale approach as sought in government policy⁵¹. The Green Infrastructure Framework is aimed as much at delivery of green infrastructure, including blue infrastructure, outside of the South Downs National Park as it is about delivering it in the National Park.

7.11 City Plan Part Two is therefore in a position to take the opportunity to progress and reflect the joint work on the South Downs Green Infrastructure Framework helping to set out a cross authority planned approach to green infrastructure. The findings of the Council's emerging Open Space Strategy could inform this future work.

Consultation Questions:

- Should the City Plan Part Two provide a policy to guide the types of development that may be appropriate within the NIA or is this appropriately addressed within policies CP10 and CP16 in Part One of the plan?
- If you think a policy is needed, what types of development should be included?
- Should the City Plan Part Two include a Green Infrastructure landscape scale approach that reflects the joint work led by the South Downs National Park Authority with other authorities?

B: Nature Conservation, Geodiversity and Landscape Sites:

7.12 Local planning authorities are required to set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions are made between the hierarchy of international, national and locally designated sites⁵². Planning policies should also promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan⁵³.

7.13 Policy CP10 in Part One addresses the need to conserve, restore and enhance biodiversity. It states that criteria based policies will be set out in City Plan Part Two. The policies are to distinguish between the relative importance of nature conservation features and provide clarity about when development may be permitted and about any mitigation, conservation and enhancement which may be required.

⁵¹ See paragraph 117 of the NPPF

⁵² International and National sites include: Site of Special Scientific Interest (SSSI); Special Protection Areas (SPAs); Special Areas of Conservation (SACs); Ramsar sites; and, where relevant their compensatory sites. See paragraphs 113, NPPF

⁵³ See paragraphs 9, 109 and 117 of the NPPF

7.14 The locally determined Sites of Nature Conservation Importance (SNCI) designations have been subject to a technical review. This review was completed in 2013 and was undertaken in accordance with DEFRA guidance. The intention is to update the SNCI designations based on the findings of the 2013 review, which also recommended a change in name to 'Local Wildlife Sites' (LWS).

7.15 The 2005 Local Plan provides a number of retained policies setting out criteria based policies in respect of designated sites and species protection (policies NC2-NC4 and QD18). City Plan Part Two will need to consider in what form these policies are taken forward.

Consultation Questions:

- How should the City Plan Part Two set out criteria-based policies to distinguish between the hierarchy of different nature conservation designations? For example, could a single policy establish appropriate criteria relative to a hierarchy of designations? Please indicate what you think would be appropriate criteria.
- Should there be a specific policy to address the general protection and enhancement of species?
- Should the City Plan Part Two update the locally designated SNCIs in accordance with the 2013 SNCI technical review and rename them Local Wildlife Sites?
- Are there any other sites or features that should be included or specifically addressed through planning policy? (e.g. Ancient woodland, aged/veteran trees, local geological/geodiversity sites?)

C: Open Space, Local Green Space and Gateways to the National Park:

7.16 Open space has been identified on the City Plan Part One policies map⁵⁴ and is addressed in City Plan Part One policy CP16 Open Space. Other City Plan Part 1 policies are also relevant: CP10 Biodiversity; CP17 Sports Provision and also SA6, CP12, CP13 and CP18⁵⁵.

7.17 Policy CP16 sets a strong positive approach to the retention of existing open space. This is because opportunities to deliver additional open space are limited, despite there being a significant objectively assessed need for

⁵⁴ Based on Open Space, Sport and Recreation Study 2008 and Open Space Study Update 2011

⁵⁵ SA6 Sustainable Neighbourhoods; CP12 Urban Design; CP13 Public Streets and Spaces; CP18 Healthy City .

open space. CP16 indicates the council will seek to allocate new open space in City Plan Part Two. The council recognises that it may not be in a position to manage and maintain any increases in open space and therefore consideration needs to be given to alternative methods for securing, managing and maintaining additional open space. For example, this could be through community, trusts or privately held.

7.18 The NPPF introduced a new form of open space designation called 'Local Green Spaces' (LGS). These can be designated through Local and Neighbourhood Plans and the designation rules out new development other than in very special circumstances⁵⁶. Where a LGS is designated, the local policy for managing development within LGS should be consistent with policy for Green Belts. The LGS should be capable of enduring beyond the end of the plan period. National policy makes clear the LGS designation should only be used:

- where the green space is in reasonably close proximity to the community it serves;
- where the green space is demonstrably special to a local community and holds particular local significance for example because of its beauty, historic significance, recreational value (including playing fields), tranquillity or richness of its wildlife; and
- local in character and not an extensive tract of land.

7.19 There are a variety of sites throughout the city which the local community may consider to be special and important to them. For example: the key public spaces in the city referenced in the Parks and Green Spaces Strategy Plan 2006: and the Quiet Areas referenced in the Pollution, Water and Energy section offer some tranquillity - Quiet Garden, St Ann's Well Gardens, Kipling Gardens and the Royal Pavilion Gardens. These spaces already benefit from their designation as public open space and significant protection is afforded through existing planning policy.

7.20 The 2014 Urban Fringe Assessment⁵⁷ identified four urban fringe areas as having potential for designation as Local Green Spaces. The study notes "these are the 'green wedges' into the urban area, which act as wildlife corridors and important routes for people wishing to access the South Downs." The four areas identified were: Benfield Valley; Three Cornered Copse; Ladies' Mile; and, Hollingbury Park.

7.21 Key to the setting of the city is the wider South Downs landscape and its importance is nationally recognised through its National Park status. The city's location, adjacent to the national park, is one of its positive attributes and it is important that this is recognised and an understanding of and access to the South Downs National Park appropriately promoted. The sites identified in the Urban Fringe Assessment, as indicated, provide routes through the city into the National Park. There is therefore potential for them to be identified as

⁵⁶ See paragraphs 76 to 78 of the NPPF

⁵⁷ Brighton & Hove Urban Fringe Assessment, LUC, June 2014

Gateway's to the National Park in addition to Stanmer Park which is promoted in City Plan Part One policy SA5 The South Downs.

Consultation Questions:

- Are there sites/spaces that you feel should be allocated as new open space? If yes, please indicate the site, its current use and the type of open space you feel it should form. Suggestions regarding alternative methods for securing, managing and maintaining are also welcome.
- Are there any green spaces that you think should be designated as a 'Local Green Space'? (Please provide clear location details and how the space meets the NPPF criteria outlined above (e.g. why it is special and of local significance).
- Do you consider the following green spaces should be designated Local Green Spaces?
 - Benfield Valley;
 - Three Cornered Copse
 - Ladies' Mile Open Space
 - Hollingbury Park.
- Should the City Plan Part Two identify and promote the sites listed above as gateways to the South Downs National Park?

Are there any other biodiversity and open space issues?

Consultation Question:

- Can you think of any other policy issues that relate to the natural environment (not already covered in the sections above or topic areas) that you think City Plan Part Two should seek to address?

Existing 2005 Local Plan Policies to be replaced / deleted by City Plan Part Two:

- QD18** - Species Protection
- QD21** - Allotments
- NC2** - Sites of national importance for nature conservation
- NC3** - Local Nature Reserves (LNRs)
- NC4** - Sites of Nature Conservation Importance (SNCIs) and Regionally Important Geological Sites (RIGS)
- NC9** - Benfield Valley
- NC10** - Benfield Barn
- NC11** - Land and buildings in the vicinity of Benfield Barn.

8. Addressing Pollution, Water and Energy Resources

Introduction

8.1 National planning policy sets out that the planning system should contribute to conserving and enhancing the natural environment and reducing pollution. It should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change and encourage the reuse of existing resources and the use of renewable resources⁵⁸. It should recognise the wider benefits of 'ecosystem services'⁵⁹; minimise impacts on and provide net gains in biodiversity; prevent existing and new development affecting or being adversely affected by soil, air, water or noise pollution or land instability and remediate and mitigate despoiled, degraded, derelict, contaminated and unstable land⁶⁰. The impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation should also be limited⁶¹.

8.2 The City Plan Part One sets a number of overarching strategic objectives for the City Plan to address:

- The need to minimise pollution and actively seek improvements in water, land and air quality and reduce noise pollution;
- The need to protect and enhance the quality of the coastal and marine environment;
- The need to make full and efficient use of previously development land; and
- Contribute to a reduction in the ecological footprint of Brighton and Hove and champion the efficient use of natural resources and environmental sustainability.

Key Issues to be addressed through the preparation of City Plan Part Two:

A. Polluted Land and Buildings

8.3 Industrial activity, waste disposal, accidental spillages and transportation can cause the contamination of land. Whilst the legacy of industrial activity is limited in Brighton & Hove when compared to other cities of similar size and population, contaminated and potentially contaminated land does not depend

⁵⁸ Core Planning Principles, NPPF and Sections 10 and 11 of the NPPF

⁵⁹ Ecosystem Services are defined as the benefits that a healthy natural environment provides for people, either directly or indirectly. These range from the essentials for life, including clean air and water, food and fuel, to things that improve quality of life and wellbeing, such as recreation and beautiful landscapes. They also include natural processes, such as climate and flood regulation.

⁶⁰ See paragraph 109 of the NPPF

⁶¹ See paragraph 125 of the NPPF

on industrial size or diversity for its existence. The presence of even small-scale undertakings can leave land in a contaminated state.

8.4 The role of the planning process is to ensure that land is made suitable for its proposed future use. The NPPF aims to encourage sustainable development and the reuse of brownfield land but also recognises that the effects (including cumulative effects) of pollution on health, the natural environment or general amenity and the potential sensitivity of an area or proposed development to adverse effects from pollution should be taken into account. It also requires that after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990. The City Council's Contaminated Land Strategy for Brighton & Hove sets out the council's approach to its legal duties regarding contaminated land⁶². The City Plan Part Two will update the Local Plan Policy SU11 Polluted Land and Buildings.

Consultation Question:

- Are there any planning issues that you consider a Polluted Land and Buildings policy should address?

B. Land Stability

8.5 Land stability can, where appropriate, be a material consideration in the determination of applications for development⁶³. When dealing with land that may be unstable, the planning system works alongside Building Regulations, which seek to ensure that any development is structurally sound.

8.6 When planning permission is applied for it is the developer and/or landowner, who is responsible for ensuring that the land is physically suitable for development or can be made so. Therefore, in appropriate cases the council may require planning applications to be accompanied by supporting information describing and analysing the issues relevant to ground instability and indicating how any foreseeable problems would be overcome.

Consultation Question:

- Should the City Plan Part Two include a development management policy regarding unstable land or is this sufficiently addressed by national planning policy guidance and through Building Regulations?

⁶² The Contaminated Land Strategy for Brighton & Hove was originally published in June 2001 and updated in September 2005 with an addendum published in 2015: <https://www.brighton-hove.gov.uk/content/community-and-life-events/noise-and-pollution/land-contamination>

⁶³ See <http://planningguidance.communities.gov.uk/blog/guidance/land-stability/land-stability-guidance/>

C. Pollution and Nuisance Control

8.7 Unacceptable levels of pollution can have a detrimental impact on the amenity of areas as well as serious health impacts on people and the environment.

8.8 The planning system works alongside a number of other regulatory regimes⁶⁴. Planning needs to ensure that development proposals should include measures to address air and water quality issues, reduce adverse noise, vibration, and/or odour impacts and minimise unnecessary light pollution, particularly close to light and noise sensitive areas, the public realm and open space.

Air

8.9 Improving air quality is a strategic objective in the City Plan Part One, and the council's Air Quality Action Plan (AQAP) 2015 sets out a series of measures that aim to improve local air quality and comply with legally binding limits for nitrogen dioxide⁶⁵. The City Plan Part One has addressed air quality issues in a number of policy areas – CP8 Sustainable Buildings, CP9 Sustainable Transport and CP18 Healthy City. Furthermore, Development Area policies have identified where air quality issues need addressing due to the Air Quality Management Area. The transport section of this Scoping Paper considers air quality issues in relation to transport. However there may be remaining air quality issues that need to be addressed in an updated pollution and nuisance control policy.

Water Resources and their quality

8.10 Drinking water for Brighton & Hove is supplied from groundwater sources in the form of underground chalk aquifers and there are number of groundwater source protection zones. There is a need to improve groundwater quality status. Sea water quality is of equal importance in terms of environmental quality and its value as a key recreational asset. The city is within a 'highly water stressed' region with above regional average per capita water consumption. The European Water Framework Directive provides clear objectives for protecting and enhancing water quality, both surface and ground water, A River Basin Management Plan for the South East has been prepared by the Environment Agency under the European Water Framework Directive. The plan focuses on the protection, improvement and sustainable use of the water environment.

⁶⁴ The role of the local planning authority, as described in paragraphs 120 and 121 of the National Planning Policy Framework, is distinct from the role of pollution control authorities and building regulation regime.

⁶⁵ Action to manage and improve air quality is largely driven by EU legislation. The [2008 Ambient Air Quality Directive](#) sets legally binding limits for concentrations in outdoor air of major air pollutants that impact public health such as particulate matter (PM₁₀ and PM_{2.5}) and nitrogen dioxide (NO₂).

8.11 The City Plan Part 1 requires that all new development reduces air, land and water pollution and safeguards water supplies if development is within groundwater Source Protection Zones (CP8.l). Policy CP8 Sustainable Buildings also aspires towards water neutrality in all new development by requiring high water efficiency standards and incorporating facilities to recycle, harvest and conserve water resources. However there may be remaining water quality issues that need to be addressed in an updated pollution and nuisance control policy/ policies.

Light

8.12 Although appropriate lighting in and around buildings and roads may help to enhance community safety and reduce the fear of and incidence of crime, caution must be taken to ensure that lighting only illuminates the intended areas or structures and should not negatively impact on surrounding areas. Light pollution causes nuisance from unnecessary obtrusive light and this occurs either by penetrating into facing rooms or by impeding views of the sky at night. It can also have adverse impacts on biodiversity.

8.13 Whilst floodlighting can help enable land to be used more effectively (e.g. the extended use of a sports field), the impact of floodlighting can be harmful to sensitive areas and their settings (e.g. listed buildings and conservation areas, sites important for nature conservation and the South Downs National Park). Policy CP16 requires that lighting proposals for open spaces, including floodlighting will be required to minimise light pollution, reduce crime and not cause significant harm.

8.14 The dark skies of the South Downs National Park are a receptor of light pollution from adjoining towns and cities. The South Downs National Park Authority has launched a project to get International Dark-Sky Reserve status for parts of the South Downs National Park and is seeking a shared approach to protecting dark skies within the area. The South Downs Local Plan preferred options draft contains a policy to control and reduce light pollution, in all parts of the national park⁶⁶. The City Plan Part Two will need to take this into consideration in drafting an updated policy that covers light pollution.

Noise

8.15 Noise nuisance and vibration can come from a range of uses. Some examples include from industrial processes, transport, construction activities, or even the proposed means of ventilation. As such it can have a detrimental impact on the amenity of areas as well as serious health impacts on people and the environment.

⁶⁶ See Strategic Policy SD9 https://www.southdowns.gov.uk/wp-content/uploads/2015/08/Local_Plan_Master_240815_Whole_Document.pdf

8.16 Noise needs to be considered when new developments may create additional noise and when new developments would be sensitive to the prevailing acoustic environment⁶⁷.

8.17 The Noise Action Plan for the Brighton Agglomeration⁶⁸ was produced by Defra in 2010 and covers noise issues arising from road, railway, aviation and industrial sources). The Council's Local Transport Plan recognises the link between traffic levels on main roads and the highest levels of transport noise in the city. The need to control and mitigate the noise effect of the city's transport system is reflected in CP9 Sustainable Transport and Development Area priorities (DA3, DA4, DA7, DA8 and SA1) and discussed further in the Transport Section in this Scoping Paper. However there may be remaining noise/ noise nuisance issues that need to be addressed in an updated policy in the City Plan Part 2.

Consultation Questions:

- Should the City Plan Part Two address air, land, and water pollution control and noise nuisance issues separately or in one combined policy?
- How can the City Plan Part Two support the South Downs National Parks Dark Skies Initiative?
- Is it necessary to have a detailed policy to protect the quality and potential yield of water resources to guide all future new development?
- Is a detailed policy still required to address the location or storage of hazardous substances or is there sufficient national policy and guidance?
- Are there other pollution issues that the City Plan should address?

D. Water and Waste Water Infrastructure

8.18 Southern Water is the statutory water and sewerage undertaker in Brighton and Hove City. New and improved water and wastewater infrastructure will be needed to serve the development proposed in the City Plan Part One.

8.19 New development must be co-ordinated with provision of new and improved infrastructure. This will help to ensure that a high level of service can be maintained to both new and existing customers, and that unsatisfactory levels of service such as sewer flooding or poor water pressure are prevented.

⁶⁷ See paragraph 123, National Planning Policy Framework and guidance set out at: <http://planningguidance.communities.gov.uk/blog/guidance/noise/noise-guidance/>

⁶⁸ [http://present.brighton-hove.gov.uk/Published/C00000707/M00004049/AI00033014/\\$20130318161417_003688_0014644_DEFRANoiseActionPlanBrightonAgglomeration.pdfA.ps.pdf](http://present.brighton-hove.gov.uk/Published/C00000707/M00004049/AI00033014/$20130318161417_003688_0014644_DEFRANoiseActionPlanBrightonAgglomeration.pdfA.ps.pdf)

8.20 City Plan Part 1 Policy CP7 addresses infrastructure provision, and the phasing of development with necessary infrastructure. Water and wastewater Infrastructure is included in the list of infrastructure or service provision where planning obligations/ CIL may potentially be sought. Relevant Development and Special Area policies make specific provision for the protection of water resources related to particular strategic allocations.

Consultation Questions:

- Is it necessary to have a detailed policy to support the provision of water and wastewater infrastructure and co-ordinates development with its provision?

E. Sustainable Drainage

8.21 The Flood and Water Management Act (FWMA) 2010⁶⁹ requires that all new developments incorporate sustainable drainage – often know as Sustainable Urban Drainage or ‘SuDs’. Sustainable drainage systems slow the rate of surface water run-off and improve infiltration, by mimicking natural drainage in both rural and urban areas. This reduces the risk of ‘flash-flooding’ which occurs when rainwater rapidly flows into the public sewerage and drainage systems.

8.22 The National Planning Policy Framework (NPPF) states that development should give “priority to the use of sustainable drainage systems” and recognises the important role sustainable drainage plays in addressing other priorities such as climate change, flood risk, water quality and biodiversity. Policy CP8 Sustainable Buildings in the City Plan Part 1 sets out that all new development should reduce surface water run-off and Policy CP11 Flood Risk references the role and responsibility of the council as Lead Local Flood Authority for surface water management.

8.23 Sustainable drainage systems must now be provided in all appropriate new developments⁷⁰. In addition, non-statutory technical standards for the design, maintenance and operation of sustainable drainage systems have been published⁷¹. Unless otherwise agreed at the pre-application stage, any major planning application must now be supported with a detailed drainage strategy, including any arrangements for sustainable drainage, with reference

⁶⁹ The FWMA places a requirement on LLFAs to ‘develop, maintain, apply and monitor a strategy for local flood risk management in its area (a “[local flood risk management strategy](#)” or “[Local Strategy](#)”). The strategy highlights those areas in the city that are at risk of surface water flooding.

⁷⁰ See Written Ministerial Statement: <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2014-12-18/HCWS161/> and <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/>

⁷¹ <https://www.gov.uk/government/publications/sustainable-drainage-systems-non-statutory-technical-standards>

to the non-statutory technical standards and a maintenance plan for the lifetime of the development. Guidance is available to support developers⁷².

Consultation Questions:

- Given the existing national guidance and approach, is it necessary to have an updated policy on sustainable drainage in the City Plan Part Two?

F. Coastal/ Marine Planning

8.24 The City Plan Part One provides clear reference to the need to protect and enhance the marine environment (Policy SA1 The Seafront. Policy DA2 Brighton Marina, Gas Works and Black Rock Area, DA8 Shoreham Harbour and the need to manage flood risk, Policy CP11). The Tourism section of this Scoping Paper further considers potential for development opportunities that could support the development of the city's visitor and tourist economy.

8.25 One of the priorities of Policy SA1 The Seafront is to monitor, conserve and expand designated coastal habitats and secure nature conservation enhancements to the marine and coastal environment. In January 2016 the Beachy Head West Marine Coastal Zone (MCZ) was designated⁷³, the MCZ runs parallel to the East Sussex Coastline extending from the west side of Brighton Marina, around its walls, and beyond to Beachy Head. Specific features within this area are protected and, where necessary, regulators will manage marine activities. It is important that the City Plan Part Two gives appropriate regard to this designation.

