

CABINET MEETING

12 June 2008

ECSOSC

Agenda Item 8

Brighton & Hove City Council

Subject: LDF Core Strategy Revised Preferred Options

Date of Meeting: ECSOSC 16 June 2008

Report of: Director of Environment

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Key Decision: Yes Forward Plan No.:

Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 This report seeks approval of the Core Strategy Revised Preferred Options Document ('the Revised Core Strategy'), part of Brighton & Hove's Local Development Framework, for a minimum six-week period of public consultation during June and August 2008. Appendix 1 provides a summary version of the document and the full copy of the document has been placed in the Members' rooms.

2. RECOMMENDATIONS TO CABINET:

- (1) Note the nature of the representations made to the original Core Strategy Preferred Options document (appendix 2);
- (2) Approve the officer responses and recommendations to these representations set out in the schedule attached to the Statement of Consultation placed in the Members' rooms.
- (3) Approve the Revised Core Strategy and supporting documents for the purposes of a minimum six week period of public consultation, subject to any minor editorial changes agreed by the Cabinet Member for Environment in consultation with the Director of Environment; and
- (4) Note that the final version of the Core Strategy will be brought back to Cabinet and Council in January 2009 for approval for submission to the Secretary of State following a final formal period of consultation to take place during February and March 2009 (the exact procedure will be subject to the publication of The

Town and Country Planning (Local Development) (England) (Amendment) Regulations anticipated May/June 2008.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 **Background** - The Core Strategy is part of the Local Development Framework (LDF), which will replace the Local Plan. The Core Strategy is the principal planning document that will provide the overall strategic vision for Brighton and Hove through to 2026. All subsequent LDF documents must conform to it. The Core Strategy must conform to national and regional planning policy (the draft South East Plan) and must also have regard to the Sustainable Community Strategy and council and other city-wide plans and strategies.
- 3.2 A wide-ranging debate on the big issues for the city was initiated at the Issues and Options Stage in October 2005. The issues and options were further developed in the first Preferred Options stage document, which was published in October 2006 and was subject to a 6-week period of consultation. Appendix 2 summarises the consultation undertaken.
- 3.3 Following the consultation responses and advice from the Government Office for the South East it was considered necessary to revisit the preferred options and therefore an additional 'Revised' Preferred Options stage was added to the preparation process. The anticipated completion of a final Core Strategy in 2007 was therefore delayed, with the agreement of the Government Office for the South East, for a revised Preferred Options stage to allow:
- further research and evidence gathering to be undertaken required by recently published national planning policy (such as Planning Policy Statement 3 - Housing);
 - a more area-based approach to planning to be incorporated, setting out how the council will respond to the local priorities of specific areas of the city ('place-shaping');
 - more detail to be set out on the location, scale and type of development to be delivered by the Core Strategy during the period to 2026; and the re-examination of the role and potential of Shoreham Harbour in light of emerging proposals by the South East England Development Agency (SEEDA).
- 3.4 The additional time given to prepare the Revised Core Strategy has enabled the commissioning and completion of a number of new pieces of background research to inform the revised document. The timetable also provides for a further round of public consultation which is considered necessary given the significance of changes to the document.
- 3.5 In November 2007, the government published a consultation document on proposed changes to the legislation governing the preparation process for planning documents ('Streamlining LDFs'). It is anticipated that The Town and

Country Planning (Local Development) (England) (Amendment) Regulations 2008 ('the amended Regulations') will become law in May/ June 2008. The form of public consultation will therefore need to conform with the amended Regulations.

- 3.6 In having regard to the proposed regulation changes, it is anticipated that the final version of the Core Strategy will be brought back to Cabinet and Council in January 2008 for approval for submission to the Secretary of State after a final period of formal consultation to take place during February and March 2009 (clearly the exact procedure will be prescribed by the amended Regulations). Should any significant changes be required to the document as a result of the consultation it will require withdrawal for change and an additional six week period of consultation.

3.7 **The Core Strategy Revised Preferred Options Document**

The purpose of the preferred options stage is for the council to seek the views of the public and stakeholders on the proposals it is recommending for the Core Strategy before the final version is submitted to the Secretary of State. Where, through consultation responses and background evidence, different options could be considered to address a particular issue, the document sets out the option favoured by the Council as the 'Preferred Option'. The alternative options that were considered are outlined together with a brief explanation of why they were discounted in an Annexe to the document along with a summary of consultation responses and the recommendations of the Sustainability Appraisal. The Revised Core Strategy consists of four main sections:

- Context, Vision and Objectives
- Spatial Strategy
- Core Policies
- Monitoring Indicators and Targets

- 3.8 **Part One - Context, Vision and Objectives** section sets out the key issues facing the city over the next twenty years and the drivers for change and summarises the policy context. It also sets out a vision of the city for 2026 and lists the strategic spatial objectives from which all future planning policies will flow. These objectives have been revised to take account of consultation and the area-based approach now being pursued.

