



DP283

**For Official Use:**

Respondent Number:

Date Received: / / 2018

Entered onto Portal: Yes/No

**Draft City Plan Part Two**  
**Consultation Period: 5th July 2018 until**  
**5pm on 13th September 2018**  
**Word Response Form**

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**Draft City Plan Part Two – Consultation**

Brighton & Hove City Council has published the draft City Plan Part Two for a 10 week period of consultation starting 5<sup>th</sup> July 2018. This follows on from the scoping consultation undertaken July - September 2016.

The draft City Plan Part Two sets out the preferred approach and includes proposed site allocations for housing and other uses such as employment and community facilities and contains a suite of development management policies which will be used to assess planning applications. The City Plan Part Two will support the implementation and delivery of the City Plan Part One.

The council is seeking your views on the draft Plan and supporting documents. Your comments will help inform the final version of the City Plan Part Two. So if you have any comments about the approaches in the plan then we would urge you to submit those comments during this consultation so that they can be fully taken into account.

The Draft City Plan Part 2 and supporting documents including a quick guide to the City Plan Part Two as well as background evidence documents are available to view and download from the Council's website at: [www.brighton-hove.gov.uk/cityplan-part2](http://www.brighton-hove.gov.uk/cityplan-part2).

**Part A: Contact Details**

I consent to being added to the Planning Policy, Heritage and Projects team mailing list and contacted via email regarding forthcoming news and consultations

Yes

No

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<https://www.brighton-hove.gov.uk/content/planning/planning-applications/planning-service-privacy-statement>

*Please note that you must complete Part A as anonymous forms cannot be accepted.*

<b>Organisation Name (If applicable)</b>	Crest Nicholson South
<b>Name</b>	
<b>Address</b>	
<b>Email Address</b>	
<b>Agent Name (If applicable)</b>	
<b>Agent Name</b>	
<b>Agent Address</b>	
<b>Agent Email Address</b>	

**Part B: Your Representation relating to Development Management Policies**

*Please use a separate sheet for representations against each Development Management policy*

(ctrl & click to view)

**Housing, Accommodation & Community chapter (policies DM1-DM10)**

**Employment Tourism & Retail Chapter (policies DM11-DM17)**

**Design & Heritage Chapter (policies DM18-DM32)**

**Transport & Travel Chapter (policies DM32-DM36)**

**Environment & Energy Chapter (policies DM37-DM46)**

**Policy Number** (e.g. DM1) N/A

**Policy Name** (e.g. Housing Quality, Choice and Mix) N/A

**a) Do you Support or Object to the policy?**

- Support  If you support this policy, please go to questions (b) and (c)
- Object  If you object to this policy, please go to questions (d) and (e)

**b) Please explain why you support this policy?**

N/A

**c) If you support this policy but have some suggested wording changes please outline these clearly below**

N/A

**d) Please explain why you object to this policy?**

N/A

**e) If you Object to this policy and would like to put forward some alternative wording for the policy please set this out clearly below**

N/A

**Part C: Your Representation(s) relating to Site Allocations**

**Site Allocations - Special Area policies**

(Ctrl & click to view): [SA7 Benfield Valley Policy](#)

**a) Do you Support or Object to the policy?**

Support  If you support this policy, please go to questions (b) and (c)  
Object  If you object to this policy, please go to questions (d) and (e)

**b) Please explain why you support this policy?**

N/A

**c) If you support this policy but have some suggested wording changes please outline these clearly below**

N/A

**d) Please explain why you object to this policy?**

N/A

**e) If you Object to this policy and would like to put forward some alternative wording for the policy please set this out clearly below**

N/A

## **Site Allocations – Strategic Site Allocations**

(Ctrl & click to view): **Strategic site allocations: (policies SSA1-SSA7)**

*Please use a separate sheet for representations against each Strategic Site Allocation*

- SSA1, Brighton General Hospital Site
- SSA2, Combined Engineering Depot, New England Road
- SSA3, Land at Lyon Close, Hove
- SSA4, Sackville Trading Estate & Coal Yard, Hove
- SSA5, Madeira Terrace & Madeira Drive
- SSA6, Former Peter Pan Leisure Site (adjacent Yellow Wave)
- SSA7, Land Adjacent Amex Community Stadium, Falmer Way

**Policy Number** SSA3

**Policy Name** Land at Lyon Close, Hove

**a) Do you Support or Object to the policy?**

Support

If you support this policy, please go to questions (b) and (c)

Object

If you object to this policy, please go to questions (d) and (e)

**b) Please explain why you support this policy?**

Please see attached letter

**c) If you support this policy but have some suggested wording changes please outline these clearly below**

Please see attached letter

**d) Please explain why you object to this policy?**

N/A

**e) If you Object to this policy and would like to put forward some alternative wording for the policy please set this out clearly below**

N/A

**f) Are there any other sites that could be allocated as strategic sites ?**

N/A

## Site Allocations - Housing Sites

(Ctrl & click to view): [Housing sites and Mixed Use Site allocations: \(policies H1-H3\)](#)

### H1 - Housing Sites & Mixed Use Sites

**a) Do you Support or Object to the policy?**

Support

If you support this policy, please go to questions (b) and (c)

Object

If you object to this policy, please go to questions (d) and (e)

**b) Please explain why you support this policy?**

N/A

**c) If you support this policy but have some suggested wording changes please outline these clearly below**

N/A

**d) Please explain why you object to this policy?**

N/A

**e) If you Object to this policy and would like to put forward some alternative wording for the policy please set this out clearly below**

N/A

**f) If you wish to comment on any specific housing site allocations listed in the policy please do so below making clear which site(s) you are commenting on and give your reasons**

N/A

**g) Are there any other sites that could be allocated as housing sites ?**

N/A

**H2 – Urban Fringe Housing Sites**

(Ctrl & click to view): [Housing sites and Mixed Use Site allocations: \(policies H1-H3\)](#)

**a) Do you Support or Object to the policy?**

- Support  If you support this policy, please go to questions (b) and (c)
- Object  If you object to this policy, please go to questions (d) and (e)

**b) Please explain why you support this policy?**

N/A

**c) If you support this policy but have some suggested wording changes please outline these clearly below**

N/A

**d) Please explain why you object to this policy?**

N/A

**e) If you Object to this policy and would like to put forward some alternative wording for the policy please set this out clearly below**

N/A

**f) If you wish to comment on any specific housing site allocations listed in the policy please do so below making clear which site(s) you are commenting on and give your reasons**

N/A

**H3 - Purpose Built Student Accommodation Sites**

(Ctrl & click to view): [Housing sites and Mixed Use Site allocations: \(policies H1-H3\)](#)

**a) Do you Support or Object to the policy?**

- Support  If you support this policy, please go to questions (b) and (c)
- Object  If you object to this policy, please go to questions (d) and (e)

**b) Please explain why you support this policy?**

N/A

**c) If you support this policy but have some suggested wording changes please outline these clearly below**

N/A

**d) Please explain why you object to this policy?**

N/A

**e) If you Object to this policy and would like to put forward some alternative wording for the policy please set this out clearly below**

N/A

**f) If you wish to comment on any specific student housing site allocations listed in the policy please do so below making clear which site(s) you are commenting on and give your reasons**

N/A

**g) Are there any other sites that could be allocated as sites for student housing?**

N/A



**Site Allocations - Employment Site**

(Ctrl & click to view): [Opportunity site for business and warehouse uses: \(policy E1\)](#)

**a) Do you Support or Object to the policy?**

- Support  If you support this policy, please go to questions (b) and (c)
- Object  If you object to this policy, please go to questions (d) and (e)

**b) Please explain why you support this policy?**

N/A

**c) If you support this policy but have some suggested wording changes please outline these clearly below**

N/A

**d) Please explain why you object to this policy?**

N/A

**e) If you Object to this policy and would like to put forward some alternative wording for the policy please set this out clearly below**

N/A

**f) Are there any other sites that could be allocated as employment sites ?**

N/A

**Part D: Your Representation(s) relating to Any Other Comments & Equalities**

**Any other comments**

*Please use a separate sheet for each representation*

(Ctrl & click to view):

- [Introduction](#)
- [Appendix 1: Glossary of terms](#)
- [Appendix 2 Parking Standards – Policy DM36 Parking and Servicing \(adopted Parking Standards SPD\)](#)
- [Appendix 3 - Local Wildlife Sites \(Policy DM37 Green Infrastructure and Nature Conservation](#)
- [Appendix 4 - Policy H2 Urban Fringe Housing Site Maps \(see also proposed draft Policies Map\)](#)
- [Appendix 5 - List of Brighton & Hove Local Plan policies that will be superseded on adoption of the City Plan Part 2](#)
- [Appendix 6 Table 1 – Proposed Changes to Policy Map – new additions/ amendments by virtue of policies in Draft City Plan Part 2/ Updates](#)
- [Appendix 6 Table 2 Policies Map – Proposed Changes to the City plan Part 1 Policies Map due to retained Brighton & Hove Local Plan Policies being superseded by City Plan Part 2 policies](#)
- [Supporting documents to the City Plan Part Two](#)
- [Background studies for the City Plan Part Two](#)

**AO1 Do you have any other comments on any other part of the plan or its supporting documents? If you are commenting on more than one supporting document / background study please make this clear in the box below by using headings.**

N/A
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**Equalities**

The council has a duty under the Equalities Act 2010 to eliminate discrimination and advance equality of opportunity for people with the following protected characteristics: age, disability, race, religion, sex, sexual orientation, gender reassignment, marriage and civil partnership, and pregnancy and maternity. In addition the council has a duty to foster good relations between all communities.

A Health and Equalities Impact Assessment on the Draft City Plan Part Two has been undertaken and is available to view [here](#) [PDF, 2.8MB]

**AO2 Do you consider the City Plan Part Two to have any equalities implications, positive or negative? If so, please provide further details.**

N/A
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<b>Signed*:</b>	
<b>Dated*:</b>	12/09/2018

All representations must be received at the email or postal address given on this form by **5.00pm on 13<sup>th</sup> September 2018.**

**Due to the length of the consultation period please kindly note that late representations will not be accepted.**

Completed forms should be sent to:

Email: [planningpolicy@brighton-hove.gov.uk](mailto:planningpolicy@brighton-hove.gov.uk)

Post: Consultation on the Draft City Plan Part Two  
Brighton & Hove City Council  
Planning Policy Team  
1<sup>st</sup> Floor Hove Town Hall  
Norton Road  
Hove BN3 3BQ

If you have any further queries please contact us on 01273 292505 or via email [planningpolicy@brighton-hove.gov.uk](mailto:planningpolicy@brighton-hove.gov.uk)



Draft CPP2 Policy Projects and Heritage Team  
Brighton & Hove City Council  
First Floor Hove Town Hall  
Norton Road BN3 3BQ

[By email only to planningpolicy@brighton-hove.gov.uk](mailto:planningpolicy@brighton-hove.gov.uk)

Our ref: PL00459128

Your ref:

Telephone

Fax

Email

Date

13 September 2018

Dear Sir / Madam

### **Brighton and Hove Draft City Plan Part Two Consultation (Regulation 18)**

Thank you for your email of 5 July 2018 inviting comments on the above document.

As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process, and welcomes the opportunity to comment upon this key planning document.

Historic England's comments are set out detail below.

Historic England supports the policies in **Topic – Design & Heritage** and notes in particular those that seek to enhance and conserve the distinctive, historic character of the city and its heritage assets - **DM18 High quality design and places, DM21 Extensions and alterations, DM23 Shop Fronts, DM24 Advertisements, DM25 Communications Infrastructure, DM26 Conservation Areas, DM27 Listed Buildings, DM28 Locally Listed Heritage Assets, DM29 The Setting of Heritage Assets, DM30 Registered Parks and Gardens, DM31 Archaeological Interest, and DM32 The Royal Pavilion Estate.** We concur that these policies, along with the relevant historic environment Policy CP15 and related policies of the City Plan Part 1, will provide a robust framework for underpinning the protection and enhancement of the heritage of the city.

In relation to **Section 3** special area and site allocations, sites should be adequately assessed in relation to their potential impact on the significance of heritage assets or their settings. We note the positive proposal for the use of the grade II listed Benfield barn and its associated conservation area (which is on the Heritage at Risk Register) in **Special Area SA7 Benfield Valley**, though we have some concern that the housing allocation areas may have some detrimental effects on the setting of these assets. The siting, form and scale of the housing would have to be very carefully planned to ensure no harmful impacts arise and the positive benefits sought by the policy are realised.

### **Strategic Site Allocations**

**SSA1 Brighton General Hospital Site, Elm Grove, Freshfield Road**, as noted in the policy, contains the grade II listed main hospital building (Arundel Building) and other undesignated

heritage assets which will need to be carefully integrated into the wider site redevelopment for housing and community uses. A comprehensive heritage impact statement should be prepared as part of the site proposals and required by the policy.

**SSA2 Combined Engineering Depot, New England Road** is in close proximity to a number of heritage assets, including the grade II\* station and train sheds and the grade II New England railway bridge and viaduct, and is at a strategic arrival point into the city. Development at this site should seek to enhance the setting of these assets and contribute to the ‘sense of arrival’ into the city. A heritage impact statement should be prepared to identify the potential impacts of development on the assets.

The proximity of **SSA3 Land at Lyon Close, Hove** to the Willett Estate conservation area should be noted in the policy and/or justification.

The **SSA5 Madeira Terrace and Madeira Drive** site includes numerous heritage assets that contribute to its uniqueness and special character (i.e. the Terrace itself, street lamps, shelters, etc), and it is located within the East Cliff conservation area which is registered as an Heritage at Risk asset. The policy wording is broadly positive about the approach to enhancing heritage assets but could be more explicit about the contribution that may be made to addressing the factors that put the wider conservation area at risk.

Bullet point b. in **SSA6 Former Peter Pan leisure site (adjacent Yellow Wave), Madeira Drive** is noted.

Potential for impact on surrounding heritage assets, including Falmer conservation area, the registered Stanmer Park and the listed University of Sussex campus buildings is identified in policy **SSA7 Land Adjacent to American Express Community Stadium, Village Way** and should be reinforced by a requirement for a heritage impact assessment.

Notwithstanding the requirement to assess development against all the policies in the plan, including those in CPP1 noted above, all sites to be included in **Table 5 - Residential Site Allocations** and **Table 6 - Mixed Use Site Allocations** attached to **H1 Housing Sites and Mixed Use Sites**, should be assessed for heritage impacts and where appropriate a heritage impact assessment required as part of the site allocation assessment. Historic England would be pleased to provide advice on sites containing designated heritage assets that would normally be referable for our advice.

Site in **Table 7 Urban Fringe Allocations** that are noted to have historic environment (i.e. archaeology, heritage) or related (i.e. landscape) considerations should be required to have a heritage impact assessment undertaken to help inform the appropriate form and quantum of development in each case.

Historic England would strongly advise that the Council’s own conservation staff are closely involved throughout the preparation of the Local Plan, as they are often best placed to advise on local historic environment issues and priorities, sources of data and, consideration of the options relating to the historic environment, in particular the requirement to set out a positive strategy for the conservation and enjoyment of the historic environment (NPPF para 185).



Historic England, Eastgate Court, 195-205 High Street, Guildford GU1 3EH  
Telephone 01483 25 2020 [HistoricEngland.org.uk](http://HistoricEngland.org.uk)

Please note that Historic England operates an access to information policy.

Correspondence or information which you send us may therefore become publicly available.



These comments are based on the information provided by you at this time and for the avoidance of doubt does not reflect our obligation to advise you on, and potentially object to, any specific development proposal which may subsequently arise from this or later versions of the plan and which may, in our view, have adverse effects on the historic environment.

Yours sincerely



To: planningpolicy@brighton-hove.gov.uk 13 September 2017 (2:30 pm)

**For Official Use:**

Respondent Number:

Date Received: / / /2018

Entered onto Portal: Yes/No

Consultation on the Draft City Plan Part Two  
Brighton & Hove City Council  
Planning Policy Team  
1st Floor Hove Town Hall. Norton Road  
Hove BN3 3BQ

***Eco21st***

13 September 2018

Dear Sir or Madam

### **Draft City Plan Part Two – Consultation**

On the website Brighton and Hove City Council (BHCC) states: *'So if you have any comments about the approaches in the plan then we would urge you to submit those comments during this consultation so that they can be fully taken into account'*

A prepared response form was supplied which was impossible to complete using Microsoft Word (on Windows 7); so this formal representation is provided in written letter form.

#### Introduction

- 1.1 This is a formal response to the consultation on the Local Plan (referred to as City Plan Part 2). I am an environmental advisor with qualifications in ecological survey and management. I have a background in this subject having worked with the Government's Wildlife Adviser for England, and also advised on Geological and related 'Earth Science' matters.
- 1.2 I have lived in Brighton for over 25 year and have gained extensive detailed knowledge of the Local wildlife and geologically important features across Brighton and Hove.
- 1.3 In the earlier '**Statement of Community involvement**' it stated that Stakeholders may comment in the most suitable way for them. The 'on-line' consultation system is not user friendly and impedes detailed comments. There is no way to keep a record of the representation submitted and the 'Consultation Portal' is designed more to assist the Council than assist stakeholders.
- 1.4 Please confirm this representation submitted in written form will be given the same weight as comments submitted on-line.

## Formal Duty to consider Biodiversity

- 2.1 Brighton and Hove City Council (BHCC) has a Formal Duty to consider Biodiversity in carrying out its functions. Guidance accompanying the NPPF states this Duty also includes Geodiversity (that is, Geological features and landscapes demonstrating Earth Science processes such as Shingle Beaches).
- 2.2 National Guidelines also state 'The Planning Process' is a key mechanism for implementing this Biodiversity Duty. The BHCC City Plan should lie at the heart of progressing Biodiversity and Geodiversity through two essential components:
  - Planning Policy
  - Site Management (site selection, identification and management)

City Plan Part 2 **fails** in delivering these two components to an adequate level.

- 2.3 Biodiversity and Geodiversity is not confined only within the National Park boundary. Animals and Plants are mobile which means Parks, Rail Verges, Road Verges, the Coast and Greenfield sites also have significant Biodiversity value.
- 2.4 Land to the South of the National Park boundary also needs to be fully covered by Biodiversity and Geodiversity policies.
- 2.5 Site Management in terms of City Plan Part 2 starts with selecting the Biodiversity and Geodiversity sites, assigning a clear reference name to each and marking its boundary clearly on a map. City Plan Part 2 and the City Plan **fails** to do this using current information sources.
- 2.6 The current Draft Plan primarily uses 2005 sources for site selection and ignores a lengthy consultation carried out by Brighton and Hove City Council in 2013 (entitled '*Choosing the best wildlife sites in Brighton and Hove*').
- 2.7 Details of each site, with a boundary were submitted in advance and agreement reached on which sites qualified in environmental terms.
- 2.8 **Eco21st** retained a copy of the sites selected in 2013 at three 'Stakeholder' workshops. The stakeholders had detailed specific knowledge of the biodiversity features for each site and it is **recommended** that these agreed sites are **included** in the City Plan.
- 2.9 In addition the Sussex Geological Partnership recommended that 4 Local Geological Sites (LGSS) were included in the Local Plan.
- 2.10 BHCC Development Planning have failed to keep an accurate list of the sites, working instead on incorrect data! This is an unacceptable situation and if Social Services or Education were delivered with such a low quality of competence there would be **significant objections**.

**BHCC has a Duty to promote biodiversity and geodiversity across the Unitary Authority area. It can not simply lose information through a lack of administrative or archiving competence.**

**Eco21st** '*Ecological thinking in the 21<sup>st</sup> Century*'



- 2.11 The Plan: **Soundness – FAILS** on delivery of Environment Protection for Specified Sites.
- 2.12 The list of sites selected is shown in Table 1. The accompanying location map uses the same reference numbers as those in the 2013 Consultation. Detailed comments are provided in Appendix 1. **Eco21st** is aware subsequent meetings have been held to discuss the sites selected. However these have been **held in private**. There was no engagement with local residents, and there has been **no feedback** to local citizens nor stakeholders who contributed at the 2013 workshops.
- 2.13 This failing in Local Democracy will ring alarm bells with Council representatives, and this representation has been copied to Councillors for Preston Park Ward and the MP for Brighton Pavilion.
- 2.14 Sites are now termed **Local Wildlife Site** (LWS), which replaces the SNCI acronym; and **Local Geological Site** (LGS), which replaces the RIGS acronym. Again, this is covered in national planning guidelines. **Local Nature Reserve** (LNR) are selected by the Local Authority following notification to Natural England.
- 2.15 **A biodiversity reserve in the heart of Brighton!** It is recommended Pavilion Gardens, Valley Gardens, The Level and Park Crescent should be added to the BHCC LWS map. By ensuring site management includes biodiversity objectives this will form a valuable wildlife corridor as **Valley Gardens**, in the very centre of Brighton.

Table 1: Sites with decision agreed in 2013 (using 2013 names and code #)

#	Name	Decision/Recommendation
2	Cockroost Hill West	Yes
3	Cockroost Hill East	Yes
4	Mile Oak Fields	Yes
5	Southwick Hill East	Yes
6	Sidehill Scrub	Yes
10	Emmaus and St Nicholas	Yes
11	Foredown allotments	Yes
12	New Barn Farm Slope	Yes
13	Basin Road South	Yes
14	North Benfield Valley	Yes
15	Benfield Valley Central	Yes
16	Dyke Trail	Yes
17	St Helens Churchyard	Yes
19	Benfield Valley South	Yes
20	Round Hill	Yes
22	St Leonards Churchyard	Yes
24a	Toad's Hole Valley	original 100 acre site.
24	Toad's Hole Valley	Yes to east facing slope; valley should be treated as if designated
25	Dyke Road Strip	Yes
26	Waterhall Golf South	Yes + pLNR
27	Waterhall Golf Central	Yes + pLNR
28	Waterhall Golf North	Yes + pLNR
29	Waterhall Farm Slope	Yes
30	Hove Park Reservoir	Yes
31	Casterbridge Farm	Yes
32	Sweet Hill	Yes
33	Waterhall Valley	Yes + pLNR But appears to match the other Waterhall locations
34	Sweet Hill West	Yes Clarify location and boundary
35	Waterhall East	Yes
36	Green Ridge & Coney Woods	Yes + pLNR
36x	Coney Hill	Land within LWS #36
37	Three Cornered Copse	Yes
38	Engineerium Grounds	Should be treated as if designated
40	Park Royal & High School	Yes
41	Cardinal Newman School	Yes
42	Highcroft Villas	Yes
45	Station Road	Yes
47	Redhill Sports Ground	Should be treated as if designated
48	Bramble Rise	Important woodland stepping stone site
50	Hogtrough Bottom	Treat as if designated
53	Withdean Park Copse	Yes. Extend to Withdean Park
54	Surrenden Field Copse	Yes
56a	Surrenden Crescent & Road	Yes
57	Parkmore Terrace Railside	Treat as if designated
58	Argyle Road Copse	Treat as if designated

59	Brighton Station North	Yes. Now Brighton Greenway
60	Brighton Station South	Destroyed
63	Dorothy Stringer Wildlife Area	Yes + proposed LNR
64	Patcham Court Farm	Treat as if designated
66	Braeside Avenue Scrub	Yes
67	Ewe Bottom	Yes
68	Standean Cottage Down	Yes
69	Deep Bottom & The Chattri	Yes
70	Ditchling Road SW	Yes + proposed LNR
71	London Road Station	Yes
72	Roundhill Copse	Treat as if designated
74	Beaufort Terrace	Treat as if designated
75	Burstead Woods	Yes + proposed LNR
76	Hollingbury Wood	Yes + proposed LNR
77	Hollingbury Golf Course	Yes + proposed LNR
78	Queensdown	Yes + proposed LNR
79	Wild Park	Obviously important
80	39 Acres	Worth including
81	Ditchling Road	Yes + proposed LNR part only
82	Hollingbury Industrial Estate	Yes + proposed LNR
83	Coldean Lane Slopes	Treat as if designated
84	Crespin Way Copse	Yes
85	Watts Bank	Yes
86	Hodshrove Wood	Yes
87	North Bevendean Down	Yes + proposed LNR
88	Heath Hill Down	Yes + proposed LNR
89	South Bevendean Down	Yes
90	Bevendean Horse Paddocks	Yes + proposed LNR
92	Bevendean Farm Slope	Yes
93	Falmer Hill	Yes
94	Land off Ashurst Road	Yes
95	Westlain Plantation	Yes
97	Land at Coldean Lane	Yes + LNR
98	Stanmer Park South	Yes + LNR
99	Stanmer Park North	Yes + LNR
100	Stanmer Park East	Yes + LNR
101	Lots Pond to the Ridge	Yes + LNR
102	Cemeteries off Bear Road	Yes + LNR
103	Stevenson Road Quarry	Yes
104	Land at Sea-Saw Way	Yes + LNR
105	Maderia Drive Green Wall	Yes
106	Volks Railway East	Yes + LNR
107	Volks Railway Central	Yes + LNR
108	Volks Railway West	Yes + LNR
109	Beach at Black Rock	Yes + LNR
110	Brighton Marina	Yes
111	Cliff Road Paddock	Yes
112	Cliff Corner	Yes
113	Sheepcote Valley North	Yes + LNR
114	Sheepcote Valley South	Yes + LNR

115 East Brighton Golf Course	Yes
116 Mount Pleasant	Yes
117 Ovingdean Church to Cattle Hill	Yes
118 Roedean School Slope	Yes
119 Copse at Woodingdean Cemetery	Yes
121 Land at Bexhill Road	Yes
122 Field East of Woodingdean	Yes
122a Field E of Ravenswood Drive	Yes - using 1998 data
123 Scrub East of Woodingdean	Yes
124 Bazehill Road Reservoir	High biodiversity interest in urban Hanover
125 Happy Valley Downland	Yes
126 Abinger Road Paddock	Yes
127 Old Cottage Paddocks	Yes
128 Meadow Vale Paddocks	Nationally significant botanical site
129 Long Hill	Treat as if Yes
131 Ovingdean Hall	Treat as if Yes
132 Rottingdean Pond	Yes
133 Whiteway Lane	Yes
134 High Hill	Treat as if Yes
135 Balsdean Down	Yes
136 Balsdean Down East	Yes
137 Balsdean Downland North	Yes
138 Saltdean Down	Yes
139 Saltdean Vale	Yes
140 Coombe Meadow	Yes
141 Saltdean Chalk Pit	Yes - using 1998 data
142 Westfield Avenue	Yes
150 Craven Wood	Add as site adjacent to Whitehawk Hill, with active local group
151 Hove Lagoon	Add as important house sparrow site with Friends Group
152 Longhill Road open space	Add as wildlife corridor
153 Park Crescent	Add as part of Valley Gardens wildlife corridor
154 St Anne's Wells Gardens	Add as Hove site with Friends Group
155 St Wulfran's Woods	Added as site
156 The Level	Add as part of Valley Gardens wildlife corridor
157 Pavilion Gardens, Brighton	Add as important dunnock site in important location
158 Valley Gardens, Brighton	Add as part of Valley Gardens wildlife corridor
159 Vale Park	Add as local site near Aldrington with Friends Group
160 Wanderdown Road Open Space	Add as wildlife corridor
161 Withdean Park	Add as part of Withdean Park with 'Friends Group'

Local Geological Sites (LGS), previously called RIGS / RIGGS

- 1160 Black Rock LGS
- 1660 Friar's Bay LGS
- 1675 Goldstone (Hove Park)
- 1685 Stanmer Village

### Local Nature Reserves (LNR)

3000 Beacon Hill  
3010 Benfield Hill  
3020 Bevendean Down  
3030 Ladies' Mile  
100 Stanmer Park / Coldean Woods  
100x Stanmer Park / Coldean Woods - adjacent wood to north of Stanmer Great Wood  
3050 Wild Park  
3060 Withdean / Westdene Woods  
3070 Whitehawk Hill / Race Hill

### Sites not agreed

1 Mile Oak Farm Bank | No  
7 Portslade North Slope | No  
8 Mile Oak Farm Earthwork | No  
9 Loxdale Centre | No  
18 Dyke Trail South | No  
21 Mill View Hospital | No  
23 Alexandra Court | No  
39 St Andrew Old Church | No  
43 Millers Road | No  
44 Withdean Road Woods | No  
46 Tongdean Rise | No  
49 Braypool | No  
51 Scrub at Mill Road Roundabout | No  
52 Black Lion Copse | No  
55 Oak Close Copse | No  
56 The Preston Twins | No  
61 Howard Terrace Slopes | No  
62 Whittingehame Gardens Copse | No  
65 Patcham Court Field | No  
73 Elmore Road Scrub | No  
79 Wild Park | No  
91 Brown Loaf Farm | No  
96 Wollards Field | No  
120 Land at 54 Crescent Drive North | No  
130 Ovingdean Copse | No

Appendix 1: Contains detailed comments for each site.

Map 1: a location map shows the centre point for same reference numbers as those in the 2013 Consultation. Please contact Eco21st for detailed site boundaries.

## Policy

3.1 City Plan Part 2: **Soundness – FAILS** on delivery of sustainable development.

**Under National Government guidelines for biodiversity This Plan can not be considered “sound”. The NPPF guidelines test how sound The Plan is, through being: ‘Consistent with national policy’ – the plan should enable the delivery of sustainable development (Paragraphs 182, NPPF)**

3.2 In particular guidance was issued that biodiversity be progressed through The Planning Process.

3.3 Recommendations were published under ‘Biodiversity 2020: A strategy for England’s wildlife and ecosystem services, 2011’. This Plan makes no reference to the National Strategy, nor progresses Biodiversity between now and 2020.

3.4 The NPPF and Biodiversity 2020 refers explicitly to ‘Action required for priority habitats and priority species’. These priority habitats and species are derived from Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. These were published in the previous BAP lists.

3.5 There is no reference to ‘Biodiversity 2020: Strategy’ in The Plan. This is especially significant as BHCC have been awarded the status of a ‘Biosphere Reserve’ for land between Castle Hill SAC and the City.

3.6 Under the NPPF previous planning policy referred to UK BAP habitats and species as being a material consideration in the planning process. Equally many local plans refer to BAP priority habitats and species. Both remain as material considerations in the planning process but such habitats and species are now described as Species and Habitats of Principal Importance for Conservation in England, or simply priority habitats and priority species. The list of habitats and species remains unchanged and is still derived from Section 41 list of the Natural Environmental and Rural Communities (NERC) Act 2006.

3.7 It is not **Sound** for a Unitary Authority with full awareness of the national Biodiversity Strategy and designation of a ‘Biosphere Reserve’ to fail in including reference to this Strategy or Section 41 of the NERC Act 2006.

3.8 The England Biodiversity 2020 Strategy also refers to ‘Geodiversity’ as holding similar importance in Planning terms as Biodiversity. The City Council has a formal Biodiversity Duty which I consider is equally extended to Geodiversity in Planning terms. This is recommended in NPPF formal guidance, at Section 11; Conserving and enhancing the natural environment (Paragraphs 109 to 125).

3.9 Geodiversity is taken to include both the static exposed Geological features which may be seen on sites (for example the Chalk Cliffs on the South Coast, or Road Cuttings such as in the A27 Brighton Bypass) and also Geomorphological features. These are frequently more active features, such as Shingle Movement from Tidal Action demonstrating ‘Longshore Drift’

- 3.10 There is no reference to the '25 Year Plan to Improve the Environment' (DEFRA, 2018) in The City Plan. There are no reasons for excluding the Government's intentions in the Environment Plan, as much are Duties placed upon 'The Planning Process'
- 3.11 This lack of reference to the national plan published in January this year demonstrates that the **City Plan Part 2 FAILS**. It is **NOT A SOUND development planning document** and appropriate policies and intended actions must be added at this phase in the Consultation Process.

Information Quality

- 4.1 The Plan: **Soundness – FAILS** in working with the latest data sources.
- 4.2 NPPF formal guidance states that 'Local plans should be working with the latest data sources', for example in 'Plan-making' (Paragraph 165).
- 4.3 Most of the sites indicated in the on-line maps appeared in the 2005 version of the Local Plan. It appears this has **not** been updated with the 2013 selected sites.
- 4.4 NPPF formal guidance also emphasises the need for Engagement in Plan-making (Paragraph 155). The lack of engagement with wildlife specialists has resulted in many wildlife and geodiversity sites simply not being included in The Plan.
- 4.5 This is further hampered by an on-line map of sites where the shading style used for Local Wildlife Sites (LWSs). The maps are not legible; even Jubilee Library staff were unable to interpret the maps in the City Plan of their own Council! The Example studied is copied below:





## Local Nature Reserves

- 5.1 The map is too obscure to distinguish between formally notified Local Nature Reserves (LNR) and other features included under the Local Nature Conservation Designation (SD9) Policy.
- 5.2 It is not acceptable for LNRs to be so poorly represented on The Plan.
- 5.3 It is strongly recommended that a shading is used to ensure the Eight Local Nature Reserves are clearly shown with their correct name and boundary. And are explicitly listed in The Plan.

These correct names are provided below. The Government's MAGIC website shows boundaries:

**Beacon Hill LNR**  
**Benfield Hill LNR**  
**Bevendean Down LNR**  
**Ladies' Mile LNR**  
**Stanmer Park LNR**  
**Whitehawk Hill LNR**  
**Wild Park LNR**  
**Withdean Westdene Woods LNR**

- 5.4 Further details of the LWS, LGS and LNR sites can be supplied as required.

Yours faithfully,

**Eco21st.com**  
Brighton  
13 September 2018

## References

Biodiversity 2020: 'A strategy for England's wildlife and ecosystem services'  
From: Department for Environment, Food & Rural Affairs Part of: Biodiversity and ecosystems  
Published: 19 August 2011  
[www.gov.uk/government/publications/biodiversity-2020-a-strategy-for-england-s-wildlife-and-ecosystem-services](http://www.gov.uk/government/publications/biodiversity-2020-a-strategy-for-england-s-wildlife-and-ecosystem-services)

DEFRA, 2018. 'A Green Future: Our 25 Year Plan to Improve the Environment' Department for Environment, Food & Rural Affairs. Published 11 January 2018

**2018/ix/022/JMP**



## **Appendix 1: Details for each site in Table 1 (Alphabetical order)**

- 80 39 ACRES TQ 314,076 Not confirmed by BHCC. Diverse grassland/scrub. High invertebrate value. Also part of Wild Park LNR.
- 126 Abinger Road Open Space , listed as 'Abinger Road Paddock' TQ 361,1047
- 58 Argyle Road Copse. TQ 309,054 Should be treated as if designated' - this matches the north section of Brighton Greenway.
- 135 Balsdean Bottom Downs, was listed as 'Balsdean Down' TQ 377,046
- 136 Balsdean Downland East TQ 380,049
- 137 Balsdean Downland North TQ 381,055
- 13 Basin Road South TQ 264,045
- 74 Beaufort Terrace. TQ 321,049. Missing on BHCC map. Treat as if designated. Needs adding.
- 15 Benfield Valley Golf Course TQ 262,071 also called 'Benfield Valley Central'
- 19 Benfield Valley South. Q 264,064 Appears on BHCC map as part of Benfield Valley Central
- 121 Bexhill Road (Woodingdean). TQ 365,061 Also listed as 'Land at Bexhill Road '
- 109 Black Rock Beach. TQ 333,032 Needs its boundary drawn northwards to be tight against the wall, as it currently excludes the back end of the beach.
- 66 Braeside Avenue. TQ 313,094 Also named 'Braeside Avenue Scrub'
- 48 Bramble Rise Copse. TQ 293,084 Site should be included. Provides an important woodland/scrub and grassland area. Acts as stepping stone across urban area for woodland birds and butterflies.
- 49 Braypool Sports Ground. TQ 295,099 Was a 'NO' decision to 'Braypool'. Is this the same site?
- 11 Brighton & Hove Golf Course (next to Waterhall Golf Course) TQ 269,089 also called 'Round Hill'. This is not clearly shown. Probably uses Waterhall GC, also called 'Round Hill' (at TQ 269,084) A large area is shown on the B&HCC map. Clarify sites.
- 59 Brighton Greenway. TQ 310,053 Needs renaming and boundary confirmation. Was called 'Brighton Station North'
- 110 Brighton Marina TQ 340,029 Confirm boundary.

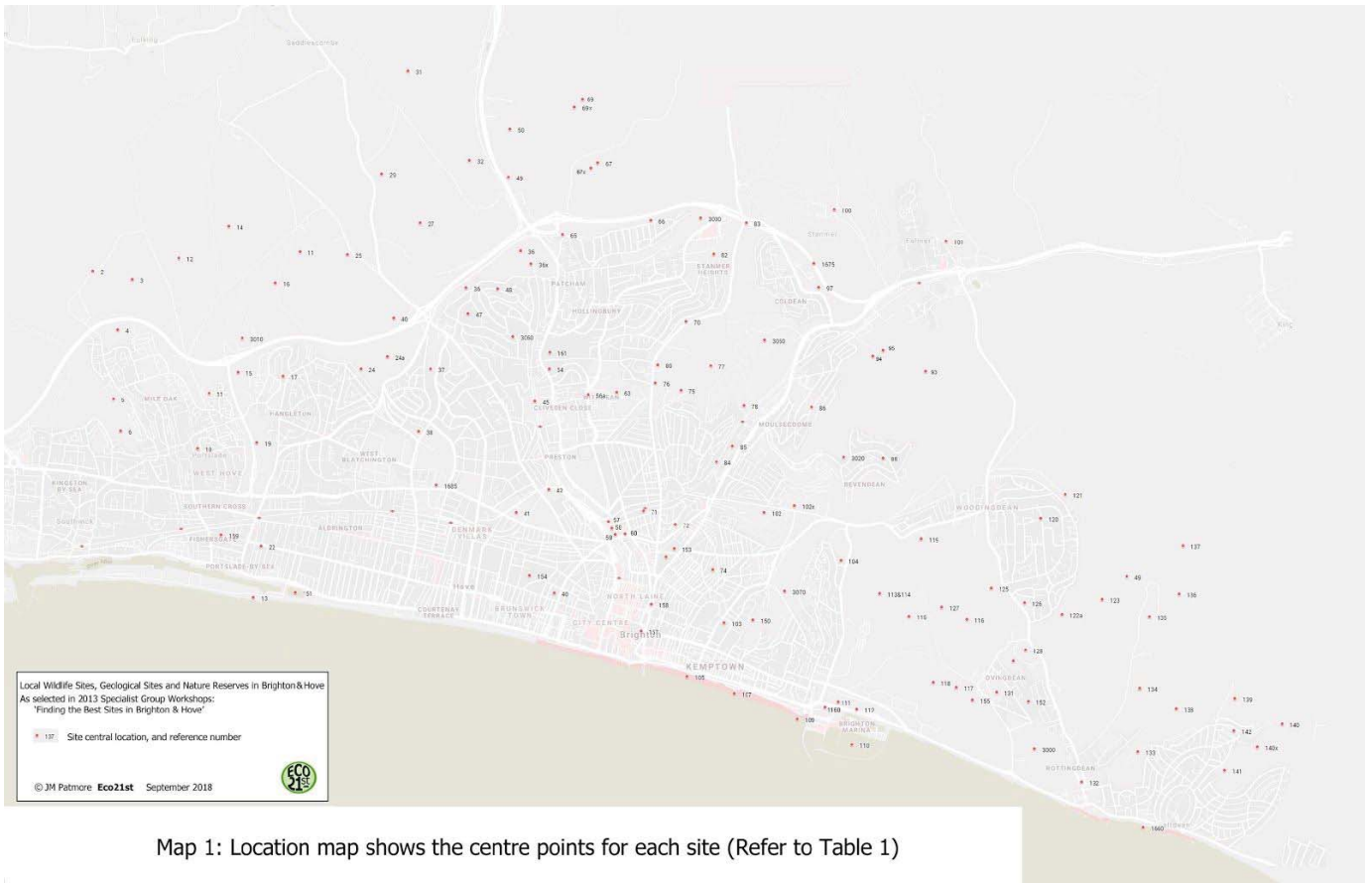
- 60 Brighton Station. TQ 308, 056 Now completely built over. This was originally selected as urban habitat for invertebrates and ruderal plants; and used as an example of 'Best Practice' for incorporating biodiversity into urban planning. This site loss should be formally recorded in biodiversity monitoring.
- 75 Burstead Woods. TQ 318,073 Ensure shown as a separate LWS to Wild Park LNR, include hedge on west and reptile track to east.
- 41 Cardinal Newman School. TQ 297, 057 Missing on BHCC map. Needs adding. Decision: Yes.
- 49 Castle Hill Arable Field. TQ 374,051 Missing on BHCC map, boundary needs adding.
- 117 Cattle Hill. TQ 352,037. Was Ovingdean Church to Cattle Hill. Confirm name and boundary.
- 102 Cemeteries off Bear Road. TQ 327,056. Also called Woodvale, Extra-mural & Downs Cemeteries (off Bear Road) Brighton Borough Cemetery (south of Bear Road) appears with a different (larger) boundary to the one shown, including the access roads, Brighton and Preston Cemetery and Downs Crematorium. The cemetery to the north of Bear Road does not appear. Confirm name and boundary.
- 102x Bear Road Bear Road Cemeteries. TQ 332,059 Cemeteries North of Bear Road
- 69 Chattri Down. TQ 304,109 'Deep Bottom & The Chattri' Ensure Deep Bottom in LWS.
- 69x Deep Bottom TQ 304,109. Add to Chattri Down LWS
- 111 Cliff Road Paddock/Pasture. TQ 338,034. Missing on BHCC map. Needs adding. Decision: Yes.
- 112 Cliff Corner Pasture. TQ 340,033. Was called Cliff Corner. Missing on BHCC map. Needs adding. Decision: Yes. Was drawn too far north, so takes in private gardens not the paddock, and the spectacular Autumn Ladies Tresses grassland to the east (SW corner of the Roedean pitch & putt course, behind The Cliff's SE houses' back gardens) is not marked as a Local Wildlife Site. Ensure correct boundary is shown.
- 4 Cockroost Bottom Lynchet TQ 249, 081. Also called 'Portslade North Slope' Decision: No.
- 3 Cockroost Hill East. TQ 248,084
- 2 Cockroost Hill West. TQ 243,086
- 83 Coldean Lane Slopes. TQ 325,094 Clarify location/boundary. Also see Land at Coldean Lane
- 36x Coney Hill. TQ 298,091 Add to BHCC map. Land is adjacent to #36
- 36 Coney Woods. TQ 297,090 Compare with Green Ridge and Coney Woods below
- 140 Coombe Farm. TQ 391,030. Listed as 'Coombe Meadow'
- 140x Coombe Meadow extended area, as above but match boundary to features on ground

- 150 Craven Wood. TQ 327,044. Add to BHCC list. Was not included. Clarify location and boundary. Part of Whitehawk Hill LNR. Has local group.
- 84 Crespin Way. TQ 323,066. Was called Crespin Way Copse
- 70 Ditchling Road / Woodbourne Meadow. TQ 318,081 called 'Ditchling Road SW' Add to BHCC map. Ensure this also includes Woodbourne Meadow. Has a Local 'Friends Group'.
- 63 Dorothy Stringer. TQ 308,071. Named 'Dorothy Stringer Wildlife Area'
- 25 Dyke Road Strip. TQ 275,089. Needs adding to BHCC map. Decision: Yes.
- 16 Dyke Trail. TQ 266,085. Needs adding to BHCC map. Decision: Yes.
- 115 East Brighton Golf Course. TQ 347,042. Missing on BHCC map. Needs adding, Decision: Yes. Mistakenly labelled Sheepcote Valley, which is to west.
- 31 East Hill, also called 'Casterbridge Farm' TQ285,112. Add to BHCC map. Decision: Yes.
- 10 Emmaus Gardens and St Nicolas. TQ 256,063. Needs adding to BHCC map. Decision: Yes.
- 67 Ewe Bottom (Standean Cottage Down) TQ 303,098. Ewe Bottom Hill is site to west, add the field to west of Ewe Bottom. Needs adding to BHCC map. Decision: Yes.
- 67x Ewe Bottom fields to west, see above LWS. Add as extension to Ewe Bottom fields, same botanical interest plus follows features in the field.
- 93 Falmer Hill TQ 348,076. Needs adding to BHCC map. Decision: Yes.
- 123 Bostle Bottom (Field E of Woodingdean) TQ 372,047. Also named: Scrub East of Woodingdean Add to BHCC map. Decision: Yes - but confirm name. Choice of three!
- 122a Field near Ravenswood Drive / Cowley Drive TQ 365,045. Also named: Field off Ravenswood Drive. Confirm name.
- 12 Foredown Ridge Eastern Side TQ 254,082. Also called 'New Barn Farm Slope' Add to BHCC map. Decision: Yes.
- 36 Green Ridge TQ 294,087. Also named: Green Ridge and Coney Woods. Separate out to two separate LWSs. Add 36x Coney Hill to LWS.
- 125 Happy Valley TQ 356,048. Also called 'Happy Valley Downland'
- 88 Heath Hill Down TQ 343,065. Missing. Needs adding to BHCC map. Decision: Yes.
- 42 Highcroft Villas TQ 301,060. Missing. Needs adding to BHCC map. Decision: Yes.
- 134 High Hill Pasture TQ376,037. Also called High Hill Down, was listed as 'High Hill'. Confirm name and boundary on BHCC map.

