

OVERVIEW AND SCRUTINY COMMISSION

Agenda Item 43

Brighton & Hove City Council

Subject:	Local Development Framework - Brighton & Hove Core Strategy: Submission Version		
Date of Meeting:	20 October 2009		
Report of:	<i>Director of Environment</i>		
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Wards Affected:	All		

FOR GENERAL RELEASE/ EXEMPTIONS

1. SUMMARY AND POLICY CONTEXT:

1.1 Background to Core Strategy

The Core Strategy is the key plan for the city and, once adopted, will replace large parts of the Brighton & Hove Local Plan. It sets out:

- the overall vision for how Brighton & Hove should develop by 2026;
- the priorities for the city;
- the key issues to be addressed;
- the strategy for delivering these; and
- the environmental, social and physical infrastructure needed to support future development and change in the city.

It reflects the priorities set out in the Sustainable Community Strategy and other strategies in the city and will help to deliver those priorities.

1.2 The Core Strategy is required to go to Council in December for approval for submission to the Secretary of State. In January the Core Strategy is published for 6 weeks to allow for representations to be made on the grounds of 'soundness' (see appendix 2)). The document will then be submitted to government in April, followed by an examination in public due to be held in July 2010. The Core Strategy is due to be adopted in January 2011.

2. RECOMMENDATIONS:

That Overview and Scrutiny Commission:

(1) Notes the content of the Core Strategy for submission.

(2) Agrees that the Core strategy helps to deliver the Sustainable Community Strategy and other citywide strategies.

(3) Agrees that there has been effective engagement in preparing the Core Strategy (see appendix 5).

(4) Agrees that the Core Strategy complies with national and regional policy and meets the three tests of soundness (see appendix 1).

3. BACKGROUND INFORMATION

3.1 The Core Strategy is the main planning policy document within the Local Development Framework¹ (LDF - the new plan making system introduced by the Planning and Compulsory Purchase Act 2004). Its role is to provide an overall strategic vision and policy framework for the city to 2026. It sets out the scale, location and timing of future development and identifies the supporting physical, social and environmental/green infrastructure that will be required. It is a spatial plan that will help to deliver a number of key strategies in the city including the Sustainable Community Strategy

3.2 The overarching 'spatial strategy' for the city is to aim to accommodate future development primarily within the existing built-up area of the city and to direct significant development to areas with good sustainable transport links and areas in need of regeneration and renewal. This approach ensures that transport impacts will be minimised and that the countryside and the intended South Downs National Park will continue to be protected.

3.3 Seven 'Development Areas' (DA1-7) are proposed to accommodate a significant amount of development because they are in accessible locations, they contain opportunities for change, they can deliver development of citywide or regional importance and/or because they are in need of regeneration. Proposals for these areas and indicative amounts of development are set out in policies DA1- DA7 alongside local 'place shaping' priorities (see Appendix 1).

3.4 The spatial strategy also acknowledges, through a longer term (post 2020) 'contingency' position, that there may be the need for some managed land release within the urban fringe for residential development to help meet the city's strategic housing requirements set by the South East Plan (should

¹ Other policy documents within the LDF will be required to comply with the Core Strategy, for example the Development Policies and Site Allocation DPD, Area Action Plans and Supplementary Planning Documents. A DPD is a planning policy document that will form part of the Development Plan for the city against which future planning decisions will be based.

monitoring indicate that housing requirements cannot be met solely from development within the existing built up area of the city).

3.5 Additional areas of the city are also identified as part of the spatial strategy because they require a special or coordinated approach to managing future change (SA1-6). These areas include the Seafront (SA1), Central Brighton (SA2), Valley Gardens (SA3), The Urban Fringe (SA4) and the South Downs National Park (SA5). Proposals are also set out to improve the sustainability of residential areas of the city with the priority to reduce inequality (SA6). As with other special area policies this will require effective partnership working and the coordination of policy and strategies in the city.

3.6 A set of 'Citywide Policies' (CP1 – CP18) set out the preferred approach to strategic policy issues such as housing, the economy, transport and shopping.

3.7 In terms of Shoreham Harbour (DA7), the role of the Core Strategy is to indicate the strategic direction and aims for future development, to set out the process required to achieve the aims and to clearly set an 'agenda' for a more detailed 'Joint Area Action Plan'² to develop and deliver policy.

3.8 The Core Strategy will be accompanied by the following documents at November Cabinet and December Council:

- Sustainability Appraisal
- Statement of Consultation – detailing the consultation undertaken and responses (see appendix 5).
- Supporting Evidence Document – setting out the supporting documents.
- Equalities and Health Impact Assessment.