8.26 The city's coastal location also means that the council must also have regard to the UK Marine Policy Statement and the emerging South East Marine Plan to ensure policies across the land/sea boundary are integrated⁷⁴. There may therefore be a role for City Plan Part Two to reflect the emerging South East Marine Plan and to provide greater clarity on the need to appropriately manage land based activities which influence sea based activities such as jet skiing, surfing and boat facilities.

8.27 There is also a need for the City Plan Part Two to provide further guidance to guide development that comes forward within the coastal zone (identified as 'the Seafront' on the 2016 Policies Map) to ensure that development takes account of the particular conditions experienced within the coastal zone and that coastal defences are appropriate and adequately maintained .

8.28 The supporting text to SA1 The Seafront indicates that there is a presumption against increase in hard surfacing of the seafront at or in the vicinity of the sites of city-wide nature conservation importance. However

⁷² <https://www.brighton-hove.gov.uk/content/environment/coast-defence-and-flood-management/sustainable-drainage>

⁷³ <https://www.gov.uk/government/publications/marine-conservation-zones-offshore-brighton>

⁷⁴ The City Council is not responsible for planning beyond the coasts mean low water mark.

building hard surfacing on the shingle beach can help improve access for ambulant disabled, wheel chair users and young and elderly beach users and is a positive way to improve the public realm and provide shelter, shade, signage and lighting. Consideration will be given as to whether further clarity should be given on the presumption against encroachment onto the shingle beach.

Consultation Questions:

- Is there sufficient policy guidance in the City Plan Part 1 (in terms of the need to protect and enhance the marine environment) to assess planning applications that come forward on the seafront?
- Is there a need for further policy guidance to ensure adequate and maintained coastal defences and to ensure that development in the coastal zone takes account of the particular conditions experienced within the area?
- Is there a need for further policy regarding the presumption against encroachment onto the shingle beach?

G: Low carbon and renewable energy

8.29 Central to the delivery of sustainable development is the need for planning to support the transition to a low carbon future. Development of low carbon and renewable energy is a crucial part of this ⁷⁵.

8.30 City Plan Part 1 identified the need to deliver energy infrastructure to support the reduction of carbon emissions and reliance on fossil fuels. Policy CP8 Sustainable Buildings asks all proposals to demonstrate how they facilitate on-site low or zero carbon technologies, and connects or makes contributions to low and zero carbon decentralised energy schemes. City Plan Part 2 provides the opportunity to further develop policy to support this. An approach whereby appropriate sites for energy are identified and safeguarded could provide clearer direction and guidance for potential developers.

i) Supporting further opportunities for renewable energy

8.31 Government statistics⁷⁶ indicate renewables capacity in Brighton and Hove is below comparator cities. There are local constraints that make renewable installation challenging in the city e.g. heritage designations and other planning designations such as the National Park; air quality considerations; and site constraints due to the nature of smaller urban infill sites. On the positive side, the city benefits from good solar and wind resource, and opportunities for water based technologies have not yet been

⁷⁵ NPPF paragraph 17. Renewable and low carbon energy is defined as including energy for heating, cooling and electricity generation. Renewable energy covers energy flows that occur naturally and repeatedly (e.g. from wind, water, sun, biomass and geothermal heat). Low carbon technologies are those that reduce carbon emissions compared to fossil fuel use.

⁷⁶ <https://www.gov.uk/government/statistics/feed-in-tariff-commissioned-installations-january-2016>

maximised. The community energy sector is buoyant with many community owned renewable energy assets⁷⁷ and there is further opportunity to support this.

Consultation Questions:

- Should City Plan Part 2 include further policy to incentivise delivery of low carbon and renewable energy?
- Are there any types of energy that should be particularly supported e.g. community energy or particular technologies?

i) Allocated energy sites

8.32 Brighton & Hove Renewable & Sustainable Energy Study⁷⁸ explored opportunities and constraints for energy technologies and heat networks. It recommended further investigation of sites and guidance to indicate where technologies could be appropriate. City Plan Part 1 includes some area policies referring to energy uses, e.g. DA2 Brighton Marina which encourages large-scale technologies that take advantage of the coastal location. This approach could be strengthened in City Plan Part 2 by identifying sites suited to specific types or scales of energy infrastructure.

Consultation Questions:

- Having regard to the findings of the Renewable and Sustainable Energy Study 2012 should City Plan Part 2 seek to identify and allocate sites for renewable and low carbon energy generation, storage or networks?
- If yes, what sites should be investigated for energy uses? (taking into account the areas with opportunity indicated in the 2012 Renewable and Sustainable Energy Study)

ii) Renewable energy policy

8.33 Local planning authorities can require a proportion of energy used in developments to be from renewable or low carbon sources⁷⁹. This approach is usually applied to major development. The London Plan⁸⁰, for example, combines targets for renewables and carbon reduction. City Plan Part 1 adopted a carbon reduction approach rather than a renewables policy. This approach was defined before the government withdrew the national zero carbon new build policy. Additional approaches could help ensure growth is sustainable. Viability assessment will need to inform this approach.

⁷⁷E.g. Brighton Energy Co-operative has installed community owned solar energy arrays at several city sites.

⁷⁸https://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/downloads/ldf/BrightonandHove_Energy_Study_Jan2013.pdf

⁷⁹ Planning and Energy Act 2008 www.legislation.gov.uk/ukpga/2008/21/section/1

⁸⁰ www.london.gov.uk/what-we-do/planning/london-plan/current-london-plan/london-plan-chapter-5/

Consultation Questions:

- Should a renewable energy policy be explored for City Plan Part 2?
- What factors should be considered when exploring this approach?

iii) Heat Networks

8.34 Heat networks provide an important means to assist transition to a low carbon economy, providing heat more efficiently and affordably. National policy directs planning authorities to identify opportunities for networks and set out strategic area priorities to deliver heat and energy infrastructure⁸¹. Using evidence from the city Energy Study, strategic priorities for heat networks were set out in Development Area policies in Part 1 of the City Plan. Heat networks exist in the city in large public sector estates, e.g. Sussex University, and are planned at some larger development sites e.g. Circus Street. Further policy to encourage heat network delivery could be carried forward in City Plan Part 2 or through supplementary planning guidance.

Consultation Questions:

- Should the City Plan Part 1 policy CP8 be supplemented with further clarification/policy in support of district heating? Or, could this best be dealt with in a supplementary planning document?

iv) Energy efficiency

8.35 National policy asks planning authorities to actively support energy efficiency. Under City Plan Part 1 all development is asked to address energy efficiency, but smaller developments and those in existing buildings may fall below the thresholds set for minimum energy efficiency targets in Policy CP8. Policy could be clarified in Part 2 to seek minimum standards through an affordable and straightforward means e.g. Energy Performance Certificate standards. This would help to ensure residents do not suffer fuel poverty and carbon impact is minimised.

Consultation Questions:

- Should targets for energy efficiency be explored for City Plan Part 2 for smaller developments and those in existing buildings?

Are there any other issues that relate to this topic area?**Consultation Questions:**

- Are there other pollution, water resource or low carbon and renewable

⁸¹ NPPF paragraphs 97, 156, and 162.

energy matters that you think City Plan Part 2 should seek to address?

Existing 2005 Local Plan Policies to be replaced / deleted by City Plan Part Two:

SU3 Water resources and their quality
SU5 Surface water and foul sewage disposal
SU6 Coastal defences
SU8 Unstable land
SU9 Pollution and nuisance control
SU10 Noise nuisance
SU11 Polluted land and buildings
SU12 Hazardous substances.
QD25 External Lighting
QD26 Floodlighting
SR18 Seafront Recreation

9. Design and Amenity

Introduction

9.1 A key objective for the City Plan is to raise the standard of architecture and design in the city so that the delivery of growth is matched by high quality new development and a public realm that contributes to its attractiveness. In a context of constrained land supply, challenging housing targets and rising densities, the issue of how to make the best use of sites and integrate new development into the existing built environment is ever more pressing. This is particularly relevant in areas of the city where significant new development is being directed and where significant change is anticipated (Development and Special Areas, Strategic Site Allocations in City Plan Part One).

9.2 In Part One of the City Plan, Policies CP12 (Urban Design) and CP13 (Public streets and spaces) provide a strategic policy framework. The aim for new development in the city is to create inclusive, adaptable, accessible, sustainable and attractive new places. Policy CP12 identifies the need for the council to produce further guidance in the form of an Urban Design Framework Supplementary Planning Document (UDF SPD) to provide more detailed information about areas for positive enhancement and boundaries for tall building areas. This document will be prepared in the next three years.

9.3 Chapter 3 of the 2005 Brighton & Hove Local Plan sets out ‘design, safety and the quality of development’ policies generally referred to as the QD policies. Part Two of the City Plan provides an opportunity to streamline the number of design policies, identify new/emerging design issues and to consider whether these would be best addressed through Part Two or the UDF SPD.

Key design ‘policy areas’ for City Plan Part Two

9.4 The following key policy areas have been identified for City Plan Part Two to address.

Place making

9.5 Place making is about identifying and making provision for the features that make places great. It is about creating successful buildings and open spaces that are secure and distinctive and function for the people who live, work and use them. It is about encouraging new development to engage with communities and design expertise to improve the everyday quality of buildings and spaces and help to address some of the most pressing and important issues for Brighton & Hove. Such issues include, for example, the city’s pressing housing need and the need to improve affordability; the need to provide flexible working spaces and improved open space facilities, reduce carbon emissions and improve resilience to extreme climate events.

9.6 The 2013 Farrell Review advocates that design quality is more about creating places that work well, than it is about architectural style and that an integrated approach to Planning, Landscaping, Architecture, Culture/Conservation, and Engineering/Environment is needed.

9.7 The current design policy framework in the City Plan Part One (CP12 and CP13) focuses on the city-wide and neighbourhood dimensions of place making. It asks new development to take account of context, architecture, sustainability, built and archaeological heritage, patterns of movement and access, landscaping, opportunities for deterring crime and impact upon long views.

9.8 Part Two of the Plan provides an opportunity to streamline the range of policies in Chapter 3 of the 2005 Local Plan (also known as QD policies) which focus on the street and site dimensions of place making and also to incorporate new/emerging guidance on the need for an integrated approach to development design.

9.9 Policies in the 2005 Local Plan outlining design principles (QD1-QD7) and the incorporation of landscape features (QD15-QD21) satellite dishes and telecom equipment (QD22-QD24) will need to be incorporated into a policy in Part Two. Where adopted supplementary planning guidance exists, such as in the case of Shopfronts (SPD2) and Advertisements (SPD7), there is no need for the replacement of policies but rather the need for a “policy-hook” to be provided in Part Two.

9.10 City Plan Part Two also offers the opportunity to incorporate guidance on new and emerging integrated design issues. This might include, for example, instances when the review of a scheme by a panel of experts would be recommended or how biodiversity features could be designed in tandem with transport/movement and water management infrastructure (often referred to as integrated grey-blue- green infrastructure) to help create attractive places and reduce the risk to people and property posed by extreme climate events.

9.11 To meet these objectives and support the creation of successful, good quality, active, attractive and safe places a ‘Place Making Policy’ that encompasses both building and landscape design with regard to biodiversity, climate resilience, linkages, passive surveillance and the other issues raised in this section could be included in Part Two.

Consultation Questions:

- Should City Plan Part Two include a Place Making Policy that complements those set out in City Plan Part One by focusing on the assessment of proposals on a street/site scale?
- Should the Place Making Policy seek to incorporate guidance on new and emerging design issues such as expert review and integrated infrastructure design?
- Are there other streetscape and/or new, emerging design issues apart

from those identified above that should be included in a Detailed Place Making Policy?

Extensions and alterations

9.12 In Brighton & Hove, planning applications for residential /commercial extensions and alterations represent a very high proportion of all applications processed by the council's planning service. As such, this is a key policy area that needs to be covered in Part Two of the City Plan.

9.13 Policy QD14 of the 2005 Local Plan accompanied by Supplementary Planning Document (SPD) 12 currently sets out the design parameters to guide proposals for extensions and alterations to existing buildings in the city. This is a well-used policy that remains highly relevant. City Plan Part Two provides an opportunity to improve the policy and explore options around reducing or replacing some of the current guidance by incorporating aspects of SDP12 (Design Guide for Extensions and Alterations) into a new Extensions and Alterations Policy.

Consultation Questions:

- Should the Extensions and Alterations Policy incorporate aspects of SPD12 and should the policy seek to supersede it?
- Are there any other design issues that this policy should provide guidance on?

Protection of Residential Amenity

9.14 Protecting the amenity of existing and future residents from harmful impacts of new development and uses is a key issue for planning. In terms of new development, impacts may include the effects of development on sun-lighting, daylighting, outlook and privacy on existing and future residents. New uses may impact on noise, levels of activity, odour or cause pollution (air quality, noise or light). This important issue is currently addressed by a number of policies in the 2005 Local Plan with QD27 being the overarching amenity policy. Protection of amenity is also an important consideration in a number of use specific policies that are the basis for assessing new planning applications.

9.15 There is therefore an opportunity to consolidate policy on protecting amenity in City Plan Part Two by tackling all amenity issues through a single comprehensive policy. This would also offers the opportunity to ensure that amenity matters are not used as a means to prevent the effective use of sites.

Consultation Questions:

- Should the protection of amenity be addressed through a single consolidated policy? If not, can you explain why and suggest an

alternative approach?

- Are there any further issues you consider an amenities policy should address?
- Would it be appropriate for an amenity policy to explore parameters for assessing the effective use of sites?

Are there any other design issues?

Consultation question:

- Can you think of any other policy issues that relate to the design of new development (not already covered in the sections above) that you think City Plan Part Two should seek to address?

Existing 2005 Local Plan Policies to be replaced / deleted by City Plan Part Two:

QD5 Design – street frontages
QD8 Shopshutters
QD9 Boarding up of flats, shops and business premises
QD10 Shopfronts
QD11 Blinds
QD12 Advertisements and signs
QD13 Advertisement hoardings
QD14 Extensions and alteration
QD 15 Landscape design
QD16 Trees and hedgerows
QD18 Species protection
QD21 Allotments
QD22 Satellite dish aerials
QD24 Telecommunications apparatus (general)
QD24 Telecommunications apparatus affecting important areas
QD25 External lighting
QD26 Floodlighting
QD27 Protection of amenity

10. Heritage

Introduction

10.1 The heritage of Brighton & Hove is rich and extensive, dating from Neolithic remains to late 20th century architecture and includes the renowned Regency and Victorian developments that make the city so distinctive. The City Plan aims to promote the city's heritage, through partnership working, and to ensure that the historic environment plays an integral part in the wider social, cultural, economic and environmental future of the city.

10.2 Part 1 of the City Plan sets out the strategic policies to achieve this for all types of heritage asset and refers, in particular, to prioritising positive action for those assets that may be at risk through neglect, decay, vacancy or other threats. Policies also seek to ensure that the city's built heritage guides local distinctiveness in new development and that an appropriate balance is struck between environmental sustainability and conserving heritage. The council's Conservation Strategy, which is referred to in City Plan Part 1, was reviewed in 2015 and sets out the future programme and priorities for action for the next ten years.

10.3 Part 2 of the City Plan will need to build upon this strategic framework. It can set out more specific policy for the different types of heritage asset and focus on those vulnerabilities and opportunities, whether thematic or geographic, that are key to ensuring the long term conservation of Brighton & Hove's heritage. National planning policy and guidance stresses that heritage assets are an irreplaceable resource but at the same time makes clear that policy makers should recognise that conservation is not a passive exercise.

Key heritage 'policy areas' for City Plan Part Two

10.4 The following key policy areas have been identified for City Plan Part 2 to address.

A: Policies for different types and groups of Heritage Asset

10.5 There are nearly 3,400 Listed Buildings in Brighton and Hove, six Registered Parks or Gardens of Special Historic Interest, 33 Conservation Areas and around 400 locally listed heritage assets (buildings and parks/gardens). In terms of archaeology there are 15 Scheduled Monuments and more than 80 Archaeological Notification Areas (ANAs).⁸²

10.6 Of the listed buildings approximately 14% of these are graded I and II*, which is notably greater than the national figure of around 8%. The

⁸² These are sites that have been compiled by the County Archaeologist as part of the Historic Environment Record. These areas are judged to have county and city wide importance and are known to have archaeological remains or features

conservation areas together cover around 18% of the built up area, including much of the city centre and most of the seafront.

10.7 Policy on the conservation of the historic environment is set out in national planning policy⁸³ and in Part 1 of the City Plan (Policy CP15 Heritage) and is intended to cover all types of heritage asset.

10.8 The Royal Pavilion is an internationally renowned listed building and a major tourist draw. It forms part of a wider heritage grouping with associated listed buildings and a registered park and garden, as well as lying within a conservation area and within an ANA. It is recognised that the importance of this 'royal estate' has not always been properly reflected in the way changes to the area have been planned; often with elements considered separately and that the significance of this historic grouping has not always been well communicated.

Consultation Questions:

- Should there be a specific policy for each type of heritage asset? (e.g. listed buildings, conservation areas, archaeological sites etc.) If not, what other approach could be taken?
- What are the key local heritage issues with long term implications that need to be addressed in the Part 2 policies?
- Are there important groupings of heritage assets that require a site-specific policy approach? (e.g. the Royal Pavilion estate).
- How much detail should be in the City Plan policies and how much should be left to other documents, such as Supplementary Planning Documents or planning briefs?

B: Evidence and Understanding

10.9 National planning policy requires that in making decisions on proposals affecting heritage there needs to be sufficient understanding of their importance and 'significance'⁸⁴.

10.10 The majority of the listed building entries consist of a simple and brief description of the building for identification purposes. Interiors and rear elevations have often not been inspected and their 'significance' is therefore not always fully apparent. Whilst the history and past development of some of these listed buildings is clearly understood there are others that have undergone changes over time but have been subject to comparatively little research or investigation.

⁸³ In paragraphs 126 - 141 of the National Planning Policy Framework.

⁸⁴ Significance is what is important about the building and may include its architectural, historic, artistic or archaeological interest.

10.11 There is also potential heritage that is not yet known or fully known including those that may be especially valued by local communities. This potential applies particularly, but not exclusively, to below ground archaeological remains.

10.12 As well as works affecting a heritage asset itself control over development must also consider the 'setting' of the asset, which is the surroundings in which the asset is experienced. This setting is not defined in the listing and may change over time. Elements of a setting may make a positive or negative contribution to the significance of an asset. Setting often includes important views of the heritage asset but other factors may be equally important.

Consultation Questions:

- What are the gaps in our knowledge and understanding of the heritage of Brighton & Hove?
- How could policy accommodate and overcome those gaps in knowledge? Is current national policy sufficient?⁸⁵
- What are the particular factors in Brighton & Hove that may be especially relevant to the setting of heritage assets?

C: Local pressures and vulnerabilities

10.13 Many listed buildings have been converted to flats, are houses in multiple occupation or are in a use other than that for which they were originally designed. This can lead to issues of trying to reconcile a building's architectural or historic interest with the sometimes conflicting demands of other statutory acts and regulations.

10.14 With the shortage of land for development in the city and the pressing need for more housing, heritage assets of all types are under increasing pressure for development which may involve changes of use or intensification of uses as well new infrastructure such as roads and services.

10.15 There are also listed buildings that have been vacant for a notable period of time often because it is difficult to find an appropriate and viable use for them, and they may be in a deteriorating state of repair.

10.16 Some conservation areas can be at risk of harm to what makes them special through gradual loss of architectural and historic features or from pressures arising from traffic, car parking, advertising, climate change or lack of maintenance.

⁸⁵ In paragraphs 128, 129 and 141 of the National Planning Policy Framework.

Consultation Questions:

- Is there a need for a policy on 'Heritage at Risk' or is policy CP15 in City Plan Part 1 adequate in this respect?
- What are the greatest threats to the special appearance and character of the city's Conservation Areas and how can policy in City Plan Part 2 address these threats?
- Is there a need for specific policy on energy efficiency and flood protection measures as they may impact on heritage assets?

D: Opportunities for enhancement

10.17 In the city's many historic areas and heritage settings there are sites and properties that either make little positive contribution or cause actual harm to the area's character, and which would benefit from new development.

10.18 Much new development in the city will inevitably be accommodated within conservation areas and close to listed buildings. The Strategic Housing Land Availability Assessment has identified many sites within conservation areas whilst some identified urban fringe sites are close to conservation areas and listed buildings. Such sites may also be high in archaeological potential. National planning policy makes clear that new development in conservation areas, and within the setting of heritage assets, should take the opportunity to enhance the significance of those areas or settings or better reveal their significance, wherever possible.

