

Compiled by the Planning Policy, Projects & Heritage Team
at Brighton & Hove City Council

Appendix 11 Copies of Representations in Plan order (redacted)

May 2021

Copies of Representations in Plan Order

Please Note:

This schedule collates and reports by order of the policies set out in the Proposed Submission City Plan Part Two, the verbatim Regulation 19 representations submitted on the council's consultation portal and those representations received by email (which have been copied into the portal to allow for collation by policy). Where additional supporting documents were submitted by respondents these have not been copied in full into this schedule of representations by policy order but can be read in documents SD09bi)- SD09xiii).

The schedule presents the answers given on the council's consultation questionnaire.

For question 1) ***Do you consider this policy is...*** [legally compliant, sound or meets the duty to cooperate]; and

For question 2) ***If you consider the policy to be unsound is it because it is not....***

The responses have been drawn through from the council's consultation portal in the following format:

<u>Is the policy Legally Compliant?</u>	<input type="checkbox"/>	If answered - these boxes will read Yes or No
<u>Is the policy Sound?</u>	<input type="checkbox"/>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	<input type="checkbox"/>	
<u>Tests specified by officer</u>	<input type="checkbox"/>	If ticked 'No' to the question 'Is the policy sound?' then these boxes will indicate the particular tests of soundness the respondent selected as their reason/s for being unsound as indicated by the wording to the left of the boxes.
<u>Unsound because Not Positively Prepared</u>	<input type="checkbox"/>	
<u>Unsound because Not Effective</u>	<input type="checkbox"/>	
<u>Unsound because Not Justified</u>	<input type="checkbox"/>	
<u>Unsound because not Consistent with National Policy</u>	<input type="checkbox"/>	

By way of an example:

<u>Is the policy Legally Compliant?</u>	Yes	
<u>Is the policy Sound?</u>	No	
<u>Does the policy Meet the Duty to Co-Operate?</u>	No	
<u>Tests specified by officer</u>		
<u>Unsound because Not Positively Prepared</u>	Positively Prepared	Indicating Unsound because not positively prepared
<u>Unsound because Not Effective</u>	Effective	indicating Unsound because not effective
<u>Unsound because Not Justified</u>	Justified	Indicating Unsound because not Justified
<u>Unsound because not Consistent with National Policy</u>		

Please note with the fourth box, if the 'Tests specified by officer' box has a 'Yes' this is because the representations were received by email and did not use the word version of the questionnaire form. Consequently, where the email representation made reference to soundness issues this has been noted by officers in this schedule.

This clarification and cover page was added to SD09 on the 21st May 2021.

<u>Policy</u>	DM1	
<u>Respondent Number / Rep Number</u>	1	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>	Individual	
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak Disability discrimination

<u>Policy</u>	DM1
<u>Respondent Number / Rep Number</u>	4 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Whilst there is a national need for housing and a target to increase housing across all cities in the UK it is impractical for different cities to have the same targets. A 'one size fits all model' can not be applied to a coastal city that is surrounded by water and hills.

Changes required

A reduction in the number of proposed new homes

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM1
<u>Respondent Number / Rep Number</u>	88 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM1
<u>Respondent Number / Rep Number</u>	119 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	N/A
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the inclusion of the phrase "unless allocated for development in the City Plan" at the beginning of the paragraph dealing with Locally designated Sites. It is contrary to paragraph 174 of the National Planning Policy Framework. The inclusion of this phrase represents a significant weakening of the protection given to Local Sites (including both Local Nature Reserves and Local Wildlife Sites) compared with the 2005 Local Plan and the previous Draft City Plan Part 2. The inclusion of this phrase would mean that developments on allocations within designated sites would be permitted to go ahead even if they have an adverse effect on the integrity of the site. The ecological evidence in the Urban Fringe Assessments, which it is assumed is used to justify the inclusion of this phrase, is both out of date and insufficient to justify its inclusion. The inclusion of this phrase represents a pre-emption of the due process of evaluating the ecological impacts of any development proposals on Locally Designated Sites.

Changes required

'Delete the phrase 'Unless allocated for development in the City Plan...' from the beginning of the paragraph dealing with Locally Designated Sites.'

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

I am a resident of the area and live here with my daughter. I regularly walk and exercise on the hill and find it ludicrous that such an area would be used for building more houses. At a time when the council has claimed that we are in a state of emergence as far as the environment is concerned, to create further developments in the area contradicts that statement and accord to bring levels of pollution down. I believe it is crucial that residents are heard and respected in this process and that is why I have stated that I will participate in the hearing.

<u>Policy</u>	DM1
<u>Respondent Number / Rep Number</u>	130 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	resident of Whitehawk
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the inclusion of the phase "Unless allocated for development in the City Plan.This area that is on the City Plan is suppose to be a protected Nature Reserve. The inclusion of this phase represents weakening of the protection to our local site and ALL Wildlife sites compared with previous Draft of the City Plan.

The phase means that developments on allocations with designated sites would be permitted even if they have adverse effect on the site. We have collected a huge amount of ecological evidence for this site which I am sure the Council have not .

Changes required

Taken off the phase "Unless allocated for development in the City Plan.The Whitehawk Hill site should never have been put on the City Plan it is an ancient Monument older than Stonehenge.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

I am the original person who set up the group to try and preserve our Local Green Space

<u>Policy</u>	DM1
<u>Respondent Number / Rep Number</u>	144 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Individual
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons
I don't believe that the integrity of the policy is in line with the expectations of the people of Brighton and Hove

Changes required
I believe the policy is believed by the council to be compliant

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak I do not wish to participate

<u>Policy</u>	DM1
<u>Respondent Number / Rep Number</u>	160 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Cycling UK (Local Representative for Brighton and Hove)
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Add : "The dimensions should allow cycles to be stored indoors." to existing text:"2.3 In addition, housing quality also encompasses other aspects which can have a direct and critical impact on the health and well-being of occupiers, including internal space accessibility and adaptability, and suitably adapted homes to support independence at home." Add: "external storage for cycles" to 2.13 Providing space for home cycle storage enables people to use a cycle to get healthy exercise and use sustainable transport thus improving their health and wellbeing and supporting Travel and Transport policies for encouraging sustainable transport.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM1
<u>Respondent Number / Rep Number</u>	167 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton YIMBY
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM1
<u>Respondent Number / Rep Number</u>	171 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The councils housing needs assessment is not robust enough to be considered justifiable. Many issues are not listed, such as rough sleeping, social housing, adequate self build policy and there needs to be explicit regard to outside space, such as balconies. The local authority must consider how it understands true housing need, not simply following the national standard. There are major concerns that the Duty to Cooperate with South Downs National Park is a duty to avoid responsibility. We must build new communities, and the plan vastly understates housing needs. Proposals for self build are clearly inadequate, owing to the fact the council has delivered 3 self build homes, for a coop, despite hundreds of people being on the self build register for a number of years.

Changes required

A fuller housing needs assessment taking in required needs. Clear policies to support outside space for new and old buildings, so that more of our residents can deliver proper. Reference to the need to deliver social housing. A commitment to build on National Park land to meet housing need and a commitment to reassess the Duty to Cooperate.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

There needs to be some representation of those in the community who recognise that the city boundaries are too narrow and that housing need is represented appropriately.

<u>Policy</u>	DM1
<u>Respondent Number / Rep Number</u>	182 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Ensure adequate affordable housing (though I don't see this as addressing the real need as much as the point below) include some level of social housing - again not just a promise - paying money to avoid this is not meeting local needs at all. Build more family size units rather than (say) one bedroom units. Provide personal green space rather than areas around buildings - the epidemic has shown how important this is. We need more housing of the right type and with proper facilities and support services.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM1
<u>Respondent Number / Rep Number</u>	210 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Home Builders Federation
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

DM1 Housing Quality, Choice and MixThe policy is unsound as it is not effective and has not been sufficiently justifiedOur concern with policy DM1 relates to parts c and d which set out the requirements relating to the optional technical standards for space and accessibility.Part c – Nationally Described Space StandardsPolicy DM1 requires development to meet national spaces standards as a minimum. Whilst the HBF shares the Council’s desire to see good quality homes delivered across Brighton and Hove we also consider that space standards can, in some instances, have a negative impact upon affordability issues and reduce customer choice. In terms of choice some developers will provide entry level two, three and four-bedroom properties which may not meet the optional nationally described space standards but which would allow on lower incomes can afford a property which has their required number of bedrooms. Given the poor affordability of property in the area and the tight constraints on development it is therefore important that the Council can provide robust evidence that there is a need to introduce the optional space standards – that these standards are a must have rather than a nice to have policy.As the Council are aware paragraph 56-020 of PPG establishes the type of evidence required to introduce space standard through the local plan. The Council is required to have a robust justifiable evidence to introduce any of the optional housing standards, based on the criteria set out in PPG. It is also important to note that they can only be adopted through

a policy in the local plan. It is therefore surprising to note that the Council has been applying these standards without their being an adopted local plan policy that would support their use in Brighton. As such the Council state that the majority of development coming forward meets space standards. However, the Council provides no evidence in the Combined Space Standards Topic Paper that development had, prior to this, been coming forward significantly below expected standards. The paper states that there was growing concern around spaces standards given the high densities of many developments in the Borough but provides no evidence, aside from two case studies, that new homes were being brought forward below space standards. The topic paper sets out that the type of home being delivered in the Borough comprises of a high number of flats and studio apartments, however it does not indicate whether these types of home are coming forward below space standards. At present we do not consider the topic paper to provide the robust evidence required by national policy to justify the adoption of the nationally described space standards. The HBF is also not aware of any evidence that market dwellings not meeting the NDSS have not sold or that those living in these dwellings consider that their housing needs are not met. There is no evidence that the size of houses built are considered inappropriate by purchasers or dwellings that do not meet the NDSS are selling less well in comparison with other dwellings. The HBF in partnership with National House Building Council (NHBC) undertake an annual independently verified National New Homes Customer Satisfaction Survey. The 2019 Survey demonstrates that 91% of new home buyers would purchase a new build home again and 89% would recommend their housebuilder to a friend. The results also conclude that 93% of respondents were happy with the internal design of their new home, which does not suggest that significant numbers of new home buyers are looking for different layouts or house sizes to that currently built. Given that there is little to suggest that development below space standards is an endemic concern within the Brighton and Hove we would suggest that part c of policy DM1 is removed from the plan. This would give the Council greater flexibility to maximise the number of sites that are developable as well as extending consumer choice to more households.

Part d - Accessibility standards Part d of DM1 requires all homes to be built to part M4(2) of the Building Regulations. Whilst the HBF recognises that there is a need for some homes to be built to higher accessibility standards we do not consider the evidence presented to indicate that there is a need for all new homes to be built to the optional building regulation M4(2). When considering the implementation of the optional standards it is important to note that footnote 46 in paragraph 147 in the NPPF states that policies on adaptable and accessible housing should be used "... where this would address an identified need...". This would suggest that any policy should seek to address an identified need that is required rather than considering these standards as being 'nice to have' on all new homes. There must be clear evidence that these homes are needed. The evidence supporting the Council's decision is set out in section 3 of the Combined Space Standards Topic Paper. One argument that is put forward in section 3 of this paper is that the city has an ageing population and this, inevitably, leads to an increase in the need for housing that allows people to remain living in their home for longer. We would not dispute that across the UK there is an ageing population, however the HBF does not agree that this leads to the conclusion that all new homes should be built to part M4(2). Firstly, if the Government had considered, when it introduced this policy, that the ageing population seen across the Country to be sufficient to require all homes accessible & adaptable homes standards, then the logical solution would have been to incorporate the M4(2) as mandatory via the Building Regulations. The Government did not do this and introduced the needs-based approach currently set out in PPG and as such the number of homes built to part M4(2) should be proportional to identified needs. Secondly, the need for more accessible homes above current standards is further reduced for those who live in a recently constructed house. All new homes will be built to part M4(1) which, according to Part M of the Building Regulations, will ensure reasonable provision for most people, including wheelchair users, to approach and enter the dwelling and to access habitable rooms and sanitary facilities on the entrance storey. As such these standards are likely to be suitable for the significant majority of people as they get older and including many those with long term health problems or disabilities. Thirdly many people with a long-term health problem or disability will be able to adapt their current home to meet their needs. Given that many of those who will need to adapt their homes in future will already live in the Borough this will reduce the number of people moving to meet their housing needs. Some evidence related to this is provided in the English Homes Survey. Whilst we recognise that this is a national study it provides an indication as to the proportion of more adaptable homes that are required. The study examined the need for adaptations in 2014/15 [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/539541/Adaptations_and_Accessibility_Report.pdf] and noted that just 9% of all households in England had one or more people with a long-term limiting illness or disability that required adaptations to their home and that this had not changed since 2011-12. So, despite an increasing proportion of older people in the general populace the proportion of the population requiring adaptations had not changed. The survey also found that in 2014-15, 81% of households that required adaptations in their home, due to their long-term limiting

disability, felt their current home was suitable for their needs and that 10% of those households whose home required an adaptation were trying to move somewhere more suitable. So, whilst there is an ageing population this does not directly lead to the need for all new homes built to higher accessibility standards. An ageing population will lead to more people who are likely to have a mobility problem but not necessarily more people who need a new more home built to the M4(2). Many older people, and indeed those of all ages with a long-term limiting illness or disability, will be able to adapt their existing homes to meet their needs and do not need to find alternative accommodation. It is also the case that for many people a new home built to the mandatory M4(1) standard will offer sufficient accessibility and adaptability throughout their life and as such to require all new homes to comply with Part M4(2) is disproportionate to the likely need arising in Brighton. On the basis of the results of English Homes Survey it is possible to consider the number of households that may need a more adaptable home over the plan period by applying the proportion of people who required an adaptation but considered their home to be suitable, to the number of households in Brighton and Hove. Using the data provided by the Council in the topic paper on household projections, which are derived from the 2012-based Sub National Population Projections, there will be 145,300 households by 2030. If 9% of these households contain a person with a long term limiting illness or disability that required an adaptation to their home due to their disability, and 19% of these households considered their home to be unsuitable to meet their need there would be around 2,500 households in need of a more accessible home in 2030. Using the same approach to the number of households in 2010 this would represent an increase of circa 450 such households from the start of the plan period. As mentioned earlier we recognise that applying national data to local circumstances will not give a precise figure for those needing a more accessible home. However, it does give an indication that there is no need for all new dwellings to be built to part M4(2) of the building regulations. As set above the NPPF and PPG state that the adoption of the optional technical standard should address an identified need. Whilst there is evidently a need for some homes to be built to a higher accessibility standard there is not the need for all new homes to be built to part M4(2).

Changes required

Given that there is little to suggest that development below space standards is an endemic concern within the Brighton and Hove we would suggest that part c of policy DM1 is removed from the plan. This would give the Council greater flexibility to maximise the number of sites that are developable as well as extending consumer choice to more households. As set above the NPPF and PPG state that the adoption of the optional technical standard should address an identified need. Whilst there is evidently a need for some homes to be built to a higher accessibility standard there is not the need for all new homes to be built to part M4(2).

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

The HBF is the principal representative body of the housebuilding industry in England and Wales and our representations reflect the views of discussions with our membership of national and multinational corporations through to regional developers and small local housebuilders. Our members account for over 80% of all new housing built in England and Wales in any one year. We would also welcome, in due course, the opportunity to participate in any hearings organised as part of the Examination in Public in order to present our concerns with the City Plan Part 2 to the appointed inspector.

<u>Policy</u>	DM1
<u>Respondent Number / Rep Number</u>	213 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Hove Civic Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

In 2018 Hove Civic Society made extensive representations at the draft stage to the City Plan Part 2. We supported a number of the policies and made suggestions for improvements in a number of other areas. We are pleased that those policies we supported remain and in some cases have been strengthened. In particular we refer to policies DM1 and the inclusion of the national space standards, DM4, DM19, DM44 and DM46.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM1
<u>Respondent Number / Rep Number</u>	214 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support this policy. The inclusion of the Nationally Described Space Standards is welcomed. Requirement (f) relating to outdoor amenity space remains vague (as it is in current Local Plan policy HO5)

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM1	
<u>Respondent Number / Rep Number</u>	216	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Brighton & Hove Food Partnership	
<u>Respondent Type</u>	Environment	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Noting the multiple policies relating to food growing in City Plan, Part 1, the recent adoption of the revised PAN on incorporating food growing in development and the incorporation of food growing and food access we feel that this area has been overlooked in the DM policies in city plan part 2. Given the centrality of food in carbon reduction, with the IPCC & UK parliament Audit committee findings that food contributes up to 30% of carbon foot print, along with Brighton & Hove City Council's climate emergency declaration and commitment to become the first Gold Sustainable city in the UK, we urge that in order to meet the test of soundness and compatibility with sustainable development the role of food growing has to be part of these policies in order to meet the test. We welcome the inclusion of food growing in older people's accommodation in DM4 (e) and would suggest this should be added to other types of accommodation in this section. In short, as Brighton and Hove City Council have already accepted the principle that food is 30% of carbon footprint, and implemented planning policy as a response, if this area is not addressed alongside transport an energy then the plan as a whole cannot be considered to meet the test of soundness wrt sustainable development.

Changes required

We welcome the inclusion of food growing in older people's accommodation in DM4 (e) and would suggest this should be added to other types of accommodation in this section.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We would be happy to participate in the Inspector's hearing to make these points.

<u>Policy</u>	DM1
<u>Respondent Number / Rep Number</u>	223 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Community Land Trust
<u>Respondent Type</u>	Community & Voluntary
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

b) make provision for a range and mix of housing /accommodation formats subject to the character, location and context of the site, for example, self and custom build housing, build for rent, community led housing, starter homes and other types of provision supported by national and local policy.”COMMENT – This part of the policy is positive for CLH, although the wording ‘make provision’ is perhaps too weak. We think it should read “must include...”“c) all residential units should meet the nationally described space standards”COMMENT - The introduction of space standards for residential accommodation is positive and makes designing units easier and clearer. However, these space standards do not allow for the innovative ‘tiny home’ type of housing. It is a response to mass low quality developer type housing and therefore is too prescriptive.

Changes required

Criterion b) should read “must include...”

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM1	
<u>Respondent Number / Rep Number</u>	228	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Sussex Ornithological Society	
<u>Respondent Type</u>	Environment	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Policy DM1 - objectWe do not consider this policy sound because we do not consider it to be effective or compliant with national policy.Our fundamental criticism of CCP2 is the proposals to develop parts of designated Local Wildlife Sites and the Whitehawk LNR. We believe this is a direct result of the assumptions made about the densities of developments. As Policy DM1 is supposed to cover Housing Quality, Choice and Mix we would expect the density of housing to be covered by this policy. Instead CCP2 appears to avoid any discussion of this matter anywhere. Brighton & Hove is a City. It already has areas designated for tall buildings, and we would have hoped that BHCC would have come forward with policies to extend the area designated for tall buildings/designate new areas for them, or to densify new developments so that the majority of the Council's housing targets were primarily accommodated within the urban area. We cannot see, in CPP2, that any attempt has been made to do this.We do recognise that CPP1 set a requirement for some development on the urban fringe. But this does not equate to a requirement to build on sites designated as being important for nature conservation. Although large parts of the urban fringe area lie within the SDNP, or are designated as Local Wildlife Sites or an LNR, there is plenty of urban fringe land that does not lie in areas designated to be important for nature conservation. And plenty more dwellings can be built in the urban area if densification policies are increased.CPP2 proposes that development occurs on no less than nine Local

Wildlife Sites plus a Local Nature Reserve. The Inspector carrying out the Public Examination of CPP1 was clear that it would be for BHCC to determine suitability of potential allocations in the urban fringe through the making of CPP2. We cannot find any work that has been done on this and no information is presented in CPP2 justifying any of these developments on sites of nature conservation importance, and no proposals to mitigate or compensate for such developments has been put forward. In our view this completely contradicts paragraphs 171 and 174 of the NPPF, which require BHCC to take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure and to safeguard components of local wildlife-rich habitats, including locally designated sites of importance for biodiversity. CPP2 appears to do none of this. Our fear is that this is not going to be a one off and one has to presume that if BHCC continue down this path that future Local Plans will include further developments on sites that are designated to be protected for nature – so that more and more development will occur on LWS's and LNR's, and the designated area for nature within BHCC will shrink with every future Local Plan. This outcome contradicts the principles laid down in Policy DM37, Green Infrastructure and Nature Conservation, and appears to directly oppose one of the three objectives of the Brighton and Lewes Downs UNESCO Biosphere, namely "to conserve and enhance nature". CPP2 appears to do next to nothing to enhance nature, rather it seeks to destroy some areas currently set aside for nature. We suggest that the solution to this is for BHCC to make it clear that developments on LWS's or LNR's will not be considered, and that building densification standards will be set that enable housing targets to be delivered on sites outside areas designated to be important for nature. To bring this about, we believe that BHCC needs to develop a strategy about where they are going to allow development of tens of thousands more dwellings in the decades to come. Such a strategy should also clearly lay out how areas designated to be of importance for nature conservation will be enriched and improved so that nature has some chance of holding its own in an ever denser and expanding Brighton & Hove.

Changes required

Brighton & Hove is a City. It already has areas designated for tall buildings, and we would have hoped that BHCC would have come forward with policies to extend the area designated for tall buildings/designate new areas for them, or to densify new developments so that the majority of the Council's housing targets were primarily accommodated within the urban area. We suggest that the solution to this is for BHCC to make it clear that developments on LWS's or LNR's will not be considered, and that building densification standards will be set that enable housing targets to be delivered on sites outside areas designated to be important for nature. To bring this about, we believe that BHCC needs to develop a strategy about where they are going to allow development of tens of thousands more dwellings in the decades to come. Such a strategy should also clearly lay out how areas designated to be of importance for nature conservation will be enriched and improved so that nature has some chance of holding its own in an ever denser and expanding Brighton & Hove.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

SOS wishes to participate in any examination hearings sessions relevant to any sections of the City Plan Part Two that we have submitted objections to. We wish to discuss our objections formally with the Inspector and respond to any additional evidence presented by other respondents.

<u>Policy</u>	DM1	
<u>Respondent Number / Rep Number</u>	241	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Lewis & Co Planning	
<u>Respondent Type</u>	Planning agent / architect	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Policy DM1 – Housing Quality, Choice and Mix
 The first half of this policy appears to be inconsequential in terms of decision-making. The policy speaks in general terms about matters already upheld in policy terms in other adopted policies and national planning policy. There is no need for these matters to be repeated in terms that fail to direct decision-makers any differently. The remainder of the policy imposes a number of minimum requirements on new housing that have not been adequately justified. Nationally Described Space Standards (criterion c)
 The Space and Accessibility Standards Topic Paper states that Nationally Described Space Standards have been informally applied on applications since 2015 and that “There has been no evidence that the application of NDSS has been generally resisted by local developers”. Clearly it is not in the interests of applicants to resist expectations that they are expected to meet in order to secure planning consent and therefore this is not considered a good evaluation of the suitability of a proposed policy approach. However, the Council has actively used these standards to refuse applications for otherwise good quality new homes. For example, we are dealing with one case where the Council is seeking to enforce against a conversion of a large long-term vacant house into three good quality apartments on the basis of a double bedroom within the property being 40cm³ smaller than the standard (the bedroom is used as a single occupancy room in a household of two professional sharers, but at least one is required to meet a double occupancy standard). If

enforced, the city would lose a further two units of accommodation that would otherwise have been acceptable without this standard in place. A very similar issue occurred for a conversion on the same street with another property that was refused at appeal, and further examples are included in the Council's own topic paper. The 'Need' section of the Space and Accessibility Standards Topic Paper appears to focus on the housing mix evidence prepared in support of City Plan – Part One policy CP19 (Housing Mix), that has no bearing on the 'need' for the proposed Space Standards. As set out in previous comments submitted by ourselves and others, the imposition of these standards will deter more innovative schemes for 'tiny house' projects or other creative for addressing severe shortages of housing whilst still delivering good quality housing designed to address a full range of residential needs in an effective way. The implication of requiring these minimum space standards in new properties combined with continued under-delivery of new housing could result in all new housing being less affordable than existing homes and further worsening the city's affordability issues. Whilst the delivery of more spacious, high quality new homes is no bad thing in isolation, the resulting effect on the city's already worsening affordability problems has the potential to create far worse social and economic sustainability impacts for residents. In this context, the failure to explore and understand the viability and affordability implications of Policy DM1 is concerning. The proposed inclusion of these standards are driven by valid ambitions to improve the quality of new homes in the city, but don't reflect the planning context of the city and ignore the genuine implications that will further constrain housing delivery – compared to if the Council relied on its existing policies addressing residential amenity, housing mix and design quality. When considered alongside the cumulative impacts of other criteria within this policy we do not believe that their inclusion in the City Plan – Part Two has been justified.

Building Regulation M4(2) Accessibility Standards (criterion d) In addition to these space standards, the Council is also seeking to require Building Regulation M4(2) accessibility standards as a minimum for all new residential accommodation. This will likely also constrain delivery and may even prevent the conversion of some existing (and historic) buildings. In the examination for a neighbouring authority's Plan, Mid Sussex District Council, where the local planning authority also sought to require these standards for all new residential development, the examining Inspector required this policy to be modified to only 20% of all developments of 5 or more dwellings to reflect "evidence of need". No such evidence of need has been provided by the Council in support of their own policy. The requirement for M4(2) accessibility standards in all new residential accommodation would require step-free access into all new dwellings and into any private outdoor amenity space in a city where few development sites are located on completely flat land (and many new homes will be on split levels) and where a large number of new dwellings come forward on constrained sites and as conversions of listed buildings. The requirements for all new dwellings to meet M4(2) standards is unnecessarily obstructive to the delivery of new homes and does not reflect the actual need for dwellings of this type. Whilst the Council's topic paper provides evidence that supports a proportion of new dwellings adopting higher accessibility standards, the evidence does not support a requirement for 100% of all new dwellings to meet this standard and shows that this requirement is excessive. The local planning authority have considered the viability of applying this standard across all new developments, but have paid no consideration to the feasibility of doing so and this needs to be reflected in the policy.

Private Outdoor Amenity Space (criterion f) As with other policies in the proposed submission City Plan – Part Two, the requirements of criterion (f) not only replicate the requirements of saved Local Plan (2005) policies but create more onerous requirements for new development proposals. The extant policy HO5 states: "The planning authority will require the provision of private useable amenity space in new residential development where appropriate to the scale and character of the development." In contrast, the proposed wording of Policy DM1 removes the word "where" from this requirement. The effect of this small change would require all new homes to provide an element of private outdoor amenity space regardless of circumstances. In some cases this will be problematic, such as the subdivision of building originally conceived as single dwellings or for other uses. In those cases the provision of individual outdoor spaces will either not be possible, or will result in poor quality subdivisions of existing outside areas. At a minimum, criterion (f) should be included in the 'exceptions' part of the policy to allow balanced decisions to be made on individual applications where appropriate.

Sustainability Appraisal We previously raised concerns about the reasonable alternatives that had been assessed to this policy approach. The Council's response has been that the Sustainability Appraisal has assessed a "no policy approach" as an alternative to the policy. We do not consider this to be sufficient. A 'no policy approach' is not the same as having a policy on Housing Quality without prescriptive standards. The Sustainability Appraisal still fails to assess these detailed requirements against strategic objectives. More prescriptive requirements will prevent more innovative approaches to addressing the city's serious housing needs and homelessness problems. It will prevent projects from the Tiny House Movement from emerging in the city, and it will prevent unique solutions to difficult, constrained sites and other creative solutions to housing issues. It imposes standards that prevent more efficient uses of existing buildings under residential conversions (and has done so already when it has been applied by the Planning department without adoption),

leading to inefficient use of land or less sustainable approaches to construction (i.e. rebuild rather than reuse).SummaryAny policies that further constrain the delivery of new and affordable housing within the city should not be brought forward without a clear justification and viability assessment, and a genuine strategy for meeting the city’s housing needs. Whilst there are clear benefits from establishing a minimum standard of accommodation, it is also clear that this policy in its totality will suppress some potential housing delivery within the city if formally adopted. We do not consider that an appropriate balance has been struck between the desire for higher standards in new development and the dire need for new housing of all types.We ask the Inspector to carefully consider whether the circumstances of the city support a policy that not only applies minimum space standards, but also sets a higher level of accessibility requirements than required nationally, a requirement for private outdoor amenity space in all developments (with no exceptions caveat within the policy) as well as other policy requirements in respect of CIL and, in some case, affordable housing (again below the national thresholds).

Changes required

At a minimum, criterion (f) should be included in the ‘exceptions’ part of the policy to allow balanced decisions to be made on individual applications where appropriate.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM1
<u>Respondent Number / Rep Number</u>	243 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	X-Leisure (Brighton II) Ltd and Landsec
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Our client supports the principle of the policy to deliver a wide choice of high quality homes which will contribute to the creation of mixed, balanced, inclusive and sustainable communities. Regarding criterion (a), seeking a range of dwelling types, tenures and sizes that reflect and respond to identified housing need is commendable. 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. This is recognised in City Plan Part 1 Policy CP19 which seeks to ensure an appropriate mix of housing across the City and Policy CP14 which recognises the need to consider the character of the neighbourhood when establishing appropriate density. To address this matter and for the policy to be justified as an appropriate strategy, 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.

Changes required

Please amend criterion (a) to the following: "incorporate a range of dwelling types, tenures and sizes that have regard to the city's identified housing needs."

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM1
<u>Respondent Number / Rep Number</u>	246 1
<u>Name</u>	(Montagu Evans LLP)
<u>Email</u>	
<u>Organisation/individual</u>	Aberdeen Standard Investments
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Policy DM1 Housing Quality, Choice and Mix provides guidance for new residential development regarding quality, choice and mix. Policy DM1 provides clear criteria which new residential development will be expected to comply with, including nationally described space standards, accessibility requirements and amenity requirements. ASI supports the ambition of this policy to help create mixed, balanced, inclusive and sustainable communities.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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Why wish to speak

<u>Policy</u>	DM1
<u>Respondent Number / Rep Number</u>	247 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Regency Society of Brighton & Hove
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

2.13 The term “where relevant” in relation to the provision of outdoor amenity space requires clarification, possibly by indicating where such requirements are not relevant.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM1
<u>Respondent Number / Rep Number</u>	256 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Brighton Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Agree, but as quoted, the problem of changing needs as families grow should be addressed. How can new buildings on new housing developments be extended to cater for a growing family? What proportion of the new housing developments approved recently contribute to the 50% requirement referred to above for 3 or 4-bed houses? The lack of new homes being approved for new dwellings of those types is we suspect the main problem which needs to be addressed for C3. It is important to carry out monitoring of housing targets on a frequent and regular basis. Besides the annual targets for the various categories of housing (ie private, affordable, size of units - 1-bed, 2-bed 3-bed etc.), the reviews should refer to the actual target, the planning approvals granted and the numbers of units built. Reviews should be carried out at six monthly intervals and the results posted on the Council website.

Changes required

Para 2.11 Add: "small scale horticultural uses" Para 2.13: Add: "external storage for bicycles, garden tools and furniture etc".

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM1
<u>Respondent Number / Rep Number</u>	258 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

CITY PLAN PART TWO: HOUSINGINTRODUCTIONLiberal Democrats recognise the importance of having a “base” for reasons of health, welfare, quality of life and work. We believe that people should have choice and that there should be a mixture of housing provision available to meet different needs. We also recognise that in a City such as Brighton and Hove there is a shortage of affordable housing and social rented homes. It is therefore a priority for the Council to make every effort to provide those affordable/social rented homes in the City to house the thousands of people who are on the local Housing Waiting List.1. We support the aim of providing 40% “affordable homes” within housing developments and this should include a considerable element of “social rented” housing. It has been disappointing that many housing developments in recent years haven’t met this aim, with some developments, both on publicly and privately owned land, failing to meet the requirements of the City. Some examples are: the former AMEX Site (Edward Street); Artisan development (Davigdor Road); the Ellen Street development; former Baptist Church Hall (Montpelier Pl); and former Council owned buildings in Buckingham Rd.This 40% rule for the provision of affordable/social rented homes should apply to the “Strategic Site Allocations” listed in the City Plan including the former Brighton General Hospital Site in Elm Grove (SSA1); the Combined Engineering Site in New England Road (SSA2); and the Lyon Close Site (SSA3).2. The City Plan needs to reflect the trend towards more home working; self-

employment; part-time work; and flexible working. The Council therefore needs to ensure that vacant, disused and underused commercial/office space in the City is put to good use, including through the conversion of existing commercial buildings. The Council's Planning and Housing Departments should therefore work with the owners of these vacant and underused commercial sites to maximise the amount of affordable housing provision by means of encouragement, support and (where possible) resources. This should include encouraging the conversion of existing underused commercial buildings into affordable and social rented housing units with a minimum requirement of 40% being "affordable homes".3. The failure to meet the aim of "40% affordable homes" in new developments over recent years means that there is now even more of a need for such homes. We believe that the existing plans are unlikely to meet the demand up until 2030, given that there are currently more than 19,000 (INDIVIDUAL) PEOPLE on the Housing Waiting List. We therefore support the re-allocation of Hollingbury Golf Course as an area for "Mixed Use". This Mixed Use designation should include approximately 40% of that area for "Eco" Social Rented Homes; 40% to be preserved in perpetuity as a "nature reserve"; and 20% to be used as open leisure space, allotments and other recreational/leisure uses. 4. The Council need to work in partnership with Housing Associations, Housing Co-ops, the Community Land Trust and the Private Sector to ensure the maximum provision of affordable and social rented homes in the City. Wherever possible, this housing should be close to transport links, meet high environmental standards and be close to community amenities.SPECIFIC RESPONSE TO DM1 HOUSING QUALITY, CHOICE AND MIX(f) (P14) Minimum Gross Internal Floor Areas and Storage Levels: The stated levels should be an absolute minimum and the "desirable" level of living space should be 10% above this for the purposes of the City Plan. In addition, space must be made available as part of any housing development for safe storage areas for rubbish and recycling.(Justification: Healthy Living; Safe Space; Quality of Life; Encouraging Recycling)

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM1
<u>Respondent Number / Rep Number</u>	264 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Kingsway and West Hove Residents Association (KAWHRA)
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

DM1: KAWHRA supports policy DM1 and all supporting text in paragraphs 2.1 to 2.13 which are positively prepared, justified, effective and consistent with the NPPF. Policy DM1 and all supporting text in paragraphs 2.1 to 2.13 addresses the city's assessed demographic, socio-economic and physical characteristics. The importance to residents of private outdoor amenity space outlined described in paragraph 2.11 has been confirmed by residents' experience of their needs during the pandemic.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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Why wish to speak

<u>Policy</u>	DM1
<u>Respondent Number / Rep Number</u>	269 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Royal Mail
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Not Applicable

Changes required

Not Applicable

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak Not Applicable

<u>Policy</u>	DM2
<u>Respondent Number / Rep Number</u>	88 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM2
<u>Respondent Number / Rep Number</u>	167 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton YIMBY
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM2
<u>Respondent Number / Rep Number</u>	214 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support this policy.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM2
<u>Respondent Number / Rep Number</u>	216 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Food Partnership
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Noting the multiple policies relating to food growing in City Plan, Part 1, the recent adoption of the revised PAN on incorporating food growing in development and the incorporation of food growing and food access we feel that this area has been overlooked in the DM policies in city plan part 2. Given the centrality of food in carbon reduction, with the IPCC & UK parliament Audit committee findings that food contributes up to 30% of carbon foot print, along with Brighton & Hove City Council's climate emergency declaration and commitment to become the first Gold Sustainable city in the UK, we urge that in order to meet the test of soundness and compatibility with sustainable development the role of food growing has to be part of these policies in order to meet the test. We welcome the inclusion of food growing in older people's accommodation in DM4 (e) and would suggest this should be added to other types of accommodation in this section. In short, as Brighton and Hove City Council have already accepted the principle that food is 30% of carbon footprint, and implemented planning policy as a response, if this area is not addressed alongside transport an energy then the plan as a whole cannot be considered to meet the test of soundness wrt sustainable development.

Changes required

We welcome the inclusion of food growing in older people's accommodation in DM4 (e) and would suggest this should be added to other types of accommodation in this section.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We would be happy to participate in the Inspector's hearing to make these points.

<u>Policy</u>	DM2
<u>Respondent Number / Rep Number</u>	241 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Lewis & Co Planning
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

This policy narrowly defines residential accommodation as C3 single dwellinghouses. Given the large demographic of young professionals and students within the city this is neither justified or appropriate and the effect of the policy is allow the loss of C4 dwellings and oppose the principle of any changes of use between C3 and C4 uses. Whilst reference is made to CP21 and DM7 in relation to changes to C4, this wording does not negate or reduce the effect of the Policy as a whole. This would create a 'one-way street' principle for changes between residential use classes and will ultimately constrain the delivery or provision of shared houses and unfairly disadvantage specific residents and groups, increasing unaffordability amongst a group that is more likely to be on lower incomes and reliant on the private rental market. Young professionals would be disproportionately affected by this policy constraint and this may raise issues in relation to Article 14 of the Human Rights Act 1998 that don't appear to have been considered by the local planning authority. The policy should be expanded to protect all types of residential accommodation, with an additional exception stating that: "g) the proposed change of use would be to another residential use type and would not result in a significant loss of residential accommodation" The Council's Health and Equalities Impact Assessment does not recognise this implication of the policy and therefore its impact on specific age groups within the city has not been assessed. We raised this issue at the previous consultation but there has been no change

to the previous HEQIA assessment. In fact the Health and Equalities Impact Assessment makes no mention of 'age' at all, despite this being a protected characteristic under the Equality Act, and there are continual references to the needs of families, students, and older people throughout the City Plan – Part Two and its evidence with no notable consideration of the impacts on young adults and non-students outside of these identified groups (who account for a large proportion of future housing need). Single individuals under the age of 35 can currently only access housing benefit at the local housing allowance rate for a single room in a shared house and therefore this demographic are treated materially differently from other groups in the housing sector. There is therefore a requirement within this demographic for the retention of good quality shared accommodation and the provision of new homes of this type in parallel with the provision of other housing types. It is therefore necessary to extend the provisions of Policy DM2 to protect other forms of housing.

Changes required

The policy should be expanded to protect all types of residential accommodation, with an additional exception stating that:“(g) the proposed change of use would be to another residential use type and would not result in a significant loss of residential accommodation”

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM2
<u>Respondent Number / Rep Number</u>	256 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Brighton Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Agree, but: Para 2.17: "Where it can be demonstrated that there has been a material change of use from a residential use e.g. to a holiday let, then this policy may be used for enforcement purposes. The intensification of such uses on a permanent basis can harm the residential amenity or character of the locality due to levels of activity that cause excessive noise and disturbance to residents." Change 'may' to 'will'. As we mentioned previously. Also: It is unlikely the Council will achieve this aim, however. The private student rental sector along with other private lets will continue to affect residents' quality of life and reduce choice as to where they would like to live due to the high number of homes being converted. The intensification of such uses on a permanent basis can harm the residential amenity or character of the locality due to levels of activity that cause excessive noise and disturbance to residents. The amount of private rented properties in Brighton & Hove is 21% - with an average rent of £987pm - twice as high as the national average, along with c5,000 HMOs. The Council should lobby the government to change the policies on No Fault Evictions, Permitted Development Rights and Council Tax and Business Tax exemptions. The Council is losing millions of pounds with these exemptions. If the average expected rates on c5,000 HMOs are, say, £1,600pa the loss to the city is £8m. Para 2.17: It is estimated that another 2,500 are private rentals such as holiday flats and houses, party houses, Airbnb, Uber etc Efforts should be made to ensure that a significant change of use

such as a holiday let or AirBnB be made subject to a planning application or Article 4 direction throughout the city. Para 2.19 Could not the Council be more proactive in discouraging second homes and holiday lets in the City, to bring as many housing units as possible into full time use by local people? Why is there no information on how many properties in the city are second homes and/or vacant? What is the Council's Empty Property Service Plan? It needs to be explained.

Changes required

Para 2.17: "Where it can be demonstrated that there has been a material change of use from a residential use e.g. to a holiday let, then this policy may be used for enforcement purposes. The intensification of such uses on a permanent basis can harm the residential amenity or character of the locality due to levels of activity that cause excessive noise and disturbance to residents." Change 'may' to 'will'. As we mentioned previously.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM2
<u>Respondent Number / Rep Number</u>	258 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

This should include buildings where accommodation is (or has recently) been provided within office blocks, Pubs and above shops or other commercial buildings, in order to prevent the loss of residential accommodation.(Justification: Provision of affordable homes; lack of land available for housing)

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM3
<u>Respondent Number / Rep Number</u>	88 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM3
<u>Respondent Number / Rep Number</u>	167 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton YIMBY
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The regulation of subdivisions should be included in any plan to make sure these conversions meet the minimum standards set out in the local plan. However, we strongly object to the attempt to prevent subdivisions of smaller family dwellings and force larger accommodation into subdivisions. Legislating that housing sizes should be larger than that which many low-income people in our city are able to afford at current rents is the equivalent of banning them from the city altogether and is not justified by the space standards given. Such a policy is contrary to the plans aims of providing a suitable mix of dwelling for a variety of income levels. In addition, we strongly object to the rhetoric used in paragraph 2.23 which appears to imply that subdivision of properties can lower neighbourhood amenity. This appears to endorse exclusionary rhetoric regarding renters, particularly low-income workers and students, who are resident in shared occupancy properties.

Changes required

Paragraph 2.22 should be deleted as it is an unsound policy. In paragraph 2.23 the sentence 'Too much conversion activity can have an adverse impact on residential amenity, particularly in those areas where dwelling densities are already high' should be deleted as it contains exclusionary rhetoric.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM3
<u>Respondent Number / Rep Number</u>	214 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

This policy is an update of Local Plan Policy HO9. Policy HO9 currently sets a minimum size for conversion of 115 sqm. Policy DM3 now proposes to increase this threshold to 120 sqm. It is unclear why this threshold has been increased. Without any justification for the increase, we object to the proposed threshold of 120 sqm and fail to see how this increase would be defended at examination. The largest minimum size unit threshold set out in CPP2 Policy DM1 for a 3-bedroom dwelling is 108 sqm (3-bedroom, 3 storey dwelling). This gives an indication that the current 115 sqm threshold is sufficient to protect smaller dwellings suitable for family accommodation (i.e. 2 or 3 bedroom units)- as is set out as the objective of the policy set out in para 2.22 of the supporting text. The increase in threshold to 120 sqm is not justified and is the policy is therefore unsound.

Changes required

<u>Participate at the hearing session(s)?</u>	Yes, I wish to participate in the hearing session(s)
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Why wish to speak

We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM3
<u>Respondent Number / Rep Number</u>	216 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Food Partnership
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Noting the multiple policies relating to food growing in City Plan, Part 1, the recent adoption of the revised PAN on incorporating food growing in development and the incorporation of food growing and food access we feel that this area has been overlooked in the DM policies in city plan part 2. Given the centrality of food in carbon reduction, with the IPCC & UK parliament Audit committee findings that food contributes up to 30% of carbon foot print, along with Brighton & Hove City Council's climate emergency declaration and commitment to become the first Gold Sustainable city in the UK, we urge that in order to meet the test of soundness and compatibility with sustainable development the role of food growing has to be part of these policies in order to meet the test. We welcome the inclusion of food growing in older people's accommodation in DM4 (e) and would suggest this should be added to other types of accommodation in this section. In short, as Brighton and Hove City Council have already accepted the principle that food is 30% of carbon footprint, and implemented planning policy as a response, if this area is not addressed alongside transport an energy then the plan as a whole cannot be considered to meet the test of soundness wrt sustainable development.

Changes required

We welcome the inclusion of food growing in older people's accommodation in DM4 (e) and would suggest this should be added to other types of accommodation in this section.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We would be happy to participate in the Inspector's hearing to make these points.

<u>Policy</u>	DM3
<u>Respondent Number / Rep Number</u>	241 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Lewis & Co Planning
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Policy DM3 – Residential conversions and the retention of smaller dwellings This policy largely reflects Policy HO9 of the 2005 Local Plan. However, as set out above, the 2005 Local Plan only sought to deliver 216 homes per year within an entirely different national and local policy context. Over a 20-year plan period this previous housing target would have resulted in the delivery of only 4,320 new homes. In contrast the Council now has an established objectively assessed housing need of 30,120 homes over the plan period, almost seven times that required under the Local Plan (2005). The retention of policies which seek to restrict the delivery of additional housing within the City Plan – Part Two should therefore be subject to very careful consideration. Instead, the draft City Plan – Part Two further raises the size threshold that buildings must meet in order to be suitable for subdivision (from 115m² to 120m²). The justification provided for the floorspace figure chosen is set out in the Council’s Space and Accessibility Standards Topic Paper. The Topic Paper states that the figure is chosen to allow the creation of at least one 2-bedroom, 4-person family unit and one 1-bedroom, 2-person unit. This justification does not stand up to scrutiny as a subdivision could include a 2-bedroom, 3-person family unit, or a 1-bedroom, 1-person unit and require less floorspace than the minimum stated. The subdivision of an existing 98m² building could therefore theoretically still meet nationally described space standards. In addition, the proposal could also extend the building to deliver additional

floorspace than the 'original' floorspace figure referred to in the policy. The requirement is therefore unnecessarily restrictive and would make the delivery of new homes harder than if the existing policy were to be retained instead. This will further reduce the delivery of new homes in this form and worsen the housing crisis that national policies are seeking to address. We do not consider that this policy meets the tests of soundness as it is not positive prepared, justified, effective or consistent with national policy. If retained the policy should be amended to set a lower threshold than the current policy and encourage further conversions where appropriate. A threshold of 100m² would better align with the Nationally Described Space Standards as suggested by the local planning authority. The reference to the size of a building "as originally built" should be better defined to provide clarity. Defining this as the size of the building as at 1948 would provide consistency with case law, as currently the policy excludes any later additions, regardless of when the building was extended. The policy wording of the extant Local Plan (2005) policy HO9 has caused issues of interpretation and been inconsistently applied across the city. These issues of interpretation would be replicated in the proposed policy. The phrase "suitable for family occupation" should be better defined. In the supporting text this states "(i.e 2 or 3 bedroom units)" but the actual policy wording states "suitable for family occupation and has a minimum of two bedrooms". It is not clear whether the requirement is simply (a) that the unit must provide two or more bedrooms (as has been the case on some applications), or (b) whether there are more specific requirements for family suitability (as has been the case on other applications) and this should be clarified.

Changes required

If retained the policy should be amended to set a lower threshold than the current policy and encourage further conversions where appropriate. A threshold of 100m² would better align with the Nationally Described Space Standards as suggested by the local planning authority. The reference to the size of a building "as originally built" should be better defined to provide clarity. Defining this as the size of the building as at 1948 would provide consistency with case law, as currently the policy excludes any later additions, regardless of when the building was extended. The policy wording of the extant Local Plan (2005) policy HO9 has caused issues of interpretation and been inconsistently applied across the city. These issues of interpretation would be replicated in the proposed policy. The phrase "suitable for family occupation" should be better defined. In the supporting text this states "(i.e 2 or 3 bedroom units)" but the actual policy wording states "suitable for family occupation and has a minimum of two bedrooms". It is not clear whether the requirement is simply (a) that the unit must provide two or more bedrooms (as has been the case on some applications), or (b) whether there are more specific requirements for family suitability (as has been the case on other applications) and this should be clarified.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM3
<u>Respondent Number / Rep Number</u>	256 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Brighton Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Agree

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM4
<u>Respondent Number / Rep Number</u>	88 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM4
<u>Respondent Number / Rep Number</u>	143 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Cohousing
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The City Plan 2 is not sound in its current form with regards to addressing loneliness in the city. As by 2014, of the 121,540 households in Brighton & Hove, 12 per cent (14,468 households) are occupied by people aged 65 years or more, who live alone in the city. In the version made available for consultation, the concept of loneliness is appearing a single time and in relation with student accommodation only. Loneliness is a phenomenon that affects all strata of population. The strategies identified in the plan to address it (as for example the provision in new developments for common areas, particularly for sharing meals as well alternative multipurpose public space) are appropriate but need to be made accessible to the wider population, particularly to aging people, people living with disability and single parents. SuCo backs the provision in CP20 Affordable Housing supporting councils provision of “an element of affordable housing for older persons” to alleviate a portion of the need for specialist housing and accommodation for older people” acting as a bridge to more specialised care, where needed.

Changes required

Intergenerational communities as community led housing developments can address loneliness in people at different stages of their lives and should be supported

by the planning process to achieve more positive results in this domain. We recommend the inclusion of cohousing as a tool to address these needs in ways that are inclusive and integrate the health and wellbeing challenges of Brighton and Hove's community. 'Integration' appears with regards to the need to ensure that accommodation and care are integrated. The London School of Economics and Bridport Cohousing in late 2019 emphasized the gains of cohousing to address ageing, health and social integration in The wider benefits of cohousing: The case of Bridport. In summary: 1. Providing affordable, mixed-tenure housing, including hospital key workers, adding to local housing supply 2. Offering amenities and facilities for the local community 3. Contributing to neighbourhood cohesion and civil society 4. Acting as a 'social laboratory' 5. Promoting environmental sustainability and contributing to climate resilience 6. Improving patterns of demand for public services; while reducing demand for social and healthcare services with members who care for each other. Some of these benefits derive from co-living, "defined as 'a form of housing that combines private living spaces with shared communal facilities.'..." which explicitly seeks to promote social contact and build community'. (Shafique, 2018). Co-living is considered an alternative to more traditional housing which facilitates social contact, shared activities and each other's daily lives through the living environment as the Cambridge Centre for Housing & Planning Research sum up. Like these, several other research pieces detail the value of cohousing and co-living available in the listing of Cohousing for older people The Housing Learning and Improvement Network (LIN) a network of housing, health and social care professionals in England, Wales, and Scotland to exemplify innovative housing solutions for an ageing population.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM4
<u>Respondent Number / Rep Number</u>	167 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton YIMBY
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support the commitment to provide appropriate housing services for the elderly.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM4
<u>Respondent Number / Rep Number</u>	171 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The council needs to build on the outskirts of the city and this will create difficulties in meeting DM4 a) because many places will need to be outside of main amenities., such as shops. The policy must have regard of this eventuality. There is also a concern over how the council views or understands housing need for older people, as there is a need to provide independent living opportunities on new sites.

Changes required

b) is accessible to public transport, shops, services, community facilities, and social networks appropriate to the needs of the intended occupiers, unless it can be proved that the scheme is able to meet residents needs; 2.26 The council has commissioned an Older People's Housing Needs Assessment²³ which included detailed analysis of the accommodation and support needs of older people in Brighton & Hove and involved local consultation with older people about their preferences for housing and care. The study also considered the supply of specialist housing and housing support for older people in terms of its suitability in relation to older people's needs, and assessed the projected future need/demand for specialist accommodation for older people. This must be updated to secure

greater focus on independent living needs.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

The housing needs assessments must do more to understand how independent living can support more people to make that choice but within tailored developments in new places.

<u>Policy</u>	DM4
<u>Respondent Number / Rep Number</u>	213 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Hove Civic Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

In 2018 Hove Civic Society made extensive representations at the draft stage to the City Plan Part 2. We supported a number of the policies and made suggestions for improvements in a number of other areas. We are pleased that those policies we supported remain and in some cases have been strengthened. In particular we refer to policies DM1 and the inclusion of the national space standards, DM4, DM19, DM44 and DM46.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM4
<u>Respondent Number / Rep Number</u>	216 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Food Partnership
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We welcome the inclusion of food growing in older people's accommodation in DM4 (e).

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We would be happy to participate in the Inspector's hearing to make these points

<u>Policy</u>	DM4	
<u>Respondent Number / Rep Number</u>	221	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Inspired Villages	
<u>Respondent Type</u>	landowner / developer	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Policy DM4 'Housing and Accommodation for Older Persons' seeks to ensure a sufficient supply and range of housing and accommodation suitable or older people. It is positive that Brighton and Hove City Council have acknowledged, at Paragraph 2.28, the benefits that specialist housing for older people can bring to individuals and their families, as well as to the NHS and wider housing market through releasing family accommodation. This reflects Recommendation Seven in the attached document, which highlights the significant benefits associated with specialist housing for older people including a reduced demand upon health and social care, employment generation and lower traffic generation than traditional residential developments. Further, Recommendation 2 in the attached document advises that a robust evidence base is used to identify the housing requirements of specialist housing for older persons. The Housing Needs Assessment undertaken by Housing LIN, identifies a sets a future demand for private sector retirement housing at 649 units to 2030 at Paragraph 2.29 of the CPP2. Demographic projections indicate there will be 68,100 people aged 60 and over living in the City by 2030, therefore the cumulative target for private sector retirement housing reflects less than 1% of this anticipated population group. We would advise these targets are adjusted to reflect a proportionate approach with respect to demographic projections and housing need. Finally, Paragraph 2.36 identifies Use Classes for planning purposes of different types. Here, the CPP2 states that age restricted

housing will fall under Use Class C3, with just nursing homes to be included solely within Use Class C2. We write to request that Brighton and Hove City Council fully understands that a Retirement Community (extra care) falls squarely within the C2 Use Class. A retirement community differs from a C3 Use dwelling house, for example, a typical Inspired Villages retirement community provides approximately 25% of its floorspace as nonsaleable space comprising the communal and care facilities available to its residents. Please refer to paragraph 2.14 of the attached document for full justification of the above determination.

