

Brighton & Hove City Council

Coldean Neighbourhood Development Plan 2021-2030

DECISION STATEMENT

1.1 Introduction

- 1.2 Under the Town and Country Planning Act 1990 (as amended) ('the 1990 Act'), the City Council has a statutory duty to assist communities in the preparation of Neighbourhood Plans and Orders and to take plans through a process of examination, referendum and adoption. The Localism Act 2011 (as amended) (Part 6 Chapter 3) sets out the local planning authority's responsibilities under Neighbourhood Planning. The Compulsory Purchase Act 2004 (as amended) ('the 2004 Act') includes relevant provisions under s.38A and s.38B.

- 1.3 This report confirms that the modifications proposed by the examiner's report have been accepted, the draft Coldean Neighbourhood Plan has been altered as a result of it, and that this plan may now proceed to referendum.

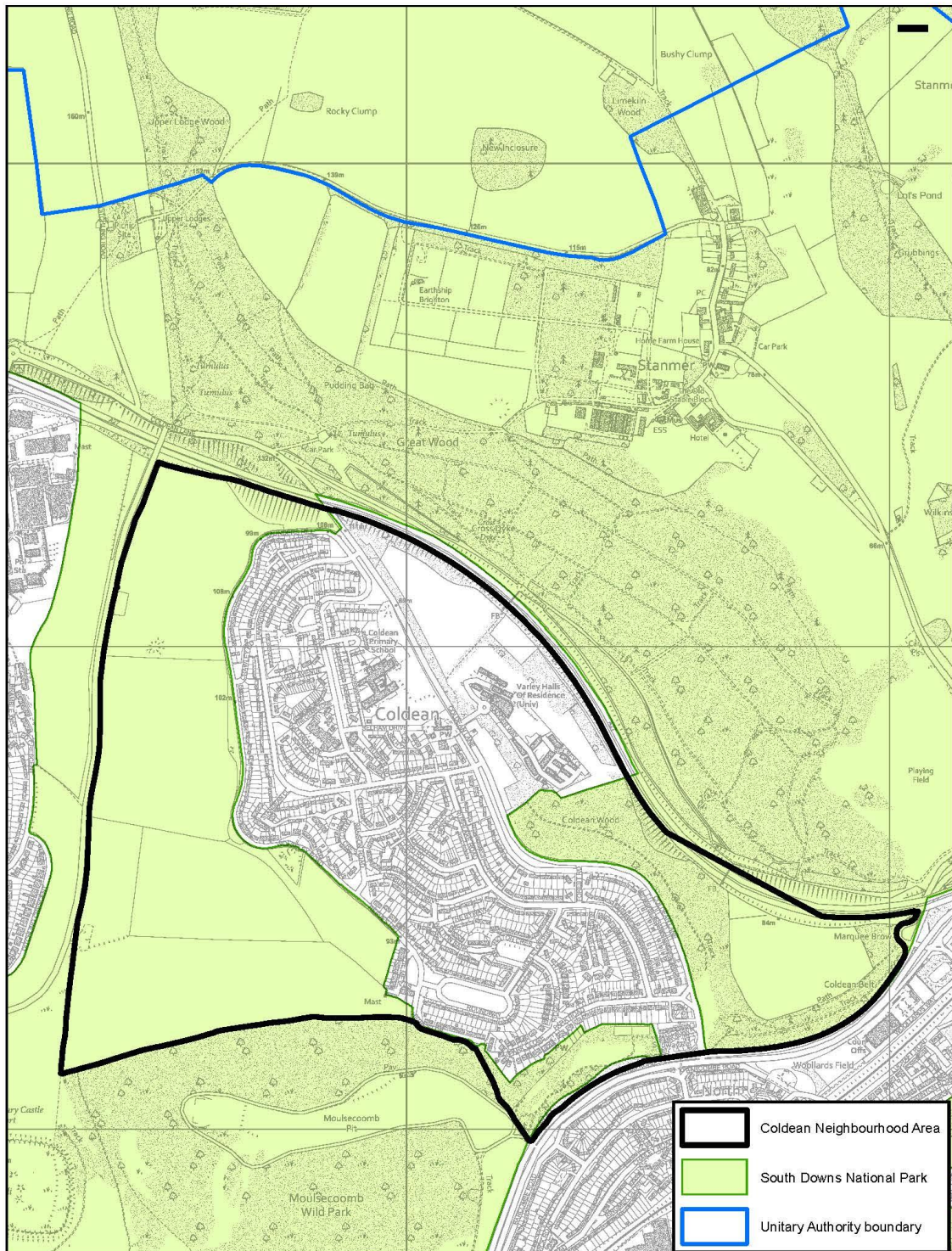
1.4 Background

- 1.5 The Coldean Neighbourhood Plan relates to the Coldean Neighbourhood area and the associated Neighbourhood Planning Forum, which were officially designated as a Neighbourhood Area and Forum by Brighton & Hove City Council on 25 November 2021 and by the South Downs National Park Authority (SDNPA) on 23 December 2021. This designated area is within the wards of Coldean & Stanmer and Hollingdean & Fiveways and includes part of the South Downs National Park. Brighton & Hove City Council is the lead authority on behalf of the South Downs National Park Authority. The Neighbourhood Plan has been prepared by Coldean Neighbourhood Planning Forum.
- 1.6 Following the submission of the Coldean Neighbourhood Plan to the Council, the plan was publicised, and representations were invited over a 6-week period from 23 October 2025 to 4 December 2025 in accordance with Regulation 16 of the Neighbourhood Plan regulations.
- 1.7 Mr Derek Stebbing BA (Hons) DipEP MRTPI was appointed by the City Council, with the consent of Coldean Neighbourhood Planning Forum, to undertake the examination of the Coldean Neighbourhood Plan and to prepare a report of the independent examination. The Neighbourhood Plan examination commenced in February 2026. The examiner's report was received on 4 June 2026.

- 1.8 It concludes that the Coldean Neighbourhood Plan, subject to a number of recommended modifications, meets the Basic Conditions set out in Schedule 4B of the 1990 Act and can proceed to referendum.
- 1.9 **Decision**
- 1.10 The Neighbourhood Planning (General) Regulations 2012 require the local planning authority to outline what action it wishes to take in response to the recommendations of an examiner made in a report under paragraph 10 of Schedule 4B to the 1990 Act (as applied by Section 38A of the 2004 Act) in relation to a neighbourhood development plan.
- 1.11 Having considered each of the recommendations in the examiner's report and the reasons for them, Brighton & Hove City Council, with the consent of Coldean Neighbourhood Planning Forum, has agreed what action to take in response to each recommendation. It has been decided to accept all the modifications to the draft Plan proposed by the examiner in accordance with paragraph 12 of Schedule 4B to the 1990 Act.
- 1.12 Table 1 below sets out the examiner's recommended modifications to the Neighbourhood Plan and the accompanying reasons given in his report. The table indicates what action has been decided by the Council in response to each recommendation.