10.19 Some of the city's historic areas are very cohesive in scale and appearance whilst other areas are more diverse in character and may present greater opportunities for new development to enhance an area. National planning policy states that design policies should avoid unnecessary prescription or detail. Policies can seek to promote or reinforce local distinctiveness but must not attempt to impose architectural styles.

Consultation Questions:

- Should there be specific design policy for historic areas and heritage settings or could this be covered within city-wide design policy?
- What is key to the local distinctiveness of Brighton & Hove's historic areas and how should this be promoted or reinforced through policy?
- Are there any specific sites that have such great potential to enhance a conservation area that they warrant a specific heritage policy?
- Is there a need for policy on historic parks and gardens that seeks enhancement as well as conservation?

Are there any other heritage issues?

Consultation Question:

- Can you think of any other policy issues that relate to heritage (not already covered in the sections above) that you think City Plan Part Two should seek to address?

Existing 2005 Local Plan Policies to be replaced / deleted by City Plan Part Two:

HE1 – Listed buildings
HE2 – Demolition of a listed building
HE3 – Development affecting the setting of a listed building
HE4 - Reinstatement of original features on listed buildings
HE6 - Development within or affecting the setting of conservation areas
HE8 - Demolition in conservation areas
HE9 - Advertisements and signs within conservation areas and on, or in the vicinity of a listed building
HE10 - Buildings of local interest
HE11 - Historic parks and gardens
HE12 - Scheduled ancient monuments and other important archaeological sites

11. Community facilities

11.1 The term ‘community facilities’ encompasses a wide range of facilities and services which are defined in national policy as being social, recreational and cultural in nature⁸⁶. The term also includes important social infrastructure (e.g. emergency services facilities). National policy emphasises the importance of accessible local services that reflect the community’s needs and support its health, social and cultural well-being. It requires planning policies to plan positively for the provision and use of community facilities⁸⁷.

11.2 The need for additional community facilities arises where there is an existing shortfall in meeting current needs (e.g. a lack of school places in some areas of the city) and from the demands arising from planned growth over the life of the City Plan (e.g. from additional housing growth of 13,200 new homes to 2030). The Infrastructure Delivery Plan, (Annex 2 to the City Plan Part One), identifies existing infrastructure, current shortfalls and existing and future infrastructure needs to support new development in the city over the plan period up to 2030.

11.3 Provision of new community facilities is a matter that will need to be addressed through City Plan Part 2. There is also a need to protect existing community facilities from change to alternative uses where important needs are being met. Relevant policies covering these issues in City Plan Part One include Development Area policies, SA6 Sustainable Neighbourhoods, CP5 Culture and Tourism and CP17 Sports Provision.

Key Issues for the City Plan Part Two

A. Retention of Existing Community Facilities, Assessing New Proposals for D1 Use Community Facilities, Other Facilities and Community Infrastructure.

11.4 As indicated above, community facilities are outlined in national policy as social, recreational and cultural facilities. The NPPF expanded the definition of these facilities to include uses like local shops and public houses. It requires local authorities to plan positively for facilities; to guard against the unnecessary loss of valued facilities; and ensure an integrated approach to new strategic development and community facilities. There are a wide range of uses that fall within the term community facilities and this complexity is a key issue that policies in the City Plan Part 2 will need to address.

11.15 Community facilities can be broadly separated into the following types of use:

⁸⁶ National Planning Policy Framework – paragraph 70

- **Non-residential Institutions (Use Class D1)** – these are defined by the Use Classes Order⁸⁸ and include education uses (non residential), health clinics/GP surgeries, day nurseries/crèches, law courts, training centres, museums, public libraries, public halls and places of worship
- **Cultural and social facilities** – those which perform an important role in the health and wellbeing and ‘quality of life’ of the city’s residents. These include theatres, cinemas, public houses, social clubs, night-time venues, bingo halls, and sport facilities.
- **Essential city-wide community infrastructure** to meet the needs of the city. This includes:
 - Facilities for the emergency services including Fire Service, Police and Ambulance Service
 - Public toilets
 - Prison and custody facilities

11.6 The 2005 Brighton & Hove Local Plan has policies that address the need to retain existing community facilities and set out criteria to assess proposals for new community facilities (HO20, 21 and 22 and HO26 Day Nurseries).

11.7 New policies for community facilities in the City Plan Part Two will need to respond to recent legislation including the introduction of Community Right to Bid/Assets of Community Value and Neighbourhood Planning. There are two policies in Part One of the City Plan that already address some of these issues and these matters will therefore not need to be repeated in the Part Two Plan (CP5 Culture and Tourism protects cultural facilities and CP17 protects and supports new sports facilities).

Consultation Questions:

- In the context of seeking to streamline policy in City Plan Part Two, what might be the most effective approach to setting out policies for community facilities? Different approaches could include, for example:
 - A single policy to address all types of community facility; their retention and how to consider new proposals?
 - Policies to address the retention of and consideration of new facilities which are organised around the three main groups of community facility (as described above)?
 - Separate policies for each individual type of community facility in particular where there is a difference in character between the uses and their impact?

Please provide your views on the above.

- What are the key planning issues that will need to be taken into account when considering the retention of existing community facilities?

⁸⁸ Use Classes Order categorises uses into different classes by type for the purpose of identifying when planning permission is required.

- What are the key issues for assessing development proposals for new community facilities? Should policy seek new community uses to meet a variety of community needs?
- Are there any types of community facility that due to their particular nature might warrant a separate/unique policy?

B. Site Allocations for Community Facilities

11.8 The City Plan Part 2 presents an opportunity to identify and allocate additional sites for community facilities to meet the infrastructure needs of the city. The City Plan Part One provides a strategic policy framework for this with policies SA6 Sustainable Neighbourhoods and CP18 Healthy City (health facilities) which support the need seek to address shortfalls in community infrastructure by identifying sites in future plans. In addition there are direct allocations for facilities in some of the City Plan Part One strategic allocations e.g. Toad's Hole Valley (Policy DA7) and Brighton Marina (Policy DA2).

11.9 The Infrastructure Delivery Plan (Annex 2 to the City Plan Part One) identifies priorities and specific needs based on evidence from public sector providers. This will duly be updated through an Assessment of Community Facilities Needs study (to be completed in the summer). A number of the Development Area Policies identify priorities for community facilities. These are:

DA3	Lewes Road.	Community Building at Bevendean
DA5	Edward Street and Eastern Road	A multi-practice GP's surgery for Kemptown; a community building for Queens Park and Craven Vale
DA6	Hove Station	Possible location for a school and public health provision
DA8	Shoreham Harbour	General infrastructure needs identified.

Consultation questions:

- Do you have any evidence of the need for any community facilities in the city that are not currently identified? Are you aware of sites that may be suitable to meet those needs?
- Are there sites you are aware of that you would like to see put forward as community facilities allocations in City Plan Part Two?

Are there any other issues that relate to Community Facilities?

Consultation question:

Can you think of any other policy issues relating to community facilities that City Plan Part Two should address?

Local Plan Policies to be superseded

HO19 New community facilities

HO20 Retention of community facilities

HO21 Provision of community facilities in residential and mixed use schemes

HO23 Community centre at Woodingdean

HO26 Day nurseries and child care facilities

SR26 Hangleton Bottom

12. Student housing

Introduction

12.1 The city's two universities and other educational establishments make an important contribution to the economic and cultural life of the city. The two universities combined host approximately 27,000 students, with the British and Irish Modern Music Institute and a significant number of language schools further adding to the city's total student population that requires accommodation⁸⁹.

12.2 Between the 2001 and 2011 UK censuses, the total number of student households in the city increased from 1,365 to 2,873, reflecting the significant expansion from both universities in recent years. Between 2001 and 2013 the University of Brighton and University of Sussex student numbers increased by 37% and 50% respectively and further increases are anticipated in future years.

12.3 Despite a number of developments recently granted planning permission, the demand for Purpose Built Student Accommodation (PBSA) currently outstrips supply. Approximately 8,000 purpose built student bed-spaces existed in in 2015 and, whilst there is no expectation that all students would be accommodated in this way, data suggests there is a significant unmet need in terms of targets for accommodating first year students in PBSA⁹⁰. This shortfall in PBSA puts significant and sustained pressure on the city's general housing stock.

12.4 National planning policy⁹¹ requires local planning authorities to plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. In terms of student housing, guidance advises that local planning authorities should plan for sufficient student accommodation and that encouraging more dedicated student accommodation may take pressure off the private rented sector and increase the overall housing stock.

12.5 There is no policy on student housing in the 2005 Brighton & Hove Local Plan. Part 1 of the City Plan, through Policy CP21 - Student Housing and Housing in Multiple Accommodation, supports the provision of additional purpose built accommodation and allocates five sites for PBSA. Policy CP21 also includes criteria to guide and assess proposed developments on non-allocated sites. The criteria are intended to ensure that schemes are developed to a high standard, are in appropriate locations and consider matters including residential amenity, sustainable transport and parking as

⁸⁹ The 2011 Census reported a total of 32,294 full time students aged 16 and above living in the city.

⁹⁰ Only 20% of University of Brighton first year students reside in PBSA compared to a target of 80%.

⁹¹ See NPPF paragraph 50

well as ensuring that sites identified for general residential development are protected.

12.6 The policy also identifies that the cumulative impact of PBSA developments will be a matter to be considered in the determination of applications for PBSA. The City Plan Part 2 provides an opportunity to further elaborate on this issue and to clarify the issues which will be taken into account.

Key Issues for City Plan Part Two

12.7 The City Council has commissioned research to look at the balance between the supply and demand for PBSA in the longer term and is awaiting the research study findings⁹². This research is likely to indicate that, despite the site allocations in City Plan Part 1 for PBSA and the additional development of a number of PBSA on unallocated sites in recent years, there will remain a significant unmet need for PBSA. This may increase over the Plan period if the trend of university expansion continues.

12.8 The key overarching issue therefore is how to balance the need to identify more sites for additional PBSA against the pressing need to also identify more sites for general housing provision. Pressures on the limited number of sites available for development in the city mean that it is unlikely that the full need for PBSA could be met solely within the city's administrative area.

12.9 The extent of the need to be planned for will depend on establishing appropriate targets for the proportion of students to be accommodated in PBSA. For instance, it is estimated that 20% of university students do not require accommodation, for reasons such as living at home or having a property purchased for them by their parents. Of the remainder, some may prefer to live outside PBSA. The research referred to above will consider a number of options for establishing targets. Lower targets would require less new PBSA development but then more students would require alternative living arrangements, putting more pressure on the city's general housing stock.

12.10 The City Plan Part Two will need to consider locational options for PBSA, for instance whether it is better to concentrate PBSA along the city's academic corridor as is currently the case, or whether the Plan's policies encourage a more dispersed approach. Additional locations along Lewes Road, near the university campuses, could be appropriate, despite the existing high student concentrations provided they are able to retain a degree of separation from existing residential areas in order to minimise effects on amenity. Locations across the wider Greater Brighton region, both within and outside the city's administrative boundary could also be considered as long as transport infrastructure is in place to provide relative proximity and accessibility to the place of study.

⁹² Brighton & Hove Student Housing Study, Draft June 2016.

Consultation questions:

- Should the City Plan Part 2 seek to establish a target for the amount of student housing need to be met through purpose built student accommodation?
- Should the City Plan Part Two seek to allocate additional sites for purpose built student accommodation?
- Are there any locations/sites that could be considered for purpose built student housing development?
- Should City Plan Part Two seek a more dispersed approach to suitable locations for purpose built student accommodation around the city?
- What barriers are there to locating purpose built student accommodation outside the Lewes Road academic corridor and how could these be overcome?
- How can the cumulative impacts of purpose built student accommodation developments best be assessed and mitigated?

Are there any other issues relating to Student housing:

Consultation question:

- Are there any other issues regarding student accommodation that would like to see addressed in City Plan Part 2?

13. Traveller accommodation

Introduction

13.1 The city's Traveller Commissioning Strategy⁹³ provides the local context for planning to meet the accommodation requirements of travellers either living in or passing through the city. The Strategy aims to promote community cohesion and protect the rights and needs of both the settled and travelling communities. It acknowledges that traveller communities have a right to a nomadic lifestyle, to equal access to services (such as health, education and accommodation) and to protection from discrimination and harassment.

13.2 Policy CP22 Traveller Accommodation in Part 1 of the City Plan commits the council to providing traveller accommodation in accordance with appropriate assessments of local need. At the time of preparing City Plan Part 1, the need for pitch provision up to 2019 was set at 18 permanent pitches for the city. This figure (for 2014-2019) was based on an assessment of need established through the Partial Review of the South East Plan process⁹⁴.

13.3 For the longer term, Policy CP22 acknowledges that an updated review of Traveller accommodation needs would be important to cover the plan period beyond 2019. The policy states that additional or outstanding traveller pitch requirements will be facilitated through site allocations in Part 2 of the City Plan or through a separate Development Plan Document which could involve working with adjacent local authorities. The policy also sets out the criteria to guide and assess the suitability of new traveller sites (or extensions to existing sites).

Key issues for City Plan Part 2

13.4 An updated Gypsy and Traveller Accommodation Assessment (GTAA) has now been published⁹⁵ and was undertaken jointly between the City Council and the South Downs National Park Authority. Based on information that was available at the time of the study, this assessment indicates a need for 32 additional permanent pitches across the administrative area of Brighton & Hove. This 'administrative area' includes that part of Brighton & Hove which falls within the South Downs National Park. Because two local planning authorities are involved for this geographical area, the needs assessment was split between Brighton & Hove City Council (19 pitches) and the South Downs National Park Authority (13 pitches).

13.5 It is important to note that the figure of 32 pitches is an 'objectively assessed need' figure and has not yet been tested to see to what extent this could be accommodated within Brighton & Hove. As both local planning

⁹³ Traveller Commissioning Strategy (March 2012)

⁹⁴ South East Plan Partial Review process 2007 – 2010.

⁹⁵ Gypsy and Traveller Accommodation Assessment – Brighton & Hove and South Downs National Park Authority, Salford University, November 2014.

authorities are producing local plans for their areas, the intention is to undertake a joint site search with the South Downs National Park Authority and this will indicate any potentially suitable sites which could then be taken forward as proposed site allocations. In assessing the suitability of sites the criteria set out in Policy CP22 Traveller Accommodation will be applied.

13.6 Should the site search indicate that the full objectively assessed need for traveller pitches cannot be met within the administrative area of Brighton and Hove then options for meeting any shortfall will need to be explored through the 'Duty to Co-operate' plan making processes and by working with neighbouring local authorities.

Consultation questions:

- Is it better to try and make traveller site provision for smaller individual family-sized sites (e.g. 3-5 pitches) or larger sites (e.g. 10-15 pitches) that can accommodate a number of families?
- Should new site provision be public site provision, or private or both?
- Should future pitch requirements for Traveller Accommodation be addressed through City Plan Part 2 or would this matter be better addressed through a separate Development Plan Document?

Are there any other issues relating to Traveller accommodation?

Consultation question:

- Are there any other issues regarding Traveller Accommodation that you would like to see addressed?

Subject:	Ice Rink – Potential Provision in Brighton & Hove		
Date of Meeting:	16 June 2016		
Report of:	Acting Executive Director of Economy, Environment & Culture		
Contact Officer:	Name:	Ian Shurrock	Tel: 29-2084
	Email:	ian.shurrock@brighton-hove.gov.uk	
Ward(s) affected:	All		

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

- 1.1 The council has received representations at various times over many years to provide an ice rink in the city. Most recently a petition of 2000 signatures was presented at full council in November 2015 calling on the city council to support efforts to build a new ice rink. This petition was referred to the Economic Development & Culture Committee and the Chair of the Committee requested a report on the potential provision of an ice rink in the city.
- 1.2 This report will provide a brief overview of ice rink provision and previous proposals in the city, a broad overview to the challenges faced in providing an ice rink through examples of the funding and operation of ice rinks in the United Kingdom, and to seek agreement from members for the council to initiate a soft market testing exercise to identify if there is potential for an ice rink in the city. It is recognised that the council does not have the capital funds available to prioritise building an ice rink, or a suitable site readily available within its ownership on which such a facility could be built. Case studies are provided to illustrate the key issues that are faced in providing such a facility.

2. RECOMMENDATIONS:

- 2.1 That the committee notes the significant challenges in achieving a new ice rink in the city.
- 2.2 That the committee agrees for the council to undertake a soft market testing exercise over a four month period to identify if there is the potential for an ice rink to be provided in the city.

3. BACKGROUND INFORMATION

OVERVIEW OF ICE RINK PROVISION IN THE CITY

- 3.1 The provision of ice sports has a long but somewhat chequered history in the city. The first ice rink was opened in Middle Street, Brighton in 1897, but closed shortly after in 1901 to be converted into the Hippodrome variety theatre. A new ice rink was not built until 1935 when ice hockey became popular in the city and the Brighton Tigers were one of the United Kingdom's most successful sides. The club were based at the Brighton Sports Stadium (often known by its original name of S.S. Brighton) on West Street. The Tigers were members of the English National League and later the British National League; the club were one of the country's best supported teams with 4,000 spectators regularly attending matches. The Tigers' most famous victory was over the Soviet Union in December 1957, winning 6–3. However, the collapse of the professional ice hockey league in 1960 had a significant impact upon the ice rink which subsequently closed in 1965 and was demolished to enable the redevelopment of the site.
- 3.2 In 1965, Top Rank opened a new ice rink on the corner of West Street and King's Road but this closed in 1972. The most recent permanent ice rink was opened in Queen's Square in 1973 and run by the former S.S. Brighton skater Valerie Moon. This rink was a conversion of a former Territorial Army drill hall and while it operated for a considerable time, it has now been closed for many years.
- 3.3 In recent years the development of temporary ice rinks (both indoor and outdoor) has enabled the viable provision of ice skating to take place on a limited basis. The indoor rink at the Brighton Centre proved popular until it was superseded by the temporary outdoor rink in the Royal Pavilion Gardens. The viability of such rinks with relatively low capital costs combined with the food and beverage income (particularly of the latter) of the ice skating experience has enabled this type of temporary facility to be successful.
- 3.4 However, the funding required combined with the availability of a suitable site are a significant challenge to achieving a permanent facility and this is illustrated by the first case study. Prior to the current Brighton Waterfront project, ice rinks were part of the previous development project of the Black Rock site.

MOST ADVANCED RECENT ICE RINK PROJECT IN THE CITY

Case study 1: Black Rock

- 3.5 In recent years the most advanced project to achieve a new ice rink in the city was at Black Rock.
- 3.6 In April 2007, Policy & Resources Committee gave landlord consent to Brighton Arena Limited ("BAL") for the Brighton International Arena Scheme. After a widespread public consultation exercise and exhibition the scheme was chosen as the one which offered the best all round solution to the Black Rock site and would have provided the city with a brand new multi-purpose sports and entertainment arena *and* an adjacent permanent public ice rink. The rest of the scheme offered private and affordable housing and retail and restaurant uses.

The design had received initial support from both CABE and English Heritage. During pre-planning stage discussions in 2008 the funder for the project went into receivership and at this time all funding for the project, including funds to the professional consultant and design team, ceased.

- 3.7 In the intervening period of time, considerable efforts were made on the part of BAL and the council team to seek ways to secure funding for the original scheme. Most arenas in the UK and further afield receive an element of public subsidy, but the BAL team's aspiration was to self-operate the venue and cross subsidise from other aspects of the scheme to achieve viability, rather than to take this all as developer profit. This approach was not one that was especially attractive to funders, but the search for funding continued with several high networth individuals taking an interest but no final funder being forthcoming
- 3.8 Over the final 18-24 months BAL explored alternatives to unlock greater value in the scheme and discussed these options with council officers to see what may be acceptable. It was agreed informally that if the Developer wanted to come forward with final changes to incorporate a hotel use and additional commercial uses at ground floor level this would not be ruled out by the council. However, these options did not in the end create the additional value the scheme required to break even and to interest funding institutions.
- 3.9 The final opportunity to unlock the scheme came at the beginning of 2012 when ongoing negotiations took place with a well known commercial operator to take on a 25 year lease for the Arena. Changes to the building specification for the arena were proposed (although these were not discussed in detail with the council), but this appeared to have created a greater cost burden on the project. Although a target agreement was reached it did not herald the final solution to funding the scheme which the developer had predicted.
- 3.10 The Black Rock Project Board reviewed the final proposals to assess:
- Ability to achieve a viable and acceptable scheme in design and planning terms
 - Legal challenge possibilities around procurement
 - Financial deliverability
 - Need for council subsidy to the leisure element
- 3.11 In the light of the above the Board reached the view that the proposals presented were not able to satisfy these criteria and it was no longer justifiable for the council to support the project.