Changes required

We request that you review the eight recommendations in the attached document and request that Policy DM4 is updated to reflect the recommendations within.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM4
<u>Respondent Number / Rep Number</u>	241 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Lewis & Co Planning
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Policy DM4 – Housing and Accommodation for Older Persons
 In the previous consultation we suggested that this policy should be split into two different policies; one for new development, one resisting the loss of existing accommodation. The first three paragraphs should form the first policy and the last two paragraphs should form the second policy. The Council's response is that this would add unnecessarily to the number of policies in the Plan. There is no clear reason for reducing the number of policies and we still consider that splitting the policy would provide a useful distinction between the two aspects of the policy that will never overlap on the same application.

Changes required

we still consider that splitting the policy would provide a useful distinction between the two aspects of the policy that will never overlap on the same application

<u>Participate at the hearing session(s)?</u>	No, I do not wish to participate in hearing session(s)
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<u>Policy</u>	DM4	
<u>Respondent Number / Rep Number</u>	256	4
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	The Brighton Society	
<u>Respondent Type</u>	Civic & Amenity	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Agree, but Add to the list a-g the desirability of older people remaining within the same neighbourhood should they move to smaller or more specialised accommodation (eg sheltered housing or care homes). Older people and those with mobility problems also need to be located at or near ground floor levels. These considerations imply that potential sites for such developments should be specifically identified on a neighbourhood basis, or a proportion of housing suitable for the elderly should be identified within larger housing developments within those neighbourhoods, in order to meet the need. Given the 41% increase in the numbers of older people this is a critical housing requirement which needs to be set out more clearly. 2.29 Are there enough incentives within the City Plan to make it attractive to developers to provide housing for older persons? Why would they do that when they could probably make more money providing 2-bed flats on the upper levels of tall buildings for young professionals? 2.31 What would the age restriction referred to in this paragraph be? Regarding the communal meeting lounge, this needs to be a requirement for clusters over a certain size, say more than 10 dwellings.

Changes required

Add to the list a-g the desirability of older people remaining within the same neighbourhood should they move to smaller or more specialised accommodation (eg sheltered housing or care homes). Older people and those with mobility problems also need to be located at or near ground floor levels. These considerations imply that potential sites for such developments should be specifically identified on a neighbourhood basis, or a proportion of housing suitable for the elderly should be identified within larger housing developments within those neighbourhoods, in order to meet the need. Given the 41% increase in the numbers of older people this is a critical housing requirement which needs to be set out more clearly. 2.31 What would the age restriction referred to in this paragraph be? Regarding the communal meeting lounge, this needs to be a requirement for clusters over a certain size, say more than 10 dwellings

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM4
<u>Respondent Number / Rep Number</u>	258 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

2.29 (OLDER PERSONS HOUSING NEEDS ASSESSMENT)The Council should further consider changes in demographics; the availability/closure of care homes; the need to provide independent supported accommodation; and the demand for sheltered and warden-assisted homes, including flats. It might be the case that the current assessment of needs is an underestimate.The Council should consider directly investing in some housing for older people and the Developers of Sheltered Homes and Warden Assisted Flats should provide at least 20% of their units as “social rented” accommodation to help meet the increasing needs of our City.(Justification: Meeting growing Housing, Health and Care needs. Helping to reduce the number of hospital and nursing home beds required for older/vulnerable groups)

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM5
<u>Respondent Number / Rep Number</u>	88 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM5
<u>Respondent Number / Rep Number</u>	143 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Cohousing
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Policies DM4 and 5 identify needs of these two categories (eg. nursing facilities, carers' accommodation) are not sound as they fail to put forward a sound policy of integration, whereby concrete steps are made to address the risk of isolation of both categories. The tool of co-housing may contribute to address these needs in a way that is inclusive and reinforcing the tissue of society. 'Integration' appears with regards to the need to ensure that accommodation and care are integrated, but this refers to carers only. The a sound policy of integration of people with different needs should be focused on the integration of all specific need in the fabric of society, in all areas of the city.

Changes required

We recommend the inclusion of cohousing as a tool to address these needs in ways that are inclusive and integrate the health and wellbeing challenges of Brighton and Hove's community. 'Integration' appears with regards to the need to ensure that accommodation and care are integrated. The London School of Economics and Bridport Cohousing in late 2019 emphasized the gains of cohousing to address ageing, health and social integration in The wider benefits of cohousing: The case

of Bridport. In summary:1.Providing affordable, mixed-tenure housing, including hospital key workers, adding to local housing supply2.Offering amenities and facilities for the local community3.Contributing to neighbourhood cohesion and civil society4.Acting as a 'social laboratory' 5.Promoting environmental sustainability and contributing to climate resilience6.Improving patterns of demand for public services; while reducing demand for social and healthcare services with members who care for each other.Some of these benefits derive from co-living, "defined as 'a form of housing that combines private living spaces with shared communal facilities.'"..." which explicitly seeks to promote social contact and build community'.(Shafique, 2018). Co-living is considered an alternative to more traditional housing which facilitates social contact, shared activities and each other's daily lives through the living environment as the Cambridge Centre for Housing & Planning Research sum up. Like these, several other research pieces detail the value of cohousing and co-living available in the listing of Cohousing for older people The Housing Learning and Improvement Network (LIN) a network of housing, health and social care professionals in England, Wales, and Scotland to exemplify innovative housing solutions for an ageing population.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM5
<u>Respondent Number / Rep Number</u>	167 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton YIMBY
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support the intention to provide accommodation for those with Specialist and Vulnerable needs.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM5
<u>Respondent Number / Rep Number</u>	214 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support this policy.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM5
<u>Respondent Number / Rep Number</u>	216 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Food Partnership
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Noting the multiple policies relating to food growing in City Plan, Part 1, the recent adoption of the revised PAN on incorporating food growing in development and the incorporation of food growing and food access we feel that this area has been overlooked in the DM policies in city plan part 2. Given the centrality of food in carbon reduction, with the IPCC & UK parliament Audit committee findings that food contributes up to 30% of carbon foot print, along with Brighton & Hove City Council's climate emergency declaration and commitment to become the first Gold Sustainable city in the UK, we urge that in order to meet the test of soundness and compatibility with sustainable development the role of food growing has to be part of these policies in order to meet the test. We welcome the inclusion of food growing in older people's accommodation in DM4 (e) and would suggest this should be added to other types of accommodation in this section. In short, as Brighton and Hove City Council have already accepted the principle that food is 30% of carbon footprint, and implemented planning policy as a response, if this area is not addressed alongside transport an energy then the plan as a whole cannot be considered to meet the test of soundness wrt sustainable development.

Changes required

We welcome the inclusion of food growing in older people's accommodation in DM4 (e) and would suggest this should be added to other types of accommodation in this section.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We would be happy to participate in the Inspector's hearing to make these points.

<u>Policy</u>	DM5
<u>Respondent Number / Rep Number</u>	241 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Lewis & Co Planning
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Policy DM5 – Supported Accommodation (Specialist and Vulnerable Needs)The policy contains two lists of criteria with the same lettered references and this should be altered to avoid confusion. The addition of numbered paragraphs (as shown at Policy DM6) would address this issue.The first paragraph could be deleted or moved to supporting text. Criterion (d) provides little planning benefit and could be removed from the policy – in some cases specialist accommodation cannot also be inclusive as it can be designed with specific end users in mind.

Changes required

The policy contains two lists of criteria with the same lettered references and this should be altered to avoid confusion. The addition of numbered paragraphs (as shown at Policy DM6) would address this issue.The first paragraph could be deleted or moved to supporting text. Criterion (d) provides little planning benefit and could be removed from the policy – in some cases specialist accommodation cannot also be inclusive as it can be designed with specific end users in mind.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM5
<u>Respondent Number / Rep Number</u>	256 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Brighton Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Agree

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM5
<u>Respondent Number / Rep Number</u>	258 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

2.37 should include Rehabilitation Units for people with drug and/or alcohol related issues, which might be provided through Charitable, Voluntary Organisations and Housing Associations. Specialist Supported Accommodation should also be provided for victims of Domestic Abuse. (Justification: meeting the housing needs of disadvantaged groups)

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM6
<u>Respondent Number / Rep Number</u>	88 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM6
<u>Respondent Number / Rep Number</u>	167 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton YIMBY
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM6
<u>Respondent Number / Rep Number</u>	214 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support this policy.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM6
<u>Respondent Number / Rep Number</u>	216 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Food Partnership
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Noting the multiple policies relating to food growing in City Plan, Part 1, the recent adoption of the revised PAN on incorporating food growing in development and the incorporation of food growing and food access we feel that this area has been overlooked in the DM policies in city plan part 2. Given the centrality of food in carbon reduction, with the IPCC & UK parliament Audit committee findings that food contributes up to 30% of carbon foot print, along with Brighton & Hove City Council's climate emergency declaration and commitment to become the first Gold Sustainable city in the UK, we urge that in order to meet the test of soundness and compatibility with sustainable development the role of food growing has to be part of these policies in order to meet the test. We welcome the inclusion of food growing in older people's accommodation in DM4 (e) and would suggest this should be added to other types of accommodation in this section. In short, as Brighton and Hove City Council have already accepted the principle that food is 30% of carbon footprint, and implemented planning policy as a response, if this area is not addressed alongside transport an energy then the plan as a whole cannot be considered to meet the test of soundness wrt sustainable development.

Changes required

We welcome the inclusion of food growing in older people's accommodation in DM4 (e) and would suggest this should be added to other types of accommodation in this section.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We would be happy to participate in the Inspector's hearing to make these points.

<u>Policy</u>	DM6
<u>Respondent Number / Rep Number</u>	241 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Lewis & Co Planning
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Policy DM6 – Build to Rent Housing
 The policy could be significantly improved and simplified. Criterion 1(a) adds nothing to existing adopted policies and can be removed. The Criterion 1(b) requirement for dwellings to be self-contained and separately let is an unnecessary requirement that provides no obvious benefit and the latter requirement would be difficult to control through the planning system. The requirement for on-site management under criterion 1(e) is excessive and would likely make small schemes unviable or unaffordable. Although the Council have stated elsewhere that this is not seeking to require a permanent onsite management presence, this is not clear in the policy and will likely lead to issues of interpretation. There is no viability work that shows this to be an appropriate requirement. In addition, the requirement for ‘professional’ management is vague and undefined. The requirement under criterion 1(f) for tenancies of at least 3 years cannot be a planning requirement. Criteria 1(g) simply references another policy and is not necessary.

Changes required

Criterion 1(a) adds nothing to existing adopted policies and can be removed. The Criterion 1(b) requirement for dwellings to be self-contained and separately let

is an unnecessary requirement that provides no obvious benefit and the latter requirement would be difficult to control through the planning system. The requirement for on-site management under criterion 1(e) is excessive and would likely make small schemes unviable or unaffordable. Although the Council have stated elsewhere that this is not seeking to require a permanent onsite management presence, this is not clear in the policy and will likely lead to issues of interpretation. There is no viability work that shows this to be an appropriate requirement. In addition, the requirement for 'professional' management is vague and undefined. The requirement under criterion 1(f) for tenancies of at least 3 years cannot be a planning requirement.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM6
<u>Respondent Number / Rep Number</u>	243 2
<u>Name</u>	(Lichfields)
<u>Email</u>	
<u>Organisation/individual</u>	X-Leisure (Brighton II) Ltd and Landsec
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The recognition of the potential for build to rent housing to improve housing choice and make a positive contribution to sustainable communities is supported in principle. In addition, the removal of the criterion seeking to resist the overconcentration of build to rent accommodation is welcomed. Some Strategic Allocations may be suitable for build to rent homes and it would be unduly restrictive to limit the contribution that this tenure can make to meeting housing need. The removal of this criterion is therefore considered justified. Criterion d) 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. The NPPF definition of Build to Rent states that such schemes will 'typically' be professionally managed stock in single ownership and management control indicating that not all schemes will be under single ownership. Accordingly, flexibility should be incorporated into the policy wording to be consistent with national policy. Criterion f) seeks that the development offer tenancies of at least 3 years available to all tenants with defined in-tenancy rent reviews. We welcome the clarification added at supporting text paragraph

2.48 that shorter tenancies should also be made available where tenants want these. It is considered that the policy wording should be updated to acknowledge this flexibility. We note that Part 2(a) of the policy has been amended to seek up to 20% affordable housing at genuinely affordable levels to be agreed with the Council and taking account of the overall viability of the development. This approach is supported and recognises that the viability of build to rent schemes different from traditional residential and must be considered on a site-by-site basis. Footnote 29 referred to in the policy explains that affordable rents will generally be set no higher than the Local Housing Allowance Housing Benefit limit; however there is no further information on this limit. Supporting text paragraph 2.50 provides further detail on this noting that the Brighton & Hove Build to Rent Study 2019 indicates that build to rent schemes in the city are capable of supporting up to 20% affordable units provided at discounted rents at least 20% below equivalent local market rents. It is considered that this reference to discounted rent at 20% below market level should be incorporated into the policy wording to provide clarity to developers and to be consistent with the National Planning Policy Framework which defines affordable housing for rent as at least 20% below local market rents.

Changes required

Part 1(d) should be amended to: "each build to rent building will be under common management." Part 1 (f) should be amended to: "the development will offer tenancies of at least 3 years available to all tenants, with defined in-tenancy rent reviews, and shorter tenancies should be made available where requested by tenants." It is considered that part 2(a) should be amended to: "provision of up to 20% affordable housing at genuinely affordable rents at least 20% below local market level to be agreed with the Council, taking account of the overall viability of the proposed development and subject to consideration of criteria i. to v. in Policy CP20."

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

Build to Rent housing could form a significant part of a scheme at Brighton Marina. As a key stakeholder in the Brighton Marina site allocation, it is important that X-Leisure (Brighton II) Ltd and Landsec has the opportunity to participate in discussions regarding this policy at the examination to ensure there is sufficient flexibility so not to inadvertently constrain development.

<u>Policy</u>	DM6
<u>Respondent Number / Rep Number</u>	246 2
<u>Name</u>	(Montagu Evans LLP)
<u>Email</u>	
<u>Organisation/individual</u>	Aberdeen Standard Investments
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The CPP2 proposes a specific policy, Policy DM6 Build to Rent Housing, detailing the considerations proposals incorporating a Built to Rent ("BTR") element will be assessed against. ASI welcomes the inclusion of a specific policy on BTR and the resultant clarity this provides applicants. ASI is exploring the potential for a mixed use scheme at the Churchill Square which could, following discussion with the Council, incorporate an element of BTR. ASI is of the opinion that incorporating some BTR as part of a wider mixed use scheme would be beneficial to bring forward on the Churchill Square site for a range of reasons. Aside from the clear benefits of providing additional housing in Brighton and Hove, where a five year housing supply can't be achieved, ASI as landowner of the Churchill Square Site does not face land assembly issues. Successful BTR developments also benefit from the synergies of complementary facilities which a redeveloped Churchill Square would provide and which are particularly attractive to BTR tenants who also tend to prefer highly accessible locations. Finally, ASI's recent experience of reviewing the opportunities for change in its shopping centre assets is that when considering residential typologies, the BTR model is consistent with the long term management and ownership of town centre uses at lower levels, whereas the sale of residential has the potential to inhibit opportunities for future redevelopment of important town centre sites such as this. As with all development plan policies, Policy DM6 Build to Rent Housing should be evidence led. The Build to Rent Study (2019)

concludes that there are genuine viability challenges of providing affordable housing within BTR schemes and advises that "affordability and viability are likely to be difficult to match-up and it may be that the affordable element of BTR will need to be viewed as fulfilling a different role in the overall provision of choice within the local housing market offer as a whole". Policy DM6, in part, accommodates for these viability challenges in criterion 2(a) "provision of up to 20% affordable housing at genuinely affordable rents to be agreed with the council²⁹, taking account of the overall viability of the proposed development". However, footnote 29 notes that affordable rents will generally be required to be "set no higher than the Local Housing Allowance (LHA) Housing Benefit limit".

Changes required

ASI is of the opinion that for the policy to be consistent with national planning policy on BTR and in line with the conclusions of the Build to Rent Study footnote 29 should be omitted and affordable rent should be clarified as Affordable Private Rent as defined in national policy. Affordable Private Rent being at least 20% less than the private market rent for the same or equivalent property. Currently, footnote 29 is at odds with the NPPF and PPG, isn't supported by the evidence within the Built to Rent Study and doesn't positively recognise or support the range of affordable rent that could be offered through a BTR scheme, up to the 20% ceiling in Policy DM6.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM6
<u>Respondent Number / Rep Number</u>	256 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Brighton Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Agree, but Para 2.44 Open spaces omitted. Why? As the densities of housing and additional people living within the city increase, the demands on public open space will become even more critical. More funding from Section 106 and/or CIL funds is desperately required. Para 2.48 The policy seeks to ensure that developments offer longer term tenancies of at least 3 years to all tenants whether paying market or affordable rent Should be a minimum of 3 years, not at least 3 years. Para 2.5 The study demonstrates that, subject to the variables tested, build to rent schemes in the city are capable of supporting up to 20% affordable units provided at discounted rents at least 20% below equivalent local market rents. However, greater levels of discount would be required to deliver units that are genuinely affordable to most of those eligible to join the council's housing register, Therefore in negotiating the affordable element of build to rent schemes, the council will consider the trade-off between the number of affordable units to be provided and the level of affordable discount that may be achieved. Does this mean that however hard the Council tries with a 'trade-off' the amount of affordable units will be reduced? Looks like it. Management issues. Increasingly developers are claiming that they cannot find anyone to manage affordable housing within developments and use commuted payments instead. This process needs to be clarified, including details of how such funds are to be spent on providing the numbers of affordable dwellings the commitment to which the developer has

avoided. This sum should include the additional market value of the extra units released by the relaxation of the obligation.

Changes required

Para 2.48 The policy seeks to ensure that developments offer longer term tenancies of at least 3 years to all tenants whether paying market or affordable rent
Should be a minimum of 3 years, not at least 3 years.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM6
<u>Respondent Number / Rep Number</u>	258 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

2.a) There should be provision of a minimum of 20% affordable social rented housing, with tenancies open to people for application from the Council's Housing Waiting List as part of "Build to Rent" housing developments. (Justification: Lack of Affordable Homes; Lack of available land for housing)

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM7	
<u>Respondent Number / Rep Number</u>	10	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	St. Luke's Residents' Association	
<u>Respondent Type</u>	Civic & Amenity	
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak It seems to residents as if their concerns about HMOs and studentification are not being listened to .

<u>Policy</u>	DM7
<u>Respondent Number / Rep Number</u>	88 7
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM7
<u>Respondent Number / Rep Number</u>	107 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM7
<u>Respondent Number / Rep Number</u>	167 7
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton YIMBY
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

This policy is unreasonable and has a discriminatory equalities impact. HMOs are generally populated by younger citizens, members of ethnic minorities and other protected groups such as those with disabilities, and citizens on lower incomes, as the document itself, admits (paragraph 2.61). Putting unsubstantiated allegations of 'negative impacts on local communities' and a 'breakdown of community cohesion' is irresponsible and endorses exclusionary rhetoric. There is no or at best insufficient evidence to justify this policy provided. If people are unable to afford full properties due to our cities housing shortage then they should not be penalised for doing so. Attempting to ban HMOs beyond one-fifth of the total housing stock in an area is tantamount to banning underprivileged and protected groups and those of lower incomes from large swathes of the city. The framework for 'regulating' the proliferation of HMOs is therefore unacceptable, discriminatory and a waste of the Council's resources and time.

Changes required

Policies to approve HMO conversions only if: 2a) fewer than 20% of dwellings in the wider neighbourhood area are already in use as HMOs;2b) the proposal

does not result in a non-HMO dwelling being sandwiched between two existing HMOs in a continuous frontage;2c) the proposal does not lead to a continuous frontage of three or more HMOs should be deleted. Paragraphs 2.57, 2.58, 2.59 should be deleted due to their unsubstantiated claims regarding HMOs, their discriminatory impact and their endorsement of exclusionary rhetoric. Paragraphs 2.61, 2.62 should be deleted due to their explicit desire to discriminate against the residents of HMO's compared to those who are able to afford family homes. Once again the rhetoric of 'over-concentration' and 'negative effects' of HMO's are highly inappropriate. The regulatory framework for regulating HMO's in paragraph 2.63 to 2.67 should also, therefore, be deleted as it is an unjustified use of council resources for discriminatory purposes.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

The policies concerning HMOs in our city are being perpetuated due to the unrepresentative demands of wealthier homeowners who wish to exclude the ethnic minorities, those with disabilities and mental health issues, the poor and young from their neighbourhoods. Regrettably, those who live in HMO's are often unable to engage in the planning process due to a lack of time and resources. As an organisation that represents younger renters, we implore that our voices be heard in this debate as well. People of all incomes deserve the opportunity to live in our city.

<u>Policy</u>	DM7
<u>Respondent Number / Rep Number</u>	214 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

CPP1 Policy CP21 already applies a restriction to the provision of new HMOs across the city. This has been an effective policy tool and has stopped the increase of localised concentration of HMOs. We are not aware of any study which has fully assessed the impacts of Policy CP21 since its adoption in 2016, and therefore we cannot see a valid evidence base for applying further restrictions in addition to those set out in Policy CP21. We therefore object to the additional restrictions set out in Policy DM7. As acknowledged in the policy, HMO's meet an important housing need in the city, for professionals and students alike, due to the costs associated with rental or purchase of self-contained dwellings in the city. Therefore, it does not benefit the City to make the provision of new HMOs in the city over-complicated. The existing Policy CP21 already creates significant uncertainty for developers as they cannot, without submitting a formal pre-application enquiry with an associated fee and a 28- day timescale, obtain definitive advice as to whether the LPA considers that there are more than 10% of properties in HMO use within a 50m radius of a particular property. This mapping exercise is conducted manually which results in inaccuracies and inconsistencies. The new restrictions add further complication and uncertainty. The proposal to look at contiguous output areas in particular makes proposals for new HMO's extremely complicated, with 625-875 properties requiring assessment as to whether they are subdivided into self-contained units of accommodation, and whether the LPA has evidence of HMO

use, to calculate the percentage of HMOs and ascertain whether this is more than 20%. This level of work is beyond what can reasonably be expected from a small-scale developer/property owner, and would also create an unworkable burden for LPA Planning Officers unless the work involved is automated. This new restriction is largely unworkable in practice. There does not appear to be any suggestion that the mapping exercise will be automated. Notwithstanding, there appears to be no evidence to suggest that the current restrictions set out in CPP1 Policy CP21 have not been effective. We therefore strongly object to the super-output area approach as it is overly restrictive and unnecessary. The LPA should urgently look at an automated process where prospective property purchasers / developers can determine whether a particular property meets or fails the tests set out in Policy CP21, and those in Policy DM7 (if adopted). Without this, Policy DM7 will stifle the supply of HMOs in the city and hold back the provision of a type of housing which the policy is an important element of the City's housing supply. Put simply, the proposed policy DM7 will worsen the situation for the City's housing supply and therefore the City would be better served by retaining Policy CP21 and omitting Policy DM7 from CPP2. Restrictions (b) and (c) are very simplistic, are not evidence based, and appear to be based upon the assumption that all HMO properties are likely to cause disturbance of some kind. This is not the case as many HMOs operate without causing any nuisance to neighbours. There is no evidence linking anti-social behaviour to HMOs. Restriction (c) will in practice work directly against the objectives of restriction (b). If there is an existing situation where there is a non-HMO dwelling 'sandwiched' between two existing HMO's, a situation which the LPA considers problematic as per restriction (b), an obvious solution to this perceived problem is the conversion of the central property to a HMO. This solution is however blocked by restriction (c), leaving the non-HMO property permanently 'sandwiched' between the two HMOs. This is nonsensical; one part of the policy would work directly against another part of it. In summary, the proposed policy is clearly overly restrictive and is not evidence based. Restriction (a) is overly restrictive and close to unworkable without significantly improved automated systems which are open to the public. It is not plausible that such systems will be made available by the LPA. Restrictions (b) and (c) are overly restrictive, work against each other, and are not evidence based; they appear to be based upon the assumption that all HMO occupants will cause neighbours disturbance. We support criteria (d) and (e) as we acknowledge the importance of delivering a good standard of amenity for HMO residents. Overall we object to this policy as it is overly complicated in conjunction with the already-adopted restrictions set out in CPP1 Policy CP21. The policy will not be effective, as it will stifle the provision of HMO accommodation and will be extremely time-intensive to implement, without due justification of its requirement. The policy is therefore unsound.

Changes required

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM7
<u>Respondent Number / Rep Number</u>	216 7
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Food Partnership
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Noting the multiple policies relating to food growing in City Plan, Part 1, the recent adoption of the revised PAN on incorporating food growing in development and the incorporation of food growing and food access we feel that this area has been overlooked in the DM policies in city plan part 2. Given the centrality of food in carbon reduction, with the IPCC & UK parliament Audit committee findings that food contributes up to 30% of carbon foot print, along with Brighton & Hove City Council's climate emergency declaration and commitment to become the first Gold Sustainable city in the UK, we urge that in order to meet the test of soundness and compatibility with sustainable development the role of food growing has to be part of these policies in order to meet the test. We welcome the inclusion of food growing in older people's accommodation in DM4 (e) and would suggest this should be added to other types of accommodation in this section. In short, as Brighton and Hove City Council have already accepted the principle that food is 30% of carbon footprint, and implemented planning policy as a response, if this area is not addressed alongside transport an energy then the plan as a whole cannot be considered to meet the test of soundness wrt sustainable development.

Changes required

We welcome the inclusion of food growing in older people's accommodation in DM4 (e) and would suggest this should be added to other types of accommodation in this section.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We would be happy to participate in the Inspector's hearing to make these points.

<u>Policy</u>	DM7
<u>Respondent Number / Rep Number</u>	241 7
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Lewis & Co Planning
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Policy DM7 – Houses in Multiple Occupation (HMOs)As set out in our comments under Policy DM2, the draft City Plan – Part Two has the effect of supporting changes of use from C4 to C3 (currently permitted development) but preventing/further restricting changes of use from C3 to C4 (currently controlled by a citywide Article 4 direction). This will have the effect, over time, of reducing the range of housing available to residents and would disproportionately affect specific groups of residents.No justification or evidence has been provided to justify this policy approach that could result in a shortage of housing for sharers (in particular non-student sharers as the City Plan provides for new purpose-built student accommodation). As set out above, age is a protected characteristic under the Equality Act and the 18-35 year old demographic are treated materially differently from other groups in the housing sector. There is therefore a requirement within this demographic for the retention of good quality shared accommodation and the provision of new homes of this type in parallel with the provision of other housing types. We do not consider that the current City Plan – Part Two would meet the tests of soundness on this basis.As per the Authority Monitoring Reports published by the Council “The city has a high number of HMOs, which have increased from 8.2% to 10.9% of all properties between 2001 and 2011”. As the Council’s current policy approach (Under CP21 of the City Plan – Part One) is to refuse applications in areas with over 10% concentration of HMOs this planning

policy approach will clearly already restrict the provision of newer HMO units within the city. Combined with a chronic undersupply of housing (and a housing requirement significantly below the identified need for the city), this policy approach will significantly constrain the provision of new shared housing across the city and will force young professionals out of the city. The City Plan makes some (limited) provision for new purpose built-student housing but does nothing to protect the existing housing supply of HMOs for sharers who choose to live in shared accommodation or cannot afford to buy their own properties. The implication of the Council's policies in this regard (combined with their aggressive approach to enforcement against existing and sometimes long-term HMO accommodation) is that certain groups within the city will be unfairly disadvantaged, with delivery falling disproportionately short of demand and increasing unaffordability for individuals in this age group. The socio-economic impacts of this are obvious and young adults will become 'priced out' of the city over time, with knockon effects for the city's workforce. Young adults across the city will be disproportionately affected by the inevitable adverse impacts from the continual undersupply of housing (the City Plan – Part One Inspector highlighted that the housing strategy results in “a very significant shortfall which has important implications for the social dimension of sustainable development”). These include being priced out of the market, subjected to significant rent increases that are not matched in commensurate salary increases and the inevitable impacts on quality of life that would arise as a result. Article 14 of the Human Rights Act requires that all of the rights and freedoms must be protected and applied without discrimination. This policy approach would disproportionately impact upon certain age groups without any valid justification given. The Council already have an adopted policy that limits the expansion of HMO accommodation in unsuitable areas (City Plan – Part One Policy CP21). The proposed policy approach would introduce even more onerous requirements with no valid justification or evidence that the existing policy provision is failing. The City Plan – Part One Inspector concluded that the Plan struck “an acceptable balance between the need for student accommodation and general housing needs” and we do not consider that this position has changed since the adoption of the City Plan – Part One. The need for additional restrictions through a further HMO policy has therefore not been justified. The additional requirements within DM7 are complex and members of the public would not be able to navigate or understand its requirements. The system of assessing the “wider neighbourhood area” requires applicants to identify the active and lawful use of (according to the supporting text) 625 to 875 houses surrounding their property and this cannot be considered to be an appropriate requirement for applicants. No information is given to set out to applicants where they can find the information required to understand the requirements of the policy, nor are its excessive requirements justified in any form. The policy also represents a missed opportunity for the Council to set out clearly their standards for HMOs and the standard of accommodation expected. Recent planning decisions have demonstrated that the Council's planning team seeks to apply standards in excess of those set out in the HMO licensing standards adopted by the Council, but they have not published any clear planning standards. This should be a priority in the City Plan – Part Two to provide certainty for applicants and ensure good standards of accommodation within HMOs across the city. Currently there is inconsistency with the way HMO proposals are assessed. In particular, the level of communal space considered appropriate for different levels of occupation varies from officer to officer in the absence of any published planning standards. The specific standards outlined at paragraph 2.69 should form part of the policy (not supporting text) as they provide clear direction for decision-makers and applicants. Private sector licensing standards and planning requirements should be aligned to provide clarity and consistency. We are not clear what the planning benefits of avoiding a continuous frontage of HMOs are considered to be (criterion (c)). The co-location of similar uses is likely preferable in amenity terms. Criterion (d) cross-references Policy DM1, but the Nationally Described Space Standards do not provide minimum space standards for dwellings with single occupancy-only rooms throughout and therefore it is not clear how these standards would be applied to HMO accommodation.

Changes required

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM7
<u>Respondent Number / Rep Number</u>	256 7
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Brighton Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Agree, but Para 2.65 states that the 20% level is considered appropriate for assessing wider neighbourhood areas with indirect impacts that affect the character of communities (for example a decreasing demand for local schools and changes in types of retail provision) rather than the specific impacts on individual properties that the existing other criteria in this policy and CP21 are intended to address. Unfortunately this consideration is too late. Where there is a decreasing demand for local schools and loss of local shops it is simply because certain areas of the city are now devoid of local families who have moved away, owing to the increase of HMOs

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM7
<u>Respondent Number / Rep Number</u>	258 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

2.67 This should include a minimum bedroom size in addition to the provision of facilities for a single Person or Couple.(Justification: Space; Quality of Life; Reduce Overcrowding)

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM8
<u>Respondent Number / Rep Number</u>	160 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Cycling UK (Local Representative for Brighton and Hove)
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Add: "or communal or individual indoor storage for cycles"2.77 ... In order to reduce the impact on neighbouring streets, management arrangements will be expected to ensure that occupants do not keepcars in Brighton & Hove. Exceptions may apply in the case of disabled students.Other measures to support sustainable transport use such as discounted bus ticketsand cycle loans should also be provided.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM8
<u>Respondent Number / Rep Number</u>	258 7
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

* The University Authorities should be asked to notify the Council's Housing and Planning Departments about any proposals to expand the number of students who are studying with them and the likely numbers needing accommodation. * Appropriate Facilities should be provided for the storage and removal of rubbish and recycling within all student accommodation.(Justification: Planning; Quality of Life; Improving Recycling)

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM8
<u>Respondent Number / Rep Number</u>	241 8
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Lewis & Co Planning
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

DM8 – Purpose Built Student Accommodation This policy should identify the specific standards considered acceptable by the Council (particularly in relation to criteria (b), (c) and (d)), as it currently provides no benefit to the decision-making process (with residential amenity already addressed through other policies). The requirement for a predominance of cluster units is not well justified and this should be left to market trends. Cluster units may become less popular in the wake of the Covid-19 pandemic and the policy should allow for this. The policy already requires the provision of a suitability sized ‘hub space’ commensurate to the number of studio units and therefore this would still allow for social interaction without requiring cluster units. The requirement of criterion (f) to “ensure occupants do not keep cars in Brighton & Hove” is unachievable, unjustified and excessive.

Changes required

<u>Participate at the hearing session(s)?</u>	No, I do not wish to participate in hearing session(s)
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<u>Policy</u>	DM8
<u>Respondent Number / Rep Number</u>	216 8
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Food Partnership
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Noting the multiple policies relating to food growing in City Plan, Part 1, the recent adoption of the revised PAN on incorporating food growing in development and the incorporation of food growing and food access we feel that this area has been overlooked in the DM policies in city plan part 2. Given the centrality of food in carbon reduction, with the IPCC & UK parliament Audit committee findings that food contributes up to 30% of carbon foot print, along with Brighton & Hove City Council's climate emergency declaration and commitment to become the first Gold Sustainable city in the UK, we urge that in order to meet the test of soundness and compatibility with sustainable development the role of food growing has to be part of these policies in order to meet the test. We welcome the inclusion of food growing in older people's accommodation in DM4 (e) and would suggest this should be added to other types of accommodation in this section. In short, as Brighton and Hove City Council have already accepted the principle that food is 30% of carbon footprint, and implemented planning policy as a response, if this area is not addressed alongside transport an energy then the plan as a whole cannot be considered to meet the test of soundness wrt sustainable development.

Changes required

We welcome the inclusion of food growing in older people's accommodation in DM4 (e) and would suggest this should be added to other types of accommodation in this section.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We would be happy to participate in the Inspector's hearing to make these points.

<u>Policy</u>	DM8
<u>Respondent Number / Rep Number</u>	171 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The plan must recognise a need to build closer to the Universities, so that family housing is not lost to students and lower emissions for travel are sustained at source.

Changes required

DM8If the above criteria (a to g) can be met and the accommodation is within one mile of the University campus, a streamlined planning permission in line with a Local Development Order (LDO) will be granted.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM8
<u>Respondent Number / Rep Number</u>	159 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	n/a
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

-

Changes required

I believe the council should not approve any more student accommodation. If the student developments in Lewes Road were instead properties for permanent resident the housing problem could be solved very quickly. Student accommodation is a breeding ground for viruses as it involves shared accommodation and access. Student accommodation is inefficient as it is only used for part of the year, it would be better to provide accommodation for permanent residents.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

-

<u>Policy</u>	DM8
<u>Respondent Number / Rep Number</u>	256 8
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Brighton Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Agree, but Para 2.73 states: Pelham Street remains undeveloped and without an extant permission but is still considered as one of the five sites for new development. It should be noted that Pelham Street has approval for residential use (see BH2020/00550). Should Pelham Street be removed from the list of five sites? Additionally, could conditions be implemented that students in PBSA stay for three years while at university, bearing in mind the facilities provided? It is common for students to stay in PBSA in some areas, such as York.

Changes required

It should be noted that Pelham Street has approval for residential use (see BH2020/00550). Should Pelham Street be removed from the list of five sites?

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM8
<u>Respondent Number / Rep Number</u>	252 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	C Brewer & Sons Limited
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

It would appear that more PBSA is needed based on current Student Numbers as such more sites should be identified. Developers have approached in relation to a site we won at New England Street BN1 4GQ which could accomodate up to 500 units.

Changes required

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM8
<u>Respondent Number / Rep Number</u>	214 7
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support this policy.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM8
<u>Respondent Number / Rep Number</u>	167 8
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton YIMBY
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM8
<u>Respondent Number / Rep Number</u>	88 8
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM8
<u>Respondent Number / Rep Number</u>	45 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM9
<u>Respondent Number / Rep Number</u>	88 9
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM9
<u>Respondent Number / Rep Number</u>	96 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Department for Education
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

We note the supporting text to policy DM9 which requires that in order for a change of use to be justified, a minimum 12 month marketing period is required to demonstrate that the facility is not suitable or needed for the use or alternative community use. We would consider that this could be too restrictive in some circumstances concerning school sites, and could lead to social infrastructure including education uses being unable to be delivered (or disposed of) in line with need and demand. It is important that there is flexibility within types of social infrastructure to enable best value for money for public services and agencies delivering these. Such policy requirements can also be challenging to the public sector/third sector organisations required to meet the tests, given the intensity of resource and timescales involved. This places additional burden on such organisations which are already frequently stretched and need to be able to realise value for money and efficiency. The current policy approach is not sufficiently flexible to allow for the expedient delivery of infrastructure changes. It is also not wholly clear on the scope of the change of use permitted. We support the flexibility allowing the partial loss of floorspace to sustain community uses, and agree that the provision of community uses should be well-related to the communities that they will serve, by walking, cycling and public transport.

Changes required

We would therefore propose an additional criteria 'e' to Policy DM9 2:e) where the site is unsuitable for alternative community use for reasons of location, condition or site context.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM9
<u>Respondent Number / Rep Number</u>	125 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Theatres Trust
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The Trust submitted comments at the previous stage of consultation noting our support for the premise of the policy but highlighting concern that it lacked sufficient strength to effectively protect Brighton's valued facilities from unnecessary loss. In particular we contended that marketing evidence should underpin demonstration that buildings or land is no longer required for their cultural, social or community purpose or for alternative uses of that nature. We suggested possible amendments which we considered would enhance robustness and effectiveness of the policy. We also objected to the wording giving support for partial loss of floorspace through change of use where the use requires less floorspace or to sustain the existing use through cross-subsidy. While we appreciated the principle behind the policy, as drafted we considered it too permissive and gave rise to potential manipulation by applicants. Particularly we considered loss of space to read as a favoured option rather than a 'last resort'. This also applied to supporting paragraph 2.78 which is now replicated as paragraph 2.84. Community and cultural facilities will generally be at a disadvantage in terms of land value to more financially lucrative residential, short-stay and commercial uses. Many might not be viable on purely commercial terms. Without amendment, potentially all community and cultural facilities across the city could be at risk from inappropriate development that undermines their function and longer-term sustainability. We continue to strongly recommend amendment. The proposed submission

version of the plan is predominantly unchanged from the previous version in these respects, therefore our existing objections are to be carried forward.

Changes required

Suggested wording: 2. Development that would lead to the loss of community facilities will only be permitted where it has been demonstrated that replacement facilities of an appropriate quality and size will be provided as part of new development proposals or in an alternative suitable location that meets the criteria in part 1 of this policy, or if the following circumstances apply: a) the facility is no longer needed and suitable alternative provision with sufficient capacity is available in a location easily accessible to users of the facility; or b) the building or land is no longer suitable to accommodate the current use or any alternative suitable community use and cannot be reasonably adapted to do so; and c) it has been demonstrated that there is no current or future need or demand for the space, either in its current use or any alternative community use and evidence of active, flexible and appropriate marketing of the site for community use has been provided. Partial loss of floorspace through change of use will only be supported when the operational need of the community use requires less floorspace or in order to sustain the viability of the existing use by cross-subsidy, and robust evidence including marketing information and other information such as structural reports are provided to demonstrate that existing floorspace cannot be maintained.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We consider the changes proposed to be critical in securing Brighton's significant and renowned community and cultural infrastructure.

<u>Policy</u>	DM9
<u>Respondent Number / Rep Number</u>	173 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Ramblers
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

i basically support the policy but ask for the addition of comment shown in Q4 below.

Changes required

Developers should be required to provide access on foot/cycle to green spaces from new housing developments.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM9	
<u>Respondent Number / Rep Number</u>	182	2
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>	Individual	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Insist that local developments build doctor's surgeries as needed -not just pay lip service.

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM9
<u>Respondent Number / Rep Number</u>	214 8
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

This Policy is now out of date following the new 'Class E' use class. The LPA has acknowledged this and have set out that an updated policy will be published for further consultation. We await this updated policy before commenting further.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM9
<u>Respondent Number / Rep Number</u>	258 8
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

DM9 COMMUNITY FACILITIES Community, Voluntary and other Groups should be informed about their right to nominate a community facility as an “Asset of Community Value” under the Localism Act. This Facility can be nominated if it “furthers the social wellbeing or social interests of the local community”. These “social interests” can include cultural, recreational or sporting interests so this nomination can help ensure that amenities that are useful (or might be useful in the future) have the opportunity to be preserved and hopefully resourced. (Justification: Preserving Heritage; Local Economy; Community Involvement; Health)2.82: Lack of uptake after a 12 Month marketing period is not sufficient evidence to conclude that the facility is not needed or not suitable, especially with the slowing of the economy. We request that the Council sets a higher threshold for evidence, including surveying facility users and nearby residents (Justification: Community Involvement; Protecting Community Resources). There should be a network of signposted seafront “walking routes” to help fulfil the aim of Natural England for a coastal footpath linking up all areas of the Country. This local route should include the promenade and seafront areas of Portslade/Hove/Brighton, Madeira Drive, and the Marina Pathway to Saltdean (Justification: Health; Community; Local Tourism).

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM3
<u>Respondent Number / Rep Number</u>	88 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM3
<u>Respondent Number / Rep Number</u>	167 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton YIMBY
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The regulation of subdivisions should be included in any plan to make sure these conversions meet the minimum standards set out in the local plan. However, we strongly object to the attempt to prevent subdivisions of smaller family dwellings and force larger accommodation into subdivisions. Legislating that housing sizes should be larger than that which many low-income people in our city are able to afford at current rents is the equivalent of banning them from the city altogether and is not justified by the space standards given. Such a policy is contrary to the plans aims of providing a suitable mix of dwelling for a variety of income levels. In addition, we strongly object to the rhetoric used in paragraph 2.23 which appears to imply that subdivision of properties can lower neighbourhood amenity. This appears to endorse exclusionary rhetoric regarding renters, particularly low-income workers and students, who are resident in shared occupancy properties.

Changes required

Paragraph 2.22 should be deleted as it is an unsound policy. In paragraph 2.23 the sentence 'Too much conversion activity can have an adverse impact on residential amenity, particularly in those areas where dwelling densities are already high' should be deleted as it contains exclusionary rhetoric.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM3
<u>Respondent Number / Rep Number</u>	214 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

This policy is an update of Local Plan Policy HO9. Policy HO9 currently sets a minimum size for conversion of 115 sqm. Policy DM3 now proposes to increase this threshold to 120 sqm. It is unclear why this threshold has been increased. Without any justification for the increase, we object to the proposed threshold of 120 sqm and fail to see how this increase would be defended at examination. The largest minimum size unit threshold set out in CPP2 Policy DM1 for a 3-bedroom dwelling is 108 sqm (3-bedroom, 3 storey dwelling). This gives an indication that the current 115 sqm threshold is sufficient to protect smaller dwellings suitable for family accommodation (i.e. 2 or 3 bedroom units)- as is set out as the objective of the policy set out in para 2.22 of the supporting text. The increase in threshold to 120 sqm is not justified and is the policy is therefore unsound.

Changes required

<u>Participate at the hearing session(s)?</u>	Yes, I wish to participate in the hearing session(s)
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Why wish to speak

We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM3
<u>Respondent Number / Rep Number</u>	216 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Food Partnership
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Noting the multiple policies relating to food growing in City Plan, Part 1, the recent adoption of the revised PAN on incorporating food growing in development and the incorporation of food growing and food access we feel that this area has been overlooked in the DM policies in city plan part 2. Given the centrality of food in carbon reduction, with the IPCC & UK parliament Audit committee findings that food contributes up to 30% of carbon foot print, along with Brighton & Hove City Council's climate emergency declaration and commitment to become the first Gold Sustainable city in the UK, we urge that in order to meet the test of soundness and compatibility with sustainable development the role of food growing has to be part of these policies in order to meet the test. We welcome the inclusion of food growing in older people's accommodation in DM4 (e) and would suggest this should be added to other types of accommodation in this section. In short, as Brighton and Hove City Council have already accepted the principle that food is 30% of carbon footprint, and implemented planning policy as a response, if this area is not addressed alongside transport an energy then the plan as a whole cannot be considered to meet the test of soundness wrt sustainable development.

Changes required

We welcome the inclusion of food growing in older people's accommodation in DM4 (e) and would suggest this should be added to other types of accommodation in this section.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We would be happy to participate in the Inspector's hearing to make these points.

<u>Policy</u>	DM3
<u>Respondent Number / Rep Number</u>	241 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Lewis & Co Planning
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Policy DM3 – Residential conversions and the retention of smaller dwellings This policy largely reflects Policy HO9 of the 2005 Local Plan. However, as set out above, the 2005 Local Plan only sought to deliver 216 homes per year within an entirely different national and local policy context. Over a 20-year plan period this previous housing target would have resulted in the delivery of only 4,320 new homes. In contrast the Council now has an established objectively assessed housing need of 30,120 homes over the plan period, almost seven times that required under the Local Plan (2005). The retention of policies which seek to restrict the delivery of additional housing within the City Plan – Part Two should therefore be subject to very careful consideration. Instead, the draft City Plan – Part Two further raises the size threshold that buildings must meet in order to be suitable for subdivision (from 115m² to 120m²). The justification provided for the floorspace figure chosen is set out in the Council’s Space and Accessibility Standards Topic Paper. The Topic Paper states that the figure is chosen to allow the creation of at least one 2-bedroom, 4-person family unit and one 1-bedroom, 2-person unit. This justification does not stand up to scrutiny as a subdivision could include a 2-bedroom, 3-person family unit, or a 1-bedroom, 1-person unit and require less floorspace than the minimum stated. The subdivision of an existing 98m² building could therefore theoretically still meet nationally described space standards. In addition, the proposal could also extend the building to deliver additional

floorspace than the 'original' floorspace figure referred to in the policy. The requirement is therefore unnecessarily restrictive and would make the delivery of new homes harder than if the existing policy were to be retained instead. This will further reduce the delivery of new homes in this form and worsen the housing crisis that national policies are seeking to address. We do not consider that this policy meets the tests of soundness as it is not positive, prepared, justified, effective or consistent with national policy. If retained the policy should be amended to set a lower threshold than the current policy and encourage further conversions where appropriate. A threshold of 100m² would better align with the Nationally Described Space Standards as suggested by the local planning authority. The reference to the size of a building "as originally built" should be better defined to provide clarity. Defining this as the size of the building as at 1948 would provide consistency with case law, as currently the policy excludes any later additions, regardless of when the building was extended. The policy wording of the extant Local Plan (2005) policy HO9 has caused issues of interpretation and been inconsistently applied across the city. These issues of interpretation would be replicated in the proposed policy. The phrase "suitable for family occupation" should be better defined. In the supporting text this states "(i.e 2 or 3 bedroom units)" but the actual policy wording states "suitable for family occupation and has a minimum of two bedrooms". It is not clear whether the requirement is simply (a) that the unit must provide two or more bedrooms (as has been the case on some applications), or (b) whether there are more specific requirements for family suitability (as has been the case on other applications) and this should be clarified.

Changes required

If retained the policy should be amended to set a lower threshold than the current policy and encourage further conversions where appropriate. A threshold of 100m² would better align with the Nationally Described Space Standards as suggested by the local planning authority. The reference to the size of a building "as originally built" should be better defined to provide clarity. Defining this as the size of the building as at 1948 would provide consistency with case law, as currently the policy excludes any later additions, regardless of when the building was extended. The policy wording of the extant Local Plan (2005) policy HO9 has caused issues of interpretation and been inconsistently applied across the city. These issues of interpretation would be replicated in the proposed policy. The phrase "suitable for family occupation" should be better defined. In the supporting text this states "(i.e 2 or 3 bedroom units)" but the actual policy wording states "suitable for family occupation and has a minimum of two bedrooms". It is not clear whether the requirement is simply (a) that the unit must provide two or more bedrooms (as has been the case on some applications), or (b) whether there are more specific requirements for family suitability (as has been the case on other applications) and this should be clarified.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM3
<u>Respondent Number / Rep Number</u>	256 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Brighton Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Agree

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM4
<u>Respondent Number / Rep Number</u>	88 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM4
<u>Respondent Number / Rep Number</u>	143 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Cohousing
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The City Plan 2 is not sound in its current form with regards to addressing loneliness in the city. As by 2014, of the 121,540 households in Brighton & Hove, 12 per cent (14,468 households) are occupied by people aged 65 years or more, who live alone in the city. In the version made available for consultation, the concept of loneliness is appearing a single time and in relation with student accommodation only. Loneliness is a phenomenon that affects all strata of population. The strategies identified in the plan to address it (as for example the provision in new developments for common areas, particularly for sharing meals as well alternative multipurpose public space) are appropriate but need to be made accessible to the wider population, particularly to aging people, people living with disability and single parents. SuCo backs the provision in CP20 Affordable Housing supporting councils provision of "an element of affordable housing for older persons" to alleviate a portion of the need for specialist housing and accommodation for older people" acting as a bridge to more specialised care, where needed.

Changes required

Intergenerational communities as community led housing developments can address loneliness in people at different stages of their lives and should be supported

by the planning process to achieve more positive results in this domain. We recommend the inclusion of cohousing as a tool to address these needs in ways that are inclusive and integrate the health and wellbeing challenges of Brighton and Hove's community. 'Integration' appears with regards to the need to ensure that accommodation and care are integrated. The London School of Economics and Bridport Cohousing in late 2019 emphasized the gains of cohousing to address ageing, health and social integration in The wider benefits of cohousing: The case of Bridport. In summary: 1. Providing affordable, mixed-tenure housing, including hospital key workers, adding to local housing supply 2. Offering amenities and facilities for the local community 3. Contributing to neighbourhood cohesion and civil society 4. Acting as a 'social laboratory' 5. Promoting environmental sustainability and contributing to climate resilience 6. Improving patterns of demand for public services; while reducing demand for social and healthcare services with members who care for each other. Some of these benefits derive from co-living, "defined as 'a form of housing that combines private living spaces with shared communal facilities.'..." which explicitly seeks to promote social contact and build community'. (Shafique, 2018). Co-living is considered an alternative to more traditional housing which facilitates social contact, shared activities and each other's daily lives through the living environment as the Cambridge Centre for Housing & Planning Research sum up. Like these, several other research pieces detail the value of cohousing and co-living available in the listing of Cohousing for older people The Housing Learning and Improvement Network (LIN) a network of housing, health and social care professionals in England, Wales, and Scotland to exemplify innovative housing solutions for an ageing population.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM4
<u>Respondent Number / Rep Number</u>	167 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton YIMBY
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support the commitment to provide appropriate housing services for the elderly.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM4
<u>Respondent Number / Rep Number</u>	171 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The council needs to build on the outskirts of the city and this will create difficulties in meeting DM4 a) because many places will need to be outside of main amenities., such as shops. The policy must have regard of this eventuality. There is also a concern over how the council views or understands housing need for older people, as there is a need to provide independent living opportunities on new sites.

Changes required

b) is accessible to public transport, shops, services, community facilities, and social networks appropriate to the needs of the intended occupiers, unless it can be proved that the scheme is able to meet residents needs; 2.26 The council has commissioned an Older People's Housing Needs Assessment²³ which included detailed analysis of the accommodation and support needs of older people in Brighton & Hove and involved local consultation with older people about their preferences for housing and care. The study also considered the supply of specialist housing and housing support for older people in terms of its suitability in relation to older people's needs, and assessed the projected future need/demand for specialist accommodation for older people. This must be updated to secure

greater focus on independent living needs.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

The housing needs assessments must do more to understand how independent living can support more people to make that choice but within tailored developments in new places.

<u>Policy</u>	DM4
<u>Respondent Number / Rep Number</u>	213 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Hove Civic Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

In 2018 Hove Civic Society made extensive representations at the draft stage to the City Plan Part 2. We supported a number of the policies and made suggestions for improvements in a number of other areas. We are pleased that those policies we supported remain and in some cases have been strengthened. In particular we refer to policies DM1 and the inclusion of the national space standards, DM4, DM19, DM44 and DM46.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM4
<u>Respondent Number / Rep Number</u>	216 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Food Partnership
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We welcome the inclusion of food growing in older people's accommodation in DM4 (e).

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We would be happy to participate in the Inspector's hearing to make these points

<u>Policy</u>	DM4	
<u>Respondent Number / Rep Number</u>	221	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Inspired Villages	
<u>Respondent Type</u>	landowner / developer	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Policy DM4 'Housing and Accommodation for Older Persons' seeks to ensure a sufficient supply and range of housing and accommodation suitable or older people. It is positive that Brighton and Hove City Council have acknowledged, at Paragraph 2.28, the benefits that specialist housing for older people can bring to individuals and their families, as well as to the NHS and wider housing market through releasing family accommodation. This reflects Recommendation Seven in the attached document, which highlights the significant benefits associated with specialist housing for older people including a reduced demand upon health and social care, employment generation and lower traffic generation than traditional residential developments. Further, Recommendation 2 in the attached document advises that a robust evidence base is used to identify the housing requirements of specialist housing for older persons. The Housing Needs Assessment undertaken by Housing LIN, identifies a sets a future demand for private sector retirement housing at 649 units to 2030 at Paragraph 2.29 of the CPP2. Demographic projections indicate there will be 68,100 people aged 60 and over living in the City by 2030, therefore the cumulative target for private sector retirement housing reflects less than 1% of this anticipated population group. We would advise these targets are adjusted to reflect a proportionate approach with respect to demographic projections and housing need. Finally, Paragraph 2.36 identifies Use Classes for planning purposes of different types. Here, the CPP2 states that age restricted

housing will fall under Use Class C3, with just nursing homes to be included solely within Use Class C2. We write to request that Brighton and Hove City Council fully understands that a Retirement Community (extra care) falls squarely within the C2 Use Class. A retirement community differs from a C3 Use dwelling house, for example, a typical Inspired Villages retirement community provides approximately 25% of its floorspace as nonsaleable space comprising the communal and care facilities available to its residents. Please refer to paragraph 2.14 of the attached document for full justification of the above determination.