- 86 Hodshrove Wood TQ 333,071. Confirm boundary on BHCC map.
- 50 Hogtrough Bottom TQ 295,105. Missing. Two fields need adding to BHCC map as one LWS. Decision: Yes.
- 77 Hollingbury Golf Course TQ 321,076. Confirm names and boundaries on BHCC map. Many sites exist in the area including Hollingbury Fort. The LWS does not match the Wildpark LNR boundary.
- 82 Hollingbury Industrial Estate TQ 322,090. Confirm boundary on BHCC map. Appears to match Crowhurst Corner, one of the conservation sheep areas. Not the whole industrial estate.
- 76 Hollingbury Wood TQ 314,075. Add to BHCC Map, not the same as Golf Course LWS.
- 120 Honeysett TQ 363,058. Also called: Land at 54 Crescent Drive North. Decision: No.
- 151 Hove Lagoon TQ 270,046 Add to BHCC map. An important house sparrow site with a 'Friends of' Group
- 38 Hove Park Reservoir and Engineerium Grounds TQ 285,065. Also listed as 'Engineerium Grounds' Needs adding to BHCC map. Decision: Should be treated as if designated
- 94 Land off Ashurst Road TQ 342,077. Needs adding to BHCC map. Decision: Yes
- 97 Coldean Lane Slopes TQ 333,086. Also listed as 'Land at Coldean Lane' Needs adding to BHCC map. Decision: Yes
- 133 Land near Whiteway Lane TQ 375,028. Also listed as 'Whiteway Lane'. Needs adding to BHCC map. Decision: Yes
- 71 London Road Station TQ 313,058. Needs adding to BHCC map. Decision: Yes
- 152 Longhill Road open space TQ 362,035. Add to BHCC map. Approved as open space for wildlife in 2017 Planning Decision. Confused with Wanderdown Road Open Space
- 139 Looes Barn Woodland TQ 387,034. Also listed as 'Saltdean Vale'. Needs adding to BHCC map. Decision: Yes
- 128 Meadow Vale TQ 361,041. Also listed as 'Meadow Vale Paddocks'. Needs adding to BHCC map. Correct LWS boundary needs confirming. Nationally important as holding the largest population of *Centaurea calcitrapa* on a single site. Also supports scarce plants and invertebrates.
- 4 Mile Oak Fields TQ 246,078. Add to BHCC map. Decision: Yes
- 116 Mount Pleasant (Ovingdean) TQ 353,044. Add to BHCC map. Decision: Yes
- 14 North Benfield Valley TQ 260,092. Add to BHCC map. Decision: Yes

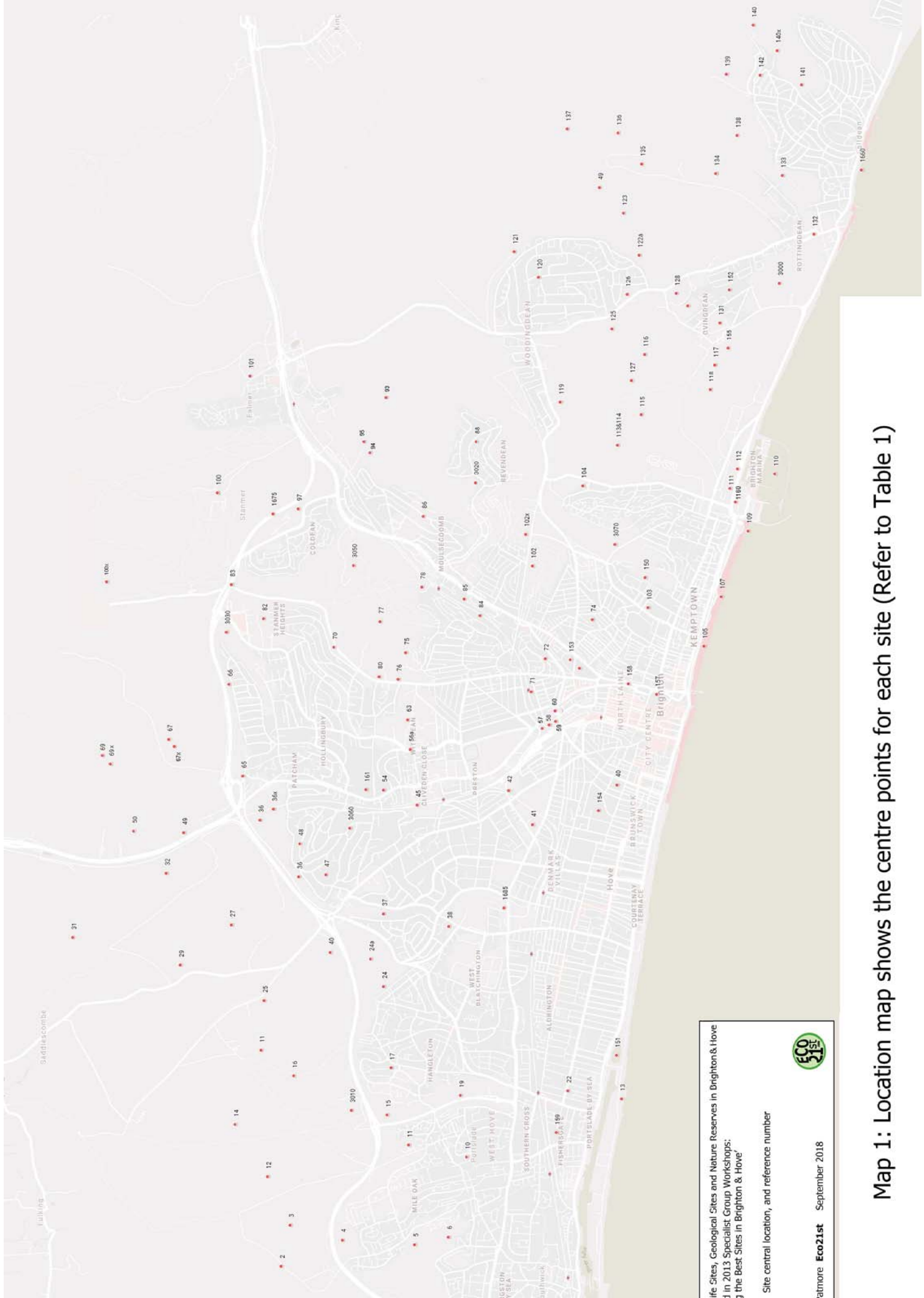
- 131 Ovingdean Hall TQ 358,036. Add to BHCC map. Decision: Yes
- 127 Ovingdean Road Horse Paddocks TQ 360,044. Also named as 'Old Cottage Paddocks' Add to BHCC map. Decision: Yes
- 153 Park Crescent TQ 317,053. Add to BHCC map, near to The Level continues wildlife corridor from Valley Gardens, in the very centre of Brighton.
- 40 Park Royal & High School TQ 302,047. Needs adding to BHCC map. Decision: Yes
- 57 Parkmore Terrace Railside TQ 308,055. New boundary added. Will need correcting. Decision: 'Should be treated as if designated' Connects to Brighton Greenway LWS
- 65 Patcham Court Farm TQ 302,092. Missing on BHCC map. Needs adding: Decision: 'Should be treated as if designated'
- 141 Quarry Field TQ 387,027. Also named as 'Saltdean Chalk Pit' Needs adding to BHCC map Decision: Yes
- 78 Queensdown TQ 324,071. Decision: Yes + proposed LNR. Ensure this is on BHCC map with accurate boundary.
- 47 Redhill Sports Ground TQ 290,081. Needs adding to BHCC map. Decision: 'Should be treated as if designated'
- 118 Roedean School Bank TQ 350,036. Listed as 'Roedean School Slope ' Amend boundary. Roedean School Bank, also part of Ovingdean Grange Farm's management, should have its western boundary tight against the footpath and fence-line, whereas in places it drifts eastwards so omitting bits of the chalk grassland bank; also, the boundary should extend northwards to meet the top of the above LWS at its NW corner. Decision: Yes. Ensure this is on BHCC map with accurate boundary.
- 132 Rottingdean Pond TQ 369,025. Needs adding to BHCC map. Decision: Yes
- 72 Roundhill Copse TQ 317,056. Needs adding to BHCC map. Decision: 'Should be treated as if designated'
- 113,114 Sheepcote Valley TQ 342,052. Listed as 2 sites 'Sheepcote Valley North / Sheepcote Valley South' All of the SNCI area of the valley is included, and also Racehill Orchard. There are some extra areas to the East of Sheepcote which seem to encroach on the golf course and right down Ovingdean. Exclude: Stanley Deason leisure centre along with its floodlit artificial football pitches and school buildings, Whitehawk football club and the adjacent caravan park and the tip / civic amenity site; there's also the formal East Brighton park, with its hard surface tennis courts, plus the manicured cricket and football pitches. Decision: Yes. Ensure this is on BHCC map with accurate boundary.
- 6 Sidehill Scrub (near Mile Oak) TQ 247,066. Needs adding to BHCC map. Decision: Yes

- 5 Southwick Hill East TQ 246,070. Needs adding to BHCC map. Also called Oakdene. New boundary added. Will need correcting.
- 154 St Anne's Wells Gardens TQ 299,049. Add to BHCC list, important location for wildlife in the centre of Hove.
- 17 St Helen's Churchyard TQ 267,072. Decision: Yes. Ensure this is on BHCC map with accurate boundary.
- 22 St Leonard's Churchyard TQ 265,052. Decision: Yes. Ensure this is on BHCC map with accurate boundary.
- 155 St Wulfran's Woods TQ 355,034. Boundary seems to miss out pieces of woodland. Review LWS boundary.
- 103 Stevenson Road Quarry TQ 323,043. Add to BHCC list. Decision: Yes
- 56a Surrenden Crescent and Surrenden Road TQ 305,073. Decision: Yes. Add to BHCC list. Polygons need aligning accurately and Surrenden Field Copse is a separate LWS.
- 54 Surrenden Field Copse TQ 301,075. Add to BHCC list. Decision: Yes. This is just the woodland east from Surrenden Field
- 32 Sweet Hill Scrub / Sweet Hill West TQ 290,101. Decision: Yes. Add to BHCC list.. Confirm names and locations.
- 101 Tenant, Lain & Moon's Gate Woods TQ 347,098. Also listed as 'Lots Pond to The Ridge, Stanmer'. Needs adding to BHCC map. Decision: Yes. Semi-Natural Woodland shaw along east edge needs inclusion. Also supports badger *Meles meles* population.
- 156 The Level TQ 315,051. Add to BHCC map, forms part of the wildlife corridor from Valley Gardens, in the very centre of Brighton.
- 37 Three Cornered Copse TQ 285,075.
- 157 Pavilion Gardens, Brighton TQ 312, 042. Add to BHCC map, important WLH site and site management includes biodiversity objectives. Forms part of the wildlife corridor with Valley Gardens, in the very centre of Brighton.
- 158 Valley Gardens, Brighton TQ 314,045. Add to BHCC map. Management could include biodiversity objectives as habitat corridor in the very centre of Brighton.
- 24a Toad's Hole Valley TQ 280,075. This is the original 100 acre site. However it will be built on! Only a small amount (15 acres) retained for nature as 'East facing slope' (next site)
- 24 Toad's Hole Valley - East Facing Slope TQ 277,075. Decision: Yes to east facing slope; valley should be treated as if designated.
- 159 Vale Park TQ 260,053. Add to BHCC map. An Aldrington site with a 'Friends of' Group



Map 1: Location map shows the centre points for each site (Refer to Table 1)





Life Sites, Geological Sites and Nature Reserves in Brighton & Hove  
 as identified in 2013 Specialist Group Workshops:  
 Identifying the Best Sites in Brighton & Hove

Site central location, and reference number

**Eco21st** September 2018

Map 1: Location map shows the centre points for each site (Refer to Table 1)



Liz Hobden  
Head of Planning  
City Development and Regeneration  
Brighton & Hove City Council

13<sup>th</sup> September 2018

Dear Liz Hobden and the Planning Policy team

### **CITY PLAN PART 2 – PATCHAM WARD (PATCHAM AND HOLLINGBURY)**

Below I outline my concerns regarding the proposed developments of three specific locations:

1. Policy H1 Housing sites and Mixed use Sites (Table 5 – 46-54 Old London Road Patcham BN1 8XQ)
2. Policy H2 Housing Sites – Urban Fringe (Table 7 – Land adjoining Horsdean Recreation ground [site 16])
3. Land at Ladies Mile Road Carden Avenue [site 17])

#### **46-54 Old London Road**

I am concerned at the inclusion of five private detached houses at 46-54 Old London Road. Other than previous attempts by McCarthy and Stone to develop the land, there has been no other development interest; including this site in these policies will, however, undoubtedly create interest.

I am particularly concerned that the Council has designated five privately-owned homes as one site, stating that it should be developed. I feel strongly that this is inappropriate for the Local Authority to designate private property for development by others without the agreement of the land owners.

At a recent residents' meeting, it was mentioned that officers would establish if the site is available, and if not, would have to consider removing the site from the Policy. Surely the Council should have determined this before including these houses. I believe at least one of the property owners objects to their property being included in this Policy. The site should therefore be removed unless the Council intends to compel citizens to sell their property.

I am also obviously concerned about the negative impact on Patcham Village due to the scale and density of the projected development. McCarthy & Stone proposed a number of units for senior residents unlikely to own vehicles. This proposal has no such restrictions. 30 or more bedroom flats could attract at least 60 vehicles, a number which clearly could not be accommodated in the area.

#### **Sites 16 and 17**

While I understand that Brighton requires new homes, I object to the proposed developments on urban fringe Sites 16 and 17. My concern is that once the urban fringe is allocated, they will be preferred to brown field sites, which could lead to further development on fringe sites.

Although I realise that this consultation focuses on the allocation of land, it is worrying that there is no detail which relates to amenity, density, or privacy; and no detail referring to transport, schools, or doctors.

I would like to stress that the urban fringe sites are popular environments which provide the community with access to open space for recreation. Targeting the urban fringe creates potential for population and vehicle increases. Opening the wooded area above Horsdean recreation ground would undoubtedly increase noise and air pollution for current residents.

Policy H2, in relation to Sites 16 and 17, states that opportunities are needed to secure additional, accessible open space. However, both sites will remove open space, and impede rather than improve access to the South Downs National Park.

Sites within H1 and H2 seem contradictory. H1 requires intense development with the demolition of five family homes, whilst H2 requires 50% of the development to have 3+ bedroom large family homes due to a lack of such properties.

In light of my objections, I would request that the three locations discussed in this letter be removed from City Plan Part 2.

Yours sincerely



DP287

**For Official Use:**

Respondent Number:

Date Received: / / /2018

Entered onto Portal: Yes/No

**Draft City Plan Part Two**  
**Consultation Period: 5th July 2018 until**  
**5pm on 13th September 2018**  
**Word Response Form**

Accessibility Notice: (Ctrl & click to view): <https://www.brighton-hove.gov.uk/content/about-website/help-using-council-website/accessibility>

**Draft City Plan Part Two – Consultation**

Brighton & Hove City Council has published the draft City Plan Part Two for a 10 week period of consultation starting 5<sup>th</sup> July 2018. This follows on from the scoping consultation undertaken July - September 2016.

The draft City Plan Part Two sets out the preferred approach and includes proposed site allocations for housing and other uses such as employment and community facilities and contains a suite of development management policies which will be used to assess planning applications. The City Plan Part Two will support the implementation and delivery of the City Plan Part One.

The council is seeking your views on the draft Plan and supporting documents. Your comments will help inform the final version of the City Plan Part Two. So if you have any comments about the approaches in the plan then we would urge you to submit those comments during this consultation so that they can be fully taken into account.

The Draft City Plan Part 2 and supporting documents including a quick guide to the City Plan Part Two as well as background evidence documents are available to view and download from the Council's website at: [www.brighton-hove.gov.uk/cityplan-part2](http://www.brighton-hove.gov.uk/cityplan-part2).

**Part A: Contact Details**

I consent to being added to the Planning Policy, Heritage and Projects team mailing list and contacted via email regarding forthcoming news and consultations

Yes

No

Privacy Notice: (ctrl & click to view)

<https://www.brighton-hove.gov.uk/content/planning/planning-applications/planning-service-privacy-statement>

*Please note that you must complete Part A as anonymous forms cannot be accepted.*

<b>Organisation Name (If applicable)</b>	Fairfax Acquisitions Ltd
<b>Name</b>	c/o Agent
<b>Address</b>	
<b>Email Address</b>	
<b>Agent Name (If applicable)</b>	
<b>Agent Name</b>	Boyer
<b>Agent Address</b>	
<b>Agent Email Address</b>	

**Part B: Your Representation relating to Development Management Policies**

*Please use a separate sheet for representations against each Development Management policy*

(ctrl & click to view)

**Housing, Accommodation & Community chapter (policies DM1-DM10)**

**Employment Tourism & Retail Chapter (policies DM11-DM17)**

**Design & Heritage Chapter (policies DM18-DM32)**

**Transport & Travel Chapter (policies DM32-DM36)**

**Environment & Energy Chapter (policies DM37-DM46)**

**Policy Number** (e.g. DM1) DM38

**Policy Name** (e.g. Housing Quality, Choice and Mix) Local Green Spaces

**a) Do you Support or Object to the policy?**

Support            **If you support this policy, please go to questions (b) and (c)**  
Object      X      **If you object to this policy, please go to questions (d) and (e)**

**b) Please explain why you support this policy?**

**c) If you support this policy but have some suggested wording changes please outline these clearly below**

**d) Please explain why you object to this policy?**

See enclosed statement

**e) If you Object to this policy and would like to put forward some alternative wording for the policy please set this out clearly below**

See enclosed statement

**Part C: Your Representation(s) relating to Site Allocations**

**Site Allocations - Special Area policies**

(Ctrl & click to view): [SA7 Benfield Valley Policy](#)

**a) Do you Support or Object to the policy?**

Support	X	If you support this policy, please go to questions (b) and (c)
Object	X	If you object to this policy, please go to questions (d) and (e)

**b) Please explain why you support this policy?**

Whilst we support the principle of new residential development at the site, it is considered that the site has greater potential to meet the housing needs of the City (see enclosed statement)

**c) If you support this policy but have some suggested wording changes please outline these clearly below**

See enclosed statement

**d) Please explain why you object to this policy?**

See enclosed statement

**e) If you Object to this policy and would like to put forward some alternative wording for the policy please set this out clearly below**

See enclosed statement

**Site Allocations – Strategic Site Allocations**

(Ctrl & click to view): [Strategic site allocations: \(policies SSA1-SSA7\)](#)

*Please use a separate sheet for representations against each Strategic Site Allocation*

- SSA1, Brighton General Hospital Site
- SSA2, Combined Engineering Depot, New England Road
- SSA3, Land at Lyon Close, Hove
- SSA4, Sackville Trading Estate & Coal Yard, Hove
- SSA5, Madeira Terrace & Madeira Drive
- SSA6, Former Peter Pan Leisure Site (adjacent Yellow Wave)
- SSA7, Land Adjacent Amex Community Stadium, Falmer Way

**Policy Number**

**Policy Name**

**a) Do you Support or Object to the policy?**

Support  If you support this policy, please go to questions (b) and (c)  
 Object  If you object to this policy, please go to questions (d) and (e)

**b) Please explain why you support this policy?**

**c) If you support this policy but have some suggested wording changes please outline these clearly below**

**d) Please explain why you object to this policy?**

**e) If you Object to this policy and would like to put forward some alternative wording for the policy please set this out clearly below**

**f) Are there any other sites that could be allocated as strategic sites ?**

## Site Allocations - Housing Sites

(Ctrl & click to view): [Housing sites and Mixed Use Site allocations: \(policies H1-H3\)](#)

### H1 - Housing Sites & Mixed Use Sites

**a) Do you Support or Object to the policy?**

Support

If you support this policy, please go to questions (b) and (c)

Object

If you object to this policy, please go to questions (d) and (e)

**b) Please explain why you support this policy?**

**c) If you support this policy but have some suggested wording changes please outline these clearly below**

**d) Please explain why you object to this policy?**

**e) If you Object to this policy and would like to put forward some alternative wording for the policy please set this out clearly below**

**f) If you wish to comment on any specific housing site allocations listed in the policy please do so below making clear which site(s) you are commenting on and give your reasons**

**g) Are there any other sites that could be allocated as housing sites ?**



**H2 – Urban Fringe Housing Sites**

(Ctrl & click to view): [Housing sites and Mixed Use Site allocations: \(policies H1-H3\)](#)

**a) Do you Support or Object to the policy?**

Support      X      If you support this policy, please go to questions (b) and (c)  
Object                      If you object to this policy, please go to questions (d) and (e)

**b) Please explain why you support this policy?**

Whilst we support the principle of new residential development at Benfield Valley, it is considered that the site has greater potential to meet the housing needs of the City (see enclosed statement)

**c) If you support this policy but have some suggested wording changes please outline these clearly below**

See enclosed statement

**d) Please explain why you object to this policy?**

**e) If you Object to this policy and would like to put forward some alternative wording for the policy please set this out clearly below**

**f) If you wish to comment on any specific housing site allocations listed in the policy please do so below making clear which site(s) you are commenting on and give your reasons**

See enclosed statement

**H3 - Purpose Built Student Accommodation Sites**

(Ctrl & click to view): [Housing sites and Mixed Use Site allocations: \(policies H1-H3\)](#)

**a) Do you Support or Object to the policy?**

Support  If you support this policy, please go to questions (b) and (c)  
Object  If you object to this policy, please go to questions (d) and (e)

**b) Please explain why you support this policy?**

**c) If you support this policy but have some suggested wording changes please outline these clearly below**

**d) Please explain why you object to this policy?**

**e) If you Object to this policy and would like to put forward some alternative wording for the policy please set this out clearly below**

**f) If you wish to comment on any specific student housing site allocations listed in the policy please do so below making clear which site(s) you are commenting on and give your reasons**

**g) Are there any other sites that could be allocated as sites for student housing?**

**Site Allocations - Employment Site**

(Ctrl & click to view): [Opportunity site for business and warehouse uses: \(policy E1\)](#)

**a) Do you Support or Object to the policy?**

Support  If you support this policy, please go to questions (b) and (c)  
Object  If you object to this policy, please go to questions (d) and (e)

**b) Please explain why you support this policy?**

**c) If you support this policy but have some suggested wording changes please outline these clearly below**

**d) Please explain why you object to this policy?**

**e) If you Object to this policy and would like to put forward some alternative wording for the policy please set this out clearly below**

**f) Are there any other sites that could be allocated as employment sites ?**

**Part D: Your Representation(s) relating to Any Other Comments & Equalities**

**Any other comments**

*Please use a separate sheet for each representation*

(Ctrl & click to view):

- [Introduction](#)
- [Appendix 1: Glossary of terms](#)
- [Appendix 2 Parking Standards – Policy DM36 Parking and Servicing \(adopted Parking Standards SPD\)](#)
- [Appendix 3 - Local Wildlife Sites \(Policy DM37 Green Infrastructure and Nature Conservation](#)
- [Appendix 4 - Policy H2 Urban Fringe Housing Site Maps \(see also proposed draft Policies Map\)](#)
- [Appendix 5 - List of Brighton & Hove Local Plan policies that will be superseded on adoption of the City Plan Part 2](#)
- [Appendix 6 Table 1 – Proposed Changes to Policy Map – new additions/ amendments by virtue of policies in Draft City Plan Part 2/ Updates](#)
- [Appendix 6 Table 2 Policies Map – Proposed Changes to the City plan Part 1 Policies Map due to retained Brighton & Hove Local Plan Policies being superseded by City Plan Part 2 policies](#)
- [Supporting documents to the City Plan Part Two](#)
- [Background studies for the City Plan Part Two](#)

**AO1 Do you have any other comments on any other part of the plan or its supporting documents? If you are commenting on more than one supporting document / background study please make this clear in the box below by using headings.**

**Equalities**

The council has a duty under the Equalities Act 2010 to eliminate discrimination and advance equality of opportunity for people with the following protected characteristics: age, disability, race, religion, sex, sexual orientation, gender reassignment, marriage and civil partnership, and pregnancy and maternity. In addition the council has a duty to foster good relations between all communities.

A Health and Equalities Impact Assessment on the Draft City Plan Part Two has been undertaken and is available to view [here](#) [PDF, 2.8MB]

**AO2 Do you consider the City Plan Part Two to have any equalities implications, positive or negative? If so, please provide further details.**

<b>Signed*:</b>	
<b>Dated*:</b>	13 September 2018

All representations must be received at the email or postal address given on this form by **5.00pm on 13<sup>th</sup> September 2018.**

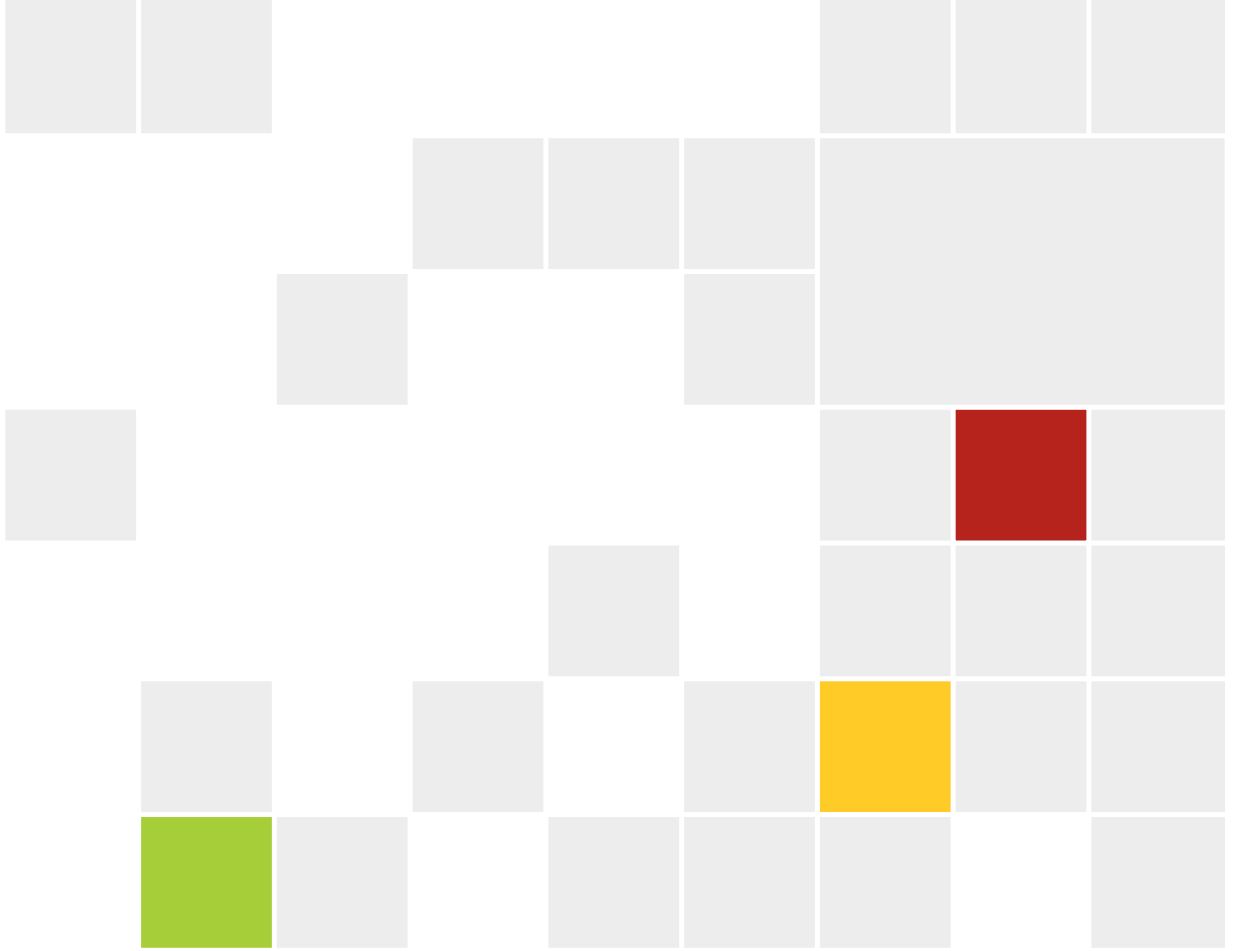
**Due to the length of the consultation period please kindly note that late representations will not be accepted.**

Completed forms should be sent to:

Email: [planningpolicy@brighton-hove.gov.uk](mailto:planningpolicy@brighton-hove.gov.uk)

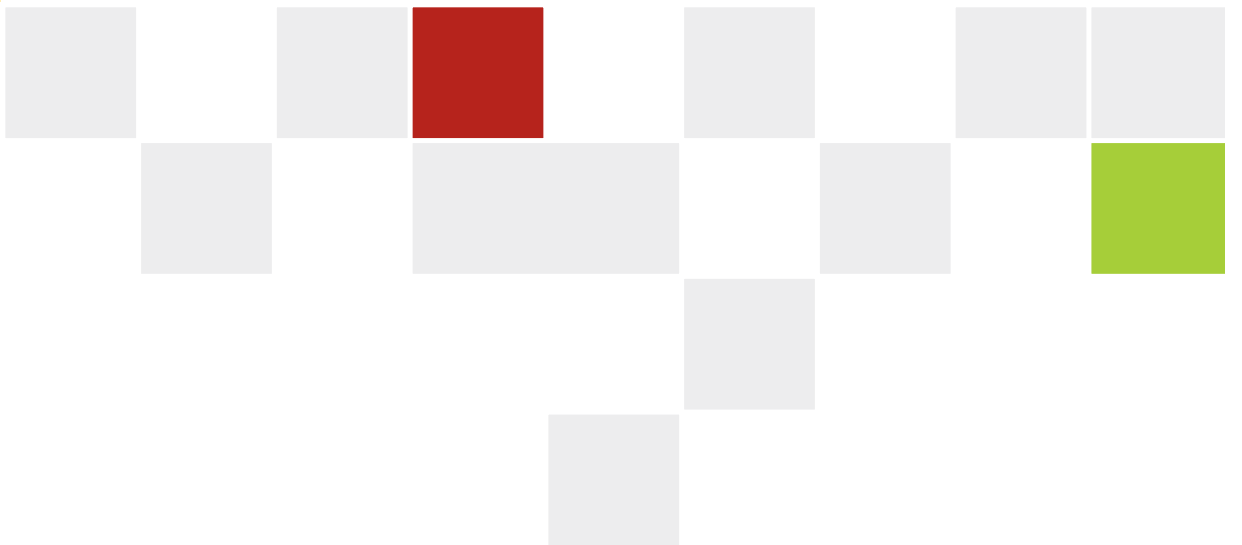
Post: Consultation on the Draft City Plan Part Two  
Brighton & Hove City Council  
Planning Policy Team  
1<sup>st</sup> Floor Hove Town Hall  
Norton Road  
Hove BN3 3BQ

If you have any further queries please contact us on 01273 292505 or via email [planningpolicy@brighton-hove.gov.uk](mailto:planningpolicy@brighton-hove.gov.uk)



# Land at Benfield Valley, Hove

City Plan Part 2 Representations (Reg 18)



**Boyer**

Report Control

Project:	Land at Benfield Valley, Hove
Client:	Fairfax Acquisitions Ltd
Reference:	18.5146
File Origin:	K:\18.5146\4 Boyer Planning\4.02 Reports
Primary Author	SB
Checked By:	PA

<i>Issue</i>	<i>Date</i>	<i>Status</i>	<i>Checked By</i>
1	12/09/2018	DRAFT	PA
2	13/09/2018	Final	PA





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## **APPENDIX**

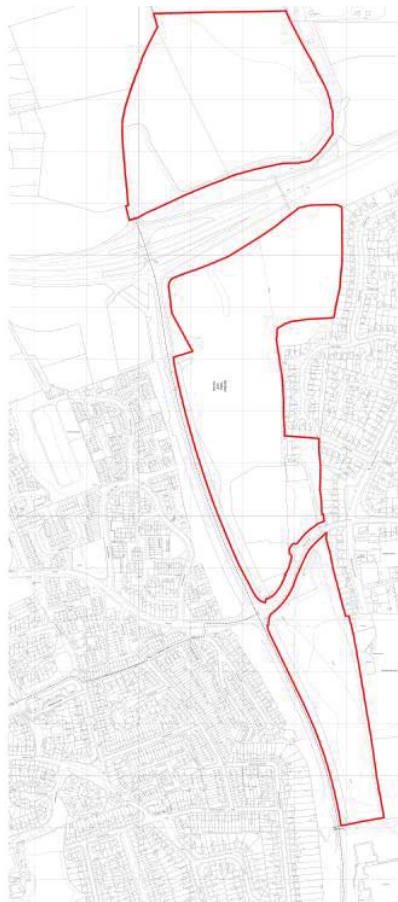
Appendix One – Policies SA7 & H2

Appendix Two – Ecological Appraisal

Appendix Three – Access Plans

# 1. INTRODUCTION

- 1.1 This document has been prepared on behalf of Fairfax Acquisitions Ltd in respect of land at Benfield Valley Golf Club, Brighton which is identified within Brighton and Hove's City Plan Part Two (CPP2) for new development.
- 1.2 Fairfax have a controlling interest in land extending to 25Ha (61.77acres) which comprises of the majority of land within the Benfield Valley (as shown on the plan extract below). As part of these representations, a review of the Council's supporting evidence base has been undertaken whilst work has been undertaken to inform how the site could be developed and how would it contribute towards a sound spatial strategy for delivering new development within Brighton and Hove City Council. Recommended changes to the relevant policies are then set out in Chapter 4.
- 1.3 The site is located to the east of the A293 (link road between the A27 to the north and A270 Old Shoreham Road to the south) and cut through the middle by Hangleton Lane. There is a large supermarket adjacent to the site at its southern end and to the east are playing fields to Hove Park School, The Greenleas football pitches and houses backing onto the site along Hangleton Valley drive, Sylvester Way, Meads Avenue and Warene Road.