ICE RINKS AS PART OF LEISURE HUBS

- 3.12 There are clearly a range of ice rinks that do operate successfully across the country. Often such ice rinks are provided as part of a hub of sports provision in which the economies of scale attract a wide number of users that enable the sports complex to be viable. One of the closest ice rinks to Brighton & Hove is the Guilford Spectrum and this is the second case study to illustrate the issues to achieving a new ice rink.

Case study 2: Guildford Spectrum

- 3.13 While the Guildford Spectrum is a public sports facility operated by Freedom Leisure on behalf of Guildford Borough Council, it is one of the largest sports complexes in the country and includes areas often viewed as “commercial leisure”. For example, the Spectrum includes a 32 lane bowling alley and large leisure pool complex together with large event halls which hosts an entertainment programme similar to that found in venues such as the Brighton Centre.
- 3.14 Detailed financial information on the performance of the Spectrum is commercially confidential, however Freedom Leisure have kindly assisted with some headline performance statistics. The income generated by the 330,000 annual visitors using “Spectrum Ice” is in the region of £2.5m per annum and relates to approximately 25% of the income generated by the Spectrum as a whole.
- 3.15 The costs of operating the ice rink at the Guildford Spectrum are much harder to identify due to the shared nature of many of the resources throughout the complex, however running an ice rink is very costly. The on-going repairs and maintenance of the rink, along with the direct staffing costs and high utility charges means the rink is estimated to only generate a small direct surplus despite the high income generated.
- 3.16 The success of the ice rink at the Spectrum can be attributed to the rink being part of a much larger complex which is a day out tourism destination that attracts visitors from a wide area. This is assisted by the location of Guildford with good transports links and a very large catchment population within a relatively short travel time. This is reflected at Guildford with the tourist customer making up over 50% of the ice rink customer base, with primarily other users drawn from the ice training school, events such as the annual pantomime and ice skating members.

Case study 3: Uttoxeter Cinebowl

- 3.17 A further example of an ice rink as part leisure hub is the Uttoxeter Cinebowl - is skate which was identified (in the National Ice Skating Association of GB and NI – Strategic Plan 2014-2018) as one of only four ice rinks to be built in the country between 2009-2013. As the name suggests the Uttoxeter complex comprises an ice rink, cinema and ten-pin bowling. This facility is part of a chain of commercial leisure facilities operated by Planet Ice. Their other current sites include Basingstoke, Coventry, Gosport, Hemel Hempstead, Milton Keynes and Peterborough. Not all of these sites are part of leisure hubs and do include standalone ice rink facilities.

STANDALONE ICE RINKS – AVAILABILITY OF SUITABLE SITES

Case study 4: Cambridge Ice Rink

- 3.18 Ice rinks require a significant area of land to not only locate the main building but also ancillary provision such as parking, which impacts upon the viability of the facility. Brighton & Hove is limited in terms of available of suitable sites and a comparison can be made with the long term ambition for a new ice rink in the city of Cambridge.

- 3.19 In 1993 the former captain of the Cambridge University Ice Hockey team bequeathed £1m to Cambridge University for a new ice rink in the city. The capital growth of this bequest and other donations has enabled a fund of £3m to be achieved by the Cambridge Leisure and Ice Centre charitable trust towards a total cost of £5m for the facility. Following a 22 year search by the Cambridge Leisure and Ice Centre charitable trust, a site has been identified adjacent to a park and ride facility. Planning permission has been granted and the aim is for the facility to be open next year. No public funding is being provided for this project and the Trust are seeking a bank loan to cover the balance of the capital required. The cost of the bank loan and rent for the lease of the land is to be met by a predicted annual revenue surplus which would also provide a return for an operator.
- 3.20 Therefore, even with substantial capital funding identifying a suitable site can still be a significant challenge.

4. POTENTIAL NEXT STEPS

SOFT MARKET TESTING

- 4.1 Elected members are requested to agree for the council to initiate a four month period of soft market testing. If the soft market testing shows there is the possibility of a viable ice rink, then the information gained will help inform the next steps to seek an ice rink for the city – built and run at no cost to the council.
- 4.2 An informal prior information notice will be published in the Official Journal of the European Union as part of this soft market testing process. However, it should be highlighted that by publishing this prior information notice there is no guarantee that any tender process will follow this soft market testing stage. Once the soft market testing has been completed, any information provided by the market will be collated and assessed prior to a decision being made on the best course of action. While the council does not have a site for an ice rink, we would work with developers to see if potentially suitable sites can be identified in the city.

5. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 5.1 The council's Indoor Sports Facilities Plan 2012-22 identified the provision of a new large multi-purpose sports centre to replace the current range of "wet and dry" provision at the King Alfred as the highest indoor sports priority for the council, rather than other forms of sports provision such as an ice rink. The council is therefore prioritising resources (including land, finance and staff) to achieve the King Alfred redevelopment and consequently such resources have not been identified to provide an ice rink in the city.

6. COMMUNITY ENGAGEMENT & CONSULTATION

- 6.1 The consultation for the Indoor Sports Facilities Plan did show levels of demand for a permanent ice rink in the city. However, at that time the project at Black

Rock to provide an ice rink was still live and therefore no further action was proposed.

7. CONCLUSION

- 7.1 As the previous consultation and the recent petition demonstrate there is clearly a core of interest in a permanent ice rink being provided in the city. However, as the above case studies illustrate, significant resources are required, particularly in terms of funding and a suitable site to achieve such a facility.
- 7.2 As the council has limited resources and a range of other priorities, a soft market testing exercise will identify whether a development partner can be identified who is able to bring such resources to a project for a new ice rink in the city.

8. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 8.1 These are contained in the main body of the report and highlight the significant private investment that would be required for the provision of an ice rink in the city.
- 8.2 Resources for the council would be limited to officer time in undertaking the soft market testing and this would be met from within existing budgets.

Finance Officer Consulted: Name Mike Bentley Date: 26/05/16

Legal Implications:

- 8.3 Any decision to work with a developer as partner in the provision of an ice rink would be governed by a formal agreement evidencing agreed terms.
- 8.4 The provision of an ice rink would require planning permission. The City Plan Part One does not identify any sites for ice rink provision but does confirm that detailed assessments for specific sports facility types will be carried out. Should these assessments identify the need for an ice rink the City Plan Part Two could allocate a site for an ice rink or, alternatively, leave any planning application for the same to be assessed against its more general community facilities policies.
- 8.5 It is not considered that any adverse human rights implications arise from the recommendations in the report.

Lawyer Consulted: Name Hilary Woodward Date: 23/5/16

Equalities Implications:

- 8.6 The expectation is that if an ice rink can be achieved, a wide range of users would be attracted from across the community to achieve a viable facility.

Sustainability Implications:

- 8.7 Not surprisingly due to the nature of the facility, ice rinks are high energy users to achieve the necessary refrigeration requirements. However, energy efficiency has improved as the design of such rinks has developed, and any developer would need to have as efficient a facility as to possible to achieve both environmental and economic sustainability.

Any Other Significant Implications:

- 8.8 None

SUPPORTING DOCUMENTATION

Appendices:

1. None

Documents in Members' Rooms

1. None

Background Documents

1. National Ice Skating Association of GB and NI – Strategic Plan 2014-2018
2. Indoor Sports Facilities Plan 2012-22

Subject:	Developer Contributions Technical Guidance - update		
Date of Meeting:	16 June 2016		
Report of:	Executive Director for Economy, Environment & Culture		
Contact Officer:	Name:	Debra May, Principal Planning (s106) Officer	Tel: 29-2295
	Email:	Debra.may@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 This report updates the Developer Contributions Technical Guidance which sets out when and how Section 106 Developer Contributions are sought in relation to new development proposals.
- 1.2 The Guidance, which was first approved by Cabinet on 17th February 2011, relates to policy areas where developer contributions are commonly sought and now needs to be updated and widened following adoption of the City Plan Part One.

2. RECOMMENDATIONS:

- 2.1 That Committee approves the updated revised Developer Contributions Technical Guidance (Attached as Appendix 1 – Supporting Document) for assessing Section 106 planning obligation contributions on new development.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 To meet planning policy requirements to enable the granting of planning permission for development it may be necessary for developers to mitigate potential negative impacts by providing or upgrading infrastructure. These requirements, commonly known as developer contributions, are secured through Section 106 Planning Obligations.
- 3.2 Developer contributions are sought, where necessary, in accordance with planning policy objectives, as set out in the City Plan Part One adopted 24th March 2016 and the remaining retained policies in the Brighton & Hove Local Plan 2005.

- 3.3 The contributions are secured as Planning Obligations under Section 106 of the Town and Country Planning Act 1990. Under the Community Infrastructure Levy (CIL) Regulation 122, a planning obligation may only constitute a reason for granting planning permission for development if the obligation is:
- Necessary to make the development acceptable in planning terms
 - Directly related to the development
 - Fairly and reasonably related in scale and kind to the development
- 3.4 Any necessary contributions, secured at the time of granting planning permission, mitigate site specific impacts or contribute towards the necessary physical, environmental or community infrastructure needs that the development create. In determining planning applications the type of contributions sought will relate to the scale and impact of development. The contributions secured will go towards improving infrastructure and service demands in accordance with planning policy objectives.
- 3.5 Updated Developer Contributions Technical Guidance has been produced, attached as Appendix 1, to provide up to date guidance for assessing developer contributions with details of what the contributions will provide and how the contributions will be calculated?.
- 3.6 Should the council progress a Community Infrastructure Levy (CIL) then Section 106 planning obligations will remain alongside CIL to mitigate direct impacts of development. As a consequence of transition to a CIL the Developer Contributions Technical Guidance would require a further update.
- 3.7 **Guidance on securing developer contributions**
- 3.8 Developer contributions secured as part of the planning process continue to provide a valuable means of securing site specific mitigation in order to make developments acceptable in planning terms.
- 3.9 The purpose of the Technical Guidance is to provide up to date guidance as to when and how different types of contributions will be calculated on the main areas where contributions are sought from new development. The aim is to provide clarity and consistency on developer contributions that will be sought.
- 3.10 The Technical Guidance has been reviewed and updated to accord with policy objectives following the adoption of the City Plan Part One. The revised Guidance provides a policy overview of the different infrastructure areas where contributions may be sought together with further detailed information on where changes have been made for assessing contributions on the main typical contributions, as detailed below. The full level of contributions required will be sought to be agreed by negotiation through the planning process.

3.11 Main developer contributions and changes and updates made in the revised Technical Guidance:-

Affordable Housing

For the provision of Affordable Housing the commuted sums formula has been modified with revised methodology underpinned by evidence produced by the District Valuer (see Appendix 2). The methodology for calculating contributions towards off site provision is included in the revised Technical Guidance. The purpose is to secure contributions in accordance with City Plan policy CP20 which requires payments for affordable housing on all sites of 5 to 9 dwellings (20 per cent) and 10 to 14 dwellings (30 per cent). A recent Court of Appeal decision has upheld Government guidance to not allow a requirement for affordable housing contributions on developments of 10 or less units. The city council will be making the case for an exception to national guidance on the basis of local circumstances in Brighton and Hove. Commuted sums will go towards funding delivery of affordable housing in other locations the city.

Local Employment and training

Local Employment and training opportunities are currently supported through targeted on site construction training requirements. The Technical Guidance has been updated to provide further clarification on the type and level of contributions that will be sought from major development and includes the introduction of a sliding scale of financial contributions that will be sought from all residential development including student accommodation.

Education

Contributions continue to be sought towards education provision and the guidance provides clarification on contributions for local schools towards additional classroom provision (in relation to key major schemes) or upgrade to resources, such as classroom equipment or on site play facilities. An electronic calculator link will now be provided in the Guidance.

Sport, Recreation and Play space

Contributions will continue to be sought on major development towards improvements to parks and other amenity space for sports, play provision or other community facilities with health, leisure and social benefits in accordance with approved space standards as detailed in the Technical Guidance. An electronic calculator link will now be provided in the Guidance.

Transport and Travel

The Technical Guidance has been revised to accord with updated local and national policy objectives. It also clarifies how payments towards mitigating the impact of increased travel will be calculated.

New Guidance

Nature Conservation and Development

Requirements and contributions for ensuring development provides appropriate nature conservation and ecology measures were suspended as a consequence of recession measures that were withdrawn in 2015. They will now be sought in accordance with City Plan policies CP7: Infrastructure and Developer Contributions and CP10: Biodiversity and the Nature Conservation and Nature Conservation and Development Supplementary Planning Document (SPD) 011.

[Click here to view the adopted Nature Conservation and Development SPD 011](#)

Public Realm improvements

Contributions may be sought on major schemes to be provided by the developer either on site as part of the proposed scheme or in the immediate vicinity of development in accordance with City Plan policies CP5 and CP7. These may include an artistic component.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The Technical Guidance must reflect current policies; therefore the only alternative to updating the Guidance would be for it to be withdrawn. Should the Guidance not be available this could lead to inconsistent and unclear decisions on developer contributions being made which could be to the detriment of the city council, applicants and developers.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The Developer Contributions Technical Guidance provides detail on implementation of policy and priorities in the City Plan Part One adopted 24th March 2016 following the outcome of Inspector's Examination into the Plan. The City Plan was the subject of extensive consultation over a number of years. Further internal consultation has been undertaken on this update and comments are included in this report.

6. CONCLUSION

- 6.1 The recommendation allows for consistency and clarity when seeking developer contributions to mitigate the impact of new development during the planning application process applications.
- 6.2 The Technical Guidance has been revised taking into account the need for updated advice following adoption of the City Plan and current practice on seeking future developer contributions.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The costs associated to updating the revised Developer Contributions Technical Guidance have been met from existing revenue budget within the Planning service.

Developer contributions under Section 106 Planning Obligations are considered to be an important source of income in providing or upgrading infrastructure. It is anticipated that revised technical guidance will ensure that expenditure funded from contributions is compatible with the aims and objectives of the council.

Legal Implications:

- 7.2 As noted in the body of the report, developer contributions are secured by way of planning obligations under s106 of the Town and Country Planning Act and are sought to assist in mitigating the impact of unacceptable development in order to make development acceptable in planning terms (Paragraph 001 “Planning Obligations” Planning Practice Guidance).

To be capable of constituting a reason for granting planning permission any contribution sought must be (1) necessary to make the development acceptable in planning terms, (2) directly related to the development and (3) fairly and reasonably related in scale and kind to the development (Regulation 122 of the Community Infrastructure Levy Regulations 2010). Use of the Technical Guidance in assessing developer contributions will assist the Council, as local planning authority, in demonstrating compliance with these statutory requirements.

It is not considered that any adverse human rights implications arise from the report’s recommendations.

Lawyer Consulted:

Name Hilary Woodward

Date: 16/5/16

Equalities Implications:

- 7.2 Developer contributions can provide wide community benefits and secured as part of the planning process contribute by providing, for example - local employment, affordable housing, recreation space, improved access and education facilities.

Sustainability Implications:

- 7.3 The aim of developer contributions is to mitigate impacts of development and assist in enabling development to contribute towards the establishment of sustainable communities. The continuation of seeking contributions will ensure appropriate measures are secured to the wider infrastructure to help provide long-term sustainable development for the city.

Any Other Significant Implications:

- 7.4 None

SUPPORTING DOCUMENTATION

Appendices:

Appendix 1: Developer Contributions Technical Guidance – update June 2016

Appendix 2: District Valuers Report on Commuted Sums for Affordable Housing

Documents in Members' Rooms

None

Background Documents

Brighton & Hove City Plan Part One (Adopted 24th March 2016)

Brighton & Hove Local Plan 2005

Developer Contributions Technical Guidance

**Planning Policy CP7 Infrastructure and Developer Contributions
overview and detailed guidance on the main types of contributions**

JUNE 2016



This Developer Contributions Technical Guidance provides a policy overview on areas for developer contributions, enabling the granting of planning permission. The contributions will be secured as Planning Obligations under Section 106 of the Town and Country Planning Act 1990 under the tests as:

- Necessary to make the development acceptable in planning terms
- Directly related to the development
- Fairly and reasonably related in scale and kind to the development

Developer contributions are sought in accordance with policy objectives as set out in the City Plan Part One adopted 24 March 2016 and the remaining saved policies in the Brighton & Hove Local Plan 2005. The contributions will go towards appropriate and adequate social, environmental and physical infrastructure to mitigate the impact of new development. Contributions are required where necessary in accordance with City Plan policy CP7 Infrastructure and Developer Contributions.

The range of infrastructure and service provision that may be supported by developer contributions are set out in this guidance. It also provides detailed advice on the main areas for developer contributions and sets out the thresholds for requirements, how payments are calculated; and what those contributions will provide in relation to those contributions.

Content	Page no.
Affordable Housing	
- including commuted sums in lieu	4
Sustainable Transport and travel	
- including access provision	7
Local Employment and Training	12
Biodiversity	
- including Nature Conservation and development	15
Open Space	
- including sports, play space and other recreation space	16
Education	
- including schools provision	24
Public realm	
- including environmental improvement and artistic components	29
Other developer contributions	30

Development viability

Planning obligations are a necessary cost of development and it is expected that the likely cost of developer contributions will be factored into development costs at an early stage. In very specific instances s106 planning obligation requirements may impact on the viability of a development either by their cumulative requirements or if there are abnormal site development costs.

When concerns are raised by developers that development schemes are not commercially viable, as a consequence of these obligations, these issues should be raised as soon as possible and detailed viability/cost information should be submitted to the Council at the earliest opportunity. This will help reduce delay in negotiations on developer contributions and in agreeing and finalising a legal agreement to provide planning obligations.

The onus is on the developer to provide robust evidence to demonstrate the non-viability of a development proposal. To substantiate a claim the Council will require a full financial appraisal through an informed and independent assessment of viability signed by an appropriately qualified and independent valuer or financial professional. An independent assessment cannot provide binding arbitration, but the council will take into account its findings in considering viability issues on applications.

In all cases the council will require an electronic version of the viability assessment tool in a working compatible format to test calculations and the figures provided.

Review Mechanism

In meeting planning policy objectives for ensuring appropriate levels of contributions a review mechanism may be required, where due to viability at the time of determination reduced contributions are agreed upon granting planning permission.

Such a mechanism, for instance on phased developments, will allow for re-evaluation of the viability appraisal of the scheme for reassessing and allowing a revised level of developer contributions to be provided where land value assumptions may have been fixed at an early stage or as a result of any unpredicted rise in sales values.

Affordable Housing – including provision commuted sums on small sites

Calculation of Commuted Sums for Affordable Housing on sites of 5-9 units and 10-14 units

This guidance sets out the revised methodology and calculation of commuted sums (payment in lieu) in accordance with the sliding scale requirements for smaller development sites as set out in City Plan Part One CP20 Affordable Housing.

The Brighton & Hove City Plan Part One was adopted 24 March 2016. The City Plan sets out strategic housing policies regarding future housing delivery in the city to 2030 and Policy CP20 Affordable Housing replaces the 2005 Local Plan Policy HO2 for affordable housing.

Policy CP20 ‘Affordable Housing’ requires an affordable housing contribution on all sites of 5+ net units:

- 20% affordable housing as an equivalent financial contribution on sites of 5-9 (net) dwellings;
- 30% onsite affordable housing provision on sites of 10-14 (net) dwellings or as an equivalent financial contribution; and
- 40% onsite affordable housing provision on sites of 15 or more (net) dwellings.

Table 1 below indicates the equivalent number of affordable housing dwelling units for which a commuted sum would be required under Policy CP20. The numbers have been rounded to the nearest whole dwelling unit. This reflects the policy approach which is currently taken for onsite provision.

For example, for a scheme proposing 6 dwelling units, the equivalent number of affordable housing units for which a commuted payment would be sought is 1 unit. For 9 dwellings, the equivalent number of affordable housing units for which a commuted sum would be sought would be 2 units.

Table 1: Sliding scale of affordable housing contributions Policy CP20

No of units	20% affordable housing (equivalent no. units)		30% affordable housing (equivalent no. units)	
	20%	Rounded	30%	Rounded
5	1	1		
6	1.2	1		
7	1.4	1		
8	1.6	2		
9	1.8	2		
10			3	3
11			3.3	3
12			3.6	4
13			3.9	4
14			4.2	4

Commuted Payments Calculation:

The general approach to the calculation of the commuted payment remains essentially the same as that currently outlined in the original Developer Contributions Technical Guidance as first established by Environment Committee February 2011.

The commuted payment will be based on a sum equal to the difference between an Open Market Value (OMV) and Affordable Housing Value (AHV).

Brighton & Hove City Council commissioned DVS Property Specialists to undertake the relevant valuations required and from this to provide a schedule of commuted sum payments.