Changes required

We request that you review the eight recommendations in the attached document and request that Policy DM4 is updated to reflect the recommendations within.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM4
<u>Respondent Number / Rep Number</u>	241 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Lewis & Co Planning
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Policy DM4 – Housing and Accommodation for Older Persons
 In the previous consultation we suggested that this policy should be split into two different policies; one for new development, one resisting the loss of existing accommodation. The first three paragraphs should form the first policy and the last two paragraphs should form the second policy. The Council's response is that this would add unnecessarily to the number of policies in the Plan. There is no clear reason for reducing the number of policies and we still consider that splitting the policy would provide a useful distinction between the two aspects of the policy that will never overlap on the same application.

Changes required

we still consider that splitting the policy would provide a useful distinction between the two aspects of the policy that will never overlap on the same application

<u>Participate at the hearing session(s)?</u>	No, I do not wish to participate in hearing session(s)
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<u>Policy</u>	DM4	
<u>Respondent Number / Rep Number</u>	256	4
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	The Brighton Society	
<u>Respondent Type</u>	Civic & Amenity	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Agree, but Add to the list a-g the desirability of older people remaining within the same neighbourhood should they move to smaller or more specialised accommodation (eg sheltered housing or care homes). Older people and those with mobility problems also need to be located at or near ground floor levels. These considerations imply that potential sites for such developments should be specifically identified on a neighbourhood basis, or a proportion of housing suitable for the elderly should be identified within larger housing developments within those neighbourhoods, in order to meet the need. Given the 41% increase in the numbers of older people this is a critical housing requirement which needs to be set out more clearly. 2.29 Are there enough incentives within the City Plan to make it attractive to developers to provide housing for older persons? Why would they do that when they could probably make more money providing 2-bed flats on the upper levels of tall buildings for young professionals? 2.31 What would the age restriction referred to in this paragraph be? Regarding the communal meeting lounge, this needs to be a requirement for clusters over a certain size, say more than 10 dwellings.

Changes required

Add to the list a-g the desirability of older people remaining within the same neighbourhood should they move to smaller or more specialised accommodation (eg sheltered housing or care homes). Older people and those with mobility problems also need to be located at or near ground floor levels. These considerations imply that potential sites for such developments should be specifically identified on a neighbourhood basis, or a proportion of housing suitable for the elderly should be identified within larger housing developments within those neighbourhoods, in order to meet the need. Given the 41% increase in the numbers of older people this is a critical housing requirement which needs to be set out more clearly. 2.31 What would the age restriction referred to in this paragraph be? Regarding the communal meeting lounge, this needs to be a requirement for clusters over a certain size, say more than 10 dwellings

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM4
<u>Respondent Number / Rep Number</u>	258 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

2.29 (OLDER PERSONS HOUSING NEEDS ASSESSMENT)The Council should further consider changes in demographics; the availability/closure of care homes; the need to provide independent supported accommodation; and the demand for sheltered and warden-assisted homes, including flats. It might be the case that the current assessment of needs is an underestimate.The Council should consider directly investing in some housing for older people and the Developers of Sheltered Homes and Warden Assisted Flats should provide at least 20% of their units as “social rented” accommodation to help meet the increasing needs of our City.(Justification: Meeting growing Housing, Health and Care needs. Helping to reduce the number of hospital and nursing home beds required for older/vulnerable groups)

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM5
<u>Respondent Number / Rep Number</u>	88 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM5
<u>Respondent Number / Rep Number</u>	143 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Cohousing
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Policies DM4 and 5 identify needs of these two categories (eg. nursing facilities, carers' accommodation) are not sound as they fail to put forward a sound policy of integration, whereby concrete steps are made to address the risk of isolation of both categories. The tool of co-housing may contribute to address these needs in a way that is inclusive and reinforcing the tissue of society. 'Integration' appears with regards to the need to ensure that accommodation and care are integrated, but this refers to carers only. The a sound policy of integration of people with different needs should be focused on the integration of all specific need in the fabric of society, in all areas of the city.

Changes required

We recommend the inclusion of cohousing as a tool to address these needs in ways that are inclusive and integrate the health and wellbeing challenges of Brighton and Hove's community. 'Integration' appears with regards to the need to ensure that accommodation and care are integrated. The London School of Economics and Bridport Cohousing in late 2019 emphasized the gains of cohousing to address ageing, health and social integration in The wider benefits of cohousing: The case

of Bridport. In summary:1.Providing affordable, mixed-tenure housing, including hospital key workers, adding to local housing supply2.Offering amenities and facilities for the local community3.Contributing to neighbourhood cohesion and civil society4.Acting as a 'social laboratory' 5.Promoting environmental sustainability and contributing to climate resilience6.Improving patterns of demand for public services; while reducing demand for social and healthcare services with members who care for each other.Some of these benefits derive from co-living, "defined as 'a form of housing that combines private living spaces with shared communal facilities.'"..." which explicitly seeks to promote social contact and build community'.(Shafique, 2018). Co-living is considered an alternative to more traditional housing which facilitates social contact, shared activities and each other's daily lives through the living environment as the Cambridge Centre for Housing & Planning Research sum up. Like these, several other research pieces detail the value of cohousing and co-living available in the listing of Cohousing for older people The Housing Learning and Improvement Network (LIN) a network of housing, health and social care professionals in England, Wales, and Scotland to exemplify innovative housing solutions for an ageing population.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM5
<u>Respondent Number / Rep Number</u>	167 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton YIMBY
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support the intention to provide accommodation for those with Specialist and Vulnerable needs.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM5
<u>Respondent Number / Rep Number</u>	214 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support this policy.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM5
<u>Respondent Number / Rep Number</u>	216 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Food Partnership
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Noting the multiple policies relating to food growing in City Plan, Part 1, the recent adoption of the revised PAN on incorporating food growing in development and the incorporation of food growing and food access we feel that this area has been overlooked in the DM policies in city plan part 2. Given the centrality of food in carbon reduction, with the IPCC & UK parliament Audit committee findings that food contributes up to 30% of carbon foot print, along with Brighton & Hove City Council's climate emergency declaration and commitment to become the first Gold Sustainable city in the UK, we urge that in order to meet the test of soundness and compatibility with sustainable development the role of food growing has to be part of these policies in order to meet the test. We welcome the inclusion of food growing in older people's accommodation in DM4 (e) and would suggest this should be added to other types of accommodation in this section. In short, as Brighton and Hove City Council have already accepted the principle that food is 30% of carbon footprint, and implemented planning policy as a response, if this area is not addressed alongside transport an energy then the plan as a whole cannot be considered to meet the test of soundness wrt sustainable development.

Changes required

We welcome the inclusion of food growing in older people's accommodation in DM4 (e) and would suggest this should be added to other types of accommodation in this section.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We would be happy to participate in the Inspector's hearing to make these points.

<u>Policy</u>	DM5
<u>Respondent Number / Rep Number</u>	241 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Lewis & Co Planning
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Policy DM5 – Supported Accommodation (Specialist and Vulnerable Needs)The policy contains two lists of criteria with the same lettered references and this should be altered to avoid confusion. The addition of numbered paragraphs (as shown at Policy DM6) would address this issue.The first paragraph could be deleted or moved to supporting text. Criterion (d) provides little planning benefit and could be removed from the policy – in some cases specialist accommodation cannot also be inclusive as it can be designed with specific end users in mind.

Changes required

The policy contains two lists of criteria with the same lettered references and this should be altered to avoid confusion. The addition of numbered paragraphs (as shown at Policy DM6) would address this issue.The first paragraph could be deleted or moved to supporting text. Criterion (d) provides little planning benefit and could be removed from the policy – in some cases specialist accommodation cannot also be inclusive as it can be designed with specific end users in mind.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM5
<u>Respondent Number / Rep Number</u>	256 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Brighton Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Agree

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM5
<u>Respondent Number / Rep Number</u>	258 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

2.37 should include Rehabilitation Units for people with drug and/or alcohol related issues, which might be provided through Charitable, Voluntary Organisations and Housing Associations. Specialist Supported Accommodation should also be provided for victims of Domestic Abuse. (Justification: meeting the housing needs of disadvantaged groups)

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM6
<u>Respondent Number / Rep Number</u>	88 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM6
<u>Respondent Number / Rep Number</u>	167 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton YIMBY
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM6
<u>Respondent Number / Rep Number</u>	214 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support this policy.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM6
<u>Respondent Number / Rep Number</u>	216 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Food Partnership
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Noting the multiple policies relating to food growing in City Plan, Part 1, the recent adoption of the revised PAN on incorporating food growing in development and the incorporation of food growing and food access we feel that this area has been overlooked in the DM policies in city plan part 2. Given the centrality of food in carbon reduction, with the IPCC & UK parliament Audit committee findings that food contributes up to 30% of carbon foot print, along with Brighton & Hove City Council's climate emergency declaration and commitment to become the first Gold Sustainable city in the UK, we urge that in order to meet the test of soundness and compatibility with sustainable development the role of food growing has to be part of these policies in order to meet the test. We welcome the inclusion of food growing in older people's accommodation in DM4 (e) and would suggest this should be added to other types of accommodation in this section. In short, as Brighton and Hove City Council have already accepted the principle that food is 30% of carbon footprint, and implemented planning policy as a response, if this area is not addressed alongside transport an energy then the plan as a whole cannot be considered to meet the test of soundness wrt sustainable development.

Changes required

We welcome the inclusion of food growing in older people's accommodation in DM4 (e) and would suggest this should be added to other types of accommodation in this section.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We would be happy to participate in the Inspector's hearing to make these points.

<u>Policy</u>	DM6
<u>Respondent Number / Rep Number</u>	241 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Lewis & Co Planning
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Policy DM6 – Build to Rent Housing
 The policy could be significantly improved and simplified. Criterion 1(a) adds nothing to existing adopted policies and can be removed. The Criterion 1(b) requirement for dwellings to be self-contained and separately let is an unnecessary requirement that provides no obvious benefit and the latter requirement would be difficult to control through the planning system. The requirement for on-site management under criterion 1(e) is excessive and would likely make small schemes unviable or unaffordable. Although the Council have stated elsewhere that this is not seeking to require a permanent onsite management presence, this is not clear in the policy and will likely lead to issues of interpretation. There is no viability work that shows this to be an appropriate requirement. In addition, the requirement for ‘professional’ management is vague and undefined. The requirement under criterion 1(f) for tenancies of at least 3 years cannot be a planning requirement. Criteria 1(g) simply references another policy and is not necessary.

Changes required

Criterion 1(a) adds nothing to existing adopted policies and can be removed. The Criterion 1(b) requirement for dwellings to be self-contained and separately let

is an unnecessary requirement that provides no obvious benefit and the latter requirement would be difficult to control through the planning system. The requirement for on-site management under criterion 1(e) is excessive and would likely make small schemes unviable or unaffordable. Although the Council have stated elsewhere that this is not seeking to require a permanent onsite management presence, this is not clear in the policy and will likely lead to issues of interpretation. There is no viability work that shows this to be an appropriate requirement. In addition, the requirement for 'professional' management is vague and undefined. The requirement under criterion 1(f) for tenancies of at least 3 years cannot be a planning requirement.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM6
<u>Respondent Number / Rep Number</u>	243 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	X-Leisure (Brighton II) Ltd and Landsec
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The recognition of the potential for build to rent housing to improve housing choice and make a positive contribution to sustainable communities is supported in principle. In addition, the removal of the criterion seeking to resist the overconcentration of build to rent accommodation is welcomed. Some Strategic Allocations may be suitable for build to rent homes and it would be unduly restrictive to limit the contribution that this tenure can make to meeting housing need. The removal of this criterion is therefore considered justified. Criterion d) 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. The NPPF definition of Build to Rent states that such schemes will 'typically' be professionally managed stock in single ownership and management control indicating that not all schemes will be under single ownership. Accordingly, flexibility should be incorporated into the policy wording to be consistent with national policy. Criterion f) seeks that the development offer tenancies of at least 3 years available to all tenants with defined in-tenancy rent reviews. We welcome the clarification added at supporting text paragraph

2.48 that shorter tenancies should also be made available where tenants want these. It is considered that the policy wording should be updated to acknowledge this flexibility. We note that Part 2(a) of the policy has been amended to seek up to 20% affordable housing at genuinely affordable levels to be agreed with the Council and taking account of the overall viability of the development. This approach is supported and recognises that the viability of build to rent schemes different from traditional residential and must be considered on a site-by-site basis. Footnote 29 referred to in the policy explains that affordable rents will generally be set no higher than the Local Housing Allowance Housing Benefit limit; however there is no further information on this limit. Supporting text paragraph 2.50 provides further detail on this noting that the Brighton & Hove Build to Rent Study 2019 indicates that build to rent schemes in the city are capable of supporting up to 20% affordable units provided at discounted rents at least 20% below equivalent local market rents. It is considered that this reference to discounted rent at 20% below market level should be incorporated into the policy wording to provide clarity to developers and to be consistent with the National Planning Policy Framework which defines affordable housing for rent as at least 20% below local market rents.

Changes required

Part 1(d) should be amended to: "each build to rent building will be under common management." Part 1 (f) should be amended to: "the development will offer tenancies of at least 3 years available to all tenants, with defined in-tenancy rent reviews, and shorter tenancies should be made available where requested by tenants." It is considered that part 2(a) should be amended to: "provision of up to 20% affordable housing at genuinely affordable rents at least 20% below local market level to be agreed with the Council, taking account of the overall viability of the proposed development and subject to consideration of criteria i. to v. in Policy CP20."

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

Build to Rent housing could form a significant part of a scheme at Brighton Marina. As a key stakeholder in the Brighton Marina site allocation, it is important that X-Leisure (Brighton II) Ltd and Landsec has the opportunity to participate in discussions regarding this policy at the examination to ensure there is sufficient flexibility so not to inadvertently constrain development.

<u>Policy</u>	DM6
<u>Respondent Number / Rep Number</u>	246 2
<u>Name</u>	(Montagu Evans LLP)
<u>Email</u>	
<u>Organisation/individual</u>	Aberdeen Standard Investments
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The CPP2 proposes a specific policy, Policy DM6 Build to Rent Housing, detailing the considerations proposals incorporating a Built to Rent ("BTR") element will be assessed against. ASI welcomes the inclusion of a specific policy on BTR and the resultant clarity this provides applicants. ASI is exploring the potential for a mixed use scheme at the Churchill Square which could, following discussion with the Council, incorporate an element of BTR. ASI is of the opinion that incorporating some BTR as part of a wider mixed use scheme would be beneficial to bring forward on the Churchill Square site for a range of reasons. Aside from the clear benefits of providing additional housing in Brighton and Hove, where a five year housing supply can't be achieved, ASI as landowner of the Churchill Square Site does not face land assembly issues. Successful BTR developments also benefit from the synergies of complementary facilities which a redeveloped Churchill Square would provide and which are particularly attractive to BTR tenants who also tend to prefer highly accessible locations. Finally, ASI's recent experience of reviewing the opportunities for change in its shopping centre assets is that when considering residential typologies, the BTR model is consistent with the long term management and ownership of town centre uses at lower levels, whereas the sale of residential has the potential to inhibit opportunities for future redevelopment of important town centre sites such as this. As with all development plan policies, Policy DM6 Build to Rent Housing should be evidence led. The Build to Rent Study (2019)

concludes that there are genuine viability challenges of providing affordable housing within BTR schemes and advises that "affordability and viability are likely to be difficult to match-up and it may be that the affordable element of BTR will need to be viewed as fulfilling a different role in the overall provision of choice within the local housing market offer as a whole". Policy DM6, in part, accommodates for these viability challenges in criterion 2(a) "provision of up to 20% affordable housing at genuinely affordable rents to be agreed with the council²⁹, taking account of the overall viability of the proposed development". However, footnote 29 notes that affordable rents will generally be required to be "set no higher than the Local Housing Allowance (LHA) Housing Benefit limit".

Changes required

ASI is of the opinion that for the policy to be consistent with national planning policy on BTR and in line with the conclusions of the Build to Rent Study footnote 29 should be omitted and affordable rent should be clarified as Affordable Private Rent as defined in national policy. Affordable Private Rent being at least 20% less than the private market rent for the same or equivalent property. Currently, footnote 29 is at odds with the NPPF and PPG, isn't supported by the evidence within the Built to Rent Study and doesn't positively recognise or support the range of affordable rent that could be offered through a BTR scheme, up to the 20% ceiling in Policy DM6.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM6
<u>Respondent Number / Rep Number</u>	256 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Brighton Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Agree, but Para 2.44 Open spaces omitted. Why? As the densities of housing and additional people living within the city increase, the demands on public open space will become even more critical. More funding from Section 106 and/or CIL funds is desperately required. Para 2.48 The policy seeks to ensure that developments offer longer term tenancies of at least 3 years to all tenants whether paying market or affordable rent Should be a minimum of 3 years, not at least 3 years. Para 2.5 The study demonstrates that, subject to the variables tested, build to rent schemes in the city are capable of supporting up to 20% affordable units provided at discounted rents at least 20% below equivalent local market rents. However, greater levels of discount would be required to deliver units that are genuinely affordable to most of those eligible to join the council's housing register, Therefore in negotiating the affordable element of build to rent schemes, the council will consider the trade-off between the number of affordable units to be provided and the level of affordable discount that may be achieved. Does this mean that however hard the Council tries with a 'trade-off' the amount of affordable units will be reduced? Looks like it. Management issues. Increasingly developers are claiming that they cannot find anyone to manage affordable housing within developments and use commuted payments instead. This process needs to be clarified, including details of how such funds are to be spent on providing the numbers of affordable dwellings the commitment to which the developer has

avoided. This sum should include the additional market value of the extra units released by the relaxation of the obligation.

Changes required

Para 2.48 The policy seeks to ensure that developments offer longer term tenancies of at least 3 years to all tenants whether paying market or affordable rent
Should be a minimum of 3 years, not at least 3 years.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM6
<u>Respondent Number / Rep Number</u>	258 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

2.a) There should be provision of a minimum of 20% affordable social rented housing, with tenancies open to people for application from the Council's Housing Waiting List as part of "Build to Rent" housing developments. (Justification: Lack of Affordable Homes; Lack of available land for housing)

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM7
<u>Respondent Number / Rep Number</u>	10 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	St. Luke's Residents' Association
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak It seems to residents as if their concerns about HMOs and studentification are not being listened to .

<u>Policy</u>	DM7
<u>Respondent Number / Rep Number</u>	88 7
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM7	
<u>Respondent Number / Rep Number</u>	107	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>	Individual	
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM7
<u>Respondent Number / Rep Number</u>	167 7
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton YIMBY
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

This policy is unreasonable and has a discriminatory equalities impact. HMOs are generally populated by younger citizens, members of ethnic minorities and other protected groups such as those with disabilities, and citizens on lower incomes, as the document itself, admits (paragraph 2.61). Putting unsubstantiated allegations of 'negative impacts on local communities' and a 'breakdown of community cohesion' is irresponsible and endorses exclusionary rhetoric. There is no or at best insufficient evidence to justify this policy provided. If people are unable to afford full properties due to our cities housing shortage then they should not be penalised for doing so. Attempting to ban HMOs beyond one-fifth of the total housing stock in an area is tantamount to banning underprivileged and protected groups and those of lower incomes from large swathes of the city. The framework for 'regulating' the proliferation of HMOs is therefore unacceptable, discriminatory and a waste of the Council's resources and time.

Changes required

Policies to approve HMO conversions only if: 2a) fewer than 20% of dwellings in the wider neighbourhood area are already in use as HMOs;2b) the proposal

does not result in a non-HMO dwelling being sandwiched between two existing HMOs in a continuous frontage;2c) the proposal does not lead to a continuous frontage of three or more HMOs should be deleted. Paragraphs 2.57, 2.58, 2.59 should be deleted due to their unsubstantiated claims regarding HMOs, their discriminatory impact and their endorsement of exclusionary rhetoric. Paragraphs 2.61, 2.62 should be deleted due to their explicit desire to discriminate against the residents of HMO's compared to those who are able to afford family homes. Once again the rhetoric of 'over-concentration' and 'negative effects' of HMO's are highly inappropriate. The regulatory framework for regulating HMO's in paragraph 2.63 to 2.67 should also, therefore, be deleted as it is an unjustified use of council resources for discriminatory purposes.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

The policies concerning HMOs in our city are being perpetuated due to the unrepresentative demands of wealthier homeowners who wish to exclude the ethnic minorities, those with disabilities and mental health issues, the poor and young from their neighbourhoods. Regrettably, those who live in HMO's are often unable to engage in the planning process due to a lack of time and resources. As an organisation that represents younger renters, we implore that our voices be heard in this debate as well. People of all incomes deserve the opportunity to live in our city.

<u>Policy</u>	DM7
<u>Respondent Number / Rep Number</u>	214 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

CPP1 Policy CP21 already applies a restriction to the provision of new HMOs across the city. This has been an effective policy tool and has stopped the increase of localised concentration of HMOs. We are not aware of any study which has fully assessed the impacts of Policy CP21 since its adoption in 2016, and therefore we cannot see a valid evidence base for applying further restrictions in addition to those set out in Policy CP21. We therefore object to the additional restrictions set out in Policy DM7. As acknowledged in the policy, HMO's meet an important housing need in the city, for professionals and students alike, due to the costs associated with rental or purchase of self-contained dwellings in the city. Therefore, it does not benefit the City to make the provision of new HMOs in the city over-complicated. The existing Policy CP21 already creates significant uncertainty for developers as they cannot, without submitting a formal pre-application enquiry with an associated fee and a 28- day timescale, obtain definitive advice as to whether the LPA considers that there are more than 10% of properties in HMO use within a 50m radius of a particular property. This mapping exercise is conducted manually which results in inaccuracies and inconsistencies. The new restrictions add further complication and uncertainty. The proposal to look at contiguous output areas in particular makes proposals for new HMO's extremely complicated, with 625-875 properties requiring assessment as to whether they are subdivided into self-contained units of accommodation, and whether the LPA has evidence of HMO

use, to calculate the percentage of HMOs and ascertain whether this is more than 20%. This level of work is beyond what can reasonably be expected from a small-scale developer/property owner, and would also create an unworkable burden for LPA Planning Officers unless the work involved is automated. This new restriction is largely unworkable in practice. There does not appear to be any suggestion that the mapping exercise will be automated. Notwithstanding, there appears to be no evidence to suggest that the current restrictions set out in CPP1 Policy CP21 have not been effective. We therefore strongly object to the super-output area approach as it is overly restrictive and unnecessary. The LPA should urgently look at an automated process where prospective property purchasers / developers can determine whether a particular property meets or fails the tests set out in Policy CP21, and those in Policy DM7 (if adopted). Without this, Policy DM7 will stifle the supply of HMOs in the city and hold back the provision of a type of housing which the policy is an important element of the City's housing supply. Put simply, the proposed policy DM7 will worsen the situation for the City's housing supply and therefore the City would be better served by retaining Policy CP21 and omitting Policy DM7 from CPP2. Restrictions (b) and (c) are very simplistic, are not evidence based, and appear to be based upon the assumption that all HMO properties are likely to cause disturbance of some kind. This is not the case as many HMOs operate without causing any nuisance to neighbours. There is no evidence linking anti-social behaviour to HMOs. Restriction (c) will in practice work directly against the objectives of restriction (b). If there is an existing situation where there is a non-HMO dwelling 'sandwiched' between two existing HMO's, a situation which the LPA considers problematic as per restriction (b), an obvious solution to this perceived problem is the conversion of the central property to a HMO. This solution is however blocked by restriction (c), leaving the non-HMO property permanently 'sandwiched' between the two HMOs. This is nonsensical; one part of the policy would work directly against another part of it. In summary, the proposed policy is clearly overly restrictive and is not evidence based. Restriction (a) is overly restrictive and close to unworkable without significantly improved automated systems which are open to the public. It is not plausible that such systems will be made available by the LPA. Restrictions (b) and (c) are overly restrictive, work against each other, and are not evidence based; they appear to be based upon the assumption that all HMO occupants will cause neighbours disturbance. We support criteria (d) and (e) as we acknowledge the importance of delivering a good standard of amenity for HMO residents. Overall we object to this policy as it is overly complicated in conjunction with the already-adopted restrictions set out in CPP1 Policy CP21. The policy will not be effective, as it will stifle the provision of HMO accommodation and will be extremely time-intensive to implement, without due justification of its requirement. The policy is therefore unsound.

Changes required

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM7
<u>Respondent Number / Rep Number</u>	216 7
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Food Partnership
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Noting the multiple policies relating to food growing in City Plan, Part 1, the recent adoption of the revised PAN on incorporating food growing in development and the incorporation of food growing and food access we feel that this area has been overlooked in the DM policies in city plan part 2. Given the centrality of food in carbon reduction, with the IPCC & UK parliament Audit committee findings that food contributes up to 30% of carbon foot print, along with Brighton & Hove City Council's climate emergency declaration and commitment to become the first Gold Sustainable city in the UK, we urge that in order to meet the test of soundness and compatibility with sustainable development the role of food growing has to be part of these policies in order to meet the test. We welcome the inclusion of food growing in older people's accommodation in DM4 (e) and would suggest this should be added to other types of accommodation in this section. In short, as Brighton and Hove City Council have already accepted the principle that food is 30% of carbon footprint, and implemented planning policy as a response, if this area is not addressed alongside transport an energy then the plan as a whole cannot be considered to meet the test of soundness wrt sustainable development.

Changes required

We welcome the inclusion of food growing in older people's accommodation in DM4 (e) and would suggest this should be added to other types of accommodation in this section.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We would be happy to participate in the Inspector's hearing to make these points.

<u>Policy</u>	DM7
<u>Respondent Number / Rep Number</u>	241 7
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Lewis & Co Planning
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Policy DM7 – Houses in Multiple Occupation (HMOs)As set out in our comments under Policy DM2, the draft City Plan – Part Two has the effect of supporting changes of use from C4 to C3 (currently permitted development) but preventing/further restricting changes of use from C3 to C4 (currently controlled by a citywide Article 4 direction). This will have the effect, over time, of reducing the range of housing available to residents and would disproportionately affect specific groups of residents.No justification or evidence has been provided to justify this policy approach that could result in a shortage of housing for sharers (in particular non-student sharers as the City Plan provides for new purpose-built student accommodation). As set out above, age is a protected characteristic under the Equality Act and the 18-35 year old demographic are treated materially differently from other groups in the housing sector. There is therefore a requirement within this demographic for the retention of good quality shared accommodation and the provision of new homes of this type in parallel with the provision of other housing types. We do not consider that the current City Plan – Part Two would meet the tests of soundness on this basis.As per the Authority Monitoring Reports published by the Council “The city has a high number of HMOs, which have increased from 8.2% to 10.9% of all properties between 2001 and 2011”. As the Council’s current policy approach (Under CP21 of the City Plan – Part One) is to refuse applications in areas with over 10% concentration of HMOs this planning

policy approach will clearly already restrict the provision of newer HMO units within the city. Combined with a chronic undersupply of housing (and a housing requirement significantly below the identified need for the city), this policy approach will significantly constrain the provision of new shared housing across the city and will force young professionals out of the city. The City Plan makes some (limited) provision for new purpose built-student housing but does nothing to protect the existing housing supply of HMOs for sharers who choose to live in shared accommodation or cannot afford to buy their own properties. The implication of the Council's policies in this regard (combined with their aggressive approach to enforcement against existing and sometimes long-term HMO accommodation) is that certain groups within the city will be unfairly disadvantaged, with delivery falling disproportionately short of demand and increasing unaffordability for individuals in this age group. The socio-economic impacts of this are obvious and young adults will become 'priced out' of the city over time, with knockon effects for the city's workforce. Young adults across the city will be disproportionately affected by the inevitable adverse impacts from the continual undersupply of housing (the City Plan – Part One Inspector highlighted that the housing strategy results in "a very significant shortfall which has important implications for the social dimension of sustainable development"). These include being priced out of the market, subjected to significant rent increases that are not matched in commensurate salary increases and the inevitable impacts on quality of life that would arise as a result. Article 14 of the Human Rights Act requires that all of the rights and freedoms must be protected and applied without discrimination. This policy approach would disproportionately impact upon certain age groups without any valid justification given. The Council already have an adopted policy that limits the expansion of HMO accommodation in unsuitable areas (City Plan – Part One Policy CP21). The proposed policy approach would introduce even more onerous requirements with no valid justification or evidence that the existing policy provision is failing. The City Plan – Part One Inspector concluded that the Plan struck "an acceptable balance between the need for student accommodation and general housing needs" and we do not consider that this position has changed since the adoption of the City Plan – Part One. The need for additional restrictions through a further HMO policy has therefore not been justified. The additional requirements within DM7 are complex and members of the public would not be able to navigate or understand its requirements. The system of assessing the "wider neighbourhood area" requires applicants to identify the active and lawful use of (according to the supporting text) 625 to 875 houses surrounding their property and this cannot be considered to be an appropriate requirement for applicants. No information is given to set out to applicants where they can find the information required to understand the requirements of the policy, nor are its excessive requirements justified in any form. The policy also represents a missed opportunity for the Council to set out clearly their standards for HMOs and the standard of accommodation expected. Recent planning decisions have demonstrated that the Council's planning team seeks to apply standards in excess of those set out in the HMO licensing standards adopted by the Council, but they have not published any clear planning standards. This should be a priority in the City Plan – Part Two to provide certainty for applicants and ensure good standards of accommodation within HMOs across the city. Currently there is inconsistency with the way HMO proposals are assessed. In particular, the level of communal space considered appropriate for different levels of occupation varies from officer to officer in the absence of any published planning standards. The specific standards outlined at paragraph 2.69 should form part of the policy (not supporting text) as they provide clear direction for decision-makers and applicants. Private sector licensing standards and planning requirements should be aligned to provide clarity and consistency. We are not clear what the planning benefits of avoiding a continuous frontage of HMOs are considered to be (criterion (c)). The co-location of similar uses is likely preferable in amenity terms. Criterion (d) cross-references Policy DM1, but the Nationally Described Space Standards do not provide minimum space standards for dwellings with single occupancy-only rooms throughout and therefore it is not clear how these standards would be applied to HMO accommodation.

Changes required

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM7
<u>Respondent Number / Rep Number</u>	256 7
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Brighton Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Agree, but Para 2.65 states that the 20% level is considered appropriate for assessing wider neighbourhood areas with indirect impacts that affect the character of communities (for example a decreasing demand for local schools and changes in types of retail provision) rather than the specific impacts on individual properties that the existing other criteria in this policy and CP21 are intended to address. Unfortunately this consideration is too late. Where there is a decreasing demand for local schools and loss of local shops it is simply because certain areas of the city are now devoid of local families who have moved away, owing to the increase of HMOs

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM7
<u>Respondent Number / Rep Number</u>	258 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

2.67 This should include a minimum bedroom size in addition to the provision of facilities for a single Person or Couple.(Justification: Space; Quality of Life; Reduce Overcrowding)

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM8
<u>Respondent Number / Rep Number</u>	160 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Cycling UK (Local Representative for Brighton and Hove)
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Add: "or communal or individual indoor storage for cycles"2.77 ... In order to reduce the impact on neighbouring streets, management arrangements will be expected to ensure that occupants do not keepcars in Brighton & Hove. Exceptions may apply in the case of disabled students.Other measures to support sustainable transport use such as discounted bus ticketsand cycle loans should also be provided.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM8
<u>Respondent Number / Rep Number</u>	258 7
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

* The University Authorities should be asked to notify the Council's Housing and Planning Departments about any proposals to expand the number of students who are studying with them and the likely numbers needing accommodation. * Appropriate Facilities should be provided for the storage and removal of rubbish and recycling within all student accommodation.(Justification: Planning; Quality of Life; Improving Recycling)

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM8
<u>Respondent Number / Rep Number</u>	241 8
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Lewis & Co Planning
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

DM8 – Purpose Built Student Accommodation This policy should identify the specific standards considered acceptable by the Council (particularly in relation to criteria (b), (c) and (d)), as it currently provides no benefit to the decision-making process (with residential amenity already addressed through other policies). The requirement for a predominance of cluster units is not well justified and this should be left to market trends. Cluster units may become less popular in the wake of the Covid-19 pandemic and the policy should allow for this. The policy already requires the provision of a suitability sized ‘hub space’ commensurate to the number of studio units and therefore this would still allow for social interaction without requiring cluster units. The requirement of criterion (f) to “ensure occupants do not keep cars in Brighton & Hove” is unachievable, unjustified and excessive.

Changes required

<u>Participate at the hearing session(s)?</u>	No, I do not wish to participate in hearing session(s)
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<u>Policy</u>	DM8
<u>Respondent Number / Rep Number</u>	216 8
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Food Partnership
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Noting the multiple policies relating to food growing in City Plan, Part 1, the recent adoption of the revised PAN on incorporating food growing in development and the incorporation of food growing and food access we feel that this area has been overlooked in the DM policies in city plan part 2. Given the centrality of food in carbon reduction, with the IPCC & UK parliament Audit committee findings that food contributes up to 30% of carbon foot print, along with Brighton & Hove City Council's climate emergency declaration and commitment to become the first Gold Sustainable city in the UK, we urge that in order to meet the test of soundness and compatibility with sustainable development the role of food growing has to be part of these policies in order to meet the test. We welcome the inclusion of food growing in older people's accommodation in DM4 (e) and would suggest this should be added to other types of accommodation in this section. In short, as Brighton and Hove City Council have already accepted the principle that food is 30% of carbon footprint, and implemented planning policy as a response, if this area is not addressed alongside transport an energy then the plan as a whole cannot be considered to meet the test of soundness wrt sustainable development.

Changes required

We welcome the inclusion of food growing in older people's accommodation in DM4 (e) and would suggest this should be added to other types of accommodation in this section.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We would be happy to participate in the Inspector's hearing to make these points.

<u>Policy</u>	DM8
<u>Respondent Number / Rep Number</u>	171 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The plan must recognise a need to build closer to the Universities, so that family housing is not lost to students and lower emissions for travel are sustained at source.

Changes required

DM8If the above criteria (a to g) can be met and the accommodation is within one mile of the University campus, a streamlined planning permission in line with a Local Development Order (LDO) will be granted.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM8
<u>Respondent Number / Rep Number</u>	159 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	n/a
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

-

Changes required

I believe the council should not approve any more student accommodation. If the student developments in Lewes Road were instead properties for permanent resident the housing problem could be solved very quickly. Student accommodation is a breeding ground for viruses as it involves shared accommodation and access. Student accommodation is inefficient as it is only used for part of the year, it would be better to provide accommodation for permanent residents.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

-

<u>Policy</u>	DM8
<u>Respondent Number / Rep Number</u>	256 8
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Brighton Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Agree, but Para 2.73 states: Pelham Street remains undeveloped and without an extant permission but is still considered as one of the five sites for new development. It should be noted that Pelham Street has approval for residential use (see BH2020/00550). Should Pelham Street be removed from the list of five sites? Additionally, could conditions be implemented that students in PBSA stay for three years while at university, bearing in mind the facilities provided? It is common for students to stay in PBSA in some areas, such as York.

Changes required

It should be noted that Pelham Street has approval for residential use (see BH2020/00550). Should Pelham Street be removed from the list of five sites?

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM8
<u>Respondent Number / Rep Number</u>	252 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	C Brewer & Sons Limited
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

It would appear that more PBSA is needed based on current Student Numbers as such more sites should be identified. Developers have approached in relation to a site we won at New England Street BN1 4GQ which could accomodate up to 500 units.

Changes required

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM8
<u>Respondent Number / Rep Number</u>	214 7
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support this policy.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM8
<u>Respondent Number / Rep Number</u>	167 8
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton YIMBY
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM8
<u>Respondent Number / Rep Number</u>	88 8
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM8
<u>Respondent Number / Rep Number</u>	45 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM9
<u>Respondent Number / Rep Number</u>	88 9
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM9
<u>Respondent Number / Rep Number</u>	96 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Department for Education
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

We note the supporting text to policy DM9 which requires that in order for a change of use to be justified, a minimum 12 month marketing period is required to demonstrate that the facility is not suitable or needed for the use or alternative community use. We would consider that this could be too restrictive in some circumstances concerning school sites, and could lead to social infrastructure including education uses being unable to be delivered (or disposed of) in line with need and demand. It is important that there is flexibility within types of social infrastructure to enable best value for money for public services and agencies delivering these. Such policy requirements can also be challenging to the public sector/third sector organisations required to meet the tests, given the intensity of resource and timescales involved. This places additional burden on such organisations which are already frequently stretched and need to be able to realise value for money and efficiency. The current policy approach is not sufficiently flexible to allow for the expedient delivery of infrastructure changes. It is also not wholly clear on the scope of the change of use permitted. We support the flexibility allowing the partial loss of floorspace to sustain community uses, and agree that the provision of community uses should be well-related to the communities that they will serve, by walking, cycling and public transport.

Changes required

We would therefore propose an additional criteria 'e' to Policy DM9 2:e) where the site is unsuitable for alternative community use for reasons of location, condition or site context.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM9
<u>Respondent Number / Rep Number</u>	125 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Theatres Trust
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The Trust submitted comments at the previous stage of consultation noting our support for the premise of the policy but highlighting concern that it lacked sufficient strength to effectively protect Brighton's valued facilities from unnecessary loss. In particular we contended that marketing evidence should underpin demonstration that buildings or land is no longer required for their cultural, social or community purpose or for alternative uses of that nature. We suggested possible amendments which we considered would enhance robustness and effectiveness of the policy. We also objected to the wording giving support for partial loss of floorspace through change of use where the use requires less floorspace or to sustain the existing use through cross-subsidy. While we appreciated the principle behind the policy, as drafted we considered it too permissive and gave rise to potential manipulation by applicants. Particularly we considered loss of space to read as a favoured option rather than a 'last resort'. This also applied to supporting paragraph 2.78 which is now replicated as paragraph 2.84. Community and cultural facilities will generally be at a disadvantage in terms of land value to more financially lucrative residential, short-stay and commercial uses. Many might not be viable on purely commercial terms. Without amendment, potentially all community and cultural facilities across the city could be at risk from inappropriate development that undermines their function and longer-term sustainability. We continue to strongly recommend amendment. The proposed submission

version of the plan is predominantly unchanged from the previous version in these respects, therefore our existing objections are to be carried forward.

Changes required

Suggested wording: 2. Development that would lead to the loss of community facilities will only be permitted where it has been demonstrated that replacement facilities of an appropriate quality and size will be provided as part of new development proposals or in an alternative suitable location that meets the criteria in part 1 of this policy, or if the following circumstances apply: a) the facility is no longer needed and suitable alternative provision with sufficient capacity is available in a location easily accessible to users of the facility; or b) the building or land is no longer suitable to accommodate the current use or any alternative suitable community use and cannot be reasonably adapted to do so; and c) it has been demonstrated that there is no current or future need or demand for the space, either in its current use or any alternative community use and evidence of active, flexible and appropriate marketing of the site for community use has been provided. Partial loss of floorspace through change of use will only be supported when the operational need of the community use requires less floorspace or in order to sustain the viability of the existing use by cross-subsidy, and robust evidence including marketing information and other information such as structural reports are provided to demonstrate that existing floorspace cannot be maintained.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We consider the changes proposed to be critical in securing Brighton's significant and renowned community and cultural infrastructure.

<u>Policy</u>	DM9
<u>Respondent Number / Rep Number</u>	173 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Ramblers
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

i basically support the policy but ask for the addition of comment shown in Q4 below.

Changes required

Developers should be required to provide access on foot/cycle to green spaces from new housing developments.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM9	
<u>Respondent Number / Rep Number</u>	182	2
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>	Individual	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Insist that local developments build doctor's surgeries as needed -not just pay lip service.

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM9
<u>Respondent Number / Rep Number</u>	214 8
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

This Policy is now out of date following the new 'Class E' use class. The LPA has acknowledged this and have set out that an updated policy will be published for further consultation. We await this updated policy before commenting further.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM9
<u>Respondent Number / Rep Number</u>	258 8
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

DM9 COMMUNITY FACILITIES Community, Voluntary and other Groups should be informed about their right to nominate a community facility as an “Asset of Community Value” under the Localism Act. This Facility can be nominated if it “furthers the social wellbeing or social interests of the local community”. These “social interests” can include cultural, recreational or sporting interests so this nomination can help ensure that amenities that are useful (or might be useful in the future) have the opportunity to be preserved and hopefully resourced. (Justification: Preserving Heritage; Local Economy; Community Involvement; Health)2.82: Lack of uptake after a 12 Month marketing period is not sufficient evidence to conclude that the facility is not needed or not suitable, especially with the slowing of the economy. We request that the Council sets a higher threshold for evidence, including surveying facility users and nearby residents (Justification: Community Involvement; Protecting Community Resources).There should be a network of signposted seafront “walking routes” to help fulfil the aim of Natural England for a coastal footpath linking up all areas of the Country. This local route should include the promenade and seafront areas of Portslade/Hove/Brighton, Madeira Drive, and the Marina Pathway to Saltdean (Justification: Health; Community; Local Tourism).

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM10	
<u>Respondent Number / Rep Number</u>	88	10
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership	
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM10
<u>Respondent Number / Rep Number</u>	159 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	n/a
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

-

Changes required

I support the proposal to protect public houses; however it needs to be enforced.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak -

<u>Policy</u>	DM10
<u>Respondent Number / Rep Number</u>	167 9
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton YIMBY
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Attempting to micromanage the brewery industry, including limiting the ability of uneconomic pubs to be converted into desperately needed housing because of the expected wrath of minor NIMBY campaigns is a counterproductive waste of the councils time and resources.

Changes required

The entirety of DM 10 should be deleted as it is not justified.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM10
<u>Respondent Number / Rep Number</u>	214 9
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support this policy.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM10
<u>Respondent Number / Rep Number</u>	241 9
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Lewis & Co Planning
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

DM10 – Public Houses This policy currently only supports the retention of public houses and should be titled accordingly or expanded to provide support for new public houses, or the improvement of existing public houses. Policy support should be added for the diversification and improvement of existing public houses, where this provides opportunities to improve the viability of these businesses. Wording to this effect may help avoid applications that would result in the loss of public houses in the first place and before they begin to fail.

Changes required

This policy currently only supports the retention of public houses and should be titled accordingly or expanded to provide support for new public houses, or the improvement of existing public houses. Policy support should be added for the diversification and improvement of existing public houses, where this provides opportunities to improve the viability of these businesses. Wording to this effect may help avoid applications that would result in the loss of public houses in the

first place and before they begin to fail.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM10
<u>Respondent Number / Rep Number</u>	258 9
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

DM10 PUBLIC HOUSES Local Pubs should be encouraged to make use of upstairs and underused spaces to provide accommodation to their staff and/or provide space for community groups, games, sporting activities and other similar activities. 2.95: We welcome the adoption of the “agent of change” principle to support grassroots music venues.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM11
<u>Respondent Number / Rep Number</u>	88 11
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The BHEP Executive is keen to see an inclusion of the types of businesses used to fill spaces, such as: Green Economy, Knowledge Economy, Digital, Pharma or Tech

The policy could also include an allowance for areas to be zoned differently. For example, it is no good having one retailer in amongst a largely night time economy area. or Night-time F&B next to daytime F&B.

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM11	
<u>Respondent Number / Rep Number</u>	211	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	St William Homes LLP	
<u>Respondent Type</u>	landowner / developer	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Established in 2014, St William is a joint venture between the Berkeley Group and National Grid Property ('National Grid'), established to bring forward regeneration and the redevelopment of decommissioned, vacant National Grid sites across the south-east, delivering essential new homes and jobs. The partnership combines National Grid's extensive portfolio of surplus brownfield sites with the Berkeley Group's design expertise, substantial experience of redeveloping complex regeneration sites and proven track record of significant housing delivery and high-quality developments. The Brighton Gasworks site ('Brighton Gasworks') falls within the portfolio and St William is pleased to be actively progressing plans to deliver a mixed use development on this Site in line with its site allocation under the City Plan Part 1. St William are currently in pre-application discussions with BHCC and have commenced a programme of public consultation with a view to submitting a planning application in 2021. This would mean that the first homes could be delivered by the mid 2020s. St William welcomes the opportunity to work with BHCC and have the opportunity to provide comments on the draft City Plan Part Two. St William would be very happy to meet with BHCC to discuss any of the comments set out in these representations. Comments provided are made in the context of the Strategic Site Allocation DA2 'Brighton Marina, Gas Works and Black Rock Area' outlined in the adopted Local Plan Part One (2016). In accordance with the guidance note on making representations to the draft Plan, our

comments relate to matters of legal compliance and whether the Plan is 'sound' in the context of paragraph 35 of the National Planning Policy Framework (NPPF) which requires plans to be: a) Positively prepared b) Justified c) Effective d) Consistent with national policy Comments are also submitted in line with paragraphs 11 and 81 of the NPPF, which states that plans and decisions should apply a presumption in favour of sustainable development and for plan-making this means that plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change. Site Background

The Site is a brownfield site and a former gas works site located to the east of Brighton city centre and northwest of Brighton Marina. The Site is bound by Boundary Road to the west, Roedean Road to the north and Marina Way to the east and south as shown in Figure 1 [see uploaded supporting document]. The existing site comprises a decommissioned gas holder and storage tank, vehicular parking areas, a number of commercial sheds and buildings used for automotive repairs and storage of commercial vehicles and a holding area for the construction work taking place at Sussex County Hospital. The site is allocated within the adopted City Plan Part One under strategic site allocation DA2. Policy DA2 comprises 3 distinct sites: the Brighton Marina, the Gas Works site and the Black Rock Area. Part C.2 outlines the localised policies for the Gas Works site which identifies the site for 'a minimum' of 85 residential units, which are shown on the current proposals map to the south of the site (as highlighted in Figure 2 [see uploaded supporting document]) and approximately 2,000 sqm of business floorspace to the north of the site. The policy goes on to explain that the employment provision should provide an appropriate mix of employment floorspace of varying sizes that cater for business uses ranging from office to light industrial, including small starter units or managed units (former Use Classes B1). Whilst this site allocation is outlined within the adopted City Plan Part One (2016) and is not therefore open for comment, these representations must be considered in the context of the site's strategic allocation and the framework set out in the City Plan Part One. Draft Policy DM11 New Business Floorspace NPPF Paragraph 11 – Flexibility Test - This policy does not afford sufficient flexibility. NPPF Paragraph 81 – Flexibility and responsiveness to rapid economic change - This policy does not afford sufficient flexibility. NPPF Paragraph 35 – Soundness Test - The policy does not meet the soundness tests as it is not positively prepared, effective or consistent with national policy following the changes to the planning use class order on 1 September 2020. Reason for Modification The changes to the planning use class order which took effect on 1 September 2020 include the introduction of new planning use class E which encompasses commercial, business and service uses and is intended to allow buildings to be used flexibly by having a number of uses taking place concurrently or by allowing different uses to take place at different times of the day, and by allowing them to change between different types of commercial uses (previously within different use classes and now within a singular use class) without constituting development. The online consultation page for the City Plan Part Two acknowledges the changes to the planning use class order and states that BHCC is currently considering the implications for planning policies. However, as currently drafted, the City Plan Part Two cannot be considered sound as it does not align with or reflect the recent changes to the planning use class order. By extension the adopted City Plan Part One is also now at odds with the new planning use classes and clarification is needed on how site allocations with particular use requirements (under the previous use class order) will be considered for example in the instance of site allocation DA2 within the City Plan Part 1 which requires approximately 2,000 sqm of business floorspace (former use class B1). The appropriate approach would be to ensure that relevant CPP2 planning policies such as Draft Policy DM11 are revised to acknowledge that other uses might also be appropriate alongside employment uses and in line with the objectives of new use class E, particularly where viability is a key consideration for complex sites such as gas works and that more flexibility should be incorporated into the policy to reflect this.

Changes required

Delete wording 'Business from title' and add 'Commercial' to read: DM11 New Commercial Floorspace Delete 'B1a, b and c' and 'business' and 'B1' from the following sentence of policy and replace with 'Class E' to read: "Development proposals involving the provision of new E Use Class floorspace, either in stand-alone commercial or mixed-use schemes, should provide for well-designed buildings and layouts suitable for incorporating a range of unit sizes and types that are flexible, with good natural light, suitable for sub-division and configuration for new Class E uses and activities..."

Participate at the hearing session(s)?

Not Answered

<u>Policy</u>	DM11
<u>Respondent Number / Rep Number</u>	214 10
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

This policy is out of date as it refers to Class B1 which no longer exists (superseded by Class E). This Policy therefore requires updating. The flexibility introduced through changes between uses within Class E, which do not constitute development, must be acknowledged and addressed. We object to the Policy in its current form as it is out of date. We await an updated policy before commenting further.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM11
<u>Respondent Number / Rep Number</u>	241 10
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Lewis & Co Planning
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

DM11 – New Business Floorspace This policy is out of date and should be amended to reflect recent changes to the Use Classes Order as there is no longer a B1 use class. The second half of this policy is unclear and needs clarity. The wording could be simplified to “Development proposals that seek to upgrade lower quality premises on protected industrial estates, and/or seek to provide higher employment densities, will be supported where the proposed use/s remain within appropriate employment Use Classes”. However, it is not clear what additional benefit this policy offers that is not already covered by part three of City Plan – Part One Policy CP3.

Changes required

This policy is out of date and should be amended to reflect recent changes to the Use Classes Order as there is no longer a B1 use class. The second half of this policy is unclear and needs clarity. The wording could be simplified to “Development proposals that seek to upgrade lower quality premises on protected industrial estates, and/or seek to provide higher employment densities, will be supported where the proposed use/s remain within appropriate employment Use Classes”.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM11
<u>Respondent Number / Rep Number</u>	246 3
<u>Name</u>	(Montagu Evans LLP)
<u>Email</u>	
<u>Organisation/individual</u>	Aberdeen Standard Investments
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Policy DM11 New Business Floorspace sets out the parameters for considering new B1a, b and c use class business floorspace, either as stand-alone development or as part of a mixed use scheme. The draft policy supports well-designed buildings suitable for the practicalities of a range of B uses. Policy DM11 provides clear guidance for the development of new business floorspace. However ASI advises, as with the wider draft CPP2, that the policy is amended to reflect the 2020 changes made to the Use Class Order. Sites such as Churchill Square are precisely the type of locations where the new flexible approach to town centre uses now captured in the changes to the Use Classes Order are likely to bring forward vibrant environments and far more variety than found in previous mono use shopping centres.

Changes required

However ASI advises, as with the wider draft CPP2, that the policy is amended to reflect the 2020 changes made to the Use Class Order. Sites such as Churchill Square are precisely the type of locations where the new flexible approach to town centre uses now captured in the changes to the Use Classes Order are likely to

bring forward vibrant environments and far more variety than found in previous mono use shopping centres.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM11
<u>Respondent Number / Rep Number</u>	247 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Regency Society of Brighton & Hove
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We particularly welcome the emphasis on flexibility.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM11
<u>Respondent Number / Rep Number</u>	258 10
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

EMPLOYMENT AND RETAIL SECTIONCITY PLAN PART TWOINTRODUCTORY PRINCIPLES
 Liberal Democrats support a “mixed economy” for our City in which people have equal opportunities and are able to develop their full potential. The City Plan should help enable this and ensure that people have the tools to succeed in order to ensure that we are a successful City. We support the creation of an Enterprise Centre, in partnership with Coast to Capital, the Federation of Small Businesses and other organisations to support and develop our Local Enterprises; Self Employed People; Small Businesses; and Social Enterprises, including Mutuals and Co-operatives. HOME WORKING* Working from home: More people are now working from home in a more flexible way so the City Plan needs to reflect this trend. (Justification; Demographic Changes; Employment)* There should be more affordable work/live units for people who are self-employed people and those running small businesses. (Justification: Demographic Changes; Employment). * With an increasing number of people working from home, specific consideration needs to be given to issues such as working space; noise; Whole Body Vibration (W.B.V.); and electronic/technical disruption such as E.M.C. This needs to be considered in conversions of existing buildings and in new-builds. (Justification; Health, Safety). * The Council should carry out a regular review of the Office requirements of the City (every two years) to ensure that an excess number of office buildings aren’t provided and that wherever possible, redundant,

underused and empty office buildings are brought into use for affordable and social rented homes. (Justification: Future Housing Needs; Employment Trends)DM11: The provision of different size “live/work units” should be encouraged to provide residential space and workshop or office space for a range of needs. The space requirements for homes should be the same as for elsewhere in the City Plan.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM12
<u>Respondent Number / Rep Number</u>	88 12
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Given there is no statutory tool to enforce meanwhile use, section b may be difficult. The BHEP feels that there would need to be an incentive for landlords such as the council not charging occupier rates for a meanwhile use on their properties. Equally, there should be policy around incentives for tenants (around 5G usage possibly) if this is a clear policy from BHCC.