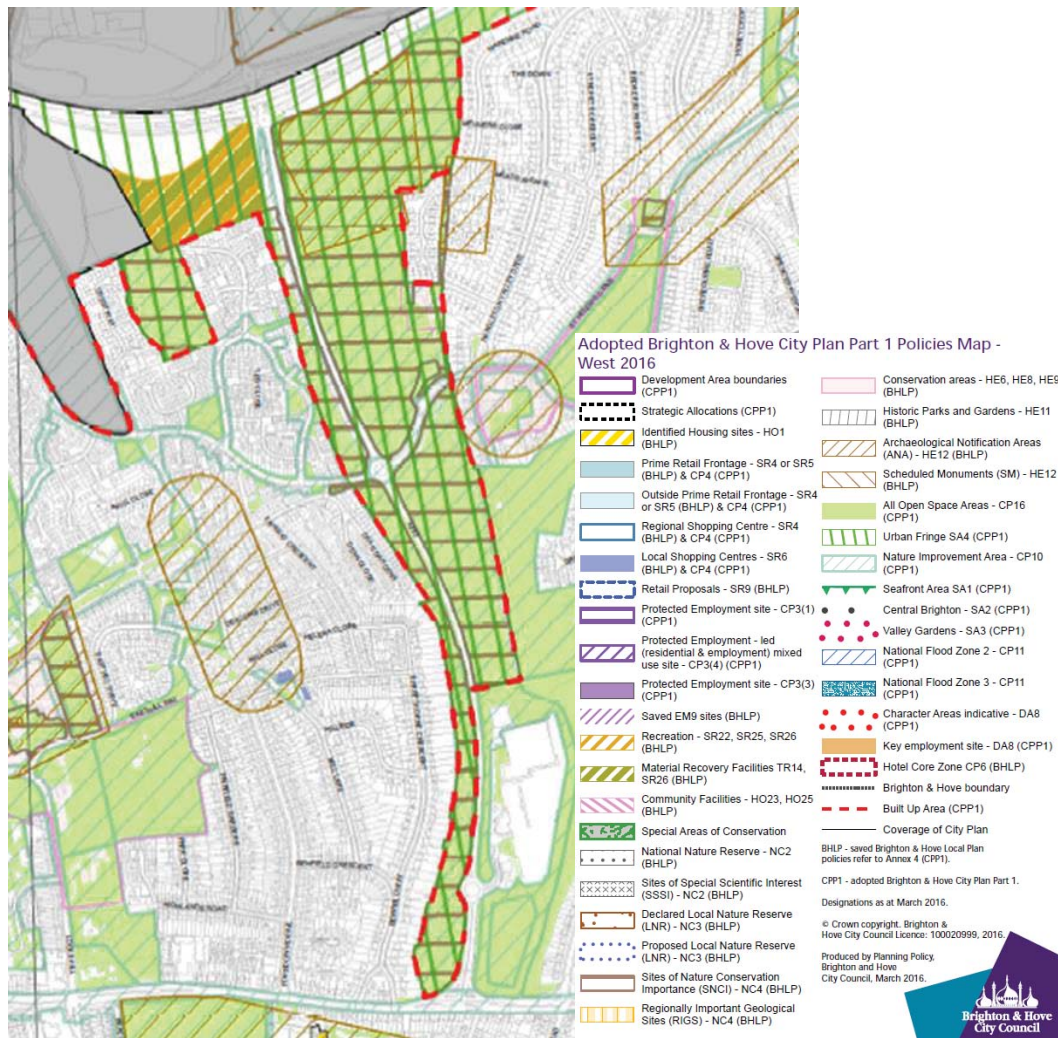


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## 2. BACKGROUND

- 2.1 This part of our representations reviews the evolution of the planning policy framework which has informed the emerging site allocation.
- 2.2 As part of the examination into the now adopted City Plan Part 1, the examining Inspector raised concerns with the proposed housing requirement of 11,300 new homes over the Plan period (as set out in the submission version of the Plan) which was a significant shortfall against the assessed housing need (the most recent SHMA identifies a need for 30,120 new homes). As a consequence the Inspector recommended that the Council rigorously assess all opportunities to meet housing need drawing attention to three potential sources, one of which included urban fringe sites.
- 2.3 As a result an Urban Fringe Assessment, prepared by LUC, was undertaken to assess the potential contribution of the city's urban fringe sites to accommodate additional residential development. This Assessment, published in 2014, identified that Benfield Valley had the potential to accommodate residential development on 1.5Ha of land north and south of Hangleton Lane. Based on an indicative density it was assumed by the study that the site had the potential to deliver 30 new homes. The Assessment also considers areas that could be designated as Local Green Spaces (LGS), when assessed against NPPF guidance, identifying that land at Benfield Valley had the potential to be designated as LGS. Following this initial Assessment, further assessments were published in 2015 and 2016 by LUC (landscape and ecology) and Archaeology South-East (archaeology) which reviewed each site in more detail.
- 2.4 The Inspector examining the City Plan Part 1 noted in her report that the Urban Fringe Assessment concluded that about 1,000 new homes could be developed in such locations. The Inspector further noted that with the exception of Toad's Hole Valley it was the Council's intention to undertake a more detailed assessment of these sites through the preparation of the City Plan Part 2.
- 2.5 The City Plan Part 1 was subsequently adopted in March 2016. This Plan identified that the whole of the Benfield Valley fell outside of the defined urban area, within the City's 'Urban Fringe'. Benfield Valley was identified as a Site of Nature Conservation Importance (SNCI), defined open space and a Nature Improvement Area whilst a small part of the site was identified as a Conservation Area (around Benfield Barn which is a statutory listed building) and an Archaeological Notification Area. An extract of the City Plan Part 1 Proposals Map is shown on the following page.
- 2.6 The Council's Open Space Study (2011) which supported the City Plan Part 1 identifies the Benfield Valley as natural/semi-natural green space to the south of Hangleton Lane (and a small part north of this road) whilst the remainder of the site including land to the north of the A27 as a golf course (no public access save public rights of way). In terms of supply, the assessment identifies that by 2030 there would be a deficit in most forms of open space.

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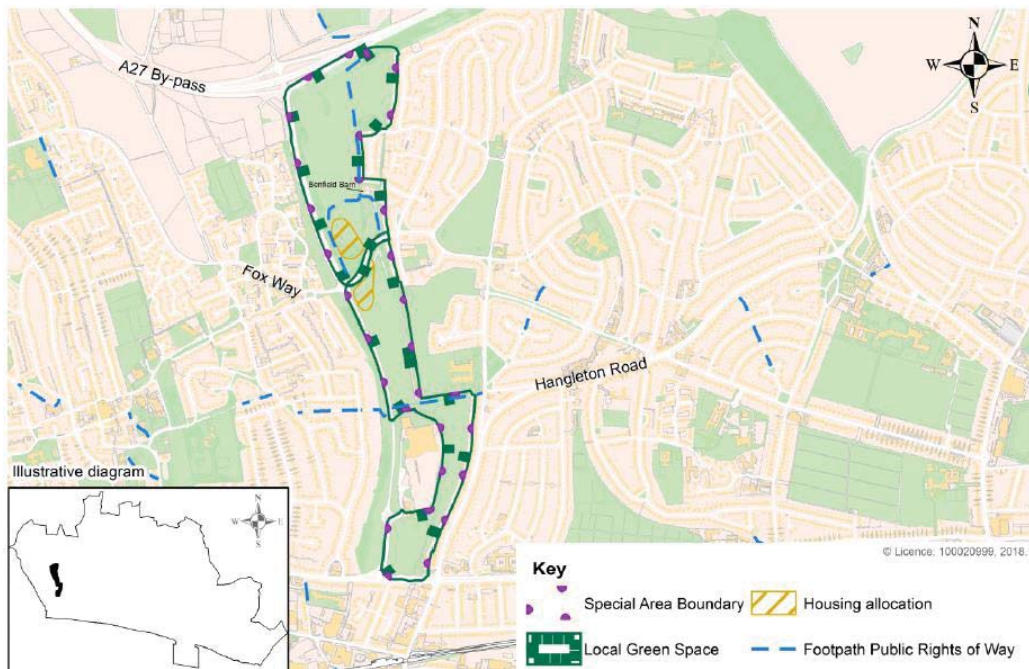


- 2.7 In June 2016, the Council published the City Plan Part 2 Scoping Document, the aim of which is to outline the role and scope of the Plan. The document did not seek to identify specific sites for proposed housing allocations however it did invite respondents to put forward sites. As such, the previous promoters of the site made detailed representations supporting development at the site. This work involved the preparation of a ‘vision’ for development at the site which was supported by a number of supporting reports including ecological, highways, landscape and open space assessments that supported this vision. In summary, this work concluded that a larger area of the site could be developed for residential uses, when compared to the Council’s Urban Fringe Assessment, with it possible to mitigate against any adverse impacts.
  
- 2.8 In June 2018, the Council published its Housing and Mixed Use Site Allocations Topic Paper which supports the draft City Plan Part 2. This Topic Paper includes a site assessment of each of the proposed allocations.

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- 2.9 In terms of the capacity of Benfield Valley, the topic paper states that following detailed consideration by the Council’s Policy and Heritage Team and ESCC County Ecologist and Landscape Architect suggests that there is potential for approximately 100 new homes on 1.6Ha north and south of Hangleton Lane and a density of 60 dwellings per hectare.
- 2.10 Policy SA7 of the emerging City Plan Part 2 refers specifically to Benfield Valley stating that it will be protected and enhanced as an important green wedge into the urban area, a valued Local Wildlife Site (which covers the same area as the previous SNCI which this designation supercedes) and Local Green Space. The Policy sets out a number of policy objectives stating that development in accordance with the identified development areas shown to the north and south of Hangleton Lane will be permitted provided that such development addresses the key considerations set out in Policy H2 (which allocates the site for 100 new homes, of which 50% should comprise of family sized housing [3+ bedrooms]). An extract of the illustrative diagram is shown below whilst full copies of Policies SA7 and H2 are enclosed as part of [Appendix 1](#).



- 2.11 The Council’s Housing Provision Paper (May 2018), which forms part of the evidence base, concludes that all of the City Plan site allocation policies (both CPP1 and CPP2) set minimum housing provision figures, which allows potential for housing totals to be exceeded on individual sites when development proposals come forward at the planning application stage.

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**Summary**

- 2.12 As a result of the examination into the then emerging City Plan Part 1, the Council's Urban Fringe Assessment identified that new residential development at Benfield Valley has the ability to make a contribution to the delivery of new housing in the City, however the housing requirement figure within the City Plan Part 1 is still less than 50% of the identified need.
- 2.13 As part of the City Plan Part 2 Scoping Document detailed representations were submitted by the then promoter which was supported by a number of technical studies that considered that a greater proportion of the site was suitable for new residential development. Whilst acknowledging that the site has a number of sensitivities, the emerging City Plan Part 2 identifies that a greater quantum of development can be delivered at the site when compared to the previous Urban Fringe Assessment on areas of land immediately to the north and south of Hangleton Lane.
- 2.14 The Council acknowledge that the indicative housing figures contained within the Plan could potentially be increased through individual planning applications.

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### 3. ASSESSMENT

- 3.1 In order to determine whether there is scope to provide additional development at Benfield Valley, further work has been undertaken by Fairfax. This work has informed the preparation of an initial concept plan which is set out at the end of this chapter.

#### *Ecology*

- 3.2 In order to understand the potential ecological constraints that may affect new development at the site an Extended Phase 1 Habitat Survey has been undertaken. This work has identified a series of ecological constraints and opportunities that are considered relevant to the site.
- 3.3 As a result of this work, a plan, shown below, has been prepared outlining which areas of the site would be best for development (outlined in green) as these have a lower ecological value and the habitat can be replaced elsewhere on the site, or portions easily retained and enhanced. The areas outlined in yellow are considered to have a higher ecological value and are proposed to be retained and enhanced as part of the development. The results of this ecological work indicate that it would be beneficial to limit the areas of development to amenity grassland, disturbed ground, hard standing and poor semi-improved grassland across the site and to retain as much as possible the semi-improved calcareous grassland and broadleaved woodland parcels as these are of higher ecological value.
- 3.4 The assessment provides recommendations on a series of potential mitigation measures, to be delivered as part of new development, that include native species only hedgerow planting, the inclusion of insect towers, bat and bird boxes and the creation of high value scrub habitat across the site. The assessment notes that the northern part of Benfield Valley contains poor semi-improved grassland and semi-improved calcareous grassland which could be enhanced by using a method called 'green hay translocation' and an improved management strategy to increase the species composition of these grassland habitats. The subsequent uplift in biodiversity will increase the value of the site for a number of Lepidoptera (for example the introduction of horseshoe vetch *Hippocrepis cromosa* could lead to an expansion in the small blue butterfly population understood to be present on the adjacent Benfield Hill LNR) and will help to offset the biodiversity loss that results from development. Such enhancement measures are in line with the recommendations of the NPPF and as such should be considered favourably in the determination of any application at the site.
- 3.5 The plan on the following page shows locations best for development (green) and key habitats for retention and enhancement (yellow). A complete copy of the ecological appraisal is contained at [Appendix 2](#).

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### ***Landscape***

- 3.6 A landscape and visual appraisal prepared by Enplan was submitted as part of representations made by the previous promoter to the City Plan Part 2 Scoping Document. We do not consider that there has been any material change in the landscape character of the site in the intervening period and so we are of the view that the conclusions of this document remain relevant.
- 3.7 This assessment involved the preparation of a constraints and opportunities plan where it was concluded that development north of Hangleton Lane should be restricted to areas at the valley sides away from the existing ridgeline whilst development should avoid impact to the setting of the Benfield Barn Conservation Area which generally extends west and south from the barn. The assessment recommended that the setting of the Conservation Area should be protected by the creation of a semi-natural public open space to its west. It continued by stating that development should also respect and reinforce the original field boundary that runs north-south through the area on the line of the footpath and that opportunities should be taken to improve pedestrian and cycling linkages across Hangleton Lane.

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- 3.8 In terms of development to the south of Hangleton Lane, the assessment considered that new development could be readily accommodated within this area as long as the existing tree belts are retained and the open, vegetated setting of the north-south public right of way is maintained. It also stated that opportunities should be taken to improve east-west linkages and that smaller areas of open space should be created at key public right of way junctions.
- 3.9 It is the view of the Council's own landscape analysis (site assessment L3/E3) that the value of the trees along the A293 and Hangleton Road is chiefly in creating a buffer to housing and to the public open space, rather than in giving the main road a rural character. This assessment considers that locating houses closer to the roads, at the expense of existing boundary vegetation, and planting strong buffers of native trees and shrubs between them and the public recreational space, could be expected to have less landscape impact in the longer term than locating development further into the open space. Whilst this may be so, we also consider that other factors such as the ecological value of this existing planting along with its value in arboricultural terms should be taken into account. We therefore consider a more balanced approach which takes into account these factors, along with the amenity considerations of future residents, should be followed.
- 3.10 The Council's own assessment identifies that there is greater potential for enhancement if retention of the existing golf course is not a requirement. We can confirm that the existing golf course use would cease once the site is developed and so it would be possible to retain open grassland over a large area which as the Council's own assessment notes would be more in keeping with the existing character of the landscape.
- 3.11 The above considerations have, like the ecological assessment, informed the emerging concept plan.

### ***Open Space***

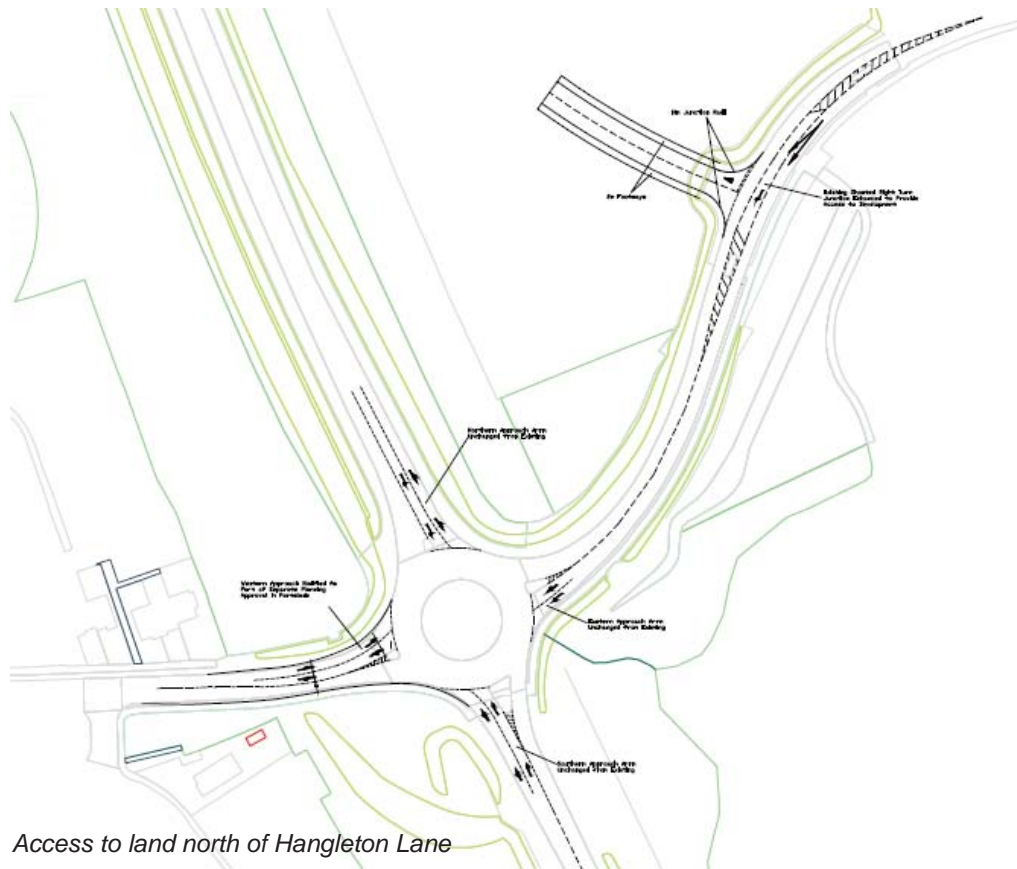
- 3.12 Although Benfield Valley is mostly undeveloped a significant part of land to the north of Hangleton Lane (and the A27) consists of private space with very limited public access, a fact that it is reiterated by the Council's Open Space Assessment which identifies a large part of the area as a golf course (which is separate to an 'outdoor sports facility' given that it is private). Whilst it is acknowledged that the whole valley is defined as open space within the adopted City Plan Part 1, it is considered that given this limited public access it makes a relatively limited contribution towards general open space provision in the City.

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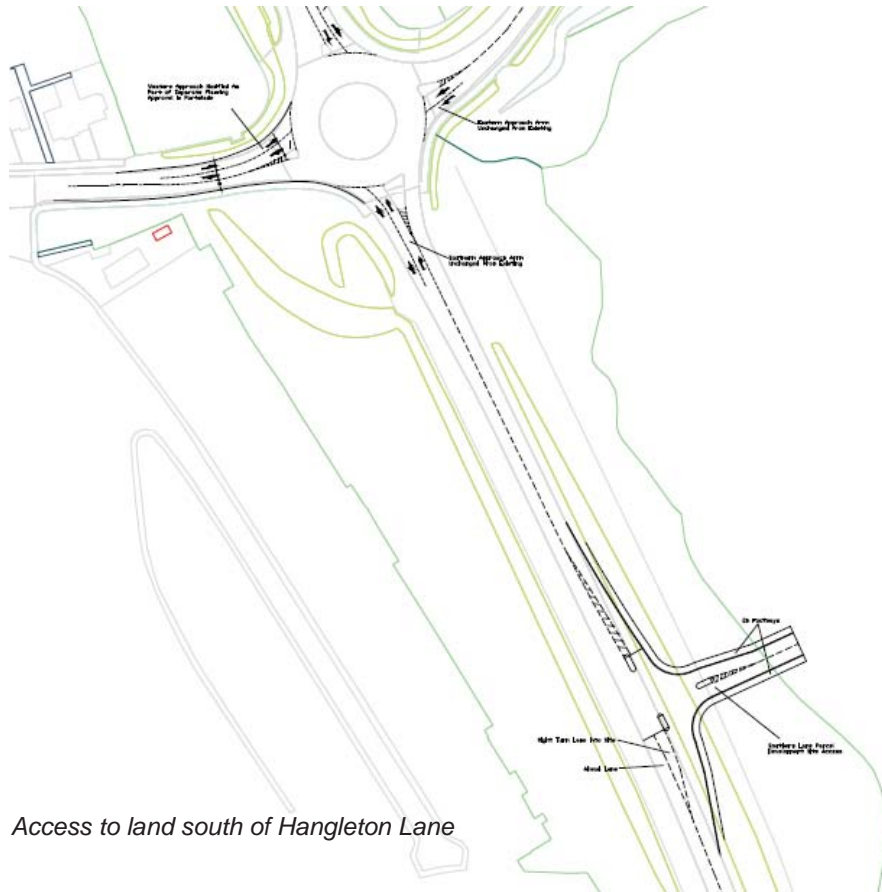
- 3.13 New development at the site has the potential to make a significant contribution towards the provision of open space. Whilst new development to the south of Hangleton Lane would result in the loss of some natural/semi-natural open space this loss could be mitigated through the provision of new such space on land to the north of the A27 which currently forms part of the existing golf course. In addition, much of the existing golf course north of Hangleton Lane is proposed to remain open and opened up to general public access again increasing the supply of natural/semi-natural open space. Within the development itself, new areas of open space would be provided which could include new types of open space that do not currently exist at the site (e.g. amenity green space and children’s play areas).
- 3.14 In summary, it is considered that new development at the site would result in the provision of new, fully publicly accessible, open space that not only meets the needs of future residents of the development but also those of existing residents.

**Access**

- 3.15 In order for new development to be served by a safe means of vehicular access, potential access options have been prepared, extracts of which are set out below. Full copies of the access plans are attached at [Appendix 3](#).



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3.16 In general terms, it is considered that Benfield Valley is in a sustainable location close to a range of facilities and services, all easily accessible by walking/cycling, as shown on the table below:

Facility	Approximate Distance (metres)
Sainsbury's supermarket	Adjacent to southern part of site
Primary School	790m (Hangleton Primary)
Secondary School	700m (Hove Park Lower School)
GP Surgery	1,000m (Hove Medical Centre)
Local Centre	800m (Mill Cross Road Local Parade)
Park / Play Area	Adjacent to southern part of site (Greenleas Recreation Ground)
Bus Stop (providing regular services)	800m
Railway Station	1,500m

3.17 It is therefore considered that the site represents a sustainable location for additional residential development.

**Concept Plan**

3.18 The above analysis have informed the preparation of a concept plan which sets out the areas of the site that are considered capable of accommodating new development. In summary, the concept plan identifies a potential developable area of 6.25Ha which has the potential to deliver up to 375 new homes (based on a density of 60 dwellings per hectare as used within Policy H2 of the City Plan Part 2). We consider therefore that Policy SA7 and H2 should be amended to reflect this housing number.



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**Other Matters**

- 3.19 As part of the Council's Urban Fringe Assessment it was considered that Benfield Valley had the potential to be designated as Local Green Space (LGS). Policy DM38 states that Benfield Valley will be designated as a LGS.
- 3.20 Paragraph 2.280 of the City Plan Part 2 states that *"To qualify (as LGS) the spaces have to be demonstrably special to a local community, hold a particular local significance and capable of enduring beyond the plan period. It is not appropriate to designate sites purely to resist development"*.
- 3.21 This definition is not consistent with paragraph 100 of the NPPF which states that one of the criteria for land to be designated as Local Green Space is that it is *"local in character and is not an extensive tract of land"*. It is considered that the land in the control of Fairfax, which extends to 25Ha, is an extensive tract of land and therefore does not qualify as a LGS. Furthermore, paragraph 2.282 states that in any event the LGS would not offer any additional protection in circumstances where sites are designated as open space by Policies CP16 and CP17 of the City Plan Part 1 which is the case for Benfield Valley.
- 3.22 In light of the above, we consider that the LGS designation should be removed from the site and reference to Benfield Valley should be removed from Policy DM38.

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## 4. CONCLUSIONS/RECOMMENDATIONS

- 4.1 These representations have been prepared on behalf of Fairfax Acquisitions Ltd who have a significant land interest in land at Benfield Valley.
- 4.2 The Council's Urban Fringe Assessment identified that new residential development at Benfield Valley has the ability to make a contribution to the delivery of new housing in the City.
- 4.3 Policies SA7 and H2 of the emerging City Plan Part 2 identifies that a greater quantum of development can be delivered at the site when compared to the previous Urban Fringe Assessment on areas of land immediately to the north and south of Hangleton Lane.
- 4.4 The Council acknowledge that the indicative housing figures contained within the Plan could potentially be increased through individual planning applications. It is considered that the Council should make every effort to optimise housing delivery given that the Council housing requirement, set out within the City Plan Part 1, meets approximately only half of the identified need.
- 4.5 A significant amount of detailed site specific assessment work undertaken by the previous promoter and contained within these representations has assessed the development potential of the Benfield Valley having regard to its constraints and opportunities and concludes that a greater proportion of the site could be developed for residential purposes. This work has informed a concept plan that identifies a developable area of 6.25Ha which based on density assumptions used in Policy H2 would result in the delivery of 375 new homes.
- 4.6 In light of the assessment work undertaken, we consider that the site capacity set out within Policies SA7 and H2 should be increased from 100 to 375 homes accordingly.
- 4.7 In addition, Policy DM38 which seeks to allocate Benfield Valley as Local Green Space (LGS) is not consistent with national guidance as it is evident that the site is an extensive track of land and therefore falls outside the scope of being considered a LGS. On this basis, we consider that Policy DM38 should be amended to remove reference to Benfield Valley.

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## **APPENDIX ONE – POLICIES SA7 & H2**



## Special Area SA7 Benfield Valley

Figure 2 Illustrative Diagram



Land at Benfield Valley will be protected and enhanced as an important green wedge into the urban area, a valued Local Wildlife Site and Local Green Space. The council will promote and support the careful use and management of land and buildings at Benfield Valley to achieve the following objectives:

- The continued protection and enhancement of the wider biodiversity and landscape role and character of Benfield Valley as an important green wedge connecting the urban area to the South Downs National Park;
- Securing biodiversity conservation and enhancements; including the ongoing and positive management of wildlife habitats and securing a long term funded management and maintenance plan to be agreed with the council;
- The creation of 'gateway' facilities and interpretation facilities in connection with the South Downs National Park;
- The protection and enhancement of the open spaces at Benfield Valley to include a long term funded management and maintenance plan to be agreed with the council;
- Improved public access through the site and to the wider natural environment through the provision and improvement of safe pedestrian and cyclist access including the north/ south linear



**footpath/cycleway on the eastern side of Benfield Valley and existing rights of ways;**

- **The sympathetic repair and re-use of Benfield Barn and its associated structures and walls in a way that is compatible with and integrates with the landscape character of Benfield Valley, the wider natural environment and the Benfield Barn Conservation Area.**

**Residential development in accordance with the identified development areas shown to the north and south of Hangleton Lane will be permitted provided that such development addresses the key considerations set out in Policy H2 Urban Fringe Housing Sites. Development proposals will be required to preserve the settings of the Benfield Barn and Hangleton Conservation Areas and contribute towards the achievement of the key objectives as listed above (see also Policy H2 Urban Fringe Housing Sites) and as set out in City Plan Part One Policy SA4 Urban Fringe.**

**Appropriate uses of the Benfield Barn and outbuildings within the conservation area will be non-intensive community and /or recreational facilities appropriate to the area. Proposals for the use of the buildings should include provision for a respective long term funded management and maintenance plan, to be agreed with the council.**

**Development proposals will also be subject to the criteria set out in City Plan Part One Policy SA4.**

### **Reasoned Justification**

3.1 The purpose of this policy is to facilitate the positive and ongoing management and maintenance of Benfield Valley's open spaces, wildlife habitats and heritage assets and to improve and enhance public access and connectivity with the adjoining urban areas and to the South Downs National Park, a key focus of the UNESCO Biosphere.

3.2 Benfield Valley is an important green wedge extending from the urban area in the south northwards to the National Park. It acts as an important 'green lung' with major open spaces at both the north and southern ends and is well used by the public for outdoor recreation. It also contains significant wildlife habitats and protected species and much of the area has been designated a Local Wildlife Site (LWS). It is proposed to maintain a broad linear Local Green Space to maintain the valley's green wedge landscape role and character. The designation of Benfield Valley as a Local Green Space was a recommendation of the 2014 Urban Fringe Assessment Study and was supported through public consultation at the Scoping Stage of City Plan Part Two (DM37 Green Infrastructure and Nature Conservation).

3.3 Benfield Barn is a listed building and together with the historic outbuildings and flint walls in the vicinity of the Barn constitutes the Benfield Barn

Conservation Area. The Barn and the surrounding area is ideally located to be a 'stepping off' point for the wider South Downs National Park and the Barn itself offers an ideal opportunity to secure a community / interpretation or gateway facility to forge stronger links between the urban area and the National Park.

3.4 A key aim of this policy is to secure long term and enduring positive management, maintenance and enhancement of Benfield Valley and Benfield Barn and the better connection of the valley both to the surrounding urban areas and to the National Park. To help facilitate this, and in recognition of the city's wider housing needs, provision has been made for an element of residential development to correspond with the potential development potential areas lying identified to the north and south of Hangleton Lane. Proposals for development will need to fully address the development considerations set out in Policy H2 Urban Fringe Housing Sites and meet the specific development management criteria set out in Policy SA4 Urban Fringe in City Plan Part One.

3.5 The identified areas of development potential to the north and south of Hangleton Lane have potential for approximately 100 dwellings. Given the relatively contained nature of Benfield Valley, it is envisaged that residential densities within the areas of development potential could be higher than those of existing surrounding residential areas. It is considered that development of up to three storeys might be accommodated without harm to key views and the settings of nearby listed buildings. It is expected that any development proposals will need to incorporate appropriate buffers, landscaping and screening.

3.6 Proposals will be required to make provision for and secure long term management plans for the positive and enduring enhancement and management of the valley's open spaces and wildlife habitats.

3.7 The most northern part of the Valley is important to the wider landscape character where informal public outdoor recreation, which is sympathetic to wildlife and the enhancement of habitat mosaics, would be appropriate. The middle section of the Valley, to the west of Greenleas in the southern part of the Valley, could provide opportunities for public outdoor recreation which could include provision for more formal sports provision provided appropriate regard is given to biodiversity. Any provision for indoor sports provision would need to demonstrate there is an identified sports need and there are no deliverable alternatives in order to justify any exception to the local green space designation.

3.8 Proposals for development will therefore be required to provide detailed assessments to include the following:

- A Landscape and Visual Character Assessment<sup>97</sup> which will inform landscape led masterplans for development sites and associated management/maintenance plans;
- An Ecological Assessment<sup>98</sup> which will inform associated management/maintenance plans;
- An Archaeological Assessment;
- A Transport Assessment
- A Heritage Statement

3.9 In terms of connectivity to the wider urban area and to the National Park, as part of the UNESCO Biosphere, there are positive opportunities to secure better linkages through the site in terms of improved pedestrian and cycle routes particularly with regard to the existing north-south cycle/footway; the existing desire lines which cross the site at various points and existing rights of way. The need to enhance accessibility, maintain and improve the links to and through the site and deliver an effective and visually attractive Gateway to the National Park will be important considerations in the determination of development proposals and agreed management plans.

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<sup>97</sup> To be carried out in accordance with Guidelines for Landscape and Visual Impact Assessment 3<sup>rd</sup> Edition (Landscape Institute and IEAM 2013).

<sup>98</sup> To be carried out in accordance with BS42020:2013 and CIEEM guidance.

## **H2 Housing Sites – Urban Fringe**

**The sites listed in Table 7 below (as shown on the Policies Map) are allocated for some housing development (Use Class C3). Planning permission will be granted for proposals that accord with the Development Plan and which address all of the site considerations and indicative development requirements set out in Table 7 together with all of the following criteria:**

- a) Provision is made for 3+ bedroom family-sized dwellings in accordance with provisions set out Table7**
- b) Opportunities to secure additional and /or improved publically accessible open space provision are incorporated within the proposed scheme;**
- c) Green infrastructure and local food growing opportunities are incorporated within the proposed scheme;**
- d) Improved linkages and access to the South Downs National Park and surrounding areas are secured where feasible; and**
- e) Appropriate regard is given to the need for local community facilities and renewable energy provision;**

**Provision of land for self and/or custom build serviced plots will be encouraged.**

**Table 7 Urban Fringe Allocations**

Site Name	UFA Reference	Total Site Area (Hectares)	Area of Development Potential (Hectares)	Potential Number of Dwelling Units <sup>107</sup>	Proportion Family Sized Housing (3+ bedroom)	Key Site Considerations
<b>Land at Oakdene, Southwick Hill / Land West of Mile Oak Road</b>	Sites 1 & 2 (2014 UFA);  Study Area L1/E1 (2015 UFA)	4.75	1.12	30	50%	<ul style="list-style-type: none"> <li>•ecology</li> <li>•open space</li> <li>•ground water flooding</li> <li>•landscape</li> </ul>
<b>Land at Mile Oak Road. Portslade</b>	Sites 4, 4a, 4b, 5, 5a & 6 (2014 UFA);  Study Area L2/E2 (2015 UFA);  Archaeological Assessment Area A1 (2016)	13.52	6.29	125  (Sites 4b, 5,5a)  70  (Sites 4, 4a)	50%	<ul style="list-style-type: none"> <li>•ecology</li> <li>•open space</li> <li>•surface water flooding</li> <li>•aquifer</li> <li>•landscape</li> <li>•archaeology</li> </ul>
<b>Benfield Valley</b>	Sites 10, 11 & 12 (2014 UFA);  Study Area L3/E3 (2015 UFA);  Archaeological Assessment Area A2 (2016) (site 11 only)	Site 10 – 5.65  Site 11 – 8.75  Site 12 – 10.65	1.6  (Site 11 – 0.93  Site 12 – 0.67)	100  (60)  (40)	50%	<ul style="list-style-type: none"> <li>•archaeology</li> <li>•landscape</li> <li>•ecology</li> <li>•open space</li> <li>•heritage</li> <li>•archaeology</li> <li>•surface water flooding</li> <li>•ground water flooding</li> </ul>

<sup>107</sup> Sites denoted in italics form part of the wider urban fringe site and are not identified for development as required for mitigation

Site Name	UFA Reference	Total Site Area (Hectares)	Area of Development Potential (Hectares)	Potential Number of Dwelling Units <sup>107</sup>	Proportion Family Sized Housing (3+ bedroom)	Key Site Considerations
<b>Land at and adjoining Horsdean Recreation Ground, Patcham</b>	Site 16 (2014 UFA);  Study Area L4 (2015 UFA);	6.32	1.17	25	50%	<ul style="list-style-type: none"> <li>• heritage</li> <li>• open space</li> <li>• landscape</li> <li>• aquifer</li> <li>• archaeology</li> </ul>
<b>Land at Ladies Mile, Carden Avenue</b>	Site 17 (2014 UFA);  Study Area L5/E4 (2015 UFA);  Archaeological Assessment Area A3 (2016)	15.02	1.25	35	50%	<ul style="list-style-type: none"> <li>• ecology</li> <li>• open space</li> <li>• landscape</li> <li>• archaeology</li> <li>• aquifer</li> </ul>
<b>Land to north east of Coldean Lane / Land north of Varley Halls / Land south of Varley Halls</b>	Sites 21, 21a & 21c (2014 UFA);  Study Area L7/E6 (2015 UFA);  Archaeological Assessment Area A5 (2016)	9.04	2.52	100 (Site 21)  12 (Site 21a)	35%	<ul style="list-style-type: none"> <li>• ecology</li> <li>• Heritage</li> <li>• open space</li> <li>• landscape</li> <li>• aquifer</li> <li>• archaeology</li> </ul>

Site Name	UFA Reference	Total Site Area (Hectares)	Area of Development Potential (Hectares)	Potential Number of Dwelling Units <sup>107</sup>	Proportion Family Sized Housing (3+ bedroom)	Key Site Considerations
<b>Land at and adjoining Brighton Race Course</b>	Site 30 (2014 UFA);  Study Area L8/E7 (2015 UFA);  Archaeological Assessment Area A6 (2016)	46.01	1.21	150	35%	<ul style="list-style-type: none"> <li>• ecology</li> <li>• open space</li> <li>• landscape</li> <li>• archaeology</li> <li>• surface water and ground water flooding</li> </ul>
<b>Land at South Downs Riding School &amp; Reservoir Site</b>	Site 32 and 32a (2014 UFA);  Study Area L10/E9 (2015 UFA);  Archaeological Assessment Area A8 (2016)	2.18	0.57	15	50%	<ul style="list-style-type: none"> <li>• archaeology</li> <li>• ecology</li> <li>• landscape</li> <li>• reservoir</li> <li>• ground water flooding</li> </ul>
<b>Land north of Warren Road (Ingleside Stables)</b>	Site 33 (2014 UFA);  Study Area L11 (2015 UFA);	5.24	1.2	30	50%	<ul style="list-style-type: none"> <li>• open space</li> <li>• landscape</li> </ul>
<b>Land at Ovingdean Hall Farm &amp; Land at Bulstrode / Ovingdean Farm</b>	Sites 38, 38a & 39 (2014 UFA);  Study Area L14 (2015 UFA);	4.45	4.17	50	50%	<ul style="list-style-type: none"> <li>• heritage</li> <li>• landscape</li> <li>• ground water flooding</li> </ul>

Site Name	UFA Reference	Total Site Area (Hectares)	Area of Development Potential (Hectares)	Potential Number of Dwelling Units <sup>107</sup>	Proportion Family Sized Housing (3+ bedroom)	Key Site Considerations
Land adjacent to Ovingdean and Falmer Road, Ovingdean	Site 42 (2014 UFA);  Study Area L16/E13 (2015 UFA);	7.47	TBC	TBC <sup>108</sup>	50%	<ul style="list-style-type: none"> <li>• ecology</li> <li>• open space</li> <li>• landscape</li> <li>• surface and ground water flooding</li> <li>• aquifer</li> </ul>
Land at former nursery, Saltdean	Site 46a (2014 UFA);  Study Area E14 (2015 UFA);	0.96	0.96	18	50%	<ul style="list-style-type: none"> <li>• surface and Ground water flooding</li> <li>• landscape</li> <li>• aquifer</li> </ul>
Cluster at Coombe Farm and Saltdean Boarding Kennels, Westfield Avenue North, Saltdean,	Sites 48, 48a, 48b & 48c (2014 UFA);  Study Area L18/E15 (2015 UFA);	5.65	3.47	65	50%	<ul style="list-style-type: none"> <li>• landscape</li> <li>• ecology</li> <li>• surface and ground water flooding</li> <li>• aquifer</li> </ul>
Land west of Falmer Avenue, Saltdean	Site 50 (2014 UFA);  Study Area L19 (2015 UFA);	1.3	1.07	32	50%	<ul style="list-style-type: none"> <li>• landscape</li> <li>• archaeology</li> <li>• surface water flood risk</li> <li>• aquifer</li> </ul>

<sup>108</sup> Pending outcome of appeal (planning application reference BH2016/05530)



## **Reasoned Justification**

3.52 The city is a tightly constrained urban area with very limited opportunities to physically expand to accommodate new development. City Plan Part One (Policies CP1 Housing Delivery and SA4 Urban Fringe) identified potential for some of the land within the city's urban fringe (areas of land that lie between the defined built up urban area boundary and the boundary of the South Downs National Park) to contribute towards meeting the city's housing requirement. The purpose of this policy is to allocate housing development on some of the Urban Fringe sites which were identified through the 2014 Urban Fringe Assessment and further assessment through the 2015 Urban Fringe Assessment Study.

3.53 The number of dwellings proposed in the allocations schedule are indicative, showing what might reasonably be achieved on each site. Of key importance will be the need to adequately address the considerations identified for each site and other matters including design and layout, biodiversity, green infrastructure, open space provision and the relationship with the surrounding areas including, where relevant, the setting of the South Downs National Park (taking account of City Plan Part One Policy SA5) and Conservation Areas.

3.54 City Plan Part One Policy SA4 Urban Fringe clarifies that development within the urban fringe will not be permitted except where a site has been allocated for development or where a countryside location can be justified; and where it can be clearly demonstrated that proposals have had regard to the downland landscape setting of the city, any adverse impacts of development are minimised and appropriately mitigated and/or compensated for and where appropriate, the proposal helps to achieve the 5 policy objectives as set out in Policy SA4 Urban Fringe.

3.55 The site allocations on the urban fringe are suitable locations to deliver a significant amount of family-sized housing and affordable housing. Proposals should accommodate at least 50% family sized housing (unless otherwise indicated in the table above) and the provision of self-build and custom build serviced plots is encouraged (see Policy DM1 Housing Quality, Choice and Mix). They also offer opportunities for community-led housing development.

3.56 City Plan Part One Policy SA4 Urban Fringe promotes the urban fringe as part of the green network and encourages opportunities for multi-functional open space which can include appropriate recreation, cultural experiences, biodiversity and food growing. The site allocations will provide opportunities to enhance and expand the green network (see Policy DM37 Green Infrastructure and Nature Conservation). Proposals should include the provision of public open space where possible and consideration should be given to ensuring long term management and maintenance. Provisions for food growing should also be

incorporated into the development and have regard to the forthcoming Food Growing Supplementary Planning Document (SPD).

3.57 Regard should also be given to the need for community facilities and the opportunities offered by these sites for the provision of renewable energy. For example, in some instances the developable area may be able to incorporate a local facility such as a local shop, community meeting space and/or health facility.