DVS were instructed to provide:

- A schedule of average market values for 1,2,3 bedroom flats and 2,3,4 bedroom houses across Brighton & Hove
- An analysis of different value areas in Brighton & Hove (i.e. low, medium and high).
- A schedule of average Affordable Housing values for the above unit types.
- A schedule of commuted sum payments.

The DVS report and value areas can be viewed using the following link:

Report https://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/2016-04-22%20DVS%20Amended%20Draft%20Report_CP20%20Residential%20Values.pdf

Map <https://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/2016-04-22%20Brighton%20Map.pdf>

Schedule of Commuted sum payments:

Flats:

	1BF	2BF	3+ BF
Zone1	£172,250	£223,750	£262,500
Zone 2	£120,750	£164,500	£226,500
Zone 3	£87,500	£113,550	£156,750

Houses:

	2BH	3BH	4BH
Zone 1	£231,500	£288,000	£360,000
Zone 2	£167,250	£216,000	£285,250
Zone 3	£139,000	£182,750	£216,000

Note: This schedule will be updated on an annual basis.

Taking account of unit size mix

The appropriate unit size mix for the affordable housing contribution will be advised having regard to the balance of unit sizes across the proposed scheme as a whole. The commuted payment will then be calculated using the schedule above.

Example 1: 6 residential units comprising 4 one bed and 2 two bedroom units.

The affordable housing contribution will be based on a commuted sum equivalent to 1 affordable unit (as indicated in Table 1). As the scheme is balanced more towards one bedroom units overall then the commuted payment will be that calculated for a one bedroom unit reflecting the appropriate value zone. For a flatted scheme in Zone 2 this will be £120,750.

Had the scheme comprised an even split of one bedroom and two bedroom properties then the commuted payment sought would be for a one bedroom unit.

Example 2: 9 residential units comprising 4 one bedroom units, 4 two bedroom units and 1 three bedroom units.

Under this example, the appropriate affordable housing contribution for which a commuted sum would be secured would be equivalent to 2 affordable units (as indicated in Table 1). The commuted payment would be calculated on the basis of 1 one bedroom unit and 1 two bedroom unit reflecting the appropriate value zone. For a scheme of 9 flats in Zone 2 this will be £285,250.

Securing the commuted payments and proposed uses

The council's preferred approach will be to secure the commuted payment through requiring a Unilateral Undertaking or a S106 Agreement to be submitted by the developer with a planning application. Payments will be required upon scheme commencement.

Applicants are therefore advised to confirm the appropriate commuted sum with a Planning Officer.

It is proposed that the Council would use commuted payments to fund the provision of affordable housing in the City in the following ways *below*

- To contribute to the costs of building new affordable housing;
- To contribute to the costs of area regeneration in connection with council owned land that would provide new affordable housing;
- To contribute to the costs of purchasing land or properties off-plan for new affordable housing schemes; and
- To contribute to the cost of bringing long term empty homes back into use as affordable housing.

The approach for accepting a commuted sum in lieu is that financial contributions should be of 'broadly equivalent value' – the commuted sum should be equivalent to the developer/landowner contribution if the affordable housing was provided on-site.

In such circumstances where the proportion of affordable housing is being negotiated the Council may require the developments financial information be provided on an open book basis which will be required as part of the process.

This guidance will be incorporated into the council's Affordable Housing Brief.

Sustainable Transport and travel – measures and initiatives including Highways infrastructure and access provision

When considering development proposals, securing developer contributions to improve transport is an important tool for dealing with the total transport impact that all development has on the city. Issues including the site layout and safety of the access, and changes that are required to make proposals acceptable locally, as well as potentially over a wider area, are addressed during the planning application process. Ensuring both are resolved satisfactorily through appropriate transport measures will support the overall objective of achieving sustainable growth.

Depending on the location, size and type of development, transport measures can include schemes to improve the management of traffic and parking, improvements to access arrangements, works to provide for and encourage the use of sustainable forms of travel such as pedestrian, cycle and buses, e.g. bus stop improvements, and measures to raise awareness and provide information such as Travel Plans. In addition, contributions may be sought for measures that improve safety and reduce or prevent casualties. In seeking to minimise the transport impacts of development, contributions will be required for measures that enable access to sustainable forms of transport and to maximise their use and increase choices.

All new developments, including changes of use, are required to contribute to the full costs of transport infrastructure, initiatives and/or services that are necessary, including future maintenance requirements, and all associated costs of drafting legal agreements.

The size of contribution is calculated with a simple-to-use formula based on the scale of the development proposal. The contribution sought is based on the net increase in transport impact but contributions may still be secured for developments that have a lower impact but change the nature of travel to a site. The formula acts as a guide to the overall level of contribution. However, in certain circumstances depending on whether the necessary transport infrastructure is in place to support the development the Highway Authority may seek contributions above or below the standard formula figure.

Agreement to specific measures and the overall contribution will be subject to negotiations with the developer prior to, or during, the planning application process.

The Framework for Delivering Improvements

Policy CP9 of the City Plan Part One requires that major planning applications should be submitted with a Transport Assessment [TA]. The TA should be prepared with reference to the guidance within the Planning Practice Guidance (<http://planningguidance.planningportal.gov.uk/blog/guidance/>) and through pre-application discussions with the Highway Authority. While for smaller developments, it may be necessary to provide a Transport Statement [TS], in line with the same guidelines. The submitted TA/TS must forecast the likely transport impact and suggest suitable mitigation measures where necessary.

Applications for smaller scale development will not usually require a full TA or TS but must still demonstrate that the transport impact complies with City Plan policies and forecast the likely transport impact the development will have. The Council will confirm the type of assessment required to support a planning application during pre-application discussions

with developers. The Council may request a TA or TS if it is considered that the proposal will create a material impact or change in an area, such as a junction that is over or near capacity or where there is an existing safety concern, or within the City's Air Quality Management Area [AQMA].

Developers will also need to demonstrate consistency with the current Local Transport Plan [LTP] which identifies improvement schemes across Brighton & Hove. Therefore contributions may be sought in line with this plan to contribute to relevant proposals identified in the LTP, such as measures proposed on Sustainable Transport Corridors, walking and cycling networks, and at local railway stations or other transport interchanges. The current LTP can be viewed on the Council's website <http://www.brighton-hove.gov.uk/content/parking-and-travel/travel-transport-and-road-safety/local-transport-plan>

The Process for Securing Funding

Legislation and Policy

Within the National Planning Policy Framework (NPPF) one of the 12 core planning principles that should underpin plan making and decision taking is to:

"...actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable ...".

Contribution Methodology for Transport/Highways Works

Planning applicants can comply with the policy framework by making financial contributions to enable the City Council to improve and enhance facilities for public transport, walking, cycling and parking, thereby helping to meet the Council's specific transport objectives and policies, as well as those related to wider issues such as the economy and health.

The contribution will be sought to improve transport infrastructure and services in the immediate vicinity of the development site. To maintain transparency, the exact scheme will be identified and referenced in the legal agreement. Locations that are less accessible by sustainable transport will need higher levels of investment than areas that are well served.

The amount of the financial contribution is generally based upon the net increase in movement by all forms of transport which is created by the development. This demand is based on the net change in the number of daily total person trips. Person trips have been used as the most appropriate unit as this indicates the total likely level of demand placed upon the City's entire transport infrastructure. Table 2 provides guidance average person trip rates for the most common forms of development.

Whilst the net increase by all forms of transport is generally used to assess the likely contribution in certain scenarios if there is a material change in the nature of trips as a result of development proposals contributions will still be sought in line with the Community Infrastructure Levy Regulations 2010 to make the development acceptable in planning terms.

How Contributions are calculated

Contribution Formula

A formula for evaluating the levels of financial contribution has been developed to assist applicants in understanding the contribution required. This is detailed below:

Number of residential units x person trip rate x £200.00 x reduction factor
(or GFA/100m² of business space)

For clarification a worked example has been set out below.

The example is based on a mixed-use development of two residential flats with 200m² of office use in a city centre location.

Table 1 Transport Financial Contribution (Worked Example)

Development	Person Trip Rate	Contribution Per Trip	Central Factor	Total Contribution
2 Flats (privately owned)	12	£200.00	50%	£6,-000
200m ² B1c Office space	48	£200.00	50%	

Table 2 provides guidance average person trip rates for the most common forms of development.

Table 2 Development Person Trip Rate

Development Type	Person Trip Rate*
Residential – Houses**	10 per dwelling
Residential – Flats**	6 per dwelling
Office space	23 per 100m ² Gross Floor Area

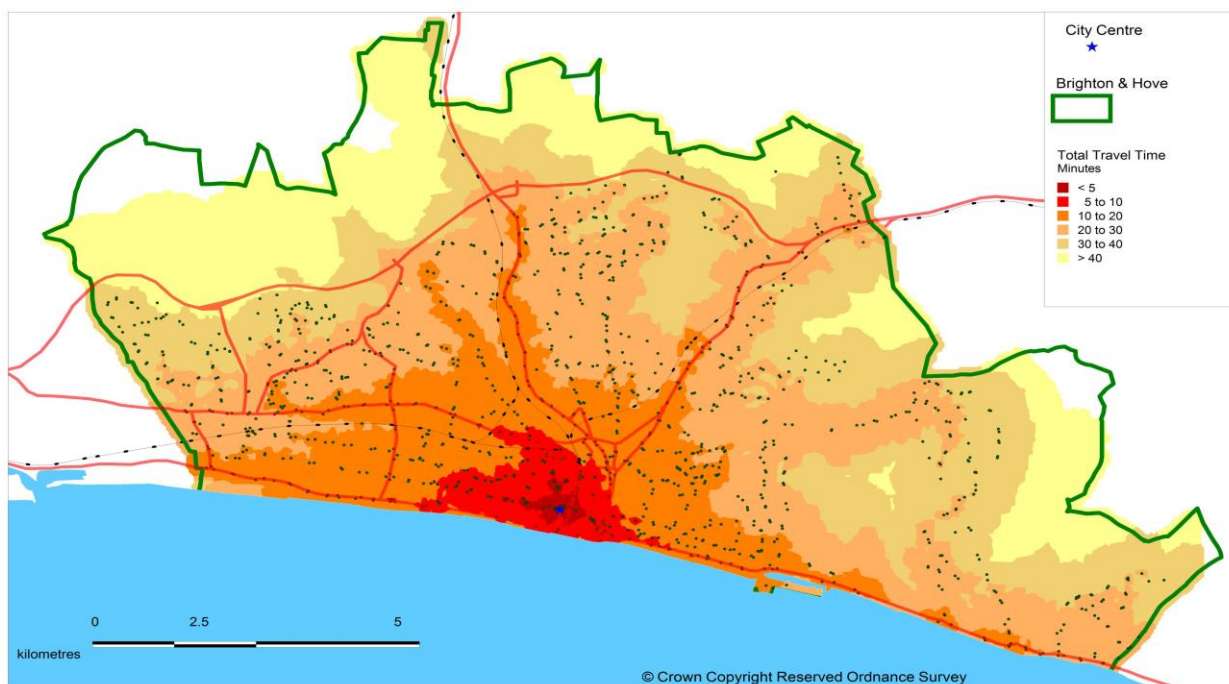
*Based on TRICS version 7.3.1

**Privately owned

The level of the contribution per person trip is £200 as has previously been established as part of this S106 standard formula. This figure has been previously established and accepted as being fair and reasonable. If a development is located in the central zone of Brighton & Hove (defined as having all amenities associated with the city centre within easy walking distance), there will be a 50% reduction on the maximum level of the calculated financial contribution to reflect the higher quality accessibility associated with the City Centre.

In the intermediate zone (where access to more sustainable forms of transport is less available) there will be a 25% reduction on the maximum level of the calculated financial contribution.

In the outer zone where public transport accessibility is lower developments will be required to make the full calculated contribution.



Public Transport Accessibility to City Centre - Interpeak (Tuesday 10-16)

A more detailed map of these zones can be accessed here:

(Provide Link to Local View Layer to be created by Shane).

Thresholds

Contributions for sustainable transport measures will be required for all types of schemes where transport infrastructure is necessary to make the development acceptable in planning terms. There are no minimum thresholds as to where a contribution is not applicable. The incremental impact of smaller development sites in the City is significant and therefore, contributions will be sought from all sites towards sustainable transport initiatives, where they are necessary.

Section 278 & S38 Highways Agreements

In addition to S106 contributions there are alternative funding mechanisms through the planning process. These are primarily through section 278 and 38 of the Highways Act 1980. If highway works are to be carried out on the public highway by a developer, the Council as Highway Authority will enter into a Legal Agreement under Section 278 of the Highways Act 1980. If new estate roads are to be constructed and then adopted as public highway, the Council as Highway Authority will enter into a Section 38 agreement under the Highways Act 1980. This agreement will allow the developer to construct the new roads under supervision of the Council once the full constructional details have been agreed.

These agreements allow developers to carry out highway works at their full expense whilst insuring the Council against poor or in-complete workmanship. A bond covering the full costs of the works will be secured and released on completion of the works to the Council's satisfaction. The developer will be required, to pay for maintenance for a minimum 12-month period following completion of the works after which the Council will then be responsible.

Grampian Conditions

In addition to Section 106, 278 and 38 agreements the Local Planning Authority shall use Grampian (or negatively worded) conditions which restrict development from being occupied until particular works have been carried out. Grampian conditions shall be used at times to secure off-site highway infrastructure which is necessary to make the development acceptable in planning terms.

Investing Contributions from Development

The contributions secured will be used for/put towards improvements to public transport accessibility and services, new public transport, walking and cycling infrastructure, bus stop facilities, cycle parking, park and ride schemes, on-street parking controls (including all means of management and enforcement such as CCTV and improvements to street lighting) or other suitable measures such as variable message signs. Contributions to these measures are already accepted and justified, and ongoing improvements to the transport network will be required to address the impact of future development in the city.

Contributions will be sought where appropriate for the costs of improving facilities to an appropriate standard (as agreed by the Highway Authority) and, if necessary, for the costs of bringing forward existing proposals from the LTP e.g. to improve priority walking routes and sections of the cycle network in the area. For site-specific contributions, the timing of implementation will be specified within the Section 106 agreement. If the funds are not spent within the specified period they will be refunded to the developer where this is defined in the Section 106 agreement. Some larger transport schemes may require contributions from a number of developments.

The transport contributions will usually fund projects that are located on a transport corridor or route serving the development, or within the vicinity of the site. The City Council will keep detailed records of all transport contributions received and where those contributions are used.

The methodology for calculating transport contributions will assist developers and ensure that all contributions are used in an appropriate and relevant way. The programme of LTP or other improvement schemes against which these contributions are considered will be kept under review by the Council and as such could be subject to change over time.

Employment and Training initiatives – including securing Local Employment from new development

As part of the objectives of City Plan policy CP2 (and SA6 Sustainable Neighbourhoods), apprenticeships, training and job opportunities for local residents will continue to be sought from developers on major development schemes.

Policy CP7 Infrastructure and Developer Contributions will ensure adequate infrastructure including appropriate social infrastructure through provision of employment, regeneration and training initiatives on major development sites at demolition and construction phases in accordance with the Brighton & Hove Local Employment Scheme (BHLES).

The Brighton & Hove Local Employment Scheme (BHLES)

Council is keen to ensure ongoing developer support for the provision of local training and employment agreements for all major developments. Major development proposals will be required to provide direct provision of employment and training initiatives by the developer together with a financial contribution towards an agreed and established programme with a local partnership. Training is for the benefit of the construction industry as a whole, and suitably trained individuals are required for construction services for new development.

The training required would be for people living within the administrative boundary of Brighton and Hove, and directly related to the employment needs of the development with the aim to maximise opportunities to develop local skills and business performance and expand employment provision.

Seeking contributions for training co-ordination benefits all parties by providing employment, training, enabling sustainable development and mitigating the potential for delays to the construction process. A local workforce will enable easier recruitment and retention and will reduce the environmental impact of a commuting workforce. The advertising of all jobs, which relate to the development, should be accessible to local people through local, approved employment agencies such as Job Centre Plus and its partners.

An obligation will ensure contributions towards the city-wide coordination of training and employment schemes to support local people to employment within the construction industry. Development also directly contributing towards a workplace co-ordinator further facilitates easy routes to employment with contributions directly relating to the construction of developments and training for local people benefiting the city's major development sites across the city.

The methodology for securing contributions towards employment and training will enable the Council and delivery organisations to:

- engage in long term planning of the scheme;
- benefits residents and trainees, who are then able to develop their skills and qualifications both on and off site;
- support developers in achieving a commitment to local employment and training;
- support the development industry;
- support long-term monitoring and compliance with obligations.

A planning obligation for employment and training may include a number of elements, such as:

- a contribution by the developer towards pre- and post- construction training;
- a commitment to recruit residents for jobs pre- and post-development;
- the provision of waged construction training placements on the development site;
- larger schemes to include the provision of a serviced, on site recruitment and/ or training facility and/or workplace coordinator;
- the provision of information that the Council can use to monitor the success of the scheme;
- the developer to enter into a partnership with a local college or training provider.

Financial Contributions

Financial contributions will be required towards a local employment training off-site programme and its running costs, including the provision of an appropriately qualified tutor. The contributions will support capital and revenue costs on the 'Futures' programme for residents and small businesses.

Threshold and provisions

Contributions will be required from development on or above the thresholds detailed below. Provision of contributions on all development will need to be agreed in detail by the Council and the developer and be met prior to the commencement of development.

Brighton & Hove Local Employment Scheme **How Contributions are calculated**

All Major Developments will provide an agreed percentage (a minimum 20%) of local employment on site and provision of training opportunities in negotiation with the Local Employment Scheme Co-ordinator.

Residential Development Contributions

<u>All Residential Uses</u>	<u>Student /studio units</u>	<u>1 – 2 bed units</u>	<u>3+ bed units</u>	<u>Note</u>
Contribution per unit (schemes of 10 units and above)	£100	£300	£500	Falling under Use Class C1 or C3
	£100			Falling under Use Class C2

Commercial Development Contributions

<u>Type of Development</u>	<u>Threshold</u>	<u>Contribution</u>	<u>Note</u>
All uses (except see below)	500m ²	£10 per m ²	All Use Classes except B2 and B8
Storage or distribution/general industrial	235m ²	£5 per m ²	Falling under Use Classes B2 and B8

Example of development contribution:-

750 m² B1 commercial space x £10 per m² = £7,500.

50 x student /studio units x £100 per dwelling =£5,000

The proposed thresholds and formula applied would be negotiated taking into account wider considerations linked to the development of the scheme.

Biodiversity – including Nature Conservation and Development

Requirements and contributions for ensuring development provides appropriate nature conservation and ecology measures will be sought in accordance with City Plan policies CP7 Infrastructure and Developer Contributions and CP10 Biodiversity and the Nature Conservation and Development Supplementary Planning Document (SPD) 011.
[Click here to view the adopted Nature Conservation and Development SPD 011](#)

Sports, recreation, youth, play and amenity space

As the population increases in Brighton & Hove this creates a need not just for housing but also for job opportunities, services and community facilities. This includes a need for open space which in view of the physical constraints upon the city, the sea to the south and a National Park to the north and east, is becoming increasingly important to take into account in new developments. The cumulative impact from the incremental loss of existing open space and shortfalls in open space provision within developments can be significant.

A failure to take into account the need for open space can lead to a reduction in quality of life and have negative impacts on health, social integration/inclusion, micro-climate, economic stability and educational attainment. Trees and soft landscaping help reduce air and noise pollution and surface water run-off. Physical activity is also important for health, social inclusion and educational attainment. Open space, sport and recreation are therefore something that is very much part of sustainable communities. It is becoming increasingly important to ensure open space is appropriately planned into any new development scheme at an early stage to ensure it is effective and its use optimised.

New residential development will be required to provide open space in accordance with policy requirements of the adopted City Plan and the retained policies of the adopted Local Plan. This Guidance sets out more detailed guidance on what is considered to constitute appropriate provision. Only in exceptional circumstances will alternative provision be considered and in such circumstances alternative facilities must be provided to the satisfaction of the council.

In situations where the provision of open space cannot be provided on site (either in totality or part thereof) a financial contribution will be sought for the shortfall taking into account government guidance and guidelines on costings to help secure the provision elsewhere.

Open Space Sport and Recreation Study 2008/9

The Citywide Open Space, Sport and Recreation Study assesses the quantity, quality, accessibility and demand for open space including existing indoor sport facilities in the City and recommends standards appropriate to Brighton & Hove. These recommended local open space and indoor sports facilities standards have been included in the emerging City Plan.