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM12
<u>Respondent Number / Rep Number</u>	214 11
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

This Policy is now out of date following the new 'Class E' coming into force. The LPA has acknowledged this and have set out that an updated policy will be published for further consultation. We await this updated policy before commenting further.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM12
<u>Respondent Number / Rep Number</u>	216 9
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Food Partnership
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

We would query whether the wider section will need updating in the light of the government's introduction of new use classes including specific protection for shops selling fresh food.

Changes required

We would query whether the wider section will need updating in the light of the government's introduction of new use classes including specific protection for shops selling fresh food.

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We would be happy to participate in the Inspector's hearing to make these points.

<u>Policy</u>	DM12
<u>Respondent Number / Rep Number</u>	241 11
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Lewis & Co Planning
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

DM12 – Primary, Secondary and Local Centre Shopping Frontages As above, this policy is out-of-date as it does not reflect changes to the Use Classes Order. Its requirements can no longer be controlled as changes of use away from retail uses to other Use Class E commercial uses are no longer classified as development. Historically we have received regular enquiries from clients seeking to introduce positive city centre uses that will generate footfall that have not progressed due to the previous restrictions of Local Plan (2005) policies. We therefore support the new flexibility introduced by the Government to revitalise commercial parades and the City Plan – Part Two should not seek to prevent appropriate new town centre uses.

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	DM12
<u>Respondent Number / Rep Number</u>	246 4
<u>Name</u>	(Montagu Evans LLP)
<u>Email</u>	
<u>Organisation/individual</u>	Aberdeen Standard Investments
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Policy DM12 Changes of Use within Regional, Town, District and Local Shopping Centres outlines detailed criterion that must be met for changes of use from existing A1 units to non-A1 units within designated shopping centres to be permitted. This policy also needs to be comprehensively reviewed in light of the changes to the Use Classes Order. The substantial shifts in shopping patterns and changes in the retail market mean this policy should be reviewed and made significantly more flexible to allow for city centre locations like Churchill Square to adapt quickly to the changing market. The criteria listed in Policy DM12 are overly onerous, restrictive and do not reflect the reality of the changing currents of retail. Furthermore, the restrictive nature of Policy DM12 makes the delivery of the strategic site allocation at Churchill Square significantly more challenging than when the policy was formulated. Therefore ASI cannot support Policy DM12 as currently drafted and request the Council amend Policy DM12 to allow for a wider range of land uses, including commercial, residential and leisure uses, to be acceptable in city centre and shopping centre locations subject to detailed considerations.

Changes required

... ASI cannot support Policy DM12 as currently drafted and request the Council amend Policy DM12 to allow for a wider range of land uses, including commercial, residential and leisure uses, to be acceptable in city centre and shopping centre locations subject to detailed considerations.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM12
<u>Respondent Number / Rep Number</u>	247 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Regency Society of Brighton & Hove
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The baseline for calculating allowable percentages for change of use should include previously converted premises. The provision that within the Lanes and North Laine areas the change of use should not result in a group of three or more adjoining units being in non-A1 is particularly welcome. We would encourage the residential use of the upper floors and rear areas of shops not least to secure the viability of the premises, provided it does not compromise the viability of the shop. Fire engineering can ensure fire safety where simple compliance with approved documents is not practical.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM12
<u>Respondent Number / Rep Number</u>	258 11
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

DM12 Change Of Use: General Agreement. However, where there have been empty or underused shops for two years or more within a designated “shopping area”, a more flexible approach should be pursued in order to consider the provision of more work/live units or residential units where appropriate (Justification: Changing Retail Trends; Need for more Affordable Residential units)DM12/13: Change of Use should NOT be permitted where the premises are a Sub Post Office or a Crown Post Office (Justification: Important Community Resource; Banking and Posting Facilities for Businesses and Residents).

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM12
<u>Respondent Number / Rep Number</u>	267 1
<u>Name</u>	(Kent County Council Superannuation Fund)
<u>Email</u>	
<u>Organisation/individual</u>	DTZ Investors Kent County Council Superannuation Fund
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Changes required

In summary, we consider that draft Policy DM12 is overly restrictive and not in accordance with current government guidance, which seeks flexibility and the re-use of buildings. The role of town and city centres is changing, and there needs to be opportunities to provide a wide range of uses within these centres to add to their overall vitality. If town centres are going to survive and thrive there is a need for greater flexibility in the use of high street buildings. In particular there is a need to allow more non-retail uses within Prime Retail Frontages. We understand that the council is going to substantially change draft Policy DM12 following the changes to the Use Classes Order. We, therefore, reserve the right to make further representations in relation to this policy once the changes have been published. In conclusion, we request that draft Policy DM12 of the PSCPP2 is removed.

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM13
<u>Respondent Number / Rep Number</u>	38 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	not applicable
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Again, regardless of residential or other objections, plans will be forced through.

Changes required

There needs to be much more public notification, and public meetings prior.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM13
<u>Respondent Number / Rep Number</u>	88 13
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM13
<u>Respondent Number / Rep Number</u>	214 12
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

This Policy is now out of date following the new 'Class E' coming into force. The LPA has acknowledged this and have set out that an updated policy will be published for further consultation. We await this updated policy before commenting further.

Changes required

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM13
<u>Respondent Number / Rep Number</u>	216 10
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Food Partnership
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

We welcome the importance placed on local shopping parades in DM 13 and the specific reference to the avoiding loss of fresh food retail in unless there is alternative equivalent provision within 300 metres. We would query whether the wider section will need updating in the light of the government's introduction of new use classes including specific protection forshops selling fresh food.

Changes required

We would query whether the wider section will need updating in the light of the government's introduction of new use classes including specific protection for shops selling fresh food.

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak

We would be happy to participate in the Inspector's hearing to make these points.

<u>Policy</u>	DM13
<u>Respondent Number / Rep Number</u>	229 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Hove Station Neighbourhood Forum
<u>Respondent Type</u>	Neighbourhood Forum
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Hove Park Villas Goldstone Villas This policy will support the Neighbourhood Plan Policy for Community Hub 1 Hove Station as a key component of the Hove Station Quarter .

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM13
<u>Respondent Number / Rep Number</u>	241 12
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Lewis & Co Planning
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

DM13 – Important Local Parades, Neighbourhood Parades and Individual Shop UnitsAs above, this policy is out-of-date as it does not reflect changes to the Use Classes Order. Its requirements can no longer be controlled as changes of use away from retail uses to other Use Class E commercial uses are no longer classified as development. Historically we have received regular enquiries from clients seeking to introduce positive city centre uses that will generate footfall that have not progressed due to the previous restrictions of Local Plan (2005) policies. We therefore support the new flexibility introduced by the Government to revitalise commercial parades and the City Plan – Part Two should not seek to prevent appropriate new town centre uses.

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	DM13
<u>Respondent Number / Rep Number</u>	247 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Regency Society of Brighton & Hove
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The baseline for calculating allowable percentages for change of use should include previously converted premises.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM13
<u>Respondent Number / Rep Number</u>	258 12
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

DM12/13: Change of Use should NOT be permitted where the premises are a Sub Post Office or a Crown Post Office (Justification: Important Community Resource; Banking and Posting Facilities for Businesses and Residents).

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM14
<u>Respondent Number / Rep Number</u>	88 14
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The BHEP believes that any development here needs to be complimentary to the city as a whole.

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM14
<u>Respondent Number / Rep Number</u>	214 13
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

This Policy is now out of date following 'Class E' coming into force. The LPA has acknowledged this and have set out that an updated policy will be published for further consultation. We await this updated policy before commenting further.

Changes required

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM14	
<u>Respondent Number / Rep Number</u>	233	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>	Individual	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Marina DM14I'm aware of the recent planning meeting on the proposed new flats. There was an article:<https://www.brightonandhovenews.org/2020/10/01/councillor-brands-brightonmarina-tower-plan-as-poundshop-dubai/>If the image of the new harbour wall (marked in red on the map) is genuine (as it looks an odd shape) it will virtually stop boats being able to get in and out.Currently the channel, between buoys, is quite narrow and runs in a wide curve, sois not too safe when passing a boat coming in the opposite direction.In the summer there was a programme of dredging but the end result seems to be a lot shallower in places than the marina hoped and claimed. In fact the marina still cannot be used for boat movements 2 hours either side of low water (so 8 hours a day!) (by decree). There is a dredging plan but it is said it will take 5 years to restore reasonable depths. The marina was built having deep water, and the question is how has it silted up (such that there is less than 3 feet at many berths at low water and mud is visible against the inside of the outer breakwater (ie what would have been the deepest water)). The main consensus is that the marina was designed to have a water-rotating action when the tide ran past the entrance, but when the last set of 2 blocks of flats were built, the pier was removed (water would have rununder it) and the replaced with solid foundations - so stopping the flow. This water flow was probably aimed at refreshing the water or scouring, but its effect now seems to be to bring in sediment

from outside and dump it (as there is no other sizeable obvious source of sediment).In DM14 2.130 it says: 'The Marina provides a mix of housing, shopping, commercial, leisure and recreational buildings in addition to being a working harbour. This creates a unique commercial and leisure environment.' The marinamanagement need to affirm that they will put a priority on serving the recreational boating & commercial fishing community for whom it exists, rather than maximising return.So could you:- ensure that the marina entrance channel location does not get any narrower than it is at present, and ideally wider (and deeper).- make it a condition of any building work that the marina is dredged to, and kept at, a depth of at last 2 meters below chart datum (at no extra expense to berth holders).

Changes required

In DM14 2.130 it says: 'The Marina provides a mix of housing, shopping, commercial, leisure and recreational buildings in addition to being a working harbour. This creates a unique commercial and leisure environment.' The marinamanagement need to affirm that they will put a priority on serving the recreational boating & commercial fishing community for whom it exists, rather than maximising return.So could you:- ensure that the marina entrance channel location does not get any narrower than it is at present, and ideally wider (and deeper).- make it a condition of any building work that the marina is dredged to, and kept at, a depth of at last 2 meters below chart datum (at no extra expense to berth holders).

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM14
<u>Respondent Number / Rep Number</u>	241 13
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Lewis & Co Planning
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

As above, this policy is out-of-date as it does not reflect changes to the Use Classes Order. Its requirements can no longer be controlled as changes of use away from retail uses to other Use Class E commercial uses are no longer classified as development. Historically we have received regular enquiries from clients seeking to introduce positive city centre uses that will generate footfall that have not progressed due to the previous restrictions of Local Plan (2005) policies. We therefore support the new flexibility introduced by the Government to revitalise commercial parades and the City Plan – Part Two should not seek to prevent appropriate new town centre uses.

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	DM14
<u>Respondent Number / Rep Number</u>	243 3
<u>Name</u>	(of Lichfields)
<u>Email</u>	
<u>Organisation/individual</u>	X-Leisure (Brighton II) Ltd and Landsec
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We strongly support the identification of the special commercial and leisure offer within Brighton Marina and recognition of supporting a wider mix of uses beyond traditional retail in this location. We therefore welcome and support the amended wording to focus on commercial and leisure uses that support the vitality and viability of the Marina. This is considered justified and consistent with national policy. However we note that criterion c) of the policy requires that a window display is provided to retain an active frontage. This is considered unduly onerous for all commercial and leisure uses and could inadvertently constrain those that maintain active frontages but do not have a traditional shopfront. The policy wording should be amended to remove reference to a window display to be justified.

Changes required

Criterion c) of the policy should be amended to: "An active frontage is retained."

<u>Participate at the hearing session(s)?</u>	No, I do not wish to participate in hearing session(s)
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Why wish to speak

As a key stakeholder in the Brighton Marina site allocation, it is important that X-Leisure (Brighton II) Ltd and Landsec has the opportunity to participate in discussions regarding this policy at the examination to ensure there is sufficient flexibility so not to inadvertently constrain development.

<u>Policy</u>	DM14
<u>Respondent Number / Rep Number</u>	247 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Regency Society of Brighton & Hove
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The opportunities presented by the short remaining leases on some commercial and leisure premises and the abandonment of plans for a 10,000 seat venue at Black Rock are not taken into account by this policy. Any development at the Marina should be in the context of a masterplan for it and Black Rock.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM14
<u>Respondent Number / Rep Number</u>	258 13
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

DM14: Brighton Marina. The Marina should be re-designated as a Local Shopping Centre because it serves both the considerable residential development here and East Brighton. Favourable consideration should be given to the provision of a Post Office here (Justification: Important Community Resource; Local Facilities; proximity to Tourist areas and Proposed Conference Facilities)

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM15
<u>Respondent Number / Rep Number</u>	88 15
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

With the Temporary Use Clause outlined, will the council, as Landlord, actively market these opportunities? The BHEP would like to see a more proactive policy in activating this aspiration.

Changes required

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM15
<u>Respondent Number / Rep Number</u>	214 14
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

This Policy is now out of date following 'Class E' coming into force. The LPA has acknowledged this and have set out that an updated policy will be published for further consultation. We await this updated policy before commenting further.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM15
<u>Respondent Number / Rep Number</u>	244 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brunswick Town Association (BTA)
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	Officer Specified Tests
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

DM15. (d) Insert after 'light pollution' , and overuse

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM15
<u>Respondent Number / Rep Number</u>	247 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Regency Society of Brighton & Hove
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Officer Specified Tests
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

There is no specific mention of the importance of Madeira Drive as a venue for events, of the need for infrastructure to support them and of the potential of Madeira Terrace as a grandstand.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM15
<u>Respondent Number / Rep Number</u>	258 14
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Officer Specified Tests
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

DM15: Commercial and Leisure Uses on the Seafront: Generally support the proposals. The Council should also work with others, in partnership, to provide “stop off hubs” at spaced out points on the seafront for walkers and cyclists. This might include shelters; public seating; Information; signage; and refreshments. This would also help to meet the requirements of Natural England for a well designed Coastal Path. (Justification: Health; Safety; Residents and Tourists facilities which also boost the economy). The Council should support safe leisure and sporting activities in the seafront area, including basketball; cycling; swimming; and walking. It will aim to provide some seafront support staff in the summer months and continue to be part of the “Red Flag” system for beach and sea safety.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM16
<u>Respondent Number / Rep Number</u>	88 16
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM16
<u>Respondent Number / Rep Number</u>	214 15
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to the content of these policies.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM16
<u>Respondent Number / Rep Number</u>	216 11
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Food Partnership
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We welcome the importance of supporting new and existing markets and market stalls in DM16 and their role in support access to local produce and healthier food. There seems to be some ambiguity as the policy talks about market sand market stalls, however the supporting text largely refers to markets. We would suggest 2.137 and 2.138 should be expanded to clarify they include market stalls as well as markets, otherwise this policy is not clear and usable in practice.

Changes required

We would suggest 2.137 and 2.138 should be expanded to clarify they include market stalls as well as markets, otherwise this policy is not clear and usable in practice.

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak

We would be happy to participate in the Inspector's hearing to make these points.

<u>Policy</u>	DM16
<u>Respondent Number / Rep Number</u>	258 15
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

DM16: Markets. General Support. Should also include rubbish/recycling facilities where possible.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM17
<u>Respondent Number / Rep Number</u>	88 17
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The BHEP is wholly supportive of the safeguarding of conference facilities in the city. *Transport to and from a conference facility is key to the success of any scheme.*

Changes required

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM17
<u>Respondent Number / Rep Number</u>	181 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Royal London Asset Management
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The allowance for a hotel within Development Area DA6 is wholly supported and we recognise that the Visitor Accommodation Study Update (2018) identifies the need for a further 2 hotels by 2022, with longer terms forecasts increasing to 4-8 hotels. It is proposed my Client's site, 154 Old Shoreham Road, should be considered for hotel development as part of a mixed-use scheme, in accordance with our accompanying letter and Design and Massing Study.

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM17
<u>Respondent Number / Rep Number</u>	214 16
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to the content of these policies.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM17
<u>Respondent Number / Rep Number</u>	229 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Hove Station Neighbourhood Forum
<u>Respondent Type</u>	Neighbourhood Forum
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

OBJECTIONThe following City Plan Part 1 Strategic Allocations/ Development Areas are identified as search areas for new hotel development:DA6 Hove Station Area – sustainable transport hub with links to Hove town centre and seafront but not considered a significant hotel location. Potential for a budget hotel alongside other uses if there is sufficient capacity.In our response at the draft stage of CP2 we suggested that there was no support for this policy. We now ask for its deletion. The approval of the Watkins Jones Hove Garden project has set a benchmark for high density redevelopment of DA 6 south of the railway for housing combined with commercial and community uses which complement the existing provision in the Important Local Parade (CP2 DM 13) immediately adjacent to Hove Station. The approval of major applications north of the railway means that there is no capacity there. There is no evidence of demand for hotel in DA6 and the vision of a new Hove Station Quarter does not include the development of the area as a destination for tourists.

Changes required

In our response at the draft stage of CP2 we suggested that there was no support for this policy. We now ask for its deletion.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM17
<u>Respondent Number / Rep Number</u>	241 14
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Lewis & Co Planning
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

DM17 – Opportunity Areas for new Hotels and Safeguarding Conference Facilities We fully support the policy support for new hotel development however, given the clear need for new hotel development identified in the Visitor Accommodation Study Update 2018 and the absence of any hotel site allocations in the City Plan – Part Two, we suggest that the term ‘search areas’ be replaced with “locations of opportunity” to reflect the Study Update wording. The current wording implies that hotel development should not occur outside these areas. Ideally, the policy should support all new hotel development (in appropriate locations), identify specific allocations and ‘strongly support’ appropriate proposals in these four DA areas of opportunity (DA1, DA2, DA4 and DA6). The Study Update highlights that “hotel companies that are keen to open new hotels in Brighton are clearly struggling to secure sites”. This policy should therefore provide additional support to new hotel development wherever suitable sites are identified.

Changes required

We suggest that the term ‘search areas’ be replaced with “locations of opportunity” to reflect the Study Update wording. The current wording implies that hotel

development should not occur outside these areas. Ideally, the policy should support all new hotel development (in appropriate locations), identify specific allocations and 'strongly support' appropriate proposals in these four DA areas of opportunity (DA1, DA2, DA4 and DA6).

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM17
<u>Respondent Number / Rep Number</u>	246 5
<u>Name</u>	(Montagu Evans LLP)
<u>Email</u>	
<u>Organisation/individual</u>	Aberdeen Standard Investments
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Policy DM17 Opportunity Areas for new Hotels and Safeguarding Conference Facilities identifies search areas that may be suitable for new hotels as well as policy wording designed to safeguard existing conference facilities. The Churchill Square Site is listed under this policy as a potential opportunity area for new hotel development. The policy wording indicates these areas as appropriate for new hotel development and increases the potential mix of land uses for the listed search areas. The Churchill Square Site is centrally located, close to existing infrastructure and public transport connections. It is therefore a prime location to bring forward a high quality conference and events centre, supported by a mix of other appropriate uses, to enhance Brighton's status as a conference and events destination. ASI support this section of the policy as currently worded.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM17
<u>Respondent Number / Rep Number</u>	247 7
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Regency Society of Brighton & Hove
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We are glad to see that common sense has prevailed and the proposal to replace the Brighton Centre at Black Rock has been abandoned. We consider that Black Rock should be reserved for leisure and recreational use as the eastern termination of the beach and not become the site of a hotel. We do consider the Marina to be a suitable place for a new hotel.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM17
<u>Respondent Number / Rep Number</u>	258 16
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

DM17: General support, except to delete “New England Street Area” as a “search area for new hotel developments” (Justification: Existing Hotels in New England Area and Queens Road; Need for Affordable Homes in Central Brighton/London Road Areas; Need for Light Industrial workshop spaces).

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM18
<u>Respondent Number / Rep Number</u>	246 6
<u>Name</u>	(Montagu Evans LLP)
<u>Email</u>	
<u>Organisation/individual</u>	Aberdeen Standard Investments
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Policy DM18 High Quality Design and Places provides a detailed breakdown of the key design aspects development will be considered against. Whilst the general impetus of the policy is in line with the NPPF expectation of high quality design within development, criterion "(d) the spaces between and around buildings taking into account: (iv) comfort, image and sociability" is vaguely worded. It isn't clear how the 'comfort' or 'image' of spaces between and around buildings can be appropriately assessed and ASI suggest this wording is improved to provide clarity for applicants. ASI appreciates more detailed guidance on the specific design considerations of proposals will come forward through the forthcoming Urban Design Framework Supplementary Planning Document ("SPD") and welcome the clarity on the specific design considerations and expectations that will emerge through this document. ASI would welcome being involved in the formation of this SPD.

Changes required

Policy DM18 High Quality Design and Places provides a detailed breakdown of the key design aspects development will be considered against. Whilst the general

impetus of the policy is in line with the NPPF expectation of high quality design within development, criterion "(d) the spaces between and around buildings taking into account: (iv) comfort, image and sociability" is vaguely worded. It isn't clear how the 'comfort' or 'image' of spaces between and around buildings can be appropriately assessed and ASI suggest this wording is improved to provide clarity for applicants. ASI appreciates more detailed guidance on the specific design considerations of proposals will come forward through the forthcoming Urban Design Framework Supplementary Planning Document ("SPD") and welcome the clarity on the specific design considerations and expectations that will emerge through this document. ASI would welcome being involved in the formation of this SPD.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM18
<u>Respondent Number / Rep Number</u>	214 17
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to the content of these policies.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM18
<u>Respondent Number / Rep Number</u>	182 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Adequate light for each unit

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM18
<u>Respondent Number / Rep Number</u>	173 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Ramblers
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I basically support the policy but ask for greater emphasis as shown in Q4 below.

Changes required

Greater emphasis is needed in considering scale and shape of buildings, materials and architectural detailing where development is on the City fringe and adjacent or near to South Downs National Park boundary.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM18
<u>Respondent Number / Rep Number</u>	258 17
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

PRINCIPLES Liberal Democrats believe that the principles of planning should include accessibility, community participation, good design and interconnectivity with local services and sustainable transport. Most of all, we believe that the local community and the people of our City should be able to have a say about decision making.* High Rise Buildings (DM 18): We recognise the need for more affordable/social rented homes but reject the idea that this can only be achieved through building more high-rise buildings/tower blocks. Consideration must be given to issues such as safety; community cohesion; fire risks; future maintenance costs; and the historic lack of popularity of such forms of living. Most residents seem to prefer more "human scale" homes, so as a general rule we reject all developments of this kind in Conservation Areas and believe that these should be restricted to no more than nine storeys in other areas. (Justification: Community Cohesion; Safety; Financial Costs)* DM18: Spaces between buildings: Wherever possible, spaces between buildings should be allocated as "pocket parks" to help provide leisure and seating space for local residents.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM18
<u>Respondent Number / Rep Number</u>	256 9
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Brighton Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Opening statement of DM18 - the problem with terms such as “a sense of place, and the visual quality of the environment”, is that they are abstract and highly subjective. Therefore the reasoned justification can only be seen as a marketing exercise – fine words, but will they have teeth? We asked this question in our response to the draft City Plan Part 2 citing the (then) recent examples of Circus Street, Preston Barracks, and the Edward Street development, and concluding on the basis of those that the answer had to be emphatically NO. The concerns we expressed then about the Draft City Plan 2 have not been answered in this final version. Since then we have seen applications approved for ugly, boxy 18 storey developments at Ellen Street Hove, up to 15 storeys at Anston House, 18 storeys at the Longley Industrial Estate, a huge development of high buildings up to 15 storeys on the Sackville Trading Estate Hove, (which we termed Croydon-on-Sea), large buildings up to 10 storeys on the Peacock Industrial Estate, not to mention the massive Marina project which is now the subject of an appeal. Where will it stop? When will the city planners finally say enough is enough? How many tall buildings are too many before the historic character of the city is terminally damaged? The importance and value of our city’s urban heritage, its 34 conservation areas, and its 3500 listed buildings is being gradually compromised and increasingly threatened by massively out of scale developments. This is the section of City Plan 2 dealing with design and heritage and it doesn’t even ask these

sorts of questions. In fact the first time the word ‘heritage’ is used in this Design and Heritage section is 16 pages further on in the section dealing with advertisements; the next one is 25 pages on and then only in relation to “Locally Listed Heritage Assets”.The only gesture to the importance of our historic urban landscape appears as an afterthought in DM29 below. We make the appropriate comment there. Has the expression “urban heritage” no relevance in this document? Yet it is the most important element in this city which needs to be protected. The scale of these threats and the apparent inability of the Council to do anything about them make a nonsense of the platitudes set out in this section of City Plan Part 2. The Introductory section on page 63 sets out four key design aspects: (a) local context and urban grain; (b) scale and shape of buildings; (c) building materials and architectural detailing; (d) the spaces between and around buildings taking into account: (i) purpose and function; (ii) access and linkages; (iii) uses and activities; and (iv) comfort, image and sociability. These design priorities are threatened by a number of factors not mentioned in the draft. (i) First, the impact of the tall buildings policy, which risks harm to the city’s heritage and landscape in terms of excessive height and scale with consequential detrimental effects on views of and from key parts of the city, including the detrimental effect on the city’s heritage assets. (ii) Secondly, the inadequacy of planning policy on all tall buildings in general - for example, up to now the lack of proper Urban Design Frameworks and studies which would examine the context of sites for tall buildings, and the preferred design parameters within which tall buildings can be suitably designed in relation to and in sympathy with their surroundings. We are aware that a consultation document on the UDF SPD has been issued within the past week and we will be commenting on that draft in due course. Also we question the need for tall buildings – density is the important issue. See our comments on this issue in item DM19 below. (iii) Thirdly, the impact of the National Planning Policy Framework (NPPF), and the effects this is having on the Council’s ability to control its own planning policies. In particular we are concerned about the obligation the NPPF imposes on Local Authorities to balance public benefits and harm, and the likely detrimental effects of this on Heritage considerations, such as Conservation Areas and Listed Buildings and our historic urban landscape in general. (iv) Fourthly, we are concerned about the influence of external sources of design advice, for example the regional design panel, whose judgements could be said to reflect more typical international and national trends - rather than being based on local knowledge, appreciation of the existing urban context, the historical importance of much of the central area of the city and the traditional patterns of development appropriate to the historic character of many areas of Brighton & Hove. (v) We would like to see the criteria which govern the key design aspects set out in (a), (b), (c) and (d) above, protected against such threats, and their importance relative to those threats clarified and stated within policy DM18. (vi) Any discussion of local context (para 2.148), should include a reference to ‘polite relationships’. This is particularly important as a general principle to be applied when it comes to reviewing the effects of new developments on existing urban environments. The subsequent paragraphs 2.150 – 2.159 while well-intentioned, are yet further examples of toothless generalisations waiting to be ignored by developers. Paras 2.152 to 2.157 (discussing the design of spaces), don’t even mention the desirability of sunlight. We pointed out this omission in our response to the first draft – but it has been ignored. In relation to paras 2.157 and 2.158 (artistic element) this paragraph should make quite clear the difference between ‘art’ and ‘graffiti’. Graffiti is unacceptable and epitomises social decline and promotes vandalism of our historic environment. Art does precisely the opposite. We have drawn attention to the lack of reference to graffiti. Since then, the problem of graffiti despoiling our public spaces has become considerably worse. But there is still no mention of the problem in this document. Para 2.159 - “design review service” – we previously asked about the meaning and relevance of this item. Would it involve local knowledge and expertise? Would it include for example, the Conservation Advisory Group? This document does not deal with the question.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM18
<u>Respondent Number / Rep Number</u>	213 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Hove Civic Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

In 2018 Hove Civic Society made extensive representations at the draft stage to the City Plan Part 2. We supported a number of the policies and made suggestions for improvements in a number of other areas. However we are disappointed that our general comments about the public realm and the various proposed improvements by the Council over the years have not been anchored in the plan as a natural corollary to the pressures created by new development across the City. We are therefore challenging the soundness of the plan in four interrelated areas: 1. Public realm: we believe that for the plan to be sustainable the off-site impact of the large amount of new development in the city needs to be recognised and the pressures on the existing fabric of the city dealt with as far as possible. We propose a public realm policy to deal with this. 2. Arts and Culture: Arts and Culture is a generally recognised key component of city life and is largely ignored in the plan. We propose a substantial strengthening of existing policies or an entirely new policy. Public Realm Brighton and Hove face major intensification as demonstrated by its various policies and the continuous demand for housing in the area. Hove and Brighton are among some of the most popular destinations in the UK with rents and house prices commensurate. New development is being squeezed in between the National Park to the north and the sea to the south, with increasing pressure on remaining brownfield sites, urban fringe sites and intensification including upwards on many locations across the city. This intensification in

a very limited area puts added pressure on an already strained infrastructure, generated by new residents and visitors. Simply additional wear and tear of our existing city fabric. Whereas City Plan Part 2 goes to great lengths to ensure that new development is as sustainable as practicably possible it fails to deal with the impact of 'town cramming' on the remainder of the city. As a counterpoint to the framework for enabling new development there is a critical need for a commensurate policy dealing with the public realm in the city – its management and enhancement – to ensure that the aspirations of enabling new development do not fundamentally undermine the fabric of the city. This is particularly critical in times of public austerity, which tends to hit environmental and neighbourhood services hardest in areas administered by unitary authorities such as Brighton and Hove City Council, where social services and education are inevitably accorded highest priority with neighbourhood services suffering disproportionately. The recent pandemic with its associated changes in people's dynamics, not least working patterns, can be argued to strengthen the need for well-designed public realm as we know it can help people's mental health and the wider health agendas. In order to achieve an overall sustainable city where the pressures of new development don't undermine the essential fabric of the City we therefore need a policy that deals with the public realm. This will aim to prevent the creation of poor environments as a result of the additional development pressure and will enhance the sustainability of communities and residential environments as expected in the National Planning Policy Framework paras 81 and 92. The public realm policy should deal with the following:

- * Improvements of spaces surrounding and adjacent to development sites. DM18 refers to spaces between the buildings proposed within a site. This needs to be extended and could require pavement rebuilds, street tree planting, creation of microparks on land adjacent to and in the vicinity of development sites. Such improvements should dovetail with conservation area improvement plans and other physical improvement plans that the city has prepared and agreed upon in the past.
- * To provide a coherent framework for improvements to the public realm, the council should set out in a Supplementary Planning Document or framework the areas requiring environmental improvements in the city and set out clearly the improvements needed. The ambition by the city council to create a climate neutral city should be visualized in this context – car free areas, pedestrian and cycle facilities and a substantial shift of land from car use to leisure space, play facilities etc. This can easily be indicated on a proposals map. Such proposals could grow in number over time but at this stage those proposals which have already been made (such as those in the study public life, public space: <https://www.brighton-hove.gov.uk/content/parking-and-travel/travel-transport-and-roadsafety/public-life-public-space>) should be bundled and mapped.
- * There will need to be a clear commitment by the council to use CIL funding for these improvements as well as S106 within and immediately adjacent to or in the vicinity of new developments. This will also require a high level of transparency in terms of how these funds are being spent.
- * A public realm policy will offer a major opportunity for city communities to help identify areas that are in need of improvements not just near new developments but across the city. The following approximate wording for a new policy is suggested: "The Council will aim to manage the adverse impacts on the city's environment resulting from new development by undertaking compensating investments in the public realm across the city. Funding for this will come from a mixture of CIL funds and other appropriate sources of capital and revenue. The Council will define improvements necessary to the public realm across the city with the support of local communities and incorporate these in a Supplementary Planning Document that will act as the Council's investment strategy into the public realm in the city for the plan period."

Reason: Whereas the City Plan makes careful provision for environmental and sustainability measures on site for new developments and seeks to mitigate any impacts of new developments in terms of providing affordable homes, adequate open space and education infrastructure as well as managing the immediate physical transport impacts of new developments, there is no recognition of the city wide impact of new development in terms of the effects of intensification, higher densities and commensurate wear and tear of the city fabric. This policy seeks to ensure that there is a city wide continuous and planned process that enhances the public realm in step with the intensification of land uses in the city. Such process should also link closely to the council's efforts to create a more climate smart city. Public art

The introduction to the Brighton and Hove Cultural Framework (Daring to be Different) sets the scene for the importance of arts and culture in the city: "Brighton & Hove is known internationally as hotbed of creativity. It is at the epicentre of one of the most dynamic and innovative creative clusters in the UK, at the forefront of advances in artificial intelligence and augmented reality, as well as being home to hundreds of artists and creative producers. It hosts over sixty festivals a year, including the largest annual arts festival in England. Artists and creative people are drawn to live and work in the city because of its fantastic setting between the sea and the South Downs, its much-loved Georgian Architecture and heritage, and its liberal and cosmopolitan attitude, epitomised by its diverse day and night life. As well as being home to 35,000 students, the city boasts a strong civil society with over 2,300 third sector organisations and one of the largest populations of freelancers and homeworkers in the UK." Bearing in mind its central importance to the City's character, reputation and economy, arts and culture are not sufficiently recognised in the City Plan Part 2. We believe that in this

area the plan fails the soundness tests. The NPPF in para 20c makes a reference to cultural infrastructure which is not reflected in CPP2. The reference to artistic components in new developments in policy DM18 is noncommittal and does not reflect the importance of arts and culture to the city. We believe the subject deserves a separate policy or at the very least a significant strengthening of DM18. Our studies of the impact of arts and culture contributions from new developments demonstrate at least two decades of missed opportunities as funding has been spent largely on small installations that have been allowed to deteriorate. Our study leads us to conclude that from an investment of over £1M over the last two decades very little has been created that has a lasting impact. Developments have funded minor pieces of work, adornments often such as gates or fences. This cannot be the meaning of cultural infrastructure. The funding which has been available could have started developing a significant cultural infrastructure and we believe it is for the CCP2 to set the scene for such infrastructure to happen. We suggest the following:

- * Require new developments to contribute to arts and culture infrastructure within, adjacent or in the vicinity of new developments.
- * Allow developers to make joint contributions where this creates the financial volume that allows significant and durable installations to be generated – in line with the council's policy on improving the public realm as suggested above.
- * Define arts and cultural infrastructure – our contribution is the Sculpture in the City public arts initiative, which aims to generate high class sculpture, initially showcased on the Hove Plinth, to be located at suitable locations throughout the city. (This should link to the City's Public Arts Strategy, once complete)
- * Coupled to this in policy DM18: last paragraph therefore reword to: "In addition to the above major development proposals on strategic and/or prominent sites will be required to incorporate an artistic element." The rationale for this policy is to use limited resources for arts and culture to create the best impact for all concerned across the city. The following wording for a new policy or addition to Policy 18 is suggested: "The Council wishes to ensure that development contributions to arts and culture are spent in a way that creates a durable and significant legacy for the city as a whole. The City's Public Art Strategy will provide pointers to how such contributions can best be invested. Sculpture in Our City provides a partial framework which over time would achieve a City-wide sculpture trail. The City Council will encourage developers to work together, for example by making joint contributions, to achieve artistic elements that are significant, high quality and durable to help enhance the City." Reason for this addition: In times of continued public austerity it is critical to ensure funds available for arts and culture are carefully deployed. To be of any lasting significance artistic works need to be substantial, durable and of high quality as well as highly visible. This policy seeks to improve on the council's current procedures to ensure that artistic funds create a lasting legacy for the city. We believe that in dealing with our objections the City Plan will become sound and help provide both a better framework for managing the off-site impact of new development and improve the management of our townscape and environment in times of climate change and environmental stress.

Changes required

The public realm policy should deal with the following:

- * Improvements of spaces surrounding and adjacent to development sites. DM18 refers to spaces between the buildings proposed within a site. This needs to be extended and could require pavement rebuilds, street tree planting, creation of microparks on land adjacent to and in the vicinity of development sites. Such improvements should dovetail with conservation area improvement plans and other physical improvement plans that the city has prepared and agreed upon in the past.
- * To provide a coherent framework for improvements to the public realm, the council should set out in a Supplementary Planning Document or framework the areas requiring environmental improvements in the city and set out clearly the improvements needed. The ambition by the city council to create a climate neutral city should be visualized in this context – car free areas, pedestrian and cycle facilities and a substantial shift of land from car use to leisure space, play facilities etc. This can easily be indicated on a proposals map. Such proposals could grow in number over time but at this stage those proposals which have already been made (such as those in the study public life, public space: <https://www.brighton-hove.gov.uk/content/parking-and-travel/travel-transport-and-roadsafety/public-life-public-space>) should be bundled and mapped.
- * There will need to be a clear commitment by the council to use CIL funding for these improvements as well as S106 within and immediately adjacent to or in the vicinity of new developments. This will also require a high level of transparency in terms of how these funds are being spent.
- * A public realm policy will offer a major opportunity for city communities to help identify areas that are in need of improvements not just near new developments but across the city. The following approximate wording for a new policy is suggested: "The Council will aim to manage the adverse impacts on the city's environment resulting from new development by undertaking compensating investments in the public realm across the city. Funding for this will come from a mixture of CIL funds and other appropriate sources of capital and revenue. The Council will define

improvements necessary to the public realm across the city with the support of local communities and incorporate these in a Supplementary Planning Document that will act as the Council's investment strategy into the public realm in the city for the plan period."Reason: Whereas the City Plan makes careful provision for environmental and sustainability measures on site for new developments and seeks to mitigate any impacts of new developments in terms of providing affordable homes, adequate open space and education infrastructure as well as managing the immediate physical transport impacts of new developments, there is no recognition of the city wide impact of new development in terms of the effects of intensification, higher densities and commensurate wear and tear of the city fabric. This policy seeks to ensure that there is a city wide continuous and planned process that enhances the public realm in step with the intensification of land uses in the city. Such process should also link closely to the council's efforts to create a more climate smart city. Public ArtWe suggest the following:* Require new developments to contribute to arts and culture infrastructure within, adjacent or in the vicinity of new developments.* Allow developers to make joint contributions where this creates the financial volume that allows significant and durable installations to be generated – in line with the council's policy on improving the public realm as suggested above.* Define arts and cultural infrastructure – our contribution is the Sculpture in the City public arts initiative, which aims to generate high class sculpture, initially showcased on the Hove Plinth, to be located at suitable locations throughout the city. (This should link to the City's Public Arts Strategy, once complete)* Coupled to this in policy DM18: last paragraph therefore reword to: "In addition to the above major development proposals on strategic and/or prominent sites will be required to incorporate an artistic element."The rationale for this policy is to use limited resources for arts and culture to create the best impact for all concerned across the city.The following wording for a new policy or addition to Policy 18 is suggested:"The Council wishes to ensure that development contributions to arts and culture are spent in a way that creates a durable and significant legacy for the city as a whole. The City's Public Art Strategy will provide pointers to how such contributions can best be invested. Sculpture in Our City provides a partial framework which over time would achieve a City-wide sculpture trail. The City Council will encourage developers to work together, for example by making joint contributions, to achieve artistic elements that are significant, high quality and durable to help enhance the City."Reason for this addition: In times of continued public austerity it is critical to ensure funds available for arts and culture are carefully deployed. To be of any lasting significance artistic works need to be substantial, durable and of high quality as well as highly visible. This policy seeks to improve on the council's current procedures to ensure that artistic funds create a lasting legacy for the city.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM18
<u>Respondent Number / Rep Number</u>	211 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	St William Homes LLP
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Established in 2014, St William is a joint venture between the Berkeley Group and National Grid Property ('National Grid'), established to bring forward regeneration and the redevelopment of decommissioned, vacant National Grid sites across the south-east, delivering essential new homes and jobs. The partnership combines National Grid's extensive portfolio of surplus brownfield sites with the Berkeley Group's design expertise, substantial experience of redeveloping complex regeneration sites and proven track record of significant housing delivery and high-quality developments. The Brighton Gasworks site ('Brighton Gasworks') falls within the portfolio and St William is pleased to be actively progressing plans to deliver a mixed use development on this Site in line with its site allocation under the City Plan Part 1. St William are currently in pre-application discussions with BHCC and have commenced a programme of public consultation with a view to submitting a planning application in 2021. This would mean that the first homes could be delivered by the mid 2020s. St William welcomes the opportunity to work with BHCC and have the opportunity to provide comments on the draft City Plan Part Two. St William would be very happy to meet with BHCC to discuss any of the comments set out in these representations. Comments provided are made in the context of the Strategic Site Allocation DA2 'Brighton Marina, Gas Works and Black Rock Area' outlined in the adopted Local Plan Part One (2016). In accordance with the guidance note on making representations to the draft Plan, our

comments relate to matters of legal compliance and whether the Plan is 'sound' in the context of paragraph 35 of the National Planning Policy Framework (NPPF) which requires plans to be: a) Positively prepared b) Justified c) Effective d) Consistent with national policy Comments are also submitted in line with paragraphs 11 and 81 of the NPPF, which states that plans and decisions should apply a presumption in favour of sustainable development and for plan-making this means that plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change. Site Background

The Site is a brownfield site and a former gas works site located to the east of Brighton city centre and northwest of Brighton Marina. The Site is bound by Boundary Road to the west, Roedean Road to the north and Marina Way to the east and south as shown in Figure 1 [see uploaded supporting document]. The existing site comprises a decommissioned gas holder and storage tank, vehicular parking areas, a number of commercial sheds and buildings used for automotive repairs and storage of commercial vehicles and a holding area for the construction work taking place at Sussex County Hospital. The site is allocated within the adopted City Plan Part One under strategic site allocation DA2. Policy DA2 comprises 3 distinct sites: the Brighton Marina, the Gas Works site and the Black Rock Area. Part C.2 outlines the localised policies for the Gas Works site which identifies the site for 'a minimum' of 85 residential units, which are shown on the current proposals map to the south of the site (as highlighted in Figure 2 [see uploaded supporting document]) and approximately 2,000 sqm of business floorspace to the north of the site. The policy goes on to explain that the employment provision should provide an appropriate mix of employment floorspace of varying sizes that cater for business uses ranging from office to light industrial, including small starter units or managed units (former Use Classes B1). Whilst this site allocation is outlined within the adopted City Plan Part One (2016) and is not therefore open for comment, these representations must be considered in the context of the site's strategic allocation and the framework set out in the City Plan Part One. Draft Policy DM18 High quality design and places NPPF Paragraph 11 – Flexibility Test - This policy does not afford sufficient flexibility. NPPF Paragraph 35 – Soundness Test - The policy does not meet the soundness tests as it is not effective. Gas works sites, such as the Brighton Gas Works site, are distinctly different from ordinary brownfield sites as they attract much higher development risk, significant abnormal costs and are technically complex. To this end, higher density, larger scale, bespoke design solutions are needed and are essential in bringing forward such complex sites that would otherwise be unviable or unable to meet other planning policy requirements. To this end, the constraints of a site must also be a key factor when considering design solutions for such sites, as demonstrated in the case of the Brighton Gas Works site, which has a number of existing site constraints in the form of existing gas infrastructure, contamination and significant changes in level. The proposed amendment is required in order to ensure the policy is effective in line with the tests of soundness. Paragraph 2.147 notes that more detailed design guidance will be published for developers, which will form part of the Urban Design Framework Supplementary Planning Document which is now out for public consultation. St William would welcome the opportunity to have input into this emerging guidance document and will respond separately to that consultation.

Changes required

Paragraph 2.148 to be revised as follows - new text in CAPS: "The scale of consideration of local context should be commensurate with the scale and impact of the proposals AS WELL AS ANY SIGNIFICANT AND EXCEPTIONAL SITE CONSTRAINTS. For example, from the street scale in the case of a single dwelling proposal to a neighbourhood, and/or city-wide scale in the case of a larger and/or strategic development, WHERE BESPOKE DESIGN SOLUTIONS WILL BE REQUIRED IN ORDER TO DELIVER COMPLEX SITES AND ENSURE THE POTENTIAL OF BROWNFIELD SITES IS MAXIMISED." Paragraph 2.150 to be revised as follows - delete the following from penultimate sentence; " its size relative to its surroundings, and how apparent the scale of a building or development will be" and replace with the wording "will be the quality of design and appearance within views." to read : "This is a major factor in determining the visual character of an area. Generally the aim should be to create a sense of harmony and visual continuity between existing and new. The basic proportions of a building, including its height, width and depth, the shape of its gables and the pitch of the roof, can be varied to suit the local context. What matters is not so much the absolute size of a new building or development, but its size relative to its surroundings, and how apparent the scale of a building or development WILL BE THE QUALITY OF DESIGN AND APPEARANCE WITHIN VIEWS . Elements of any building that are visible from a highway are of particular importance".

Participate at the hearing session(s)?

Not Answered

<u>Policy</u>	DM18
<u>Respondent Number / Rep Number</u>	171 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

There needs to be an exemption for works which will make a considerable difference to the energy efficiency of the building. We must support more efficient buildings over the look of the area, for example the addition of External Wall Insulation.

Changes required

Building materials and architectural detailing 2.151 The selection of external materials and finishes is often a critical factor in determining how well a new development relates visually to its surroundings; however when energy efficiency has been considerably improved, for example, rising two EPC ratings, special dispensation will be considered.

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak

I do not feel anyone represent the need for proper energy efficiency solutions of existing buildings. Retrofit must be a preference.

<u>Policy</u>	DM18	
<u>Respondent Number / Rep Number</u>	167	10
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Brighton YIMBY	
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We fully support the desire for high-quality design and places. However, it is a clear beauty and good design are very subjective concepts and difficult to achieve a consensus about over tens of thousands of people. Not to mention the constant constraints of viability and delivery. Therefore we suggest experimenting with allowing more small-scale resident-led initiatives in a neighbourhood based-framework as suggested in the introduction. We believe that it is easier for individual streets and neighbourhoods to agree on an optimal design code for their local area than an entire city and would lead to better results.

Changes required

Add new paragraph (2.160): 'The council will seek to investigate the possibility of trials of limited street-by-street design codes and intensification, as suggested by the Ministry of Housing and Local Government's report, 'Living with beauty: report of the Building Better, Building Beautiful Commission p.80''

<u>Participate at the hearing session(s)?</u>	Yes, I wish to participate in the hearing session(s)
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Why wish to speak

We believe that this proposal offers a great opportunity for improved local design, and in the long run, improved supply and affordability with local participation and consent. This type of assertive and construction local engagement would show Brighton's community character and creativity at its best.

<u>Policy</u>	DM18
<u>Respondent Number / Rep Number</u>	264 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Kingsway and West Hove Residents Association (KAWHRA)
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

DM18: KAWHRA strongly supports policy DM18 and all the supporting text in paragraphs 2.145 to 2.158 which are positively prepared, justified effective and consistent with the NPPF. Policy DM18 and all the supporting text 2.145 to 2.158 addresses the key issues relevant to development and redevelopment within and adjoining the city's sensitive urban area. In particular the constraints of the city's setting make it crucial that the scale and shape of new buildings create a sense of harmony and continuity with their surroundings (paragraph 2.149).

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM18
<u>Respondent Number / Rep Number</u>	247 8
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Regency Society of Brighton & Hove
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We welcome the inclusion of the principles of a circular economy in an integrated approach to design. The spaces around a development can be as important as those within it and should have first call on CIL and S106 funding, for public realm improvements including repaving and street trees. 2.147 (2.139 Draft City Plan Part 2) We welcome the production of detailed guidance to developers (and for Planning Committee members) in the Urban Design Framework Supplementary Planning Document, which should be adopted by the time the City Plan Part Two is adopted.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM18
<u>Respondent Number / Rep Number</u>	244 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brunswick Town Association (BTA)
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Welcome the importance of high quality design, and space.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM18
<u>Respondent Number / Rep Number</u>	204 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Historic England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

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.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM18
<u>Respondent Number / Rep Number</u>	88 18
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM19
<u>Respondent Number / Rep Number</u>	229 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Hove Station Neighbourhood Forum
<u>Respondent Type</u>	Neighbourhood Forum
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

This policy supports the NP policies designed to promote the development of a high density mixed use urban quarter.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM19
<u>Respondent Number / Rep Number</u>	173 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Ramblers
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I support the policy, especially point (d).

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM19
<u>Respondent Number / Rep Number</u>	179 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	South Downs National Park Authority
<u>Respondent Type</u>	Public Sector / Local Authority
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Welcome the additional wording in the policy cross-referencing Policy SA5 – The Setting of the South Downs National Park.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM19
<u>Respondent Number / Rep Number</u>	214 18
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to the content of these policies.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM19	
<u>Respondent Number / Rep Number</u>	259	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Mid Sussex District Council	
<u>Respondent Type</u>	Public Sector / Local Authority	
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

In the Council's response to the Draft CPP2 we suggested the inclusion of minimum densities on site allocations to ensure the most efficient use of land, in line with paragraph 123 of the NPPF (2019). We note that this suggestion has not been taken forward into the Proposed Submission version and feel that this is a missed opportunity. However, we also note the amendments made to the wording of policy DM19: Maximising Development Opportunities which strengthen the consideration of densities in new development to ensure sites are not underdeveloped. The Council also previously suggested that the City Council should update its Tall Buildings Supplementary Planning Guidance (SPG) to reflect changes to national planning policy and relevant guidance. We welcome recent work undertaken by the City Council on developing a new Urban Design Framework SPD which sought early engagement on design issues, including 'Accommodating taller development'. We note that the SPD is at a very early stage, but wider consultation is due; this is welcomed. Updated Tall Buildings Guidance should provide a more flexible framework which encourages the development of higher buildings within the City, where appropriate, to deliver more homes in sustainable, accessible locations.

Changes required

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM19
<u>Respondent Number / Rep Number</u>	247 9
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Regency Society of Brighton & Hove
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

There is potential for the original target of 13,200 new housing units by 2030 to be exceeded by over 1,600 units. This is in part the result of current major developments exceeding their original targets, leading often to over-development with excessively tall buildings with inadequate open space between them. This produces overlooking, possible wind tunnels, restricted sun light and generally unattractive public spaces. Proposed housing schemes which would exceed the City Plan minimum by more than 50% should not normally be approved.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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Why wish to speak

<u>Policy</u>	DM19	
<u>Respondent Number / Rep Number</u>	256	10
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	The Brighton Society	
<u>Respondent Type</u>	Civic & Amenity	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Para 2.161 - we consider the densities quoted are generally too low. In most recent planning approvals for large scale developments the densities achieved have been far higher. We have proved in our own design studies - for example on Anston House - see <http://www.brighton-society.org.uk/tall-buildings-debate/> - that high densities can be achieved with low-rise solutions (with a maximum of 10 storeys, and mostly less than that), approaching 400 dwellings per hectare (dph). Elsewhere in the city – for example on the fringe sites - much greater numbers of dwellings than set out in the City Plan could be achieved by merely raising the figure of 50 dph to 55 dph. As an aside this would be a much more effective way of increasing the number of dwellings in the city than by permitting more tall buildings. For example a typical tall building – say one of the three towers in the Anston House scheme – would have three flats per floor. So five storeys would have fifteen flats – the difference between a 10 storey building and a fifteen storey building. So let's assume that 20 fifteen storey buildings might be built between now and 2030. If they were only 10 storeys this would result in 300 fewer flats (15 x 20). This is a drop in the ocean compared with the figure of 13,200 new dwellings required in the city – about 1.7% of the total. Tall buildings are not necessary – increasing the figure of 50dpu to 55 would provide far more houses – of the type actually required – family houses, rather than a relatively small number of small flats on the upper floors of tall buildings. A precedent for low-rise high

density development exists already in the city: the most densely populated neighbourhood in Brighton & Hove is the area between Western Road and Lansdowne Road in Hove, bounded by York Road to the east and Lansdowne Street to the west. It consists mostly of 5 – 6 storey Victorian terraces, usually with semi-basements. At 315 persons per hectare this area is also the most densely populated area in the south-east outside London (Brighton & Hove City Snapshot Summary of Statistics 2014). That equates to 31,500 persons per sq. kilometre. For comparison, several arrondissements in central Paris vary between 28,000 to 42,780. Manhattan is only 27,826. The numbers can be achieved without resorting to tall buildings. Para 2.163 – 2.164 (engagement and consultation). When applicants for major, significant or ambitious Developments publicly present pre-application plans and outline designs, enabling local residents and other relevant interests to comment and discuss openly and directly with them, the results of the consultations need to reflect accurately the proximity or immediacy of those affected, the depth and strength of feeling or opinion voiced or recorded and the seriousness and preponderance of those views. Recent public consultations have tended to take the form of a tick box questionnaire, asking only loaded questions. An example was the recent application for the Gateway development on Kingsway in Hove overlooking Aldrington Basin. This is an extract from the questionnaire: '- Do you like the appearance and form of the revised development proposed? - Do you support the need for providing more homes in this part of the city? - Do you support the need for providing new office and other commercial units in this location that will create new jobs for the city? - The majority of the revised scheme is ground floor plus six storeys in height rising to ten storeys. (ie 1 + 10 = 11) Do you agree that taller elements of the scheme above six storeys are acceptable? - Do you agree that new facilities such as a gym, roof top restaurant and café will benefit the area? - Overall, do you support the proposed mixed-use redevelopment of the site?' Pretty loaded questions – how the developers expect to get a fair response based on questions like that is anybody's guess. That isn't a proper public consultation. When we tried to find out the results, we were told they would only be made available after the planning application was lodged. That is a travesty of a public consultation. Para 2.157 – consultation with neighbours is not often done and invariably leads to conflicts between neighbours. Confirmation of consultation with neighbours should be a requirement accompanying all planning applications and a report on those consultations (including on any subsequent amendments), and the outcome of those consultations should be a requirement accompanying any planning application. This could actually save officer time by reducing the likelihood of potential conflicts.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM19
<u>Respondent Number / Rep Number</u>	171 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

There is no mention of garage sites or infill, yet this is a major opportunity for maximising development potential within the cities existing boundary. The council will set up a Small Sites Register to help achieve this.

