

Appendix B Consultation Response to CLG PPS4

Name: Local Development Team

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Please state whether you agree to your response being made public: **Yes**

1. Do you support the consolidation and streamlining of national planning policy on economic development into a single policy statement? What do you think are the costs and benefits of the approach?

Yes in principal, subject to the concerns set out below.

Comment: The consolidation and streamlining is supported in principal; however it is questioned as to whether the process will actually be more efficient in practice, considering the new requirements to assess the impact of out of centre retail developments and to prepare Local Economic Assessments alongside Strategic Housing Land Availability Assessments (SHLAA). With the latter, there needs to be more guidance on how the assessments should be carried out and how often they should be reviewed. Lack of clear guidance may lead to delays in preparing development plan documents.

It seems plausible to streamline policy in terms of economic and retail policy as both are interchangeable; however the increased emphasis on jobs in sectors such as retail is of concern to a city such as Brighton & Hove, which already has a high proportion of the population employed in the service sector. It is important to ensure that a balance employment uses and high value jobs are provided and retained in order to provide a mix of opportunities for all and to ensure that the city grows sustainably.

The council also has concerns with the new emphasis on the setting of floorspace thresholds for edge of and out of town developments. Local authorities will all be at different stages of DPD production and there is a concern that this may be exploited by the development industry where councils have not been able to introduce thresholds into policies that are already adopted. This may lead to an influx of planning applications for out of centre development, where local authorities have identified a need but have not yet identified appropriate sites.

Whilst the guidance advocating mixed use developments might be a signal towards a more flexible approach to dealing with wider forms of other employment activities the inclusion of retail and leisure do not sit comfortably in the list, though the removal of housing is welcomed. In constrained urban areas where land availability is limited and the pressure for sites is acute, there is a concern that with the approach in PPS4, higher value land uses such as retail and housing land will displace B-type

employment sites. Additionally, the inclusion of retail in particular could the unintended effect of undermining recent efforts to strengthen the vitality and viability existing shopping centres.

2. Does the draft Statement include all that you understand to be policy from draft PPS4, PPG5, PPS6 and PPS7? If not, please be specific about what paragraphs in any of these documents you feel should be included in this document? Please can you explain why this should be the case?

Yes

Comment: We understand that the need test for applicants was removed in the consultation draft of PPS6 in 2008, however it is questioned as to whether this will be absent in practice, as 'need' is likely to remain a key consideration in the determination of planning applications in edge and out of centre locations, particularly where proposals are not in accordance with development plans. In principal the removal of need test is supported as the proposed impact test appears to be robust enough to protect town centres.

3. Other than where specifically highlighted, the process of streamlining policy text previously in draft PPS4, PPS6 and PPS7 to focus on policy rather than guidance is not intended to result in a change in policy. Are there any policies which you feel have changed in this process? Please tell us what you think has changed and provide alternative wording that addresses your concerns.

No

4. Does the structure of draft Statement make it easier to understand what is required at different stages in the planning process? Are there any improvements you would like to see made?

Yes and no.

Comment: **Yes**, as the structure is considered to be fairly clear as it divides policy making policies from decision making policies. **No**, as there are concerns that the decision making policies are too convoluted (with over complex cross-referencing) and too detailed and prescriptive.

It may be useful to include a diagrammatic portrayal of the key stages as a summary in order to aid the checking process for officers and applicants.

5. Do you think the restructuring of the impact test from the consultation draft of PPS6 achieves the right balance and is it robust enough to thoroughly test the positive and negative impacts of development outside town centres?

Yes, subject to comments below.

Comment: The impact test appears to be robust, subject to the comments below. The Practice Guidance that accompanies this consultation is welcomed; however there are concerns that overall the new impact test may difficult to use in practice as it will

require more resources and expertise in assessing planning applications. Additional resourcing is fundamental in ensuring that the new requirements in this PPS are consistent across all local authorities. There should be a commitment in the PPS to providing this. The reasons for these concerns are set out below.

The interpretation of the impact test is also queried as this is likely to rely upon subjectivity and judgements, particularly the weighting of the Impact Evaluation Matrix in the Practice Guidance.

As planning officers we have to balance time spent analysing Retail Impact Assessments (RIAs) with other LDF deadlines. The balance of the amount of RIAs assessed also differs between local authorities, with some assessing very few in numbers annually compared to larger authorities.

6. Should more be done to give priority in forward planning and development management to strategically important sectors such as those that support a move to a low carbon economy, and if so, what should this be?

Yes

Comment: Clearer guidance on growth sectors would be welcomed in preparing policy documents and in decision making. More detailed guidance on this could go into regional spatial strategies.

7. Is the approach to the determination of planning applications set out in policy EC21 proportionate?

Comment: There needs to be more clarity provided on what represents a 'significant adverse impact' in EC21.1(2) as this will determine whether a proposal falls under EC21.1(3) where impacts are 'not significant' and can therefore be outweighed by economic and social benefits. Without clear guidance, this clause will be used by the development industry to justify out of centre retail development.

The text of EC21.2 is questioned in terms of the following; '*Judgements about the extent and significance of any impacts should be informed by the development plan (where this is up to date)*'. This sentence is somewhat ambiguous and should be elaborated upon in order to ensure consistency in application and to ensure that local authorities have the required material within their DPD's.

8. Do you think the requirement for regional spatial strategies to set employment land targets for each district in their area should be imposed? Please give reasons for your view.

Yes, subject to the condition set out below.

Comment: The proposal of a regional target for employment floorspace has the benefit of giving equal footing to residential development and B1-8 employment development in regional spatial strategies. However this support is subject to the condition that targets are agreed with unitary and local authorities and not imposed at a regional level.

9. Do you agree the policies do enough to protect small or rural shops and services, including public houses? If no, please explain what changes you would like to see.

No

Comment: Strong support is given to protecting local facilities in rural areas, however, guidance/policy on protecting and promoting such facilities should be extended to suburban areas too especially given the context of spatial planning.

In Brighton & Hove there is often a lack of shops, public houses and other facilities in local neighbourhoods (particularly deprived neighbourhoods). The city council is proposing to introduce a sustainable neighbourhoods policy (SA6) in our Core Strategy to promote such facilities. The implementation of such a policy approach would be strengthened by government guidance in PPS4.

10. In response to Matthew Taylor, we have altered the approach to issues such as farm diversification. What do you consider are the pros and cons of this approach?

Comment: Policy EC9.2 supports farm diversification and does state '*subject to recognising the need to protect the countryside*' – however it is unclear how far this will provide sufficient protection to urban fringe areas.

11. Do you think that the proposals in this draft PPS will have a differential impact, either positive or negative, on people, because of their gender, race or disability? If so how in your view should we respond? We particularly welcome the views of organisations and individuals with specific expertise in these areas.

Yes

Comment: the PPS will target and develop deprived areas, therefore target more people on lower incomes helping to improve equalities overall. More could be done in PPS4 to reduce inequalities between other groups, for example, prioritising opportunities for BME, LGBT groups, women and disabled people.