3.58 The urban fringe allocations are by their nature sensitive locations for development, comprising greenfield land adjoining open countryside and the South Downs National Park. In order to ensure that all potential development impacts are accurately identified and that appropriate mitigation is secured developers will be required to submit detailed information/assessments at the planning application stage. This may include, for example;

- Landscape Visual Impact Assessment
- Ecological Assessment including Protected Species Survey
- Arboricultural Report and Plan(s) /Tree Survey(s)
- Archaeology Assessments
- Heritage Statement
- Traffic Assessment,
- Flood Risk Assessment
- Drainage Strategy and Sustainable Drainage Report
- Open Space Assessment
- Hydrological/Hydrogeological Survey

3.59 In addition to the above, the following may also be required in order to comply with other City Plan policies:

- Noise Assessment
- Highways Assessment / Transport Statement
- Lighting Assessment
- Air Quality Assessment
- Land Contamination Survey
- Environmental Impact Assessments
- Sustainability Checklist
- Foul Sewerage and Utilities Assessment

## **APPENDIX TWO – ECOLOGICAL APPRAISAL**



**The Ecology Co-op**

ENVIRONMENTAL CONSULTANTS



# **Preliminary Ecological Appraisal and Phase 1 Habitat Survey**

**Land at Benfield Valley, Hove**

**Author:** Emma Baker BSc (Hons) MSc

**Reviewed by:** Paul Whitby BSc (Hons), MCIEEM, CEcol

**23<sup>rd</sup> August 2018**

**Project No: 2902**

The Ecology Co-operation Ltd  
Registered Office: Greens Court, West Street, Midhurst, West Sussex, GU29 9NQ  
Company number: 8905527



## **Report Summary**

1. The Ecology Co-op has been commissioned by Andrew Smith to undertake an Extended Phase 1 Habitat Survey on land at Benfield Valley, Hove. A site walkover survey visit was carried out on the 6<sup>th</sup> August 2018 to map the habitat types and evaluate the site for its potential to support EU and UK protected species. The purpose of this report is to record the findings of the survey and identify potential ecological constraints to a proposed residential development.
2. This survey was undertaken by Emma Baker BSc a qualifying member of CIEEM, Briony Hill, a graduate member of CIEEM and Paul Whitby, a full member of CIEEM and a Chartered Ecologist (CEcol).
3. The site is divided into a southern parcel and northern parcel of land, separated by Hangleton Lane. The southern portion is an area of relatively unmanaged land with footpaths under regular use. The northern portion of the site is an old golf course, now used for foot golf. Much of the site is a Local Wildlife Site (LWS) and to the north, over the A27 is the Benfield Hill Local Nature Reserve (LNR).
4. The site has suitable habitat for badgers, bats, breeding birds, dormice, reptiles and Lepidoptera. Therefore, for any development to proceed, further surveys are required, which are outlined in sections 4.3 to 4.6 and 4.8 and 4.10. It will also be necessary that the site to undergoes a repeat botanical survey in 2019, with visits timed for May and July.
5. Section 4.11 of this report details an assessment of which areas of the site have a lower ecological value and are therefore best suited for development and those with high ecological value which should be retained and enhanced as part of an 'offsetting' approach to development of a greenfield site.

This report has been prepared by The Ecology Co-operation Ltd, with all reasonable skill, care and diligence within the terms of the Contract with the client. This report only becomes the property of the client once payment for it has been received in full.

We disclaim responsibility to the client and others in respect of any matters outside the scope of the above.

This report is confidential to the client and we accept no responsibility of whatsoever nature to third parties to whom this report, or any part thereof, is made known. Any such party relies on the report at their own risk.



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## **1 INTRODUCTION**

### *1.1 Purpose of the Report*

The Ecology Co-op has been commissioned to undertake an Extended Phase 1 Habitat Survey of Benfield Valley by Andrew Smith. This report presents the findings of a walkover survey undertaken by Emma Baker, a qualifying member of the Chartered Institute for Ecology and Environmental Management (CIEEM), Briony Hill a graduate member of CIEEM and Paul Whitby a full member of CIEEM and a Chartered Ecologist (CEcol) on the 6<sup>th</sup> of August 2018. It provides details on the potential for any protected species and/or habitats to be present at the site and an assessment of the potential ecological constraints to a proposed residential development on the site.

### *1.2 Background*

The site is located to the south and north of Hangleton Lane, in Hove, East Sussex, BN3 8AP. The central grid reference for the site is TQ26240684.

The site measures approximately 19 hectares (Ha), split into two sections by Hangleton Lane, with a southern and slightly larger northern portion. These are indicated as parcel A (northern parcel) and parcel B (southern parcel) on Figure 1 and will be referred to as such hereafter.

There are no specific development proposals, but there is an existing allocation outlined within the Brighton and Hove City Council Local Plan for 100 residential units on the site. This report has aimed to explore what impact there may be from the development of a significantly larger area of the site to accommodate a greater number of homes. Further, this report has aimed to identify not just the potential protected species constraints that any development may face, but also to look at what areas of the site have the lowest ecological value and might be most suitable for development. Finally, the opportunities for mitigating and offsetting a larger development are discussed to establish the feasibility of such a proposal.





**Figure 1. Top image** - An aerial image showing the location of the site. The approximate site boundary is outlined in red and Parcel A and B are indicated. Images produced courtesy of Google maps (Map data ©2018 Google). **Bottom image** – The site as viewed on the Brighton and Hove CPP2 policy site map. Existing housing allocation at Benfield is shown as yellow horizontal lines and are indicated with red arrows.





### 1.3 Policy and Legislation

Legal protection applying to relevant bird, mammal, herpetofauna and invertebrate species and current nature conservation planning policy is outlined in Appendix 1 of this report.

Local planning policy for Hove with regards to arboriculture, species protection and habitat enhancement is outlined in Appendix 3.

## 2 METHODOLOGY

The methodology used for this survey are in accordance with the Guidelines for Preliminary Ecological Appraisal (CIEEM 2017)<sup>1</sup>.

### 2.1 Desk Study

A search for existing records of protected species, species of conservation concern and invasive non-native species was requested from the Sussex Biological Records Centre (SxBRC) biological records centre within a radius of 2km of the site.

A search of on-line mapping resources was undertaken to identify the location of any features of potential ecological interest including ponds within 500m (relevant to great crested newts), watercourses (relevant to riparian mammals and crayfish) and connectivity to woodland, scrub, and hedgerow networks (relevant to bats, dormice) in the wider landscape around the site. The connectivity of the site to these features, buildings and other semi-natural habitats such as grassland and heathland are also relevant to bats, great crested newts and reptiles.

The MAGIC website resource ([www.magic.gov.uk](http://www.magic.gov.uk)) was used to identify the location of designated sites for nature conservation and EPS licences granted in relation to the survey site.

### 2.2 Phase 1 Habitat Survey

A site walkover survey was undertaken on the 6<sup>th</sup> August, during which the habitats contained within the site were described and evaluated in accordance with standard Phase 1 Habitat Survey Methodology<sup>2</sup>. The dominant species and indicators of important habitat types such as ancient woodland or unimproved grasslands, were recorded.

A phase 1 habitat survey presents a standardised system for classifying and mapping wildlife habitats in all parts of Great Britain, including urban areas. The aim of Phase 1 survey is to provide, relatively rapidly, a record of the vegetation and wildlife habitats present over large areas of countryside. The habitat classification is based principally on vegetation, augmented by reference to topographic and

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<sup>1</sup> CIEEM (2017) *Guidelines for Preliminary Ecological Appraisal, 2nd edition*. Chartered Institute of Ecology and Environmental Management, Winchester.

<sup>2</sup> JNCC (2010) *Handbook for Phase 1 habitat survey: A technique for environmental audit*. Joint Nature Conservation Committee, Peterborough.



substrate features, particularly where vegetation is not the dominant component of the habitat.

Data is gathered through a site walk-over survey and use of on-line aerial photography to broadly categorise the habitats present using the JNCC Phase 1 classifications. The results are presented as a map showing the distribution of habitat categories across the site. Target notes are used to describe specific features of biodiversity interest and record indicator species where appropriate. In addition to this, notable habitats, such as local and national Biodiversity Action Plan habitats are highlighted.

The Phase 1 Survey methodology is a recognised tool for initial scoping of potential ecological constraints and identifying potential impacts as part of the planning application process.

As part of the 'Extended' Phase 1 Habitat Survey, the site features were evaluated for their potential to support legally protected species and observations of any important plant communities, bird assemblages or other potentially valuable ecological features were recorded. Details of the preliminary survey methods for each legally protected species are given below.

### 2.3 Protected Species

Assessments were made for the site to support the following protected species according to the most up to date guidelines available:

- Badgers
- Bats<sup>3</sup>
- Breeding birds<sup>4</sup>
- Dormice<sup>5</sup>
- Great Crested Newts<sup>6</sup>
- Reptiles
- Riparian Wildlife

### 2.4 Other notable species

The site habitats were broadly assessed for their potential to support species of principle importance for nature conservation (Section 41 NERC Act 2006) and other notable species. This includes mammals such as harvest mouse, hedgehog, brown hare, and many bird species. The site was broadly assessed for its potential to support important invertebrate assemblages with specific attention paid to features such as standing dead-wood, wet flushes, bare earth banks and botanically rich areas.

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<sup>3</sup> Collins, J.(ed.) (2016) *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (3<sup>rd</sup> edn). The Bat Conservation Trust, London.

<sup>4</sup> Eaton, M., Aebischer, N., Brown, A., Hearn, R., Lock, Leigh., Musgrove, A., Noble, D., Stroud, D., Gregory, R. (2015) *Birds of Conservation Concern 4: the population status of birds in the UK, Channel Islands and Isle of Man*. British Birds 108, pp 708-746.

<sup>5</sup> Bright, P., Morris, P. and Mitchell-Jones, T. (2006) *The dormouse conservation handbook 2nd Ed*. English Nature, Peterborough.

<sup>6</sup> English Nature (2001) *Great Crested Newt Mitigation Guidelines*. English Nature, Peterborough.



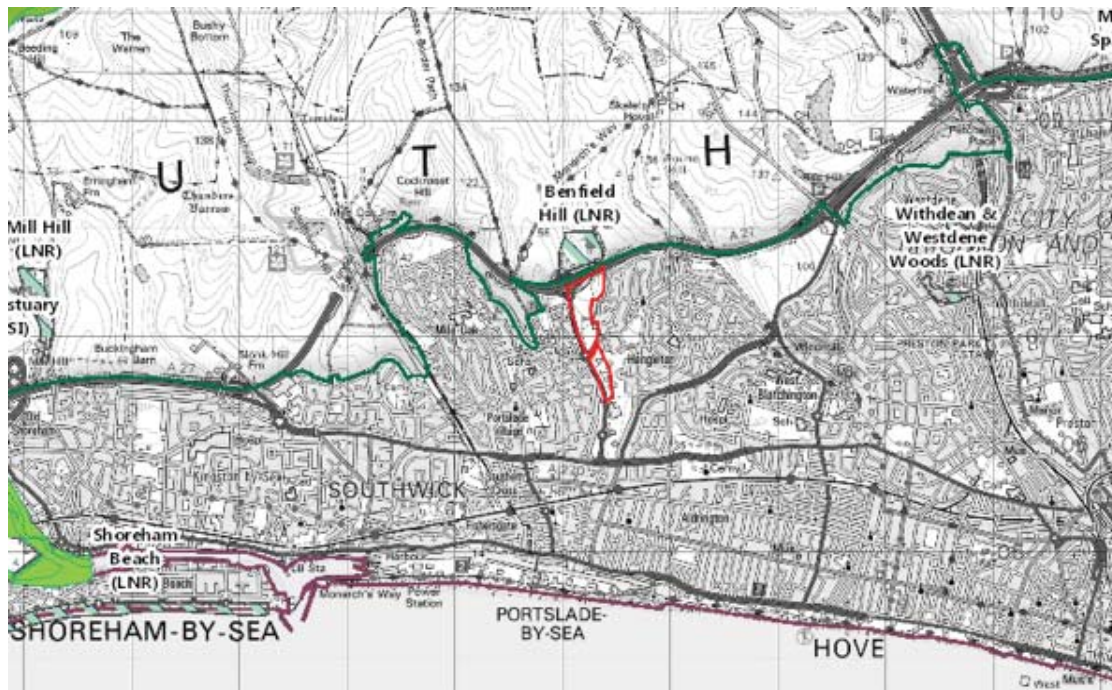
### 3 BASELINE CONDITIONS

#### 3.1 Designated Sites

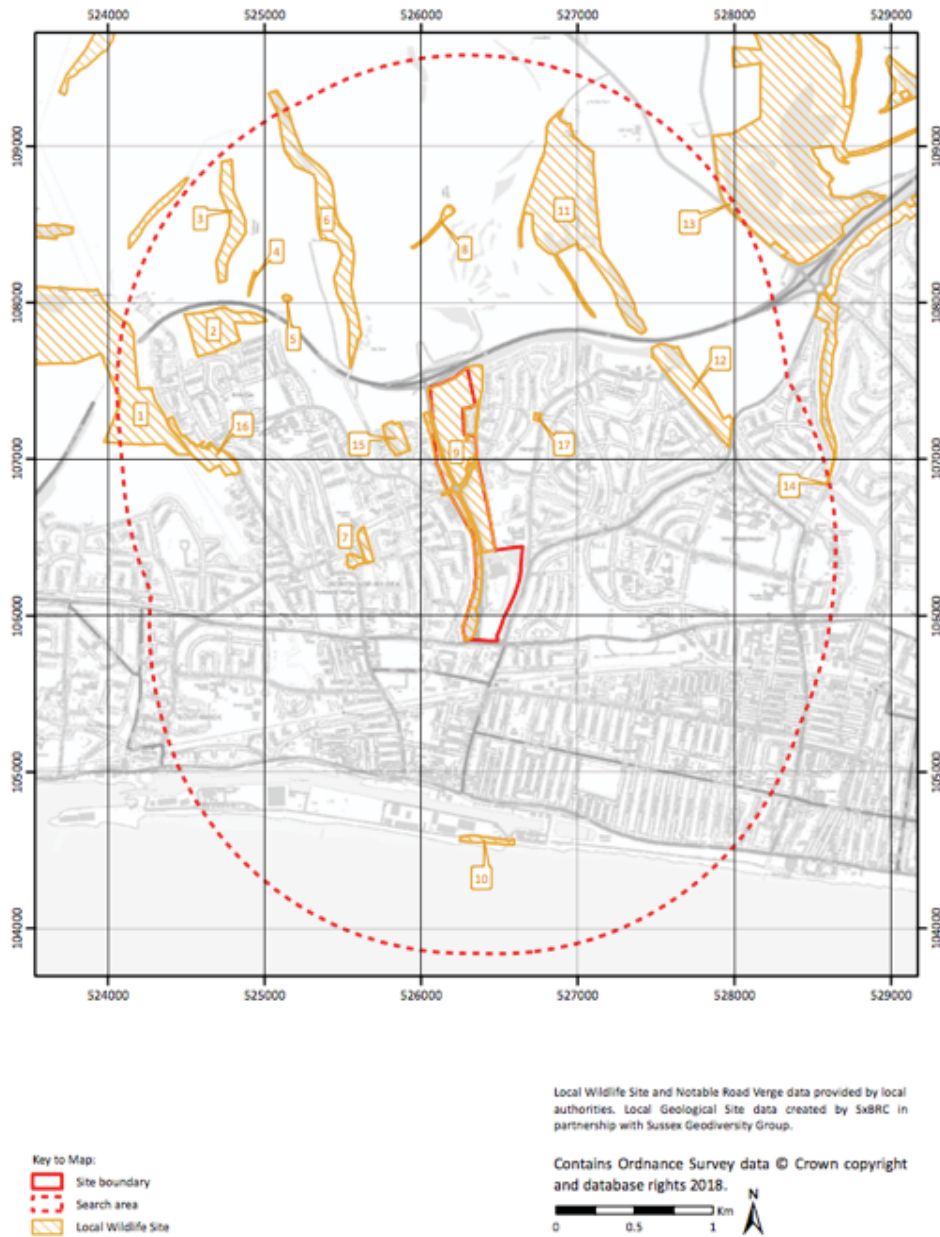
100m from the northern site boundary, on the other side of the A27 is Benfield Hill Local Nature Reserve (LNR) which is shown in Figure 2. This site lies on a ridgeline and contains natural green spaces interconnected with the urban fringe and wider countryside. There is woodland, scrub and rough grassland present within the site, providing a range of wildlife habitats and recreation space. It also contains good quality semi-improved grassland and lowland calcareous grassland.

There are no granted EPS licenses for mitigation projects within 1km of the site boundaries. The closest EPS license is 3.7km west of the boundaries and concerns the destruction of a resting place of a brown long-eared *Plecotus auritus* and serotine *Eptesicus serotinus* bat (EPSM2010-1928).

The site itself and a parcel of land south of the site is designated as a Local Wildlife Site (LWS) (see Figure 3). It features habitats such as broad-leaved woodland, rough grassland, mature hedgerow, scrub and hedge lines. This is a large and diverse site which contains mature elm trees, anthills, part of a Saxon hedge line and the largest area of woodland within Hove. It is known to support foraging badgers and a range of other protected species.



**Figure 2.** Designated sites within a radius of 2km of the application site. Images produced courtesy of Magic maps (<http://www.magic.gov.uk/>, contains public sector information licensed under the Open Government Licence v3.0).



**Figure 3.** Map showing Local Wildlife Site designation covering the site, provided by Sussex Biodiversity Records Centre.

### 3.2 Phase 1 Habitats

#### Parcel A

Parcel A is an old golf course which is currently used for foot golf. It comprises of a mixture of poor semi-improved grassland, semi-improved calcareous grassland, amenity grassland, scattered and dense scrub, ruderal habitat, broadleaved woodland, hardstanding and recently felled mixed woodland. The grassland habitat present varies between tightly mown fairways and greens and tall coarse grassland that appears to receive little management. The site is bordered by a fence line and further dense scrub. There are three buildings on the eastern boundary of the site within the southern half of



the site.

Table 2 below lists the Phase 1 Habitat categories found within parcel A with target notes on specific features of interest and the general species composition. Note that detailed information on buildings and ponds with respect to bats and great crested newts are presented in the following sections. The Phase 1 Habitat Map for the site and key to the standard mapping symbols used are presented in Figure 4 to 5 and 6.

**Table 2.** The Phase 1 habitats contained within Parcel A.

Habitat type	JNCC Code	Area(Ha)/ Length (meters)	Target note including general species composition
Broadleaved woodland – semi-natural	A1.1.1	1.57Ha	<p>Running along the western boundary and at the southern end of Parcel A there is a parcel of broadleaved woodland (see Figure 7). This comprises of a mixture of smooth-leaved elm <i>Ulmus minor subsp. minor</i>, sycamore <i>Acer pseudoplatanus</i>, field maple <i>Acer campestre</i> and hawthorn <i>Crataegus monogyna</i> with an understory of common hogweed <i>Heracleum sphondylium</i> and lords and ladies <i>Arum maculatum</i>. There were small areas of rubbish and dumped materials noted within the woodland (see Figure 8).</p> <p>At the south-east boundary of the site was a short and narrow belt of broadleaved woodland (see Figure 9). This included an abundance of field maple and ash <i>Fraxinus excelsior</i>. Frequent within this was ivy and bramble <i>Rubus fruticosus</i>. Occasional was whitebeam <i>Sorbus aria</i>, old man's beard <i>Clematis vitalba</i>, hawthorn, buddleia, dogwood <i>Cornus sanguinea</i>, sycamore, white bryony <i>Bryonia alba</i> and hedge bindweed <i>Calystegia sepium</i>. Rare was hazel <i>Corylus avellana</i>, Virginia creeper <i>Parthenocissus quinquefolia</i>, wild privet <i>Ligustrum vulgare</i> and goat willow <i>Salix caprea</i>.</p> <p>The woodlands are unmanaged and semi-mature and their structure does not appear characteristic for the landscape, with the absence of species such as oak and beech.</p>





Scrub dense- continuous	– A2.1	2.5Ha	<p>Along the western, northern and eastern boundary of parcel A was a thick layer of scrub (see Figure 10), measuring approximately 20m wide in places. At the north-eastern corner and along the eastern boundary a pathway ran through the centre of this (see Figure 11). This contained an abundance of blackthorn <i>Prunus spinosa</i>, hawthorn, elder <i>Sambucus nigra</i>, common nettle <i>Urtica dioica</i> and bramble. Frequent species recorded include wild privet, and wayfaring tree <i>Viburnum lantana</i>. There was an occasional presence of buddleia, ivy, field maple, dogwood, cypress species <i>Cypressus spp.</i> and hedge bindweed <i>Calystegia sepium</i> and a rare presence of old man's beard, common walnut <i>Juglans regia</i>, goat willow <i>Salix caprea</i>, hazel, tufted vetch <i>Vicia cracca</i>, wild cherry <i>Prunus avium</i>, giant knapweed <i>Centaurea macrocephala</i>, creeping cinquefoil <i>Potentilla reptans</i>, greater willowherb <i>Epilobium hirsutum</i>, purging buckthorn <i>Rhamnus cathartica</i>, whitebeam, rosebay willowherb <i>Chamaenerion angustifolium</i> and tufted vetch, with three mature common ash trees.</p> <p>In the southern corner of the site, running parallel with the broadleaved woodland along the western boundary was further dense and continuous scrub creating a narrow pathway in-between (see Figure 12). This was dominated by purging buckthorn <i>Rhamnus cathartica</i>. There was also an abundance of blackthorn, nettle and bramble. Frequent was creeping thistle, hedge bindweed, rosebay willowherb and ivy, and agrimony <i>Agrimonia eupatoria</i> was rare.</p>
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Scrub scattered	– A2.2	0.98Ha	<p>South of the dense scrub along the northern boundary is an area of scattered scrub (see Figure 10). This contained a large thicket of raspberry <i>Rubus idaeus</i>, and an abundance of bramble. There were also scattered hawthorn, blackthorn and dogwood saplings. In-between this scrub was poor-semi improved grassland, which became coarser near the northern boundary. Abundant within this was red fescue <i>Festuca rubra</i>. There was a frequent presence of cocksfoot <i>Dactylis glomerata</i>, lady's bedstraw <i>Galium verum</i>, field bindweed, upright brome <i>Bromopsis erecta</i>, ribwort plantain <i>Plantago lanceolata</i>, perennial rye grass <i>Lolium perenne</i> and false oat grass <i>Arrhenatherum elatius</i>, creeping thistle <i>Cirsium arvense</i>, ragwort <i>Jacobaea vulgaris</i> and common bird's foot trefoil <i>Lotus corniculatus</i>. Rare was smaller Cat's-tail <i>Phleum bertolonii</i>, tufted vetch, burnet saxifrage <i>Pimpinella saxifraga</i> and agrimony.</p> <p>In the north-western side of the site was an area of scattered scrub (see Figure 13), which was denser in areas, with patches of poor semi-improved grassland. This contained the same species present in the scattered scrub as well as an occasional presence of red clover <i>Trifolium pratense</i>, sycamore, knapweed, wild privet, ivy and wayfaring tree. Rare was common restharrow <i>Ononis repens</i>, mouse-ear hawkweed <i>Hieracium pilosella</i> and small scabious <i>Scabiosa columbaria</i>. To the west of this was a small area of bare ground, where the top-soil had been stripped (see Figure 14).</p> <p>At the southern end of the site was a small area of scattered scrub (see Figure 15). which contained an abundance of nettles, blackthorn saplings, creeping thistle and bramble. There was also an occasional presence of hedge bindweed.</p>
Poor semi-improved grassland	B6	2.9Ha	<p>The rough meeting the eastern boundary of Parcel A was poor semi-improved grassland (see Figure 16). This included an abundance of false-oat grass, red fescue, and a frequent presence of ribwort plantain, creeping thistle, ragwort, perennial rye grass and cock's-foot. There was also an occasional presence of common hawkweed <i>Hieracium lachenalii</i>, lady's bedstraw, yarrow <i>Achillea millefolium</i> and red clover. Rare was self-heal <i>Prunella vulgaris</i>, burnet saxifrage and common Mouse-ear <i>Cerastium fontanum</i>.</p> <p>To the west of the semi-improved calcareous grassland at the north of the site, was another rough with the same species</p>



			<p>composition.</p> <p>A narrow strip of rough grassland ran in front of the dense and continuous scrub on the western site boundary (see Figure 18). This contained the same species, as well as a small localised area of field scabious <i>Knautia arvensis</i>.</p>
Calcareous grassland – semi-improved	B3.2	0.48Ha	In-between the roughs at the north of the site was an area of semi-improved calcareous grassland (see Figure 17). This contained the same species present in the poor semi-improved grassland, but also had an occasional presence of field scabious, sweet vernal grass <i>Anthoxanthum odoratum</i> , white clover <i>Trifolium repens</i> , broad-leaved dock <i>Rumex obtusifolios</i> , creeping cinquefoil and Yorkshire fog <i>Holcus lanatus</i> , as well as a rare presence of common restharrow. The sward structure was visibly less coarse with a greater abundance of grassland plants.
Cultivated/disturbed land – amenity grassland	J1.2	5.82Ha	The fairways and holes on the golf course were tightly-mown amenity grassland (see Figure 18). These were dominated by red fescue. Frequent within this was ribwort plantain, yarrow, and red clover. Occasional was ragwort, daisy <i>Bellis perennis</i> and hawkweed. Rare was self-heal, lesser trefoil <i>Trifolium dubium</i> , knapweed, crested dogstail <i>Cynosurus cristatus</i> and meadow foxtail <i>Alopecurus pratensis</i> .
Other tall herb and fern - ruderal	C3.1	1.26Ha	Running either side of the pathway to the foot golf entrance in the south-eastern corner of Parcel A were large areas of ruderal habitat (see Figure 19). These were dominated by field bindweed and had an abundance of nettle. Frequent was greater mullein <i>Verbascum thapsus</i> , spear thistle <i>Cirsium vulgare</i> and bittersweet nightshade <i>Solanum dulcamara</i> . Occasional was rosebay willowherb and bramble, and rare was prickly sow-thistle <i>Sonchus asper</i> . There were also some scattered shrubs within this, including melder, buddleia, sycamore, blackthorn and hawthorn.
Mixed woodland – recently felled	A4.3	0.16Ha	On the eastern boundary of the site, just north of the car park was a small area of recently felled woodland, with stumps and brash piles (see Figure 20).
Buildings	J3.6	0.1Ha	<p>On the eastern boundary of the site were three buildings, which are described in more detail in section 3.4.</p> <p>There was a dilapidated building within the ruderal habitat and a brick and flint building within the felled woodland which was missing a roof and front wall. The reception for the foot golf was housed within a large old brick and flint building, with a handmade clay tile roof.</p>
Bare Ground	J4	0.24Ha	There was a hardstanding area in the south-east corner of Parcel A used as a car park for the foot golf (see Figure 21) and accessed via a short track from Hangleton Lane to the south





			(see Figure 22).  In the centre of the woodland belt on the south-eastern boundary of the site was a pathway running from Hangleton Lane to the foot golf reception.
Broadleaved Parkland/scattered trees	A3.1	60m	Running the eastern boundary of the car park was a line of scattered trees, including: sycamore, elder, dogwood and blackthorn. Underneath were the same species as in the ruderal habitat, as well as a rare presence of black horehound <i>Ballota nigra</i> , common burdock <i>Artium minus</i> , goosefoot species <i>Chenopodium spp.</i> and bristly ox tongue <i>Helminthotheca echiodides</i> .
Intact hedge – species-poor	J2.1.2	0.19Ha	Running the eastern boundary of the site and meeting the dense scrub was an intact species-poor hedgerow, which was well established and approximately 3m in height in places. This had a narrow amenity grassland pathway through the centre of it leading from the foot golf reception (see Figure 23). This hedgerow contained an occasional presence of blackthorn, wild privet, elder, field maple and wayfaring tree. There was also a rare presence of common honeysuckle <i>Lonicera pericymenum</i> and dew berry <i>Rubus caesius</i> .

### Parcel B

This parcel of land comprised predominantly of poor semi-improved grassland, disturbed ground, dense and continuous scrub, ruderal habitat and scattered broadleaved trees. The site is bordered by broadleaved woodland and intact species poor hedgerows. Table 3 below lists the Phase 1 Habitat categories found within Parcel B.

**Table 3.** The Phase 1 habitats contained within Parcel B.

Habitat type	JNCC Code	Area(Ha)/ Length (meters)	Target note including general species composition
Broadleaved woodland – semi-natural	A1.1.1.	1.37Ha	At the southernmost end of Parcel B and running the western and northern site boundary was a parcel of broadleaved woodland (see Figure 24 and 25).  This was approximately 17m wide and 40m in length on the southern boundary and contained an abundance of common ash, and frequent was hawthorn and field maple. There was also an occasional presence of English oak <i>Quercus robur</i> , dogwood, hazel, willow species, and sycamore. There was a rare presence of wild cherry and purging buckthorn. The understory contained some lords and ladies.



			<p>Along the western and northern site boundary, the woodland comprised of an abundance of blackthorn, common ash and sycamore. There was also a frequent presence of elder, and English elm. There was an occasional presence of field maple, dogwood, hazel and oak. There was also a rare presence of apple <i>Malus spp.</i>, damson <i>Prunus domestica subsp. insititia</i>, wild cherry, clematis, scots pine <i>Pinus sylvestris</i> and copper beech <i>Fagus sylvatica f.purpurea</i>. There was an understory of nettle, ivy and wood avens <i>Geum urbanum</i>.</p> <p>Part of the woodland is littered with rubbish, abandoned tents and a mattress, reducing its character and quality.</p>
Broadleaved woodland – plantation	A1.1.2	0.08Ha	<p>In the north-eastern corner of the site there was a parcel of woodland. This appeared to be plantation woodland and comprised of an abundance of sycamore, common ash, beech <i>Fagus sylvatica</i>, with a frequent presence of holly <i>Illex aquifolium</i>, dogwood, hawthorn, English elm, wild privet and buddleia. There was a rare presence of whitebeam and yew <i>Taxus baccata</i>.</p>
Scrub – dense and continuous	A2.1	1.20Ha	<p>At the northern boundary of the site was dense scrub mixed with coarse semi-improved grassland which met with the woodland on the northern boundary. This contained saplings of common ash, sycamore, blackthorn, and dogwood. There was also an abundance of bramble, ivy and buddleia and an occasional presence of clematis, common nettle and ragwort, as well as a rare presence of wild teasel <i>Dipsacus fullonum</i>.</p> <p>Running up to the broadleaved woodland on the western boundary was an extensive band of scrub (see Figure 26), which stretched to the centre of the site. This was dominated by bramble, but also had an occasional presence of blackthorn and elder saplings, as well as a rare presence of ivy and hawthorn saplings.</p>
Poor semi-improved grassland	B6	0.69Ha	<p>Much of the site comprised of long grassland (1.5m in places) (see Figure 27). Within this were narrow amenity grassland pathways. There was one continuous block in the southern portion of Parcel B.</p> <p>This was rich in invertebrates and butterflies, and there were isolated areas of ruderal habitat within this, as well as elder, oak and blackthorn saplings and mature shrubs. There was an abundance of nettles in patches frequent presence of perennial rye grass, false oat-grass <i>Arrhenatherum elatius</i> and common bent <i>Agrostis</i></p>



			<p><i>capillaris</i>. There was an occasional presence of ribwort plantain, greater plantain, field bindweed, Yorkshire fog, broad-leaved dock, creeping thistle and cocksfoot. Rare was smaller cat's-tail, common hogweed, prickly lettuce <i>Lactuca serriola</i>, wall barely <i>Hordium murinum</i>, longleaf <i>Falcaria vulgaris</i> and mugwort.</p> <p>There was also one Himalayan balsam plant present.</p>
Calcareous grassland – semi-improved	B3.2	1.61Ha	<p>The block of grassland running from the ruderal habitat to the dense scrub at the northern end of the site was semi-improved calcareous grassland. This also contained tightly-mown amenity grassland pathways.</p> <p>This had an abundance of red fescue. Frequent was perennial rye grass, meadow oat-grass <i>Helictotrichon pretense</i>, sheep's fescue, smaller cat's tail, field bind-weed, longleaf and wall barley. Occasional was sheep's sorrel <i>Rumex acetosella</i>, annual meadow-grass <i>Poa annua</i>, knapweed, lady's bedstraw, cocksfoot, creeping thistle, ragwort and ribwort plantain. Rare was yarrow, creeping cinquefoil, wild carrot <i>Daucus carota</i>, common restharrow, cleavers, ribbed melilot <i>Melilotus officinalis</i>, dove's-foot crane's-bill <i>Geranium molle</i>, red clover, rosebay willowherb, common bird's-foot trefoil and pineapple weed <i>Matricaria discoidea</i>.</p>
Other tall herb and fern – ruderal	C3.1	0.14Ha	<p>Meeting the dense scrub at the centre of the site as an extensive area of ruderal habitat (see Figure 27), dominated by common nettle. This also contained an abundance of field bind-weed, common hogweed and creeping thistle.</p>
Cultivated/disturbed land – amenity grassland	J1.2	0.22Ha	<p>At the entrance to the site, to the east of the tarmac footpath was an area of recently disturbed ground (see Figure 28), where trees had been felled and machinery driven over the ground. There was a lot of bare ground and areas of wood chippings. It is likely it was originally woodland.</p> <p>There was an abundance of bristly oxtongue, nettle and spear thistle. Frequent was ribwort plantain, greater plantain <i>Plantago major</i>, establishing bramble, elm saplings and ragwort. Occasional was ash saplings, dandelion, goosefoot species, prickly sow thistle, yarrow, burdock and cleavers <i>Galium aparine</i>. Rare was saplings of blackthorn, hawthorn and elder, as well as common knotgrass <i>Polygonum aviculare</i> and American winter-cress <i>Barbarea orthoceras</i>.</p>
Bare ground	J4	0.26Ha	<p>Running the whole eastern and southern boundary of the</p>



			site was a hardstanding path (see Figure 29), which appeared to be used regularly as a through route and by dog walkers.
Hedge with trees – native species rich	J2.3.1	375m	<p>Along the eastern site boundary leading on from the disturbed area was a length of intact hedgerow (see Figure 29) which was well established and approximately 3-4m in height in places. At its widest point it measured approximately 5m.</p> <p>This was dominated by blackthorn, but there was an abundance of wild privet, English elm, bramble and elder. There was a frequent presence of hawthorn. There was also a rare presence of hedge woundwort <i>Stachys sylvatica</i>, mugwort species, common hogweed, clematis and black horehound.</p> <p>Within this was a mammal run, cutting eastwards into the hedgerow. This grew narrower and eventually trailed off.</p>
Broadleaved parkland/ scattered trees	A3.1	62m	Part-way along the western edge of the strip of disturbed land there was a mixture of mature sycamore and common ash trees (see Figure 30), which appeared to be part of a remaining plantation.
Fence	J2.4	167m	A wooden fence line was present along the eastern boundary of the disturbed land which met the gardens of the adjacent residential properties.
Target Note			At the base of a tree in the broadleaved woodland, there was a mammal hole found, which was of the right size for a badger and one badger hair was found at the entrance of the hole. This is described in detail in Section 3.3.





Figure 4. Phase 1 map of Parcel A on land at Benfield Valley, Hove.





Figure 5. Phase 1 map of Parcel B on land at Benfield Valley, Hove.

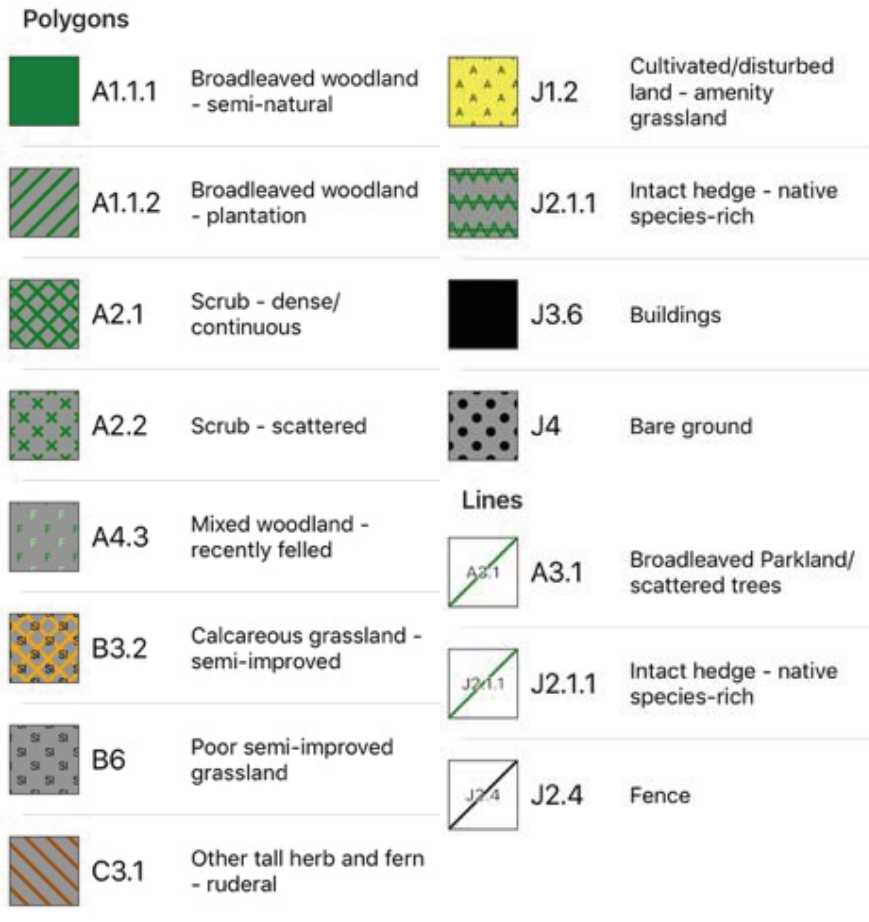


Figure 6. Key for Phase 1 habitat map for land at Benfield Valley, Hove.





**Figure 7.** Parcel of woodland in the south-western corner of Parcel A.



**Figure 8.** Litter and dumped materials within the woodland parcel in the south-western corner of Parcel A.





**Figure 9.** Broadleaved woodland with pathway through the centre running along the south-eastern boundary of Parcel A.



**Figure 10.** Dense scrub bordering the eastern boundary of Parcel A and scattered scrub to the south.





**Figure 11.** Scattered scrub parcel with areas of poor semi-improved grassland.



**Figure 12.** Patch of bare ground to the west of an area of dense scrub in the middle of the northern part of Parcel A.



**Figure 13.** Areas of scattered scrub at the southern end of Parcel A.



**Figure 14.** Poor semi-improved grassland running the eastern boundary of Parcel A.





**Figure 15.** Area of semi-improved calcareous grassland.



**Figure 16.** View northwards of fairways and poor semi-improved grassland strip along western boundary of Parcel A.





**Figure 17.** Ruderal habitat running to foot golf reception in the south-eastern corner of Parcel A.



**Figure 18.** An area of felled woodland in the south-eastern corner of Parcel A.





**Figure 19.** The car park for for the foot golf center at the southern edge of Parcel A bordering Hangleton Lane.



**Figure 20.** Access to car park from Hangleton Lane to the south.





**Figure 21.** Intact species-rich hedgerow bordering the south-eastern corner of Parcel A.



**Figure 22.** Broadleaved woodland forming southern boundary of Parcel B.





**Figure 23.** Broadleaved woodland parcel with dense scrub in front running the western boundary of Parcel B.



**Figure 24.** Patch of ruderal habitat, adjacent to dense scrub and poor semi-improved grassland.





**Figure 25.** Disturbed ground running the eastern boundary of Parcel B.



**Figure 26.** Pathway and intact species-rich hedgerow running the eastern boundary of Parcel B.



### 3.3 Protected Species

A summarised finding of results is provided here for reference, whilst more detailed results can be provided upon request:

**Badgers** – a single outlier sett was identified at the northern end of Parcel A, whilst some signs of activity were also identified at the northern end of Parcel B.

**Bats** – One building on the site has some potential to support roosting bats, whilst two dilapidated buildings have a negligible bat roosting potential. No high value trees for bat roosting were identified during the survey, though an exhaustive search was not carried out. The site may have some value for foraging bats, particularly across the tall rough grassland and scrub.

**Breeding birds** – the site boundaries are likely to support a variety of common nesting birds, though existing disturbance levels mean that ground nesting birds are unlikely to be present.

**Dormice** – This species is known to be present in the locality, though its distribution is not known. High value habitat for foraging is present around the boundaries and through parts of both Parcels A and B.

**Great Crested Newts** – There are no ponds within 500 metres of the site and this species is therefore likely to be absent. The closest record for this species is 750m to the west of the site.

**Reptiles** – Common lizards were observed during the survey and there is potential for other reptile species to be present with records for adder and slow worm also identified.

**Riparian wildlife** – No suitable habitat for riparian wildlife is present on or adjacent to the site.

### 3.4 Invasive non-native species

Within the poor semi-improved grassland in Parcel B there was on Himalayan balsam plant, but no records of this species were provided by SxBRC.

A small length of Virginia creeper was found in the broadleaved woodland and dense scrub on the site. SxBRC provided one record of Virginia creeper in the search area, located 1.4km west of the site boundaries dated 2010.

### 3.5 Other notable species

The standing dead wood in the felled woodland may provide suitable habitat for invertebrates such as stag beetle *Lucanus cervus*. SxBRC returned 11 records for this species and the closest is 1.9km south-west of the site boundaries, dated 2005.

The brash piles within the felled woodland area may contain suitable habitat for west European hedgehog *Erinaceus europaeus*. SxBRC returned 74 records for these and the closest record is 250m east of the site, in a residential garden, dated 2013.