Changes required

The council will look to promote infill and garage sites, especially those who come from the self build register.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

The council needs to work towards a better approach to making the most of their small sites and infill, yet this does not appear in the plan.

<u>Policy</u>	DM19
<u>Respondent Number / Rep Number</u>	167 11
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton YIMBY
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support the broad thrust of this policy to use existing sites effectively. However, we believe it is wrong to suggest that Brighton has 'only a limited supply of land suitable for development'. Large sections of the city plan area are covered by one to two-story suburban sprawl which is around one fifth to one-tenth of popular and well-designed areas along and behind the seafront. Instead of blaming Brighton's atrocious housing situation on geographical factors, we must instead start to look at using our existing land effectively. We suggest that measures to promote the intensification of existing residential suburban land to allow for a net gain in housing be promoted into the plan. In particular, we suggest approaches as proposed by the Royal Institute of British Architects (RIBA) 'Ssupurbia' reports. The Royal Town Planning Institute has recently endorsed trials of 'microdemocracy' to pursue such intensification, as have the research organisations Create Streets and Centre for Cities, the final report of the Building Better Building Beautiful Commission, and the recent government White Paper on planning. We suggest the policy of street-led intensification described in the introduction to allow this level of densification with local support.

Changes required

Add paragraph (2.163): 'The plan also seeks to encourage the intensification of low-density suburban land with local support. Using the principles established in the Ministry of Housing and Local Governments Building Better Building Beautiful Commission we will develop a proposal to encourage resident-led applications for suburban intensification to create better streets and more affordable housing. This policy will be subject to rules and compensation guidelines to protect neighbouring streets'.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We believe this policy to be an important addition to improving the availability of housing in Brighton and enhancing the character of the local area and wish for the chance to explain it in more detail and promote it.

<u>Policy</u>	DM19
<u>Respondent Number / Rep Number</u>	252 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	C Brewer & Sons Limited
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Policy Supported but I would encourage the Council to allow for higher (more floors) on key locations and sites to meet the need especially on sites adjacent to precedents where high storey levels have been accepted already by the Council.

Changes required

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM19
<u>Respondent Number / Rep Number</u>	246 7
<u>Name</u>	(Montagu Evans LLP)
<u>Email</u>	
<u>Organisation/individual</u>	Aberdeen Standard Investments
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

One of the core requirements of the NPPF is that development makes efficient and effective use of land, with a particular emphasis on brownfield land, to enable the delivery of much needed housing and other land uses. Policy DM19 Maximising Development Potential looks to enshrine the aforementioned principles of the NPPF into local policy and ASI are strongly supportive of this positive approach to maximising development in line with national policy. The policy recognises the importance of "maximising opportunities for an appropriate mix of uses" and ASI is supportive of this positively worded policy which is consistent with the NPPF. This process can be assisted by careful townscape analysis.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM19
<u>Respondent Number / Rep Number</u>	270 1
<u>Name</u>	Barton Willmore
<u>Email</u>	
<u>Organisation/individual</u>	McLaren Living
<u>Respondent Type</u>	
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Our client supports the principle of Draft Policy DM19, which seeks to avoid underdevelopment of sites, requiring the maximisation of opportunities, density and the efficient use of sites in terms of building layouts and design. When supporting the adoption of the City Plan Part One, the Inspector in her report, specifically emphasised the need for Brighton & Hove City Council to maximise (our emphasis) development on all allocated sites, so as to meet Brighton's Housing Needs (estimated to be in excess of 30,000 homes to 2031). Our Client considers this sustainable approach should be taken in allocating sites in the Local Plan Part 2 – i.e. facilitating high density mixed use developments that secure as a minimum an existing quantum of commercial use to activate key frontages and create flexible workspace, but equally accommodate new homes above. Where sustainable, accessible brownfield sites area available, development should be optimised in accordance with the NPPF, subject to complying with other local planning policies.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM19
<u>Respondent Number / Rep Number</u>	88 19
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM19
<u>Respondent Number / Rep Number</u>	213 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Hove Civic Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

In 2018 Hove Civic Society made extensive representations at the draft stage to the City Plan Part 2. We supported a number of the policies and made suggestions for improvements in a number of other areas. We are pleased that those policies we supported remain and in some cases have been strengthened. In particular we refer to policies DM1 and the inclusion of the national space standards, DM4, DM19, DM44 and DM46.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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Why wish to speak

<u>Policy</u>	DM19
<u>Respondent Number / Rep Number</u>	211 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	St William Homes LLP
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

As a general comment, St William welcomes the guidance outlined in the City Plan Part 2 and in particular the approach set out within Policy DM19 'Maximising development Potential', which aligns with government policy by seeking to avoid underdevelopment of sites and ensure that development makes the most efficient use of land. Our comments enclosed within these representations are submitted to ensure all other policies are implemented in line with this approach and implemented effectively.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM19	
<u>Respondent Number / Rep Number</u>	269	2
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Royal Mail	
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Broadly Support Policy, but flexibility should allow for higher density of development in appropriate locations.FOLLOWING TEXT TAKEN FROM SUPPORTING DOCUMENT6.11 Our Client supports the principle of Draft Policy DM19, which seeks to avoid underdevelopment of sites, requiring the maximisation of opportunities, density and the efficient use of sites in terms of building layouts and design.6.12 Para 118 (c and d) of the National Planning Policy Framework ('NPPF') identifies the value of using sustainable brownfield land within settlements for homes and other identified needs, and the need to promote and support the development of under-utilised land and buildings especially if this would help to meet identified needs for housing where land supply is constrained.6.13 Para 122 of the National Planning Policy Framework ('NPPF') states planning policies and decisions should support development that makes efficient use of land, taking into consideration identified need for different types of housing, local market conditions and viability, the availability and capacity of infrastructure and services and the need to regenerate. Moreover, Para 123 states:“Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.”6.14 As set out in our representations submitted in September 2018, when supporting the adoption of the City Plan Part One, the Inspector

in their report, specifically emphasised the need for Brighton & Hove City Council to maximise (our emphasis) development on all allocated sites, so as to meet Brighton's Housing Needs (estimated to be in excess of 30,000 homes to 2031). The City Plan Part One was adopted on that premise, given that the Council could only demonstrate the capacity to deliver 13,200 homes (less than 50% of the identified need) to 2031.6.15 The 2019 Housing Delivery Test results were published in February 2020. The results confirmed Brighton and Hove delivered only 70 percent of its target and is required to add a 20 percent buffer to its five-year housing land supply. In effect this requires the Council to add a further 20% housing to the local plan housing requirement. In addition, in the B&HCC Strategic Housing Land Availability Update 2019 (published October 2019), the Council has applied a 20 percent buffer to its housing need. Against the five-year requirement of 6,149, the Council has a deliverable housing supply of 4,949 for the period 2019 – 2024 (leaving a shortfall of 1,200 units). The Council has a four-year housing land supply (page 7). The Council's housing supply shortfall is further realised in recent Appeal decisions, in which Inspectors have concluded the Council can no longer demonstrate a five-year housing and supply and is subject to speculative development.6.16 The need to maximise development opportunities on available, suitable sites is therefore crucial. As set out above, recently approved planning applications/ allowed appeals on brownfield land within the City have been of a significantly higher density. Lyon Close, Hove (LPA reference BH2018/01738) has a density of approximately 167 dph, 70 Goldstone Lane, Hove (LPA reference BH2014/03605) has a density of approximately 217 dph and Sackville, 1 – 3 Ellen Street, Hove (LPA reference BH2016/02663, which is also located within the wider DA6 designation, has a density of approximately 470 dph. These planning approvals set a precedent for higher density development within the immediate area, contributing to the City's housing requirement and current supply position. Furthermore, the Sackville development sets a precedent for tall buildings south of the railway, within Policy area DA6, where the Site is located.6.17 Royal Mail considers this sustainable approach should be taken in allocating sites in the Local Plan Part 2. Where sustainable, accessible brownfield sites area available, development should be optimised in accordance with the NPPF, subject to complying with other local planning policies. Identifying the Site as able to accommodate 67 dwellings (100 dwellings per hectare) would represent 'under development' contrary to the NPPF and adopted local policy DA6. The Site is considered to have adequate capacity for at least 128 units (approximately 190 dwellings per hectare) with scope to increase up to 315 dwellings in line with the approved Sackville scheme (470 dph), given the potential for taller buildings that would not be visible from the Conservation Area within policy area DA6.

Changes required

Not Applicable

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

Because density and quantum of development is relevant to a Specific Site we are acting on, that is set out within Policy H1. It is important to be able to attend the Examination to make the case for that form of development.

<u>Policy</u>	DM19
<u>Respondent Number / Rep Number</u>	243 4
<u>Name</u>	(Lichfields)
<u>Email</u>	
<u>Organisation/individual</u>	X-Leisure (Brighton II) Ltd and Landsec
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We strongly support this policy requiring schemes to maximise opportunities for the development and use of land. We welcome the amendment of the policy wording to require residential development to optimise densities, in response to our previous representations, and consistent with NPPF paragraph 127.

Changes required

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM20
<u>Respondent Number / Rep Number</u>	88 20
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM20
<u>Respondent Number / Rep Number</u>	104 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Building at Coldean is building residences in a public park. The park extended to Coldean Lane, itself only a farm track until the Council estate was constructed in 1950. The A 27 by-pass was allowed to cut through the park as this was thought to be the best route between the town and university. Two footbridges were installed to allow park users to cross over the road whilst underpasses of tube form were placed under the A27 road for badgers. The proposed development site was always one of the major sites for badger setts as is the Coldean Wood on the South side of the Varley Halls where a badger A27 underpass exists. Many badgers have been killed by cars on Coldean Lane which has wide lawn type verges, used for worm hunting at times of drought. Since badgers have been physically excluded from the proposed development site they are more often found in Coldean gardens.

Changes required

Cancel the building of housing in the park.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM20
<u>Respondent Number / Rep Number</u>	159 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	n/a
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

-

Changes required

It is vital that this policy is strengthened to ensure existing residents access to natural sunlight is preserved. High rise development that puts existing residents into a shadow should be specifically stopped.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

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<u>Policy</u>	DM20	
<u>Respondent Number / Rep Number</u>	167	12
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Brighton YIMBY	
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Amenity protection is an important part of any plan and should be factored into major development using this framework. Where a broad consensus exists among most residents to strengthen an area, such as a street, by allowing sensitive suburban intensification, a broad approach should be taken which takes account of the fact that the capital gain from an ambitious permission for each plot within that area may mitigate some or all of the inconvenience from construction and other matters. For that reason, we propose the development of the policy described in the introduction in addition to a compensation mechanism for neighbouring streets suggesting below.

Changes required

Add paragraph (2.170):Compensation:For the individual extension of properties either through planning application or resulting from street votes which occur above 30 degrees of a property on a separate street, compensation should be enforced at 100% of the proposed damage. This mechanism will replace formal planning considerations for a height of up to five stories'

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

This is a major part of our proposal on streets and we would like to include it in our presentation.

<u>Policy</u>	DM20
<u>Respondent Number / Rep Number</u>	173 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Ramblers
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I support the policy but ask for greater emphasis as shown in Q4 below.

Changes required

Greater emphasis should be given when designing new development to ensure inclusion of "sunlight and daylight" as this is essential for the health and wellbeing of residents.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM20
<u>Respondent Number / Rep Number</u>	214 19
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to the content of these policies.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM20
<u>Respondent Number / Rep Number</u>	244 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brunswick Town Association (BTA)
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	Officer Specified Tests
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

This is most important in terms of a particular area, such as identified Conservation Areas

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM20
<u>Respondent Number / Rep Number</u>	264 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Kingsway and West Hove Residents Association (KAWHRA)
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

DM20: KAWHRA strongly supports policy DM20 and all the supporting text in paragraphs 2.162 to 2.168, which are positively prepared, justified effective and consistent with the NPPF. They address the key issues relevant to development and redevelopment within the city's constrained and sensitive urban area. Policy DM20 recognises that achievement of the city's required housing numbers in its constrained circumstances risks damage to the amenity of adjacent users and residents, and paragraphs 2.162 to 2.168 identify all key issues to be taken into account. The requirement for applicants' engagement with neighbours at an early stage reflects the value of integrating development and avoiding the conflict and time-wasting caused by inappropriate design.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM21
<u>Respondent Number / Rep Number</u>	88 21
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM21
<u>Respondent Number / Rep Number</u>	167 13
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton YIMBY
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support the overall desire to allow extensions if well designed. For this reason, we have proposed the policy of street votes described in the introduction.

Changes required

Replace the entirety of paragraph 2.172 with: 'in general, extensions should respect the proportions and context of the local area or the locally adopted design code. Further extensions will be permitted if planning applications for suburban intensification signed by at least 60% of the residents on a single stretch of street between two crossroads or between a crossroads and the end of the street, to a maximum height of four storeys plus one mansard roof storey, provided that the proposal has minimal impacts on residents of other streets. If the resulting structure is above five stories then it should not lead to unacceptable impacts on amenity of neighbouring properties (see Policy DM20 Protection of Amenity). '

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak

This is in an important part of our general suggestions and needs to be further elaborated.

<u>Policy</u>	DM21
<u>Respondent Number / Rep Number</u>	171 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The councils is far too restrictive on extensions and should encourage, especially owner occupied properties to grow as families grow and not be locked out of balconies, higher buildings, dormers or new floors.

Changes required

DM21 Extensions and alterations Planning permission for extensions or alterations to existing buildings, including roof extensions, will be granted if the proposed development: a) is well designed and scaled, sited and detailed in relation to the property to be extended and to the surrounding area; b) takes account the existing character of the area; and c) uses materials that complement the parent building.I have removed adjoined properties because extensions should be relative to the street scene, not adjoining properties or we are harming unique design and opportunity,

<u>Participate at the hearing session(s)?</u>	No, I do not wish to participate in hearing session(s)
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<u>Policy</u>	DM21
<u>Respondent Number / Rep Number</u>	173 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Ramblers
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I support the policy.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM21
<u>Respondent Number / Rep Number</u>	202 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Woodland Trust
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Policies on housing extensions and alterations should include a presumption in favour of the retention of existing trees, in line with policy DM22. For example, we commend the wording used in the Rushmoor SPD on Home improvements and extensions (December 2019): "Wherever possible, you should keep garden trees and landscaping features that make a positive contribution to the residential environment. They can also help screen or soften the visual impact of a new extension and help to integrate it with the surroundings. As well as providing a pleasant residential environment, trees and gardens contribute towards biodiversity and health and well-being."

Changes required

For example, we commend the wording used in the Rushmoor SPD on Home improvements and extensions (December 2019): "Wherever possible, you should keep garden trees and landscaping features that make a positive contribution to the residential environment. They can also help screen or soften the visual impact of a new extension and help to integrate it with the surroundings. As well as providing a pleasant residential environment, trees and gardens contribute

towards biodiversity and health and well-being.”

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM21
<u>Respondent Number / Rep Number</u>	204 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Historic England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

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.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM21
<u>Respondent Number / Rep Number</u>	214 20
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to the content of these policies.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM21
<u>Respondent Number / Rep Number</u>	259 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Mid Sussex District Council
<u>Respondent Type</u>	Public Sector / Local Authority
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

As well as encouraging new, tall buildings, Paragraph 118e of the NPPF also notes that planning policies should: 'support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.' The Council previously put forward that CPP2 should make provision for such extensions, to increase capacity, where appropriate. Whilst changes to the wording of DM21: Extensions and Alterations have been made, this is unlikely to deliver the scale envisaged by the NPPF. Therefore, it is felt that CPP2 could have gone further in this respect.

Changes required

<u>Participate at the hearing session(s)?</u>	No, I do not wish to participate in hearing session(s)
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<u>Policy</u>	DM22
<u>Respondent Number / Rep Number</u>	88 22
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM22
<u>Respondent Number / Rep Number</u>	158 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Living Coast UNESCO Biosphere
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM22	
<u>Respondent Number / Rep Number</u>	167	14
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Brighton YIMBY	
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM22
<u>Respondent Number / Rep Number</u>	172 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The granting of permission for BH2018/03541 for the erection of 6 and 7 storey blocks of flats within an Historic Park and Garden, tends to detract from the worthy intent of this policy including plans to fell 62 mature trees in the western woodland belt of Stanmer Park. The SDNP objection points out that 250 dwellings is significantly higher than the DRAFT ALLOCATION (my caps) and the degree of development proposed would be a form of overdevelopment of an inappropriate scale and density for this hillside urban fringe location within the setting of the SDNP. The SDNP objection states also that it would appear to conflict with SA4 of CPP1. As this development does not comply with the aim to 'integrate development into its surroundings with minimal impact on the environment', it has been suggested that this might be one of the reasons for the planning decision to have been signed off before adoption of CPP2 in April 2020. Why would the Council include development plans in CPP2 when the decision to allow the worst possible outcome for this part of Stanmer Park to go ahead without scrutiny from the Planning Inspectorate. Large, destructive plans have been imposed on Stanmer and Coldean without appearing in either CPP1 or CPP2 - an investigation into how this has come about might be useful.

Changes required

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

To be heard

<u>Policy</u>	DM22
<u>Respondent Number / Rep Number</u>	173 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Ramblers
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I basically support the policy but point (d) needs to be strengthened as shown in Q4 below.

Changes required

It is unsatisfactory to state in point (d) "Where removal is unavoidable". Apart from the exemption given in point (e), plans should be amended to make removal of trees unnecessary.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM22	
<u>Respondent Number / Rep Number</u>	202	2
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Woodland Trust	
<u>Respondent Type</u>	Environment	
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We generally support this draft policy, including the requirements to include landscape design from the outset. We welcome design guidance to incorporate the protection and extension of nature-based solutions and green infrastructure including support for SuDS in all new developments, and encouragement of green links, such as tree lines and hedgerows, to frame residential areas and connect existing habitats. We welcome the recognition of the valuable role that trees and hedgerows can play in mitigating pollution and providing shelter and shade. We recommend the guidance published by the Woodland Trust Residential developments and trees - the importance of trees and green spaces (January 2019). Integrating trees and green spaces into developments early on in the design process minimises costs and maximises the environmental, social and economic benefits that they can provide. As part of that we welcome the development of appropriate standards (para 2.184) for new tree siting, planting and maintenance to ensure their sustainability. We strongly support the presumption in favour of retaining existing trees and hedgerows in para d), and welcome the recognition of the health and wellbeing benefits of retaining trees and hedgerows in the urban realm (para 2.179) and the value given to mature trees (para 2.183). We propose adding a robust policy on the replacement of trees whose removal is found to be necessary. We recommend specifying a ratio of tree replacement, which reflects the Woodland Trust guidance on Local Authority Tree Strategies (July

2016) with a ratio of at least 2:1 for all but the smallest trees and ratios of up to 8:1 for the largest trees. A similar policy can be found in the recent submission version of the Crawley local plan. We note the references to tree selection (in para h) and para 2.177) and welcome the reference to provision of native trees and Sussex fruit trees. We encourage the specification where possible of UK & Ireland sourced and grown tree stock for new planting, ideally from locally-sourced seeds, to support biodiversity and resilience. We note the reference in j) to open space requirements. We support the protection of local green space, including accessible woodland, from development. In addition, we recommend including standards for access to natural green space and woodland for existing and new developments. Natural England's Accessible Natural Green Space Standard recommends that all people should have accessible natural greenspace:— Of at least two hectares in size, no more than 300m (five minutes' walk) from home.— At least one accessible 20-hectare site within 2km of home.— One accessible 100-hectare site within 5km of home.— One accessible 500-hectare site within 10km of home.— A minimum of one hectare of statutory local nature reserves per 1,000 people. The Woodland Trust has developed a Woodland Access Standard to complement the Accessible Natural Green Space Standard. This recommends that:— That no person should live more than 500m from at least one area of accessible woodland of no less than 2ha in size.— That there should also be at least one area of accessible woodland of no less than 20ha within 4km (8km round trip) of people's homes. We suggest incorporating these targets into the Brighton City Plan. One omission in the draft policy is a tree canopy cover target. Given the council's ambition to become a carbon neutral city by 2030, we recommend setting a target for tree canopy cover on development sites. A rapid increase in the level of tree cover has been proposed by the UK's Committee on Climate Change, to provide a key mechanism to lock up carbon in trees and soils, provide an alternative to fossil fuel energy and resource-hungry building material, and importantly to stem the declines in biodiversity. The Woodland Trust's Emergency Tree Plan (2020) recommends a 30 per cent canopy cover target for development sites, to be pursued through the retention of important trees, appropriate replacement of trees lost through development, ageing or disease and by new planting to support green infrastructure.

Changes required

We propose adding a robust policy on the replacement of trees whose removal is found to be necessary. We recommend specifying a ratio of tree replacement, which reflects the Woodland Trust guidance on Local Authority Tree Strategies (July 2016) with a ratio of at least 2:1 for all but the smallest trees and ratios of up to 8:1 for the largest trees. We note the references to tree selection (in para h) and para 2.177) and welcome the reference to provision of native trees and Sussex fruit trees. We encourage the specification where possible of UK & Ireland sourced and grown tree stock for new planting, ideally from locally-sourced seeds, to support biodiversity and resilience. We note the reference in j) to open space requirements. We support the protection of local green space, including accessible woodland, from development. In addition, we recommend including standards for access to natural green space and woodland for existing and new developments. Natural England's Accessible Natural Green Space Standard recommends that all people should have accessible natural greenspace:— Of at least two hectares in size, no more than 300m (five minutes' walk) from home.— At least one accessible 20-hectare site within 2km of home.— One accessible 100-hectare site within 5km of home.— One accessible 500-hectare site within 10km of home.— A minimum of one hectare of statutory local nature reserves per 1,000 people. The Woodland Trust has developed a Woodland Access Standard to complement the Accessible Natural Green Space Standard. This recommends that:— That no person should live more than 500m from at least one area of accessible woodland of no less than 2ha in size.— That there should also be at least one area of accessible woodland of no less than 20ha within 4km (8km round trip) of people's homes. We suggest incorporating these targets into the Brighton City Plan. One omission in the draft policy is a tree canopy cover target. Given the council's ambition to become a carbon neutral city by 2030, we recommend setting a target for tree canopy cover on development sites. The Woodland Trust's Emergency Tree Plan (2020) recommends a 30 per cent canopy cover target for development sites, to be pursued through the retention of important trees, appropriate replacement of trees lost through development, ageing or disease and by new planting to support green infrastructure.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM22
<u>Respondent Number / Rep Number</u>	212 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Natural England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support the requirement for proposals to retain, improve and provide appropriate landscape elements/ landscaping which take into account a need for: natural capital and ecosystem services including nature based solutions, SuDS, green roofs & walls, plants for pollinators, climate control and climate change adaptation. In line with the aims of the NPPF (20. 91. 150. 163. 165. 170. 171. & 181.) and the government's 25-year environment plan (Chapter 3.3.i.). We also support the need for developments to maximise opportunities for social integration, public health and safety, accessibility, connectivity, biodiversity net gain delivery, green infrastructure implementation and creation of green links for wildlife. Securing agreements for green infrastructure plans for major developments and public realm schemes prior to determination is welcomed. This approach should provide a means to embed environmental considerations into schemes from the outset of the design process. In line with the aims of the NPPF (8. 91. 150. 170. 171. 174. 175. & 181.) and the government's 25-year environment plan (Chapter 1.1 & 3.3.i.).

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM22
<u>Respondent Number / Rep Number</u>	213 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Hove Civic Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

In 2018 Hove Civic Society made extensive representations at the draft stage to the City Plan Part 2. We supported a number of the policies and made suggestions for improvements in a number of other areas. However we are disappointed that our general comments about the public realm and the various proposed improvements by the Council over the years have not been anchored in the plan as a natural corollary to the pressures created by new development across the City. Street Trees There is great concern about the impact of climate change on our cities. NPPF para 149 refers for example to the risk of overheating from rising temperatures. With the intensification of our urban fabric as heralded in CCP2 come these and additional pressures on the local climate. Well recognised mitigating factors will be the amount of greenery and street tree cover, not least the extent of the street tree canopy we can create and maintain in our city. Trees provide shade, they absorb CO2, they filter pollution, they create pleasant micro climates and help reduce peak temperatures. With the level of intensification of our built environment enshrined in CCP2 we believe more specific and focussed mitigation measures are needed. We believe this is particularly important in relation to our street environment as we believe parks and other open spaces are adequately catered for in this context. It is the streets that most people immediately experience. We are proposing an addition either as new policy or in addition to DM22. We believe this is also in tune with the council's ambitions to become a

carbon neutral city and the city's designation as a UNESCO World Biosphere Region.* To compensate for the generation of CO2 emissions and intensification of land new developments will need to ensure planting of street trees or equivalent measures.* This should be at rate of 1 new tree for each new dwelling created. Because of the density of new development in the city there is unlikely to be sufficient space on site or immediately adjacent to it. Hence additional planting should be undertaken on land in the vicinity or in suitable locations across the city.* Species to be chosen should allow for the development of a good canopy across streets. It may be necessary to develop these criteria more closely in the context of the council's carbon neutral city plans and hence there could be the undertaking to provide an SPD on this matter. We are particularly concerned that any trees that are diseased and have to be removed are replaced. The following wording for policy addition to DM22 is suggested: "New developments will generate substantial CO2 emissions both through construction and occupancy of new buildings. To mitigate such emissions new development will need to contribute one new tree to be planted for each new dwelling. These trees will be planted in the street space around the new developments and in adjacent areas, if additional space is required." Reason: To become carbon neutral the city needs to deploy a wide range of measures. Planting new street trees is an effective way of dealing with both carbon neutrality and other climate change issues. Apart from CO2 mitigation, street trees will assist in controlling micro climates, they assist in reducing peak temperatures, they help filter pollution and provide shade when most needed. We believe that in dealing with our objections the City Plan will become sound and help provide both a better framework for managing the off-site impact of new development and improve the management of our townscape and environment in times of climate change and environmental stress.

Changes required

The following wording for policy addition to DM22 is suggested: "New developments will generate substantial CO2 emissions both through construction and occupancy of new buildings. To mitigate such emissions new development will need to contribute one new tree to be planted for each new dwelling. These trees will be planted in the street space around the new developments and in adjacent areas, if additional space is required." Reason: To become carbon neutral the city needs to deploy a wide range of measures. Planting new street trees is an effective way of dealing with both carbon neutrality and other climate change issues. Apart from CO2 mitigation, street trees will assist in controlling micro climates, they assist in reducing peak temperatures, they help filter pollution and provide shade when most needed.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM22
<u>Respondent Number / Rep Number</u>	214 21
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to the content of these policies.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM22
<u>Respondent Number / Rep Number</u>	216 12
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Food Partnership
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We welcome the inclusion of food growing as bullet point (g) of policy DM22 on landscape design, however there should be an explanatory paragraph in the supporting text which is currently silent on food growing.

Changes required

There should be an explanatory paragraph in the supporting text which is currently silent on food growing.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We would be happy to participate in the Inspector's hearing to make these points.

<u>Policy</u>	DM22
<u>Respondent Number / Rep Number</u>	219 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Wildlife Trust
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The Sussex Wildlife Trust strongly supports policy DM22 and in particular criterion a. We are pleased to see that BHCC has incorporated our suggested wording from the regulation 18 consultation and feel that this policy now better reflects the requirements and opportunities set out in NPPF paragraph 170.

Changes required

N/A

<u>Participate at the hearing session(s)?</u>	Not Answered
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Why wish to speak

<u>Policy</u>	DM22
<u>Respondent Number / Rep Number</u>	229 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Hove Station Neighbourhood Forum
<u>Respondent Type</u>	Neighbourhood Forum
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The Forum has given particular attention to tree planting as a means of establishing the character and identity of the proposed Hove Station Quarter. An extensive tree planting across the NP Area would be a unifying public realm investment bringing benefits to both residents in new housing areas and residents of the adjacent Victorian streets. Thus Neighbourhood Plan Policy 10 Design and Public Realm sets a target objective for developments within the Hove Station Quarter (DA6 area) of planting 1 street tree per residential dwelling or 1 per 100m2 of non-residential floor space within the designated area. The Forum therefore supports the Hove Civic Society representations on CPP2 for strengthening Policy DM 22,

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM22
<u>Respondent Number / Rep Number</u>	244 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brunswick Town Association (BTA)
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Landscape planting prior to development to be made a legal requirement

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM22
<u>Respondent Number / Rep Number</u>	253 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	CPRE Sussex
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons
 CPRE Sussex supports policy DM22 as in line with the requirements of NPPF paragraph 170.

Changes required
 N/A

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM22
<u>Respondent Number / Rep Number</u>	254 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	East Sussex County Council
<u>Respondent Type</u>	Public Sector / Local Authority
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

DM22 Landscape Design and Trees - supported.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM22
<u>Respondent Number / Rep Number</u>	256 11
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Brighton Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

3rd para (p.73) - what is meant by "national importance"? How is that expression defined? In the case of existing and potential green spaces, including public land, whose basis and essence is grass, consideration should be given to the risks of overexploitation by temporary functions, events and structures which damage the endurance, health, appeal and amenity of the grass. See also our comments on Policy DM30 – Registered Parks and Gardens.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM23
<u>Respondent Number / Rep Number</u>	88 23
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The BHEP would like to see the section on enforcement of security shutters increased to include a requirement for landlords to 'dress' empty premises in an appropriate way and engage with meanwhile use proposals.

Changes required

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM23
<u>Respondent Number / Rep Number</u>	204 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Historic England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

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.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM23
<u>Respondent Number / Rep Number</u>	214 22
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to the content of these policies.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM23
<u>Respondent Number / Rep Number</u>	256 12
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Brighton Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We generally support these policies. But in relation to para 4, (p.77) we suggest that the option proposed of a “public art commission” should be deleted. This is an open invitation for a so-called ‘graffiti artist’ to impose his ‘art’ on the community. We have quite enough of that in the city as it is

Changes required

But in relation to para 4 [of policy], (p.77) we suggest that the option proposed of a “public art commission” should be deleted

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM24
<u>Respondent Number / Rep Number</u>	88 24
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM24
<u>Respondent Number / Rep Number</u>	179 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	South Downs National Park Authority
<u>Respondent Type</u>	Public Sector / Local Authority
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons
 Support wording in the policy respecting the setting of the SDNP.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM24
<u>Respondent Number / Rep Number</u>	204 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Historic England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

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.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM24
<u>Respondent Number / Rep Number</u>	214 23
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to the content of these policies.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM24
<u>Respondent Number / Rep Number</u>	256 13
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Brighton Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

In our response to the first draft, we questioned the relationship between advertisements and graffiti. We said - "if graffiti is signed, is it an advertisement? It would then need to have planning approval. That would be interesting. Though whether Planning Enforcement would ever get around to addressing the question is open to doubt." Since then we have had the Aroe affair where (without permission), he applied his name prominently on a large mural on the Gelato Gusto at 2 Gardner Street in the North Laine. It was interesting. Initially the council claimed it was his signature and therefore wasn't an advertisement; we then showed what his actual signature looked like and the Council had to admit the mural did constitute an advert and it was removed. In spite of our previous reservations (entirely valid as it turned out), there appears to be no specific reference to clarification on this point in DM24.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM25
<u>Respondent Number / Rep Number</u>	88 25
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM25
<u>Respondent Number / Rep Number</u>	179 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	South Downs National Park Authority
<u>Respondent Type</u>	Public Sector / Local Authority
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Welcome continuing reference to development having to meet the criteria that there is no unacceptable impact on the setting of the SDNP.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM25
<u>Respondent Number / Rep Number</u>	204 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Historic England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

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.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM25
<u>Respondent Number / Rep Number</u>	212 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Natural England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support this policy's requirement for communications infrastructure and associated ancillary development to ensure there is no unacceptable impact on important wildlife sites and the South Downs National Park. In line with both the NPPF (170. 172.) and the Government's 25-year environment plan (Chapter 2.).

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM25
<u>Respondent Number / Rep Number</u>	214 24
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to the content of these policies.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM25
<u>Respondent Number / Rep Number</u>	256 14
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Brighton Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support this policy, though should there not be a reference in this item to the subjection of these communication cabinets to art, advertising, decoration, graffiti and visual abuse? Or a cross-reference to the topic in which public art and graffiti is considered? Who owns them – should the owners not be responsible for maintaining them and cleaning off graffiti, tagging and advertisements in line with the Council's graffiti strategy?

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM26
<u>Respondent Number / Rep Number</u>	104 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM26
<u>Respondent Number / Rep Number</u>	158 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Living Coast UNESCO Biosphere
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM26	
<u>Respondent Number / Rep Number</u>	167	15
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Brighton YIMBY	
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support the plans desire to protect areas of our cities heritage. However, in certain more homogenous conservation areas, such as for example near Preston Park, there may be opportunities for smaller-scale intensification which will enhance the area. We suggest that the neglect of the statutory purpose of 'enhancement' of conservation areas has led to profoundly discriminatory impacts on the lower-income residents and members of protected groups in places outside of conservation areas, as new construction has been imposed on them. Therefore, we propose a policy that any refusal of an application for consent in a conservation area should include an indication of what types of enhancements would be acceptable on the site in question

Changes required

In paragraph 2.204 delete ' may be set out in a character statement or management plan for the area. The council will have regard to management plans when instigating proactive programmes of action to secure the repair and redecoration of buildings, through enforcement where necessary.' Replace with ' must be indicated when an application for a consent in a conversation area is refused.'

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

Please see the reasons given in previous statements.

<u>Policy</u>	DM26	
<u>Respondent Number / Rep Number</u>	182	4
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>	Individual	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Reduce the height of new buildings.

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM26
<u>Respondent Number / Rep Number</u>	201 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Commemorative Plaque Panel
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The Brighton and Hove Commemorative Plaque Panel (Blue Plaque Panel) at its last meeting discussed CPP2 and in the absence of any specific reference to plaques wishes to make the following comments and suggestions to be included in the final and adopted version of CPP2.1. Listed building: a maximum of ONE plaque of any style or medium should be displayed and or fixed2. Locally listed building: a maximum of ONE plaque of any style or medium should be displayed and or fixed3. In Conservation Areas there should be a limit of the number of plaques displayed in any one street. The number to be determined between the Heritage Officers and the Plaque Panel4. Grade I listed estates and Grade II & II* "set piece" terraces and crescents : a strict limit on the number of plaques displayed being less than the number decided for a street in a Conservation Area. That number to be determined between the Heritage Officers and the Plaque Panel5. Plaques must be displayed to be legible and viewed from the public realm, with public buildings which include schools and hospitals etc. being deemed as part of the public realm.

Changes required

3. In Conservation Areas there should be a limit of the number of plaques displayed in any one street. The number to be determined between the Heritage Officers and the Plaque Panel4. Grade I listed estates and Grade II & II* “set piece” terraces and crescents : a strict limit on the number of plaques displayed being less than the number decided for a street in a Conservation Area. That number to be determined between the Heritage Officers and the Plaque Panel5. Plaques must be displayed to be legible and viewed from the public realm, with public buildings which include schools and hospitals etc. being deemed as part of the public realm.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM26
<u>Respondent Number / Rep Number</u>	202 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Woodland Trust
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support para h) The retention of trees and gardens where these are integral to the significance of the area. Policies on housing extensions and alterations should include a presumption in favour of the retention of existing trees, in line with policy DM22. For example, we commend the wording used in the Rushmoor SPD on Home improvements and extensions (December 2019): "Wherever possible, you should keep garden trees and landscaping features that make a positive contribution to the residential environment. They can also help screen or soften the visual impact of a new extension and help to integrate it with the surroundings. As well as providing a pleasant residential environment, trees and gardens contribute towards biodiversity and health and well-being."

Changes required

Policies on housing extensions and alterations should include a presumption in favour of the retention of existing trees, in line with policy DM22. For example, we commend the wording used in the Rushmoor SPD on Home improvements and extensions (December 2019): "Wherever possible, you should keep garden trees and landscaping features that make a positive contribution to the residential environment. They can also help screen or soften the visual impact of a new

extension and help to integrate it with the surroundings. As well as providing a pleasant residential environment, trees and gardens contribute towards biodiversity and health and well-being.”

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM26
<u>Respondent Number / Rep Number</u>	204 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Historic England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

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.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM26
<u>Respondent Number / Rep Number</u>	213 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Hove Civic Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

In 2018 Hove Civic Society made extensive representations at the draft stage to the City Plan Part 2. We supported a number of the policies and made suggestions for improvements in a number of other areas. However we are disappointed that our general comments about the public realm and the various proposed improvements by the Council over the years have not been anchored in the plan as a natural corollary to the pressures created by new development across the City. Conservation areas – management plans Policy DM26 deals with proposals in conservation areas and stresses that new developments should be of the highest design quality and should ‘take the opportunity to enhance the special interest of the area wherever possible, having regard to any adopted management plan.’ Management Plans often evolve from Character Statements and look in great detail at features that are worthy of retention or improvement. Many of these are in the street space or public realm and include street furniture, walls or materials such as kerbstones. Regrettably not many Conservation Areas do have Management Plans, with the latest implementation plans going back to the 90s. Management Plans or improvement plans provide a framework for measures needed in the public realm and we believe are essential for this policy to be effective. This is yet again a case where a public sector action is needed to allow private development to progress in the most environmentally sensitive way. Without such an essential element underpinning this policy is not effective. In view of public

sector austerity it may be reasonable to expect developers to undertake or fund all or part of such plans. We therefore believe that policy DM26 needs to be augmented by adding the following: "In order to ensure that there are clear enhancement plans, investment strategies and management plans for all conservation areas the council will prepare and expect developers to contribute to such plans." Reason: Without such plans there is no coherent framework in place for maintaining, improving and enhancing conservation areas in the city. We believe that in dealing with our objections the City Plan will become sound and help provide both a better framework for managing the off-site impact of new development and improve the management of our townscape and environment in times of climate change and environmental stress.

Changes required

We therefore believe that policy DM26 needs to be augmented by adding the following: "In order to ensure that there are clear enhancement plans, investment strategies and management plans for all conservation areas the council will prepare and expect developers to contribute to such plans." Reason: Without such plans there is no coherent framework in place for maintaining, improving and enhancing conservation areas in the city.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM26
<u>Respondent Number / Rep Number</u>	214 25
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to the content of these policies.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM26
<u>Respondent Number / Rep Number</u>	244 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brunswick Town Association (BTA)
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The importance of the wider environment and impact on existing Conservation areas must be identified in applications, as must the existing infrastructure's capacity to cope with more needs. - e.g.waste facilities. Overdevelopment by 'back building' is creating slumsThe Hove seafront and its Listed Buildings, from the Peace Statue to the boundary appear to be of secondary importance in the document, and this is to be regretted. They are far too important in heritage terms to be left to serendipity and chance.

Changes required

The importance of the wider environment and impact on existing Conservation areas must be identified in applications, as must the existing infrastructure's capacity to cope with more needs. - e.g.waste facilities. Overdevelopment by 'back building' is creating slumsThe Hove seafront and its Listed Buildings, from the Peace Statue to the boundary appear to be of secondary importance in the document, and this is to be regretted. They are far too important in heritage terms to be left to serendipity and chance.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM26
<u>Respondent Number / Rep Number</u>	247 10
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Regency Society of Brighton & Hove
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

(clause numbers in brackets are those of the Draft City Plan Part Two)2.204 (2.195-196) There is still no commitment to preparing character statements and management plans, relying instead on the applicants' own assessments. Character statements and management plans should be prepared for all conservation areas that are without them.2.205 (2.196) There is still no statement that poor condition due to neglect is not legitimate grounds for the demolition of a building which makes a positive contribution to a conservation area.2.208 This additional clause on contemporary and innovative design is welcomed.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM26	
<u>Respondent Number / Rep Number</u>	256	15
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	The Brighton Society	
<u>Respondent Type</u>	Civic & Amenity	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

This section appears to have been considerably watered down since the first draft. That is a highly retrograde step and seems to reflect a regrettable lack of interest in Heritage and Conservation priorities. Para 1 – the phrasing of this paragraph seems to indicate a presumption in favour of permission. We think the word “only” should be inserted (2nd line) between the words “will” and “be”, so it reads: Development proposals within conservation areas..... will ONLY be permitted.....DM26 should also make it clear that applications will not be permitted where they would be detrimental or cause harm to the character of the Conservation Area. item b – include the term “important architectural references” to the list of relevant criteria. item j – things like paving, kerbing, landscape elements and lamp posts should be specifically referred to and included in this item. A statement MUST be included to insist that in all cases a Heritage Statement is to be submitted with all planning applications in conservation areas together with contextual information to show how the existing streetscape is affected by a particular proposal. Currently some do, but sometimes they don’t. It is noticeable that the applications where this information is not provided tend to be the worst in terms of quality of design as well as presentation. Here is our suggestion: “In all cases a heritage statement must be submitted to describe the significance of any heritage assets affected. Where there is no adopted character statement for the area, the applicant will be REQUIRED to carry out an appraisal of

the area and submit this in addition to the heritage statement. This appraisal should be proportionate to the scope of the proposal.”Para 189 of the NPPF states that: “In determining applications, local planning authorities should REQUIRE (our emphasis) ... an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.”Policy DM26 should acknowledge the fact that many Conservation Character Statements need to be updated and improved. Recent Character Statements such as those for the Old Town and Queen’s Park have set new, much higher standards than those Character Statements which were written say twenty years ago.Para 2.207 “The council will support the removal of buildings that have been identified in a character statement as harming the conservation area”. Is there a case for extending this to say ‘the removal or transformation of buildings’?Generally - Should there not be some discussion and guidance about the priorities and definitions set out in the NPPF in terms of “harm” and the relative values in terms of balancing “harm” to conservation assets as against perceived “benefits” in terms of matters such as housing or jobs etc. In other words, at what level does conservation stand in the list of “benefits”? Above public benefits such as jobs and housing targets, or below?

Changes required

See response to Question 3.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM26
<u>Respondent Number / Rep Number</u>	258 18
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

General support for the sections referring to Conservation Areas and Listed Buildings (DM26-27). Residents and Community Organisations should also be able to nominate streets to be included within existing Conservation Areas to ensure that these are protected, following a period of public consultation. (Justification: Community Planning; Protection Of Amenity).

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM27
<u>Respondent Number / Rep Number</u>	201 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Commemorative Plaque Panel
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The Brighton and Hove Commemorative Plaque Panel (Blue Plaque Panel) at its last meeting discussed CPP2 and in the absence of any specific reference to plaques wishes to make the following comments and suggestions to be included in the final and adopted version of CPP2.1. Listed building: a maximum of ONE plaque of any style or medium should be displayed and or fixed2. Locally listed building: a maximum of ONE plaque of any style or medium should be displayed and or fixed3. In Conservation Areas there should be a limit of the number of plaques displayed in any one street. The number to be determined between the Heritage Officers and the Plaque Panel4. Grade I listed estates and Grade II & II* "set piece" terraces and crescents : a strict limit on the number of plaques displayed being less than the number decided for a street in a Conservation Area. That number to be determined between the Heritage Officers and the Plaque Panel5. Plaques must be displayed to be legible and viewed from the public realm, with public buildings which include schools and hospitals etc. being deemed as part of the public realm.

Changes required

1. Listed building: a maximum of ONE plaque of any style or medium should be displayed and or fixed5. Plaques must be displayed to be legible and viewed from the public realm, with public buildings which include schools and hospitals etc. being deemed as part of the public realm

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM27
<u>Respondent Number / Rep Number</u>	204 7
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Historic England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

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.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM27
<u>Respondent Number / Rep Number</u>	214 26
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to the content of these policies.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM27
<u>Respondent Number / Rep Number</u>	244 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brunswick Town Association (BTA)
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Conservation Areas and Character Statements up dating should be made a legal requirementThe Hove seafront and its Listed Buildings, from the Peace Statue to the boundary appear to be of secondary importance in the document, and this is to be regretted. They are far too important in heritage terms to be left to serendipity and chance.

Changes required

Conservation Areas and Character Statements up dating should be made a legal requirementThe Hove seafront and its Listed Buildings, from the Peace Statue to the boundary appear to be of secondary importance in the document, and this is to be regretted. They are far too important in heritage terms to be left to serendipity and chance.

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM27
<u>Respondent Number / Rep Number</u>	247 11
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Regency Society of Brighton & Hove
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

(clause numbers in brackets are those of the Draft City Plan Part Two)The policies, or at least the supporting text, should still be explicit that less interventive but still economically viable use is preferable to a more commercially viable but more heavily interventive use.(2.204) The omission of this clause is regrettable given the low quality of so many Heritage Statements.2.220 (2.211) No Supplementary Planning Document giving further detailed policy guidance on alterations to listed buildings appears to be in preparation.The Council should not register Planning and Listed Building Consent applications submitted with insufficient information, including inadequate heritage statements.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM27
<u>Respondent Number / Rep Number</u>	256 16
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Brighton Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Para 1 – the phrasing of this paragraph seems to indicate a presumption in favour of permission. We think the word “only” should be inserted (2nd line) between the words “will” and “be”, so it reads: Proposals involving the alteration, extension, or change of use of a listed building..... will ONLY be permitted.....

Changes required

Para 1 – tWe think the word “only” should be inserted (2nd line) between the words “will” and “be”, so it reads:Proposals involving the alteration, extension, or change of use of a listed building..... will ONLY be permitted.....

<u>Participate at the hearing session(s)?</u>	Not Answered
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Why wish to speak

<u>Policy</u>	DM27
<u>Respondent Number / Rep Number</u>	258 19
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

General support for the sections referring to Conservation Areas and Listed Buildings (DM26-27). Residents and Community Organisations should also be able to nominate streets to be included within existing Conservation Areas to ensure that these are protected, following a period of public consultation. (Justification: Community Planning; Protection Of Amenity).

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM28
<u>Respondent Number / Rep Number</u>	201 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Commemorative Plaque Panel
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The Brighton and Hove Commemorative Plaque Panel (Blue Plaque Panel) at its last meeting discussed CPP2 and in the absence of any specific reference to plaques wishes to make the following comments and suggestions to be included in the final and adopted version of CPP2.1. Listed building: a maximum of ONE plaque of any style or medium should be displayed and or fixed2. Locally listed building: a maximum of ONE plaque of any style or medium should be displayed and or fixed3. In Conservation Areas there should be a limit of the number of plaques displayed in any one street. The number to be determined between the Heritage Officers and the Plaque Panel4. Grade I listed estates and Grade II & II* "set piece" terraces and crescents : a strict limit on the number of plaques displayed being less than the number decided for a street in a Conservation Area. That number to be determined between the Heritage Officers and the Plaque Panel5. Plaques must be displayed to be legible and viewed from the public realm, with public buildings which include schools and hospitals etc. being deemed as part of the public realm.

Changes required

2. Locally listed building: a maximum of ONE plaque of any style or medium should be displayed and or fixed5. Plaques must be displayed to be legible and viewed from the public realm, with public buildings which include schools and hospitals etc. being deemed as part of the public realm.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM28
<u>Respondent Number / Rep Number</u>	203 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Gardens Trust
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Thank you for consulting the Sussex Gardens Trust (SGT) and also the Gardens Trust (GT) about the above Plan. The Gardens Trust is the statutory consultee on matters concerning registered parks and gardens, and is now working closely with County Garden Trusts such as SGT regarding commenting on planning policy and planning applications. The Trust welcomes this policy. It is considered to give appropriate protection to possible future additions to the national register of historic parks and gardens.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM28
<u>Respondent Number / Rep Number</u>	204 8
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Historic England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

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.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM28
<u>Respondent Number / Rep Number</u>	214 27
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to the content of these policies.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM28
<u>Respondent Number / Rep Number</u>	247 12
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Regency Society of Brighton & Hove
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

(clause numbers in brackets are those of the Draft City Plan Part Two).2.222 (2.213) The Local List of Heritage Assets has not been reviewed since it was issued in 2015.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM28
<u>Respondent Number / Rep Number</u>	258 20
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

DM28-29: Community Organisations are able to nominate buildings as “Assets of Community Importance” if they are of significance to the local community. This process should be given further publicity by the Council and become part of the Councils key planning approach. (Justification: Community Planning; Participation; Protection Of Amenity).

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM29
<u>Respondent Number / Rep Number</u>	203 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Gardens Trust
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The Trust would welcome the addition of 'height' to the development features listed in the first paragraph ie alongside siting, footprint, density, scale etc. It has often been found to be the height of nearby developments that has had the greatest visual impact on garden settings. This is therefore considered a perverse omission. The Trust considers the wording of the last paragraph an oversimplification, and objects to the way the policy seeks to prioritise heritage assets solely according to significance. If there is to be any prioritising, it should follow an assessment of both significance and impact, both positive and negative. For the above reasons the Trust has strong reservations over the way heritage policies DM29 is worded; wording that dilutes their value as heritage planning policies. This the Trust finds unfortunate and asks that adjustments be made accordingly.

Changes required

The Trust would welcome the addition of 'height' to the development features listed in the first paragraph ie alongside siting, footprint, density, scale etc. The Trust considers the wording of the last paragraph an oversimplification, and objects to the way the policy seeks to prioritise heritage assets solely according to

significance. If there is to be any prioritising, it should follow an assessment of both significance and impact, both positive and negative.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM29
<u>Respondent Number / Rep Number</u>	204 9
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Historic England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

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.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM29
<u>Respondent Number / Rep Number</u>	214 28
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to the content of these policies.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM29
<u>Respondent Number / Rep Number</u>	247 13
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Regency Society of Brighton & Hove
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

(clause numbers in brackets are those of the Draft City Plan Part Two).2.219 (2.277) The additional statement that "This policy does not therefore preclude a bold architectural approach where appropriate." is cautiously welcomed.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM29
<u>Respondent Number / Rep Number</u>	256 17
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Brighton Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

This is probably one of the most important sections of the whole Design and Heritage section. Its location in the document after Locally Listed Heritage Assets implies it is lowest in the pecking order of heritage priorities, whereas it really deserves to be at the highest level. Brighton & Hove in terms of its historic built environment, is one of the most important heritage cities in the country. It has almost 3,500 listed buildings and 34 conservation areas, mostly in the central area of the city. In fact you could almost say that the whole of the central part of the city is one big conservation area. Nothing in this section even begins to acknowledge or recognise this vitally important fact. It follows that developments in the relatively few parts of the central city which are not conservation areas – particularly large-scale developments - are bound to have some effect on one or more of the 34 CAs – and the bigger the development, the more conservation areas are likely to be substantially affected. So the setting of new developments is incredibly important and the design and scale of new development needs to be controlled in order to minimise any detrimental effect on the city's historic character and scale, its skylines, its landscape and seascape and its historic building heritage from massively scaled developments and tall buildings which might have such a detrimental effect on the character and scale of the city. This context needs to be stated clearly and firmly in Policy DM29. Para 2.227 is the closest it gets to describing the importance of setting – but the paragraph ends with the ridiculous

conclusion that “this policy does not therefore preclude a bold architectural approach where appropriate”.If any statement might encourage developers to come up with unsympathetic and out of scale design solutions this would be it.A statement saying exactly the opposite is required. Sadly the Planning Dept appears to be blissfully unaware of the importance of the heritage assets it is responsible for protecting, and which are within its care.This whole section of the policy needs to be completely re-written and the most important priorities reflected in both the layout order and the text.

Changes required

See details in response to Question 3 - This whole section of the policy needs to be completely re-written and the most important priorities reflected in both the layout order and the text.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM29
<u>Respondent Number / Rep Number</u>	258 20
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

DM28-29: Community Organisations are able to nominate buildings as “Assets of Community Importance” if they are of significance to the local community. This process should be given further publicity by the Council and become part of the Councils key planning approach. (Justification: Community Planning; Participation; Protection Of Amenity).

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM30
<u>Respondent Number / Rep Number</u>	158 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Living Coast UNESCO Biosphere
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM30
<u>Respondent Number / Rep Number</u>	172 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Appendix 6 Table 1 – Proposed Changes to Policy Map – new additions/ amendments by virtue of policies in City Plan Part 2/ Updatesp221 or is it 222, it's hard to tell because the page numbers do not accord with the PDF page numbers at the top...HE11 Historic Parks and Gardens is to be replaced by DM30 Registered Parks and Gardens HE11 Historic Parks and Gardens was (accidentally?) omitted from City Plan Part One despite being one of the retained policies of Local Plan 2005 (updated in March 2016) and a further reference in Annex 4 of CPP1 itself.

Changes required

Reinstate the protection of Historic Parks and Gardens - HE11 - into City Plan Part One before replacing it and thereby retrospectively protect the Grade II Listed & Registered Stanmer Park and Garden. References to development within and adjoining Stanmer Park in both CPP1 and CPP2 only refer to the University campuses of Sussex and Brighton, and the football Stadium.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

To be heard

<u>Policy</u>	DM30
<u>Respondent Number / Rep Number</u>	202 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Woodland Trust
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We note the policy may “seek the removal of structures and use that detract from the special historic interest of the park and garden.” We would have concerns about allowing the removal of healthy mature trees which may have become established even if these are not part of the original design. We ask that the principles in DM22 be applied also to this policy.

Changes required

We would have concerns about allowing the removal of healthy mature trees which may have become established even if these are not part of the original design. We ask that the principles in DM22 be applied also to this policy.

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM30
<u>Respondent Number / Rep Number</u>	203 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Gardens Trust
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The Trust would encourage changes in the wording of this policy for reasons of clarity. It recommends the second sentence be altered to begin ' In assessing the significance of the site and the impact of the development on the site's historic sense of place, it will also have regard to'The Trust does not believe that the second paragraph has a place within this policy. Such 'temporary' uses have a tendency to gain permanence and become the norm rather than the exception.For the above reasons the Trust has strong reservations over the way heritage policies DM30 are worded; wording that dilutes their value as heritage planning policies. This the Trust finds unfortunate and asks that adjustments be made accordingly.