- 1.13 Please note that the Examiner's recommendations refer to Policy, Figure and page numbers as set out in the Neighbourhood Plan as submitted to the Council. In the Referendum Version of the Plan, the numbering will be changed to reflect modifications.
- 1.14 **The Referendum Area and Procedure**
- 1.15 The Council agrees with the Examiner's recommendation that the boundary for the purposes of referendums on the Plan should be the boundary of the designated Coldean Neighbourhood Area.
- 1.16 **Conclusion**
- 1.17 Brighton & Hove City Council determines that the Coldean Neighbourhood Plan 2021-2030, as modified in Table 1, meets the basic conditions in Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act as amended and complies with the provisions made by or under Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 as amended and may now proceed to Referendum.

23 July 2026

Coldean Neighbourhood Area



(A4) Scale: 1:10,000

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The Examiner's Report, the draft Neighbourhood Plan, and other relevant documents can be viewed on the Brighton & Hove Council website at <https://www.brighton-hove.gov.uk/planning/planning-city/coldean-neighbourhood-area>

Hard copy versions of these documents can be viewed at Coldean and Jubilee Libraries.

Table 1: Recommendations by the Examiner agreed by Brighton & Hove City Council with consent of the Coldean Neighbourhood Planning Forum

PLAN POLICY / PARAGRAPH	RECOMMENDED MODIFICATION	REASONS	COUNCIL DECISION
Throughout the Plan	PM1 Amend the Plan to take account of all proposed amendments, <u>with the exception of the amendments to Policy LGS1</u>, which are shown as proposed insertions of additional text, proposed deletions of text and corrections in: • SoCG Appendix 2 (dated 14 April 2026)¹ • The Addendum to SoCG Appendix 2 (dated 22 April 2026)² For clarification, these include amendments to the text of Policies H1, H2, T3, DC1, E1, E2, E3, E4 and E5. Further recommended amendments to the text of Policies are addressed as proposed modifications as set out below. ¹ and ² – versions as shown on yourvoice.brighton-hove.gov.uk webpages	For clarification	All recommended modifications /deletions accepted

PLAN POLICY / PARAGRAPH	RECOMMENDED MODIFICATION	REASONS	COUNCIL DECISION
Pages 22 and 24 <u>Policy H1 -Houses in Multiple Occupation (HMOs)</u>	PM2 Delete criterion (e) of the policy text in full. Amend criterion (f) to read as follows: “The proposals include appropriate provision for car parking.” <u>Figure 13</u> Delete the existing title and replace with: “Extracts from the adopted Policies Map of the Brighton & Hove City Plan.”	To avoid duplication with the city plan Alter wording as it covers a matter beyond planning control For accuracy	All recommended modifications /deletions accepted
Page 25 <u>Policy H2 – New Developments Within Settlement Boundary</u>	PM3 Paragraph 60 - delete first sentence of text in full. Criterion (e) of policy text – amend to read as follows: “Support Infrastructure and Community Facilities: Make provision for any necessary supporting infrastructure to meet the needs of the development.”	To avoid potentially restricting new residential developments which would be contrary to the basic conditions Focused amendment to allow a general policy concerning new development within the plan area	All recommended modifications /deletions accepted