The grassland, scrub and hedgerows supported a number of butterflies, including: speckled wood *Pararge aegeria*, small heath *Coenonympha pamphilus* (see Figure 35), common blue *Polyommatus icarus*, large white *Pieris brassicae*, comma *Polygonia c-album* and day flying moths. SxBRC returned records for small heath butterfly within the site itself dated 2006, and on Benfield Hill LNR in 2014. Records were also returned for white-letter hairstreak *Satyrrium w-album* on the site, dated 2002, as



well as records for small blue *Cupido minimus* and dingy skipper *Erynnis tages* in Benfield Hill LNR, 100m north of the site. While dingy skipper and white-letter hairstreak were not observed on the site during the survey, their foodplants of common bird's-foot trefoil and English elm respectively were recorded during the walkover survey and therefore these species may be found on the Benfield Valley site. Small blue is unlikely to be found on the site as their sole foodplant; kidney vetch *Anthyllis vulneraria* was not found on the site.

### 3.6 Survey Limitations

An initial site assessment such as this is only able to act like a 'snapshot' to record any flora or fauna that is present at the time of the survey. It is therefore possible that some species may not have been present during the survey but may be evident at other times of the year. For this reason, habitats are assessed for their potential to support some species, even where no direct evidence (such as droppings) has been found.

Within Parcel B, along the western boundary, the scrub was very dense, meaning the broadleaved woodland parcel on the western boundary could not be accessed fully, though this is likely to be of a similar species composition to that of the woodland parcel at the southern end of the site, to which it was connected.

When trying to access the woodland parcel where the badger hole was situated to look for further entrances, the woodland became too dense to move through, and therefore there may be further entrances that were not visible during the walkover survey.

## 4 ECOLOGICAL CONSTRAINTS AND OPPORTUNITIES

### 4.1 Designated sites

Any development is unlikely to directly impact on Benfield Hill LNR as this is located the other side of the A27 and therefore noise, pollution or physical damage during the construction phase are unlikely. However, given the 100-house allocation for the site, this projected increase in residential units in the area is highly likely to increase footfall on the LNR, which may have indirect impacts such as pollution, soil compaction and littering. Mitigation options to ensure that the integrity of the LNR is protected would need to be explored fully.

### 4.2 Habitats

Though specific plans have not yet been proposed, there is an existing 100-house allocation for the site covering an area of woodland and scrub either side of Hangleton Lane. It is therefore likely that the footprint of a larger housing development of this scale would result in the loss of much of the poor semi-improved grassland, a portion of the semi-improved calcareous grassland, some dense and scattered scrub, ruderal habitat and amenity grassland. The intact native species-rich hedgerows bordering the site are unlikely to be affected, and it is likely that only the woodland edge habitat of the broadleaved woodland parcels may be lost. This would result in the loss and severance of habitats across the site suitable for bats, breeding birds, dormice, reptiles and Lepidoptera. However, certain habitats at the



site can be retained and enhanced to increase the overall ecological value of the site through the development, which is outlined in section 4.11.

### *4.3 Protected and Notable Species Constraints*

The following protected species surveys will be required in order to appraise the impact of developing this site and to inform a suitable mitigation strategy:

- A Badger survey of the identified sett and a search for further setts.
- A dormouse surveys of both Parcel A and B to identify the likely presence/absence of dormice and their distribution.
- A bat activity survey of the site and emergence/re-entry surveys of Building 1 if it is to be converted for residential use or demolished.
- A breeding bird survey to understand the importance of the site for breeding bird assemblages.
- A reptile survey to understand the species and population class of reptiles present.
- An invertebrate assessment with a focus of butterflies of conservation concern with two surveys across the summer months.

### *4.4 Invasive non-native species*

One Himalayan balsam plant was identified within the poor semi-improved grassland at the south of Parcel B. This is an invasive plant, listed under Schedule 9 of the Wildlife and Countryside Act 1981 and it should be removed to prevent it spreading further across the site. As there was one plant present, this can be controlled by hand-pulling. To avoid the plant spreading further, the plant should not be disturbed if seed pods are visible and it is advised to undertake this process in April or early May.

Small lengths of Virginia creeper were found in the broadleaved woodland and dense scrub on the site. This invasive plant is listed under Schedule 9 of the Wildlife and Countryside Act 1981 and should be removed from the site. This can be removed by carefully peeling the creeper off other plants and then removing the base of the vine or applying a strong dose of glyphosate to it. Gloves should be worn as the sap can irritate the skin.

### *4.5 Enhancement opportunities and development location*

Species specific enhancements can be outlined in a separate mitigation statement once Phase 2 surveys have been undertaken on the site, but enhancements for a residential housing development could include: native species only hedgerow planting, the inclusion of insect towers, bat and bird boxes, and the creation of high value scrub habitat across the site. Such enhancement measures are in line with the recommendations of the NPPF and as such would be considered favourably when determining the planning application. Further, the development itself should retain a green focus to ensure that offsetting of the development is maximised, with features such as green walls, green roofs, butterfly gardens and new pond creation all incorporated within the development zone.

A further botanical assessment should be undertaken in 2019 with site visits timed for May and July to gather botanical data within the semi-improved calcareous grassland. This survey data can then be





used to guide the development plans and appropriate enhancements and planting.

Figure 36 below outlines which areas of the site would be best for development (areas outlined in green) as these have a lower ecological value and the habitat can be replaced elsewhere on the site, or portions easily retained and enhanced. The areas outlined in yellow are areas which have a higher ecological value and should be retained and enhanced as part of the development. The results of the initial walkover survey indicate that it would be beneficial to limit the areas of development to amenity grassland, disturbed ground, hard standing and poor semi-improved grassland across the site and to retain as much as possible of the semi-improved calcareous grassland and broadleaved woodland parcels as these are of higher ecological value.

In particular, the area for retention in the northern portion of Parcel A contains poor semi-improved grassland and semi-improved calcareous grassland. This can be enhanced by using a method called 'green hay translocation' and an improved management strategy to increase the species composition of these grassland habitats. The subsequent uplift in biodiversity will increase the value of the site for a number of Lepidoptera (for example the introduction of horseshoe vetch *Hippocrepis cromosa* could lead to an expansion in the small blue butterfly population understood to be present on the adjacent Benfield Hill LNR) and will help to offset the biodiversity loss that results from development.

The application of green hay is best applied in the late summer and should be preceded by a two-phase cut to discourage any reptiles from the area and remove coarse grass growth. This area is then lightly rotavated in preparation for the spreading of green hay. The calcareous grassland 'donor site' is then cut, and this green hay transferred and spread onto the receptor area of poor semi-improved grassland habitats. Seed heads in the cut grass release their seeds over the late summer and autumn periods and the lightly harrowed ground provides a suitable growing base for seedlings. As some of the areas of tall coarse grassland that are presently dominated with false-oat grass and cocksfoot, this suggests that nutrient levels may be quite high and testing nutrient levels may be necessary to inform the establishment process.

There are extensive areas of dense scrub on the site, and if these must be removed to make way for development, this should be offset by creating high value scrub habitat elsewhere on the site and those areas which are retained should maintain interconnectivity to further scrub, broadleaved woodland or hedgerows to reduce severance impacts between habitats and prevent barriers to movement of protected species. Furthermore, once breeding bird surveys and presence/absence surveys for reptiles and dormice are completed, a more detailed plan can be produced indicating which specific areas of scrub would be most beneficial for retention and enhancement across the site.

If it is necessary to remove the well-established native species-rich hedgerows present on the site, these should also be replaced elsewhere containing only native species with a composition of 50% hawthorn and the remaining tree mixture to include blackthorn *Prunus spinosa*, wild privet *Ligustrum vulgare*, dogwood *Cornus sanguinea*, guelder rose *Viburnum opulus*, field maple *Acer campestre*, wayfaring tree *Viburnum lantana* and spindle *Euonymus europaeus*.



**Figure 27.** Map of land at Benfield Valley showing locations best for development (green) and key habitats for retention and enhancement (yellow).

## 4.6 Conclusions

This site contains habitats of value to badgers, bats, breeding birds, dormice and reptiles, and it is likely that these habitats will be impacted by any development on the site.

To provide the required baseline ecological information for an accurate assessment of these impacts, the following specialist Phase 2 ecology surveys are recommended:

- Reptile presence/absence surveys (all suitable habitats);
- Bat activity surveys by walked transect surveys of habitats at the site;
- Bat logger surveys at fixed points to monitor bat activity at the site;
- Breeding bird survey across the site;
- Dormouse presence/absence survey;
- Further investigation for presence of badgers on the site;
- A repeat botanical assessment of the semi-improved calcareous grassland present at the site;
- Two invertebrate surveys

Areas of the site best for development and those best for retention and enhancement have been outlined within section 4.11. The site can also be more generally enhanced for biodiversity using



recommendations made in a separate Mitigation Statement to be produced once Phase 2 surveys have been completed for the site.

**If any protected species are found during the proposed work, work should be stopped immediately, and an ecologist must be contacted for advice.**

Should you need any further advice on the information provided above, please do not hesitate to contact The Ecology Co-op, [info@ecologyco-op.co.uk](mailto:info@ecologyco-op.co.uk), [www.ecologyco-op.co.uk](http://www.ecologyco-op.co.uk), Office: 01798 861800.



## **APPENDIX 1 – Wildlife Legislation and National Planning Policy**

### **Introduction**

The following text is intended for general guidance only and does not constitute comprehensive professional legal advice. It provides a summary of the current legal protection afforded to wildlife in general and certain species. It includes current national planning policy relevant to nature conservation.

### **The ‘Birds Directive’, ‘Habitats Directive’ and ‘Natura 2000 Sites’.**

The Council Directive 79/409/EEC on the Conservation of Wild Birds (“the Birds Directive”) sets a framework for the protection of wild birds. Under the directive, several provisions are made including the designation and protection of ‘Special Protection Areas’ (SPAs) – areas which support important bird populations, and the legal protection of rare or vulnerable species.

The Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (the “Habitats Directive”) directs member states of the EU to take measures to maintain favourable conservation status of important habitats and species. This requires the designation of a series of sites which contain important populations of species listed on Annex II of the directive (for example Bechstein’s bat *Myotis bechsteinii*, Barbastelle bat *Barbastella barbastellus* and white-clawed crayfish *Austropotamobius pallipes*). Together with ‘Special Areas of Conservation’ (SPAs), designated under the Birds Directive, SACs form a network across Europe of protected areas known as the ‘Natura 2000 sites’.

Annex IV lists species in need of more strict protection, these are known as “European Protected Species (EPS)”. All bat species, common dormice *Muscardinus avellana*, otter *Lutra lutra* and great crested newts *Triturus cristatus* are examples of EPS that are regularly encountered during development projects.

### **The ‘Habitats Regulations’**

The Conservation of Habitats and Species Regulations 2010 (the “Habitats Regulations”) is the principle means of transposing the Habitats Directive and the Birds Directive, and updates the Conservation (Natural Habitats, &c.) Regulations 1994 (“the 1994 regulations”) in England and Wales.

‘Natura 2000’ sites receive the highest level of protection under this regulation which requires that any activity within the zone of influence of these sites would be subject to a Habitats Regulations Assessment (HRA) by the competent authority (e.g. planning authority), leading to an Appropriate Assessment (AA) in cases where ‘likely significant effects on the integrity of the site are identified.

For European Protected Species, Regulation 41 makes it a criminal offence to;

- Deliberately capture, injure or kill any such animal;
- Deliberately disturb wild animals of such species;
- Deliberately take or destroy their eggs (where relevant);
- Damage or destroy a *breeding or resting place* of such an animal;
- Possess, control, sell or exchange any live or dead animal or plant, of such species;
- Deliberately pick, collect, cut, uproot or destroy a wild plant of such species.

The Habitats Directive and Habitats Regulations provide for the derogation from these prohibitions for specific reasons provided certain conditions are met. An EPS licensing regime allows operations that





would otherwise be unlawful acts to be carried out lawfully. Natural England is the licensing Authority and, in order to grant a license, ensures that three statutory conditions (sometimes referred to as the ‘three derogation tests’) are met:

- A licence can be granted for the purposes of “preserving public health or safety or for other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment” (Regulation 53 (2) (e).
- A licence can be granted if “there are no satisfactory alternatives” to the proposed action.
- A licence shall not be granted unless the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

### **Wildlife and Countryside Act (1981) as amended.**

This remains one of the most important pieces of wildlife legislation in the UK. There are various schedules to the Act protecting birds (Schedule 1), other animals including insects (Schedule 5), plants (Schedule 8), and control of invasive non-native species (Schedule 9).

Under the Wildlife and Countryside Act (WCA) 1981, all wild birds (with the exception of those listed on Schedule 2), their eggs and nests are protected by law and it is an offence to:

- Take, damage or destroy the nest of any wild bird while it is in use or being built.
- Take or destroy the egg of any wild bird.
- Disturb any bird listed on Schedule 1, while it is nest building, or at a nest with eggs or young, or disturb the dependant young of any such bird.

Schedule 5 lists all non-avian animals receiving protection to a varied degree. At its strongest, the Act makes it an offence to intentionally kill, injure or take any wild animal listed on Schedule 5, and prohibits interference with places used for shelter or protection, or intentionally disturb animals while occupying such places. Examples of species with *full protection* include all EPS, common reptile species, water vole *Arvicola amphibius*, white-clawed crayfish *Austropotamobius pallipes* and Roman snail *Helix pomatia*. Other species are protected from sale, barter or exchange only, such as white letter hairstreak *Satyrrium w-album*.

The Act makes it an offence to intentionally pick, uproot or destroy any plant or seed, and sell or possess any plant listed on Schedule 8. It is also an offence to intentionally uproot any wild plant not listed on Schedule 8 unless authorised [by the land owner]. Species on Schedules 5 and 8 are reviewed every 5 years when species can be added or removed.

Measures for the prevention of spreading non-native species which may be detrimental to native wildlife is included in the Act, which prohibits the release of animals or planting of plants into the wild of species listed on Schedule 9 (for example Japanese knotweed *Fallopia japonica*, Himalayan balsam *Impatiens glandifera*, New Zealand Pygmyweed *Crassula helmsii*).

The Wildlife and Countryside Act 1981 (as amended) also prohibits certain inhumane methods of traps and devices for the capture or killing of wild animals and certain additional methods such as fixed trap, poisoning with gas or smoke, or spot-lighting with vehicles for killing species listed on Schedule 6 of the Act (this includes all bat species, badger, otter, polecat, dormice, hedgehog and red squirrel).

### **Natural Environment and Rural Communities (NERC) Act (2006)**

The NERC Act (2006) created the statutory nature conservation body Natural England, and places a



statutory duty on all public bodies, including planning authorities, under Section 40, to take, or promote the taking by others, steps to further the conservation of *habitats and species of principal importance for the conservation of biodiversity* in England (commonly referred to as the 'Biodiversity Duty'). This duty extends to all public bodies the biodiversity duty of Section 74 of the Countryside and Rights of Way (CROW) Act 2000, which placed a duty only on Government and Ministers. Section 41 of the NERC Act lists the habitats and species of principle importance. This includes a wide range of species from mosses, vascular plants, invertebrates through to mammals and birds. It originates from the priority species listed under the UK Biodiversity Action Plan (UK BAP) with some omissions and additions.

### **Protection of Badgers Act (1992)**

The Badger *Meles meles* is afforded specific legal protection in Britain under the Protection of Badgers Act (1992), and Schedule 6 of the Wildlife and Countryside Act 1981 (as amended) (see above).

Under this legislation, it is a criminal offence to:

- intentionally kill, injure, take, possess, or cruelly ill-treat, a Badger, or to attempt to do so;
- interfere with a sett, by damaging or destroying it;
- to obstruct access to, or any entrance of, a Badger sett; or
- to disturb a Badger when it is occupying a sett.

A licence may be obtained from Natural England to permit certain prohibited actions for a number of defined reasons including interference of a sett for the purpose of development, provided that a certain number of conditions are met. Note that licenses are not normally granted for works affecting badgers between the end of November and the start of July.

### **National Planning Policy Framework**

The National Planning Policy Framework (NPPF 2012) sets out the Government's view on how planners should balance nature conservation with development and helps ensure that Government meets its biodiversity commitments with regard to the operation of the planning system.

The NPPF states that the wider benefits of an ecosystem should be recognised, and the presence of a protected species is a material consideration for a development proposal (Circular 06/2005, 2005). In accordance with the NPPF, it is important that developments should contribute to and enhance the natural and local environment by:

- Minimising impacts on existing biodiversity and habitats,
- Providing net gains in biodiversity and habitats, wherever possible,
- establishing coherent ecological networks that are more resilient to current and future pressures.

### **UK Post-2010 Biodiversity Framework**

The UK Biodiversity Action Plan (UK BAP), first published in 1994, was the UK's response to the commitments of the Rio Convention on Biological Diversity (1992) until 2010, when the UK BAP was replaced by the UK Post-2010 Biodiversity Framework. This framework covers the period 2011 to 2020 and forms the UK government's response to the new strategic plan of the United Nations Convention on Biodiversity (CBD) published in 2010. This promotes a focus on individual countries delivering target for protection for biodiversity through their own strategies.



The most recent biodiversity strategy for England, 'Biodiversity 2020: A strategy for England's wildlife and ecosystem services' was published by Defra (2011), and a progress update was provided in July 2013 (Defra 2013).

'Biodiversity 2020' builds on the Natural Environment White Paper for England – 'The Natural Choice', published on 7 June 2011, and sets out the strategic direction for biodiversity policy for the next decade. Biodiversity 2020 deliberately avoids setting specific targets and actions for local areas and species because the Government believes that local people and organisations are best placed to decide how to implement the strategy in the most appropriate way for their local area or situation.

### **Birds of Conservation Concern (BoCC)**

In 1996, the UK's leading non-governmental bird conservation organisations listed the conservation status of all bird species in the UK against a series of criteria relating to their population size, trends and relative importance to global conservation. The lists, known as the 'Red', 'Amber' and 'Green' lists (in order of decreasing concern) are used to inform key conservation policy and decisions. The lists are reviewed every 5 years and are a useful reference for determining the current importance of a particular site for birds. The most recent review was undertaken in 2015 (Eaton et al, 2015), which provides an up to date assessment of the conservation status of birds in the UK.

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## **APPENDIX 2 - Reducing impacts of artificial light**

Bright external lighting can have a detrimental impact upon foraging and commuting bat flight paths, but more importantly can also cause bats to remain in their roosts for longer. Artificial lighting can also cause significant impacts on other nocturnal species, most notably moths and other nocturnal insects. It can also result in disruption of the circadian rhythms of birds, reducing their fitness. Guidelines issued by the Bat Conservation Trust<sup>7</sup> should be considered while designing the lighting scheme. This includes the following measures:

### **Do not:**

- provide excessive lighting. Use only the minimum amount of light needed for the task.
- directly illuminate bat roosts or important areas for nesting birds

### **Avoid:**

- installing lighting in ecologically sensitive areas such as: near ponds, lakes, rivers, areas of high conservation value; sites supporting particularly light-sensitive species of conservation significance (e.g. glow worms, rare moths, slow-flying bats) and habitat used by protected species.
- using reflective surfaces under lights.

### **Do:**

- consider employing a competent lighting designer who will apply the principals of providing the right light, in the right place, at the right time and controlled by the right system.
- minimise the spread of light to at, or near horizontal and ensure that only the task area is lit. Flat cut-off lanterns or accessories should be used to shield or direct light to where it is required.
- consider the height of lighting columns. It should be noted that a lower mounting height is not always better. A lower mounting height can create more light-spill or require more columns. Column height should be carefully considered to balance task and mitigation measures.
- consider no lighting solutions where possible such as white lining, good signage, and LED cats eyes. For example, light only high-risk stretches of roads, such as crossings and junctions, allowing headlights to provide any necessary illumination at other times.
- use temporary close-boarded fencing until vegetation matures, to shield sensitive areas from lighting.
- limit the times that lights are on to provide some dark periods. The task being lit often varies, for example roads are less used after 23.00hrs and car parks are empty. A lighting designer can vary the lighting levels as the use of the area changes reducing lighting levels or perhaps even switching installations off after certain times. This use of adaptive lighting can tailor the installation to suit human health and safety as well as wildlife needs.

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<sup>7</sup> Bat Conservation Trust (2014) Artificial Lighting and Wildlife - Interim Guidance: Recommendations to help minimise the impact artificial lighting. Available at: [http://www.bats.org.uk/pages/bats\\_and\\_lighting.html](http://www.bats.org.uk/pages/bats_and_lighting.html)



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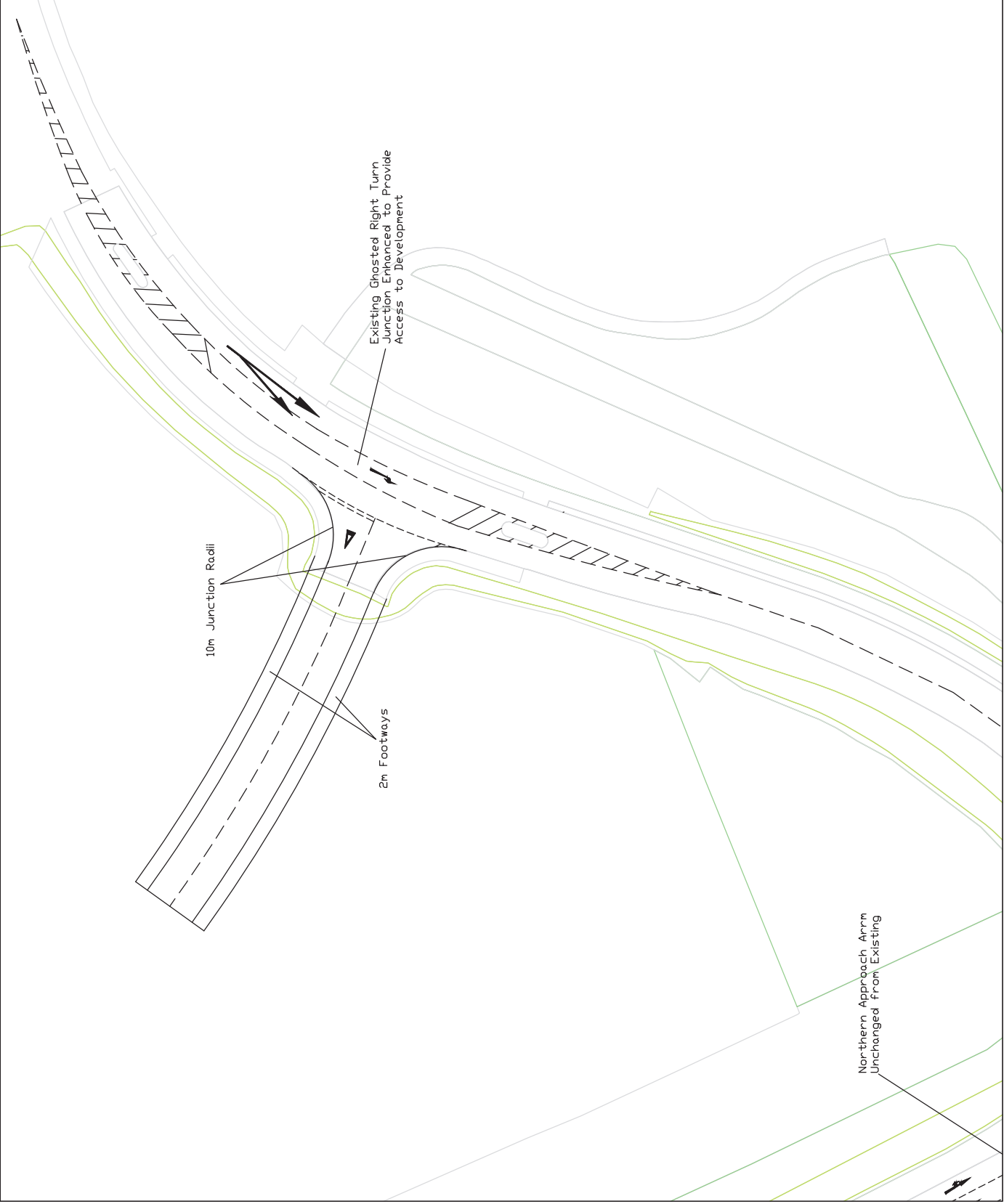
## APPENDIX 3 - LOCAL PLANNING POLICY

Brighton and Hove City Council - Brighton and Hove Local Plan 2005 (updated March 2016)

Policy Ref	Policy Summary
QD15 (Landscape design)	All proposals for development must show that existing nature conservation features have been retained and new suitable ones created like trees and hedgerows
QD16 (Trees and hedgerows)	<p>Applications for new development should accurately identify shrubs and trees, seek to retain existing hedgerows and wherever feasible include new tree and hedge planting in proposals.</p> <p>Planting of native species will be sought and works to a tree under a TPO will be permitted only if the works do not damage the amenity value and health of the tree and/or are consistent with the minimum of good arboricultural practice.</p> <p>Development which would damage or destroy a preserved tree will not be permitted unless, the development is of national importance or essential to meet recognised social and / or economic needs which cannot be located elsewhere and there is no practicable way to retain the tree.</p> <p>Existing trees and hedgerows should be retained and new ones planted as far as practicable.</p> <p>Planning applications for any development that affects trees will be expected to be accompanied by a detailed arboricultural report and plan.</p> <p>Brighton has been an Area of (Elm) Disease Management since the 1970s and has the only significant population of Elms in England making it home to the English Elm collection. Particular regard will therefore be given to the need to maintain and expand the presence of Elm trees within the city.</p> <p>Some hedgerows are given extra protection by virtue of the 'Hedgerow Regulation 1997 - A Guide to the Law and Good Practice'. Applicants must therefore have regard to these regulations.</p>
QD18 (Species protection)	<p>Where it is evident that a proposal could directly or indirectly affect a species of animal or plant, or its habitat (including feeding, resting and breeding areas) protected under National legislation, European legislation or categorised as 'a declining breeder', 'endangered', 'extinct', 'rare' or 'vulnerable' in the British 'Red Data' books, the applicant will be required to undertake an appropriate site investigation.</p> <p>Measures will be required to avoid any harmful impact of a proposed development on such species and their habitats. Where practicable, the developer will be expected to enhance the habitat of the respective species.</p>



## **APPENDIX THREE – ACCESS PLANS**



THIS DRAWING MAY BE USED ONLY FOR THE PURPOSE INTENDED AND ONLY WRITTEN DIMENSIONS SHALL BE USED

NOTES

Revision Details	By	Date	Suffix

Drawing Number  
**SK21849-BENFIELD1**

Drawing Title  
**Benfield Golf Club**

**Northern Land Parcel Access Strategy**

Scale at A3  
 1:250

Drawn  
 KAT  
 Approved  
 MAK

Check  
 KAT  
 Date  
 12/09/18

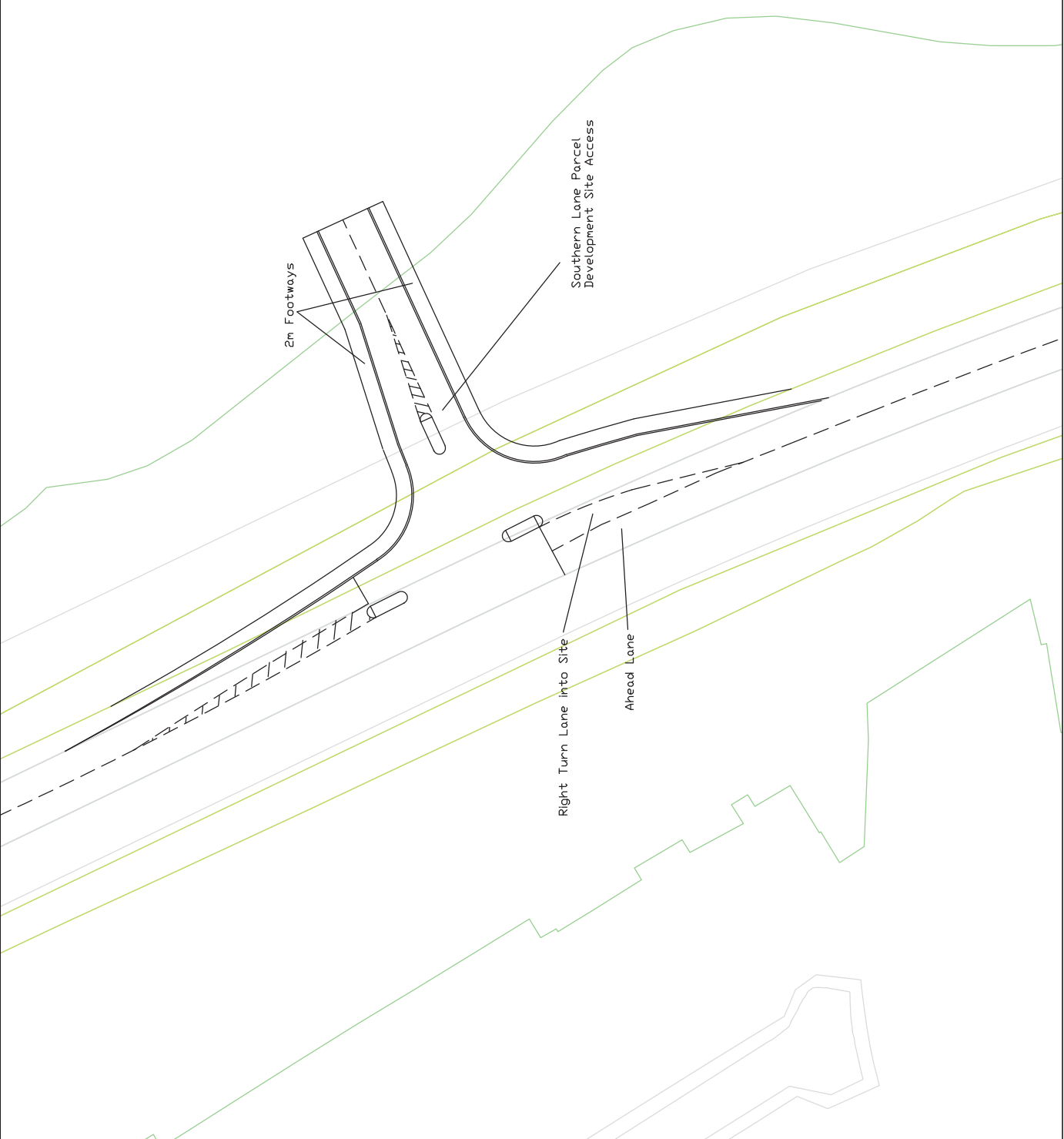
SK Transport Planning Ltd  
 Albion Wharf, 19 Albion Street  
 Manchester, M1 5JN  
 Telephone: (0161) 234 6509  
 Fax: (0161) 236 7959



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NOTES

107901



Revision Details	By	Date	Check	Suffix

Drawing Number  
 SK21849-BENFIELD2

Drawing Title  
 Benfield Golf Club

Southern Lane Parcel  
 Access Strategy

Scale at A3  
 1:500

Drawn  
 KAT

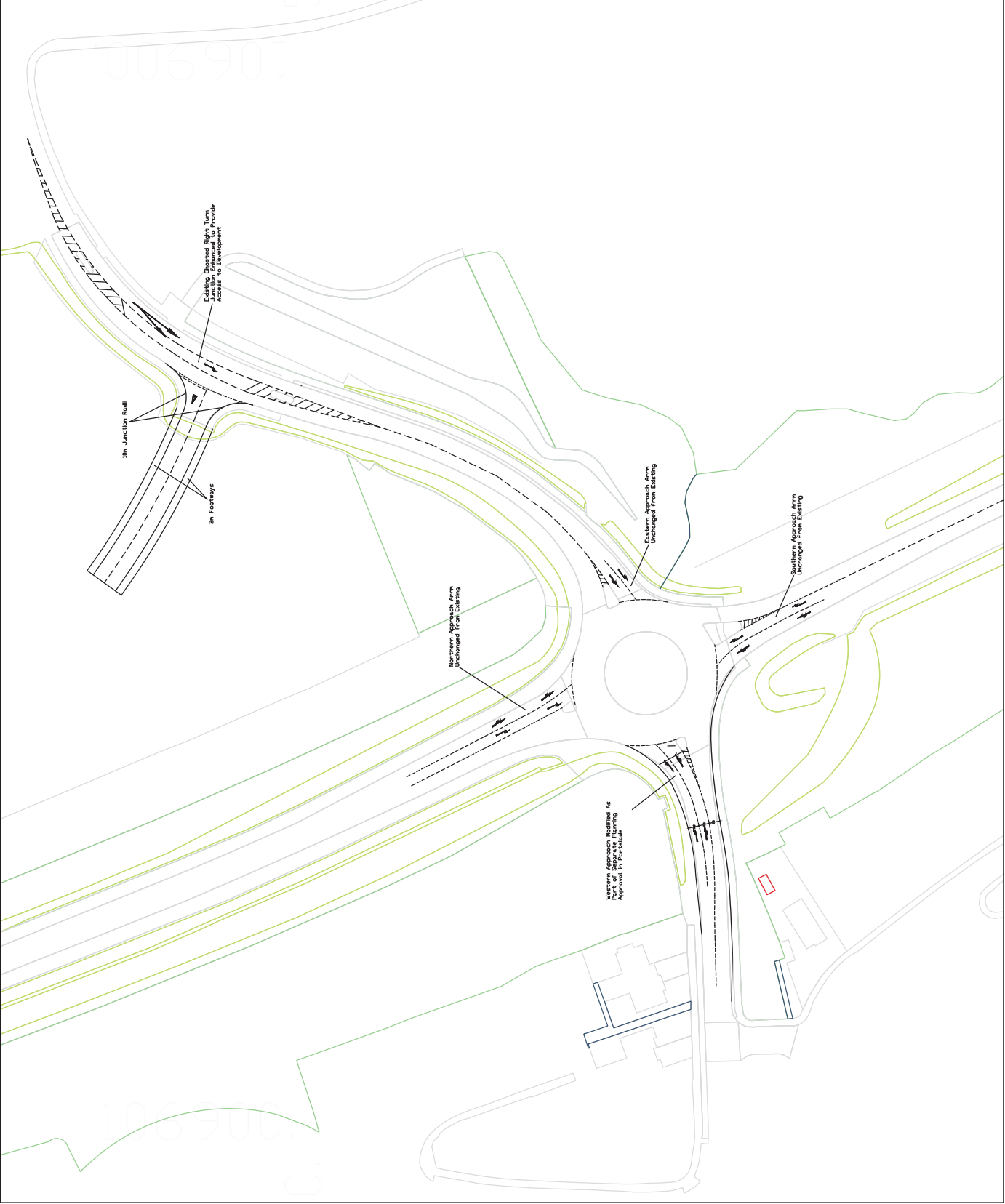
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Date  
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NOTES

Revision Details	By	Date	Check	Suffix

Drawing Number  
 SK21849-BENFIELD3

Benfield Golf Club  
 Development Land  
 Parcel Access  
 Strategy

Scale at A3  
 1:1000

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NOTES

Revision Details	By	Date	Check	Suffix

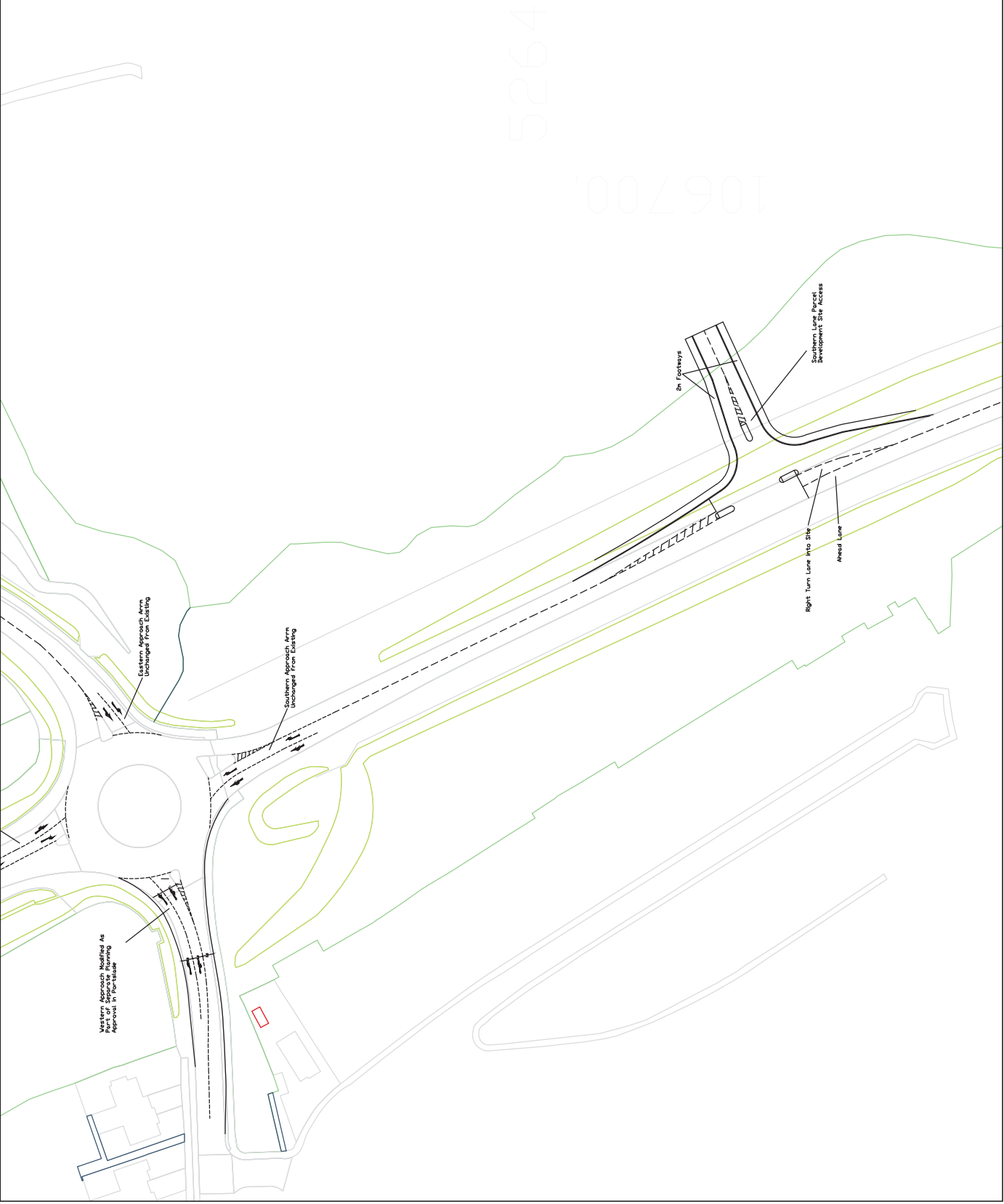
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Benfield Golf Club  
 Development Land  
 Parcel Access  
 Strategy

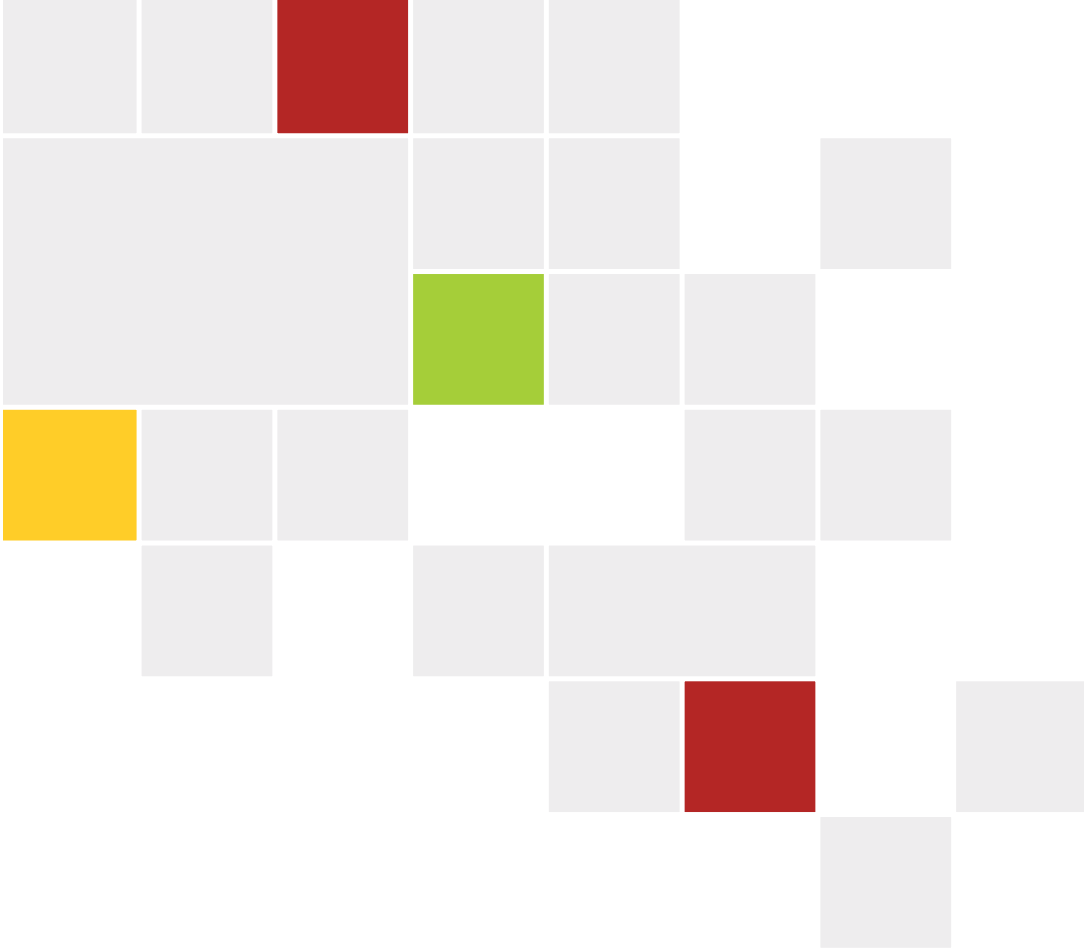
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Drawn	KAT	Approved	MAK
Check	KAT	Date	12/09/18

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5264  
 106700



# Boyer

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london@boyerplanning.co.uk | boyerplanning.co.uk



**From:**  
**To:** [PlanningPolicy](#)  
**Subject:** RE: Draft City Plan-part 2 Patcham sites - Objection  
**Date:** 13 September 2018 15:48:29

---

I am writing to raise an objection to the draft city plan – 2 (Patcham Ward)

I am aware that there is a need to create more housing within the city of Brighton and Hove. I am concerned though at the inclusion of the five private detached houses, 46-54 Old London Road, Patcham, BN1 8XQ, in the plan for a development of 30 houses or flats. Numerous objections to previous attempts by McCarthy and Stone to acquire and develop the land by local residents and councillors have been rejected by the council as well as the planning inspector at appeal. It is highly concerning therefore to hear that the council has included this site in its table of proposed developments.

trees

The density of housing currently put forward in the plan will spoil the village atmosphere and materially impact on the character of Patcham Village. The felling of so many trees and destruction of mature garden will disturb wildlife habitats in the area. The recommendation to replace these houses with a high-density development within Patcham Village is very disturbing. Old London Road is already a very busy road, with no pavement on one side. Thirty homes with at least as many vehicles will impact on congestion and air quality in the area.