Changes required

The second sentence be altered from:In assessing this, the council will have particular regard to the impact of development on any notable view of, within or across the park or garden.to:In assessing the significance of the site and the impact of the development on the site's historic sense of place, it will also have regard to the impact of development on any notable view of, within or across the park or garden.The Trust does not believe that the second paragraph has a

place within this policy.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM30
<u>Respondent Number / Rep Number</u>	204 10
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Historic England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

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.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM30
<u>Respondent Number / Rep Number</u>	214 29
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to the content of these policies.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM30
<u>Respondent Number / Rep Number</u>	244 7
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brunswick Town Association (BTA)
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Omission of Hove Lawns, Adelaide Crescent, Palmeira and Brunswick Squares, and Norfolk Square to be included

Changes required

Omission of Hove Lawns, Adelaide Crescent, Palmeira and Brunswick Squares, and Norfolk Square to be included

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM30
<u>Respondent Number / Rep Number</u>	247 14
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Regency Society of Brighton & Hove
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The Council should review further parks and gardens for registration and take the lead in the production and implementation of management plans for registered parks and gardens.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM30
<u>Respondent Number / Rep Number</u>	256 18
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Brighton Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We consider that temporary events should be precisely that. Where they exceed six weeks they begin to have a detrimental effect on the Park or Garden. The word “temporary” should be qualified to mean a maximum period of six weeks from beginning to end of the temporary use. In addition, a statement setting out what investigations have been carried out on the feasibility of using alternative sites and locations for temporary events must be carried out and included as part of a planning application for a temporary event prior to that application being lodged. The statement that “The production of management plans for registered parks and gardens and the implementation of identified enhancement works will be positively encouraged” is inadequate. It should be “required”. See also our comments on DM22

Changes required

see response to Question 3.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM31
<u>Respondent Number / Rep Number</u>	166 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	None
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM31
<u>Respondent Number / Rep Number</u>	177 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	East Sussex County Council
<u>Respondent Type</u>	Public Sector / Local Authority
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Dear Sir/Madam, Thank you for consulting us on the City Plan Part 2. I have the following comments in [] below (relevant CPP2 text is included to provide context for my comments): DM31 Archaeological Interest Where the council has reason to believe, either from the archaeological assessment or from other evidence sources, that significant archaeological remains may exist, a suitable field evaluation and/or survey (e.g. for standing buildings and structures) will be required PRE-DETERMINATION. [suggested additional text in CAPS] 2.239 The known areas of archaeological interest within Brighton & Hove are included within the Historic Environment Record (HER) as Archaeological Notification Areas (ANAs). The identification of ANAs is a dynamic process that changes over time as new evidence comes to light and it is therefore important to check the HER for the latest areas. Some heritage assets within ANAs, or even outside, might on further detailed investigation merit designation as a Scheduled Monument. re second sentence - [the CPP2 West Area, Central Area and East Area maps that accompany the draft update include ANA data that is at least 2 years out of date so does not accurately reflect the current ANAs (there have been deletions and additions). I have recently submitted updated heritage mapping to BHCC and usually aim to do so at least once a year. I recommend that up-to-date GIS mapping is requested via County. HER@eastsussex.gov.uk prior to issuing the next draft and/or final version of the CPP2. Up-to-date ANA mapping is publicly accessible via

<https://escs.maps.arcgis.com/apps/webappviewer/index.html?> and it may be helpful to include this link in the CPP2, although this link is included on the BHCC website (<https://www.brighton-hove.gov.uk/content/planning/heritage/archaeology-heritage>). I hope this is helpful. Should you have any queries please do not hesitate to contact me

Changes required

DM31 Archaeological Interest Where the council has reason to believe, either from the archaeological assessment or from other evidence sources, that significant archaeological remains may exist, a suitable field evaluation and/or survey (e.g. for standing buildings and structures) will be required PRE-DETERMINATION.
[suggested additional text in CAPS]

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM31
<u>Respondent Number / Rep Number</u>	204 11
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Historic England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

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.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM31
<u>Respondent Number / Rep Number</u>	214 30
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to the content of these policies.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM31	
<u>Respondent Number / Rep Number</u>	271	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>	Individual	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Building on Whitehawk Hill threatens a monument of national significance (Whitehawk Causewayed Enclosure- Russell, Miles 2002, Perhistoric Sussex) and one of the most important Neolithic monuments in the country. This area should be protected from development at all costs.

Changes required

Protect this ancient monument from further development and research means of highlighting its importance nationally and within the local community

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM32
<u>Respondent Number / Rep Number</u>	203 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Gardens Trust
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The Trust welcomes positive proactive action to manage the Royal Pavilion Estate, and recognises the challenges and pressures placed upon it. That said, the Trust considers this policy overly prescriptive with insufficient weight given to the sensitivity and significance of the existing layout and restoration work completed in the late 20th C. The garden's historic interest is in part its use as a promenading garden, as a place for reflection and quiet enjoyment, and not for ever more intensive use(s). But that does not read loud and clear in the way this policy is worded. For the above reasons the Trust has strong reservations over the way heritage policies DM32 are worded; wording that dilutes their value as heritage planning policies. This the Trust finds unfortunate and asks that adjustments be made accordingly.

Changes required

The Trust considers this policy overly prescriptive with insufficient weight given to the sensitivity and significance of the existing layout and restoration work completed in the late 20th C.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM32
<u>Respondent Number / Rep Number</u>	204 12
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Historic England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

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.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM32
<u>Respondent Number / Rep Number</u>	214 31
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to the content of these policies.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM32
<u>Respondent Number / Rep Number</u>	219 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Wildlife Trust
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The Sussex Wildlife Trust is pleased to see that our suggested amendments from the regulation 18 consultation have been included in the new version of the policy. We strongly support the inclusion of the requirement to seek net gains to biodiversity within the policy and agree that this is consistent with national policy.

Changes required

N/A

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM32
<u>Respondent Number / Rep Number</u>	256 19
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Brighton Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Comments as for DM30:We consider that temporary events should be precisely that. Where they exceed six weeks they begin to have a detrimental effect on the Park or Garden. The word “temporary” should be qualified to mean a maximum period of six weeks from beginning to end of the temporary use.In addition, a statement setting out what investigations have been carried out on the feasibility of using alternative sites and locations for temporary events must be carried out and included as part of a planning application for a temporary event prior to that application being lodged.The statement that “The production of management plans for registered parks and gardens and the implementation of identified enhancement works will be positively encouraged” is inadequate. It should be “required”.See also our comments on DM22

Changes required

See response to question 3.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM33
<u>Respondent Number / Rep Number</u>	<input type="text" value="2"/> <input type="text" value="1"/>
<u>Name</u>	<input type="text"/>
<u>Email</u>	<input type="text"/>
<u>Organisation/individual</u>	<input type="text"/>
<u>Respondent Type</u>	<input type="text"/>
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	<input type="text"/>
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	<input type="text"/>
<u>Unsound because Not Positively Prepared</u>	<input type="text"/>
<u>Unsound because Not Effective</u>	<input type="text"/>
<u>Unsound because Not Justified</u>	<input type="text"/>
<u>Unsound because not Consistent with National Policy</u>	<input type="text"/>

Reasons

Changes required

Participate at the hearing session(s)?

Why wish to speak

<u>Policy</u>	DM33
<u>Respondent Number / Rep Number</u>	3 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

North st Queens rd Area should use trams to improve the air quality .trams to run ---north st Brighton Station and north st ---Palmera square

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM33
<u>Respondent Number / Rep Number</u>	88 26
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The BHEP would like to see support for other modes of sustainable travel and provision of: * E-bikes*Motorbikes* Electric vehicle charging (although it recognises this is picked up in DM36)

Changes required

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM33
<u>Respondent Number / Rep Number</u>	158 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Living Coast UNESCO Biosphere
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM33
<u>Respondent Number / Rep Number</u>	159 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	n/a
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

-

Changes required

The policy also needs to make provision for car use. In its desire to promote cycling the council has breached its own desire to be inclusive- the elderly cannot cycle- those the lower limb weakness (but not classed as disabled) cannot cycle- you cannot cycle to get a week's shopping for even a small family- you cannot cycle for longer journeys- you cannot cycle for even short trips in many parts of Brighton as it is hilly - this is not Amsterdam- you cannot cycle in bad weather if you need to arrive at your destination looking presentable, such as at work. For these reasons car transport should be provided for alongside other means.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

<u>Policy</u>	DM33	
<u>Respondent Number / Rep Number</u>	160	3
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Cycling UK (Local Representative for Brighton and Hove)	
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

No account is taken of two recent government publications: "Gear Change A bold vision for cycling and walking" and "Cycle Infrastructure Design, Local Transport Note 1/20" Gear Changes says on page 31: "We will not fund or part-fund any scheme that does not meet the new standards and principles described in theme 1 and in the Appendix. We will not allow any other agency or body to fund such schemes using any of our money. This includes schemes delivered through pots such as the Transforming Cities Fund." Important new standards are described, and there is reference to better rail-cycle integration, more cycle carriage on buses, and more bike hangars and other secure on-street storage, for people who do not have space to keep their bikes at home. Gear Change says on page 20 "...we will expect Local Authorities and developers to utilise the guidance in the design of their schemes regardless of whether they are seeking Government funding. "Gear Change says on page 26 " We will ensure that all new housing and business developments are built around making sustainable travel, including cycling and walking, the first choice for journeys The purpose of the planning system is to contribute to the achievement of sustainable development. We expect sustainable transport issues to be considered from the earliest stages of plan-making and development proposals, so that opportunities to promote cycling and walking are pursued. "On page 157, LTN 1/20 says:"14.3.15 Networks need to meet the five Core Design Principles set out in Chapter 4: Coherent; Direct; Safe; Comfortable; and

Attractive" These 5 principles should be used in preference to "safe, easy and convenient access" in the "Cyclists" section in DM 33.LTN/120 also includes Table 11-1: Suggested minimum cycle parking capacity for different types of land use and Table 11-2: Recommended and minimum dimensions for banks of Sheffield stands. These should be referenced. On page 23, Para 3.2.4 LTN 1/20 says: "Local Plans should consider section 9 of the National Planning Policy Framework on "Promoting sustainable transport" including consideration of high quality cycling and walking networks and supporting facilities such as cycle parking, drawing on LCWIPs." LTN 1/20 also says: "14.2.4 Local Cycling and Walking Infrastructure Plans (LCWIPs) are ... supported by the NPPF. They offer a well-founded process for local authorities to identify how cycling and walking networks should be provided and improved across a wide area. 14.2.5 The LCWIP guidance states that they should be incorporated into local authority policies so that appropriate consideration is given to cycling and walking in all local planning and transport decisions."

Changes required

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM33	
<u>Respondent Number / Rep Number</u>	163	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Sustrans	
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

DM33 section 2 Cyclists (p98) With Gear Change the government is expecting cycle facilities to be fully inclusive. I there should be direct reference to inclusive facilities eg that can accommodate tricycles or has accessible parking for those with disabilities. " Universally accessible" as a phrase I don't believe is specific enough for developers to act on.

Changes required

Include phrases used in Gear Change. All new developments should comply with Equality Legislation including access to facilities for cyclists who are disabled - this applies to car drivers.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	DM33
<u>Respondent Number / Rep Number</u>	167 16
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton YIMBY
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We strongly support measures to improve the opportunities for active travel within the city. In particular, we would also like to also state the necessity of protected cycle lanes in the general public realm.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM33
<u>Respondent Number / Rep Number</u>	168 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	n/a
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons
Not Answered

Changes required
Not Answered

Participate at the hearing session(s)? Not Answered

Why wish to speak Not Answered

<u>Policy</u>	DM33
<u>Respondent Number / Rep Number</u>	171 7
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The council must do more to recognise the important of cars and other vehicles to residents of Brighton and assess provision change against impact to drivers.Cars are sustainable. I am surprised the council doesn't refence them.

Changes required

2. f) The council will assess the traffic impacts of cycling infrastructure before making changes.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

Somebody needs to remind the council that we need to support transport change which works for residents. Cars are sustainable, even if the report does not recognise that.

<u>Policy</u>	DM33
<u>Respondent Number / Rep Number</u>	173 / 7
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Ramblers
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I support the policy.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM33
<u>Respondent Number / Rep Number</u>	202 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Woodland Trust
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We welcome the recognition in 1b) of the potential for integration of tree planting into pedestrian facilities. We urge extending this to apply to equally to cycling routes, to provide shelter and shade and to maximise the potential of these new green corridors for habitat connectivity. Converting grey space to green space, including providing street trees and urban hedgerows should be integrated into local sustainable transport plans.

Changes required

We welcome the recognition in 1b) of the potential for integration of tree planting into pedestrian facilities. We urge extending this to apply to equally to cycling routes, to provide shelter and shade and to maximise the potential of these new green corridors for habitat connectivity.

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM33
<u>Respondent Number / Rep Number</u>	211 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	St William Homes LLP
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Established in 2014, St William is a joint venture between the Berkeley Group and National Grid Property ('National Grid'), established to bring forward regeneration and the redevelopment of decommissioned, vacant National Grid sites across the south-east, delivering essential new homes and jobs. The partnership combines National Grid's extensive portfolio of surplus brownfield sites with the Berkeley Group's design expertise, substantial experience of redeveloping complex regeneration sites and proven track record of significant housing delivery and high-quality developments. The Brighton Gasworks site ('Brighton Gasworks') falls within the portfolio and St William is pleased to be actively progressing plans to deliver a mixed use development on this Site in line with its site allocation under the City Plan Part 1. St William are currently in pre-application discussions with BHCC and have commenced a programme of public consultation with a view to submitting a planning application in 2021. This would mean that the first homes could be delivered by the mid 2020s. St William welcomes the opportunity to work with BHCC and have the opportunity to provide comments on the draft City Plan Part Two. St William would be very happy to meet with BHCC to discuss any of the comments set out in these representations. Comments provided are made in the context of the Strategic Site Allocation DA2 'Brighton Marina, Gas Works and Black Rock Area' outlined in the adopted Local Plan Part One (2016). In accordance with the guidance note on making representations to the draft Plan, our

comments relate to matters of legal compliance and whether the Plan is 'sound' in the context of paragraph 35 of the National Planning Policy Framework (NPPF) which requires plans to be: a) Positively prepared b) Justified c) Effective d) Consistent with national policy Comments are also submitted in line with paragraphs 11 and 81 of the NPPF, which states that plans and decisions should apply a presumption in favour of sustainable development and for plan-making this means that plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change. Site Background

The Site is a brownfield site and a former gas works site located to the east of Brighton city centre and northwest of Brighton Marina. The Site is bound by Boundary Road to the west, Roedean Road to the north and Marina Way to the east and south as shown in Figure 1 [see uploaded supporting document]. The existing site comprises a decommissioned gas holder and storage tank, vehicular parking areas, a number of commercial sheds and buildings used for automotive repairs and storage of commercial vehicles and a holding area for the construction work taking place at Sussex County Hospital. The site is allocated within the adopted City Plan Part One under strategic site allocation DA2. Policy DA2 comprises 3 distinct sites: the Brighton Marina, the Gas Works site and the Black Rock Area. Part C.2 outlines the localised policies for the Gas Works site which identifies the site for 'a minimum' of 85 residential units, which are shown on the current proposals map to the south of the site (as highlighted in Figure 2 [see uploaded supporting document]) and approximately 2,000 sqm of business floorspace to the north of the site. The policy goes on to explain that the employment provision should provide an appropriate mix of employment floorspace of varying sizes that cater for business uses ranging from office to light industrial, including small starter units or managed units (former Use Classes B1). Whilst this site allocation is outlined within the adopted City Plan Part One (2016) and is not therefore open for comment, these representations must be considered in the context of the site's strategic allocation and the framework set out in the City Plan Part One. Draft Policy DM33 Safe, Sustainable and Active Travel NPPF Paragraph 11 – Flexibility Test This policy does not afford sufficient flexibility. NPPF Paragraph 35 – Soundness Test The policy does not meet the soundness tests as it is not effective. Cycle facilities must be proportionate to the scale and nature of development proposals and whilst paragraph 2.252 makes it clear that high quality facilities are in particular expected of large workplace developments, sufficient flexibility should be incorporated within the policy itself to ensure it is not overly prescriptive.

Changes required

Delete word "including" and replace with "such as" to read: "2. Cyclists In order to ensure a safe and accessible environment for cyclists, new development should: ...e) make provision for high quality facilities that will encourage and enable cycling SUCH AS communal cycle maintenance facilities, workplace showers, lockers and changing facilities".

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM33
<u>Respondent Number / Rep Number</u>	214 32
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to the content of these policies.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM33
<u>Respondent Number / Rep Number</u>	215 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	South Downs Society
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

On a positive note the Society welcomes DM33 Safe, Sustainable and Active Travel outlining the commitment to promote and provide for the use of sustainable transport and active travel by prioritising walking, cycling and public transport in the city providing this is reflected in less traffic use to, through and from the SDNP.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM33
<u>Respondent Number / Rep Number</u>	247 15
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Regency Society of Brighton & Hove
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The Local Transport Plan urgently needs to be supported by the Local Walking and Cycling Infrastructure Plan.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM33	
<u>Respondent Number / Rep Number</u>	258	21
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats	
<u>Respondent Type</u>	Councillor/Political Group	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

CITY PLAN PART TWO: ENVIRONMENT AND TRANSPORT ISSUES Accessibility and Affordability are important transport principles. The Service, Maintenance, and general Work requirements of local residents and businesses also require that people are able to get around the City. It is also important for quality of life. These are key considerations when developing the City's transport strategy. Environmental considerations should be at the heart of planning and transport policies. We need to encourage walking and cycling wherever feasible for short journeys whilst also encouraging the use of public transport and more eco-friendly car use. DM33 SAFE, SUSTAINABLE AND ACTIVE TRAVEL (P98-101)* Cycle Infrastructure and planning: Generally support the need to encourage cycle use with the provision of more safe cycle routes and cycle parking facilities within new developments.* "Safe and inclusive travel" must be an important part of the City's Transport Policies to help meet the needs of a diverse range of people with different needs, including people who are older; people with longer-term health conditions and people with disabilities. There needs to be a balance between the needs of motor vehicles (including motor cycles); buses; cyclists; and pedestrians. (Justification: Demographic Trends; Diversity; Preventing Discrimination)* The introduction of experimental "courtesy crossings" should be considered, particularly at seafront locations, where usual pedestrian walkways intersect cycle lanes. This would avoid some common conflicts between cyclists and pedestrians.

(Justification: Safety). * Safer walking routes should also be encouraged with the provision of signposting, information points and seating areas at spaced intervals, especially on the Seafront and along the Valley Gardens areas. There should also be co-operation with Natural England and other organisations about the creation/maintenance of a safe, accessible and practical walking route along the seafront as part of their Coastal Walking Route. (Justification: Health; Environment; Economy) * There should be a thorough assessment of access, safety and traffic flow issues before cycle lanes are placed on main Transport routes through the City, especially "A" Roads. Wider Consultation is also important because those routes affect the whole area. It should be recognised that restricting road space can cause more congestion, traffic displacement and pollution. Also, that age, disability, weather conditions and the geography of the City can affect cycle uptake. (Justification: Safety, Employment, Access; Demographic Changes) * Consideration should be given to the provision of a network of charging points for electric vehicles in partnership with other community and private organisations. These could be provided in larger new developments; on existing large Council Premises; with the private sector in Light-Industrial areas; and with existing or new fuel suppliers, including petrol stations. (Justification: Environment; Planning) * Car Clubs and Car Sharing for electric vehicles should be encouraged and consideration should be given to a partnership scheme with one or more car hire companies to encourage people to use motor vehicles only for those journeys that are vital. (Justification: Lowering Carbon; Reducing Congestion and Parking Issues). * Transport Planners should consider the needs of motor cyclists, recognising that many of these are more environmentally friendly. Safety consideration should always be considered along with the access and parking needs of motorcyclists. (Justification: Choice; Environmental; Safety) * Local Rail and Bus Companies should be encouraged to provide and promote "all inclusive" linked tickets that enable Visitors to use train or long-distance bus tickets for local "go anywhere" bus travel. Travel Links from the main stations should also be better publicised and signposted (Justification: Sustainability; Choice; Local Economy) * The Council should work with the Bus Companies to ensure that fares are kept as low as feasibly possible and subsidies should be considered for key routes that are important and/or can help reduce congestion/pollution (as identified by the Council's air pollution monitoring). (Justification: Environment; Quality of Life; Reducing Carbon;)

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM34
<u>Respondent Number / Rep Number</u>	38 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM34
<u>Respondent Number / Rep Number</u>	88 27
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The BHEP supports the concept of Park & Ride, particularly with e-charging at parking site and eclectic vehicle transit.

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM34
<u>Respondent Number / Rep Number</u>	104 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Access to the proposed site has to be on the East side of Coldean lane which currently has one into Stanmer Park, a feeder slip road onto the by-pass and access to Varley Halls, a university centre. The proposed access is at a narrow C class road used by heavy traffic including buses. It is a steep hill. Emerging and turning right or turning right into the access road will require some form of control such as traffic lights. Coldean Lane is an important link between the Lewes and London roads. The downtown through roads are closed off.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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Why wish to speak

<u>Policy</u>	DM34
<u>Respondent Number / Rep Number</u>	160 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Cycling UK (Local Representative for Brighton and Hove)
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Criteria for Park and Ride schemes should include the reduction of total mileage by motor vehicles and no increase (and preferably a reduction) in the total number of parking places. Park and Ride should not be subsidised to provide a benefit which then undermines public transport for non-car users. This would be counter to policies on Sustainable Transport.

Changes required

Criteria for Park and Ride schemes should include the reduction of total mileage by motor vehicles and no increase (and preferably a reduction) in the total number of parking places. Park and Ride should not be subsidised to provide a benefit which then undermines public transport for non-car users, and the use of other sustainable modes.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	DM34
<u>Respondent Number / Rep Number</u>	179 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	South Downs National Park Authority
<u>Respondent Type</u>	Public Sector / Local Authority
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Support the additional sentence in the supporting text at paragraph 2.257 that impact on the SDNP will be considered when evaluating proposals.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM34
<u>Respondent Number / Rep Number</u>	180 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Highways England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

We note that text has been added to point d) as footnote 65, but this is now superseded and therefore should be updated as follows: "the tests set out in DfT Circular 02/2013, particularly paragraphs 9 & 10, and MHCLG NPPF2019, particularly paragraphs 108 and 109".

<u>Participate at the hearing session(s)?</u>	Not Answered
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Why wish to speak

<u>Policy</u>	DM34	
<u>Respondent Number / Rep Number</u>	197	4
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>	Individual	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have the potential to be the best city in Britain, but this will not be achieved unless there is a plan that meets the future rather than just tinkers with the inadequate current situation. I would like to comment on two of the proposals. 2 Transport and travel, (DM18 – DM32) In addressing the transport and travel, I am pleased to see that the possibility of park and ride is back on the agenda. Why not make it a clear commitment? Surely, this is a no-brainer if we want to improve the air quality in the City? It is time to move the planning department into the 21st century with the Council setting its own guidelines and allowing more leeway in developments. This will also reduce the cost to rate payers, the costly appeals which seem such a feature of the council's activities will be reduced. Policies are pretty useless, unless they are coupled with an action plan. Where is it?

Changes required

In addressing the transport and travel, I am pleased to see that the possibility of park and ride is back on the agenda. Why not make it a clear commitment?

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM34
<u>Respondent Number / Rep Number</u>	202 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Woodland Trust
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Ancient woodland is vulnerable to the negative impacts of transport infrastructure and traffic, including severance causing fragmentation and isolation from the wider environment, and environmental degradation from chemical run-off, air, noise and light pollution, while new planting can mitigate such impacts on the wider community. Where new transport infrastructure is proposed, we encourage policies that explore its potential for delivery of tree planting and woodland creation, the construction of wildlife bridges and green corridors and the restoration of damaged ancient woodland. We urge that any infrastructure development complies with the local plan policies DM37 on green infrastructure and nature conservation.

Changes required

Where new transport infrastructure is proposed, we encourage policies that explore its potential for delivery of tree planting and woodland creation, the construction of wildlife bridges and green corridors and the restoration of damaged ancient woodland. We urge that any infrastructure development complies with the local plan policies DM37 on green infrastructure and nature conservation.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM34
<u>Respondent Number / Rep Number</u>	214 33
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to the content of these policies.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM34
<u>Respondent Number / Rep Number</u>	247 16
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Regency Society of Brighton & Hove
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

2.255 The benefit to the local communities and reduction in other car journeys along the route of a frequent bus service from a park and ride into the city centre should be a material consideration in assessing its economic viability.2.256 Rectifying the lack of dedicated coach parking for tour buses and facilities for their drivers should be a high priority for a city so heavily dependent on tourism. The impending development of Black Rock, restoration of Madeira Terrace and environmental enhancements to Madeira Drive increase the priority, making it an essential element of the proposed Eastern Seafront Masterplan.The Pool Valley coach station is a disgrace to a city with any pride in itself: its replacement should be of the highest priority.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM34
<u>Respondent Number / Rep Number</u>	258 22
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

DM38 TRANSPORT INTERCHANGES [CPP2 Policy on Transport Interchange is DM34]* 2.255 We strongly support an improved "Park and Ride" scheme to help reduce congestion in the City linking existing bus routes and train stations. The Council should also co-operate with neighbouring Local Authorities with the aim of securing some space for such a scheme in adjoining areas where these are close to bus and train interchanges.* The Council should work with local bus companies to secure a new "circular route" for buses around the central areas, taking into account the proposals for new housing developments in some areas such as New England Road, New England Street and Davigdor Road, with the aim of reducing traffic congestion. (Justification: Sustainable Travel; Reducing Congestion; Local Economy)

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM35	
<u>Respondent Number / Rep Number</u>	132	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

CPP2 was prepared negligently, it failed to check existing transport congestion levels and as a result forecast impossibly low congestion levels for 2030, concluding incorrectly that the target number of new homes could be developed sustainably. This error would not have happened had it followed the relevant DfT guidelines for transport assessment. *** This is explained and justified in the attached document ***CPP2 is NOT LEGAL as it does not provide a suitable assessment of sustainability and did not follow the relevant DfT guidance for transport assessments.It is NOT SOUND as it is Not positively prepared - the plan is not prepared in a way that meets the need for housing and other development, as it does not satisfy the need to achieve this sustainably.Not justified – did not provide EVIDENCE to support its key incorrect assumptions about congestion.Not effective - the plan is not DELIVERABLE; the housing and other development cannot be carried out (sustainably).Not consistent with national policy - the plan does not ENABLE SUSTAINABLE DEVELOPMENT and is not CONSISTENT with the POLICIES in the National Planning Policy Framework (NPPF-2019), Paragraphs 7-9.### ---Note --- This means other CPP2 Appraisals that relied on the transport assessment for their congestion and related traffic data, such as the Sustainability Appraisal (3.5 air quality and transport), the Transport Topic Paper and the Systra A27 CPP2 TRANSPORT IMPACT ANALYSIS, are also NOT SOUND and may be NOT LEGAL making them open to judicial challenge.Worryingly, the Systra

dialogue with Highways England re the safety concerns due to East Slip Road congestion at the A27 Falmer Road Interchange, did not consider the increased Falmer Road congestion, a problem identified in the studies for CPP1.

Changes required

CPP2's DM35 Travel Plans and Transport Assessments could be made LEGAL by re-doing the transport assessment in accordance with DfT Guidelines. Taking congestion measurements at a dozen of the main pinch points should suffice, providing they used traffic measurements on days that meet the DfT's criteria (mid-week in neutral months etc.), though finding traffic data unaffected by Covid-19 could be challenging. The model should then be rerun with that traffic data to show it is sensible, and then rerun with the estimated traffic data for 2030 to confirm the plan meets the sustainability criteria. However it will still not be SOUND if, as seems inevitable, the corrected assessment shows congestion will be too high to support sustainable development of so many new homes. To make it sustainable the excess congestion would then need to be tackled. There are several methods, a pinch point reduction program would probably be the quickest and least expensive, but success would not be guaranteed and meeting the 2030 timeframe may be difficult.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

Serious errors somehow escaped the attention of B&HCC and any consultants they used, yet they were quickly obvious to someone with local knowledge who understands forecasting and the DfT Guidelines and has experience spotting what the DfT calls "optimism bias". This inspires no confidence that any B&HCC corrections and revisions will be robust. The chances of the development targets being met sustainably, will be much enhanced if further errors are picked up earlier rather than later, when it may be too late. I believe I can contribute to that and would like to do so.

<u>Policy</u>	DM35	
<u>Respondent Number / Rep Number</u>	148	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The transport implications of CPP2 on the neighbouring A259 in Lewes District (Highways Authority ESCC) do not appear to have been properly assessed with ESCC as is required under the Duty to Cooperate. I know the government is consulting on changing this requirement, but CPP2 should be prepared respecting current law, not second guessing changes which may or may not happen, and responses to my FoI requests on communications with ESCC re the A259, show no such cooperation has taken place. <http://www.transport-network.co.uk/Counties-call-for-advisory-bodies-to-tackle-co-operation-problem-in-planning/16931> Please see FoI to ESCC: https://www.whatdotheyknow.com/request/request_for_all_correspondence_i_3?unfold=1#incoming-1629036 This seems inconsistent with B&HCC having complied with the duty to cooperate in Transport Planning for CPP2. If B&HCC had complied, ESCC would have held and supplied details of the correspondence and communication from/with B&HCC and responses from ESCC.----- Mr Smith 24 June 2020 Delivered Dear East Sussex County Council, Please can you supply copies of all correspondence over the last 3 years between B&HCC and ESCC relating to the Valley Gardens project in Brighton and any other developments along the A259 and their potential impact on the road network and transport, if any such correspondence exists. Yours faithfully, Nigel

Smith information request Our reference: 6036537 Your reference: [FOI #672282 email]-----YOUR
REQUEST FOR CLARIFICATION: In terms of the A259 could you clarify what you mean by developments please? - for example if you were referring to new housing developments this would come under the responsibility of the relevant District or Borough Council in East Sussex or again Brighton and Hove. Your request is on hold pending receipt of your clarification. I will not be able to take this matter further without this extra information from you. Please let me know by 25/07/2020. ANSWER: I WAS REFERRING TO HOUSING DEVELOPMENTS (Past, Current and Proposed). WHERE THESE IMPACT ON TRAFFIC AND JOURNEY TIMES FOR A NEIGHBOURING LOCAL AUTHORITY, I UNDERSTOOD THAT THE AUTHORITY WHICH WAS IMPACTING ON THE HIGHWAY AND ITS USE WAS LEGALLY BOUND TO NOTIFY NEIGHBOURING AUTHORITIES WHO MIGHT SUFFER FROM THE IMPACT OF ADDITIONAL TRAFFIC, CONGESTION AND INCREASED DIFFICULTIES IN JOURNEYS. YOUR RESPONSE SUGGESTS THAT THIS NEVER HAPPENS IN REALITY. PLEASE CAN YOU CONFIRM ANY AND ALL INSTANCES (IF ANY) IN THE PAST 3 YEARS WHERE B&HCC HAVE ADVISED ESCC OF ANY NEW PROPERTY DEVELOPMENT ALONG THE B&HCC STRETCH OF THE A259 WHICH COULD IMPACT ON THE TRAFFIC LOAD ON THE A259 AND THE ABILITY OF ESCC RESIDENTS TO UNDERTAKE THEIR NORMAL DAILY JOURNEYS WITHOUT ANY DETRIMENT TO THE JOURNEY. Additionally ESCC have taken charge of a potential funding bid for up to £50m to improve journey times on the A259 from Eastbourne to Brighton. ESCC through funding from LDC have paid to scope the A259. How can the scoping be correct if the data is subject to change without notification to ESCC? Yours sincerely, Mr Nigel Smith

Dear Mr Smith Thank you for your request for information, which has been dealt under the terms of the Freedom of Information Act 2000, I apologise for the delay in responding. Please find attached our response to your request. I am sorry that we were unable to provide the information you were seeking on this occasion. Please be assured that the Council will always provide information which we are able to provide by law, if you are not content with how we have dealt with your request then you can write back to me with your detailed grounds as to why we have not complied with our duties under the Act and I can pass it on for an Internal Review. We will now close our files with regards to this request. Please quote the FOI reference number in any communication regarding this particular request. You have the right to apply directly to the Information Commissioner for a decision. Generally, the Information Commissioner cannot make a decision unless you have exhausted the County Council's internal review procedure as described in the previous paragraph. The Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Tel: 0303 123 1113. [1] www.ico.org.uk Kind regards Customer Services and Information Governance Team Communities, Economy and Transport 01273 482913 [2] eastsussex.gov.uk [3] [IMG] [4] [IMG] [5] [IMG] Your request and our response are set out below. Request Please can you supply copies of all correspondence over the last 3 years between B&HCC and ESCC relating to the Valley Gardens project in Brighton and any other developments along the A259 and their potential impact on the road network and transport, if any such correspondence exists. Response Under Section 21 of the Freedom of Information Act (FoIA), we are not required to provide information in response to a request if it is already reasonably accessible to you. Any notification made to East Sussex County Council on projects or developments impacting the road network or travel on the A259, and our subsequent response to that notification, is publicly available on the relevant planning application file. This information is held on the Brighton and Hove City Council Planning portal - <https://www.brighton-hove.gov.uk/content/planning/planning-applications> This response therefore acts as a refusal notice under section 17 of the FoIA.

Changes required

Compliance as highlighted in Q3 which has been completely ignored. <http://www.transport-network.co.uk/Counties-call-for-advisory-bodies-to-tackle-co-operation-problem-in-planning/16931>

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

There appears to be an historic lack of compliance with B&HCC notifying and seeking opinion from ESCC. Historic non compliance will impact on the potential lawfulness of CPP2 and its ability to succeed as a plan.

<u>Policy</u>	DM35
<u>Respondent Number / Rep Number</u>	160 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Cycling UK (Local Representative for Brighton and Hove)
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

No account is taken of two recent government publications: "Gear Change A bold vision for cycling and walking" and "Cycle Infrastructure Design, Local Transport Note 1/20"Gear Changes says on page 31: "We will not fund or part-fund any scheme that does not meet the new standards and principles described in theme 1 and in the Appendix. We will not allow any other agency or body to fund such schemes using any of our money. This includes schemes delivered through pots such as the Transforming Cities Fund."Important new standards are described, and there is reference to better rail-cycle integration, more cycle carriage on buses, and more bike hangars and other secure on-street storage, for people who do not have space to keep their bikes at home. Gear Change says on page 20 "...we will expect Local Authorities and developers to utilise the guidance in the design of their schemes regardless of whether they are seeking Government funding. "Gear Change says on page 26 " We will ensure that all new housing and business developments are built around making sustainable travel, including cycling and walking, the first choice for journeys The purpose of the planning system is to contribute to the achievement of sustainable development. We expect sustainable transport issues to be considered from the earliest stages of plan-making and development proposals, so that opportunities to promote cycling and walking are pursued. "On page 157, LTN 1/20 says:"14.3.15 Networks need to meet the five Core Design Principles set out in Chapter 4: Coherent; Direct; Safe; Comfortable; and

Attractive" These 5 principles should be used in preference to "safe, easy and convenient access" in the "Cyclists" section in DM 33.LTN/120 also includes Table 11-1: Suggested minimum cycle parking capacity for different types of land use and Table 11-2: Recommended and minimum dimensions for banks of Sheffield stands. These should be referenced. On page 23, Para 3.2.4 LTN 1/20 says: "Local Plans should consider section 9 of the National Planning Policy Framework on "Promoting sustainable transport" including consideration of high quality cycling and walking networks and supporting facilities such as cycle parking, drawing on LCWIPs." LTN 1/20 also says: "14.2.4 Local Cycling and Walking Infrastructure Plans (LCWIPs) are ... supported by the NPPF. They offer a well-founded process for local authorities to identify how cycling and walking networks should be provided and improved across a wide area. 14.2.5 The LCWIP guidance states that they should be incorporated into local authority policies so that appropriate consideration is given to cycling and walking in all local planning and transport decisions."

Changes required

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM35
<u>Respondent Number / Rep Number</u>	171 8
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Vehicles are vital to the city, the language used will hinder private vehicles use, not ensure great mitigation. The city cannot simply expect fewer cars, it must first enable the opportunities for people not to drive and understand why the do. Currently, the city doesnt, or appreciate how many people do.

Changes required

All development proposals should include appropriate measures to ensure that journeys by private car are minimised and to make the greatest possible use of sustainable travel in order to deliver the objectives for sustainable transport set out in Policy CP9 of the City Plan Part One. Where necessary, planning obligations will be sought to facilitate or support such measures. - REMOVE THIS SECTION

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	DM35
<u>Respondent Number / Rep Number</u>	214 34
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to the content of these policies.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM35
<u>Respondent Number / Rep Number</u>	229 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Hove Station Neighbourhood Forum
<u>Respondent Type</u>	Neighbourhood Forum
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Larger developments requiring Transport Assessments should also consider the cumulative transport impacts arising from other committed or planned developments (i.e. development that is permitted or allocated and there is a reasonable degree of certainty delivery will occur). Development will not be permitted where the residual cumulative impact of the development is severe, unless provision is made for appropriate mitigation.

Changes required

This policy needs to be strengthened by two policy commitments from the Council in relation to the traffic impacts of CP1 policies DA6 and DA7. The first commitment would be for the Council to undertake a formal and transparent assessment of the cumulative transport impacts arising from the developments which are already committed in DA6 by successive planning approvals in the past 5 years, in the context of the likely early approval of major development envisaged in DA7 Toads Hole Valley. This would establish a baseline on which the transport impacts of further development could be transparently assessed as planning applications are submitted. Community engagement during plan preparation has from the outset repeatedly emphasized importance of minimising the traffic and

parking impact of new development in the area, in terms of both increasing traffic congestion and the threat of overspill parking. But thus far planning applications have been processed on an application by application basis which has not included an assessment of their cumulative impact. The result has been increasing public concern which has been evident in the Forum's recent community engagement activities and in the large number of individual objections to planning applications. Public confidence in the planning system has been eroded by this approach. In its submissions on planning applications the Forum has consistently pressed for the cumulative impact to be assessed and shared with the public. Most recently Highways England indicated in their response our Regulation 14 Draft Neighbourhood Plan consultation that they would have to object to the Neighbourhood Plan because of the estimated quantum of housing development identified in Neighbourhood Plan Part One (Table 4 pp 43) – a minimum of over 1300 dwelling units (10% of the City Plan total). The second commitment would be to prepare a comprehensive traffic management plan to minimise the cumulative impact of the quantum of development already approved or likely to be approved in DA6 and DA7, as proposed in Neighbourhood Plan Part 2 Section 4 The Need for a Traffic Management Plan for the Area. This an urgent task as the construction of major developments will begin in 2021 with the reasonable certainty that most of the 1300 dwellings in DA6 will be delivered in the next 5 years, followed by early phase projects in DA7.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM35
<u>Respondent Number / Rep Number</u>	247 17
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Regency Society of Brighton & Hove
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

2.261 The economic viability of additional public transport to developments in inaccessible locations should be a material consideration for their density of development.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM35
<u>Respondent Number / Rep Number</u>	271 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Building on the Benfield Valley (together with the other proposed developments at Mile Oak and Oakdene) will put increased pressure on the road system towards the A27. The removal of trees for the Benfield Valley development (and the loss of the green spaces) will contribute to a deterioration of air quality for local residents, who will lose green space and gain air pollution

Changes required

Protect Benfield Valley nature reserve. Reassess Urban Fringe areas before building. The current assessments are outdated, and do not recognise more recent and positive developments in biodiversity.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

Please invite Benfield Valley nature reserve

<u>Policy</u>	DM36	
<u>Respondent Number / Rep Number</u>	167	17
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Brighton YIMBY	
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We strongly support the emphasis on 'car-free' development. However, considering Brighton's existing status as a hub of public transport and a fairly compact city with major land constraints in conjunction with the existing climate emergency we feel that these policies do not go far enough. All developments should be actively encouraged to be car-free (with obvious exceptions for those with mobility issues) and an emphasis should be put upon the extension of walking, cycling and public transport infrastructure in new developments.

Changes required

Statement 2) Delete 'subject to consideration of relevant factors as set out in SPD14 'Parking Standards for New Development' (and any subsequent revisions).
 'Paragraph 2.267 Delete 'demonstrate that there is sufficient on-street parking capacity in the immediate vicinity of a development site to support the extra demand that the development could create. A parking survey is required as an aspect of this case which should include a robust analysis of typical parking conditions taking into account variations in demand at different times of the day and/or week. Within Controlled Parking Zones, consideration will also be required

of the possible existence of waiting lists for permits at any time of the year.' Replace with ' will need to become car-free with the use of any city parking by the residents forbidden as a planning condition '. Paragraph 2.269 delete 'however regard should be had to the considerations set out in SPD14. These include the scale and type of development, accessibility to sustainable transport modes and capacity for on-street parking in the immediate vicinity of the site and in the surrounding area.' replace with 'extension of active travel networks may be necessary;

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

See previous reasons given.

<u>Policy</u>	DM36	
<u>Respondent Number / Rep Number</u>	171	9
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We should support car free but not encourage it as it impacts who can live in our city.

Changes required

Car-free residential developments will be supported subject to consideration of relevant factors as set out in SPD14 'Parking Standards for New Development' (and any subsequent revisions).

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM36
<u>Respondent Number / Rep Number</u>	197 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have the potential to be the best city in Britain, but this will not be achieved unless there is a plan that meets the future rather than just tinkers with the inadequate current situation. I would like to comment on two of the proposals. 2 Transport and travel, (DM18 – DM32) We should also limit the city centre to hydrogen powered vehicles and electric powered vehicles. There is currently no encouragement for motorcycles which take up less space. Manufacturers are currently developing very efficient engines and electric power too. Electric charging points should be provided in many more locations. It is time to move the planning department into the 21st century with the Council setting its own guidelines and allowing more leeway in developments. This will also reduce the cost to rate payers, the costly appeals which seem such a feature of the council's activities will be reduced. Policies are pretty useless, unless they are coupled with an action plan. Where is it?

Changes required

We should also limit the city centre to hydrogen powered vehicles and electric powered vehicles. There is currently no encouragement for motorcycles which

take up less space. Electric charging points should be provided in many more locations.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM36
<u>Respondent Number / Rep Number</u>	210 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Home Builders Federation
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

DM36 Parking and Servicing The current policy is not legally compliant as currently worded This policy requires development to meet the parking standards in the SPD Parking Standards for New Development which are replicated in appendix 2. In order for the Council to require compliance with parking standards they must be included in the local plan as they are policies against which an application could be refused, they are legally considered to provide more than just guidance to the applicant. The issue of what is policy is explored in detail in the High Court Judgement between William Davis Ltd, Bloor Homes Ltd, Jelson Homes Ltd, Davidson Homes Ltd & Barwood Homes Ltd and Charnwood Borough Council. In this case Justice Gilbert quashed the SPD on the grounds that it contained policies that should have been contained in the local plan because they could be considered to fall under regulation 5(1)(a)(i) and 5(1)(a)(iv) of the Town and Country Planning Regulations (2012). As such the policy cannot defer in future to subsequent revisions of any parking standards within the SPD. Such changes would need to be made through a focussed review of the local plan in order to allow the proper scrutiny of any changes being made. In order to make this policy sound it is necessary to amend the policy to delete "in SPD14 'Parking Standards for New Development' (and any subsequent revisions)" so as to read "Provision of parking, including 'blue badge' holder and cycle parking, in new developments should follow the standards as set out in Appendix 2", and delete the final sentence of paragraph 2.265.

Changes required

In order to make this policy sound it is necessary to amend the policy to delete "in SPD14 'Parking Standards for New Development' (and any subsequent revisions)" so as to read "Provision of parking, including 'blue badge' holder and cycle parking, in new developments should follow the standards as set out in Appendix 2", and delete the final sentence of paragraph 2.265.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

The HBF is the principal representative body of the housebuilding industry in England and Wales and our representations reflect the views of discussions with our membership of national and multinational corporations through to regional developers and small local housebuilders. Our members account for over 80% of all new housing built in England and Wales in any one year. We would also welcome, in due course, the opportunity to participate in any hearings organised as part of the Examination in Public in order to present our concerns with the City Plan Part 2 to the appointed inspector.

<u>Policy</u>	DM36
<u>Respondent Number / Rep Number</u>	214 35
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to the content of these policies.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM36
<u>Respondent Number / Rep Number</u>	246 8
<u>Name</u>	(Montagu Evans LLP)
<u>Email</u>	
<u>Organisation/individual</u>	Aberdeen Standard Investments
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Policy DM36 Parking and Servicing outlines the Council's expectations for parking and servicing provision and standards in development. This requires parking and servicing to be in line with the standards outlined in SPD 14 Parking Standards for New Development (2016). ASI supports the formalisation of the parking standards set out in the SPD in planning policy and recognises the appropriateness of a zonal approach to car parking provision based on accessibility and location. However, the Parking Standards SPD states that "each development will be assessed on a case by case basis" and outlines the relevant factors that will be considered in each case. Whilst this case by case approach is acknowledged in the supporting text of Policy DM36, ASI suggest this is included in the policy text for complete clarity on the factors that should be considered in the assessment of each development proposal.

Changes required

Whilst this case by case approach is acknowledged in the supporting text of Policy DM36, ASI suggest this is included in the policy text for complete clarity on the factors that should be considered in the assessment of each development proposal.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM36
<u>Respondent Number / Rep Number</u>	258 23
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

* Some off-street vehicle parking and cycle parking should be provided within larger housing developments (e.g. more than eight units of housing) and for commercial developments.(Justification: Reducing on-street Parking Issues; Loading; Deliveries; Maintenance; Local Economy)

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	6 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The phrase "unless allocated for development in the city plan" is objectionable - it is contradictory to the paragraph 174 of the National Planning Policy Framework. It significantly weakens the protection of local sites, including nature reserves and wildlife sites. The ecological evidence used to justify this phrase is out of date.

Changes required

Delete the phrase "unless allocated for development in the city plan" from the beginning of the paragraph dealing with locally designated sites.

<u>Participate at the hearing session(s)?</u>	Not Answered
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Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	7 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I am not happy about the phrase 'Unless allocated for development in the City Plan' when talking about Local Protected Sites (beginning of para C). This seems to give permission for protection of the integrity of these crucial areas to be waived. I believe this is not what was in the draft City Plan 2 and is weaker than the 2005 Local Plan. We should be not be going backwards in the protection of these crucial green spaces both for the planet and for local people's well-being (sanity and physical health) - these last few months have shown this more than ever.

Changes required

Please simply delete the phrase 'Unless allocated for development in the City Plan' from the beginning of this paragraph about Local Protected Sites (C).

Participate at the hearing session(s)?

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	8 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	XR Brighton
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The phrase 'Unless allocated for development in the City Plan...' I object to:•It is contrary to paragraph 174 of the National Planning Policy Framework.•The inclusion of this phrase represents a significant weakening of the protection given to Local Sites (including both Local Nature Reserves and Local Wildlife Sites) compared with the 2005 Local Plan and the previous Draft City Plan Part 2.•The inclusion of this phrase would mean that developments on allocations within designated sites would be permitted to go ahead even if they have an adverse effect on the integrity of the site.•The ecological evidence in the Urban Fringe Assessments, which it is assumed is used to justify the inclusion of this phrase, is both out of date and insufficient to justify its inclusion.•The inclusion of this phrase represents a pre-emption of the due process of evaluating the ecological impacts of any development proposals on Locally Designated Sites.

Changes required

Delete the phrase 'Unless allocated for development in the City Plan...' from the beginning of the paragraph dealing with Locally Designated Sites'

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	9 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	I am writing in support of the objections raised by Friends of Whitehawk
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Whitehawk Hill is an amazing local amenity that I use every week. It needs to continue to be improved as a local wildlife site, and not opened up to development in any way. Along with the Friends of Whitehawk Hill group, I object to the inclusion of the phrase 'Unless allocated for development in the City Plan...' at the beginning of the paragraph dealing with Locally Designated Sites. •It is contrary to paragraph 174 of the National Planning Policy Framework. •The inclusion of this phrase represents a significant weakening of the protection given to Local Sites (including both Local Nature Reserves and Local Wildlife Sites) compared with the 2005 Local Plan and the previous Draft City Plan Part 2. •The inclusion of this phrase would mean that developments on allocations within designated sites would be permitted to go ahead even if they have an adverse effect on the integrity of the site. •The ecological evidence in the Urban Fringe Assessments, which it is assumed is used to justify the inclusion of this phrase, is both out of date and insufficient to justify its inclusion. •The inclusion of this phrase represents a pre-emption of the due process of evaluating the ecological impacts of any development proposals on Locally Designated Sites.

Changes required

Delete the phrase 'Unless allocated for development in the City Plan...' so that this site is secure for the future as an outdoor space with benefit for all parts of the local community, and a site for wildlife.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	11 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Branch of SERA
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the inclusion of the phrase " Unless allocated for development" in the City Plan at the beginning of the paragraph dealing with locally designated sites .This is contrary to paragraph 174 of the Nationalo Planning Policy Framework

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	14 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the inclusion of the phrase 'Unless allocated for development in the City Plan' at the beginning of the paragraph dealing with locally designated sites. It is contrary to paragraph 174 of the National Planning Policy Framework. •Including this phrase seriously weakens the protection given to Local Sites (including both Local Nature Reserves and Local Wildlife Sites) compared with the 2005 Local Plan and the previous Draft City Plan Part 2. •Including this phrase would mean that developments on allocations within designated sites would be permitted to go ahead even if they have an adverse effect on the integrity of the site. •The ecological evidence in the Urban Fringe Assessments, which I assume is used to justify the inclusion of this phrase, is both out of date in the light of widespread and mounting evidence of the need to protect local sites, green spaces and biodiversity, and is insufficient to justify its inclusion. •The inclusion of this phrase represents a pre-emption of the due process of evaluating the ecological impacts of any development proposals on Locally Designated Sites

Changes required

Delete the phrase 'Unless allocated for development in the City Plan...' from the beginning of the paragraph dealing with Locally Designated Sites.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37	
<u>Respondent Number / Rep Number</u>	15	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

*I object to the inclusion of the phrase 'Unless allocated for development in the City Plan...' at the beginning of the paragraph dealing with Locally Designated Sites. This is because it is contrary to paragraph 174 of the National Planning Policy Framework. *Furthermore, the inclusion of this phrase represents a weakening of the protection given to local sites including Local Nature Reserves and Local Wildlife Sites compared with the 2005 Local Plan and previous Draft City Plan Pt 2. *The inclusion of this phrase would mean developments within the designated sites would be permitted to go ahead even if they have an adverse effect on the site's integrity. * The phrase is both out of date and insufficient to be included in the ecological evidence in the Urban Fringe Assessments. * It also represents a pre-emption of the due process of evaluating ecological impacts of any development proposals on Locally Designated Sites

Changes required

I suggest you delete the phrase 'Unless allocated for development in the City Plan...' from the beginning of the paragraph dealing with Locally Designated Sites.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	20 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The inclusion of the phrase "unless allocated for development in the City Plan" at the beginning of the paragraph to do with locally designated sites weakens the protection of the sites and may give developers permission to build in a detrimental way, taking away the rare and special nature of the sites which once "developed" will be impossible to restore. The Urban Fringe Assessment was not thorough and could lead to inaccurate conclusions.

Changes required

Delete the phrase "unless allocated for development in the City Plan" from the paragraph to do with Locally Designated sites.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37	
<u>Respondent Number / Rep Number</u>	22	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Friends of Waterhall	
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

In the section regarding Locally Designated Sites, I feel it is unsound to include the phrase "unless allocated for development in the city plan...."It contradicts national planning poilcy framework paragraph 174 and significantly undermines the protection that was afforded such sites previously in the 2005 local plan and the draft city plan part 2. These sites represent vital resources to local communities and should form the backbone of our nature recovery plan. Designation should offer protection in perpetuity. Inclusion of the phrase leaves them highly vulnerable to developments that significantly negatively effect their integrity.The information contained in the Urban Fringe Assesments that was likely used to justify the phrase's inclusion was outdated and not sufficient to give reason to include it.This phrase undermines due process by assuming sites included have undergone proper ecological assessment of Locally Designated Sites without due cause.

Changes required

Remove the phrase "unless allocated for development in the city plan...." from the paragraph effering to Locally Designated Sites

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	23 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The inclusion of the phrase 'unless allocated for development in the City Plan' pre-empts the due process of evaluating the environmental impact of any development proposals and significantly weakens protection given to Local Sites. It is also contrary to para 174 of the National Planning Policy Framework.

Changes required

Delete the wording 'Unless allocated for development in the City Plan...' from the beginning of the paragraph dealing with Locally Designated Sites.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	24 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The phrase 'Unless allocated for development in the City Plan...' at the beginning of the paragraph dealing with Locally Designated Sites does not take account of paragraph 174 of the National Planning Policy Framework. It weakens the protection given to Local Sites (including both Local Nature Reserves and Local Wildlife Sites) compared with the 2005 Local Plan and the previous Draft City Plan Part 2 and would allow developments to go ahead even if they have an adverse effect on the integrity of the site.

Changes required

Remove 'Unless allocated for development in the City Plan...' from the beginning of the paragraph dealing with Locally Designated Sites.'