PLAN POLICY / PARAGRAPH	RECOMMENDED MODIFICATION	REASONS	COUNCIL DECISION
Page 35 <u>Policy LGS1–</u> <u>Local Green</u> <u>Space</u> <u>Designations</u>	PM4 Delete second paragraph of policy text and replace with the following text: “Sites OS1 and OS2 are within the South Downs National Park and are subject to the relevant policies within the adopted South Downs Local Plan. Development proposals in the eight designated Local Green Spaces listed above and defined on Figures 16-23 will be managed in accordance with national policy for Green Belts.”	Amended to have proper regard to Paragraph 108 of the NPPF in order to satisfy the Basic Conditions.	All recommended modifications /deletions accepted
Page 36 <u>Policy LCS1 –</u> <u>Local</u> <u>Community</u> <u>Spaces</u>	PM5 Add the following text as an introductory paragraph to the policy: “The following six site are identified in this Plan as Local Community Spaces. Any development proposals affecting these sites should, as far as possible, seek to protect these spaces in view of their contribution to the character of the Plan area.” Include Inset Maps (on an Ordnance Survey base to an appropriate scale)	As drafted, this does not constitute a land-use planning policy as it provides no policy guidance, nor any information. This modification adds suitable text to the policy to address this Include inset maps identifying the boundaries of the six sites.	All recommended modifications /deletions accepted

PLAN POLICY / PARAGRAPH	RECOMMENDED MODIFICATION	REASONS	COUNCIL DECISION
	for each of the six Local Community Spaces, clearly showing the boundaries and extent of each Local Community Space.		
<u>Page 37</u> <u>Paragraph 83</u>	PM6 Delete the words “under the very special circumstances set out within the NPPF (National Planning Policy Framework).” in the final sentence of text.	Delete the reference to ‘very special circumstances’ which is normally related to development within designated Green Belt areas.	All recommended modifications /deletions accepted
<u>Page 39</u> <u>Policy C1 – Designing Out Crime</u>	PM7 Replace the acronym ‘DOCO’ in the Policy text with “ Designing Out Crime Officer ”.	Replace the acronym with its full title for clarity.	All recommended modifications /deletions accepted
<u>Page 43</u> <u>Policy T2 – Through Traffic</u>	PM8 Delete this policy in full, and re-number subsequent policies in this section of the Plan accordingly.	As drafted, this does not constitute a land-use planning policy, but is a traffic management policy. Such measures can only be instigated by the Highways Authority under the Highways Act 1980 and related	All recommended modifications /deletions accepted

PLAN POLICY / PARAGRAPH	RECOMMENDED MODIFICATION	REASONS	COUNCIL DECISION
		Regulations.	
<u>Page 43</u> Policy T3 – Car and Cycle Parking	PM9 Criterion (a) of the policy text – delete existing text and replace with: “Proposals which include provision for additional short-stay parking spaces and cycle parking to meet the needs of local businesses will be supported.” Criterion (b) of the policy text – delete the words “for new off-street car parking to provide additional capacity and” and replace with: “which make provision for additional off- street car parking (for example on driveways with dropped kerb access) to”. <i>Examiner’s note – note slight amendment to PM1 text for this criterion and correct spelling of ‘kerb’.</i> Criterion (c) of the policy text – delete existing text in full and replace with: “All development proposals should take account of the BHCC Supplementary Planning Document (SPD) 14 ‘Parking Standards’ or the SDNPA ‘Parking’ SPD for proposals which	To provide the necessary clarity for future users of the Plan	All recommended modifications /deletions accepted

PLAN POLICY / PARAGRAPH	RECOMMENDED MODIFICATION	REASONS	COUNCIL DECISION
	are in that part of the Plan area that is within the South Downs National Park”.		
<u>Page 44</u> <u>Policy T4 – Accessibility for All</u>	PM9 Part (b) of the policy text: Delete the text “including but not limited to:” and the following five clauses (i)-(v) in full.	For clarity to aid the user of the plan	All recommended modifications /deletions accepted
<u>Page 45</u> <u>Policy T5 – Accessible Developments</u>	PM10 Delete existing policy text in full and replace with: “Where appropriate, proposals for new development in the Plan area should seek to provide safe pedestrian and cycle access to nearby services, community facilities, bus stops and the wider green infrastructure network. Any planned new routes or enhancements should take account of the priorities contained in the City Council’s Local Cycling, Walking and Infrastructure Plan (LCWIP) particularly for the Coldean area.”	For clarity to aid the user of the plan	All recommended modifications /deletions accepted

PLAN POLICY / PARAGRAPH	RECOMMENDED MODIFICATION	REASONS	COUNCIL DECISION
<u>Page 51</u> <u>Policy E4 – Adapting to Climate Change</u>	PM11 Add the following text to clause (d) of the policy text: “or the South Downs Local Plan Policy SD50 as appropriate.”	To take account of a representation submitted by the South Downs National Park Authority.	All recommended modifications /deletions accepted