The drainage/sewage system is an ongoing concern for Patcham residents and flood risk to the area is high. Patcham Village area has flooded in the past, with sewage overflowing into the road in 2000-2001 and flooding in basements since then in 2014. Climate change suggest this will occur more frequently in the future. Therefore can such a high density development as this be justified? The summary of the Inspector's conclusions on the previous McCarthy and Stone scheme stated that "previously suffered from surface water flooding and is identified as having low-medium risk of surface water flooding," An expert in the area of flood risk told residents at a public meeting in May 2016 that the drainage system cannot cope and that the main sewer does not have the capacity to take the rain water at present when weather conditions are bad. If this is the case already, how will it cope with such an increase in water usage, and who will be liable should such a development go ahead?

My objections to the other two sites in Patcham on the urban fringe, have no detail relating to access, density, or character. This is likely to will create further infrastructure problems, such as increased traffic, congestion, adverse impact upon schools, GP surgeries as well as drainage and sewer systems. These sites are locations that local Brighton and Hove residents use frequently for walking and other leisure activities, something the council is committed to and supports.

Vale Avenue in the rush hour is highly congested with traffic backing up from the A23 roundabout causing cars to use Church Hill as an alternative, in order to drive into the city and avoid queueing causing real concern to residents because of the speed at which they drive.

What about using the many brownfield sites in the city? In January 2018 the council released details of having identified approximately 180 brownfield sites which, if all were to be developed, could provide over 8000 homes." According to the council this could provide "Eighty seven per cent of the city's future housing".

I urge the council to reject these proposals.

Yours sincerely

DP289

## Comment

<b>Event Name</b>	Consultation on the Draft City Plan Part 2
<b>Comment ID</b>	273
<b>Response Date</b>	13/09/18 15:46
<b>Status</b>	Submitted
<b>Submission Type</b>	Web
<b>Version</b>	0.1

**I consent to being added to the Planning Policy, Heritage and Projects team mailing list and contacted via email regarding forthcoming news and consultations** . Yes

### Organisation Name

**Organisation Name (if not applicable please put n/a)** Sussex Wildlife Trust

### Name

### Name

### Email Address

### Email Address

**Please tick all of the sections you would like to comment on before proceeding**

- . Housing, Accomodation and Community
- . Employment, Tourism and Retail
- . Design & Heritage
- . Transport and Travel
- . Environmental and Energy
- . Site Allocation - Special Areas policies
- . Site Allocations - Strategic Site Allocations
- . Site Allocations - Housing Sites
- . Site Allocations - Employment Site
- . Make general comments

### DM1 - Housing Quality, Choice and Mix

**a) Do you Support or Object to policy DM1?** Support

### DM1 Support Reasons

**b) Please explain why you support this policy?**

Within this policy, bullet point F states *'all new residential development will be required to provide useable outdoor amenity space appropriate to the scale and character of the development.'*

The Sussex Wildlife Trust supports the delivery of outdoor amenity space and ask the council to ensure that this is considered carefully at the design stage of a development. The outdoor spaces should be located in places appropriate for the intended occupiers, but there should also be consideration of how their placement and orientation can help to deliver green stepping stones for the City's biodiversity in accordance with 174b of the revised National Planning Policy Framework (NPPF).

## DM1 Support Wording Changes

### c) If you support this policy but have some suggested wording changes please outline these clearly below

*'...all new residential development will be required to provide useable outdoor amenity space appropriate to the scale and character of the development. **Consideration should be given to the opportunities for this space to contribute to the city's green infrastructure network through appropriate placement and orientation within a development.'***

## DM18 - High Quality Design & Places

a) Do you support or object to policy DM18? Support

### DM18 Support Reasons

#### b) Please explain why you support this policy?

The Sussex Wildlife Trust recognises that CPP2 includes landscape design and green infrastructure policies. However, we feel policy DM18 would benefit from giving recognition to the need for the natural environment to be considered at an early stage, if high quality design and places are to be achieved. This would be consistent with paragraph 170 of the NPPF which states *'planning policies should contribute to and enhance the natural and local environment by: minimising impacts on and providing net gains for biodiversity'*

### c) If you support this policy but have some suggested wording changes please outline these clearly below

*'Proposals for development will be expected to consider the following key design aspects:*

a. the local context; including responding positively to the urban grain, **the natural environment and green infrastructure opportunities;**

## DM22 - Landscape Design & Trees

a) Do you support or object to policy DM22? Support

#### b) Please explain why you support this policy?

The Sussex Wildlife Trust is supportive of a policy that recognises the importance of landscape design at the outset. We note biodiversity is referenced in the last bullet point of the policy, however this only requires proposals to *'capitalise on opportunities to enhance biodiversity'*. We are concerned that this does not reflect the intent of the NPPF which requires *'planning policies and decisions to contribute to and enhance the natural and local environment by... providing net gains for biodiversity'* (paragraph 170).

Section 2.175 of the Reasoned Justification references the need for tree replacement to be of a similar value depending on size/age. We agree with this statement, but do not feel that it is sufficiently reflected in the current policy wording and therefore we propose that the policy wording is strengthened to better reflect paragraph 170b of the NPPF.

We are very supportive of the last paragraph of this policy which recognises the need in some cases to deliver planting prior to the commencement of development.

**c) If you support this policy but have some suggested wording changes please outline these clearly below**

'Development proposals will be required to retain and provide for appropriate landscape design, trees and planting as part of the development scheme taking into account the need for:

- 1 capitalising on opportunities to facilitate social integration, improve public health and safety, accessibility, **and** connectivity, and enhance biodiversity, Green Infrastructure and/or create green links for wildlife and public access;
- 2 **net gains to biodiversity and enhancements to green infrastructure and/or creation of green links for wildlife and public access...**

...The felling of a protected tree will only be permitted where it is severely diseased or dangerous, or, it is necessary to accommodate development of national importance which cannot be located elsewhere; and, a replacement tree is provided of a type, size and location to the satisfaction of the council. **Larger trees provide ecosystem services at much greater levels than smaller ones. Consequently, where large trees are felled they should be replaced with trees that are proportionate to the size and value of the tree(s) to be lost and that deliver at least the same level of ecosystem services.'**

**DM25 - Communications Infrastructure**

**a) Do you support or object to policy DM25?** Support

**b) Please explain why you support this policy?**

The Sussex Wildlife Trust is supportive of policy wording that recognises that telecommunications development should have no adverse/unacceptable impact on important wildlife sites, areas of landscape importance and their setting, including the setting of the South Downs National Park (bullet point c). We feel that the policy should go further to highlight that this is applicable to any ancillary development required to support any telecommunications development.

In the Reasoned Justification for this policy, section 2.191 states in the last sentence that proposals will be required to minimise environmental harm and provide adequate mitigation measures. We propose that this wording should be amended to better reflect paragraph 175 of the NPPF.

**c) If you support this policy but have some suggested wording changes please outline these clearly below**

Recommended wording for policy:

'Planning applications for telecommunications **and associated ancillary** development will be permitted where all of the following criteria have been met:...

Recommended wording for Reasoned Justification:

'...including the setting of South Downs National Park. Proposals will be required to **minimise avoid** environmental harm, **where this is not possible, it should be minimised** and provide adequate mitigation measures **delivered.'**

**DM26 - Conservation Areas**

**a) Do you support or object to policy DM26?** Support

**b) Please explain why you support this policy?**

We are pleased to see the inclusion of bullet point h which recognises the importance of retaining trees and gardens, where they are integral to the significance of the area.

The Reasoned Justification for this bullet point (2.200) refers to new developments in residential gardens relating to the historic development pattern. We remind the council that the revised NPPF continues to highlighting the need to resist the inappropriate development of gardens, for example where development would cause harm to the local area (paragraph 70). We remind the council that gardens deliver a significant area of green space in the city and therefore, development should also be resisted if it would impact the local area in terms of the green

space being permanently lost and the connectivity of the city's ecological network. Gardens are recognised as important part of the city's green infrastructure in section 2.269 of CPP2.

**c) If you support this policy but have some suggested wording changes please outline these clearly below**

'New development in back gardens or other backland plots will only be acceptable where the size of the plot is sufficient to accommodate development without detriment to the historic development pattern of the area and where a satisfactory means of access exists. **Consideration must be given to the contribution of the garden to the city's green infrastructure network.** In such cases any new building should be clearly subservient in scale and form to the main building(s). Extensions to existing buildings will also be expected to avoid excessive plot coverage so that gardens and courtyards remain of appropriate size for the area'.

**DM32 - The Royal Pavilion Estate**

**a) Do you support or object to policy DM32?** Support

**b) Please explain why you support this policy?**

The Sussex Wildlife Trust is heartened to see this policy suggest that greater biodiversity will be encouraged within the Royal Pavilion gardens. However, we ask the council to be more ambitious for biodiversity within the wording and suggest that the policy would benefit from an extra point under section 3 that includes biodiversity.

We also seek clarity on whether point i) of section one of the policy is accurate. Should the word which currently reads as 'planning' actually say planting?

**c) If you support this policy but have some suggested wording changes please outline these clearly below....**

'3. Temporary uses within the gardens will be assessed against the policy on Registered Parks and Gardens with particular regard to all of the following:

- a) The role of the gardens as a setting for the listed buildings;
- b) The protection of key views;
- c) Potential impacts on historic fabric and protective measures; and
- d) The importance of the formal and quieter character of the east lawn; **and**
- e) **Potential impacts on biodiversity.'**

**DM37 - Green Infrastructure & Nature Conservation**

**a) Do you support or object to policy DM37?** Support

**DM37 Support Reasons**

**b) Please explain why you support this policy?**

The Sussex Wildlife Trust is supportive of a policy that seeks to protect and enhance green infrastructure and deliver wider nature conservation objectives, including recognition of ecosystem services.

We have considered this policy alongside policy CP10 Biodiversity from City Plan Part One. We assume the objective is for CP10 to highlight the wider aspirations of the city's strategic planning, while DM37 Green Infrastructure and Nature Conservation details the expectation for planning applications under the revised NPPF? We therefore feel that policy DM37 would benefit from additional wording to ensure there is sufficient clarity for applicants when considering biodiversity.

Up-to-date information:



Policy DM37 currently requires detailed site investigation/assessment for applications impacting the features listed in the second paragraph of the policy. However we feel that the approach adopted in CP10 reflects a broader base and understand that biodiversity is present throughout the city. Policy CP10 states:

*'The council will develop programmes and strategies which aim to conserve, restore and enhance biodiversity and promote improved access to it through the following:*

- 1 *Ensure that all development proposals:*
  - a) *Provide adequate up-to-date information about the biodiversity which may be affected*

Whilst we agree it is beneficial to highlight features of particularly high biodiversity value, the Sussex Wildlife Trust would like to see the requirement for up-to-date assessments to apply to all applications which may affect biodiversity to ensure that net gains are achievable as per NPPF paragraph 170.

Net gains:

NPPF Paragraph 170 is clear that both planning policy and decisions should provide net gains to biodiversity. There is no longer any caveat of 'where possible' and this requirement is not restricted to those developments impacting on sites designated for their biodiversity value. As such policy DM37 should be amended to ensure that the need for net gains to biodiversity applies to all applications.

Designated sites:

The requirement to set criteria based policies based on the hierarchy of designated sites no longer exists within National Policy, therefore we question the suitability of the fourth paragraph of this policy. In particular, Local Wildlife Sites (LWS) are a core component of the City's ecological network and should be protected through the local plan. This requirement is made clear in paragraph 174 of the NPPF – *'To protect and enhance biodiversity and geodiversity, plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity...'*

It is not clear to the Sussex Wildlife Trust what *'citywide importance'* constitutes in regard to local sites or what this means when it comes to Development Management officers making planning decisions. Similarly there is no explanation of why Local Nature Reserves must be considered at the regional level.

We also question whether the exception for internationally designated sites is legally compliant with the Habitat Regulations. The regulations are clear that any plan or project that cannot be shown not to adversely affect the integrity of an internationally designated site can only go ahead if there are no alternative solutions, there are imperative reasons of overriding public interest and sufficient compensatory measures can be secured. It would be the Sussex Wildlife Trust's preference for the policy to clarify what is required when an application may have an impact on an internationally designated site, rather than to list possible exceptions.

The Sustainability Appraisal (SA) states that policy DM37 should ensure that both non-designated and designated sites are protected and provides clear requirements regarding mitigation. We do not believe that as written the policy succeeds in this and recommend that it is amended to ensure that the components of the City's ecological network are truly safeguarded. If the council are minded to pursue a criteria base approach to designated sites, then the Sussex Wildlife Trust would welcome a discussion to explore what requirements would be suitable to ensure robust protection of locally designated sites.

In addition to our comments above, we feel that the policy would benefit from other adjustments to the text to ensure it is robust and effective:

- 1 Inclusion of the word 'enhanced' in the final line of the first paragraph of policy DM37
- 2 Removal of 'seek to' and 'where possible' from the first sentence of the existing second paragraph
- 3 We note that neither the policy nor the reason justification make reference to the marine or coastal environment specifically. Given the importance of this resources to Brighton and Hove and the recognition of this through the UNESCO biosphere designation, we would welcome the council rectifying this by adding reference to the marine environment to the features listed in the second paragraph
- 4 Clarity is sought over bullet point (d) of the final paragraph. The supporting text does not expand on what the council might consider to be public appreciation, this should be rectified.
- 5 Inclusion of the wording 'long-term' in bullet point (e)

We are encouraged by the council's approach to considering the assessment of Natural Capital as stated in section 2.271. However this is not supported in policy wording. Given the longevity of the plan and the recognition of natural capital in the Defra 25 year plan we encourage the council to identify mechanism that could enable this to happen.

The Sussex Wildlife Trust are supportive of the council reviewing LWSs and bringing the process in line with East and West Sussex. We are really pleased to see 24 new sites and support all of them being mapped and allocated in line with NPPF paragraph 174. We would also like to see the candidate sites assessed and if appropriate, allocated as soon as possible. Given the relatively long time period before the predicted adoption of CPP2, it may be possible to include these sites in the final plan. We encourage the council to pursue this goal.

The Sussex Wildlife Trust is aware that it has taken some time for the Brighton and Hove LWS system to be evaluated. The revised NPPF is clear in paragraphs 170 and 171 that plans should take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure and that decision should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity value and by establishing coherent ecological networks.

In order to ensure that the council is able to fulfil these requirements it is vital that appropriate measures are put in place to guarantee the longevity and resilience of the city's LWS system. We therefore recommend that the council make a commitment within the CPP2 to regular reviews of existing and proposed LWSs, providing a robust evidence base for council decisions and future plans.

We also wish to make the following comments relating to the Reasoned Justification text for policy DM37. Footnote 60 states that '*The Sussex Biodiversity Record Centre (Woods Mill, Henfield) is the principle sources of up-to-date biodiversity information. The Booth Museum (Dyke Road, Brighton) also holds data that maybe relevant for nature conservation surveys*'. Whilst we support the reference to the SxBRC, it must be noted that obtaining information from the SxBRC does not discount the need for further surveys. It is important applicants understand that applications will need to ensure that the ecological information for proposals starts with desktop surveys but then must be supported by up to date field surveys. Therefore we ask the council to add the term 'desktop' to the footnote.

## DM37 Support Wording Changes

### c) If you support this policy but have some suggested wording changes please outline these clearly below

#### Recommended wording for policy:

'Development proposals will be required to demonstrate that they safeguard or contribute to the existing multifunctional network of Green Infrastructure; the connections between spaces within and beyond the City; ensure that the ecosystems services<sup>49</sup> of the area are retained, **enhanced** and complement UNESCO Biosphere objectives<sup>50</sup>.

**Development proposals should provide adequate up-to-date information about the biodiversity which may be affected and how measurable net gains to biodiversity will be achieved.**

Proposals must ~~seek to~~ protect and prevent damaging impacts to the following and, ~~where possible,~~ seek to enhance:

- 1 the Nature Improvement Area<sup>51</sup>
- 2 protected and notable species and habitats<sup>52</sup>
- 3 ancient woodland
- 4 aged/veteran trees
- 5 protected trees<sup>53</sup>
- 6 the City's National Elm Collection
- 7 designated sites of importance to nature conservation<sup>54</sup>
- 8 **marine and coastal biodiversity**

Proposals liable to affect such sites and/or features either directly or indirectly must be supported by an appropriate and detailed site investigation/ assessment and accord with provisions set out in the mitigation hierarchy<sup>55</sup>.

Measures to avoid any harmful impacts and minimise adverse effects will be required. Proposals liable to cause demonstrable harm to such sites and/or features will not be permitted. (See also Policy DM22 Landscape Design and Trees).

Designated sites:

Proposals within a designated site of importance to nature conservation<sup>56</sup> or which could impact upon a designated site must demonstrate that any adverse effects would not undermine the objectives of the designation, features of interest/importance and/or integrity of the area.

**Proposals with the potential to impact on international sites will be subject to a Habitats Regulations Assessment to determine the potential for likely significant effects. Where likely significant effects may occur, development proposals will be subject to Appropriate Assessment.**

Proposals within a **nationally or locally** designated site, as detailed below, will be permitted only where it can be demonstrated that there are no suitable alternative sites, the proposal accords with City Plan Part One policies CP10 Biodiversity and CP16 Open Space, and **there are overriding benefits that outweigh any the harm to the designated site.:**

- 1 within International/European sites: there are imperative reasons of overriding public interest
- 2 within National sites: there are overriding benefits of national importance
- 3 within a Local Nature Reserve: there are overriding benefits of regional importance, or, it is sympathetic and ancillary development to the designation
- 4 within a local site: there are overriding benefits of citywide importance, or, it is sympathetic and ancillary development to the designation

Proposals liable to cause direct or indirect harm to a designated site that accord with the requirements and exceptions above must provide:

- a) details to demonstrate that the objectives of the designation and integrity of the area will not be undermined;
- b) measures included to provide biodiversity net gains;
- c) greater reductions in CO2 emissions than set out in City Plan Part One Policy CP8 Sustainable Buildings and PolicyDM43 Energy Efficiency and Renewables;
- d) improvements to public appreciation of the site; and,
- e) funded management plans that secure the **long-term** protection and enhancement of remaining features<sup>57</sup>.

Recommended wording for Reasoned Justification:

Footnote 60 - 'The Sussex Biodiversity Record Centre (Woods Mill, Henfield) is the principle sources of up-to-date **desktop** biodiversity information. The Booth Museum (Dyke Road, Brighton) also holds data that maybe relevant for nature conservation surveys'.

## **DM38 - Local Green Spaces**

**a) Do you support or object to policy DM38?** Object

### **DM38 Support Wording Changes**

**c) If you support this policy but have some suggested wording changes please outline these clearly below**

'The following green areas, as defined on the policies map, are designated and protected as Local Green Spaces:

- 1 Hollingbury Park
- 2 Three Cornered Copse
- 3 Ladies' Mile
- 4 Benfield Valley

**Inappropriate development, including the construction of new buildings, will not be permitted in a Local Green Space, except in very special circumstances.** Enhancements consistent with Local Green Space designation will be supported and will be required where proposed development, **judged to meet the very special circumstances test**, may impact the Local Green Space<sup>63</sup>.

## **DM38 Object Reasons**

**d) Please explain why you object to this policy?**

The Sussex Wildlife Trust support the designation of the Local Green Spaces listed in policy DM38. However we are concerned that the policy wording is not consistent with the revised NPPF and must be strengthened. Paragraph

101 of the NPPF states that '*policies for managing development within a Local Green Space should be consistent with those for Green Belts*'. It is clear that policy DM38 is not consistent with Chapter 13 of the NPPF – Protecting Green Belt land and therefore this policy must be amended to ensure inappropriate development is prevented, except in very special circumstances (NPPF paragraphs 143 and 144).

### DM38 Object Wording Changes

**e) If you Object to this policy and would like to put forward some alternative wording for the policy please set this out clearly below**

'The following green areas, as defined on the policies map, are designated and protected as Local Green Spaces:

- 1 Hollingbury Park
- 2 Three Cornered Copse
- 3 Ladies' Mile
- 4 Benfield Valley

**Inappropriate development, including the construction of new buildings, will not be permitted in a Local Green Space, except in very special circumstances.** Enhancements consistent with Local Green Space designation will be supported and will be required where proposed development, **judged to meet the very special circumstances test**, may impact the Local Green Space<sup>63</sup>.'

### DM40 - Protection of Environment and Health - Pollution & Nuisance

**a) Do you support or object to policy DM40?** Support

#### DM40 Support Reasons

**b) Please explain why you support this policy?**

The Sussex Wildlife Trust supports the inclusion of this policy and particularly the recognition of development needing to prevent unacceptable harm to biodiversity (paragraph 1). Given that artificial lighting can have a detrimental impact on biodiversity, we recommend that bullet point e) is strengthened to include this issue in line with paragraph 180c of the revised NPPF.

#### DM40 Support Wording Changes

**c) If you support this policy but have some suggested wording changes please outline these clearly below**

'e) ensure outdoor lighting is well designed; low impact; efficient; the minimum necessary with an appropriate balance between intensity, fittings, height and structures; and, not cause unacceptable detriment to public and highway safety, **biodiversity, in particular priority habitat and species**, the night sky and the South Downs National Park International Dark Sky Reserve.'

### DM41 - Polluted Sites, Hazardous Substances & Land Stability

**a) Do you support or object to policy DM41?** Support

#### DM41 Support Reasons

**b) Please explain why you support this policy?**

We strongly support the reference to ecosystem services within this policy, however we feel that it would be clearer if there was also a reference included bullet point d).

#### DM41 Support Wording Changes

**c) If you support this policy but have some suggested wording changes please outline these clearly below**

‘Provision is made for appropriate measures necessary to protect the environment, **ecosystem services**, future users and surrounding occupants’

**DM42 - Protecting the Water Environment**

a) Do you support or object to policy DM42? Support

**DM42 Support Reasons**

**b) Please explain why you support this policy?**

The Sussex Wildlife Trust strongly supports the inclusion of this policy. However, given that Brighton and Hove sits in an area classified by the Environment Agency as under serious water stress, we recommend that the policy relates to water quantity as well as quality.

**DM42 Support Wording Changes**

**c) If you support this policy but have some suggested wording changes please outline these clearly below**

‘In consultation with the council and relevant statutory bodies, planning applications should consider the potential impacts on water quality **and quantity** resulting from the design, construction and operation of proposed development’

**DM43 - Sustainable Urban Drainage**

a) Do you support or object to policy DM43? Support

**DM43 Support Reasons**

**b) Please explain why you support this policy?**

We support the inclusion of this policy, but feel that it could show a greater acknowledgement that new development, car parking and hardstanding can through good design, deliver opportunities for biodiversity with aspiration of net gains as per the revised NPPF.

**DM43 Support Wording Changes**

**c) If you support this policy but have some suggested wording changes please outline these clearly below**

‘...SUDS should be sensitively located and designed to ensure that the quality of local water is not adversely affected; and should ~~promote~~ **deliver** improved biodiversity **net gains**, an enhanced landscape/townscape and good quality spaces that improve public amenities in the area’.

**SA7 - Benfield Valley**

a) Do you support or object to policy SA7? Object

**SA7 Object Reasons**

**d) Please explain why you object to this policy?**

Benfield Valley has been designated as a Local Wildlife Site (LWS) (previously called SNCI) since 1995 and therefore we strongly support the objective of this policy to protect and enhance the site as an important ‘green wedge’. The Sussex Wildlife Trust is pleased to see a commitment to the protection and enhancement of biodiversity

and the wording included in the bullet points for this policy. This is in line with paragraph 170 of the NPPF which states that '*planning policies and decisions should contribute to and enhance the natural and local environment by – protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils...*'

However, the Sussex Wildlife Trust strongly objects to the allocation of development areas within this policy. The NPPF states that '*to protect and enhance biodiversity and geodiversity, plans should: Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity...*' As such, all Local Wildlife Sites should be safeguarded against development to ensure that they are able to contribute to a robust ecological network within Brighton and Hove. Sites designated for their biodiversity value are a precious resource that must be protected for the public benefit.

Whilst maintaining our overall objection, we also question the number of dwellings suggested for this site, which is well in excess of that considered in the 2015 Urban Fringe Assessment (UFA). The Reasoned Justification for this policy does not include any explanation of why an increase of 70 dwellings is considered acceptable, particularly given that the UFA states that '*It is considered that housing cannot be delivered in the potential development areas within Study Area L3/E3 at the suggested density/yield without a high likelihood of significant impacts on landscape until new screening planting reaches maturity*'. It should be noted that this conclusion relates to a yield of 30 dwellings for the site, not 100. We also note that the Benfield valley site (Ref 690 and 691) is only listed as being able to provide 30 dwellings in the most recent SHLAA.

The UFA also states that development of this site could have impacts on the LWS in terms of increased recreation disturbance, however this risk is reduced by the low number of dwellings being considered in the assessment. Whilst we support the prospect of Benfield Valley as a gateway to the SDNP, there needs to be assessment of the potential impacts of increased access and therefore increased recreation on the features of the site.

The Sussex Wildlife Trust also questions the suitability of allocating of housing on a site that is designated as a Local Green Space. Paragraph 101 of the NPPF states that '*policies for managing development within a Local Green Space should be consistent with those for Green Belts*'. Further to this, NPPF paragraph 145 states that '*A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt*'. This paragraph does include a list of exceptions, but the Benfield Valley allocation does not appear to meet any of these.

The Sussex Wildlife Trust therefore cannot see how the residential element of this policy can be delivered alongside the Local Green Space designation. The Sussex Wildlife Trust requests that this housing allocation is removed from the plan.

We do support the assessment requirements in paragraph 3.8, but question why these are included in the supporting text rather than the policy wording.

## SA7 Object Wording Changes

**e) If you Object to this policy and would like to put forward some alternative wording for the policy please set this out clearly below...**

1     '*...The sympathetic repair and re-use of Benfield Barn and its associated structures and walls in a way that is compatible with and integrates with the landscape character of Benfield Valley, the wider natural environment and the Benfield Barn Conservation Area.*

*Residential development in accordance with the identified development areas shown to the north and south of Hangleton Lane will be permitted provided that such development addresses the key considerations set out in Policy H2 Urban Fringe Housing Sites. Development proposals will be required to preserve the settings of the Benfield Barn and Hangleton Conservation Areas and contribute towards the achievement of the key objectives as listed above (see also Policy H2 Urban Fringe Housing Sites) and as set out in City Plan Part One Policy SA4 Urban Fringe:*

*Appropriate uses of the Benfield Barn and outbuildings within the conservation area...*'

## H1 - Housing Sites & Mixed Use Sites

**a) Do you support or object to policy H1?**

Object

**H1 Object Reasons**



#### d) Please explain why you object to this policy?

The Sussex Wildlife Trust strongly objects to the inclusion of the 'Land between Marina Drive and rear of 2-18 The Cliff, Brighton' in Table 5. This site is designated within the CPP2 as Cliff Road Paddock Local Wildlife Site and as such should not be allocated for housing development.

The Brighton & Hove Local Wildlife Sites Review states that this site is '*rough coastal grassland (including chalk grassland) with a significant population of common lizard*'. To allow residential development of this site would be contrary to paragraph 174 of the NPPF which states that '*to protect and enhance biodiversity and geodiversity, plans should - promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.*' The Sussex Wildlife Trust also cannot see how allocation of this site for housing meets Strategic Objective 10 of the City Plan Part 1.

The Sussex Wildlife Trust recommends that this housing allocation is removed from the plan. If the council choose to pursue this allocation, then there must be acknowledgement of the designation and the presence of priority habitat and species within the policy wording, along with suggested measures to avoid adverse impacts. However, please note that even with the addition of more comprehensive policy wording, the Sussex Wildlife Trust will continue to object to this site allocation.

We note that the majority of the sites listed in Table 5 and Table 6 are brownfield and therefore there is a big opportunity for BHCC to achieve measurable net gains to biodiversity and green infrastructure provision through their development. We would like to see wording to this effect included within this section of the plan to ensure that delivery of gains are considered at the earliest point in the formulation of planning applications. This would be in line with NPPF paragraph 117 which states that '*planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment...*'. It would also allow development to contribute to the Strategic Objectives of the CPP1, in particular SO8 and SO10.

The National Planning Policy Guidance (NPPG) defines green infrastructure as '*Green infrastructure is a network of multifunctional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.*'

*Green infrastructure is not simply an alternative description for conventional open space. As a network it includes parks, open spaces, playing fields, woodlands, but also street trees, allotments and private gardens. It can also include streams, canals and other water bodies and features such as green roofs and walls.* (Paragraph: 027 Reference ID: 8-027-2160211)

Further to this the NPPG states '*Green infrastructure is important to the delivery of high quality sustainable development, alongside other forms of infrastructure such as transport, energy, waste and water* (Paragraph: 028 Reference ID: 8-028-20160211)

Green infrastructure provision can be achieved on a range of scales and therefore should not be considered onerous or prohibitive to development. It must be made clear that it is achievable and therefore a requirement for all development to deliver towards the city's green infrastructure goals. We also note that 8 of the sites listed within Tables 5 and 6 appear to be greenfield or large areas of residential garden. Given that these sites may be contributing to the natural capital of the City, we feel that there should be some acknowledgement of each sites current state to ensure appropriate assessments are carried out to assess the suitability of these sites for development. We recommend that an additional column is added to Tables 5 and 6 which lists any site considerations that need to be taken account of as is included in Table 7.

#### H1 Object Wording Changes

#### e) If you Object to this policy and would like to put forward some alternative wording for the policy please set this out clearly below...

Land between Marina Drive and 2-18 The Cliff' is removed from Table 5.

'The sites listed in Tables 5 and 6 below (as shown on the Policies Map) are allocated for housing (Use Class C3) or mixed-use development including housing and other specified uses. Planning permission will be granted for proposals that accord with the Development Plan, and which provide minimum indicative amounts of development shown in the tables **and which contribute to the creation of a functioning Green Infrastructure Network.**

## H2 - Urban Fringe Housing Sites

a) Do you support or object to policy H2? Object

### H2 Object Reasons

#### d) Please explain why you object to this policy?

The Sussex Wildlife Trust objects to this policy. 7 of the 14 sites listed in Table 7 are designated for their biodiversity value, with a further allocation sitting on a candidate Local Wildlife Site. As stated previously in our comments, we believe it is contrary to the NPPF and the objective for local plans to promote sustainable development, for such sites to be allocated for development. Local Wildlife Sites are a critical component of the City's ecological network and therefore must be safeguarded through the Local Plan as per the NPPF.

We question the deliverability of these sites given the requirements of policy DM37 and do not believe that the council have demonstrated why the sites listed in Table 7 are justified. Additionally three of the sites have a potential number of dwelling units that is higher than that assessed in the UFA. We cannot see an explanation within the draft CPP2 or the background papers to justify these changes.

The site assessments within the SA does not appear to acknowledge the newly designated LWS despite this document being produced after the Local Wildlife Site review dated June 2017.

The following site allocations should be removed from Table 7 and from the policies map. Or the boundaries redrawn to remove and site allocation that sits on a site designated for its biodiversity value:

- 1 Land at Oakdene, Southwick Hill / Land West of Mile Oak Road
- 2 Land at Mile Oak Road, Portslade
- 3 Benfield Valley
- 4 Land at and adjoining Brighton Race Course
- 5 Land North of Warren Road (Ingleside Stables)
- 6 Land to north east of Coldean Lane / Land north of Varley Halls / Land south of Varley Halls
- 7 Land adjacent to Ovingdean and Flamer Road, Ovingdean
- 8 Land at and adjoining Horsdean Recreation Ground, Patcham – Subject to progression of Local Wildlife Site designation

The Sussex Wildlife Trust recommends that these housing allocations should be removed from the plan. If the council choose to pursue this allocation, then there must be acknowledgement of the designation and the presence of priority habitat and species within the policy wording, along with suggested measures to avoid adverse impacts. However, please note that even with the addition of more comprehensive policy wording, the Sussex Wildlife Trust will continue to object to these site allocation.

### H2 Object Wording Changes

e) If you Object to this policy and would like to put forward some alternative wording for the policy please set this out clearly below...

The following site allocations should be removed from Table 7 and from the policies map. Or the boundaries redrawn to remove and site allocation that sits on a site designated for its biodiversity value:

- 1 Land at Oakdene, Southwick Hill / Land West of Mile Oak Road
- 2 Land at Mile Oak Road, Portslade
- 3 Benfield Valley
- 4 Land at and adjoining Brighton Race Course
- 5 Land North of Warren Road (Ingleside Stables)
- 6 Land to north east of Coldean Lane / Land north of Varley Halls / Land south of Varley Halls
- 7 Land adjacent to Ovingdean and Flamer Road, Ovingdean
- 8 Land at and adjoining Horsdean Recreation Ground, Patcham – Subject to progression of Local Wildlife Site designation

## E1 - Opportunity site for new industrial, business & warehouse uses

Click on the link to read: E1 Opportunity site for business and warehouse uses

a) Do you support or object to policy E1?

Object

## E1 Object Reasons

d) Please explain why you object to this policy?

A small section of this allocation appears to overlap on the policy map with Benfield Valley LWS. As stated previously, LWS should not be allocated with the CPP2 for development and therefore the allocation boundary for this site should be amended to exclude the designation. There should also be recognition within the supporting text that the allocation is adjacent to both Benfield Valley and Foredown Allotments LWSs so that this can be taken into account at the earliest opportunity when developing a proposal.

## E1 Object Wording Changes

e) If you Object to this policy and would like to put forward some alternative wording for the policy please set this out clearly below...

Amend the boundary on the policy map to exclude Benfield Valley LWS.

## Any other comments

Click on the links below to access supporting documents to the CPP2:

- . Proposed CPP2 Implementation and Monitoring Targets [PDF, 506Kb]
- . Sustainability Appraisal [PDF, 8MB]
- . Sustainability Appraisal Non-Technical Summary [PDF, 385 KB]
- . Consultation Statement [PDF, 8.6 MB]
- . Appendix 7 to Consultation Statement [PDF, 20MB]
- . CPP2 East Policy Map [PDF, 11MB]
- . CPP2 West Policy Map [PDF, 14MB]
- . CPP2 Central Policy Map [PDF, 9.4MB]
- . Habitats Regulation Assessment [PDF, 18MB]

Background Studies and Topic Papers are also available on the City Plan Part Two website:

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

**AO1 Do you have any other comments on any other part of the plan or its supporting documents? If you are commenting on more than one supporting document / background study please make this clear in the box below by using headings.**

### Sustainability Appraisal

It is not clear to the Sussex Wildlife Trust why the SA process was not used to discount sites for allocation. The NPPF is clear that council's should use local plans to achieve sustainable development, taking account of three interdependent objectives – economic, social and environmental. If assessment against the SA framework concludes significant negative impacts then an allocation cannot be considered sustainable.

We note that the sites designated as Local Wildlife Sites within the CPP2 are only referred to as proposed LWSs within the SA. The SA should be updated to include the information stated in the Local Wildlife Site review dated June 2017.

### Section 3:

We question some of the likely future baseline points as there are no references, for example the statement that bus patronage has decreased in the short-term, however longer term trends suggest that it will increase. Future iterations of the SA should include information on what these baseline points are based on.

### Section 5:

The Sussex Wildlife Trust disagrees that policy DM37 should ensure that both non-designated and designated sites are protected and provides clear requirements regarding mitigation. We acknowledge that there may be potential for positive effects for biodiversity (section 5.4), but there is also a great potential for negative effects through setting a precedent for developing locally designated sites.

Additionally the policy appraisal has a 'plus' for SA objective 1. This is contrary to the SA Framework (Table 3.2) which states that sites that contain a locally designated site or is on a greenfield site with potential for some biodiversity interest should have a negative score. We understand that the framework was used as a guide only and that informed interpretation was needed but this seems an excessive under assessment of impacts. It must be acknowledged that lower ecological value does not equate to low ecological value.

Section 5.6 of the SA states that none of the sites for policy H1 have a nature conservation designation which is now not true for 'Land between Marina Drive and rear of 2-18 The Cliff, Brighton. We are concerned that whilst the SA is dated June 2018 and the Local Wildlife Sites review was carried out in 2017, there does not seem to be any cross referencing.

PLEASE NOTE THAT THE SUSSEX WILDLIFE TRUST'S RESPONSE HAS ALSO BEEN SUBMITTED BY EMAIL. OUR COMMENTS SHOULD BE READ AS A WHOLE.

---

**From:**  
**Sent:** 13 September 2018 16:09  
**To:**  
**Cc:**  
**Subject:** City Plan Part Two Consultation

Dear sir/madam

I believe 46-54 Old London Road should be removed from the list of sites allocated for development in the City Plan Part Two.

My reasons include:

1. The Council have repeatedly ruled against previous applications for development on the site. These would have resulted in a vastly increased built on area.
2. The site currently contains 5 family homes. To increase to 30 and more on such a small site would result in development far bigger than it is at present and of greater density and this will ruin the nature of Patcham Village.
3. There would be a vastly reduced area of undisturbed land which would otherwise continue to be available for chalkland flora and fauna. Where would the bats and slowworms etc go? I consider the Council has a higher duty to protect such land.
4. To get that number of units, not even taking into account the even larger number that would eventually actually be built, would mean higher buildings that would overlook the gardens of Overhill Way, Old London road, the premises at Park Court and the school opposite.
5. There would not be enough parking.
6. The Government's Planning Inspector has already rejected the previous application on the site because it would 'detract from the character and appearance of the area'.
7. As the Government has already so decreed, it is clear there would be no point in putting it on the City Plan for numbers of properties much in excess of the existing, as attempts to build in accordance with that plan would be similarly rejected anyway. It would just mean a waste of Council time and money dealing with the objections, along with the problems of increased stress from locals in repeatedly worrying about the security of their environment.
8. To get that number of buildings onto the site would mean the line of building would be moved beyond the existing footprint of built upon land and onto undisturbed land.

Finally, whilst I am given to understand you were not obliged to inform my household, the fact that a consultation on the development of property right next to mine was taking place without me being directly informed by the Council does not feel within the spirit of consultation. It is likely, therefore, that I am not alone in only recently learning about this and given the numbers of people objecting to the previous scheme on the basis of it being out of character it would be unsafe to assume their views have changed in anyway.

Yours faithfully,



DP291

**For Official Use:**

Respondent Number:

Date Received: / / /2018

Entered onto Portal: Yes/No

**Draft City Plan Part Two**  
**Consultation Period: 5th July 2018 until**  
**5pm on 13th September 2018**  
**Word Response Form**

Accessibility Notice: (Ctrl & click to view): <https://www.brighton-hove.gov.uk/content/about-website/help-using-council-website/accessibility>

**Draft City Plan Part Two – Consultation**

Brighton & Hove City Council has published the draft City Plan Part Two for a 10 week period of consultation starting 5<sup>th</sup> July 2018. This follows on from the scoping consultation undertaken July - September 2016.