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	25 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the phrase 'unless allocated for development in the City Plan' at the start of the paragraph dealing with Locally Designated Sites as it is contrary to paragraph 174 of the National Planning Policy Framework. The inclusion of this phrase significantly weakens the protection given in the 2005 Local Plan, and previous Draft City Plan, to local sites, including Local Nature Reserves and Local Wildlife Sites. The justification for this phrase is assumed to be based on the ecological evidence in the Urban Fringe Assessments. This evidence is both out of date, and insufficient to be used, there is no justification for the inclusion of this phrase. The resulting weakened protection would result in development being permitted even if it will have an adverse effect on wildlife or the integrity of the site. Locally Designated Sites sites proposed for development should follow all processes to evaluate the ecological impact, also the social impact of destroying green recreational space.

Changes required

Delete the phrase 'unless allocated for development in the City Plan' from the beginning of the paragraph dealing with Locally Designated Sites.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	26 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the phrase 'Unless allocated for development in the City Plan...' at the beginning of the paragraph on Locally Designated Sites. The 2005 local plan and previous draft city plan both offered significant protection to local nature reserves and wildlife sites. This sentence significantly weakens that protection. This phrase means that developments on allocations within designated sites could now go ahead even if the integrity of the site is compromised. The ecological evidence in the Urban Fringe Assessments, which I assume was used to justify this phrase, is both out-of-date and insufficient. This phrase would pre-empt due process in assessing the ecological impact of any development in a designated site.

Changes required

Delete the phrase 'Unless allocated for development in the City Plan...' from the beginning of the paragraph dealing with Locally Designated Sites.

<u>Participate at the hearing session(s)?</u>	Yes, I wish to participate in the hearing session(s)
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Why wish to speak

I am the chair of Brighton Kemptown Constituency Labour Party. Whilst this submission is being made on my own behalf I think it important that my organisation is represented at such an important hearing.

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	27 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the inclusion of the phrase 'Unless allocated for development in the City Plan....' at the beginning of the paragraph dealing with Locally Designated Sites. It is contrary to paragraph 174 of the National Planning Policy Framework. *The inclusion of this phrase represents a significant weakening of the protection given to local sites (including both Local Nature Reserves and Local Wildlife Sites) compared with the 2005 Local Plan and the previous Draft City Plan Part 2. *The inclusion of this phrase would mean that developments on allocations within designated sites would be permitted to go ahead even if they have an adverse effect on the integrity of the site. *The ecological evidence in the Urban Fringe Assessments, which it is assumed is used to justify the inclusion of this phrase, is both outdated and insufficient to justify it's inclusion. *The inclusion of this phrase represents a pre-emption of the due processes of evaluating the ecological impacts of any development proposals on Locally Designated Sites.

Changes required

*Delete the phrase "Unless allocated for development in the City Plan...." from the beginning of the paragraph dealing with Locally Designated Sites".

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	74 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton Downs Alliance
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the inclusion of the phrase 'Unless allocated for development in the City Plan...' at the beginning of the paragraph dealing with Locally Designated Sites. It is contrary to paragraph 174 of the National Planning Policy Framework. The inclusion of this phrase represents a significant weakening of the protection given to Local Sites (including both Local Nature Reserves and Local Wildlife Sites) compared with the 2005 Local Plan and the previous Draft City Plan Part 2. The inclusion of this phrase would mean that developments on allocations within designated sites would be permitted to go ahead even if they have an adverse effect on the integrity of the site. The ecological evidence in the Urban Fringe Assessments, which it is assumed is used to justify the inclusion of this phrase, is both out of date and insufficient to justify its inclusion. The inclusion of this phrase represents a pre-emption of the due process of evaluating the ecological impacts of any development proposals on Locally Designated Sites.

Changes required

'Delete the phrase 'Unless allocated for development in the City Plan...' from the beginning of the paragraph dealing with Locally Designated Sites.'

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	76 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Friends of the Earth
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The phrase 'Unless allocated for development in the City Plan...' at the beginning of the paragraph dealing with Locally Designated Sites allows a loop-hole for council/developers:· is contrary to paragraph 174 of the National Planning Policy Framework.· inclusion of this phrase represents a significant weakening of the protection given to Local Sites (including both Local Nature Reserves and Local Wildlife Sites) compared with the 2005 Local Plan and the previous Draft City Plan Part 2.· inclusion of this phrase would mean that developments on allocations within designated sites would be permitted to go ahead even if they have an adverse effect on the integrity of the site.· the ecological evidence in the Urban Fringe Assessments, which it is assumed is used to justify the inclusion of this phrase, is both out of date and insufficient to justify its inclusion.· inclusion of this phrase represents a pre-emption of the due process of evaluating the ecological impacts of any development proposals on Locally Designated Sites.

Changes required

Delete the phrase 'Unless allocated for development in the City Plan...' from the beginning of the paragraph dealing with Locally Designated Sites.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	78 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

In the paragraph dealing with locally designated sites I object to the phrase "Unless allocated for development in the city plan ". We need to unequivocally protect areas of local wildlife.The inclusion of this phrase means that sites of natural diversity could be built on at the expense of important wildlife habitat,even in areas with ecological importance.

Changes required

In the paragraph dealing with locally designated sites the phrase"Unless allocated for development in the city plan ",should be deleted.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	88 28
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The BHEP supports this policy and notes that it is delivered via the B&H Economic Strategy, as well as the Greater Brighton Energy Plan

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	89 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The policy is unsound as it proposes damaging wild live havens which are desperately needed .

Changes required

More use of brown sites within the city. Curbing the building of student accommodation where it is not being used to free up housing stock formerly owned by local families. Encouraging the university and developers to reduce student presence in areas which traditionally house local families.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak not applicable

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	109 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to this policy because it is contrary to paragraph 174 of the National Planning Policy Framework. Compared to the 2005 Local Plan and earlier versions of the City Plan Part 2, protection is diminished. Including this phrase is likely to lead to the undermining of local nature reserves and important wildlife sites like Whitehawk Hill. It would allow developments to be agreed on allocated sites which would greatly damage their integrity. Referring to the ecology of the site as contained in the Urban Fringe assessment is not longer a viable justification as it is no longer fit for purpose and outdated

Changes required

In the paragraph entitled 'Locally Designated Sites', the phrase 'Unless allocated for development in the City Plan' that is situated at the beginning, should be deleted

Participate at the hearing session(s)?

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	112 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the inclusion of the phrase 'Unless allocated for development in the City Plan...' at the beginning of the paragraph dealing with Locally Designated Sites. It is contrary to paragraph 174 of the National Planning Policy Framework. The inclusion of this phrase represents a significant weakening of the protection given to Local Sites (including both Local Nature Reserves and Local Wildlife Sites) compared with the 2005 Local Plan and the previous Draft City Plan Part 2. The inclusion of this phrase would mean that developments on allocations within designated sites would be permitted to go ahead even if they have an adverse effect on the integrity of the site. The ecological evidence in the Urban Fringe Assessments, which it is assumed is used to justify the inclusion of this phrase, is both out of date and insufficient to justify its inclusion. The inclusion of this phrase represents a pre-emption of the due process of evaluating the ecological impacts of any development proposals on Locally Designated Sites.

Changes required

'Delete the phrase 'Unless allocated for development in the City Plan...' from the beginning of the paragraph dealing with Locally Designated Sites.'

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	113 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	N/A
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

When referring to Locally Designated Sites, the inclusion of the wording 'Unless allocated for development' means that developments on these sites would be permitted even when they have significant negative effects on the site. This is contrary to paragraph 174 of the National Planning Policy Framework and also implies that decisions are being made without considering the ecological importance of these sites.

Changes required

Remove the phrasing 'Unless allocated for development in the City Plan' from the section on Locally Designated Sites. This will resolve the concerns I have expressed in answer to the previous question.

<u>Participate at the hearing session(s)?</u>	No, I do not wish to participate in hearing session(s)
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<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	114 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I would like to say that I object to the inclusion of the phrase 'Unless allocated for development in the City Plan...' at the beginning of the paragraph which deals with the Locally Designated Sites. The reason for this is that I believe it is contrary to paragraph 174 of the National Planning Policy Framework. This document sets out the government's planning policies for England, and therefore how the government expects these policies to be applied by councils, which states the following: "Habitats and biodiversity174. To protect and enhance biodiversity and geodiversity, plans should:a) Identify, map and safeguard components of local wildlife-rich habitats and widerecological networks, including the hierarchy of international, national and locallydesignated sites of importance for biodiversity56; wildlife corridors and steppingstones that connect them; and areas identified by national and localpartnerships for habitat management, enhancement, restoration or creation57;andb) promote the conservation, restoration and enhancement of priority habitats,ecological networks and the protection and recovery of priority species; andidentify and pursue opportunities for securing measurable net gains forbiodiversity."The inclusion of the phrase 'Unless allocated for development in the City Plan...' would represent a significant weakening of the protection outlined above compared to both your 2005 Local Plan, and to the previous Draft City Plan Part 2. The protection is vital for our cherished Brighton local sites, including both local nature reserves and our local

wildlife sites. By including the phrase mentioned above, developments on allocations within designated sites would be allowed to go ahead, even if they affected the integrity of the site in a negative way. Furthermore, the ecological evidence mentioned in the Urban Fringe Assessments, which presumably is used to justify your inclusion of this phrase, is very out of date, and it is not sufficient to justify its inclusion. Finally, the inclusion of the phrase 'Unless allocated for development in the City Plan...' represents a pre-emptive move, in terms of the due process of evaluating any ecological impact that would occur from any development proposals on Locally Designated Sites.

Changes required

I think you should delete the following phrase please: "Unless allocated for development in the City Plan..." from the beginning of the paragraph which deals with Locally Designated Sites. I object to this phrase for the reasons given in Box 3 above.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	117 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Hello,I object to and believe the following phrase should be removed from the beginning of the paragraph relating to Locally Designated sites: 'Unless allocated for development in the City Plan...'.This phrase significantly weakens the protections put in place for these sites in the 2005 Local Plan and the previous Draft City Plan Part 2 in that it would allow developments to go ahead even if they would weaken the integrity of this site - a site which has identified numerous species of wildlife and which has a unique character in the area. Unlike the more manicured parks nearby (Queens Park, The Level) I've enjoyed this site for the natural wildlife and true connection to nature that it gives me while living in Kemp Town BN2. I see this access to nature, and to plants that I don't see elsewhere in such abundance, as very important to my mental health especially during this new era we are experiencing of 'lock-downs' and restrictions to movements beyond our local areas. Now is the time more than ever to protect these areas for the benefit of the mental health of the local population. If the aforementioned phrase is included developments will not be required to go through the proper process of evaluating the ecological impact they will have.This phrase (I assume) is based upon ecological evidence in the Urban Fringe Assessments which is out of date.

Changes required

It is necessary to remove the phrase 'Unless allocated for development in the City Plan...' from the beginning of the paragraph dealing with Locally Designated Sites.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

n/a

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	120 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The phrase 'Unless allocated for development in the City Plan...' is included at the beginning of the paragraph dealing with Locally Designated Sites. This wording is in direct opposition to the safeguarding duty in paragraph 174 of the National Planning Policy Framework: 'To protect and enhance biodiversity and geodiversity'. This phrase represents a significant weakening of protection given to Local Sites (including both Local Nature Reserves and Local Wildlife Sites) compared with the 2005 Local Plan and the previous Draft City Plan Part 2. Whilst appropriate and sensitive development remains important, the presumption in favour of development, implied by this phrase will inevitably have a detrimental impact upon Nature Reserves, Wildlife Sites and other green space. The inclusion of this phrase would mean that developments on allocations within designated sites would be permitted to go ahead even if they have an adverse effect on the integrity of the site. The ecological evidence in the Urban Fringe Assessments, which it is assumed is used to justify the inclusion of this phrase, is both out of date and insufficient to justify its inclusion.

Changes required

Delete the phrase 'Unless allocated for development in the City Plan...' from the beginning of the paragraph dealing with Locally Designated Sites.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	122 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

With regard to Local Designated sites - the local plan includes the phrase 'Unless allocated in the City plan...'. I object strongly to this because this does not comply with the Council's duty to protect and enhance biodiversity. It is weaker than the previous 2005 City Plan. The phrase cannot be accepted because it enables development on Local Wildlife Sites, including a Local Nature Reserve which would result in the destruction of part of the site. This is in contravention of paragraph 174 of the National Planning Policy and the Council should respect this. There is no good evidence based reason to include this phrase, the proper ecological assessments have not been updated, Local Wildlife sites in the City area are improving as a result of the local action of volunteer groups and residents. It is not legally sound to proceed with sites allocated in the city plan because they have not been properly assessed within a reasonable timeframe.

Changes required

Remove the phrase 'Unless allocated for development in the City Plan' from the paragraph about Local Wildlife/Designated sites. Do not substitute this with some other form of words that allows the land, which is supposed to be protected by the Council, to be developed.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

I want to see and hear the relevant people at Brighton and Hove Council who continue to pursue the development of Local Wildlife Sites and understand their reasoning.

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	127 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the inclusion of the phrase 'Unless allocated for development in the City Plan...' at the beginning of the paragraph dealing with Locally Designated Sites.

1. It is contrary to paragraph 174 of the National Planning Policy Framework. 2. The inclusion of this phrase represents a considerable weakening of the protection given to Local Sites (including both Local Nature Reserves and Local Wildlife Sites) compared with the 2005 Local Plan and the previous Draft City Plan Part 2. 3. The inclusion of this phrase would mean that developments on allocations within designated sites would be permitted to go ahead even if they have an adverse effect on the integrity of the site. 4. the ecological evidence in the Urban Fringe Assessments, which it is assumed is used to justify the inclusion of this phrase, is both out of date and insufficient to justify its inclusion. 5. The inclusion of this phrase represents a pre-emption of the due process of evaluating the ecological impacts of any development proposals on Locally Designed Sites.

Changes required

Whitehawk Hill Local Nature Reserve should be added to the list of sites for designation as Local Green Space.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

I am interested to hear the process with which a conclusion will be reached on this matter and I have lived in the area for 20 years and in that time I have seen how important Whitehawk Hill is as an open space and place for wildlife and nature to prosper on the edges of the urban city which as a community space is much loved and utilised.

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	129 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Individual
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the inclusion of the statement in the policy (section C) 'Unless allocated for development in the City Plan...' at the beginning of the paragraph dealing with Locally Designated Sites. It is in contradiction to paragraph 174 of the National Planning Policy Framework. The inclusion of this phrase represents a concerning reduction of the protection given to Local Sites (including both Local Nature Reserves and Local Wildlife Sites) compared with the 2005 Local Plan and the previous Draft City Plan Part 2. The addition of this phrase would mean that developments on allocations within designated sites would be permitted to go ahead even if they have an adverse effect on the integrity of the site. The ecological evidence in the Urban Fringe Assessments, which it is assumed is used to justify the inclusion of this phrase, is both out of date and insufficient to justify its inclusion. The inclusion of this phrase represents a pre-emption of the due process of evaluating the ecological impacts of any development proposal on Locally Designated Sites.

Changes required

Please take out the phrase unless allocated for development in the city plan from paragraph C.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

I wish for my views to be fully represented

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	130 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	resident of Whitehawk
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the inclusion of the words 'Unless allocated for development in the City Plan...' at the beginning of the paragraph dealing with Locally Designated Sites. It is against paragraph 174 of the National Planning Policy Framework. These words weaken the protection given to Local Sites (including both Local Nature Reserves and Local Wildlife Sites) compared with the 2005 Local Plan and the previous Draft City Plan Part 2. It would mean that developments on allocations within designated sites would be permitted to go ahead even if they have a negative effect on the integrity of the designated site. The ecological evidence in the Urban Fringe Assessments, which I assume is used to justify these words, is both out of date and insufficient to justify them. These words attempt to bypass the due process of evaluating the ecological impacts of any development proposals on Locally Designated Sites.

Changes required

Remove 'Unless allocated for development in the City Plan...' from the beginning of the paragraph dealing with Locally Designated Sites.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	131 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I am extremely concerned about the following wording: 'Unless allocated for development in the City Plan...' found in the paragraph dealing with Locally Designated Sites. Firstly, it contradicts paragraph 174 of the National Planning Policy Framework. Secondly, this will undermine the incredibly necessary protection given to Local Sites (including both Local Nature Reserves and Local Wildlife Sites) in the 2005 Local Plan and the previous Draft City Plan Part 2. This would be an irreversible tragedy which needs to be stopped now as this wording would allow developments to go ahead even if they have an adverse effect on the integrity of the site. Thirdly, the ecological evidence cited in the Urban Fringe Assessments, which appears to be used to justify the inclusion of this phrase, is out of date and does not justify its inclusion. Fourthly, this wording circumnavigates the vital due process of thoroughly assessing the ecological impact of development proposals on Locally Designated Sites.

Changes required

The words 'Unless allocated for development in the City Plan...' should be removed from the beginning of the paragraph dealing with Locally Designated Sites.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	133 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	n/a
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The phrase 'Unless allocated for development in the City Plan...' at the beginning of the paragraph dealing with Locally Designated Sites should not be included. These sites should be protected, as outlined in paragraph 174 of the National Planning Policy Framework. This protection is increasingly important with the current climate and biodiversity emergencies. The inclusion of this phrase represents a significant weakening of the protection given to Local Sites (including both Local Nature Reserves and Local Wildlife Sites) compared with the 2005 Local Plan and the previous Draft City Plan Part 2. The inclusion of this phrase would mean that developments on allocations within designated sites would be permitted to go ahead even if they have an adverse effect on the integrity of the site. The ecological evidence in the Urban Fringe Assessments, which it is assumed is used to justify the inclusion of this phrase, is both out of date and insufficient to justify its inclusion. The inclusion of this phrase represents a pre-emption of the due process of evaluating the ecological impacts of any development proposals on Local Sites.

Changes required

The phrase 'Unless allocated for development in the City Plan...' at the beginning of the paragraph dealing with Locally Designated Sites should not be included.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	134 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The phrase 'unless allocated for development in the City Plan' at the beginning of the para dealing with Locally Designated Sites is: contrary to para 174 of the National Planning Framework;its inclusion would mean that developments on allocations within designated sites could go ahead even if they have an adverse effect on the integrity of the site;the ecological evidence used to justify the inclusion is insufficient and out of date;the inclusion pre-empts the due process of evaluating the ecological impacts of any development proposals on Locally Designated Sites .

Changes required

Delete the phrase 'Unless allocated for development in the City Plan...' from the beginning of the para dealing with Locally Designated Sites.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

N/A

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	135 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I am very concerned that including the phrase "Unless allocated for development in the City Plan ..." at the beginning of paragraph dealing with Locally Designated Sites (including both LNRs and LWSs) is a significant stepping back from the protections in the previous City Plan and the draft of this Plan Pt2. This is very likely to result in development happening on these valuable sites even though their ecology & amenity value will be damaged as a result. I understand that the information in the Urban Fringe Assessments that will be used to make these decisions is not always up to date nor is it complete. Finally that this proposed policy does not reflect para. 174 of the National Planning Policy Framework

Changes required

I consider it necessary to delete the phrase "Unless allocated for development in the City Plan ..." from the beginning of the paragraph dealing with Locally Designated Sites

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	136 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the phrase 'unless allocated for development in the City Plan' at the start of the paragraph dealing with Locally Designated Sites, as this represents a weakening of the protection given to previous local nature reserves and wildlife sites, and suggests a pre-emption of the due process of evaluating ecological impacts.

Changes required

I suggest you remove the phrase 'unless allocated for development in the City Plan' at the start of the paragraph dealing with Locally Designated Sites.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	137 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I cannot agree with your inclusion of the phrase 'Unless allocated for development in the City Plan...' in the section dealing with Locally Designated Sites. This is inconsistent with paragraph 174 of the National Planning Policy Framework.

Changes required

Delete this phrase.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37	
<u>Respondent Number / Rep Number</u>	138	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I am concerned about the wording of this document and object the to use of the phrase ‘Unless allocated for development in the City Plan...’ at the beginning of the paragraph dealing with Locally Designated Sites. This is because it is contrary to paragraph 174 of the National Planning Policy Framework. And the inclusion of this phrase represents a significant weakening of the protection given to Local Sites (including both Local Nature Reserves and Local Wildlife Sites) compared with the 2005 Local Plan and the previous Draft City Plan Part 2.) If this phrase is included it would mean that developments on allocations within designated sites would be permitted to go ahead even if they have an adverse effect on the integrity of the site - this obviously had very serious negative implications.

Additionally, the ecological evidence in the Urban Fringe Assessments, which it is assumed is used to justify the inclusion of this phrase, is both out of date and insufficient to justify its inclusion. And so, the inclusion of this phrase represents a pre-emption of the due process of evaluating the ecological impacts of any development proposals on Locally Designated Sites.

Changes required

Delete the phrase 'Unless allocated for development in the City Plan...' from the beginning of the paragraph dealing with Locally Designated Sites.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37	
<u>Respondent Number / Rep Number</u>	140	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

In the paragraph about Locally Designated Sites, I object to the inclusion of the phrase 'Unless allocated for development in the City Plan...'- It is contrary to paragraph 174 of the National Planning Policy Framework- the Urban Fringe Assessment, which presumably is a base for the inclusion of this phrase, has out of date and insufficient ecological evidence- in comparison with the Local Plan 2005 and the previous Draft City Plan Part 2, the phrase represents less protection for Local Sites

Changes required

Delete the phrase 'Unless allocated for development in the City Plan...' from the beginning of the paragraph dealing with Locally Designated Sites.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

<u>Policy</u>	DM37	
<u>Respondent Number / Rep Number</u>	141	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The inclusion of "Unless allocated for development in the City Plan..." in the policy as it pertains to locally protected sites is not consistent with National Planning Policy Framework paragraph 174 Habitats and Biodiversity and represents a significant weakening of policy relating to locally protected sites compared to NC3 Local Nature Reserves (LNRs) in the 2005 adopted local plan.

Changes required

Remove "Unless allocated for development in the City Plan." from the policy on locally protected sites. for reasons cited above.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37	
<u>Respondent Number / Rep Number</u>	145	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the use of the phrase 'unless allocated for development in the City Plan...'. In reference to the protection of locally designated sites. This is a real weakening of the 2005 Local Plan policy on protection given to locally important sites (including Local Nature Reserve). The phrase also prevents the proper evaluation of the impact of a development upon an ecologically important site. This policy does not reflect paragraph 174 of the NPPF

Changes required

Please remove the phrase 'unless allocated for development in the City Plan' from the policy relating to locally designated sites.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	146 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the inclusion of the phrase 'Unless allocated for development in the City Plan...' at the beginning of the paragraph dealing with Locally Designated Sites. It is contrary to paragraph 174 of the National Planning Policy Framework. The inclusion of this phrase represents a significant weakening of the protection given to Local Sites (including both Local Nature Reserves and Local Wildlife Sites) compared with the 2005 Local Plan and the previous Draft City Plan Part 2. The inclusion of this phrase would mean that developments on allocations within designated sites would be permitted to go ahead even if they have an adverse effect on the integrity of the site. The ecological evidence in the Urban Fringe Assessments, which it is assumed is used to justify the inclusion of this phrase, is both out of date and insufficient to justify its inclusion. The inclusion of this phrase represents a pre-emption of the due process of evaluating the ecological impacts of any development proposals on Locally Designated Sites.

Changes required

Delete the phrase 'Unless allocated for development in the City Plan...' from the beginning of the paragraph dealing with Locally Designated Sites.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	150 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

My objection here is to the inclusion of the phrase 'Unless allocated for development in the City Plan...', which is at the beginning of the paragraph dealing with Locally Designated Sites, because:-

- It is contrary to paragraph 174 of the National Planning Policy Framework.
- The inclusion of this phrase represents a significant weakening of the protection given to Local Sites (including both Local Nature Reserves and Local Wildlife Sites) compared with the 2005 Local Plan and the previous Draft City Plan Part 2.
- The inclusion of this phrase would mean that developments on allocations within designated sites would be permitted to go ahead even if they have an adverse effect on the integrity of the site.
- The ecological evidence in the Urban Fringe Assessments, which it is assumed is used to justify the inclusion of this phrase, is both out of date and insufficient to justify its inclusion.
- The inclusion of this phrase represents a pre-emption of the due process of evaluating the ecological impacts of any development proposals on Locally Designated Sites.

Changes required

I would recommend that the phrase 'Unless allocated for development in the City Plan...' be deleted from the beginning of the paragraph dealing with Locally

Designated Sites.'

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37	
<u>Respondent Number / Rep Number</u>	151	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the phrase "...unless allocated for development on the City Plan" at the commencement of the paragraph that deals with designated sites. This renders the policy contrary to para 174 of the National Planning Policy Framework. The phrase implies a significant weakening of the protections afforded to designatmed sites such as Local Nature Reserves and Local Wildlife Sites. The inclusion of the phrase opens the door to development on such sites despite whatever adverse effects this may have to their integrity. The reliance on evidence from Urban Fringe Assessments is not justified, as it is out of date and insufficient. The presence of the phrase pre-empts the due process of assessing the potential ecological impact of any development.

Changes required

Permanently delete phrase "...unless allocated for development in the City Plan' form the beginning of the paragraph dealing with Designated Sites.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	152 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Regarding locally designated sites, the inclusion of the phrase 'Unless allocated for development in the City Plan...' will lead to a significant weakening in the protection afforded to these sites.

Changes required

Delete the phrase 'Unless allocated for development in the City Plan...' from the beginning of the paragraph dealing with Locally Designated Sites. For the reasons proposed above.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37	
<u>Respondent Number / Rep Number</u>	153	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the inclusion of the phrase 'Unless allocated for development in the City Plan...' at the beginning of the paragraph dealing with Locally Designated Sites. •It is contrary to paragraph 174 of the National Planning Policy Framework. •The inclusion of this phrase represents a significant weakening of the protection given to Local Sites (including both Local Nature Reserves and Local Wildlife Sites) compared with the 2005 Local Plan and the previous Draft City Plan Part 2. •The inclusion of this phrase would mean that developments on allocations within designated sites would or could be permitted to go ahead even if they have an adverse effect on the integrity of the designated site. I object to the inclusion of the phrase 'Unless allocated for development in the City Plan...' at the beginning of the paragraph dealing with Locally Designated Sites. •It is not clear what is considered the justification for the inclusion of this phrase. However, if it is the ecological evidence in the Urban Fringe Assessments, this is both out of date and insufficient to justify its inclusion. For example, the ecological evidence in the Urban fringe Assessments comprise only a review of records from the Sussex Biodiversity Record Centre and Phase 1 habitat surveys. This is insufficient evidence to justify the inclusion of this phrase. Further, in the case of at least one locally designated site with an allocation located within it, Whitehawk Hill Local Nature Reserve, the effect of the allocation on the integrity of the site, for example its location within and relationship with the boundary of the reserve, was not discussed.

Further, the Phase 1 habitat survey for this site was poorly conducted and misidentified important habitats within the reserve. •The inclusion of this phrase represents a pre-emption of the due process of evaluating the ecological impacts of any development proposals on Locally Designated Sites, based on out of date and inadequate evidence. Any development that may affect any locally designated site, whether allocated or not, should be assessed in the same way, with any proposal(s) assessed against an appropriate evidence base of baseline ecological surveys and with the application of the mitigation hierarchy, as set out in the NPPF (para 175a) and elsewhere within City Plan Part 2.

Changes required

Delete the phrase 'Unless allocated for development in the City Plan...' from the beginning of the paragraph dealing with Locally Designated Sites

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37	
<u>Respondent Number / Rep Number</u>	154	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Royal Society for the Protection of Birds (RSPB)	
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The RSPB welcomes the inclusion of the provision of swift bricks/boxes for new build, refurbishment, and renovation schemes in Brighton & Hove (section 2.281, p. 114-115). Swifts are a migratory bird that nests in cavities, often under the eaves of buildings. Swifts have an Amber UK conservation status and have declined by more than half since 1995. Loss of existing nesting sites, through building demolition or renovation, and lack of alternatives in new buildings is thought to contribute to this decline. The RSPB would like to see the novel swift policy (section 2.281) included within the headline text for Nature Conservation (under Nature Conservation, p. 110) given the importance of swift and bee brick provision as a condition for planning consent in Brighton & Hove. The RSPB would therefore recommend the below amendment to 'Nature Conservation': 'All development should seek to conserve and enhance biodiversity and geodiversity features ensuring: • a net gain in biodiversity is achieved; • that recognised priority species and habitats are protected and supported; • swift bricks/boxes and bee bricks are installed where feasible, following best practice guidance; • that appropriate and long-term management of new or existing habitats is secured to ensure a network of nature recovery; and • where relevant, the control and eradication of any invasive non-native species present on site.' The RSPB also recommends amendments are made to the text provided in section 2.281 to avoid confusion when applying policy DM37 to new development in Brighton & Hove.

The RSPB notes the original text within section 2.281 states: 'All new build, refurbishment, and renovation schemes should incorporate swift boxes and bee bricks where possible ensuring their installation follows best practice guidance.' Where new development fulfils the requirement of eaves located at five metres or higher above the ground, swift bricks should be incorporated through policy DM37. If swift bricks are not feasible due to aspects of the development design, such as walls not containing brickwork to implement a swift brick, then swift boxes should be implemented instead. Our recommended amendments are highlighted below: '2.281 When applying this policy, regard will be given to the achievement of national and local Biodiversity Action Plan (BAP) Targets. Enhancement opportunities should focus on habitats and species of principal importance - Brighton & Hove's local BAP habitats (e.g chalk grassland) and priority species (e.g. swifts, peregrines, house sparrows, starlings, white-letter hairstreaks, hornet robberfly etc.). Strong consideration should also be given to the protection of native species, and provision of roosting/nesting boxes for bat/birds (including swifts, house martins and swallows), gaps/holes at ground level in boundaries for hedgehogs, biodiverse roofs and walls, and, appropriate innovative and creative measures. All new build, refurbishment, and renovation schemes must incorporate swift bricks or boxes (swift bricks are preferred where the scheme design allows) where the development is five metres or greater in height to the eaves, and ensure their installation follows best practice guidance. Measures to ensure swift bricks or boxes are installed will be secured through planning conditions. All new build, refurbishment, and renovation schemes should also incorporate bee bricks where possible into the design of the scheme, following best practice guidance. SPD11 Nature Conservation and Development will be updated and will refer to a range of other low-cost nature conservation features that can be secured through new development.' The above recommendations have been discussed between Sussex Ornithological Society (SOS) and the RSPB, with both parties agreeing that these changes will enhance the application of policy DM37 in regarding to the provision of swift bricks/boxes and bee bricks.

Changes required

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	158 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Living Coast UNESCO Biosphere
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	161 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Friends of Whitehawk Hill
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I strongly object to the phrasing, 'unless allocated for development in the City Plan' surely this wording immediately weakens the protection that is already in existence - for example, in the case of Whitehawk Hill, an LNR and implicitly gives permission for development to proceed.

Changes required

To delete the phrase 'Unless allocated for development in the City Plan' from the paragraph which deals with Locally Designated Sites.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

Simply to represent the views of the community who have long supported that Whitehawk Hill remains as it is.... an LNR and free from the threat of development.

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	162 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the inclusion of the phrase 'Unless allocated for development in the City Plan...' at the beginning of the paragraph dealing with Locally Designated Sites. It is contrary to paragraph 174 of the National Planning Policy Framework. The inclusion of this phrase weakens the protection given to Local Sites (including both Local Nature Reserves and Local Wildlife sites). The inclusion of this phrase would mean that developments on allocations within designated sites would be permitted to go ahead even if they have an adverse effect on the integrity of the site. The ecological evidence in the Urban Fringe Assessments, which it is assumed is used to justify the inclusion of this phrase, is both out of date and insufficient to justify its inclusion. The inclusion of this phrase represents a pre-emption of the due process of evaluating the ecological impacts of any development proposals on Locally Designated Sites.

Changes required

Delete the phrase 'Unless allocated for development in the City Plan...' from the beginning of the paragraph dealing with Locally Designated Sites.'

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	165 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the inclusion of the phrase 'Unless allocated for development in the City Plan...' at the beginning of the paragraph dealing with Locally Designated Sites. •I think it shocking that this phrase was added at a later date to bypass the due process of ecological assessment and it shows a cynical ploy to preempt the due process. •It is contrary to paragraph 174 of the National Planning Policy Framework. •The inclusion of this phrase represents a significant weakening of the protection given to Local Sites (including both Local Nature Reserves and Local Wildlife Sites) compared with the 2005 Local Plan and the previous Draft City Plan Part 2. •The inclusion of this phrase would mean that developments on allocations within designated sites would be permitted to go ahead even if they have an adverse effect on the integrity of the site. •The ecological evidence in the Urban Fringe Assessments, which it is assumed is used to justify the inclusion of this phrase, is both out of date and insufficient to justify its inclusion.

Changes required

Delete the phrase 'Unless allocated for development in the City Plan...' from the beginning of the paragraph dealing with Locally Designated Sites.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	166 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	None
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I consider that the phrase 'unless allocated for development in the City plan' is too general, is unsound and not compliant with the statutory protections afforded by previous legislation. It is being used to over-rule specific and detailed designations of Local Nature Reserves and Local Wildlife Sites and is contrary to the National Planning Policy Framework (para 174). It undermines the proper evaluation of ecological impacts in a way that is also unsound.

Changes required

As set out above, the phrase 'unless allocated for development in the City plan' renders almost all relevant planning and ecological protections null and void. The phrase the phrase 'unless allocated for development in the City plan' should be removed from the document .

Participate at the hearing session(s)?

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	169 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The phrase 'Unless allocated for development in the City Plan...' at the beginning of the paragraph dealing with Locally Designated Sites was recently added to the plan to remove protections and I think this phrase should be taken out. It would mean that for example, a Local Nature Reserve or Local Wildlife site would lose protections outlined in this part and protections they should have. Otherwise, why have these designations? Nature Reserves are designated for sound and thorough reasons. In City Plan 1 and the draft of CPP2, until February 2020, these protections were there. Those very allocations in this City Plan are a result of the Urban Fringe Assessments of 2014 and 2015 and much was missed in those flawed, mostly desk top assessments. The ecological evidence was not robust, the understanding of sites was flawed and I believe Locally Designated Sites allocated for development require further scrutiny and protections. It appears to remove the requirement for Ecological Impact Assessments on Locally Designated Sites. It would allow for developments to just go ahead despite adverse effects to sites whilst sites not earmarked for development would retain those protections, which is unjust. Our city's Local Nature Reserves should all have equal protections. We are in a tipping point for our local biodiversity and it is not justified to remove existing protections in this manner. It is an attempt to dodge even national requirements for designated sites. Paragraph 174 of the National Planning Policy Framework states a requirement to 'safeguard components of local wildlife-rich

habitats and wider ecological networks'.

Changes required

I think for the phrase 'Unless allocated for development in the City Plan...' be deleted from the beginning of the paragraph dealing with Locally Designated Sites and thus all sites with local designations within the city will be treated and protected equally and fairly.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	172 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Policy does not comply with paragraph 174 of NPPF Part C 'Locally Designated Sites' 'Unless allocated for development in the City Plan' appears to be a catch all phrase that predetermines against the protection intended to be afforded by the policy and should be deleted.

Changes required

Delete the phrase 'unless allocated for development in the city plan'

<u>Participate at the hearing session(s)?</u>	Not Answered
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Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	173 8
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Ramblers
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I support the policy.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	174 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the inclusion of the phrase 'Unless allocated for development in the City Plan...' at the beginning of the paragraph dealing with Locally Designated Sites. •It is contrary to paragraph 174 of the National Planning Policy Framework. •The inclusion of this phrase represents a significant weakening of the protection given to Local Sites (including both Local Nature Reserves and Local Wildlife Sites) compared with the 2005 Local Plan and the previous Draft City Plan Part 2. •The inclusion of this phrase would mean that developments on allocations within designated sites would be permitted to go ahead even if they have an adverse effect on the integrity of the site. •The ecological evidence in the Urban Fringe Assessments, which it is assumed is used to justify the inclusion of this phrase, is both out of date and insufficient to justify its inclusion. •The inclusion of this phrase represents a pre-emption of the due process of evaluating the ecological impacts of any development proposals on Locally Designated Sites.

Changes required

•Delete the phrase 'Unless allocated for development in the City Plan...' from the beginning of the paragraph dealing with Locally Designated Sites.'

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	175 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Where you say "unless allocated for development in the City Plan" that is not consistent with the National Planning Framework. It is you, Brighton & Hove City Council, that has designated land around the city as protected, for example as Local Nature Reserves. That kind of protection was important when you made those designations and remains important. All the more so now we are aware of the extent of the extinction crisis. If you go ahead with this weakening of protection it means that allocations on designated sites would be permitted even if they would cause significant loss of natural resource and amenity to local communities. This goes against both the letter and the spirit of legislation. The Urban Fringe Assessments that you are relying on were of poor quality and failed to take into account the whole biodiversity and ecological importance of sites on the urban fringe. To include this would pre-empt the due process of evaluating the ecological impacts on locally designated sites.

Changes required

Delete the phrase "unless allocated in the City Plan" from the beginning of the paragraph dealing with Locally Designated Sites. By omitting that phrase you will

continue with the protection that you have already given to the downland around the city, and will be compliant with the ensemble of planning legislation.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

Simply because you need to hear from as many members of the community as possible, especially those of us who live on the fringe of the city. It happens also that, as a retired academic, I have some knowledge of the local ecology and environmental history, as well as of planning policy.

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	176 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	n/a
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The phrase " unless allocated for development in the city plan " is in contravention of paragraph 174 of the National Planning Policy Framework. The previous draft city plan part 2 and the 2005 Local Plan had significant more protections in place for local wildlife sites & nature reserves as this phrase was not included. This phrase would open the door to development on allocations within designated sites regardless of the damage the development would do to the sites viability & integrity .The ecological assessments have not been done thoroughly and are out of date and cannot be used to justify the inclusion of this phrase. The inclusion of this phrase would pre-empt the due process of evaluating the ecological impact of any development proposals on Locally Designated Sites.

Changes required

The paragraph dealing with Locally Designated Sites needs to have the phrase " unless allocated for development in the city plan " taken out of the beginning of the paragraph.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

I consider it is necessary as I am flabbergasted at the proposals to decimate our local nature reserve and the local species extinction and loss of so much wildlife diversity and if it is not a criminal act then it should be and brought about by the same council that only recently signed a species extinction and climate emergency declaration. That will not be the only breach if this is allowed to go ahead, i think it is necessary for me to take part in this process as a concerned local resident.

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	179 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	South Downs National Park Authority
<u>Respondent Type</u>	Public Sector / Local Authority
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Support references in the policy to the Nature Improvement Area and explanatory footnote. Also support the wording in paragraph 2.279 regarding working in partnership with others including the SDNPA on a landscape scale approach to biodiversity and green infrastructure. As a general comment, we would highlight the recent publication of the People and Nature Network (PANN) (formerly known as the South Downs Green Infrastructure framework) which sets out how a wide range of partners can work together to plan positively for nature and natural services within and around the protected landscapes of the south east. The PANN includes Natural Capital Investment Area number 12 that covers Brighton and Hove. The PANN identifies a number of opportunities for enhancement of green infrastructure in this area. We suggest that reference could be made to the PANN within this policy. We welcome the opportunity to continue working with Brighton & Hove City Council on green infrastructure matters.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	196 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Fields in Trust
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	Yes
<u>Reasons Given for Being Late</u>	Staff issues at charity meant consultation response was not sent on time.
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We are writing to comment on policies DM37 and DM38. Though we concede that they likely do meet legal requirements we would contend that their soundness could be improved. Specifically that details within these policies could be more positively prepared, and require further justification. We applaud the recognition of the integral and connected nature of green infrastructure when it comes to preserving biodiversity and adapting to climate change. However, we would suggest that the policy could have been more positively prepared in regards to green infrastructure used for recreation. The only real recognition of the rolespaces of these typologies play in overall green infrastructure is a reference to policies CP16 Open Space and CP17 Sports Provision. Having also reviewed these City Plan Part 1 policies we would note that they are based on an openspace study last updated in 2011, and one which, although it follows generous and sensible standards for manspace typologies, provides a standard which we consider below the average when it comes for space for play. We would suggest that new developments should certainly have to meet a standard for play space that is greater than a quantity of 0.055 hectares per 1000 population, and an accessibility standard that is set at a 15-minute walk time(720m). We would therefore conclude that this DM37 policy was an opportunity to revisit and review these openspace standards to objectively assess the needs of the population, and to create an ambitious standard of green infrastructure across all of its typologies. As always, we would be

happy to liaise with the council further on their standards for provision and the evidencebase for open space, having recently carried out research into revaluing green space, and having extended our greenspace index work to now map against other key demographic factors relevant to open space provision. We wouldalso welcome any discussion of further protection of the council's spaces.

Changes required

We would therefore conclude that this DM37 policy was an opportunity to revisit and review these openspace standards to objectively assess the needs of the population, and to create an ambitious standard of greeninfrastructure across all of its typologies.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	202 7
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Woodland Trust
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support this draft policy, which sets green infrastructure in the context of conserving and enhancing the natural environment and that developers will be expected to work with existing partnerships to support and enhance green infrastructure and nature conservation features. We strongly welcome the specific references to protecting ancient woodland, veteran & protected trees, and the City's National Elm Collection (para 2.278). In particular, we note the importance of protecting and enhancing ancient woodland and natural habitats around ancient woodland to improve connectivity with the surrounding landscape. The consequent increase in ecological connectivity between areas of ancient woodland will create the resilient landscapes recommended in Making Space for Nature (Defra 2010). We welcome the emphasis on nature recovery networks, reflecting the Lawton principles that space for nature should be more, better and better-connected. We welcome the approach taken, including commitments to robust data and integration with biodiversity policies set out in paras 2.280 and 2.281 and the mitigation hierarchy in para 2.283. In each type of area, green infrastructure should be protected, enhanced and integrated into development plans, including through local tree strategies, landscape management plans or urban development briefs. We propose adding a specific target for biodiversity net gain from development sites, and to consider an alternative (such as the Urban Greening Factor in the new London Plan) for urban sites where the baseline

biodiversity (and therefore the potential for apercentage-based net gain) is very low.To achieve ongoing benefits, green infrastructure needs to beprotected and maintained. CIL allocations should include greeninfrastructure, including management plans and funding formaintenance. We therefore propose adding a specific commitmto include green infrastructure on the list of approved CILallocations.

Changes required

We propose adding a specific target for biodiversity net gainfrom development sites, and to consider an alternative (such asthe Urban Greening Factor in the new London Plan) for urban siteswhere the baseline biodiversity (and therefore the potential for apercentage-based net gain) is very low.To achieve ongoing benefits, green infrastructure needs to beprotected and maintained. CIL allocations should include greeninfrastructure, including management plans and funding formaintenance. We therefore propose adding a specific commitmto include green infrastructure on the list of approved CILallocations.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	212 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Natural England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Please be aware that Natural England has concerns with regards to policy DM37: Green Infrastructure and Nature Conservation. Our advice on this policy is contained within Section 1 below. Note that we consider our concerns may be addressed by amendments to policy wording.1. DM37 Green Infrastructure and Nature Conservation Green InfrastructureWe support this policy's requirement for proposals to safeguard and/or contribute positively to existing Green Infrastructure (GI) network and that this GI should be integral to design and layout of the scheme.Nature ConservationOverarching AdviceIn accordance with the mitigation hierarchy, impacts to biodiversity should be avoided in the first instance. Whilst we agree that impacts to nationally and locally designated sites should be avoided, we advise that this approach should apply to development in all areas and including internationally designated sites. You may therefore wish to consider including this point as an overarching principle at the beginning of this policy, to highlight its importance.The final section of the policy appears to refer to overarching measures applicable to all development, but this isn't clear. For the avoidance of doubt, we recommend that your authority considers moving this paragraph to the beginning of the policy and/or clarifying that ALL proposals must be supported by appropriate investigation/assessment and mitigation measures. We advise that where impacts to nature conservation features are identified, robust assessment of the impacts is provided, with clear demonstration of HOW

IMPACTS CAN BE MITIGATED OR COMPENSATED, in accordance with the mitigation hierarchy. With reference to the above advice, you may wish to amend the wording for part c), for example: delete "and how loss can" and " to achieve" and replace with "how impacts....and....achieved" so as to read:"c) up-to-date information about the biodiversity/geodiversity which may be affected, impacts can be mitigated and measurable net gains achieved."Finally, we recommend in that section 2.283 includes reference to Beachy Head West Marine Conservation Zones (MCZs).Biodiversity Net GainWe strongly support the approach that all development should ensure a net gain in biodiversity is achieved. Further advice on development of policy to secure measurable biodiversity net gain is included at Appendix A [see uploaded supporting information document].A. Internationally protected sitesIt is our advice that part A of this policy does not accurately reflect the requirements of the Habitats Regulations 2017 (as amended). All plans or projects with the potential to impact a European Designated site are subject to the requirements of the Habitats Regulations. Through a Habitats Regulations Assessment (HRA) it will be necessary to determine whether any qualifying plan or project is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out.Where a HRA states that it cannot be ascertained that the proposal will not adversely affect the integrity of the European site, the proposal cannot be permitted unless it passes the tests of regulation 64:that there are no alternatives and the proposal must be carried out for imperative reasons of overriding public interest. Biodiversity Net GainWe strongly support the approach that all development should ensure a net gain in biodiversity is achieved. Further advice on development of policy to secure measurable biodiversity net gain is included at Appendix A [see uploaded supporting information document].A. Internationally protected sitesIt is our advice that part A of this policy does not accurately reflect the requirements of the Habitats Regulations 2017 (as amended). All plans or projects with the potential to impact a European Designated site are subject to the requirements of the Habitats Regulations. Through a Habitats Regulations Assessment (HRA) it will be necessary to determine whether any qualifying plan or project is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out.Where a HRA states that it cannot be ascertained that the proposal will not adversely affect the integrity of the European site, the proposal cannot be permitted unless it passes the tests of regulation 64:that there are no alternatives AND the proposal must be carried out for imperative reasons of overriding public interest. B. Nationally protected sitesWe are particularly concerned that the wording of point B ii) weakens the protection offered to nationally designated sites. It is our understanding that the intention of point B ii) may be to guide mitigation proposals where impacts to a nationally designated site are identified, in relation to NPPF paragraph 175 which states:"b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest"It is our advice that loss of a nationally designated site should not be supported and cannot be mitigated. In accordance with NPPF paragraph 175 (a), compensation should be a last resort. Furthermore, it should be noted that biodiversity net gain does not apply to statutory designated sites or irreplaceable habitats [1 <https://cieem.net/resource/biodiversity-net-gain-good-practice-principles-for-development-a-practical-guide>].We strongly recommend that revision to point B is required to ensure the requisite level of protection is afforded to nationally designated sites, in accordance with the requirements of the NPPF (particularly paragraph 175), the mitigation hierarchy and the principles of biodiversity net gain. It would be beneficial to clarify that biodiversity net gain cannot be achieved for a development impacting a statutory designated site. You may also wish to consider updating the wording for part C ii) in relation to mitigation of 'impacts' not losses.

Changes required

Final paragraph of PolicyThe final section of the policy appears to refer to overarching measures applicable to all development, but this isn't clear. For the avoidance of doubt, we recommend that your authority considers moving this paragraph to the beginning of the policy and/or clarifying that ALL proposals must be supported by appropriate investigation/assessment and mitigation measures.With reference to the above advice, you may wish to amend the wording for part c), for example: delete "and how loss can" and " to achieve" and replace with "how impacts....and....achieved" so as to read:"c) up-to-date information about the biodiversity/geodiversity which may be affected, impacts can be mitigated and measurable net gains achieved."we recommend in that section 2.283 includes reference to Beachy Head West Marine Conservation Zones (MCZs).We strongly recommend that revision to point B is required to ensure the requisite level of

protection is afforded to nationally designated sites, in accordance with the requirements of the NPPF (particularly paragraph 175), the mitigation hierarchy and the principles of biodiversity net gain. It would be beneficial to clarify that biodiversity net gain cannot be achieved for a development impacting a statutory designated site. You may also wish to consider updating the wording for part C ii) in relation to mitigation of 'impacts' not losses

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	214 36
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to the content of these policies.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	216 13
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Food Partnership
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Noting the multiple policies relating to food growing in City Plan, Part 1, the recent adoption of the revised PAN on incorporating food growing in development and the incorporation of food growing and food access we feel that this area has been overlooked in the DM policies in city plan part 2. Given the centrality of food in carbon reduction, with the IPCC & UK parliament Audit committee findings that food contributes up to 30% of carbon foot print, along with Brighton & Hove City Council's climate emergency declaration and commitment to become the first Gold Sustainable city in the UK, we urge that in order to meet the test of soundness and compatibility with sustainable development the role of food growing has to be part of these policies in order to meet the test. We would have welcomed a policy specifically relating to DM and food growing in DM37, as a key component of addressing climate change. However we recognise this would be difficult to include at this stage of the process therefore we suggest the following in order to redress this. DM 37 para 2.277 recognises that "allotments, orchards and community food production spaces" form part of the city's green infrastructure this is the only reference and we would therefore like to see food growing spaces included in the following areas as a very minimum: Green Infrastructure, Bottom of p.110 – Should be a headline bullet point, i.e. a bullet on food growing should be added to the list following "Developers will be expected to work with existing partnerships to support and enhance the following green infrastructure and nature

conservation features:" Alternatively should be included in the 'green infrastructure' section in the first two paragraphs on this policy (top of page 110)p.114-115 – an explanatory paragraph should be added to the supporting text, amplifying the above.In short, as Brighton and Hove City Council have already accepted the principle that food is 30% of carbon footprint, and implemented planning policy as a response, if this area is not addressed alongside transport an energy then the plan as a whole cannot be considered to meet the test of soundness wrt sustainable development.

Changes required

We would therefore like to see food growing spaces included in the following areas as a very minimum:Bottom of p.110 – Should be a headline bullet point, i.e. a bullet on food growing should be added to the list following "Developers will be expected to work with existing partnerships to support and enhance the following green infrastructure and nature conservation features:" Alternatively, should be included in the 'green infrastructure' section in the first two paragraphs on this policy (top of page 110).P.114-115 – an explanatory paragraph should be added to the supporting text, amplifying the above.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We would be happy to participate in the Inspector's hearing to make these points.

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	219 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Wildlife Trust
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The Sussex Wildlife Trust (SWT) supports the inclusion of policy DM37 in the City Plan Part 2 (CPP2) and recognise that the policy has been improved since the version presented in the regulation 18 consultation, in particular in relation to the requirement for net biodiversity gains. However, SWT is very concerned about the addition of 'unless allocated for development in the City Plan' in part C of the policy and objects to this. NPPF paragraph 171 states that plans should take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure. Additionally, NPPF paragraph 174 is clear that plans should safeguard components of local wildlife-rich habitats including locally designated sites of importance for biodiversity. Further to this, National Planning Practice Guidance states: 'National planning policy expects plans to identify and map these sites, and to include policies that not only secure their protection from harm or loss but also help to enhance them and their connection to wider ecological networks.' (Paragraph: 013 Reference ID:8-013-20190721) We do not believe this policy is compliant with national policy as it does not safeguard the Local Wildlife Sites and Local Nature Reserve that are also allocated for housing in policies H1 and H2. SWT does not believe that the exclusion of allocated locally designated sites within the requirements under part C of the policy is consistent with the rest of policy DM37. Namely that all development provides net gains to biodiversity, or policy H2(d) which requires that 'development will mitigate any adverse impacts on

designated sites'. It is also not compliant with part 5d of policy SA4 Urban Fringe from the City Plan Part 1 which states that development should only be permitted on the urban fringe if 'any adverse impacts of development are minimised and appropriately mitigated and/or compensated for'. One of the aims of the UFAS as stated in the Invitation to Tender was to provide a more detailed landscape and ecology assessment of the Study Areas to assist in determining: 'Whether the mitigation identified is likely to be sufficient and/or feasible; whether additional or alternative site specific mitigation is likely to be required; and/or whether mitigation is not likely to overcome the adverse impacts identified.' As it stands, the first line of part C of policy DM37 only provides confusion as it contradicts so many other policies in the development plan. Removing this line will not prevent development on allocated sites that are also locally designated sites. However, it will make clear that applicants must demonstrate that any adverse impacts on the designated site are avoided through good design with residual impacts mitigated for in line with the mitigation hierarchy. This is already what is required by policy H2. By removing this line, it allows BHCC to refuse an application which has clearly disregarded adverse impact. It would create consistency with the rest of the plan.

Changes required

In order to make this policy both compliant with the NPPF and internally consistent with the rest of policy DM37 and policy H2 'Unless allocated for development in the City Plan' should be deleted from part C. Locally Protected Sites.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

The Sussex Wildlife Trust wishes to attend the examination hearings so that we can discuss our objections formally with the Inspector and respond to any additional evidence presented by other respondents.