3.9 An independent Planning Inspector will be holding an examination in public into the soundness and legal compliance of the Core Strategy. The main tests are compliance with national and regional policy, regard to the Sustainable Community Strategy and that the plan is justified (e.g. sound evidence base) and effective (deliverable). Work on the Core Strategy has been undertaken to ensure that these tests are met. This includes four stages of consultation including effective working with the Local Strategic Partnership, preparation of a number of studies to underpin the plan and meetings with the Planning Inspectorate (advisory visits) and Government Office for the South East.

4. CONSULTATION

² A Joint Area Action Plan will be prepared by the City Council, Adur District Council and West Sussex County Council.

4.1 The Core strategy has been subject to four rounds of consultation since 2005 (see appendix 3 for timeline).

- Issues and Options Consultation – October 2005-March 2006
- Preferred Options Consultation – November –December 2006
- Revised Preferred Options Consultation - June – August 2008
- Core Strategy – Proposed Amendments Paper – June – August 2009

Consultation has been carried out in line with the adopted Statement of Community Involvement.

4.2 Changes to Core Strategy policies in response to representations received since June 2008 is within appendix 1. A summary and schedule of all stages of consultation will be published in November in the Statement of Consultation.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 There are no Capital Expenditure implications. Preparation and consultation costs for the Core Strategy have been identified and a budget has been made for this within the City Planning Division. The Core Strategy and future vision for the city will have a number of property implications that will embrace wider issues and future requirements in the city. These will include regeneration of areas and sites, design quality of proposals affecting the condition and suitability of city sites/properties in general and as part of the council's own portfolio.

Legal Implications:

5.2 The Planning and Compulsory Purchase Act 2004 introduced a new local planning policy system, generally known as the local development framework. Further legislation is contained in The Town and Country Planning (Local Development) (England) Regulations 2004 (as amended). Under the local development framework existing local plans are to be replaced by "Development Plan Documents". The Core Strategy is a Development Plan Document setting out, inter alia, statements and general policies on the development and use of land in the Council's area. Development Plan Documents and the Regional Spatial Strategy (The South East Plan) will make up the development plan against which, by virtue of s38(6) of the 2004 Act, planning applications will be determined unless material considerations indicate otherwise.

The final form of any Development Plan Document must be submitted to the Secretary of State for approval following a period of publicity. The Secretary of State must consider any representations made during the publicity period.

More detailed information on the above is set out in the Report.

No adverse human rights considerations are considered to arise from this report."

Hilary Woodward – 30/09/09

Equalities Implications:

5.3 The Core Strategy intends to address issues of inequality in the city ranging from affordable housing, transport to community safety. An Equalities and Health Impact Assessment has been undertaken on Core Strategy. It concludes that the Core Strategy represents a well constructed and coordinated effort to address existing environmental and health issues throughout Brighton & Hove and sees to further improve the successful and sustainable growth of the city and its residents.

Sustainability Implications:

5.4 Sustainability issues are central to the aims of the core strategy. New development will be concentrated on brownfield (previously developed) land in locations that either have good sustainable transport access or access can be improved. A Sustainability Appraisal has been undertaken on the Strategy during preparation and has led to changes to policies. Additionally a number of policies directly address social (e.g.SA6 Sustainable Neighbourhoods), economic (e.g. CP17 Sustainable Employment) and environmental (e.g.CP1 Sustainable Buildings, CP5 Biodiversity) sustainability issues.

Crime & Disorder Implications:

5.5 The Core Strategy supports Crime and Disorder Reduction Strategies through spatial (development areas, special area policies), design and public realm policies.

Risk and Opportunity Management Implications:

5.6 Deliverability is one of the main tests of soundness for the Core Strategy that has required consideration of risks and contingency measures.

Corporate / Citywide Implications:

5.7 The Core Strategy is a key document for the city setting out a vision for where the city wants to be by 2026 and framework for where new development and infrastructure will go.

SUPPORTING DOCUMENTATION

Appendices:

1. Summary of policies and changes since June 2008
2. Core Strategy Constraints and Soundness Tests
3. Core Strategy Preparation and consultation timeline

4. Equalities and Health Impact Assessment – summary of findings and recommendations
5. Summary of Consultation (complete version to be published in Statement of Consultation)

Documents In Members' Rooms

1. Core Strategy – Early Draft Submission Version
2. Sustainability Appraisal

Background Documents

1. Core Strategy – Revised Preferred Options June 2008
2. Core Strategy – Proposed Amendments Paper June 2009
2. Sustainability Appraisal of the Core Strategy – June 2009