The draft City Plan Part Two sets out the preferred approach and includes proposed site allocations for housing and other uses such as employment and community facilities and contains a suite of development management policies which will be used to assess planning applications. The City Plan Part Two will support the implementation and delivery of the City Plan Part One.

The council is seeking your views on the draft Plan and supporting documents. Your comments will help inform the final version of the City Plan Part Two. So if you have any comments about the approaches in the plan then we would urge you to submit those comments during this consultation so that they can be fully taken into account.

The Draft City Plan Part 2 and supporting documents including a quick guide to the City Plan Part Two as well as background evidence documents are available to view and download from the Council's website at: [www.brighton-hove.gov.uk/cityplan-part2](http://www.brighton-hove.gov.uk/cityplan-part2).



**Part A: Contact Details**

I consent to being added to the Planning Policy, Heritage and Projects team mailing list and contacted via email regarding forthcoming news and consultations

Yes

No

Privacy Notice: (ctrl & click to view)

<https://www.brighton-hove.gov.uk/content/planning/planning-applications/planning-service-privacy-statement>

*Please note that you must complete Part A as anonymous forms cannot be accepted.*

<b>Organisation Name (If applicable)</b>	University of Sussex
<b>Name</b>	
<b>Address</b>	
<b>Email Address</b>	
<b>Agent Name (If applicable)</b>	
<b>Agent Name</b>	
<b>Agent Address</b>	
<b>Agent Email Address</b>	

**Part B: Your Representation relating to Development Management Policies**

**Policy Number** DM8

**Policy Name** Purpose Built Student Accommodation

**a) Do you Support or Object to the policy?**

Support            **If you support this policy, please go to questions (b) and (c)**  
Object                **If you object to this policy, please go to questions (d) and (e)**

**b) Please explain why you support this policy?**

The University welcomes Brighton & Hove City Council’s proposal to support the development of more purpose built student accommodation to help serve the needs of those who choose to come to the city to study.

In response to the needs of our students, the University is making more purpose-built accommodation available on our Falmer campus than ever before. Following previous input from the Council’s Planning Committee, the University has already successfully completed the first phase of a development that will create over 1,500 extra bed spaces on campus by 2021. A total of 535 new bedrooms are now ready for students to move into at the start of this new academic year, almost 200 more than had been expected at this stage of the development.

The University will continue to explore how we can provide further student accommodation on campus in addition to this, in order to cater for our students and to do everything we can to play our part in helping to ease pressure on accommodation within the city over the coming years. We look forward to presenting future proposals to the Council in due course, as we continue to develop plans to further improve the facilities available on our campus.

While welcoming the Council’s general proposal to support the development of more purpose built student accommodation, the University has highlighted below some issues where it considers further clarification is necessary , in order to deliver suitable accommodation for students that will meet their needs and to support the strategic development of student accommodation within the city.

**c) If you support this policy but have some suggested wording changes please outline these clearly below**

It is noted that part a) of draft Policy DM8 requires the provision of predominantly cluster units within purpose built student accommodation (PBSA). Supporting paragraphs 2.69 and 2.70 of the draft City Plan Part Two provide the Council’s reasoning for this requirement, including with reference to the affordability of cluster flats and the importance of taking into account the needs a broad spectrum of students and their financial circumstances. Paragraph 2.70 also makes reference to the importance of delivering a mix of accommodation types.

The University must be able to offer accommodation to its students in a broad range of prices and forms, that will address their differing needs, and agrees this is important. The University

does, however, consider that the points of clarification identified below are necessary in reference to draft Policy DM8, in order to help us to continue offering the widest range of accommodation types and units and to provide affordable options for students.

In this respect, the University considers that either the policy, or the supporting text, should be expanded to provide clarification of the word 'predominantly' and confirmation that bedrooms within such accommodation do not necessarily need to have en-suite bathrooms, which would allow the University to continue offering a range of accommodation options for students. In addition, no reference is made in the draft policy to the delivery of 'town house' type PBSA developments. The University has successfully delivered this type of accommodation on its campus and would not want to encounter restrictions on the development of further such accommodation, as an inadvertent consequence of this type of accommodation not being acknowledged within the policy or supporting text. Similarly, the University would want certainty that it can also deliver PBSA for families without any unnecessary restrictions, in order that it can offer PBSA to the widest range of its students.

Part f) of the draft policy concerning an effective 24 hour on-site security presence is welcomed by the University, but as this policy would also be applied to PBSA developments at university campuses, it is important that a distinction is made between already established campus-wide security provision (that on-campus PBSA developments would benefit from) and the need for a suitable security presence to be delivered as part of off-campus PBSA development. The clarification necessary under part f) of the draft policy will ensure the University can use established and successful on-campus security provision to serve new PBSA developments on campus, rather than unnecessarily duplicating security arrangements for these developments.

The University is of the view that some flexibility needs to be added to part g) of the draft policy that concerns the length of tenancy agreements for occupants of PBSA, to reflect the differing needs of students. As an illustration of this, the University offers three different lengths of tenancy agreements ranging from 39 weeks to 51 weeks, as well as offering specific tenancy agreements for part-year students (for visiting and exchange students etc). The greater flexibility being sought by the University would ensure students can continue to be provided with accommodation that offers a range of tenancy durations to suit their specific type of course.

**d) Please explain why you object to this policy?**

**e) If you Object to this policy and would like to put forward some alternative wording for the policy please set this out clearly below**

**Part B: Your Representation relating to Development Management Policies**

**Policy Number** DM33

**Policy Name** Safe, Sustainable and Active Travel

**a) Do you Support or Object to the policy?**

- Support            **If you support this policy, please go to questions (b) and (c)**
- Object                **If you object to this policy, please go to questions (d) and (e)**

**c) Please explain why you support this policy?**

The University has no objection to the principle of Policy DM33 and welcomes the City Council’s commitment to promoting and providing for the use of sustainable transport within the city. The University is working to support this by actively encouraging our staff and students to use sustainable methods to travel to our campus, where their personal journeys and circumstances allow them to do so.

The University is, however, of the view that some changes are necessary to some of the wording in draft Policy DM33, in order to ensure consistency with other Council policies, as outlined below.

**c) If you support this policy but have some suggested wording changes please outline these clearly below**

As referenced above, the University has no objection to the principle of Policy DM33 and welcomes the City Council’s commitment to promoting and providing for the use of sustainable transport in the city. It has, however, noted that some of the wording of Policy DM33 is not consistent with the wording of Policy CP9 of the City Plan Part One, which also concerns the promotion and provision of sustainable transport measures within the city.

Part 2 c. of Policy CP9 is clear that major development schemes should make appropriate contributions towards sustainable transport measures and directs the reader to Policy CP7 of the City Plan Part One. Policy CP7 is also clear that inadequacies in infrastructure arising from proposed development will be required to be mitigated through s.106 Planning Obligations , where they meet the statutory tests.

In contrast, Policy DM33 as currently worded does not provide sufficient clarification that the mitigation measures it identifies – that include contributions towards improvements to transport infrastructure – may not always be required, as is the case within policies CP7 and CP9. The University is therefore of the view that changes to the text of Policy DM33 are necessary , to ensure consistency between the Council policies. The necessary changes are identified below (with the recommended changes underlined):

*“1. Pedestrians (including wheelchair users)  
In order to encourage walking, new development should:  
a) provide for safe, comfortable and convenient access to/from proposed development for all*

pedestrians, irrespective of their level of personal mobility and cognition; and  
b) Where appropriate, contribute towards improvements to the wider pedestrian environment, providing for a safe and attractive public realm, including signage, seating, shade/shelter and planting, including consideration of assigning some parts of streets and spaces for shared use by pedestrians and small numbers of vehicles; and  
c) Where appropriate maintain, improve and/or provide pedestrian/wheelchair accessible routes that are easy, convenient and safe to use, giving consideration to pedestrian desire lines within and outside site boundaries

## 2. Cyclists

In order to ensure a safe and accessible environment for cyclists, new development should:  
a) provide for safe, easy and convenient access for cyclists to/from proposed development; and  
b) Where appropriate provide or contribute towards, the city's network of high quality, convenient and safe cycle routes; and  
c) protect existing and proposed cycle routes unless satisfactory mitigation is provided or provision is made for an alternative alignment; and  
d) provide for sufficient levels of cycle parking facilities in line with the Parking Standards for New Development (Appendix 2) (and any subsequent revisions) which must, wherever possible, be under cover, secure, convenient to use, well-lit and as close to the main entrance(s) of the premises as is possible. Short stay visitor cycle parking could be uncovered but must be located close to the building entrance(s) and benefit from high levels of natural surveillance; and  
e) Where appropriate make provision for high quality facilities that will encourage and enable cycling including communal cycle maintenance facilities, workplace showers, lockers and changing facilities;

## 3. Public Transport Users

In order to promote and provide for greater levels of public transport usage in the city (including bus, coach, taxi and rail travel), new development should:  
a) be located and designed to provide good access to public transport services and facilities; and  
b) Where appropriate provide or contribute towards improvements to the public transport network/infrastructure including passenger interchanges and facilities; and  
c) Where appropriate directly fund or contribute towards improvements and/or extensions to existing bus services and/or the provision of new bus routes; and  
d) protect and, where appropriate, enhance existing and proposed public transport routes.”

**d) Please explain why you object to this policy?**

**e) If you Object to this policy and would like to put forward some alternative wording for the policy please set this out clearly below**





**Part B: Your Representation relating to Development Management Policies**

**Policy Number** DM44

**Policy Name** Energy Efficiency and Renewables

**a) Do you Support or Object to the policy?**

- Support  **If you support this policy, please go to questions (b) and (c)**
- Object  **If you object to this policy, please go to questions (d) and (e)**

**b) Please explain why you support this policy?**

The University has no objection to the principle of Policy DM44 and welcomes the City Council’s commitment to promoting opportunities for greater reductions in CO2 emissions, set by Part L through sustainable design measures. Recent University projects have been built to meet BREEAM ‘excellent’ standard, demonstrating compliance with the existing policy requirement and including energy statements.

Other recent projects such as the installation of 3,000 Photovoltaic solar panels on 39 of the University’s buildings demonstrates the University’s commitment to actively meeting its own carbon reduction targets.

**c) If you support this policy but have some suggested wording changes please outline these clearly below**

**d) Please explain why you object to this policy?**

**e) If you Object to this policy and would like to put forward some alternative wording for the policy please set this out clearly below**

**Part C: Your Representation(s) relating to Site Allocations**

**Site Allocations – Strategic Site Allocations**

**Policy Number** Strategic Site Allocation 7

**Policy Name** Land Adjacent to American Express Community Stadium, Village Way

**a) Do you Support or Object to the policy?**

Support  If you support this policy, please go to questions (b) and (c)  
Object  If you object to this policy, please go to questions (d) and (e)

**b) Please explain why you support this policy?**

The University supports this strategic site allocation, as it will assist with the further development and enhancement of the role of the Lewes Road area as the city’s academic corridor, in accordance with Policy DA3 of the City Plan Part One. The University welcomes and supports the recognition within supporting paragraph 3.47 of the draft Plan that the design and massing of any proposed development will need to consider the visual impact of the development on the Grade II registered historic Stanmer Park and Listed Buildings within the University of Sussex campus.

**c) If you support this policy but have some suggested wording changes please outline these clearly below**

Not applicable.

**d) Please explain why you object to this policy?**

**e) If you Object to this policy and would like to put forward some alternative wording for the policy please set this out clearly below**

**f) Are there any other sites that could be allocated as strategic sites ?**

**Equalities**

The council has a duty under the Equalities Act 2010 to eliminate discrimination and advance equality of opportunity for people with the following protected characteristics: age, disability, race, religion, sex, sexual orientation, gender reassignment, marriage and civil partnership, and pregnancy and maternity. In addition the council has a duty to foster good relations between all communities.

A Health and Equalities Impact Assessment on the Draft City Plan Part Two has been undertaken and is available to view [here](#) [PDF, 2.8MB]

**AO2 Do you consider the City Plan Part Two to have any equalities implications, positive or negative? If so, please provide further details.**

<b>Signed*:</b>	
<b>Dated*:</b>	13th September 2018

All representations must be received at the email or postal address given on this form by **5.00pm on 13<sup>th</sup> September 2018.**

**Due to the length of the consultation period please kindly note that late representations will not be accepted.**

Completed forms should be sent to:

Email: [planningpolicy@brighton-hove.gov.uk](mailto:planningpolicy@brighton-hove.gov.uk)

Post: Consultation on the Draft City Plan Part Two  
Brighton & Hove City Council  
Planning Policy Team  
1<sup>st</sup> Floor Hove Town Hall  
Norton Road  
Hove BN3 3BQ

If you have any further queries please contact us on 01273 292505 or via email [planningpolicy@brighton-hove.gov.uk](mailto:planningpolicy@brighton-hove.gov.uk)



DP292

**For Official Use:**

Respondent Number:

Date Received: / / /2018

Entered onto Portal: Yes/No

**Draft City Plan Part Two**  
**Consultation Period: 5th July 2018 until**  
**5pm on 13th September 2018**  
**Word Response Form**

Accessibility Notice: (Ctrl & click to view): <https://www.brighton-hove.gov.uk/content/about-website/help-using-council-website/accessibility>

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**Part A: Contact Details**

I consent to being added to the Planning Policy, Heritage and Projects team mailing list and contacted via email regarding forthcoming news and consultations

✓ Yes

No

Privacy Notice: (ctrl & click to view)

<https://www.brighton-hove.gov.uk/content/planning/planning-applications/planning-service-privacy-statement>

*Please note that you must complete Part A as anonymous forms cannot be accepted.*

<b>Organisation Name (If applicable)</b>	Rockwell Developments Ltd
<b>Name</b>	
<b>Address</b>	
<b>Email Address</b>	
<b>Agent Name (If applicable)</b>	
<b>Agent Name</b>	
<b>Agent Address</b>	
<b>Agent Email Address</b>	

**Part B: Your Representation relating to Development Management Policies**

*Please use a separate sheet for representations against each Development Management policy*

(ctrl & click to view)

**Housing, Accommodation & Community chapter (policies DM1-DM10)**

**Employment Tourism & Retail Chapter (policies DM11-DM17)**

**Design & Heritage Chapter (policies DM18-DM32)**

**Transport & Travel Chapter (policies DM32-DM36)**

**Environment & Energy Chapter (policies DM37-DM46)**

**Policy Number (e.g. DM1)            DM6**

**Policy Name (e.g. Housing Quality, Choice and Mix)            Build To Rent Housing**

**a) Do you Support or Object to the policy?**

Support            X     **If you support this policy, please go to questions (b) and (c)**  
Object                    **If you object to this policy, please go to questions (d) and (e)**

**b) Please explain why you support this policy?**

We support the inclusion of a Build To Rent policy in the City Plan Part 2 which provides a policy context for this emerging residential sector and which reflects the advice set out in updated NPPF (July 2018). However we consider amendments are required to the policy and supporting text as set out below under section c) below.

**c) If you support this policy but have some suggested wording changes please outline these clearly below**

**DM6 Part 1, Criterion g) the development will offer tenancies of at least 3 years available to all tenants with defined in-tenancy rent reviews**  
We appreciate the objective of this criterion is to secure longer term tenancies for local residents. However, as currently drafted this criterion is ambiguous and could be interpreted as requiring all tenancies for build to rent schemes to be at least 3 years. We consider the focus should be on flexibility for future tenants so they are able to choose a tenancy length that suits their accommodation requirements. This may well include shorter tenancy agreements. On this basis we recommend the criterion is amended as follows:  
  
*‘the development will offer variable tenancy periods to provide flexibility for tenants. This will include tenancy periods of at least 3 years available to all tenants with defined in-tenancy rent reviews;’*  
**DM6, Part 2, Criterion a) a proportion of affordable housing based on the requirements of Policy CP20 (40% on sites of 15 or more (net) dwellings), normally in the form of affordable private rent**



Part 1 to Policy DM6 already includes reference to meeting the requirements of City Plan Part One Policy CP20. Some build to rent proposals may provide less than 15 units, for example where the build to rent units form part of a mixed use scheme. On this basis and given that Policy CP20 already includes the different affordable housing percentages depending on the size of a proposed development, the inclusion of the following wording (40% on sites of 15 or more (net) dwellings) is not necessary and should be deleted accordingly.

Criterion a) also refers to affordable private rent. Further clarity should be provided on the definition of affordable housing rent. We consider this should reflect the definition set out in the NPPF, Annex 2 under 'Affordable housing for rent in particular the last sentence which specifically refers to build to rent schemes:

*Affordable housing for rent: meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).*

**DM6, Part 2, Criterion b) the affordable homes to be offered at discounted rent levels to be agreed with the council**

Criterion b) is essentially the same as criterion a) as it requires affordable housing to be offered as discounted rent levels. On this basis we consider this criterion is repetitious and should be deleted. In addition the criterion includes a footnote which explains that the guidance on the rent levels sought by the council is provided in the Affordable Housing Brief. This Affordable Housing brief was last updated in December 2016 and therefore does not accurately reflect the revised NPPF from July 2018 regarding rent levels for affordable private rent or how the build to rent scheme will be managed by landlords/management companies. This brief should be updated to include reference to the NPPF Affordable housing for rent definition noted above and the mechanisms for managing the Build To Rent affordable housing provision.

**DM6, Part 2, Criterion c) eligibility criteria for the occupants of the affordable homes to be agreed with the council and included in the S106 agreement**

Further clarity and guidance should be provided regarding the eligibility criteria for occupants of affordable private rent units provided in build for rent schemes. We understand this is likely to be determined by aspects such as income and local house prices.

**Additional Policy for Co-living Build to Rent**

We support the inclusion of the Build to Rent policy within the City Plan Part 2, however we do not consider this goes far enough to reflect the emerging types of build to rent accommodation which are being proposed by developers and attracting institutional funding and investment. Co-living is a type of build to rent residential accommodation, but the focuses

is on non self-contained en-suite rooms with a large provision of shared communal facilities and amenity space, including shared kitchens, dining rooms and living space alongside other amenities such as shared tv rooms, cinema, games rooms, cafes/bars and co-working space. Draft London Plan Policy H18 Large Scale Purpose Built Shared Living provides an example of the format and criteria of relevance to co-living proposals and we consider a similar policy should be included for co-living development.

**d) Please explain why you object to this policy?**

**e) If you Object to this policy and would like to put forward some alternative wording for the policy please set this out clearly below**

## **Part D: Your Representation(s) relating to Any Other Comments & Equalities**

### **Any other comments**

*Please use a separate sheet for each representation*

(Ctrl & click to view):

- [Introduction](#)
- [Appendix 1: Glossary of terms](#)
- [Appendix 2 Parking Standards – Policy DM36 Parking and Servicing \(adopted Parking Standards SPD\)](#)
- [Appendix 3 - Local Wildlife Sites \(Policy DM37 Green Infrastructure and Nature Conservation](#)
- [Appendix 4 - Policy H2 Urban Fringe Housing Site Maps \(see also proposed draft Policies Map\)](#)
- [Appendix 5 - List of Brighton & Hove Local Plan policies that will be superseded on adoption of the City Plan Part 2](#)
- [Appendix 6 Table 1 – Proposed Changes to Policy Map – new additions/ amendments by virtue of policies in Draft City Plan Part 2/ Updates](#)
- [Appendix 6 Table 2 Policies Map – Proposed Changes to the City plan Part 1 Policies Map due to retained Brighton & Hove Local Plan Policies being superseded by City Plan Part 2 policies](#)
- [Supporting documents to the City Plan Part Two](#)
- [Background studies for the City Plan Part Two](#)

**AO1 Do you have any other comments on any other part of the plan or its supporting documents? If you are commenting on more than one supporting document / background study please make this clear in the box below by using headings.**

**Equalities**

The council has a duty under the Equalities Act 2010 to eliminate discrimination and advance equality of opportunity for people with the following protected characteristics: age, disability, race, religion, sex, sexual orientation, gender reassignment, marriage and civil partnership, and pregnancy and maternity. In addition the council has a duty to foster good relations between all communities.

A Health and Equalities Impact Assessment on the Draft City Plan Part Two has been undertaken and is available to view [here](#) [PDF, 2.8MB]

**AO2 Do you consider the City Plan Part Two to have any equalities implications, positive or negative? If so, please provide further details.**

<b>Signed*:</b>	
<b>Dated*:</b>	13 September 2018

All representations must be received at the email or postal address given on this form by **5.00pm on 13<sup>th</sup> September 2018.**

**Due to the length of the consultation period please kindly note that late representations will not be accepted.**

Completed forms should be sent to:

Email: [planningpolicy@brighton-hove.gov.uk](mailto:planningpolicy@brighton-hove.gov.uk)

Post: Consultation on the Draft City Plan Part Two  
Brighton & Hove City Council  
Planning Policy Team  
1<sup>st</sup> Floor Hove Town Hall  
Norton Road  
Hove BN3 3BQ

If you have any further queries please contact us on 01273 292505 or via email [planningpolicy@brighton-hove.gov.uk](mailto:planningpolicy@brighton-hove.gov.uk)

**From:**  
**Sent:** 13 September 2018 16:36  
**To:**  
**Cc:**  
**Subject:** RE: Objection to Policy H2 - Urban Fringe Housing Sites

Many thanks Tony- the third set of objections I've seen to this specific site allocation.

Best wishes

Daniel Yates  
Labour Councillor for Moulsecoomb and Bevendean  
Leader, Brighton and Hove City Council

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**From:**  
**Sent:** 13 September 2018 4:05 PM  
**To:** PlanningPolicy  
**Cc:** Daniel Yates;  
**Subject:** Objection to Policy H2 - Urban Fringe Housing Sites

FAO: Brighton & Hove City Council  
RE: Consultation on the Draft City Plan Part 2

To whom it may concern,

Please see below for our response to CPP2 and formal objection re 2 sites in policy H2.

I copy our councillor Daniel Yates for the record– Daniel, I look forward to coming and having a chat at some point regarding the impacts on local residents and the environment.

Kind regards,

The Draft CCP2 lists the above names sites as having development potential for 15 dwelling units.

In the adopted Brighton & Hove local plan this site was not identified as having further potential for development. The Urban Fringe Assessment (2014) identified these sites with potential for 25 dwellings. Following the Further Archaeological Assessment (January 2016) this has been revised down to just 15 dwelling units. There are a number of significant facts not taken in to account regarding the appropriateness of the development of this site for any amount of housing, and I believe that this number should be further revised down to zero, and that these two sites be removed from Policy H2 and the CPP2 altogether.

This miniscule (15) number of potential dwellings does not warrant the inclusion of these sites, especially as there are significant unaddressed concerns about the appropriateness of housing here at all.

A primary concern of the development of these sites as housing is the potential impact on the Ecology of the area.

Bordering the site to the North is the Bevendean Down Local Nature Reserve, with identified species including Adonis blue butterfly (UK Biodiversity Action Plan), orchids and hornet robber fly (UK BAP).

Bordering the Site to the South is the Whitehawk/Race Hill Local Nature Reserve, a species-rich chalk grassland supporting colonies of Adonis and Chalkhill Blue butterflies.

The site directly borders the South Downs National Park to the East, and to the West a row of 19<sup>th</sup> Century cottages with limited services (e.g. gas or street lighting) on an unadopted road beyond which lie the City cemeteries.

Due to this unique location, and the lack of modern residential developments and street lighting, the apex of this hill has significant biodiversity that any new development will have a significant impact upon.

There are colonies of bats within the sites, roosting with agricultural buildings. Their habitats must not be disturbed and any level of further development will have a significant impact.

There are also significant populations of many species which can be sighted daily across the proposed site including frogs, newts, badgers, dormice, foxes, pheasants among many others.

I welcome the designation within the CPP2 of a new Local Wildlife Site (BH86) to the North and East of the site in recognition of the habitats in this area including the S41 species Hornet Robberfly and the largest density of Common Frog known in the City. However I would suggest that the inclusion of sites 32 and 32a as housing sites within the CPP2 would contradict and undermine this designation.

BH86 defines the boundaries of the new LWS beyond the existing LNR, acknowledging that significant species are identified beyond it. Defra identify the area from the South Downs along Warren road and Bear Road, down through to the cemeteries, and along Whitehawk Hill, as Rural Areas. Additional development at these sites threatens to cut off these rural corridors.

The impact of light pollution from new housing developments on these sites is particularly problematic, particularly to the identified bat and frog populations who will be severely adversely affected. For the same reasons there would be a negative impact on species' ability to traverse the rural corridors from the Downs through to the cemeteries, further affecting biodiversity and the natural environment.

These sites' unique rural location would make them far more appropriate for continued commercial use for projects that support the community. There may be potential to work with the Rural Development Programme to realise the full



potential of these sites as community resources such as stables and local farms, which are much needed in our City and wouldn't have the ecological impact that would be seen with new housing.

---

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**From:**  
**Sent:** 13 September 2018 16:39  
**To:** PlanningPolicy  
**Subject:** City Plan Part 2 Consultation

As a local resident of Patcham and a retired architect with experience of development, I wish to make the following comments on the 3 proposed housing sites in and around Patcham forming part of the City Plan Part 2 Consultation

**Policy H1 Housing sites and Mixed use Sites (Table 5 – 46-54 Old London Road Patcham BN1 8XQ)**  
**Policy H2 Housing Sites – Urban Fringe (Table 7 – Land adjoining Horsdean Recreation ground [site 16] and Land at Ladies Mile Road Carden Avenue [site 17]) :-**

### **46-54 Old London Road**

While I accept that this site is suitable for possibly more intensive housing than at present use, however I have many concerns:

- Any development on this site should be in sympathy with the Patcham Village environment and if possible enhance the character. To this end I believe that small house development would be far preferable to any further blocks of flats on this site, which would detract from the village feel. This site is not dissimilar in size to the Patcham Mews site up the road and a similar type of development could enhance the village character, but I doubt that it would then permit 30 units as proposed with small gardens, roads and parking. Therefore I think 30 units would constitute overdevelopment, **20 units** would be more realistic and acceptable if carried out in a form like the Mews Development .
- Adequate parking would need to be provided on the site for at least 1 car per dwelling plus an adequate service road and turning areas, bin stores etc. to prevent any additional pressure on parking in the street.
- A proper pavement would be needed along the Old London Road Frontage
- Any development would need to keep as many of the existing trees and planting as possible.
- There would be an intensification of the traffic use of Old London Road, which is regrettable, but which will probably be manageable if street parking is not intensified.
- There is still an issue to be resolved around the flooding risk - ground water; surface water and sewers overflowing unless significant appropriate amelioration works are insisted upon by the Local Authority as part of any consent.

### **Land adjoining Horsdean Recreation ground [Site 16]**

I have some concerns about development of this site while again accepting its general suitability under the Housing Sites - Urban Fringe heading:

- Access arrangements to the site - where /how?
- Loss of Green space - keep as many mature trees and shrubs as possible and buffer planting along the A27
- Possibly unacceptable noise and pollution from the A27 for the new residents

- The need for a sensitive development to avoid detriment to the Cricket Pitch and surrounding properties
- Is there adequate Sewer and Ground Water capacity in the system in the area?

### **Ladies Mile Road Carden Avenue [site 17]**

I have some concerns about development of this site while again accepting its general suitability under the Housing Sites - Urban Fringe heading:

- Access arrangements to the site - where /how? should be clarified
- Impact on the adjacent Nature reserve must be minimised
- Loss of Green space - keep any mature trees and shrubs
- Impact on the adjacent residences, careful consideration needed when presented for planning consent in the future to minimise overlooking, loss of privacy and to minimise the detrimental effect on the skyline



DP295

**For Official Use:**

Respondent Number:

Date Received: / / /2018

Entered onto Portal: Yes/No

**Draft City Plan Part Two**  
**Consultation Period: 5th July 2018 until**  
**5pm on 13th September 2018**  
**Word Response Form**

Accessibility Notice: (Ctrl & click to view): <https://www.brighton-hove.gov.uk/content/about-website/help-using-council-website/accessibility>

**Draft City Plan Part Two – Consultation**

Brighton & Hove City Council has published the draft City Plan Part Two for a 10 week period of consultation starting 5<sup>th</sup> July 2018. This follows on from the scoping consultation undertaken July - September 2016.

The draft City Plan Part Two sets out the preferred approach and includes proposed site allocations for housing and other uses such as employment and community facilities and contains a suite of development management policies which will be used to assess planning applications. The City Plan Part Two will support the implementation and delivery of the City Plan Part One.

The council is seeking your views on the draft Plan and supporting documents. Your comments will help inform the final version of the City Plan Part Two. So if you have any comments about the approaches in the plan then we would urge you to submit those comments during this consultation so that they can be fully taken into account.

The Draft City Plan Part 2 and supporting documents including a quick guide to the City Plan Part Two as well as background evidence documents are available to view and download from the Council's website at: [www.brighton-hove.gov.uk/cityplan-part2](http://www.brighton-hove.gov.uk/cityplan-part2).

## Part A: Contact Details

I consent to being added to the Planning Policy, Heritage and Projects team mailing list and contacted via email regarding forthcoming news and consultations

Yes

No

Privacy Notice: (ctrl & click to view)

<https://www.brighton-hove.gov.uk/content/planning/planning-applications/planning-service-privacy-statement>

*Please note that you must complete Part A as anonymous forms cannot be accepted.*

<b>Organisation Name (If applicable)</b>	X-Leisure (Brighton II) Ltd and Landsec
<b>Name</b>	
<b>Address</b>	
<b>Email Address</b>	
<b>Agent Name (If applicable)</b>	
<b>Agent Name</b>	
<b>Agent Address</b>	
<b>Agent Email Address</b>	<hr/>

**Part B: Your Representation relating to Development Management Policies**

**Policy Number:** DM1

**Policy Name:** Housing Quality, Choice and Mix

**a) Do you Support or Object to the policy?**

Support            **If you support this policy, please go to questions (b) and (c)**  
Object              **If you object to this policy, please go to questions (d) and (e)**

**d) Please explain why you object to this policy?**

Our client supports the policy objective to deliver a wide choice of high quality homes which will contribute to the creation of mixed, balanced, inclusive and sustainable communities.

In relation to criterion (a), seeking a range of dwelling types, tenures and sizes that reflect and respond to identified housing need is laudable. However, it is important that City wide need does not stipulate a housing mix for all sites and instead encourages developers to respond to site specific circumstances in the interests of creating mixed and balanced communities. We recommend removal of the word ‘reflect’ so that developments are instead required to ‘have regard to’ identified housing need and not be bound by it.

We support criterion (b) which supports other housing formats such as build to rent accommodation subject to the character, location and context of the site. This acknowledges that such formats are not appropriate on all sites and site-specific circumstances should be taken into account.

In relation to criteria (c) to (e) we support that exceptions can be made where a robust justification is provided.

**e) If you Object to this policy and would like to put forward some alternative wording for the policy please set this out clearly below**

Please note the suggestion to replace ‘reflect’ from criterion (a) for the reasons stated above.



**Part B: Your Representation relating to Development Management Policies**

**Policy Number:** DM6

**Policy Name:** Build to Rent Housing

**a) Do you Support or Object to the policy?**

- Support            If you support this policy, please go to questions (b) and (c)
- Object              If you object to this policy, please go to questions (d) and (e)

**d) Please explain why you object to this policy?**

The potential for build to rent housing is supported in principle on the grounds that it can add diversity to the mix of housing typologies across Brighton. Part 1 Criterion b) of the policy seeks to resist an over-concentration of build to rent accommodation within Strategic Allocations. However, it is not clear what the evidence base for this is or what level is considered an over-concentration. Greater clarity is needed.

Some Strategic Allocations may be suitable for build to rent accommodation and it would appear unduly restrictive to limit the important contribution that build to rent accommodation could make to housing delivery on those sites. Flexibility should therefore be incorporated into the policy to allow site specific circumstances to be reflected. Some amendments are proposed below.

In addition, it is also considered that some of the criteria outlined in the first part of the policy are overly prescriptive and do not reflect how the build to rent sector operates. In particular:

Criterion e) states that build to rent housing should be under unified ownership and will be subject to common management. It is typical for individual buildings to be under common management but the ownership structure may vary for a variety of reasons. There are good reasons why different ownerships may be introduced during the delivery and management process most notably increased competition and value for the end consumer. Greater flexibility is required within the policy wording as ownership should not be a concern of policy.

Criterion g) seeks that the development offer tenancies of at least 3 years available to all tenants with defined in-tenancy rent reviews. In practice, build to rent tenants demand greater flexibility and a minimum 3-year tenancy may not be suitable or desired by all tenants. Again, greater flexibility is required and as such criterion (g) should be removed.

The approach to negotiating on affordable housing by the Council for built to rent schemes is supported. This reflects that the viability of build to rent schemes differs from traditional residential and must be considered on a site-by-site basis.

**e) If you Object to this policy and would like to put forward some alternative wording for the policy please set this out clearly below**

Part 1

b) **the development should ensure that the proportion of build to rent within sites designated as Strategic Allocations in the City Plan takes account of site specific circumstances;**

e) ~~the build to rent housing is under unified ownership and will be subject to common management~~ **each build to rent building will be under common management.**

g) ~~the development will offer tenancies of at least three years available to all tenants within defined in tenancy rent reviews~~

## Part B: Your Representation relating to Development Management Policies

**Policy Number:** DM14

**Policy Name:** Special Retail Area – Brighton Marina

### a) Do you Support or Object to the policy?

Support

If you support this policy, please go to questions (b) and (c)

Object

If you object to this policy, please go to questions (d) and (e)

### d) Please explain why you object to this policy?

The inclusion of a Special Retail Area for Brighton Marina is supported. Brighton Marina is no longer a District Centre but it is an important leisure destination of which retail is one component.

Flexibility provided for the change of use of A1 to A2 and A3 use classes is supported.

The policy does not expressly prohibit the change of use to other uses which might support the vitality and viability of the Marina. Flexibility to accommodate such changes of use is important to help the Marina to respond to changing market conditions. Additional policy wording should be incorporated to explicitly state that the change of use from A Class uses to other uses that support the vitality and viability of the Marina will be supported where justified and where active frontages are maintained. To this end, criterion (d) should be removed.

### e) If you Object to this policy and would like to put forward some alternative wording for the policy please set this out clearly below

In addition to the uses set out above, community uses primarily serving local residents in Use Class D1 community uses (e.g. clinics, health centres, crèches, day nurseries doctors, dentists) may be permitted provided that;

- a. a window display is maintained, in order to keep the frontage active;
- b. the proposal would directly serve residents of and visitors to the Marina; and,
- c. the proposed use would draw pedestrian activity into the Marina;
- ~~d. the proposal would not result in the loss of an occupied A1 retail unit where reasonable alternative premises for the non-retail use are available elsewhere in the Marina.~~

**In addition to the identified uses, consideration will also be made for the change of use to other uses that support the vitality and viability of the Marina where justified where an active frontage is maintained.**

## **Part B: Your Representation relating to Development Management Policies**

**Policy Number:** DM19

**Policy Name:** Maximising Development Potential

### **a) Do you Support or Object to the policy?**

Support  
Object

If you support this policy, please go to questions (b) and (c)  
If you object to this policy, please go to questions (d) and (e)

### **b) Please explain why you support this policy?**

We strongly support this policy requiring schemes to maximise opportunities for the development and use of land. However, it is considered that an amendment should be made to the policy wording to ensure that the potential of sites is optimised in terms of density.

### **c) If you support this policy but have some suggested wording changes please outline these clearly below**

Development proposals should seek to maximise opportunities for the development and use of land to ensure the efficient and effective use of available sites.

Planning applications will be expected to demonstrate that development proposals meet all of the following requirements:

- a. maximise opportunities for an appropriate mix of uses across the site;
- b. residential development should comply **and optimise densities in line with** Policy CP14 Housing Density in City Plan Part One;
- c. achieve efficient use of the site in terms of building layouts and design; and
- d. make efficient use of land to provide for effective open space, amenity space, access and car parking.

**Equalities**

The council has a duty under the Equalities Act 2010 to eliminate discrimination and advance equality of opportunity for people with the following protected characteristics: age, disability, race, religion, sex, sexual orientation, gender reassignment, marriage and civil partnership, and pregnancy and maternity. In addition the council has a duty to foster good relations between all communities.

A Health and Equalities Impact Assessment on the Draft City Plan Part Two has been undertaken and is available to view [here](#) [PDF, 2.8MB]

**AO2 Do you consider the City Plan Part Two to have any equalities implications, positive or negative? If so, please provide further details.**

No

<b>Signed*:</b>	
<b>Dated*:</b>	13.09.18

All representations must be received at the email or postal address given on this form by **5.00pm on 13<sup>th</sup> September 2018.**

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Norton Road  
Hove BN3 3BQ

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[planningpolicy@brighton-hove.gov.uk](mailto:planningpolicy@brighton-hove.gov.uk)

12 September 2018

Dear Sir / Madam,

## **Brighton and Hove City Council: City Plan Part 2 Consultation**

St William Homes LLP ('St William') welcomes the opportunity to provide comments on Brighton and Hove City Council's ('BHCC') draft City Plan Part 2 ('CPP2').

Established in 2014, St William is a joint venture between the Berkeley Group and National Grid Property ('National Grid'). The partnership combines National Grid's extensive portfolio of surplus brownfield sites across London and the South East with the Berkeley Group's design expertise and proven track record of delivery to create high-quality residential and mixed use developments.

### **Former Gasworks, Boundary Road**

St William have an interest in the former Gasworks site located off Boundary Road ('the Site') due to its relationship with National Grid who are the current majority land owner. The current land ownership is as follows:

- National Grid: 1.47ha
- Southern Gas: 0.56ha

There are two parcels of land to the north and south of the Gasworks owned by BHCC as follows:

- Northern portion: 0.19ha
- Southern portion: 0.12ha
- Total: 0.31ha

The Site is located in a predominantly residential area close to the seafront and thus presents a unique brownfield redevelopment opportunity. This is evidenced by the Site's inclusion in the BHCC City Plan Part One (CPP1) as part of *DA2 Brighton Marina, Gas Works and Black Rock Area* which is earmarked to be a new sustainable mixed use area of the city.

The CPP1 identifies the Gasworks specifically for approximately 2,000 sqm of business floor space to the north of the site, a minimum of 85 residential units and some ancillary retail development. It is however considered that the site can accommodate far more than 85 homes.

### **General Approach**

St William support the rationale behind the CPP2 and consider that it will achieve its stated role of supporting the implementation and delivery of the CPP1.

The draft CPP2 pre-dates the publication of the National Planning Policy Framework ('NPPF') on 24 July 2018. It will therefore be important for BHCC to revisit the policy wording to ensure consistency with the NPPF.

Whilst St William support the general direction and intention of the new Local Plan some detailed comments are provided herein.

## Housing Accommodation and Community

The NPPF seeks to achieve sustainable development. To accomplish this, it sets economic, social and environmental objectives. A key component in the social objective is to provide a sufficient number and range of homes to meet the needs of present and future generations.

In this context, St William support policy *DM1: Housing Quality, Choice and Mix* that seeks the delivery of a wide choice of high quality homes which will contribute to the creation of mixed, balanced, inclusive and sustainable communities.

Footnote 7 on page 11 states:

*PartM4(3) - the extra cost per dwelling to provide was assessed in the CIL Viability Study (2017) to be £26,816 for houses and £15,691 for flats. These figures will form the basis for any financial contribution for off-site provision, taking into account inflation.*

It is considered inappropriate for the CPP2 to seek to predetermine developer contributions and that this should be included within a S106 Supplementary Planning Document. All development costs, including those pertaining to PartM4(3), will vary on a site-by-site basis and as such, Footnote 7 should be removed.

## Design and Heritage

St William support the principle of policies *DM18: High Quality Design and Places* and *DM19: Maximising Development Potential*.

However, in line with paragraph 117 of the NPPF, DM19 should be reworded to make as much use as possible of previously-developed or brownfield land:

*Development proposals should seek to maximise opportunities for the development and use of land to ensure the efficient and effective use of available sites. Planning applications will be expected to demonstrate that development proposals meet all of the following requirements:*

- a. *maximise opportunities for an appropriate mix of uses across the site;*
- b. *residential development should comply with Policy CP14 Housing Density in City Plan Part One;*
- c. *achieve efficient use of the site in terms of building layouts and design; ~~and~~*
- d. *make efficient use of land to provide for effective open space, amenity space, access and car parking-; ~~and~~*
- e. ***make as much use as possible of previously-developed or brownfield land.***



## Hotel Use

The CPP2 introduces the potential for new hotel at the Black Rock site and / or Inner Harbour site at Brighton Marina. These sites also form part *DA2 Brighton Marina, Gas Works and Black Rock Area*. St William are of the view that the Gasworks site also has the potential to accommodate a hotel and that the CPP2 should not prejudice this.