- 3.9 **Part Two - the Spatial Strategy** which sets out the preferred approach and locations for accommodating future development in the city. This includes:
- **Proposed Development Areas** – there were formerly 10 development areas identified based upon an accessibility-led and urban character/capacity-led approach. Following a more detailed assessment of each of the areas the number has now been reduced to 7 areas (Brighton Centre and Churchill Square area, Brighton Marina and Black Rock, Lewes Road, New England Quarter and London Road, Eastern Road and Edward Street, Hove Station area and Shoreham Harbour and South Portslade). The preferred options for the areas detail the type and amount of

development and identify local priorities (place-shaping) priorities. Each development area proposals includes a section on implementation.

- **Special Areas** – these are areas of the city in need of a special planning approach or needing effective policy coordination including The Seafront, Central Brighton, Valley Gardens, the Urban Fringe and the South Downs.

- **Sustainable Neighbourhoods** – these two preferred options seek to co-ordinate policy across the city with the aim of delivering sustainable neighbourhoods and reducing inequalities (Residential Renewal areas). These will cover all predominantly residential areas of the city.

- 3.10 **Part Three - Core Policies** consists of the preferred approach to strategic policy issues such as housing, transport, sport, biodiversity, urban design and shopping. These policies will contribute to the delivery of the spatial strategy.
- 3.11 **Part Four - Monitoring** is set out in tabular form and shows how the revised preferred options will be monitored with targets relating to those in the Annual Monitoring Report, Sustainable Community Strategy, Local Area Agreement and national output indicators and other relevant strategies.
- 3.12 The Revised Core Strategy includes a **key diagram**, which shows the main strategic elements of Brighton & Hove and illustrates the spatial strategy in broad diagrammatic terms. Changes to the current Local Plan Proposals Map that are required following adoption of the Core Strategy will also be indicated in the document.
- 3.13 A 'Quick Guide' to the Revised Core Strategy has been attached to Appendix 1 and this provides a summary of all the proposals set out in Part 2 and Part 3 of the Revised Core Strategy and copies of the full document have been placed in Members' rooms.
- 3.14 **Emerging evidence and background research** - The Revised Core Strategy is underpinned by a number of background studies. A separate report to this Cabinet introduces and summarises the findings and recommendations of these new pieces of research which have been used to inform the revised preferred options and seeks approval for these studies to be noted and endorsed as part of the evidence base for the Local Development Framework. In addition area assessments were undertaken on the proposed development areas and form the basis for the preferred options. These are included within a Supporting Evidence Document which also summarises the background research undertaken. Copies have been placed in the Members' rooms.
- 3.15 **Sustainability Appraisal** - In producing the Core Strategy the aim has been to ensure that the revised preferred options, when taken together, will ensure the sustainable development of the city and the creation of sustainable communities. A Sustainability Appraisal tests the extent to which the Core Strategy meets identified sustainable development principles. This is a separate document produced alongside the Core Strategy, which critically examines its objectives and options and tests them against the principles of sustainable development.

- 3.16 An executive summary of the Sustainability Appraisal has been produced to accompany the Revised Core Strategy and the Appraisal is itself subject to the same six-week consultation period. Copies of the full Sustainability Appraisal and a non-technical summary of the Sustainability Appraisal have been made available in the Members' rooms.

4. CONSULTATION

- 4.1 **Internal Consultation** - The LDF Steering Group made up of senior cross-departmental representatives and an Internal Officer Advisory Group, which includes representatives across the council, have been involved in the preparation of this revised preferred options document via workshops and consultation on draft versions.
- 4.2 **External Consultation** - The Issues and Options stage involved a six-month period of informal community involvement and other consultation, which ran from October 2005 until the end of March 2006. The approach and the methods used were in accordance with the Council's Statement of Community Involvement (SCI).
- 4.3 The first Preferred Options document was subject to a formal six-week period of public consultation during November and December 2006 in accordance with the SCI. The document was sent out to over 400 stakeholders, organisations and individuals. There were a number of special events and workshops (such as a launch event and area-based event) and workshops and meetings with specific communities (for example the BME Elders Forum, SPECTRUM - the lesbian, Gay, Bisexual & Transgender Community Forum, neighbourhood meetings and a Local Strategic Partnership development morning). Eighty-seven written responses were received alongside views and comments collected from the workshops and events. These have been set out along with an officer response in the Statement of Consultation, copies of which have been placed in the Members' rooms.
- 4.4 Informal consultation has been undertaken with the Government Office for the South East to ensure the new approach had its support and early drafts of the document have received an 'in principle' strong expression of support. Informal consultation has also been undertaken with specific consultees such as the Environment Agency and Highways Agency and adjoining local authorities to ensure that all strategic issues have been fully considered in the Revised Core Strategy. The Local Strategic Partnership has been kept informed of the progress of the Revised Core Strategy through a workshop with the Partnership's Management Group (March 2008) and a presentation to the Public Service Board (March 2008).
- 4.5 It is anticipated that a minimum six week period of consultation on the Revised Core Strategy will commence at the end of June and include a range of more focused consultation events. Those that commented on the first Preferred Options document will be sent a copy of the revised document.