Breakdown of the Standard

The breakdown of the standards are broadly defined as follows. The full text can be read in the Open Space, Sport and Recreation Study 2008/9 (and erratum2010) or click here:

[Open Space Sport and Recreation Study Final Report Mar 2009](#) [Open Space Sport and Recreation Study \(erratum\) April 2010](#)

Open Space Standards		
	Quantity Standard* (hectare / 1,000 pop)	Accessibility Standards
Parks and Gardens	0.92	15 minute walk time (720m)
Amenity Greenspace (AGS)	0.582	10 minute walk time (480m)
Natural Semi-Natural (NSN)	2.8	15 minute walk time (720m)
Outdoor Sport	0.47	20 minute walk time (960 metres)
Children & Young People (equipped play)	0.055	15 minute walk time (720m)
Allotments	0.23	15 minute walk time (720m)
Total	5.057 hectares/1,000 pop	

* The 2008 Open Space, Sport and Recreation Study contains detailed information on Quality Standards expected.

Indoor Sports	
Quantity (indoor sport)	
Modelling undertaken in line with Sport England parameters. Standards to comply with national best practice.	The Open Space, Sport and Recreation Study recommends the council should aim to provide a new multi-sports wet/dryside leisure centre (in addition to the replacement of provision currently made at the King Alfred Leisure Centre) and indicates a further potential need for additional pool space and indoor sports halls. The study also indicates a demand for an indoor arena and ice rink.
Accessibility (indoor sport)	
Standards to comply with national best practice.	
Quality (indoor sport)	
All facilities should be built or provided in accordance with national best practice and meet the minimum specifications of the appropriate National Governing Body of sport and meet Equality Act 2010 guidance (formerly Disability Discrimination Act).	

Calculations for contributions for open space provisions are set out below and the table in the Appendix table of Contribution Costs. This Technical Paper and the following calculations have incorporated the provisions set out in the Brighton & Hove Open Space, Sport and Recreation Study 2008/9.

Calculating Commuted Payments for Off-Site Provision

On-site provision will be sought and only in exceptional circumstances will alternative provision be considered acceptable. However there are minimum sizes in respect of achieving effective useable areas of open space. These are detailed below:

Typology	Minimum Size (hectares)
Parks and gardens	0.4
Natural/Semi-Natural	0.05
Amenity Green Space	0.04
Outdoor Sport	0.28
Children and Young People Equipped	0.04 + buffer
Allotments	0.05

In most cases the demands generated by a development proposal will not meet the minimum size. In such cases it is likely provision will be achieved more effectively by an off-site contribution.

Where a development proposal generates demands equal to or greater than these minimum size guidelines for achieving useable space then on-site provision will be expected. The inability to provide such space on-site could be an indication of over development.

Scope of Contributions

The level of contribution required will depend upon the nature of the facility to be provided. The financial contributions secured will be used to provide new facilities, additions to existing facilities and where the opportunity arises the provision of additional new open space. The types of schemes to be funded include:-

- New playground equipment
- New pitches etc.
- Safety surfacing to accommodate / enable the respective increase in usage
- Changing facilities to accommodate / enable the respective increase in usage
- Access enhancements to accommodate / enable the respective increase in usage
- Improvements to existing respective typologies to increase their offer
- New planting
- Enhancements to the green network
- On larger schemes it may also be appropriate to secure part of a contribution for respective open space co-ordinators whose duties will include promotion and the running of activities, information on provision etc.

How Contributions are calculated

Threshold

Provision will be sought from all residential developments. Residential proposals for 9 or fewer units will not be required to provide the full extent of open space requirements unless the site is capable of accommodating 10 residential units or forms part of a larger developable site for residential units. Residential proposals of 9 or fewer units will be expected to have regard to the need to provide private amenity space, landscaping and communal areas to enable informal play/social interaction. Developments of 10 or more will be required to provide/contribute to all forms of open space and indoor sport provision. Calculations for contributions are set out on the following page.

When Contributions will be sought

Typology					
	Bedsits	Open Market Residential Units (excluding bedsits)	Affordable Housing (excluding Bedsits)	Student accommodation and hostels	Housing for the active elderly (excluding bedsits)
Parks and gardens	✓	✓	✓	✓	✓
Amenity greenspace (AGS)	✓	✓	✓	✓	✓
Natural semi natural Open space (NSN)	✓	✓	✓	✓	✓
Outdoor sport facilities	✓	✓	✓	✓	✓
Children and Young People (Equipped Playgrounds)	X	✓	✓	X	X
Allotments	✓	✓	✓	✓	✓

Indoor sport Facilities	✓	✓	✓	✓	✓
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Key:

- ✓ Provision or contribution for net additional units provided will be sought
- X Provision or contribution will not normally be sought.

Housing for the active elderly applies to schemes providing accommodation for the elderly including sheltered housing schemes. In respect of extra care sheltered housing and nursing care accommodation which specifically caters for the less active regard will be given to ensuring appropriate on-site landscaping in order to secure a pleasant outlook and opportunities for activity (e.g. to assist with gardening, food growing etc.)

Occupancy levels

The occupancy levels detailed below will therefore be assumed for the purposes of calculating the level of open space and indoor sport contribution required for a development.

- Bedsit = 1 person per unit
- 1 bedroom dwelling = 1.5 persons per unit
- 2 bedroom dwelling = 2.5 persons per unit
- 3 bedroom dwelling = 3.5 persons per unit
- 4 bedroom dwelling+ = 4 persons per unit

If the proposal is in outline form and only the total number of units is known, the occupancy will be assumed to be 2.2 persons per unit. This is intended to provide an initial guide to the likely open space and sport requirements. This initial figure will in all circumstances be updated by a detailed calculation based on the number of bedrooms; once a reserved matters/detailed application is submitted.

Thresholds and calculation of contributions

Open Space Requirement per person:

Typology	Local quantity standard per person
Parks and gardens	9.2m ² per person (0.00092 ha)
AGS	5.82m ² per person (0.000582 ha)
NSN	28m ² per person (0.0028 ha)
Outdoor sport	4.7m ² per person (0.00047 ha)
Children and young people equipped	0.55m ² per person (0.000055 ha)
Allotments	2.3m ² per person (0.00023 ha)
Total	50.57m² per person (0.005057 ha)

Maintenance

There is no statutory duty on a local authority to provide open space (except cemeteries and 'statutory' allotments). In view of the future implications of the

current public sector austerity measures it is considered reasonable to include maintenance costs. These will address initial troubleshooting and setting up costs in amending maintenance site specifications etc. Common practice has sought to take into account the cost of maintenance over a period of at least one generation. This will be at least 10 years up to a 25 year period. For the purposes of this document 10 years has been applied.

Contributions per Person and per Dwelling:

The following table details the cost per person. The Open Space, Sport and Recreation Study calculated the cost per person for the provision of assessed future needs for indoor sport. This figure is £196 per person.

Category	Cost per Hectare (£)	Cost per person	Maintenance Per 10 years	Total cost per person
Parks and garden	374,200	£344	£100,000	£436
Amenity Green Space (AGS)	49,600	£29	£10,500	£35
Natural/ Semi Natural areas (NSN)	59,300	£166	£10,500	£195
Outdoor sport	576,200	£271	£58,000*	£298
Children and Young people Equipped space	520,800	£28.60	£52,080*	£32
Allotments	186,000	£43	-	£43
Open space Sub Total		£882		£1,039
Indoor Sport				£196
TOTAL Open Space Sport and Recreation				£1,235

* Assumed maintenance cost of 25% of cost per hectare (as applied in draft SGPBH9).

The following table details the contributions per dwelling.

Dwelling size:	Open Space Contribution	Indoor Sport Contribution	Total Contribution Per Dwelling
Studio/bedsit (1person) (note) No contribution towards children & young	£1,007	£196	£1203
1 bed unit (1.5 persons)	£1,558.50	£294	£1,852.50

2 bed unit (2.5 persons)	£2,597.50	£490	£3,087.50
3 bed unit (3.5 persons)	£3,636.50	£686	£4,322.50
4 + bed unit (4 persons)	£4,156	£784	£4,940

PLEASE NOTE: Base date April 2010 – future contributions will be adjusted to reflect changes in costs.

Restore link

Click this link to access the full Recreation, play, sport calculator:

Education and learning including schools provision and facilities

The Council will ensure that the impact of new residential development does not create additional pressure on local schools that do not have capacity. City Plan policy CP7 Infrastructure and Developer Contributions supports contributions being sought towards education including schools. In stress areas contributions will be required where new development impacts on primary and secondary school places. Development that generates a need for primary school places will require provision that is very local to the development whereas developments that generate a need for additional secondary school places may require additional places some distance from the development owing to the location of the secondary schools in the City.

To ensure that the impact of new residential development does not create additional demands on schools that do not have the capacity, the Council will seek contributions for education provision:

- where the scale of the development will create a significant impact on existing residents attending local schools;
- or, where there is an identified shortage of school places;
- or, the development is in the vicinity of a school with temporary classrooms.

Education requirements are calculated using standard formulae, as set down by the Department for Education (DfES) in the relevant Building Bulletin. This sets out standards of provision for education facilities, including the size and number of classrooms needed to accommodate a specific number of children and the cost multiplier for building costs per pupil places in schools in the city. The need for development to provide for additional school places will be guided by adjusted pupil forecasts produced by the Council from General Practitioner registration data provided by the Health Authority.

How Contributions are calculated

The cost multipliers per dwelling used to calculate developer contributions for the expansion of existing schools are derived from the relevant, regionally adjusted DfE Basic Need cost multiplier figures of costs of provision per pupil. These figures are updated annually and are calibrated to take account of the differing costs of building across the country.

The Council has produced a pupil product ratio for different types and tenures of dwelling and this informs the number of additional pupils that residential development is likely to generate. Pupil product ratios are derived from local studies and apply to developments for both market and affordable housing and the number of school age children generated by varying sized properties. The method of calculating contributions is by multiplying the likely pupil product ratio generated by the intended development by the cost per pupil place which for the purpose of this Guidance is also shown as cost per unit.

To accurately reflect the demographic situation and projections within the City the Council's Housing Needs Survey 2005/06 is used to demonstrate that flats and apartments in the city generate up to 80% of the numbers of children as

terraced and semi-detached housing. In calculating requirements, account will be taken of this and the development mix and the size of proposed dwellings.

Thresholds & when Contributions will be sought

Potentially all residential development creates new demand for education provision and requiring contributions from all development is reasonable and based on the findings of the Housing Needs Survey 2005/06. However, the requirement for development to provide contributions to school places will only be required across specified stress areas on large developments of 10 units net gain and above and where there is insufficient school capacity to support the development.

The current situation is one of varying capacity in different locations, and in specific parts of the city, particularly the central, southern and western areas, there is no additional educational capacity and therefore these areas are highly susceptible to the future demands generated by new development.

The need for contributions towards education requirements applies to all types of residential development, excluding sheltered housing, student accommodation and studio units. For major schemes, where there is specific and identified need, a development should bear the full cost of education facilities needed to support it, including where appropriate, the acquisition and provision of a fully serviced site, the design and construction of buildings, fitting out costs and any necessary transport measures. These requirements will be sought on a case- by-case basis, guided by the relevant DfE guidelines and pupil forecasts.

In areas where predominately small developments occur, this will be the subject of further investigation into the application of a lower threshold for contributions. Contributions in the form of commuted sums, which may be pooled, will enable resources, equipment or improvement works at schools affected by any development, or groups of unrelated developments, in the given area.

Contributions will also take into account the adequacy of existing playing fields and indoor recreational space, communal space (e.g. school hall) and specialist teaching space (e.g. laboratories) and the additional pressures new development places on these. Generally, such facilities should be located with or close to other community facilities and should also be conveniently and safely accessible on foot, by public transport and bicycle and for people with disabilities, as well as by car. Additionally the council will require contributions for special needs and youth facilities, which are also clearly linked with new development.

Site Provision

Nursery Provision

The need for nursery provision will be guided by the Early Years Development and Childcare Plan. Physical requirements will be determined in consultation with nursery school providers/operators and the Children & Young Peoples

Trust. This will include the provision of land and buildings within a primary school where a new facility is justified.

Primary School Provision (Pupils aged 4-11)

A new one form of entry school providing 210 places has a space requirement of 10,500m², including a minimum of 5,000m² for playing fields. A new two form entry school providing 420 places has a space requirement of 18,500m², including a minimum of 10,000m² for playing fields.

Secondary School Provision (Pupils aged 11-16)

A new six form entry school providing 900 places has a space requirement of 65,000m², including a minimum of 45,000 m² for playing fields. A new eight form entry school providing 1,200 places has a space requirement of 82,000m², including a minimum of 55,000 m² for playing fields.

Thresholds and Cost Multiplier per Pupil

This table illustrates the development thresholds at which contributions will be sought together with the pupil costs per housing unit.

[Add link to electronic Education calculator](#)

These figures will be applied should contributions be required

<u>Education calculation multiplier</u>	1 bedroom	2 bedroom	3 bedroom	4+ bedroom
Nursery provision	Pupil yield	Pupil yield	Pupil yield	Pupil yield
Private owned / rented	0.02	0.06	0.14	0.23
Affordable rented or shared ownership	0.03	0.15	0.27	0.28
	£	£	£	£
<u>Houses</u>	£259	£779	£1,818	£2,988
<u>Flats</u>	£207	£623	£1,455	£2,390
Primary provision	Pupil yield	Pupil yield	Pupil yield	Pupil yield
Private owned / rented	0.02	0.07	0.16	0.26
Affordable rented or shared ownership	0.05	0.22	0.40	0.41
	£	£	£	£
<u>Houses</u>	£259	£909	£2,078	£3,377
<u>Flats</u>	£207	£727	£1,662	£2,702
Secondary provision	Pupil yield	Pupil yield	Pupil yield	Pupil yield
Private owned / rented	0.02	0.06	0.15	0.24
Affordable rented or shared ownership	0.04	0.19	0.35	0.36
	£	£	£	£
<u>Houses</u>	£391	£1,174	£2,936	£4,698
<u>Flats</u>	£313	£939	£2,349	£3,758

Sixth Form provision	Pupil yield	Pupil yield	Pupil yield	Pupil yield
Private owned / rented	0	0.01	0.03	0.05
Affordable rented or shared ownership	0	0.02	0.03	0.03
	£	£	£	£
Houses	0	£212	£636	£1,061
Flats	0	£169	£509	£849

Public Realm and environmental improvements including provision of an artistic component

Contributions may be sought from major schemes towards direct on site provision by the developer as part of or in the immediate vicinity of development in accordance with adopted policy City Plan Policy CP5 Culture and Tourism supports investment in public realm spaces suitable for outdoor events and cultural activities and the enhancement and retention of existing public art works. Policy CP7 Infrastructure and Developer Contributions seeks development to contribute towards necessary social, environmental and physical infrastructure including artistic components secured as public art and public realm improvements; and policy CP13 Public Streets and Spaces seeks to improve the quality and legibility of the city's public realm by incorporating an appropriate and integral public art element.

Other areas where developer contributions may be sought to mitigate site specific impacts of development in accordance with adopted policy:

- Sustainable Development initiatives including carbon reduction, energy efficiency and air quality management measures
- Utilities infrastructure, including water provision, wastewater treatment and drainage
- Flood-risk prevention measures
- Community rooms/facilities – including new/replacement
- Tourism, culture and heritage
- Reducing crime, including community safety measures
- Health and well –being (health facilities)
- Historic buildings, including design and conservation

Valuation Office Agency
1 Francis Grove
Wimbledon
London SW19 4DT

Our Reference : 1584069
Your Reference : CP20 - AH

Please ask for : Philippa Tranter
Tel : 03000 501840
Mobile : 07795 366 844
E Mail : philippa.tranter@voa.gsi.gov.uk

15th April 2016

Sandra Rogers
Principal Planning Officer,
Planning Policy Team,
City Planning,
Brighton & Hove City Council,
Room 201, Kings House,
Grand Avenue,
Hove,
BN23 2LS

By e-mail

Dear Sandra,

Client Name: Brighton & Hove City Council
Exercise Name: Guidance for Commuted Sums re. Affordable Housing

We refer to your instructions dated 15th March 2016 and our terms of engagement dated 16th March 2016. We have undertaken the requested exercise and we are pleased to report to you as follows.

Identification of Client

The client is Brighton & Hove City Council.

Purpose of valuation

We understand that BHCC have recently adopted City Plan Part 1 with Policy CP20 Affordable Housing. As such, BHCC require a schedule of commuted sum payments for use in relation to smaller schemes of 5-14 units in size. We understand the values we advise will be published in BHCC's Interim Guidance Note for Commuted Payments.

Instruction

The Council have asked us to provide:

- A schedule of average Market Values for 1,2,3 bedroom flats and 2,3,4 bedroom houses across Brighton and Hove;
- An analysis of different value areas in BHCC (ie. low, medium, high);
- A schedule of average Affordable Housing values for the above unit types;
- A schedule of Commuted Sum Payments.

In order to provide you with the above, we have undertaken research and analysis of new-build comparable residential evidence across the City. We have included in the report, details of the methodology and working information that we have had regard to in order to arrive at the figures above.

Date of valuation

The date of valuation is 15th April 2016.

Confirmation of standards

The valuations have not been prepared in full accordance with the Royal Institution of Chartered Surveyors (RICS) Valuation - Professional Standards 2014 UK Edition, commonly known as the Red Book. This report to you does not constitute a formal Red Book report and valuation.

Conflict of Interest

Checks have been undertaken in accordance with the requirements of the RICS standards and have revealed no conflict of interest. DVS has had no previous material involvement with this exercise.

Nature and Source of Information Relied Upon

We have assumed that all information provided by, or on behalf of you, in connection with this instruction is correct without further verification.

You have provided us with a copy of a previous area wide viability study undertaken by BNP Paribas in 2013 and updated in September 2014.

We have undertaken a search for market transactions using property websites, our internal database, SDLT returns, and we have also referred to economic summaries published by RICS.

Valuation Methodology

We have undertaken an analysis of residential values in the area of BHCC administration. This has included Portslade and Hove to the West, Ovingdean, Rottingdean and Woodingdean to the East, as well as the central districts of Brighton and the more rural areas to the north of the A27.

We have had regard to comparable evidence in the City and in particular:

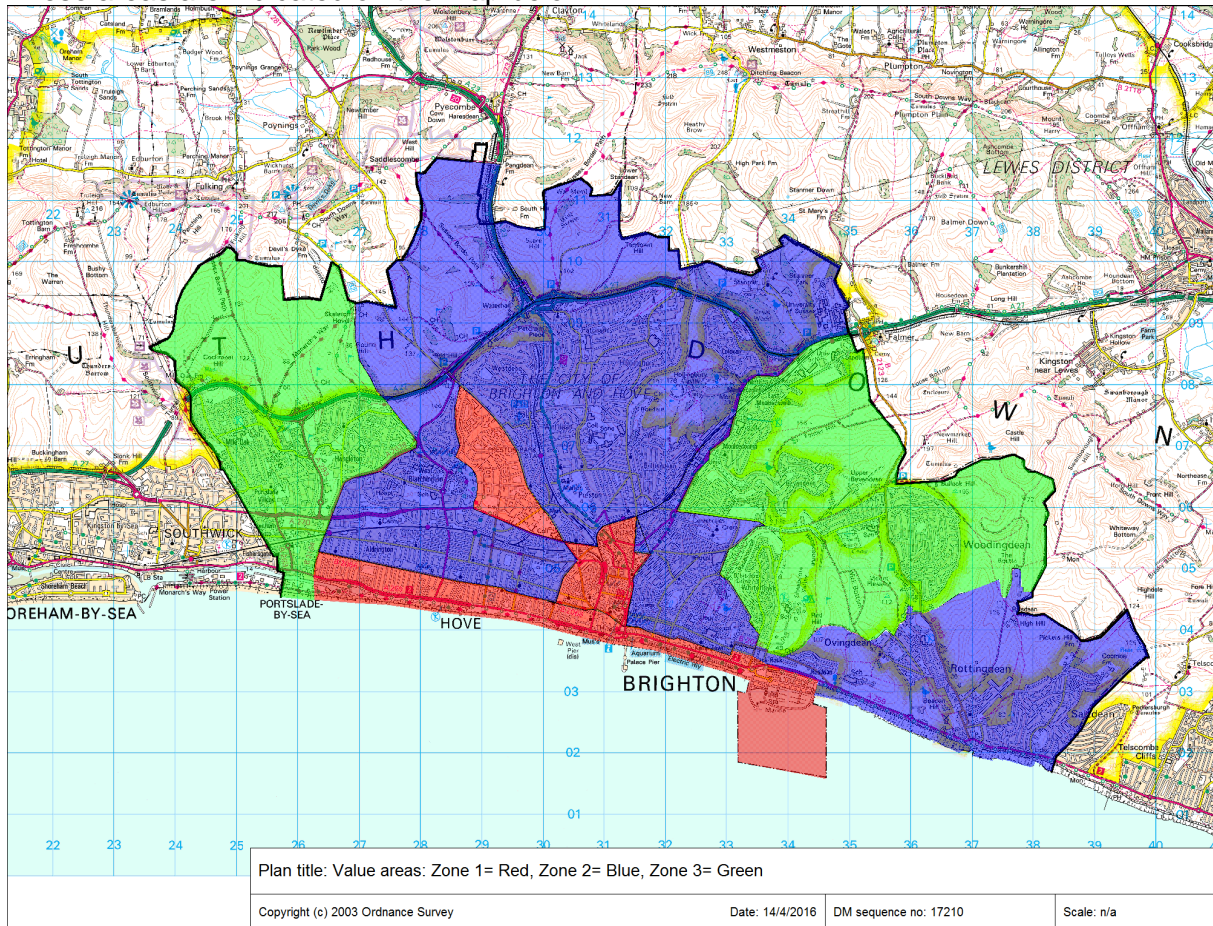
- new-build sales across BHCC area from April 2014 to current day, adjusted to current day values;
- new-build properties currently being advertised;
- all sales completions, including second-hand properties, in 2016.