Paragraph 2.133 bullet 3 should therefore be amended as follows:

***DA2 Brighton Marina, Gas Works and Black Rock Area** – to support the emerging Brighton Waterfront Proposals and the ongoing regeneration of the seafront the capacity for new hotel at the Black Rock ~~site~~ and Gas Works sites should be considered and the potential for a hotel as part of the mix of permitted uses for the Inner Harbour site at Brighton Marina.*

## Summary

St William welcomes the opportunity to comment on BHCC's CPP2 and trusts that their comments will be duly considered as the CPP2 is finalised. Should you wish to discuss these comments or require any further information please do not hesitate to contact me.

Yours sincerely,

13 September 2018

**Sent via e-mail only:** [planningpolicy@brighton-hove.gov.uk](mailto:planningpolicy@brighton-hove.gov.uk)

Consultation on the Draft City Plan Part Two  
Brighton & Hove City Council  
Planning Policy Team  
1<sup>st</sup> Floor Hove Town Hall  
Norton Road  
Hove  
BN3 3BQ

Dear Sir/Madam,

### **Representations to the Draft City Plan Part Two, published July 2018**

On behalf of Vita Group Ltd (Vita), I am writing to submit representations to the draft City Plan Part Two (CPP2), published July 2018. The comments relate to the proposed Policy DM8 for assessing Purpose Built Student Accommodation (PBSA) and to proposing the allocation of Enterprise Point for PBSA. The representations made in this letter are submitted in the context of Vita's long-held ambition to develop a Vita Student facility in Brighton & Hove, in recognition of the city's expanding status as a centre for higher education.

#### **Vita Student**

Established in 2012, Vita Student, a wholly owned subsidiary group of Vita is a provider of PBSA with over 4,500 beds across 15 residences in cities across the UK.

Vita Student accommodation is focussed on offering an inspirational living experience within an exceptional quality environment, proactively managed to build communities. It offers resident rooms and communal facilities of the very highest quality and 24/7 management by on-site staff and security. Rooms are typically self-contained apartments. The market for this type of student accommodation is increasingly significant, driven largely by the increasing cost of studying for a degree (or HE equivalent) and a demand for high quality and well-managed accommodation that facilitates a better student experience and is conducive to learning.

Vita recently submitted a full planning application (Planning Portal ref: PP-07122583) for a mixed use building consisting of PBSA, Use Class C3 residential use and Use Class B1(a) co-working space on land at Melbourne Street, Brighton.

#### **H3 – PBSA**

Policy CP21 *Student Accommodation and Houses in Multiple Occupation* of the adopted City Plan Part One (CPP1) encourages the provision of PBSA to help meet the increasing accommodation demands of the city's students. As such, the need for additional PBSA has been firmly recognised by Brighton & Hove City Council (BHCC) in its City Plan and other documents, and by many other stakeholders in the city.

In addition, Policy DA3 *Lewes Road* designates the Lewes Road Development Area as the city's Academic Corridor, where local priorities include providing appropriate accommodation and developing closer links

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between the Universities and local communities through sharing facilities and developing local opportunities for training and learning.

Part B of Policy DA3 states that provision will be made through strategic site allocations and through allocations made in the City Plan Part 2 for 1,300 student accommodation rooms by 2030. Given the approach to specifying minimum amounts of additional development elsewhere in CPP1 and the significant under-provision of student accommodation currently in the city, this amount represents the minimum amount of new PBSA rooms that should be provided in the Lewes Road Academic Corridor.

Given the accepted need for additional PBSA, we have considered how BHCC has assessed potential sites in the city to meet that need. Section 6 of the Housing and Mixed Use Site Allocations Topic Paper (June 2018) concluded that the Lewes Road Bus Garage is the only site put forward in the Call for Sites that warrants an allocation for PBSA. The decision to allocate the bus garage site was made as a result of its *"close proximity to the university campuses along a sustainable transport route"*, and that it is deliverable because it is a use that is *"likely to be supported by the landowner"* who put the site forward for PBSA. BHCC also proposes a site at 118-130 London Road, for a minimum of 150 PBSA bedspaces.

In contrast, the topic paper considers that the Enterprise Point site is not suitable for allocation because it incorrectly identifies the site as a *"strategic allocation"* for employment use in Policy CP3 of CPP1. Significantly, the Council accepts that the site is deliverable for PBSA, as it is a *"use suggested by a prospective developer"*.

Vita strongly believes that Enterprise Point is a more suitable and deliverable site for PBSA than Lewes Road Bus Garage.

Most importantly, the Enterprise Point site is immediately deliverable for redevelopment. The existing building is vacant and planning permission has previously been granted for residential and employment mixed use development. For the following reasons, Vita considers that it is suitable for mixed use development including large scale provision of PBSA:

- Enterprise Point is very well located to meet the need for PBSA. It sits within the Lewes Road Development area, which is recognised in Policy DA3 as Brighton's Academic Corridor. As such, the site is located close to the University of Brighton Moulsecoomb campus, and within a short trip by public transport to the Universities of Sussex and Brighton campuses in Falmer. It is also well located close to the Lewes Road District Centre.
- In this context, Enterprise Point shares many of the locational characteristics that are identified in paragraphs 6.3 and 6.4 of the Housing and Mixed Use Site Allocations Topic Paper for the Lewes Road Bus Garage. These include proximity to Lewes Road; proximity to excellent public transport; and proximity to the universities. It is located on a mixed employment and residential street, and the site is large enough to enable Vita to propose a high quality design which avoids any harmful impact on the amenity of local residents and occupiers.
- At 0.43 hectares, the Enterprise Point site is of a scale that can accommodate large scale provision of PBSA. As such, the site can make a substantial contribution of 350 bedspaces towards meeting the identified need for PBSA in Brighton. This scale of provision will help to reduce students' reliance on Houses in Multiple Occupation (HMOs) and flats in the private rental market. Other sites that are proposed for allocation will not be able to make such a significant contribution to meeting the housing needs of an important group in the city, and to have consequential benefits to Brighton's housing shortage.
- Contrary to the statement in the Housing and Mixed Use Site Allocations Topic Paper, Enterprise Point is not a *"strategic allocation"* in CPP1. CPP1 clearly identifies those sites that are considered to be *"strategic allocations"*, which does not include Enterprise Point. Instead, the site is allocated in

Policy CP3 as an employment site where mixed use employment and residential development should come forward. Vita agrees that the site is very suitable for a mix of employment and housing uses, but strongly believes that its location within the Lewes Road Academic Corridor makes it more suitable that the housing element is for PBSA.

- In contrast to Lewes Road Bus Garage, Enterprise Point is immediately available and deliverable for development to meet the need for PBSA. Development projects that involve the re-provision of transport infrastructure and integration with other land uses are notoriously challenging to deliver. The site also remains in active use as a bus garage, so is not currently available for development. There is no evidence to suggest that there is a viable solution to re-providing the bus garage on the Lewes Road site, while providing a large scale contribution towards meeting the need for PBSA in the foreseeable future. As a result, Vita strongly believes that Enterprise Point should be allocated alongside or instead of Lewes Road Bus Garage.

Taking account of these factors, Vita proposes the allocation of Enterprise Point and 16-18 Melbourne Street for PBSA as follows:

Table I.

Site Name	Minimum bedspaces	Other Required Uses
Enterprise Point & 16-18 Melbourne Street, Brighton	350	Include an element of employment workspace (Use Class B1a) within any forthcoming scheme

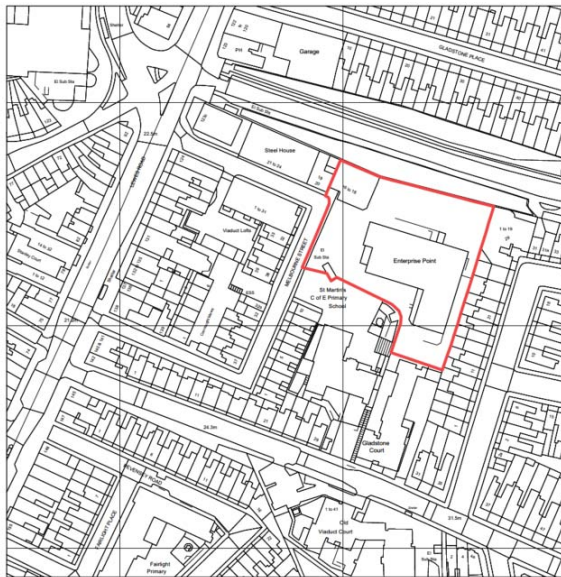


Figure 1. Proposed red line plan for Enterprise Point and 16-18 Melbourne Street.

## DM8 – PBSA

Vita endorses the approach of DM8 to setting criteria for assessing the suitability of proposed development for PBSA. However, there are some elements of the policy that are unjustified by the evidence about the need for and the approach to providing new accommodation.

For reasons explained below, Vita proposes the following changes outlined in parts A), C) and E) of the criteria (proposed amendments in ~~strikeout~~ and **red text**):

*“Planning Permission will be granted for new PBSA developments, subject to the following criteria set out in CPP1 CP21, which provide all of the following:*

- a) ~~Predominately cluster units~~ **Provision of cluster units or studio units where appropriate;**
- b) *Bedrooms of a sufficient size for living and studying;*
- c) *Communal living space, cooking and bathroom facilities commensurate in size to the number of occupants* **for cluster units or, a suitable hub space for PBSA that provides studio flats;**
- d) *Acceptable daylighting to all habitable rooms;*
- e) *Measures to promote the use of and provide access to sustainable transport including management arrangements to ensure occupants do not keep cars in Brighton and Hove;*
- f) *An effective 24 hour on-site security presence; and*
- g) *Tenancy agreements for occupants that last a full academic year.”*

### *Demand for a variety of student housing*

Vita agrees with the importance of delivering a mix of accommodation types as outlined in the Reasoned Justification text at Paragraph 2.70. However, it strongly challenges the comments in the main body of the text about the preference for cluster flats in favour of studio flats for students:

*“Studio flats can meet a specific demand in the market as they provide a greater degree of independence (e.g. for mature students), however they are in general more expensive for students to rents and are therefore unaffordable for many. Occupants of more expensive studio flats are less likely to otherwise reside in HMOs, and their provision therefore is less likely to contribute positively towards the overarching policy aim of mitigating the impacts of concentrations of HMOs in some neighbourhoods by providing alternative accommodation options. Cluster flats are a more affordable option and also encourage greater social interaction. In order to provide a greater strategic benefit to the city developments should provide a predominance of cluster flats in order to be available to a broad spectrum of students, rather than only the wealthiest.”*

The approach described in Paragraph 2.70 is entirely inconsistent with the City Council's own findings in the Student Housing Strategy 2009, that there should be a diverse mix of accommodation to meet the different preferences of students. There is no evidence that residents of studios would not otherwise reside in HMOs. The paragraph also demonstrates a misunderstanding of the market for student housing in the city, and there is no evidence to suggest that cluster flats encourage greater social interaction than buildings with studio flats.

The following table identifies the current imbalance in the pipeline for PBSA. Only 10% of the pipeline and recent development is for private studios.

Table II.

	Halls of residence	Cluster rooms	Studios	Private	Nominations
<b>Total</b>	<b>2,779</b>	<b>2,084</b>	<b>553</b>	<b>484</b>	<b>4,932</b>

The consequence of the lack of availability of private bedspaces (in comparison to nominations) is creating fundamental imbalances within the rental market. For example, within the IQ Living at Sawmills on Lewes Road, privately operated cluster flats cost over £200 a week, while the studios cost around £250. This evidence demonstrates that the lack of supply drives up prices, whether a building provides cluster or studio flats. Market dynamics of supply and demand dictate that when a resource is in short supply, the price for that resource becomes elevated, as exists in Brighton, where private PBSA bedspaces are in such short supply.

Vita strongly agrees with the need to create a benchmark for PBSA developments to ensure good quality, liveable and social student accommodation in Brighton. However, it considers that parts of Policy DM8 and the majority of text within Reasoned Justification paragraph 2.70 are unjustified by evidence, as follows:

- There is a lack of an evidence base to support the Council's claim that typical residents of studio units would not otherwise reside in HMOs;
- Given the rent evidence of IQ Living at Sawmills, it is clear that the Council's assumption that cluster bedrooms are an affordable alternative of accommodation to rival HMO's is not evidentially based within Brighton and therefore does not support the preference for cluster units based on affordability;
- In addition, the Council's statement on cluster units providing greater social interaction is contrary to the experience of PBSA providers such as Vita. The level and quality of amenity space within Vita's studio-led schemes far exceeds that of cluster schemes and the facilitation of social interaction through the residence management team, who organise regular events has been much more successful in creating social interaction rather than just communal spaces;
- The provision of studio units are an important contribution towards creating a mature market for PBSA in the city and can help to rectify harmful market dynamics around the pricing of student accommodation. It is therefore very important that Policy DM8 should not include tests that could unjustifiably jeopardise the delivery of studio flats, where the tests are based on the text in paragraph 2.70 that is not justified by evidence.

On this basis, Policy DM8 is unsound.

Communal space to facilitate social interaction

Vita agrees that good quality, well-designed communal spaces are necessary to facilitate social interaction. However, the following extract from Paragraph 2.69 is not accepted, nor based on evidence:

*"Poor quality, noisy, cramped and poorly laid out accommodation with inadequate daylighting can be contributory factor to a sense of isolation, loneliness and related health impacts in some occupants, who may struggle to adjust to unfamiliar surroundings in a new city or country. Accommodation should therefore facilitate convenient social interaction by providing communal living space and cooking facilities appropriate in size to the number of occupants in a development or within a cluster flat."*



Vita agrees that student accommodation should facilitate convenient social interaction between its residents. The level and quality of amenity space within Vita's studio-led schemes far exceeds that of cluster schemes, which would only provide basic lounge and kitchen facilities. Vita's schemes provide gyms, movie rooms, private dining and study spaces alongside larger better-quality lounge spaces and space for events such as its Big Talks (see [www.beginbig.vitastudent.com/big-talks](http://www.beginbig.vitastudent.com/big-talks)). As a result, and driven by the in-house residence management team who curate events throughout the year, these spaces promote social interaction in multiple different environments from group gym classes to study/revision sessions. These spaces also encourage social interaction between the entire student population within the building and not just solely within the individual cluster flat lounge and kitchen areas.

A communal space may aid social interaction, however what sets a Vita Hub apart is the facilitation of social interaction through the residence management team, who organises social events, parties and other gatherings. From Vita's experience as an experienced student accommodation provider, a regular schedule of social activities alongside the greater variety of social spaces promotes better social interaction than large communal spaces with furniture or cooking facilities. Therefore, the Council should not seek to exclude studio bed schemes on the basis that they provide smaller communal facilities than traditional cluster units.

In order for a variety of student accommodation types to be supported, the proposed wording to criteria A and C of Policy DM8 should include consideration for studio units. As studio units are self-contained it would not be necessary to include "*communal living space; cooking and bathroom facilities to be commensurate in size to the number of occupants*", although it is important that hub space is also provided in PBSA residences that generally comprise studio flats.

## **Conclusion**

It is clear and accepted by BHCC and other stakeholders that there is a significant shortfall in the provision of PBSA in Brighton, particularly in the market for privately operated facilities. As a result, the city does not deliver a suitable mix of choice of accommodation for students to meet their preferences.

BHCC has proposed the allocation of two additional sites to help meet the need for PBSA. However, the Lewes Road Bus Garage is not available for development, and there is no evidence that a viable mixed use project can be brought forward to re-provide the bus garage, nor a published timeframe for delivering a significant contribution towards meeting the need for PBSA. Furthermore, in providing a scheme for 150 beds, the 118-130 London Road site is not able to make a significant contribution towards meeting the need for PBSA.

In contrast, the Enterprise Point site is suitable, available and deliverable now to make a major contribution towards meeting the need for PBSA, and towards helping to address the city's housing shortage.

As a result, Vita strongly believes that Enterprise Point should be allocated within Policy H3 for mixed use development of PBSA and employment workspace.

Vita also proposes important changes to Policy DM8 to recognise the role of studio units in meeting the need for PBSA. Currently the policy is not based on evidence, and is unjustified in promoting PBSA that is predominantly for cluster flats. The supporting text shows a misunderstanding of the market for PBSA, which could lead to ill-informed decisions being made by the City Council about future planning applications. In this context, Policy DM8 is not considered to be sound for reasons of being unjustified and ineffective.

If you have any queries relating to the representations as set out in this letter, please do not hesitate to contact me or my colleague Jonathan Hoban on 020 7007 6831 / [jhoban@deloitte.co.uk](mailto:jhoban@deloitte.co.uk).

Yours sincerely



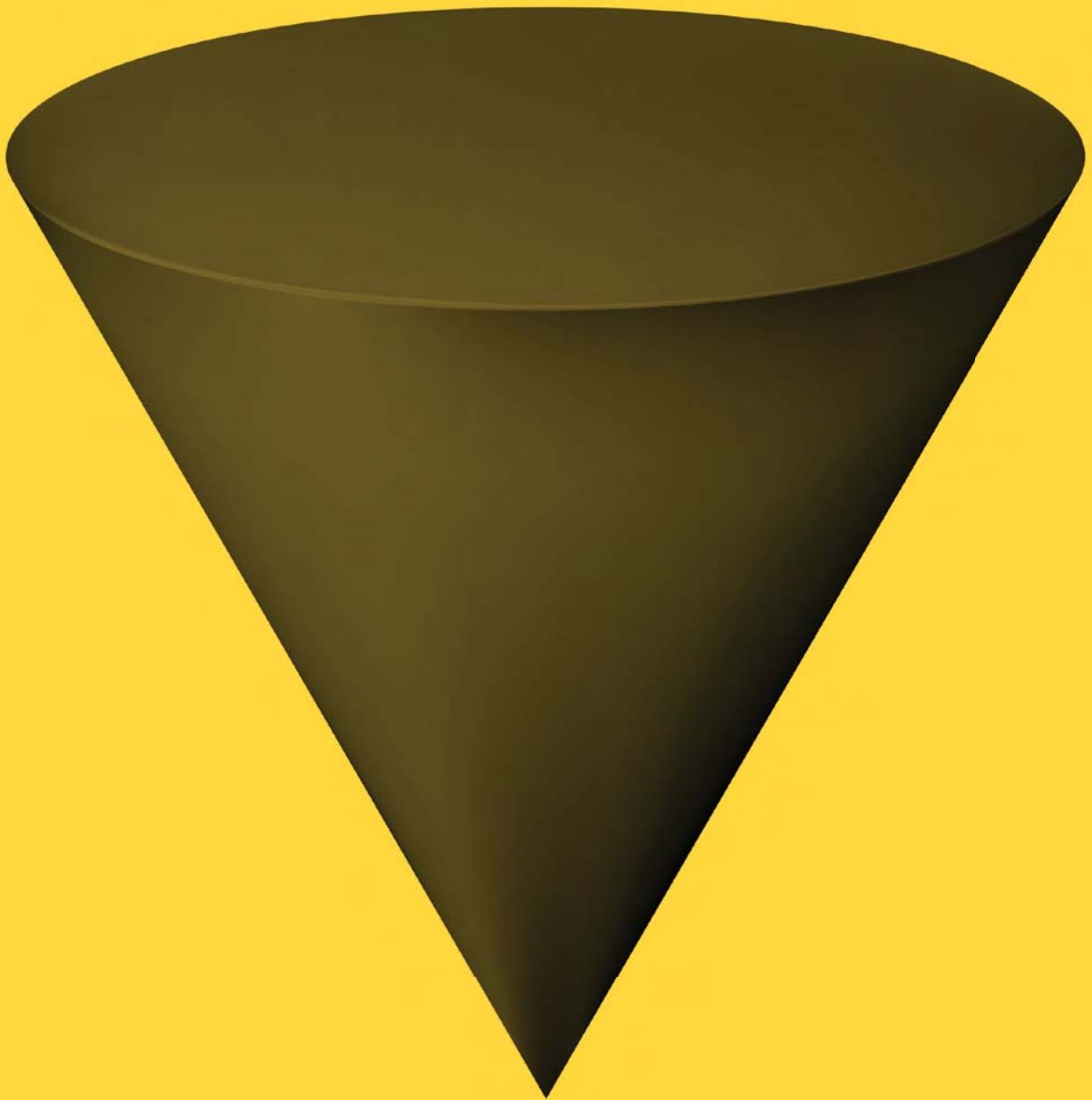
For Deloitte LLP

**Vita Group**

# Vision and Operational Statement

Enterprise Point, Brighton

August 2018



# About Vita Group

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Vita creates spaces, environments, and opportunities to enable people to live more.

Operating since 2004 and developing and managing buildings since 2013, Vita challenges convention to reimagine the way we live.

Vita has set a new benchmark in the quality and operation of three residential products, as well as a workplace concept which represents the next phase in the evolution of the business:

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## **VITA STUDENT**

A purpose built student accommodation focussed on offering an inspirational living experience within an exceptional quality environment, proactively managed to build communities.

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## **AFFINITY LIVING**

A built to rent residential product with amenity and community at its heart, aimed at the established professionals market.

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## **VITA WORK**

A flexible collaborative workspace aimed at start-up and early stage businesses.

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## **CITYSUITES**

A high quality serviced apartment set up with a 5\* hotel style service offering.

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# A track record in delivering and operating market leading brands

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At Vita, we control the full lifecycle of our brands, developing and managing every building across our portfolio, to deliver market-leading brands designed with the customer in mind. By controlling every aspect of the development – every staff member working in our buildings is a direct employee of the Group – we are able to deliver both amazing experiences for customers and thriving communities for stakeholders.

We currently operate over 4,500 student units across the UK – from Edinburgh in the north, to Exeter in the south, across 15 buildings; 241 CitySuites with 150 more under construction; and are on site building 1,500 residential units across 6 buildings.

Our operational platform makes us stand out from the crowd. We do not outsource the management of our buildings, unlike most other developers. We are committed to the cities in which we locate for the long-term. We want to make a positive change to the communities in which we are located and putting our own teams into our buildings, after extensive training in what it means to deliver the Vita experience, means we can do just that.

For our student residences, that means that we employ a Residence Manager and Assistant Manager who are on-site from 7am til 11pm every day. The Management team and Community Managers are an essential component in creating the Vita community, curating a year-long programme of events designed to foster interaction between residents and forge life-long relationships.

We also employ Customer Service Managers, Facilities Managers, and Housekeeping staff, meaning that we have a 24 hour staff presence on site – all of whom are part of the Vita family and so bring our passion and enthusiasm for customer service to everything they do. In return, they have access to training and skills development and opportunities to enhance their career paths.

This is why Vita Student has twice won at the National Customer Service Awards, beating competition from the hospitality, retail and banking sectors. Putting our customers at the heart of everything we do is in our DNA.



# Vita Student – the UK's leading student experience accommodation provider

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Vita Student was established in 2013 and was the first provider to launch a premium student product catering for international students. Since then, 4,500 beds have been opened across 15 buildings nationwide. Over 3,000 more beds are in the pipeline.

Vita Student is now embarking on an exciting new chapter which will disrupt and transform how student accommodation is perceived. The evolution of the brand will bring more domestic students into our community as we create a broader portfolio of accommodation offerings and price points.

By offering an inspirational living environment, Vita Student celebrates those who strive, those who achieve and those who push further. Vita Student allows our residents to “Begin Big”.

*Vita Student provides student accommodation and so much more.*

*We know nobody ever changed the world by being the same, so we're different, attracting and celebrating those who strive, who achieve, who push further.*

*Famous names from academia and industry recognise the talent at Vita Student, attending our residences to both talk and listen.*

*Our university experience lasts a lifetime; when you finish, get start-up capital from our alumni fund. Check-in every year and see old familiar faces and hear new thinking. We help bright young people BEGIN BIG.*



The Begin Big approach gives residents access to career tools and graduate schemes to support them on their journey towards graduation. Start-up capital is available from our alumni fund. The biggest and brightest names from academia and industry recognise the talent at Vita Student and come to our buildings to talk to residents. The Big Talks series 2018 saw Professor Brian Cox, Claudio Borges (Director of Global Digital Planning, Adidas) and Stephen Attenborough (Commercial Director, Virgin Galactic) deliver a series of inspirational lectures at our residences.





## Vita Student – the UK's leading student experience accommodation provider

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We do things differently, pushing the boundaries of quality and experiential value. Included within the Vita Student rent is a grab-and-go breakfast every weekday; Vita Student bike hire; weekly room cleaning; gym access; movie room, private dining room and study room access; as well as access to all Vita Student social events and the Begin Big experience.

The Vita Student hub contains all of the facilities that bring the student community together (lounge, movie room, private dining, study space) but the hub's true value is only realised by the activation brought by the Residence Management team. Regular social events, parties and other gatherings facilitated by the Residence Management team – from Halloween pumpkin carving to cooking masterclasses to Harry Potter-a-thons in the movie room – keep the community together. Our team ensure that the individual needs of each and every resident is catered for. The personal journey for one student in a new city is not necessarily the same for another and our teams know how to respond to this.

Studio rooms are exceptionally well planned by Vita Student's in-house design team. Double beds (for single occupation) are always provided. A well-appointed and exceptionally high quality kitchen and bathroom is standard. Desks with 40" flat-screen SMART TV and super-fast Wi-Fi are in every room. Smart storage solutions, including under-bed storage for larger items, keeps rooms clear of clutter. And full height opening windows are standard. Good natural light and ventilation is important to a high quality of life.

*Our rebooking rate is 60% higher than the industry standard and we appeal to the full spectrum of students. Our current resident profile across the UK is comprised of:*

4%	Foundation Year
24%	First Year
22%	Second Year
17%	Third Year
4%	Fourth Year
29%	Post Graduates



## Vita Student – the UK's leading student experience accommodation provider

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Vita Student residences attract a high level of international students, who have high levels of expenditure. Residents at Vita Student inject a 30% higher level of annual off-site expenditure into their cities' economies than standard PBSA. For Brighton, that could mean over £9m of off-site expenditure every year into the local economy.

The total on and off-site employment from Vita Student equates to 1 job for every 3 residents. For Brighton, this means over 100 jobs supported in the city.

And Vita Student enhances its host cities' ability in attracting students to each city, with residents of Vita Student placing Vita Student in their top 5 reasons for choosing the city.

2018 sees our new range of unit types launched at Southampton Portswood. Priced from £155 per week for a Studio, we expect that both domestic and international students alike will be attracted to the Vita Student way of life.

Retaining the asset and operating it ourselves gives us ultimate control over quality. Our residences look as good today as they did on the day they first opened. We regularly refresh our hub areas to ensure that they remain current and relevant and ahead of the pack. Vita Student First Street in Manchester had a full hub refurbishment in 2017 after its opening in just 2014. We proactively manage the day-to-day servicing arrangements, from waste to postal deliveries, to be as swift, efficient and tidy as possible. We cannot expect to remain fully let year on year if our product is not the very best in class.

### **We are proud of the impact that we have in the cities in which we are located and of the feedback we receive:**

*"VITA Student will be operating almost 1,300 units in Manchester city centre by 2019. At First Street, where they have been operating since 2014, they have made a very real contribution to the regeneration of that area.*

*Circle Square will create more accommodation targeted at the increasing number of students that are attracted to Manchester. Meeting this demand is of vital importance to the city's wider objectives of expanding our Higher Education Institutions, retaining graduates, and growing our economy.*

*Importantly, in creating accommodation that is distinctly different from other student accommodation on offer, Vita Student supports our drive to get the city's students out of, not only family housing, but also city centre apartments and into well managed purpose built accommodation."*

**Sir Howard Bernstein, Former Chief Executive  
Manchester City Council (speaking in 2017)**



# Vita Work – a new owner-operated workplace concept

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Vita Work is a place where ambitious minds and problem solvers come together to create great things.

It's a haven for student entrepreneurs, freelancers and start-ups. It's a place where students and entrepreneurs mix in a variety of spaces designed to fuel innovation and collaboration.

The next generation of innovators are demanding. They need more than just a desk, solid Wi-Fi and free coffee in order to build disruptive, successful businesses. They need co-working spaces. Co-working spaces are fast becoming the go-to environment for emerging businesses to excel. It's a concept which is transforming the workplace into complete ecosystems for ambitious minds.

Vita Work provides awe-inspiring architectural spaces that are simultaneously flexible to the needs of young continually evolving businesses. We provide learning and wellbeing opportunities and of course continual opportunities to network.

Workshops, events and mentorship sessions are the daily norm, but our physical space and technology provides a platform to launch new products, raise investment, find new customers and engage talented employees. Lastly, we believe our workplace should help us achieve a worklife balance. The right workspace significantly contributes to our sense of fulfilment, both in our career and our lives. Vita Work spaces will not only change the way we work but also the way we live.

Vita Work is focussed on start-up and early stage businesses, of 1 – 10 people strong.

The link with Vita Student is essential to share the opportunities arising from smart ambitious minds. Crossovers from Student to Work will be facilitated through a Student Project Marketplace App, allowing opportunities for work placements, internships and support services. Having both Vita Student and Vita Work in the same building, with access to some of the Work facilities by Students, creates a strong marriage value that will be of equal value to both students and businesses.

The same ethos that is applied to Vita Student applies to Vita Work – using the space as an event venue will activate a community across the building.

The ownership and operation by Vita of Vita Work ensures it will not be susceptible to potential rent rises as many other co-work propositions are. 97% of all co-working operations are sub-let from landlords. Around one-third of those spaces have leases that are up for renewal in the next two years, leaving them open to rent increases that could force tenants to move.

*“Co-working space providers who will survive the next cycle of growth in the sector will be the tiny 3% of those owning the buildings they operate from.”*  
**Julie Whelan**, Head of occupier research, CBRE.



# Affordable homes for Brighton

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Ensuring that the city has enough of the right type of high quality, affordable homes is one of Brighton & Hove City Council's key strategic goals.

Whilst there is no policy requirement to deliver a proportion of affordable homes as part of student accommodation developments, we recognise that providing 20 affordable housing units on site will make a meaningful contribution towards the creation of a mixed, balanced and sustainable community, delivering high quality affordable housing for local people in housing need.

The affordable housing units will be delivered by a registered provider engaged with the City Council through the Brighton and Hove Affordable Housing Delivery Partnership and signed up to the City Council's Partnership Agreement.



# Why Brighton ?

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Vita Group is represented across many of the UK's key regional cities. It does not yet have an offering in Brighton. The Enterprise Point site represents an opportunity to invest in a city renowned for its innovation and creativity.

Two exceptional Universities - the University of Brighton and University of Sussex - bring over 31,000 students into the city to study.

The Brighton and Sussex Medical School, run jointly, receives more applications per place than any other medical school in the UK and was rated with 91% overall satisfaction in the 2012 National Student Survey.

The City's Higher Education provision is therefore a strong feature of what "makes" Brighton. The sector contributes £1bn into the UK economy, most of which is spent in Brighton and Hove and the South East, and supports 12,000 jobs.

Despite this, purpose built student accommodation (PBSA) is in short supply. University provided PBSA amounts to just 11,789 (36%) and privately provided PBSA amounts to just 883 beds (2.7%). Over 19,871 students are therefore without PBSA.

Both Universities are heavily investing in their facilities, and student accommodation is planned as part of that investment, but will be dominated by cluster accommodation and aimed at first year undergraduates.



## Why Brighton?

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There is nothing of the quality of Vita Student, either currently available or planned, to help support the growth plans of the Universities, or indeed their current student intake.

The PBSA schemes now operating in the locality are relatively new, but limited in their offering.



IQ LIVING AT SAWMILLS STUDENT ROOM

CRM APARTO VOGUE LOUNGE

CRM APARTO STONEWORKS LOUNGE

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**iQ Living at Sawmills** comprises cluster bedrooms or single bed studios of just 12 – 19 sq m in size. Rents for studios are from £250 per week. Cluster bedrooms are £215 - £225 per week and are 12 – 14 sq m in size. The communal area is 46 sq m in size..

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**CRM's Aparto Vogue** comprises studios of 16 – 21 sq m with 53 sq m of communal amenity in the form of a lounge with TV. Rents are from £255 per week.

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**CRM's Aparto Stoneworks** has studios of 17 – 18 sq m with just 35 sq m of communal space and rents of £255 – 275 per week.

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It is clear from the pricing of accommodation in Brighton, particularly for cluster bed units, that the market is extremely unbalanced.



We will create 350 fully self contained studio apartments on the site of the existing, dilapidated, vacant Enterprise Point – located within the Lewes Road Academic Corridor in close proximity to the University of Brighton and on a major public transport route – that will be differentiated from all other PBSA in Brighton by way of the quality of its accommodation, its student amenity through the Vita Student hub and the Begin Big experience.

We will also provide over 1,000 m of co-work space and 20 affordable homes for those in need in Brighton.

Not only will the Vita Brighton development therefore directly create jobs on site, replace a vacant and unsightly building that has reached the end of its economic life with a building of the very highest design quality in a high quality landscaped setting, and offer accommodation to Brighton's student population that surpasses all of its competition, but it will also help to reduce the proliferation of HMOs that operate in the city but providing a real choice of accommodation where students are likely to choose to stay for more than one year.



VITA STUDENT HUB, CIRCLE SQUARE, MANCHESTER



VITA STUDENT STUDY ROOM, YORK



VITA STUDENT HUB, YORK



VITA STUDENT BREAKFAST BAR, YORK



VITA STUDENT GYM, YORK



A TYPICAL VITA STUDENT STUDIO



A TYPICAL VITA STUDENT STUDIO



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**Contacts:**



**From:**  
**To:** [PlanningPolicy](#)  
**Subject:** Comments on City Plan Part 2  
**Date:** 13 September 2018 16:56:32

DP298

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Dear Madam/ Sir,

Please excuse the rushed nature of this but we have been spending a lot of time fighting the unsustainable plans at New Monks Farm.

Our comments are mostly focused on transport and travel which we mostly support. The revised NPPF that was published during this consultation places greater emphasis on the need to provide a genuine choice of transport mode and to prioritise walking and cycling (without any caveats).

We feel that in relation to this, it is essential that the wording around cycling is strengthened, in particular in relation to DM33 part 2b about the city's cycle network. The wording doesn't quite make sense at present:  
*provide or contribute towards, the city's network of high quality, convenient and safe cycle routes;*

We are not sure how a development could provide the network, but it should be expected to improve it and contribute to it. Unfortunately much of the network is not of high quality, is often not convenient and does need to be improved. North of Coldean Lane, the shared path on Lewes Road has been degraded recently when it was already sub-standard. Also as the network is rather fragmented, it is difficult to claim it is of high quality, although there are parts of it that are. Our preference would be for the following wording:  
*improve or contribute towards, the city's network of cycle routes to help bring them all up to a consistently safe and high quality standard;*

We also believe that in order to deliver on this ambition it is essential that this Part 2 document refers to design standards such as IAN 195/16 (part of the Design Manual for Roads and Bridges - DMRB) or some other appropriate high quality standards. This is essential to ensure any new facilities are brought forward to a consistent standard which will encourage cycling. New cycling facilities are often built that are fragmented, too narrow, too complicated and difficult to get on and off, etc. They tick the box, but actually can often be worse than useless.

Part 3 relating to public transport. We feel that this is not strong or clear enough around the provision of high quality infrastructure in terms of bus shelters. Shelter provision needs to be linked to demand, rather than the usual under provision that generally occurs. More importantly, there is nothing in this policy about requiring developers (certainly of major developments) to site the bus stop immediately outside the main entrance linked to it by a sheltered walkway. This failed to happen at the Royal Sussex Hospital where buses were pushed aside for car drop offs and shelters overall were poor. This must not be repeated in other new development such as with any redevelopment of Churchill Square and the Kingswest Centre. Wording needs to be added to strengthen this policy around this point.

This is important to ensure that public transport is truly seen as being both important and convenient.

Policy DM34

We object to this policy as it is currently worded as it is combining park and ride with many other transport facilities which won't affect travel and demand in the same way. Park and ride can only help reduce congestion in the long term if city centre spaces are reduced. The wording of the policy in part a at least needs to be altered to include this element, otherwise almost any proposal could pass this test. The wording should be (at least):

*it can be demonstrated that the development will have a significant long term and demonstrable positive effect in reducing congestion in the city centre...*

The commentary in paragraph 2.248 is also misleading. A park and ride site is highly unlikely to remove traffic from the South Downs National Park. In fact it is more likely to increase longer distance car travel (which will pass through the National Park) and could undermine longer distance public transport, particularly rail services.

There is some comment about the need for parking in the central area but it is unclear what is meant by this. It certainly does not give any indication that the removal of city centre parking would be a pre-requisite to a successful scheme.

Paragraph 2.251 also fails to mention this.

Policy DM36

It is disappointing that this is not clearer and stronger about the need to cut car use in the city and that building more car parking generally brings more traffic into the city onto its already over-saturated roads. It is not good enough just to ensure sufficient parking is provided if this is leading us in the wrong direction and clogging up our streets which undermines the local economy. The policy needs to be much clearer and stronger about the need to reduce car parking in new developments as much as possible so that the cumulative impact of new development is a positive rather than a negative one which is the current trajectory.

Policy DM38

Strongly support

However, on housing allocations we object to the two allocations along Warren Road (sites 32 and 33 we think), close to the brow of the hill. Although these are not in the National Park, they are surrounded on both sides of the hill by land that is. The non-designated land has high landscape significance and was only not included in the National Park because of the desire not to have Woodingdean as an outlier, or sitting like a polo in the National Park. Building here would have an unacceptable impact on the National Park.

Policy DM40

Given the increasing awareness of the dangers of air pollution even well below legal limits we are disappointed with this rather weak policy. All new development should be required to help improve air quality, while chimneys which support the use of wood-burning stoves should be discouraged or banned in densely populated areas. There is no need for them, they create significant additional transport demands (bringing in the wood) and they pollute the air, causing quite high localised pollution for neighbours, especially with so many attic conversions nowadays.

Yours sincerely



## **OBJECTIONS TO CITY PLAN PART 2 – SITES 32 AND 32A**

### **Land at South Downs Riding School and Bear Road Reservoir, Brighton.**

**Sites 32 and 32a** are very close to the boundary of the South Downs National Park, in an elevated position with very little light and noise pollution. The semi detached (one terraced) cottages are unique - they were built with left over materials just after the workhouse in Elm Grove was built in the 1800s. The feel of the privately owned road which hasn't change since Victorian times, is of a rural location.

There is a vast range of wildlife inhabiting the area including badgers, foxes, pheasants, bats (living in the stables), woodpeckers, jays, other bird species including a rogue sparrow hawk. The Tenantry Down kestrel was born in one of the trees in the road.

Building on the reservoir directly behind the flint wall would totally change the nature of the area and the dwellings.

The stables offer many community services including riding for disabled children and a chance for other children to tend the horses and have hands on experience in rural skills, at no cost to BHCC.

The main points that concern us are:

- Noise pollution
- Light pollution – with very close proximity to the National park which was nominated an IDSR in 2016:

“In May 2016 the South Downs National Park became the world’s newest International Dark Sky Reserve (IDSR). We think our star-studded skies overhead are as valuable as our beautiful rolling landscapes and, with properly dark skies in the South East of England under threat, this is a statement that the skies of the South Downs are worth protecting.”

We have no street lighting here which preserves the dark skies.

- Loss of wildlife particularly protected or endangered species.

- Damage to the structure of the cottages as they have no foundations
- Flooding – building on a reservoir
- Overcrowding when using amenities....there is already a problem with the road into Woodingdean leading to the A27, particularly at school times. Few buses run in that direction.
- Loss of privacy – being overlooked.
- Loss of a valuable community asset in the Riding Stables and School.
- Compromise of archaeological potential (the area is part of the Race Hill Mill ANA)

In conclusion: this is a unique and historic area of the city which supports a particular way of life. There are other, far less vulnerable sites on which the Council could build. We believe it is in the best interests of the City that the Council rescind its application for this area.

**From:**  
**To:** [PlanningPolicy](#)  
**Subject:** Re: site 17 - 35houses Ladies Mile Rd -Resident complaint.  
**Date:** 13 September 2018 16:59:05

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I have emailed my complaints to you before - between - 2014/2015/2016

My feelings/thoughts are the same now - but with further worries.

I think before any one even thinks about building/planning on any green sites - the obvious targets should be 'brown sites' to build with a view to cater for the many homes and make available to low income families affordable homes for the sanity of our environment - and not to focus on the enormous profits from greedy property developers taking more and more of our beautiful green spaces??

You have not given us/anyone information about - boundaries - access - etc ?

If I had to apply for planning - these would be the first thing you would demand off us before even looking at it.

So please at least give us the answers to :

- 1) boundaries
- 2) where is the access for 35 homes (poss up to 70 cars !)

Sent from my iPhone