- 4.6 There will be a further statutory six week stage of consultation undertaken during February and March 2009 following publication of the final version of the Core Strategy.

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. Decisions will be made on a case by case basis and subject to individual specific reports with reference to the council's Asset Management Plan 2006-09 and Corporate Property Strategy.

Legal Implications:

- 5.2 The Revised Core Strategy has been prepared in compliance with Section 19 of the Planning and Compulsory Purchase Act 2004 and regulations 13, 15, 25 and 26 of the Town and Country Planning (Local Development) (England) Regulations 2004. In addition the Revised Core Strategy has been prepared with a view to meeting the nine tests of soundness for Development Plan Documents as required by paragraph 4.24 of Planning Policy Statement 12: Creating Local Development Frameworks. It is anticipated that the Town and Country Planning (Local Development) (England) (Amendment Regulations) will become law in May/ June 2008. The amended Regulations will introduce new duties relating to public participation in the preparation and submission of Development Plan Documents. The form of public participation will therefore need to follow the prescribed regulations. No adverse Human Right implications are considered to arise from the report.

Equalities Implications:

- 5.3 Equalities issues are relevant to a number of the Core Strategy issues, particularly in relation to reducing inequalities, providing community facilities and providing for housing for all, including gypsies and travellers. Community involvement specifically attempted to reach the various Communities of Interest and the preferred options document was subject to an Equality Impact Assessment.

Sustainability Implications:

- 5.4 The planning system has a clear purpose to contribute towards the achievement of sustainable development. All planning documents will be

appraised for their economic, social and environmental impacts. The Core Strategy has been subject to a full Sustainability Appraisal.

Crime & Disorder Implications:

- 5.5 The Revised Core Strategy addresses crime and disorder through the preferred options in the spatial strategy.

Risk and Opportunity Management Implications:

- 5.6 The risks within this project are regularly reviewed through quarterly highlight reports.

Corporate / Citywide Implications:

- 5.7 The Core Strategy will contribute to delivering plans and strategies across the city council directorates, along with the Sustainable Community Strategy. It will also help to deliver external city-wide strategies, e.g. of the Primary Care Trust.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The purpose of the preferred option stage of the Core Strategy is to test a range of realistic and deliverable options to accommodating growth and development in the city to 2026. This testing includes consultation, a robust and up to date evidence base and a Sustainability Appraisal. The Revised Core Strategy sets out clearly the council's preferred option, what alternatives were considered and why they were discounted. The purpose of the consultation is to seek the views of the public and stakeholders on these preferred options before the final document is prepared.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 To ensure that Cabinet is aware of the extent and nature of comments received on the original November 2006 Core Strategy Preferred Options document and the proposed officer response.
- 7.2 To progress the Core Strategy towards its adoption and ensure the council has an up to date strategic planning framework for the city to replace the current Local Plan. This will assist in bringing forward other local development documents and for the council to meet the Best Value Performance indicator BV200b. Progress towards adoption of the Core Strategy will also facilitate the implementation of other city-wide strategies.
- 7.3 To advise Cabinet that amended regulations for preparing development plan documents are due to be published in May/ June 2008. The likely implication of these amendments is that when the council agrees the next version of the document in January 2009 this will be the final version of the plan which will then be published for consultation and submission to the Secretary of State.

SUPPORTING DOCUMENTATION

Appendices:

1. Revised Preferred Options Document Quick Guide
2. Summary of Consultation Responses

Documents In Members' Rooms

1. Core Strategy Revised Preferred Options Document June 2008
2. Revised Draft Sustainability Appraisal June 2008
3. Sustainability Appraisal Non Technical Summary June 2008
4. Statement of Consultation June 2008
5. Supporting Evidence Document June 2008

Background Documents

1. Local Development Scheme (April 2007)
2. Core Strategy Preferred Options Document (October 2006)
3. Statement of Community Involvement (September 2006)