We have also applied some weight to previous work DVS has undertaken for BHCC, and the levels of value in these cases. We have also made reference to Land Registry House Price Indices and average values. We have referred to the 'Brighton and Hove Combined Policy Viability Study Update' document, which was completed by BNP Paribas in September 2014, although note given the passage of time since this report was completed and house price growth of around 12% since this time, that these values will be too low.

For our review, we have sorted the comparables into a low, medium and high areas - which we consider is a simpler, clearer approach to take. The value areas have been identified following analysis of comparable evidence. We have identified the differing value areas on a map to ensure there is clarity of which areas fall into which. The area boundaries are usually split by road or other geographical feature, as well as at times following the boundary of a postcode or political ward region. These all have value significance to residential values, to a certain extent. The three areas we have adopted are as follows, overleaf:

Zone 1	High Value	Red
Zone 2	Mid Value	Blue
Zone 3	Low Value	Green

These areas are indicated on the map below:



In order to establish a unit price, we have had regard to average units sizes as seen from our comparable evidence. This is to ensure the average is not skewed by any particular large or small achieved sales. Adopting an average unit value, as opposed to an average price per square metre also prevents an addition element of calculation on a development by development basis. The areas we adopted for the purposes of the exercise are:

	1BF	2BF	3BF	2BH	3BH	4BH
Area	50m ²	65m ²	80m ²	75m ²	108m ²	120m ²

The above areas are calculated as Gross Internal Area (GIA) in accordance with the RICS Code of Measuring Practice, 6th edition, as incorporated in the new RICS document 'RICS Property Measurement 1st Edition' which is effective from 1st January 2016.

Comparable evidence

Having compiled a schedule containing the above information, we have sorted the comparable evidence by bedroom number and type, ie. house/flat. We have then analysed the comparables based on unit size, political ward and postcode in order to establish trends. We note that in BNP Paribas' earlier area wide viability study, the area of BHCC was divided into seven value areas as part of their review. For our review, we have adopted three value areas.

Based on the evidence we have found, the comparables show that the highest values are achieved in the sea-front locations, south of the B2066. The high value area also extends up towards London Road station and includes a section to the west of Dyke Road within the Hove Park Ward.

Evidence suggests that the western areas, around Portslade and the eastern areas such as Woodingdean, Moulsecomb, Whitehawk are the lowest value areas in the borough, although there is more evidence of development within the Portslade area.

The remainder of BHCC falls within an average value area. Within this 'average' area, there are higher and lower value areas which fall within the range, and therefore with any exercise of establishing an average, there will be perceived to be some 'winners' and 'losers'.

Private Valuations

Our opinion of the average Market Value of Private units, as at 15th April 2016 is as follows:

	Flats			Houses		
	1BF	2BF	3BF	2BH	3BH	4BH
Zone 1	£ 360,000	£ 465,000	£ 550,000	£ 480,000	£ 600,000	£ 750,000
Zone 2	£ 250,000	£ 340,000	£ 475,000	£ 350,000	£ 450,000	£ 600,000
Zone 3	£ 180,000	£ 235,000	£ 325,000	£ 290,000	£ 380,000	£ 450,000

Affordable Rent Valuations

Our opinion of the Market Value of Affordable Rent, as at 15th April 2016 is as follows:

	Flats			Houses		
	1BF	2BF	3BF	2BH	3BH	4BH
Zone 1	£ 145,000	£ 185,000	£ 220,000	£ 190,000	£ 240,000	£ 300,000
Zone 2	£ 100,000	£ 135,000	£ 190,000	£ 140,000	£ 180,000	£ 240,000
Zone 3	£ 70,000	£ 94,000	£ 130,000	£ 115,000	£ 150,000	£ 180,000

We have considered the valuation for the Affordable Rent units in a number of ways. We have undertaken our valuation with regard to the Local Housing Allowance for Brighton. To the gross rent, we have deducted an allowance for management, maintenance, voids and a sinking fund and capitalised the net rent of the units. Values ranged from 12% to 45% of Market Value of the Private units. This approach does not show any value differentiation on an area basis and therefore produces a value that is the same regardless of the areas of the city. This is more of an approach seen for Social Rent units.

For Affordable Rent units, the rent is capped at a maximum of 80% of Market Rent for those eligible. A range of around 40-50% of Market Value is typically adopted for this tenure of housing, and as such, we have adopted an average of 40% of Market Housing. We have 'benchmarked' this approach and the percentage deducted with development viability assessments we have undertaken on behalf of BHCC, as well as some other neighbouring boroughs. The approach of calculating a percentage of Private Market Values has been adopted by a number of different agents and we therefore consider it is appropriate. We tend to see the percentage of Private values being lower in the higher value areas, to seek to maintain the overall affordability where there are high house values. We consider for consistency and fairness, as well as to maintain a simple approach, applying 40% to all three value areas is appropriate.

Shared Ownership Valuations

Our opinion of the Market Value of Shared Ownership, as at 15th April 2016 is as follows:

	Flats			Houses		
	1BF	2BF	3BF	2BH	3BH	4BH
Zone 1	£ 240,000	£ 310,000	£ 370,000	£ 320,000	£ 400,000	£ 500,000
Zone 2	£ 165,000	£ 225,000	£ 320,000	£ 235,000	£ 300,000	£ 405,000
Zone 3	£ 120,000	£ 155,000	£ 215,000	£ 195,000	£ 255,000	£ 300,000

To arrive at our opinion of value for Shared Ownership, we have assumed 35% of the property would be bought outright (typically with a mortgage), and a gross rent of 2.75% would be paid on the remainder of the outstanding value. After an adjustment for management costs, we have capitalised using a yield of 5.5%, a yield which is based on our market experience. These values equate to around 60% of the full Market Value of the units, which is within a reasonable range based on experience of other schemes we have assessed.

Average Affordable Housing values

With reference to the adopted values of Affordable Rent and Shared Ownership units above, we have calculated an overall average for the Affordable Housing. This is a weighted average based on the BHCC guidance stating a desired tenure split of 55% Affordable Rent and 45% Shared Ownership. This results in an overall average as follows:

	Flats			Houses		
	1BF	2BF	3BF	2BH	3BH	4BH
Zone 1	£ 187,750	£ 241,250	£ 287,500	£ 248,500	£ 312,000	£ 390,000
Zone 2	£ 129,250	£ 175,500	£ 248,500	£ 182,750	£ 234,000	£ 314,250
Zone 3	£ 92,500	£ 121,450	£ 168,250	£ 151,000	£ 197,250	£ 234,000

Analysis of approach

In undertaking the above exercise, we have endeavoured to strike a balance between seeking a reasonable payment in lieu for BHCC, without discouraging wider development. We have considered the impact if the adopted values are too onerous, which could create time delays in the planning application process if applicants seek to challenge the above values, as well as additional time spent by planning officers. We therefore have not sought to adopt the highest values in the range of comparable evidence, but have adopted what we consider is an average value within the range.

We also highlight that if an appraisal was undertaken on a policy compliant scheme versus an all Private scheme, we would expect a profit level of 17.5% profit on GDV for the Private units, whereas we would expect a lower value of 6% profit on cost for the Affordable units. Therefore, comparing the two appraisals would not equate to the exact same figure as the approach we have adopted for calculating the commuted sum. However, we consider the approach is simple, clear and consistent and should enable the planning process not to be subjected to delays. We also understand this is a similar approach to commuted sum payment calculations which has previously been used by BHCC, although this new guidance calculates a specific amount per unit type, and therefore should involve less resource into calculating the amount due.

Currency

All prices or values are stated in pounds sterling.

Market Commentary

Market reports are reporting a slight slowdown in sales of residential property caused by general economic uncertainty due to the oil price slump, the upcoming European referendum and changes to Stamp Duty Land Tax which particularly affects buy to let investors. This is impacting foreign investment and domestic buyers. Although this relates largely to the London residential market, this then has a ripple effect into areas further afield. Given the strong rail links between Brighton and London, we consider the above factors could also impact the residential market in Brighton and therefore the forthcoming year may be a period of change and uncertainty.

Status of Valuer

It is confirmed that the valuations have been carried out by Philippa Tranter, a RICS Registered Valuer, acting in the capacity of an external valuer, who has the appropriate knowledge and skills and understanding necessary to undertake the valuation competently, and is in a position to provide an objective and unbiased valuation.

Restrictions on Disclosure and Publication

The client will neither make available to any third party or reproduce the whole or any part of the report, nor make reference to it, in any publication without our prior written approval of the form and context in which such disclosure may be made.

You may wish to consider whether this report contains Exempt Information within the terms of paragraph 9 of Schedule 12A to the Local Government Act 1972 (section 1 and Part 1 of Schedule 1 to the Local Government (Access to Information Act 1985) as amended by the Local Government (access to Information) (Variation) Order 2006.

We are aware that the schedule of commuted sum payments will be published as part of BHCC's guidance on Commuted Sum Payments, as part of planning guidance CP20 - Affordable Housing. The detailed working and methodology may be available separately.

Limits or Exclusions of Liability

The report should only be used for the stated purpose and for the sole use of your organisation and your professional advisers. No responsibility whatsoever is accepted to any Third Party who may seek to rely on the content of the report unless previously agreed.

Validity

The reported values remain valid for 12 months (twelve months) from its date unless market circumstances change or further or better information comes to light, which would cause me to revise our opinion.

We are aware you seek to rely on these values in your policy documents for one year. Please be aware that values change over time, and as such, they are unlikely to remain reflective of market evidence beyond this period.

Conclusion

We have attached in our report a number of schedules which we have devised in order to arrive at the commuted sum payments. A schedule summarising the commuted sum payment per unit is as follows:

	Flats			Houses		
	1BF	2BF	3BF	2BH	3BH	4BH
Zone 1	£ 172,250	£ 223,750	£ 262,500	£ 231,500	£ 288,000	£ 360,000
Zone 2	£ 120,750	£ 164,500	£ 226,500	£ 167,250	£ 216,000	£ 285,250
Zone 3	£ 87,500	£ 113,550	£ 156,750	£ 139,000	£ 182,750	£ 216,000

This commuted sum payment is based on the difference between the Market Value of the Private units and the average value for the Affordable units.

We trust that the above report is satisfactory for your purposes. However, should you require clarification of any point do not hesitate to contact me further.

Philippa Tranter MRICS
RICS Registered Valuer
Principal Surveyor
DVS – Property Specialists for the Public Sector

Reviewed by:

Marcus Durkie MRICS
RICS Registered Valuer
Principal Surveyor
DVS – Property Specialists for the Public Sector

Simon de Whalley MRICS
Head of Development Viability and Disposals
RICS Registered Valuer
DVS

MAJOR PROJECTS & REGENERATION TEAM PROJECT UPDATE

June 2016



AmexCommunityStadium
i360
KingAlfred
PermanentTravellerSite
PublicRealm
MajorProjects
CircusStreet
NewEnglandHouse
Regeneration
OpenMarket
FalmerReleasedLand
PrestonBarracks
UltrafastBroadband
BlackRock
BrightonCentre
PromotingHeritage



Photo Credit: Open Market-Lucy William



EG IT

Team Objectives:

The Major Projects & Regeneration Team manages, together with public and private sector partners, the implementation of key regeneration and infrastructure projects that support the city's economic growth and contribute to the transformation of the city for all, including the development of key employment sites. Successful delivery of these major projects provides new business space and employment opportunities, new homes, and

community and leisure facilities. Development can also act as a regenerative catalyst encouraging further investment in the city.

Each of our projects contributes towards a vision of shaping the city by developing and sustaining the economy, preserving and promoting our heritage, growing our cultural offer and improving the quality of life for our residents, visitors and businesses. All projects consider the importance of good urban design and public realm, and also ensure that new development has the minimum possible environmental impact. Generally the projects do not receive direct capital investment from the city council and are dependent upon development partners providing external investment.

The Team:

Richard Davies	x6825
Mark Jago	x1106
Katharine Pearce	x2553
Alan Buck	x3451
Mark Ireland	x2705

Project Name & Description	Officer Lead	Background and current project status	Impacts & Outputs	Current project timetables and milestones
<p>Waterfront Project</p> <p>A newly built Conference, Entertainment and Exhibition Centre to replace the current Brighton Centre, relocated to Black Rock, with an accompanying extension to the current Churchill Square shopping centre and redevelopment of the Kings West site.</p>	<p>Acting Executive Director EE&C: Nick Hibberd</p> <p><i>Project Manager:</i> Katharine Pearce</p>	<p>Officers have been working with Standard Life Investments (owners of Churchill Square Shopping Centre) to progress negotiations with the aim of delivering a brand new Conferencing and Entertainment venue at the Black Rock site and an expanded and improved Shopping Centre at Churchill Square.</p> <p>The outcome of these negotiations was reported to Policy and Resources Committee on 28 April 2016 and it was recommended that: The Head of Law enter into a final conditional Development Agreement, consulting with the Waterfront Project Board regarding any changes to the draft Heads of Terms. Agree that a competitive procurement process to appoint a third party be commenced once the DA (above) is agreed. Agree that the final appointment of the third party operator be agreed by P&R Committee.</p>	<p>Mixed-use development: estimated value in the region of £540m Total Net Additional Jobs: Estimated in the region of 2,000</p> <p>In addition: significant amenity and environmental improvements to the Eastern and Central Seafront, West Street and Russell Road/Cannon Place.</p>	<p>Funds to progress the Waterfront East site (Black Rock) will be provided by Standard Life Investments who will work closely with the Council team to progress through to the letting of a building contract. Once agreed (and contract let) the vacant possession of the Brighton Centre will be finally progressed. A linked planning application for the two sites is proposed.</p> <p>Conditional agreement to the Development Agreement is programmed for July and will be reported to the Waterfront Project Board. Immediately following this, the key workstream will be to appoint an operator to form part of the wider team progressing the new venue proposals.</p>
<p>Circus Street</p> <p>The site comprises the former municipal fruit and vegetable market, university annex and Carlton Hill public car park. The proposal for the site is for a high-quality</p>	<p>Acting Executive Director EE&C: Nick Hibberd</p> <p><i>Project</i></p>	<p>The project is a partnership between the developer U+I with Brighton & Hove City Council and the University of Brighton. The planning application for the £100m regeneration proposal was accepted by planning committee on 17 September 2014. for a mixed-use scheme and ‘innovation quarter’ which is expected to create 400 jobs</p>	<p>This scheme will deliver the following uses:</p> <ul style="list-style-type: none"> • New Library and teaching space for the University of Brighton and Student Accommodation (486 beds) as part of an improved educational quarter • Dance Studio and Creative Space for 	<ul style="list-style-type: none"> • December 2012: Started detailed design • June 2013: P&R Committee gave landowner consent for RIBA Stage D scheme • October 2013: Planning application submitted • September 2014: Planning

Project Name & Description	Officer Lead	Background and current project status	Impacts & Outputs	Current project timetables and milestones
<p>sustainable mixed-use development providing a new university library and teaching space for the University of Brighton; employment space, including managed workspace for the creative industries; residential units, student accommodation, ancillary retail and a community and professional dance space run by South East Dance.</p>	<p><i>Manager:</i> Alan Buck</p>	<p>and inject £200m into the city’s economy over the next 10 years.</p> <p>Following the temporary use of the site for cultural and community spaces and events over the last few years, the developer was formally given vacant possession of the site in July 2015. Demolition of the former market building commenced in September and was completed in December 2015.</p> <p>Over the last few months U+I has been involved in negotiations with its development contractors to reduce and finalise construction costs. This has delayed the development agreement between the partners from going unconditional, along with the commencement of construction work on site. It is hoped that agreement on all issues will be finalised shortly, but the delay in reaching agreement re: contract costs and ensuring project viability is having a knock-on impact of commencement of construction work. This is now unlikely to commence before Oct 2016.</p>	<p>the city</p> <ul style="list-style-type: none"> • Office space, focused on addressing existing market failure for creative and digital sector • Ancillary retail, cafés and workshops to animate the public spaces • Residential: 142 units <p>The headline economic benefits include 169 FTE (full-time equivalent) construction jobs and 262 FTE jobs generated by the completed development, and an economic impact in the city economy of £103.8m over ten years.</p> <p>The qualitative benefits include the fact that student housing will relieve pressure on the private rented sector; there will be more, affordable homes; the dance studio provides a focus for dance in the city; it will further integrate the university into the heart of the city bringing enterprise to creativity. There are also physical and townscape improvements linked to the public event square and permeability of the site, replacing the existing derelict market building.</p> <p>The inclusion of the creative space and dance studio within the scheme will contribute to its long-term success in terms of the vibrancy of the area. It will diversify the usage of the site in</p>	<p>permission minded to grant subject to S106</p> <ul style="list-style-type: none"> • March 2015: Section 106 signed • September 2015: Start demolition on site • Late December 2015: Development Agreement goes unconditional. • October 2016: Start construction on site • July 2017: Dance Space completed • August 2017: University building completed • End June 2018: Overall completion

Project Name & Description	Officer Lead	Background and current project status	Impacts & Outputs	Current project timetables and milestones
			<p>terms of the range of users and the timings of usage. This will help stop the site becoming an island site and connect it to the other cultural facilities in the city, close to the cultural quarter.</p>	
<p>British Airways i360</p> <p>British Airways i360 will provide a 175m observation tower with 360 degree views for 25 miles. A Restaurant with Michelin chef, retail, conferencing, and exhibition space will also be included. West Pier Toll Booths (removed from site) will be rebuilt. A landscaping scheme surrounding the project will be undertaken during the winter months for completion Easter 2017.</p>	<p>Acting Executive Director EE&C: Nick Hibberd</p> <p><i>Project Manager:</i> Katharine Pearce</p>	<p>A start on site for the BAI360 was achieved in June 2014 and final completion remains on target for end of July 2016.</p> <p>The council worked closely with various partners, including the Coast to Capital LEP (Local Enterprise Partnership), to achieve a Financial Close for the project in June 2014 with the council acting as senior commercial lender and receiving a net interest payment of approximately £1M per annum ring-fenced for seafront maintenance and improvements for the next 25 years.</p>	<p>The BA i360 business plan allows for 100,000 additional visitors to the City and 600-800,000 visitors a year to the attraction itself, providing a significant regeneration for this important section of seafront and the less well visited restaurants of Preston Street. Ticket revenue will be used to assist amenity improvements including in the longer term for Regency Square.</p> <p>154-169 operational and construction jobs and an estimated 444 jobs overall.</p> <p>Annual additional spend in the local economy of between £13.09m to £25.4m.</p> <p>An increase of between 2%-3% in tourism earnings overall for the City.</p> <p>27,000-49,000 estimated new overnight visitors creating a minimum of 49 FTE jobs.</p>	<p>Start on site: June 2014</p> <p>June 2015: The 17 steel cans which make up the tower section arrived safely on a barge from Holland. The tower was completed successfully in September 2015.</p> <p>October 2015 – Base build of the visitor centre started and concrete roof pour completed successfully.</p> <p>October 2015 – P&R Committee agreed proposals to fund landscaping treatment to council land on either side of the i360.</p> <p>January 2016-Glass viewing pod completed. Further information from: www.brightoni360.com</p> <p>Regular newsletter with updates available at the same site: http://www.brightoni360.co.uk</p>

Project Name & Description	Officer Lead	Background and current project status	Impacts & Outputs	Current project timetables and milestones
				/mailing-list.html Completion due: July 2016.
<p>King Alfred</p> <p>Redevelopment of the King Alfred Leisure Centre (KALC) site to secure the long-term replacement of the outdated sports and leisure facilities, along with a major residential led enabling development.</p>	<p>Acting Executive Director EE&C: Nick Hibberd</p> <p><i>Project Manager:</i> Mark Jago</p>	<p>The KALC no longer meets modern expectations and service requirements, is expensive to operate and maintain, and the building is fast approaching the end of its useful life.</p> <p>In July 2013, the Policy & Resources Committee agreed the start of a new project to redevelop the KALC and wider site.</p> <p>In December 2014 the council shortlisted two Bidders to take into ‘Competitive Dialogue’: Bouygues Development and Crest Nicholson in partnership with local charity, the Starr Trust.</p> <p>The Bidders submitted Final Tenders in July 2015 and, following thorough evaluation, in January 2016 the Policy & Resources Committee agreed the appointment of Crest Nicholson as Preferred Bidder.</p> <p>Since February 2016, the council has been in discussion with the Preferred Bidder to progress the legal and contractual arrangements. The final version of the Development Agreement will be referred to the Policy, Resources & Growth committee for approval, and this is</p>	<p>Provision of modern, high quality, public sports and leisure facilities in the west of the city, and redevelopment of this strategically significant site to enhance the seafront and surrounding area. The enabling development will include a significant number of new homes.</p> <p>The sports centre is proposed to include:</p> <ul style="list-style-type: none"> • 25 metre, eight lane swimming pool with moveable floor and 352 spectator seats • 20m by 10m teaching pool with moveable floor and a 400sqm leisure pool • Sports hall, the size of eight badminton courts and multi-purpose hall • 120 station gym, bike spinning room, workout studio, quiet activity studio and a sauna suite • Gymnastics centre • 3 rink indoor bowls hall • Martial arts dojo • Café • Crèche and soft play room • 200 space car park for sports 	<ul style="list-style-type: none"> • Final Tenders submitted – mid August 2015 • Evaluation of Final Tenders – September to December 2015 • Report to Project Board – 5 January 2016 • Policy & Resources Committee agrees appointment of Preferred Bidder – 21 January 2016 • 10-day standstill period ended – 1 February 2016 <p><u>Indicative timetable</u> for future stages:</p> <ul style="list-style-type: none"> • Legal and contractual work underway with a view to reporting back to the Policy, Resources & Growth Committee – Summer 2016 • Planning Consultation commences – Winter 2016 • Planning application submitted – first half of 2017 • Planning application determination – Summer 2017 • Development commences – 2017/18 • Development completed – 2021/22

Project Name & Description	Officer Lead	Background and current project status	Impacts & Outputs	Current project timetables and milestones
		<p>anticipated in the second half of 2016.</p>	<p>centre users.</p> <p>The enabling development comprises:</p> <p>Around 560 flats in four main blocks The highest block would be 18 storeys 20% of flats will be affordable homes - for rent or shared ownership.</p> <p>A new public square, community space/ facilities</p> <p>A summary of Frequently Asked Questions is available on the council's website: https://www.brighton-hove.gov.uk/content/planning/major-developments/king-alfred-redevelopment</p>	
<p>Madeira Terraces</p> <p>Rebuilding / redevelopment of the Madeira Terraces structure. Brighton's historic Madeira Terraces structure has deteriorated so badly over the years it is now unsafe and needs to be completely rebuilt or redeveloped.</p>	<p>Acting Executive Director EE&C: Nick Hibberd</p> <p><i>Project Manager:</i> Ian Shurrock</p>	<p>The Madeira Terraces suffer from a flawed structural design which makes it very hard to maintain.</p> <p>A lack of expansion joints made cracking likely while its steel beams are hidden from view, encased in concrete and almost impossible to inspect or repair economically.</p> <p>Structural engineers' advice revealed part of the Terraces to be in a serious condition. The council acted quickly to investigate thoroughly by dismantling a section. This revealed widespread</p>	<p>Outputs to be confirmed once the scope of the rebuild/redevelopment project is known.</p>	<p>The Council is exploring practical solutions to secure investment to rebuild and regenerate the Terraces and secure the long-term future of the seafront as a whole.</p> <p>Actions to date include:</p> <ul style="list-style-type: none"> • Successful Application to CLG's Coastal Revival Fund for £50,000 to develop a master plan and investment options. • The Greater Brighton Economic Board agreed at

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		<p>problems leading to the current closure.</p> <p>Action has been taken to prevent sections of the Terraces from collapsing and to make the area safe for the public after a survey revealed further structural defects.</p> <p>Surveying showed that the steel beams embedded in the concrete supporting the deck of the Terraces, have corroded and the cast iron has come to the end of its useful life. Repairs cannot be made and a rebuild is likely to be needed. Engineers recently advised that the entire length of the structure should now be closed. The temporary fencing will be replaced with a more permanent anti-climb fencing in the winter following the busy summer season.</p>		<p>the meeting on the 13th of October to include Madeira Terraces in the project pipeline for potential funding through Local Growth Fund Round 3.</p> <ul style="list-style-type: none"> • Mott MacDonald developing a Madeira Drive Regeneration Strategy including consideration of business case options for restoration of Madeira Terraces <p>Next steps:</p> <ul style="list-style-type: none"> • Installation of anti-climb fencing nearly completed • Continue to explore potential solutions to secure investment to rebuild and regenerate the Terraces • Continue to liaise with tenants on the on-going operation of Madeira Drive • Continue to work with the preferred developer of the Peter Pan site to bring investment to the area for an Open Water Swimming Centre. Heads of Terms for lease due to be considered by Policy & Resources in April.

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				<ul style="list-style-type: none"> Submission of Coastal Communities Fund bid for funding to support Madeira Terraces restoration – end of June 2016
<p>New England House</p> <p>The proposal is to establish a future vision for New England House as a large scale, high profile and visible managed business centre focused on the Creative industries and Digital businesses. The early proposal is for the city council to seek development partners with whom to develop a clear partnership vision, viable business case and funding package for the development of New England House as a digital media hub.</p>	<p>Acting Executive Director EE&C: Nick Hibberd</p> <p><i>Project Manager:</i> Alan Buck</p>	<p>The growth hub at New England House forms a key part of the City Deal with the government. Feasibility options and a business case have been explored as part of that work. Government have pledged £4.9m towards the project through the City Deal.</p> <p>An updated business case was issued to DCLG with a view to accessing the City Deal funding at the earliest opportunity to help unlock the proposal. This was scrutinised and approved by DCLG on 5 November 2014.</p> <p>Options are being actively explored for securing the refurbishment of the building and securing new additional employment floor space. The preferred option is to facilitate and realise a land deal in respect of the adjacent Longley Industrial Estate (on which BHCC owns the freehold). This approach was reported to Policy & Resources Committee on 3 December 2015 and aims to secure a capital</p>	<ul style="list-style-type: none"> The envisaged outputs of City Deal are to reconfigure and extend New England House at an estimated cost of £24.53m, with a joint venture approach between the City Council and a private sector partner. The expansion of the building would involve increasing the net lettable floor space by 7,089sq.m to 18,459sq.m. <p>If a land deal can be secured in respect of the Longley site, the new employment floor space would be achieved through a revised configuration across both the Longley and New England House sites, along with significant levels of new residential, public realm and improved connectivity in the New England Quarter-London Road area.</p>	<p>A timetable for this project will be determined once there is more certainty around the outcome of negotiations around the potential land deal on the Longley Industrial Estate.</p>

171

Project Name & Description	Officer Lead	Background and current project status	Impacts & Outputs	Current project timetables and milestones
		<p>receipt for BHCC which, in tandem with the City Deal funding, would enable BHCC to commission the refurbishment of New England House.</p> <p>A suitable land deal would also help secure a wider mixed-use redevelopment across the Longley site and part of the New England House car park. This would address City Deal objectives in respect of additional employment floor space, along with wider strategic objectives as set out in the City Plan in respect of the New England Quarter - including new employment floor space and residential development. This was the subject of a report to Policy & resources Committee on 3 Dec 2015 and is currently the subject of ongoing discussions and negotiations between the various relevant parties.</p> <p>Refer to the Ultrafast Broadband project for more detail on the Brighton Digital Exchange.</p>		
<p>Open Market</p> <p>To redevelop the Open Market to create an exciting mixed-use development combining a new modern market</p>	<p>Acting Executive Director EE&C: Nick Hibberd</p>	<ul style="list-style-type: none"> • P&R approval in April 2006 to support the Open Market Traders Association (OMTA) to prepare a redevelopment proposal and Landowner consent approved for RIBA Stage D scheme in February 2010. 	<ul style="list-style-type: none"> • New covered market with 45 permanent market stalls surrounding a central market square for temporary stalls, visiting markets and a variety of activities. • CIC to operate the market for local benefit 	<ul style="list-style-type: none"> • Continue council officer support for management and administration of CIC and running of the new market while the market strengthens viability and resilience.

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<p>offering a diverse retail offer and promoting fresh, healthy food and local producers with affordable housing, arts based workshops and a venue for street art and entertainment.</p> <p>The new market will be operated on a not for profit basis for the benefit of the community and contribute to the wider regeneration of the London Road area.</p>	<p><i>Project Manager:</i> Richard Davies</p>	<ul style="list-style-type: none"> • Hyde granted planning permission March 2011. • Brighton Open Market CIC formed with members being the council, OMTA, Hyde Housing and Ethical Property Company to take ownership of the new market. • New market officially opened on 19 July 2014. • CIC mortgage from Triodos Bank enables long leasehold of market from Hyde in June 2014. • 87 affordable housing units completed by Hyde and fully occupied June 2014. • 12 workshops completed and leased by Hyde to Ethical Property Company, June 2014. • Ethical Property Company withdrew as managing agents of the market in March 2016. Now managed directly by the CIC. • November 2015 Policy & Resources Committee agreed a request from the CIC for a loan of £61,000 to address cashflow issues, subject to implementing a financial recovery plan. Following CIC discussions with the Valuation Office Agency, the business rates for the market square were reduced substantially. • In March 2016, four new independent directors join CIC Board. 	<ul style="list-style-type: none"> • 12 A1/B1 workshops • 87 affordable housing units • £12.5m external capital investment in local infrastructure. • Approximately 80 FTE construction jobs. • 120 jobs in the new market, workshops and CIC. • New opportunities for small business start-ups. • Venue to promote local produce and local producers. • Code level 4 for disabled residential units (8 out of a total of 87 units) • Very good thermal performance of building fabric. • Photovoltaics, green roofs and green walls included in scheme. • Works started on site in October 2011 and completed June 2014. 	

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		Council loan made to CIC in April 2016.		
<p>Permanent Traveller Site</p> <p>Project undertaken to manage site selection, delivery of consents and build out of a new permanent traveller site providing 12 permanent pitches for traveller families with local links.</p>	<p>Acting Executive Director EE&C: Nick Hibberd</p> <p><i>Project Manager:</i> Alan Buck</p>	<p>Research established that the city has a need to find space for up to 16 permanent traveller pitches to meet the accommodation needs of traveller families who have well established local links. A permanent site will offer those travellers resident in the area greater stability, as well as freeing up space at the transit site.</p> <p>The new site is largely financed from grant funding administered by the Homes and Communities Agency (HCA). Whilst it will meet the specific housing needs of a certain group, in all other respects, the proposed permanent traveller site is no different than other forms of affordable housing. Residents will have to pay rent and council tax for their pitch, as well as cover their own utility bills.</p> <p>Following an exhaustive site selection process, Horsdean was selected as the preferred location. A planning application was submitted in September 2013. The SDNPA Planning Committee met in Feb 2014 and agreed to grant consent. The Secretary of State then spent a period of time considering whether to call the application in, but in late June</p>	<ul style="list-style-type: none"> • Provision of 12 new permanent pitches providing homes for families. Freeing up of transit provision in the city and so reducing unauthorised encampments. <p>Visual screening to reduce the impact of the existing transit site on the National Park.</p>	<p>September 2013 – Planning application submitted.</p> <p>Feb 2013: SDNPA Planning Committee met and agreed they were minded to grant planning consent.</p> <p>June 2014: The Secretary of State agreed to the issuing of the planning consent.</p> <p>Sep 2014-June 2015 project work to comply with planning conditions, undertake detailed design, and identify final costs.</p> <p>Start construction work: 7 September 2015.</p> <p>Complete construction work: Mid June 2016.</p>

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		<p>confirmed that it would not be called in and planning permission was granted subject to a number of planning conditions.</p> <p>Work on the pre-commencement planning conditions was undertaken in late 2014/early 2015. On 11 May SDNPA confirmed that all pre-commencement planning conditions have been signed off.</p> <p>Additional funding to account for construction cost inflation was approved by Policy & Resources Committee in July 2015. Highways England has agreed details of the plans to bore under the A27 in order to facilitate off-site drainage to the site.</p> <ul style="list-style-type: none"> • Westridge, the council's contractor commenced construction work on 7 September 2015. Work is on track to be completed in June 2016. 		
<p>Preston Barracks</p> <p>Redevelopment of the council owned 2.2 hectare former barracks site and adjacent University land spanning the Lewes Road, to create a mixed-use development that will act as a regenerative catalyst</p>	<p>Acting Executive Director EE&C: Nick Hibberd</p> <p><i>Project Manager:</i></p>	<p>The council is working in partnership with the University of Brighton and U+I (formerly Cathedral Group Ltd - the University's preferred development partner) to unlock the redevelopment of the council-owned Preston Barracks site. Detailed reports were presented to the Policy & Resources Committee in July and December 2013, through which</p>	<p>High quality, sustainable, employment-led, mixed-use development that will act as a regenerative catalyst for this part of the city. The planned scheme will, across the Preston Barracks site and University land, deliver 55,000 sq. ft. of new employment space in the form of the 'Central Research Laboratory', a business incubation centre that will</p>	<ul style="list-style-type: none"> • Exchange of Contracts – 15 July 2014. • 'Preliminary Conditions' satisfied – March 2016 • 'Meanwhile uses' start on site – from mid 2015 • Detailed design process commenced – Spring 2016. • Project Board meeting held –

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<p>for this part of the city.</p> <p>The sites, on the main Lewes Road, are an 'urban gateway' to the city from the 'Academic Corridor' (close to Brighton and Sussex Universities) and are therefore of strategic importance to Brighton & Hove.</p>	<p>Mark Jago</p>	<p>agreement to the way forward was secured.</p> <p>Having exchanged contracts in July 2014, the partners satisfied 'Preliminary Conditions' in March 2016, and this enabled the project to move to the detailed design phase. As part of this, between 22-30 April 2016, the University and U+I started public consultation with local people to gather feedback on the plans. They have also entered pre-application discussions with the Local Planning Authority.</p> <p>U+I continue to progress a range of "meanwhile uses" on the Preston Barracks site as part of their 'Field' concept); plans that directly link to the future redevelopment and help promote the longer-term vision. The Central Research Laboratory pilot project in a revamped building on site is operating successfully. Seven innovative start-ups from Brighton & Hove have taken up residency in the temporary workspaces. These businesses are activating the space, helping to further inform the vision, and sowing the seeds for the exciting longer-term plans. The building is also being used as a venue to host a range of wider community focussed engagement activities, and these will</p>	<p>support new hi-tech and design-led manufacturing start-up companies and entrepreneurs.</p> <p>350 new homes, new University of Brighton academic buildings, student accommodation with 1,300 bedrooms, and a modest amount of retail space.</p> <ul style="list-style-type: none"> • The scheme will greatly improve the built environment in this part of the city, a key approach to the city centre, and will better integrate with neighbouring residential and business land. 	<p>11 March 2016</p> <ul style="list-style-type: none"> • Consultation process commenced – April 2016 • Planning application anticipated in the second half of 2016 with a view to development commencing during 2017.

Project Name & Description	Officer Lead	Background and current project status	Impacts & Outputs	Current project timetables and milestones
		increase during the coming months.		
<p>Falmer Released Land</p> <p>Redevelopment of the former Falmer School land that was not required for the Brighton Aldridge Community Academy (BACA).</p>	<p>Acting Executive Director EE&C: Nick Hibberd</p> <p><i>Project Manager:</i> Richard Davies</p>	<ul style="list-style-type: none"> • Falmer High School land surplus to BACA requirements is available for alternative uses. • Cabinet February 2012 gave delegated authority to proceed with a licence for The Community Stadium Ltd (TCSL) to use the site for temporary stadium parking and provide a temporary home for the Bridge Community Education Centre (The Bridge), subject to a viable business case and the granting of planning permission. • An urgency decision was taken in accordance with the scheme of delegation to grant a licence to TCSL to commence works not requiring planning permission, effective 6/03/12. • Reported to Cabinet on 15 March 2012. • Planning permission granted April 2012 for the works. • The Bridge moved into its new temporary home in May 2012. <p>October 2013 P&R Committee authorised the Executive Director Environment Development & Housing, Executive Director Finance & Resources and Head of Legal Services to enter into negotiations with TCSL regarding the proposed hotel next to the Community Stadium,</p>	<ul style="list-style-type: none"> • Brownfield land brought back into efficient use. • Short-term support of TCSL to provide temporary stadium parking and temporary accommodation for The Bridge. • Continue support for TCSL to provide match day and event parking with potential capital receipt or revenue stream in the long term. • Potential for new student accommodation and educational facilities combined with stadium parking. <p>Potential to provide new permanent home for The Bridge.</p>	<ul style="list-style-type: none"> • Council and TCSL to complete licence for temporary use of the site for stadium parking and accommodation for the Bridge. • The council and TCSL to agree Heads of Terms for the proposed hotel next to the Community Stadium and redevelopment of Falmer Released Land, and to be brought back to P&R Committee before proceeding. • Policy & Resources Committee on 16 December 2014 agreed hotel Heads of Terms. Lease has been completed. A planning application for the hotel submitted by TCSL was refused permission in February 2016. • Council awaiting development proposal from TCSL for Falmer Released Land that is required before agreeing draft Heads of Terms to be reported to Policy & Resources Committee. <p>Continue officer support for The Bridge to seek a permanent home on or off site and as part</p>

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		redevelopment of the Falmer Released Land and agreed that draft Heads of Terms be brought back to P&R for final approval.		of any redevelopment proposal.
<p>Ultrafast Broadband</p> <p>The city council has been implementing its various projects funded by DCMS under the second phase of the Super-Connected Cities Programme to improve digital connectivity in the city.</p>	<p>Acting Executive Director EE&C: Nick Hibberd</p> <p><i>Project Manager:</i> Alan Buck</p>	<p>‘Second tier’ cities were invited to bid following a process of lobbying by the city’s MPs and Members. There is a £50m pot to be bid for by 27 cities.</p> <p>The voucher connection scheme opened in February 2014 and has been issuing vouchers to businesses since then. It is currently being geographically extended to the Greater Brighton Area. The government has extended the scheme into 2015-16 on the basis that there is a cap on the total funding available to the cities (i.e. when this amount has been spent there is no guarantee of further funding being made available). BDUK confirmed in October 2015 that all allocated funding for 2016-16 had now been committed and that LAs should process no further voucher applications.</p> <p>The council has also benefited from SCCP funding to install wireless hotspots in public buildings and reception areas to facilitate public access to its digital services. The majority of sites went ‘live’ at the end of March 2015. The final sites (the</p>	<ul style="list-style-type: none"> • Connection Vouchers: Funding will deliver an estimated 1,000 connection vouchers for SMEs to achieve a step change in connection speeds and wireless hotspots in public buildings. • Public wifi: Free public access to the internet and improved digital inclusion via the wifi hotspots in council buildings. • Brighton Digital Exchange: Any interested business in New England House and the city centre has the potential to benefit from connecting to the digital exchange, which allows for advanced and rapid forms of file sharing, storage and the development of innovative collaborations, products and services. 	<p>Application Submitted: 17th September 2012.</p> <p>Voucher Connection Scheme opened Feb 2014.</p> <p>Wi-Fi in 40 public buildings went ‘live’ April 2015. Wi-Fi at Royal Pavilion, Brighton Museum and Old Court House to went ‘live’ during September 2015.</p> <p>Completion of Brighton Digital Exchange at New England House, end of June 2015.</p> <ul style="list-style-type: none"> • The BDX was formally opened in July 2015.

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		<p>Royal Pavilion, Brighton Museum and the Old Court House) went 'live' in September 2015.</p> <ul style="list-style-type: none"> • SCCP funding has also been used to deliver a digital exchange in New England House – the Brighton Digital Exchange (BDX). This has also involved providing fibre cabling to all units in the building. The BDX is owned and managed by a consortium of digital firms who have formed themselves into the BDX Co-operative. 		