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	220 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Ovingdean Estates Ltd
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Policy DM37 (together with list of sites listed as Local Wildlife Sites at Appendix 3 of the plan, and the supporting papers: SHLAA 2019 update and Local Wildlife Update). Would all combine to potentially prevent development on our client's site (land to the North East of Longhill Close, Ovingdean (listed in earlier SHLAA iterations as sites 43 and 723). Earlier iterations of the SHLAA have identified the site as being suitable for up to 6 houses, yet the site has now been removed from the SHLAA and the whole site has been allocated as a Local Wildlife Site (BH100 in the Local Wildlife Update). This is despite detailed representations being provided by David Archer Associates (included with these representations for ease of reference) that clearly set out why the whole site did not need to be subject to an LWS designation. The Council is facing massive pressure to secure suitable sites for housing, and the designation of our client's site (in its entirety) as an LWS (and the removal of the site from the SHLAA) merely prevents the construction of 6 houses that would make a positive contribution to housing supply and could be successfully integrated within the site – as per the report from David Archer Associates. Consequently this aspect of the Plan (and its supporting documents) has not been positively prepared and so is unsound

Changes required

Policy DM37 (part C) should be re-worded to allow for development that does not cause any harm to relevant features of a local wildlife site. Reference to “exceptional circumstances” should be removed as this is too high a barrier for development when the site’s designation has not been subject to a formal discussion between the site owner’s ecologists and the Council (written representations only have occurred, with no further right of reply).

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

It may be necessary to prevent further evidence as to why our client’s site should not be designated as a local wildlife site (in its entirety).

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	228 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Ornithological Society
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Policy DM37 – object
 Aside from the point already made about densification levels above (under DM1), we have two points to make about the specifics of this policy:
 1) The policy fully supports the statements in policy DM37 that read "Development proposals will be required to demonstrate that they safeguard and/or contribute positively to the existing multifunctional network of Green Infrastructure that covers all forms of green and open spaces; the interrelationship between these spaces and; ensure that the natural capital of the area is retained, enhanced and complements UNESCO Biosphere objectives".and (Part C)

Unless allocated for development in the City Plan development proposals that will result in an adverse effect on the integrity of any local site which cannot be either avoided or adequately mitigated will not be permitted, unless: i) exceptional circumstances outweighing the adverse effects are clearly demonstrated; and ii) the loss can be mitigated through on or off-site habitat creation to achieve a net gain in biodiversity/geodiversity. Development proposals considered to have a significant effect on local sites will be required to assess the impact by means of an Ecological Impact Assessment. However, we object to the opening wording of Part C above, wherein CPP2 clearly signals that this policy is not to be followed "Unless allocated for development in the City Plan" The result is that SA7, H1 and

H2 put forward development proposals on nine LWS's and one LNR, all of which are on land owned by BHCC. CPP2 contains no analysis nor explanation of what exceptional circumstances outweigh the adverse effects on the green infrastructure that will result, nor do they attempt to require that any programmes of mitigation or compensation be put in place. We believe that designating sites on LWS's and LNR's for development does not comply with national policy, and that it is unsound. NPPF paragraph 171 states that plans should take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure. Additionally, NPPF paragraph 174 makes it clear that plans should safeguard components of local wildlife-rich habitats including locally designated sites of importance for biodiversity. Neither do we believe that the exclusion of allocated locally designated sites of conservation importance under part C of the policy is consistent with the rest of policy DM37. Namely that all development must achieve net biodiversity gains, or policy H2(d) which requires that 'development will mitigate any adverse impacts on designated sites'. It is also not compliant with part 5d of policy SA4 Urban Fringe from the City Plan Part 1 which states that development should only be permitted on the urban fringe if 'any adverse impacts of development are minimised and appropriately mitigated and/or compensated for'. We would like to see the words "Unless allocated for development in the City Plan" deleted from the start of Part C. This would then mean that the rest of Policy DM37 made a very clear statement that no development should occur on land that is designated as being important for nature conservation, unless a very exceptional case is made as to why this is necessary and that if this were then to occur full mitigation measures would need to be put in place so that no net loss of biodiversity results. This would remove the confusion that the first line of part C of Policy DM37 causes as it contradicts so many other policies in CPP2.2) Swift bricks/boxes and Bee bricks We know that RSPB have reached agreement with BHCC that the incorporation of Swift bricks/boxes and Bee bricks will be a planning condition of all new developments where this is feasible. Following discussions with RSPB we believe that this could be better reflected in CPP2 if specific reference were made to this in Policy DM37 and if supporting paragraph 2.281 were also amended. We would, therefore, like to see the following inserted into Policy DM37: Nature Conservation All development should seek to conserve and enhance biodiversity and geodiversity features ensuring: -a net gain in biodiversity is achieved; -that recognised priority species and habitats are protected and supported; -THAT SWIFT BRICKS/BOXES AND BEE BRICKS ARE INSTALLED WHEREVER FEASIBLE-that appropriate and long-term management of new or existing habitats is secured to ensure a network of nature recovery, and-where relevant, the control and eradication of any invasive non-native species present on site We would also like to see paragraph 2.281 amended as follows: When applying this policy, regard will be given to the achievement of national and local Biodiversity Action Plan (BAP) Targets. Enhancement opportunities should focus on habitats and species of principal importance - Brighton & Hove's local BAP habitats (e.g chalk grassland) and priority species (e.g. swifts, peregrines, house sparrows, starlings, white-letter hairstreaks, hornet robberfly etc.). Strong consideration should also be given to the protection of native species, and provision of roosting/nesting boxes for bat/birds (including swifts, house martins and swallows), gaps/holes at ground level in boundaries for hedgehogs, biodiverse roofs and walls, and, appropriate innovative and creative measures. ALL NEW BUILD, REFURBISHMENT, AND RENOVATION SCHEMES MUST INCORPORATE SWIFT BRICKS OR BOXES (SWIFT BRICKS ARE PREFERRED WHERE THE SCHEME DESIGN ALLOWS) WHERE THE DEVELOPMENT IS FIVE METRES OR GREATER IN HEIGHT TO THE EAVES, AND ENSURE THEIR INSTALLATION FOLLOWS BEST PRACTICE GUIDANCE. MEASURES TO ENSURE SWIFT BRICKS OR BOXES ARE INSTALLED WILL BE SECURED THROUGH PLANNING CONDITIONS. ALL NEW BUILD, REFURBISHMENT, AND RENOVATION SCHEMES SHOULD ALSO INCORPORATE BEE BRICKS WHERE POSSIBLE INTO THE DESIGN OF THE SCHEME, FOLLOWING BEST PRACTICE GUIDANCE. SPD11 Nature Conservation and Development will be updated and will refer to a range of other low-cost nature conservation features that can be secured through new development. The above recommendations have been discussed between Sussex Ornithological Society and the RSPB, with both parties agreeing that these changes will enhance the application of policy DM37 regarding the provision of swift bricks/boxes and bee bricks.

Changes required

We would like to see the words "Unless allocated for development in the City Plan" deleted from the start of Part C. We would like to see the following inserted into Policy DM37 - SUGGESTED NEW TEXT IN CAPITALS Nature Conservation All development should seek to conserve and enhance biodiversity and geodiversity features ensuring: -a net gain in biodiversity is achieved; -that recognised priority species and habitats are protected and supported; -THAT SWIFT BRICKS/BOXES AND BEE BRICKS ARE INSTALLED WHEREVER FEASIBLE-that appropriate and long-term management of new or existing habitats is secured to ensure a network of nature recovery, and-where relevant, the control and eradication of any invasive non-native species present on site We would also like to

see paragraph 2.281 amended as follows - SUGGESTED NEW TEXT IN CAPITALSWhen applying this policy, regard will be given to the achievement of national and local Biodiversity Action Plan (BAP) Targets. Enhancement opportunities should focus on habitats and species of principal importance - Brighton & Hove's local BAP habitats (e.g chalk grassland) and priority species (e.g. swifts, peregrines, house sparrows, starlings, white-letter hairstreaks, hornet robberfly etc.). Strong consideration should also be given to the protection of native species, and provision of roosting/nesting boxes for bat/birds (including swifts, house martins and swallows), gaps/holes at ground level in boundaries for hedgehogs, biodiverse roofs and walls, and, appropriate innovative and creative measures. ALL NEW BUILD, REFURBISHMENT, AND RENOVATION SCHEMES MUST INCORPORATE SWIFT BRICKS OR BOXES (SWIFT BRICKS ARE PREFERRED WHERE THE SCHEME DESIGN ALLOWS) WHERE THE DEVELOPMENT IS FIVE METRES OR GREATER IN HEIGHT TO THE EAVES, AND ENSURE THEIR INSTALLATION FOLLOWS BEST PRACTICE GUIDANCE. MEASURES TO ENSURE SWIFT BRICKS OR BOXES ARE INSTALLED WILL BE SECURED THROUGH PLANNING CONDITIONS. ALL NEW BUILD, REFURBISHMENT, AND RENOVATION SCHEMES SHOULD ALSO INCORPORATE BEE BRICKS WHERE POSSIBLE INTO THE DESIGN OF THE SCHEME, FOLLOWING BEST PRACTICE GUIDANCE. SPD11 Nature Conservation and Development will be updated and will refer to a range of other low-cost nature conservation features that can be secured through new development.'

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

SOS wishes to participate in any examination hearings sessions relevant to any sections of the City Plan Part Two that we have submitted objections to. We wish to discuss our objections formally with the Inspector and respond to any additional evidence presented by other respondents.

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	230 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Friends of Whitehawk Hill
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

2.1 Introduction
2.1.1 Friends of Whitehawk Hill object to the inclusion of the phrase 'Unless allocated for development in the City Plan...' at the beginning of the paragraph dealing with Locally Designated Sites.
2.2 Not justified
2.2.1 The inclusion of this phrase represents a significant weakening of the protection given to Locally Designated Sites (including both Local Nature Reserves and Local Wildlife Sites) compared with, for example, the 2005 Local Plan and the previous Draft City Plan Part 2.
2.2.2 The inclusion of this phrase would mean that developments on allocations within Locally Designated Sites would be permitted to go ahead even if they have an adverse effect on the integrity of Locally Designated Sites.
2.2.3 The justification for including this phrase is not stated but it is assumed that it based on the evidence presented in the Urban Fringe Assessments. However, the evidence presented in these documents is both out of date and quite inadequate to justify the inclusion of this phrase. For example, the damaging effect of the allocation at site 30, Land at and adjoining Brighton Race Course, on the integrity of Whitehawk Hill Local Nature Reserve is quite inadequately evidenced or addressed in the Urban Fringe Assessments. Further, more recent and detailed surveys, as wells other surveys carried out in recent decades, evidence the damage development on this allocation would have on notable habitats and species.
2.3 Not effective
2.3.1 The inclusion of this phrase means that there is not equal protection for all Locally Designated Sites in the City Plan area, meaning that some Locally

Designated Sites are not effectively protected. It is also contradictory with other parts of the development plan, particularly policy SA4 which states that adverse impacts of development must be minimised and appropriately mitigated and/or compensated for.2.4 Not consistent with national policy2.4.1 The inclusion of this phrase is contrary to paragraph 174 of the National Planning Policy Framework as there is insufficient evidence to demonstrate that by including it the plan will 'safeguard components of local wildlife-rich habitats and wider ecological networks', and again, without sufficient evidence to justify such an approach, it does not treat all Locally Designated Sites in the City Plan area equitably.2.4.2 The inclusion of this phrase represents a pre-emption of the due process of evaluating the ecological impacts of any development proposals on Locally Designated Sites, based on inadequate and out of date evidence. It implies that if, as part of the ecological impact assessment of any future planning application on an allocation within a Locally Designated Site, adverse effects of the proposed development on the integrity of the Locally Designated Site were to be identified, these would not be a consideration in determining the application. This would effectively bypass the application of the mitigation hierarchy, i.e. avoid, mitigate, compensate (e.g. NPPF paragraph 175 a). It is also inconsistent with paragraph 2.280 of City Plan Part 2, which transposes this and states 'Any proposal affecting nature conservation features and/or designated sites should include a nature conservation/ecological report which demonstrates evidence of working within the mitigation hierarchy...'

Changes required

2.5 Conclusion2.5.1 The phrase 'Unless allocated for development in the City Plan...' should be removed from the beginning of the paragraph dealing with Locally Designated Sites.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

Friends of Whitehawk Hill would like to participate in the Public Examination hearing sessions. This would provide the opportunity for a full examination of the issues and evidence, and for representatives from Friends of Whitehawk Hill to answer questions regarding their case and its supporting evidence.

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	232 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Eco21st
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Draft City Plan Part Two – Consultation Here is another formal representation on the City Plan, following our 13 September 2018 representation which received zero feedback, apart from acknowledgement of receipt. This is how NOT to foster appropriate dialogue and involvement with relevant stakeholders, constituents and competent specialists. The Council's formal Biodiversity Duty is not being met through a Biosphere Reserve designation from UNESCO. In fact, only a few years after receiving this 'green stamp' the Council made its only full time Ecologist redundant. There is now a core lack of ecological expertise in the Council. One example of this lack of competence is the planning application input to the Stanmer Park Restoration Plan. It's A PARK; yet there was no mention made on the Parkland habitat or associated veteran trees and indicator species (esp. Lichens) in any responses by the Council's external advisers! Since our 2018 response there has been an increasing awareness of the Climate Emergency. There is also Global concern about the Environmental Emergency. There is no response to the ecological emergency by this Council; which seeks instead to build houses and roads over the few remaining Wildlife Sites south of the National Park Boundary. One example where this happened is at Meadow Vale, Woodingdean (On appeal to Application BH2016/05530, following BH2014/02589 refusal) Introduction 1. This is a formal response to the consultation on the Local Plan (referred to as City Plan Part 2). I am an environmental adviser with qualifications in ecological survey and

management. I have a professional background in this subject having worked with the Government's Wildlife Adviser for England, and also advised on Geological and related 'Earth Science' matters.² I have lived in Brighton for over 25 years and have gained extensive detailed knowledge of the local wildlife and geologically important features across Brighton and Hove. Formal Duty to consider Biodiversity³. 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).⁴ The document: 'Biodiversity duty: public authority duty to have regard to conserving biodiversity' (Published 13 October 2014 by Natural England and DEFRA) states: "as a public authority, understand what the biodiversity duty is and how to meet it when carrying out all your activities..."⁵ 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 these two essential components: Policy and Site Protection.⁶ Sites are now termed Local Wildlife Site (LWS) and Local Geological Site (LGS). Over 100 sites were selected as suitable to be LWSs and LGSs by specialists and local focus groups in 2013. These have been rejected by unelected and unrepresentative officers on behalf of the Council. There was no consultation over rejecting the sites previously selected. This is both undemocratic and an insult to local specialists with an interest in Biodiversity and Geodiversity.⁷ We did recommend in 2018 that the land from Pavilion Gardens, Valley Gardens and The Level up to Park Crescent should be added as a valuable wildlife corridor in the very centre of Brighton. Since then it has been virtually destroyed by landscaping and paving to create yet another shopping area.⁸ An amended list of sites suitable to be selected on the City Plan as areas important for Biodiversity and Geodiversity is attached (Appendix 1). Further details were provided in the 13 September 2018 representation which need not be repeated here again.⁹ These sites have been selected on the grounds: a) they are semi-natural habitats and therefore have high local biodiversity importance, b) they support large numbers of species which are representative of the local biodiversity within a wildlife depleted City, OR c) they provide an opportunity for local people to engage and learn about local Biodiversity and Geodiversity on their doorstep. This is part of a REAL natural environment here and now; not a virtual experience many miles away. (Details of need for transparent selection processes and relevant criteria are detailed below in Appendix 2)¹⁰ We are aware advice was received, and meetings held, at a COUNTY level. Focusing purely on site selection from a County context ignores the qualities which local residents appreciate in their local greenspaces and wildlife sites. This had been especially apparent during 2020 'Lockdown'. We consider areas which support strong nesting bird populations, or reptile communities, should be included as LWSs.Environmental Emergency¹¹. The Council is well aware of the current Environmental Emergency. It has been highlighted particularly by groups such as Extinction Rebellion (XR). The City Plan provides an opportunity to address the concerns highlighted in both the Environmental Emergency and Climate Emergency.Instead it addresses neither in any detail.¹² As a basic starting point we should all be able to access the information about the Biodiversity (and Geodiversity) resources which currently exist across the whole of Brighton & Hove. This is currently not possible. The Council's own website is very limited and provides an inaccurate list of just the LNRs. The City Plan maps are opaque and it is extremely difficult to link the areas to a site name, let alone learn about its Biodiversity value.¹³ The City Plan needs to provide the mechanism for establishing a baseline datum on natural resources. This must also allow monitoring and future change to be assessed. It is only through accurate up-to-date data that BHCC will be able to monitor the extent of the local Environmental Emergency. It is only through accurate, current, data that Sustainability Objectives can be monitored.¹⁴ The phrase "Think Global, Act Local" has never been more relevant. The natural environment and species across Brighton and Hove, including south from the National Park boundary are too important to be ignored and destroyed by BHCC through The City Plan's intentions!¹⁵ Unlike in 2018, we expect to receive a detailed response to the issues raised in this representation. Not merely be ignored. We expect the sites proposed to be included within the City Plan Maps; and fully appreciate, in some cases, further survey will be needed to confirm and quantify the 'intrinsic' wildlife / geological value of the site, and its opportunity for providing valuable experience to local people (their 'instrumental' value)Appendix 1: Details for each site (Alphabetical order)Local Wildlife Sites (LWS)# Second no. (Taken from BHCC 2013) OS Grid Ref. NAME and brief comment 1. 80 39 ACRES TQ 314,076 Not confirmed by BHCC. Diverse grassland/scrub. High invertebrate value. Also part of Wild Park LNR.2. 126 Abinger Road Open Space, listed as 'Abinger Road Paddock' TQ 361,10473. 58 Argyle Road Copse TQ 309,054 Should be treated as if designated' - this matches the north section of Brighton Greenway.4. 135 Balsdean Bottom Downs, was listed as 'Balsdean Down' TQ 377,0465. 136 Balsdean Downland East TQ 380,0496. 137 Balsdean Downland North TQ 381,0557. 13 Basin Road South TQ 264,0458. 74 Beaufort Terrace TQ 321,049. Missing on BHCC map. Treat as if designated. Needs adding.9. 15 Benfield Valley Golf Course TQ 262,071 also called 'Benfield Valley Central'¹⁰. 19 Benfield Valley South 264,064 Appears on BHCC map as part of Benfield Valley

Central11. 121 Bexhill Road (Woodingdean) TQ 365,061 Also listed as 'Land at Bexhill Road '12. 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.13. 66 Braeside Avenue TQ 313,094 Also named 'Braeside Avenue Scrub'14. 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.15. 49 Braypool Sports Ground TQ 295,099 Was a 'NO' decision to 'Braypool'. Is this the same site?16. 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.17. 59 Brighton Greenway TQ 310,053 Needs renaming and boundary confirmation. Was called 'Brighton Station North'18. 110 Brighton Marina TQ 340,029 Confirm boundary.19. 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.20. 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.21. 41 Cardinal Newman School TQ 297, 057 Missing on BHCC map. Needs adding. Decision:Yes.22. 49 Castle Hill Arable Field TQ 374,051 Missing on BHCC map, boundary needs adding.23. 117 Cattle Hill TQ 352,037. Was Ovingdean Church to Cattle Hill. Confirm name & boundary.24. 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.25. 102x Bear Road Cemeteries TQ 332,059 Cemeteries North of Bear Road26. 69 Chattri Down TQ 304,109. 'Deep Bottom & The Chattri' Ensure Deep Bottom is in LWS.27. 69x Deep Bottom TQ 304,109. Add to Chattri Down LWS28. 111 Cliff Road Paddock / Pasture TQ 338,034. Missing on BHCC map. Needs adding. Decision: Yes.29. 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.30. 4 Cockroost Bottom Lynchet TQ 249, 081. Also called 'Portslade North Slope' Decision: No31. 3 Cockroost Hill East TQ 248,08432. 2 Cockroost Hill West TQ 243,08633. 83 Coldean Lane Slopes TQ 325,094 Clarify location and boundary. Also see Land at Coldean Lane34. 36x Coney Hill TQ 298,091 Add to BHCC map. Land is adjacent to #3635. 36 Coney Woods TQ 297,090 Compare with Green Ridge and Coney Woods below36. 140 Coombe Farm TQ 391,030. Listed as 'Coombe Meadow'37. 140x Coombe Meadow extended area, as above but match boundary to features on ground38. 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.39. 84 Crespian Way TQ 323,066. Was called Crespian Way Copse40. 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'.41. 63 Dorothy Stringer TQ 308,071. Named 'Dorothy Stringer Wildlife Area'42. 25 Dyke Road Strip TQ 275,089. Needs adding to BHCC map. Decision: Yes.43. 16 Dyke Trail TQ 266,085. Needs adding to BHCC map. Decision: Yes.44. 115 East Brighton Golf Course TQ 347,042. Missing on BHCC map. Needs adding. Decision:Yes. Mistakenly labelled Sheepcote Valley, which is to west.45. 31 East Hill , also called 'Casterbridge Farm' TQ 285,112. Needs adding to BHCC map. Decision: Yes.46. 10 Emmaus Gardens and St Nicolas TQ 256,063. Needs adding to BHCC map. Decision: Yes.47. 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.48. 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.49. 93 Falmer Hill TQ 348,076. Needs adding to BHCC map. Decision: Yes.50. 123 Bostle Bottom (Field E of Woodingdean) TQ 372,047. Also named: Scrub East of Woodingdean Needs adding to BHCC map. Decision: Yes - but confirm site name.51. 122a Field near Ravenswood Drive / Cowley Drive TQ 365,045. Also named: Field off Ravenswood Drive. Confirm name.52. 12 Foredown Ridge Eastern Side TQ 254,082. Also called 'New Barn Farm Slope' Needs adding to BHCC map. Decision: Yes.53. 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.54. 125 Happy Valley TQ 356,048. Also called 'Happy Valley Downland'55. 88 Heath Hill Down TQ 343,065. Missing. Needs adding to BHCC map. Decision: Yes.56. 42 Highcroft Villas TQ 301,060. Missing. Needs adding to BHCC map. Decision: Yes.57. 134 High Hill Pasture TQ376,037. Also called High Hill Down, was listed as 'High Hill'. Confirm name and boundary on BHCC map.58. 86 Hodshrove Wood TQ 333,071. Confirm boundary on BHCC map.59. 50 Hogtrough

Bottom TQ 295,105. Missing. Two fields need adding to BHCC map as one LWS. Decision: Yes.60. 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.61. 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.62. 76 Hollingbury Wood TQ 314,075. Add to BHCC Map, not the same as Golf Course LWS.63. 120 Honeysett TQ 363,058. Also called: Land at 54 Crescent Drive North. Decision: No.64. 151 Hove Lagoon TQ 270,046 Add to BHCC map. An important house sparrow site with a 'Friends of' Group65. 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 designated66. 94 Land off Ashurst Road TQ 342,077. Needs adding to BHCC map. Decision: Yes67. 97 Coldean Lane Slopes TQ 333,086. Also listed as 'Land at Coldean Lane' Needs adding to BHCC map. Decision: Yes68. 133 Land near Whiteway Lane TQ 375,028. Also listed as 'Whiteway Lane'. Needs adding to BHCC map. Decision: Yes69. 71 London Road Station TQ 313,058. Needs adding to BHCC map. Decision: Yes70. 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 Space71. 139 Looes Barn Woodland TQ 387,034. Also listed as 'Saltdean Vale'. Needs adding to BHCC map. Decision: Yes72. 128 Meadow Vale TQ 361,041. Also listed as 'Meadow Vale Paddocks'. Needs adding to BHCC map. Correct LWS boundary needs confirming. Note: this site will be lost to a new housing development and this fact needs to be formally recorded as a LOSS.73. 4 Mile Oak Fields TQ 246,078. Add to BHCC map. Decision: Yes74. 116 Mount Pleasant (Ovingdean) TQ 353,044. Add to BHCC map. Decision: Yes75. 14 North Benfield Valley TQ 260,092. Add to BHCC map. Decision: Yes76. 131 Ovingdean Hall TQ 358,036. Add to BHCC map. Decision: Yes77. 127 Ovingdean Road Horse Paddocks TQ 360,044. Also named as 'Old Cottage Paddocks' Add to BHCC map. Decision: Yes78. 40 Park Royal & High School TQ 302,047. Needs adding to BHCC map. Decision: Yes79. 57 Parkmore Terrace Railside TQ 308,055. New boudary added. Will need correcting. Decision: 'Should be treated as if designated' Connects to Brighton Greenway LWS80. 65 Patcham Court Farm TQ 302,092. Missing on BHCC map. Needs adding: Decision: 'Should be treated as if designated'81. 141 Quarry Field TQ 387,027 Also named as ' Saltdean Chalk Pit' Needs adding to BHCC map. Decision: Yes82. 78 Queensdown TQ 324,071. Decision: Yes + proposed LNR. Ensure this is on BHCC map with accurate boundary.83. 47 Redhill Sports Ground TQ 290,081. Needs adding to BHCC map. Decision: 'Should be treated as if designated'84. 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.85. 132 Rottingdean Pond TQ 369,025. Needs adding to BHCC map. Decision: Yes86. 72 Roundhill Copse TQ 317,056. Needs adding to BHCC map. Decision: 'Should be treated as if designated'87. 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.88. 6 Sidehill Scrub (near Mile Oak) TQ 247,066. Needs adding to BHCC map. Decision: Yes89. 5 Southwick Hill East TQ 246,070. Needs adding to BHCC map. Also called Oakdene. New boudary added. Will need correcting.90. 154 St Anne's Wells Gardens TQ 299,049. Add to BHCC list, important location for wildlife in the centre of Hove.91. 17 St Helen's Churchyard TQ 267,072. Decision: Yes. Ensure this is on BHCC map with accurate boundary.92. 22 St Leonard's Churchyard TQ 265,052. Decision: Yes. Ensure this is on BHCC map with accurate boundary.93. 155 St Wulfran's Woods TQ 355,034. Boundary seems to miss out pieces of woodland. Review LWS boundary.94. 103 Stevenson Road Quarry TQ 323,043. Add to BHCC list. Decision: Yes95. 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.96. 54 Surrenden Field Copse TQ 301,075. Add to BHCC list. Decision: Yes. This is just the woodland east from Surrenden Field.97. 32 Sweet Hill Scrub / Sweet Hill West TQ 290,101. Decision: Yes. Add to BHCC list.. Confirm names and locations.98. 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.99. 37 Three Cornered Copse TQ 285,075. Large invertebrate populations and dormouse site.100. 157 Pavilion Gardens, Brighton TQ 312,

042. Add to BHCC map, important WLH site and site management includes biodiversity objectives.101. 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). Loss of wildlife site needs to be formally recorded.102. 24 Toad's Hole Valley - East Facing Slope TQ 277,075. Decision: Yes to east facing slope; valley should be treated as if designated.103. 159 Wish Park TQ 271,050. Add to BHCC map. Friends of Wish Park are an enthusiastic group close to the park and are keen to promote its wildlife.104. 53 Withdean Park Copse TQ 305,079 . Adjacent to Withdean Park105. 161 Withdean Park TQ 303 077 Bats, birds, invertebrates. Withdean Park 'Friends Group' Local Nature Reserves (LNR) These correct names are provided below. The Government's MAGIC website shows boundaries:106. Beacon Hill LNR107. Benfield Hill LNR108. Bevendean Down LNR109. Ladies' Mile LNR110. Stanmer Park LNR111. Whitehawk Hill LNR112. Wild Park LNR113. Withdean Westdene Woods LNR Local Geological Sites (LGS)114. 1160 Black Rock LGS115. 1660 Friar's Bay LGS116. 1675 Goldstone (Hove Park)117. 1685 Stanmer Village

Appendix 2: Selecting Local Wildlife and Geological Sites. Government Guidelines Local Sites Guidance on their Identification, Selection and Management (DEFRA, 2006. [PB 11684]) provides a framework for objectively selecting Local Sites (LWS and LGS). This highlights the need for community engagement and transparency:32. The basis for selection needs to be transparent to anyone who wishes to understand the rationale for the decisions made. Therefore, the basis for individual site selection should be recorded, showing the species, habitats or features judged to be of substantive interest and how they were assessed against the criteria and any functions the site supports. Conversely, there may also be a need to demonstrate why a site was not selected. The sites in Appendix 1 all fulfill the specific guidance characteristics highlighted below:- Local Sites provide wildlife refuges for most of the UK's fauna and flora and through their connecting and buffering qualities, they complement other site networks.- Local Sites represent local character and distinctiveness.- Local Sites contribute to the quality of life and the well-being of the community, with many sites providing opportunities for research and education- "Sites within the series may also have an important role in contributing to the public enjoyment of nature conservation" Treatment within the Planning System: Local authorities are expected to protect all open space required by communities and they should assess community needs for open space, sport and recreation and carry out audits of open space and sporting and recreational facilities. It recognises that open space of high quality or of particular value to a local community should be identified and given protection by local authorities through appropriate policies in plans. Areas of particular quality may include open spaces that also benefit biodiversity and geodiversity. Record reasons for selection of each site:32. The basis for selection needs to be transparent to anyone who wishes to understand the rationale for the decisions made. Therefore, the basis for individual site selection should be recorded, showing the species, habitats or features judged to be of substantive interest and how they were assessed against the criteria and any functions the site supports.39. The selection of Local Sites to help sustain biodiversity should be founded on national, regional and local biodiversity priorities. Other habitats and species features should also be considered if they contribute substantially to local natural character, even if they are not selected as priorities within the local BAP. ... Therefore, this national guidance simply provides a standard framework against which to structure assessment of local nature conservation priorities, rather than a rigid set of rules.48. Similarly what counts as 'substantive' in one area with substantially less natural space or lacking natural interest, may be much smaller than a site qualifying as substantive in another. The criteria and evaluation of sites within an administrative area will need to reflect such local contrasts, so that where an administrative area includes contrasting areas, criteria will need to cover both contexts. Annex C: Typicalness Generally, Local Sites will not be typical of the landscapes in which they are found; their designation is likely to reflect the fact that they are special in some way. Rather, their value lies in them exemplifying a type of habitat, geological feature, or a population of a species, that is characteristic of the natural components of the landscape in which they are found. Connectivity within the landscape Besides being of intrinsic interest themselves and directly supporting wildlife within their boundaries, Local Sites also have an important role in supporting populations of species within the wider landscape. Such species may not depend on any single site or piece of habitat but rather require a habitat resource which is comprised of numerous patches which though dispersed, are accessible and are potentially parts of a functional network. Value for Appreciation of Nature In populous areas that are poorer in high quality natural environment, sites of lesser intrinsic ecological or geological interest may still be of substantive nature conservation value for the opportunities they provide for the appreciation of nature. Value for learning Today, there is an equal need to provide sites for local educational use to enable people of all ages to learn about and better understand the natural world around them. Reference: DEFRA, 2006, Local Sites Guidance on their Identification, Selection and Management [PB11684]

Changes required

An amended list of sites suitable to be selected on the City Plan as areas important for Biodiversity and Geodiversity is attached (Appendix 1). We expect the sites proposed to be included within the City Plan Maps; and fully appreciate, in some cases, further survey will be needed to confirm and quantify the 'intrinsic' wildlife / geological value of the site, and its opportunity for providing valuable experience to local people (their 'instrumental' value)

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	233 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Surrenden Rd This road has a wide 7m grass verge to the north and a 15m wide grass strip to the south. It is designated a 'Local Wildlife Site' The north side is crossed by driveways to the many adjacent houses, so that designation seems to serve no useful purpose. The road is usually reduced to single-lane by parking, particularly at the east end, and is thus hazardous to traverse. A solution that would improve road safety be to convert the narrow grassy area to the north into parking bays and make the road no-parking.

Changes required

The north side is crossed by driveways to the many adjacent houses, so that designation seems to serve no useful purpose. A solution that would improve road safety be to convert the narrow grassy area to the north into parking bays and make the road no-parking.

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	254 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	East Sussex County Council
<u>Respondent Type</u>	Public Sector / Local Authority
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

DM37 GI and Nature Conservation - As well as ensuring a net gain in biodiversity is achieved, should also follow the mitigation hierarchy to ensure impacts are avoided, mitigated or as a last resort compensated. DM37 C. The statement "unless allocated for development..." implies that adverse effects on allocated sites do not need to be mitigated/compensated; any adverse impacts on protected/notable species/habitats, even if within allocated sites, should only be permitted if it can be clearly demonstrated that the mitigation hierarchy has been followed. Failure to do so would be contrary to the NPPF and BS42020:2013 and may potentially lead to an offence under wildlife legislation. Para 2.275. "...including cumulative AND IN COMBINATION impacts..." [caps denote suggested changes]. In relation to BNG, whilst it is anticipated that the Environment Bill will require a minimum 10%, Local Nature Partnerships across the South East are advocating a minimum BNG of 20%. To be fully implemented, this will need to set out in local planning policy. Will there be an opportunity to expand on this in the review of SPD11? Para 2.275 species and habitats of particular importance, should be species and habitats of PRINCIPAL importance, as listed under section 41 of the NERC Act. [caps denote suggested changes] Para 2.276 The Natural Capital Investment Strategy was adopted by the Sussex LNP in October 2019. Footnote 75 - text is repeated. Para 2.278 NRN and LNRS will be a requirement under the Environment Act (when enacted). Para 2.280. Ecological surveys should be conducted in

accordance with best practice guidance, including BS42020 and CIEEM Technical Guidance. Preliminary Ecological Appraisal (PEA) reports should not be submitted as part of a planning application unless it can be determined that the project would have no significant ecological effects, no mitigation is required and no further surveys are necessary; with the exception of such cases, the PEA report should be superseded by an Ecological Impact Assessment (EiA).Footnote 76 - SxBRC is the principal source for biodiversity information. The Booth Museum may hold additional information, specifically with respect to geodiversity.Para 2.281 Why is it necessary to state that SPD11 will refer to 'low-cost' nature conservation features?Para 2.282. Nature based solutions to carbon storage and sequestration should also be sought, e.g. the protection/creation and management of woodland and hedgerows, wetland habitats etc.Para 2.285 Local Geological Sites are referred to throughout Sussex as LGS, rather than LGeoS.

Changes required

see response to Q3.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	258 24
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

DM37/38:- * General Support for these sections. Reconsideration should be given to the boundaries of the Hollingbury Park Golf Course area in order to allow PART to be allocated for eco-friendly homes and allotments. * It should be recognised that areas of eco-friendly homes can also help contribute to carbon reduction through the growing of trees, shrubs and other plants in small streets, gardens and pocket parks.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM37
<u>Respondent Number / Rep Number</u>	271 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The building development on Whitehawk Hill is contrary to paragraph 174 of the National planning Policy Framework .I object to the phrase 'unless allocated to the development to the City plan'. This significantly weakens local site protection and allows developments to go ahead, even if they have adverse effects on the integrity of the site.It pre-empts the due process of evaluating ecological impacts of any developments on Locally Designated Sites.

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak I think representatives of Friends Of Whitehawk should attend as they know the site and can represent my views more effectively

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	173 9
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Ramblers
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I support the policy.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	214 37
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to the content of these policies.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	109 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Whitehawk Hill meets all the criteria to qualify as a the Local Green Spaces, as set out in Paragraph 77 of the National Planning Policy Framework and yet it has been excluded as a designated site from City Plan Part 2. There is no evidence why some sites were selected as Local Green Spaces in the 2014 Urban Fringe Assessment, from which the City Plan 2 is derived and nothing to justify the exclusion of Whitehawk Hill. Whitehawk Hill clearly meets the criteria set out in Paragraph 2.293 of the City Plan Part 2, as an important green wedge in the city as is claimed for the four other areas that do qualify. Therefore it is totally unacceptable that Whitehawk Hill has not been designated and the decision is unjustifiable, unfair and not consistent with national policy

Changes required

There is no question but that Whitehawk Hill merits inclusion in the list of Local Green Spaces. This should be changed.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	27 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

*Whitehawk Hill Local Nature Reserve meets all the criteria for designation as a Local Green Space, as listed in paragraph 77 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2.*The choice of sites suggested for designation as Local Green Spaces in the 2014 Urban Fringe Assessment, from which the list in City Plan Part 2 is derived, is not supported by evidence to show why, against the NPPF criteria, the sites selected were chosen and other sites, such as Whitehawk Hill LNR, were excluded.*Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Space because they act as “important green wedges into the urban area”.... Clearly Whitehawk Hill also meets this objective. *The choice of sites, and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space is therefore not justified, effective or consistent with National Policy, as it excludes a site which would meet the designation criteria.

Changes required

It is imperative that Whitehawk Hill Local Nature Reserve be added to the list of Sites for designation as Local Green Spaces.I know that you are not interested in

personal comments regarding this matter, but for my own sanity, I need to add something about my own experiences, and there does not seem to be an appropriate place to do so. Three times a week over the year I go for a run and often take visitors along this way. I run along the front of the Race Course buildings, along the side of the Race Course as far as halfway along East Brighton Golf Course. I return behind the Race Course and towards Whitehawk Camp. The views along the coast East and West are stunning. I have witnessed some astounding sunrises. The sense of space is exhilarating. The wildlife I have seen has been wonderful . In Spring, the Larks sing four or more at once. In May it is great to welcome back the first of the swifts and swallows as they arrive back in England after their long migration from Africa, hungrily feeding on the insects they find. The variety of bees and butterflies that forage on the wild flowers that grow on the downland is heartening to see. I know that all this will be lost if development is allowed to go ahead in this area. In a world where the Natural World is being lost at an alarming rate because a few greedy individuals want to make as much money as they can, I feel we need to work to conserve as much as we can. This year the need for open spaces and greenery, the chance to connect with the natural world, has become more vital. The people of Brighton will truly suffer if any of these opportunities are taken away. Please consider the huge negative cost of this development to the welfare of the people of Brighton.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	76 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Friends of the Earth
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Local Green Space, as listed in paragraph 77 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2. The choice of sites suggested for designation as Local Green Spaces in the 2014 Urban Fringe Assessment, from which the list in City Plan Part 2 is derived, is not supported by evidence to show why, against the NPPF criteria, the sites selected were chosen and other sites, such as Whitehawk Hill LNR, were excluded. Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Spaces because they act as 'important green wedges into the urban area'. Clearly Whitehawk Hill also meets this objective. The choice of sites, and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space, is therefore not justified, effective or consistent with national policy. It excludes Whitehawk Hill LNR which would meet the designation criteria.

Changes required

Add Whitehawk Hill Local Nature Reserve to the list of sites for designation as Local Green Spaces.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM38	
<u>Respondent Number / Rep Number</u>	78	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Whitehawk Hill Local Nature Reserve, although meeting criteria for designation as a Local Green Space (para 77 National Planning Policy Framework), is not listed for designation in the City Plan Part 2.

Changes required

Add Whitehawk Hill Local Nature Reserve, to the list of sites designated as Local Green Space, to City Plan Part 2.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	89 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

We need to improve the numbers and condition of wild life sites within the city not destroy them. These sites are vital havens where our wild life has somewhere to survive in between the harsh urban landscape of the city and industrial practices used on the surrounding farm land.

Changes required

Add Whitehawk Hill Local Nature Reserve to the list of sites for designation as Local Green Spaces. Reconsider all other sites that act as wild life havens.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

not applicable

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	26 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Whitehawk Hill Local Nature Reserve meets all the criteria for designation as a Local Green Space, as per paragraph 77 of the National Planning Policy Framework, it should be listed for designation in the City Plan Part 2. The choice of sites suggested for designation as Local Green Spaces in the 2014 Urban Fringe Assessment, from which the list in City Plan Part 2 is drawn, is not evidence based. There is no explanation as to why the NPPF criteria apply to some sites and not to others. Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Space because they act as 'important green wedges into the urban area'. Whitehawk Hill, to this observer, clearly also meets this objective. The exclusion of Whitehawk Hill LNR from designation as a Local Green Space is not justified, effective or consistent with national policy, as it excludes a site which meets the designation criteria at least as well as other sites that were designated.

Changes required

Add Whitehawk Hill Local Nature Reserve to the list of sites for designation as Local Green Spaces

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	113 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	N/A
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I agree with the inclusion of the 4 mentioned sites as protected areas, but it is not clear why other areas are not included as well. In particular, Whitehawk Hill LNR meets the criteria for designation as Local Green Space, as listed in paragraph 77 of the National Planning Policy Framework and the criteria used to select sites in paragraph 2.293 of the City Plan Part 2. However, it has been excluded from the list of sites selected in this policy.

Changes required

Apply the selection criteria for Local Green Spaces consistently, to include other areas in the city which fit these criteria. Specifically, add Whitehawk Hill LNR to the list of designated sites.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	23 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Local Green Space but is not listed for designation in the City Plan Part 2. It is an important green wedge into the urban area, and as such is justified as a Local Green Space. Excluding this site from designation as a Local Green Space is not justified or consistent with national policy.

Changes required

Include Whitehawk Hill Local Nature Reserve on the list of sites for designation as Local Green Spaces.

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	114 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I live near Whitehawk Hill Local Nature Reserve, and walk through it most days, either to get to work, or to go for outdoor exercise, improve my health with some lovely fresh air, and to commune with nature. I believe it meets all the criteria for designation as Local Green Space, (as listed in the National Planning Policy Framework): "The Local Green Space designation should only be used where the green space is: a) in reasonably close proximity to the community it serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and c) local in character and is not an extensive tract of land." In fact I believe it is the community who are able to designate what is and what is not 'Local Green Space': "The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them." Whitehawk Hill Local Nature Reserve is important to our local community, yet it is not listed for designation in the City Plan Part 2. In the 2014 Urban Fringe Assessment, the choice of sites suggested for designation as 'Local Green Spaces' is not supported by evidence to explain why Whitehawk Hill Local Nature Reserve was excluded, but the other sites selected were chosen. Again, I believe that this evidence should be matched against the criteria detailed in the National Planning Policy Framework. Furthermore, paragraph 2.293 of the City

Plan Part 2 tries to explain that the four Local Green Spaces were designated as such because they are 'important green wedges into the urban area'. Surely Whitehawk Hill also meets this outlined objective. In conclusion, I believe that the choice of sites, and the exclusion of Whitehawk Hill Local Nature Reserve from its rightful designation as a 'Local Green Space' is not justified, effective or consistent with national policy. It excludes a site which would meet the designation criteria.

Changes required

I believe that you should add 'Whitehawk Hill Local Nature Reserve' to your list of sites for designation as a Local Green Space. I believe that many members of our community here would agree with this.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM38	
<u>Respondent Number / Rep Number</u>	117	2
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Whitehawk Hill Local Nature Reserve is a local green space, according to para 77 of the national planning policy framework, however this particular Space is NOT allocated this status in the City Plan Part 2. We are not told why this site was not selected and others were in the 2014 Urban Fringe Assessment (which has informed the City Plan Part 2). The city plan part 2 does mention four local green spaces being 'important wedges into the urban area' - it is clear that Whitehawk Hill also fulfils this function. As a cyclist with no access to a car my options for accessing green spaces is limited. I arrived in my BN2 home last year and consider myself extremely lucky to have this amazing space so nearby. I have really mined the limits of where I can get to on foot and on my bike and there is no other area which comes close to fulfilling a much-needed contact with nature, stunning, unbroken views over Brighton and onward access to other green areas. The choice to exclude Whitehawk Hill as a local green space is puzzling, lacking in transparency and runs contrary to national policy.

Changes required

Whitehawk Hill Local nature Reserve should be added to the list of sites for designation as a local green space.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

n/a

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	119 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	N/A
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Local Green Space, as listed in paragraph 77 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2. The choice of sites suggested for designation as Local Green Spaces in the 2014 Urban Fringe Assessment, from which the list in City Plan Part 2 is derived, is not supported by evidence to show why, against the NPPF criteria, the sites selected were chosen and other sites, such as Whitehawk Hill LNR, were excluded. Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Space because they act as 'important green wedges into the urban area'. Clearly Whitehawk Hill also meets this objective. The choice of sites, and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space is therefore not justified, effective or consistent with national policy, as it excludes a site which would meet the designation criteria.

Changes required

'Add Whitehawk Hill Local Nature Reserve to the list of sites for designation as Local Green Spaces.'

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

Because I am a resident of the area.

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	120 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Spaces because they act as 'important green wedges into the urban area'. Whitehawk Hill also meets this objective. Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Local Green Space, as listed in paragraph 77 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2. In 2014 an Urban Fringe Assessment was undertaken. It identified the sites now included in City Plan Part Two Proposed Submission. However, no evidence has been published either in 2014 or since to indicate why some sites were chosen for inclusion, yet Whitehawk Hill Local Nature Reserve was excluded. The choice of sites, and the exclusion of Whitehawk Hill Local Nature Reserve from designation as a Local Green Space is therefore not justified, effective or consistent with national policy, as it excludes a site which would meet National Planning Policy Framework criteria.

Changes required

Add Whitehawk Hill Local Nature Reserve to the list of sites for designation as Local Green Spaces.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	244 8
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brunswick Town Association (BTA)
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Omission of Hove Lawns, Adelaide Crescent, Palmeira, Brunswick, and Norfolk Squares. These need legal restriction on their use. Currently, insufficient protection is available for them.

Changes required

Omission of Hove Lawns, Adelaide Crescent, Palmeira, Brunswick, and Norfolk Squares These need legal restriction on their use. Currently, insufficient protection is available for them.

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM38	
<u>Respondent Number / Rep Number</u>	112	2
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Local Green Space, as listed in paragraph 100 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2. The choice of sites suggested for designation as Local Green Spaces in the 2014 Urban Fringe Assessment, from which the list in City Plan Part 2 is derived, is not supported by evidence to show why, against the NPPF criteria, the sites selected were chosen and other sites, such as Whitehawk Hill LNR, were excluded. Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Space because they act as 'important green wedges into the urban area'. Clearly Whitehawk Hill also meets this objective. The choice of sites, and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space is therefore not justified, effective or consistent with national policy, as it excludes a site which would meet the designation criteria.

Changes required

Add Whitehawk Hill Local Nature Reserve to the list of sites for designation as Local Green Spaces.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM38	
<u>Respondent Number / Rep Number</u>	127	2
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

. Whitehawk Hill Local Nature Reserve meets all the criteria for designation as a Local Green Space, as listed in paragraph 100 of the National Planning Policy Framework, but it is not listed for designation in the City Plan Park 2. . The choice of sites suggested for designation as Local Gree Spaces in the 2014 Urban Fringe Assessment, from which the list in CPP2 is derived, is not supported by evidence to show why - and against the National Planning Policy Framework criteria - the sites selected were chosen and other sites, such as Whitehawk Hill Local Nature Reserve, were excluded. . Paragraph 2 293 of the CPP2 justifies the designation of the four Local Green Spaces - because they act as 'important green wedges into the urban area' and it is very clear that Whitehawk Hill very much meets this objective. . The choice of sites and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space is therefore not justified, effective or consistent with national policy, as it excludes a site which would meet the designation criteria.

Changes required

The changes I consider necessary to make the policy legally complaint and sound would be to add Whitehawk Hill Local Nature Reserve to the list of sites for

designation as Local Green Spaces.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM38	
<u>Respondent Number / Rep Number</u>	24	2
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Local Green Space, as listed in paragraph 77 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2. Local Wildlife Sites including Benfield Valley should also be protected from development. Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Space because they act as 'important green wedges into the urban area'. Clearly Whitehawk Hill and Local Wildlife Sites also meet this objective. The choice of sites, and the exclusion of Whitehawk Hill LNR and Local Wildlife Sites from designation as a Local Green Space is not consistent with national policy, as it excludes sites which meet the designation criteria.

Changes required

Add Whitehawk Hill Local Nature Reserve to the list of sites for designation as Local Green Spaces. Add Local Wildlife Sites to the list of sites for designation as Local Green Spaces.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	129 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Individual
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Local Green Space, as listed in paragraph 77 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2. The choice of sites suggested for designation as Local Green Spaces in the 2014 Urban Fringe Assessment, from which the list in City Plan Part 2 is derived, is not supported by evidence to show why, against the NPPF criteria, the sites selected were chosen and other sites, such as Whitehawk Hill LNR, were excluded. Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Space because they act as 'important green wedges into the urban area'. Clearly Whitehawk Hill also meets this objective. The choice of sites, and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space is therefore not justified, effective or consistent with national policy, as it excludes a site which would meet the designation criteria. 1) Whitehawk Hill is reasonably close to the community it serves. It is accessible on foot from Whitehawk so meets this criteria. (a) Beauty There are iconic views of the sea from Whitehawk Hill. (b) Historic significance Part of the site has a neolithic site which is of National Importance a 5,500 year old Stone Age monument (a Neolithic Causewayed Enclosure) on Whitehawk Hill is a rare type of ritual monument (predating Stonehenge by around 500 years) and marks the emergence of Britain's first farming communities. The land should provide a setting for, and allow views of, heritage assets or other locally-valued landmarks. It

may be necessary to research historic records from the County Archaeologist or National or Local Records Office. (c) Recreational valueThe area is used by families, dog walkers, walkers and runners. It was an asset to the community during the national lockdown. (d) TranquilityThe area is next to an area of deprivation and provides much needed contact with nature. (e) Richness of wildlifeThe area is already designated as a nature reserve.

Changes required

Add Whitehawk Hill Local Nature Reserve to the list of sites for designation as Local Green Spaces.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	22 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Friends of Waterhall
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

As a site of such high ecological, archaeological and community significance Whitehawk Hill meets all the criteria for designation, as listed in paragraph 77 of the National Planning Policy Framework but is not listed in City Plan Part Two There is no supporting evidence in the 2014 Urban Fringe Assessment as to why some sites were chosen to designate as LGS and some, which equally meet the NPPF criteria, were not Paragraph 2.293 of the City plan part 2 defines designation of four Local Green Spaces due to them being 'Important green wedges into the urban area', a criteria which Whitehawk Hill clearly equally meets Therefore, the lack of designation of Whitehawk Hill Nature Reserve as a Local Green Space is neither consistent, justified or effective in keeping with NPPF as it excludes a site which clearly meets the designation criteria

Changes required

Whitehawk Hill should be added to the list of sites for designation as Local Green Spaces

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	20 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Whitehawk Hill Local nature reserve meets all the criteria for designation as a Local Green Space but it is not listed as this in the City Plan Part 2. It is unclear why Whitehawk Hill Local nature Reserve has been omitted. Paragraph 2.293 of City Plan Part " refers to "important green wedges into the urban areas". This is a description of Whitehawk Hill and it is not justified to exclude it.

Changes required

Add Whitehawk Hill Local Nature Reserve to the list of sites to be designated as Local green Spaces.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM38	
<u>Respondent Number / Rep Number</u>	17	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

No specific comments.

Changes required

Whilst I understand the need to develop more city sites to meet current & future housing needs, I have concerns about two of the urban fringe development proposals. 1. Land at Ladies Mile, Carden Avenue, Patcham. This looks like it'll be fairly densely built on, providing 35 dwellings. If it goes ahead I have concerns about the access to the site as no doubt there would be a significant increase in traffic in the area. Access from Ladies Mile Road (LMR) would be problematic, particularly during rush hours. LMR is currently busy with on-road parking on both sides of the road which presents traffic problems, particularly with buses & lorries also using the road & could be further exacerbated if the road is narrowed at the bottom of the hill by Patcham High School. Additional traffic at the top of the hill would have a significant knock on effect to the vicinity & wider Patcham area. I think that access via Carden Avenue would be less problematic, although would still have a detrimental impact on the green space & wildlife in the nature reserve with increased traffic & pedestrian flows. It would also have a detrimental

impact on the amenity of the green space, which has been so important to the community this year through the Covid-19 pandemic.² Land at and adjoining Horsdean Recreation Ground, Patcham. This proposed development of 25 dwellings, would again, in my opinion have an impact on the amenity of this area of Patcham through a probable increase in traffic, particularly at rush hours. Vale Avenue is currently busy a lot of the time, being used by people accessing the A23 / A27 interchange.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	15 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

* Whitehawk Hill Nature Reserve meets all the criteria for designation as a Local Green Space as listed in paragraph 77 of the National Planning Policy Framework but is not listed for designation in the City Plan Part 2. * It has no evidence to show why against the NPPF criteria the sites selected were chosen and other sites such as Whitehawk Hill were excluded (from the designation of Local Green Spaces in the 2014 Urban Fringe Assessment). Para 2.293 of the City Plan Part 2 justifies the designation of four Local Green Spaces because they act as 'important green wedges into the urban area'. Clearly Whitehawk Hill meets this objective as it is a direct link from the city to the South Downs and is a wildlife corridor for a great many number of rare species of flora and fauna. * The choice of these sites and the exclusion of Whitehawk Hill from designation as a local green space is not justified, effective or consistent with national policy as it excludes a site which would meet the criteria.

Changes required

Add Whitehawk Hill Local Nature Reserve to the list of sites for designation as Local Green Spaces.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	14 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

•Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Local Green Space, as listed in paragraph 77 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2. •The choice of sites suggested for designation as Local Green Spaces in the 2014 Urban Fringe Assessment, from which the list in City Plan Part 2 is derived, is not supported by evidence to show why, against the NPPF criteria, the sites selected were chosen and other sites, such as Whitehawk Hill LNR, were excluded. •Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Space because they act as ‘important green wedges into the urban area’. Clearly Whitehawk Hill also meets this objective. •The choice of sites, and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space is therefore not justified, effective or consistent with national policy, as it excludes a site which would meet the designation criteria.

Changes required

Add Whitehawk Hill Local Nature Reserve to the list of sites for designation as Local Green Spaces

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	9 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	I am writing in support of the objections raised by Friends of Whitehawk
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Along with Friends Of Whitehawk Hill, I support these points: •Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Local Green Space, as listed in paragraph 77 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2. •The choice of sites suggested for designation as Local Green Spaces in the 2014 Urban Fringe Assessment, from which the list in City Plan Part 2 is derived, is not supported by evidence to show why, against the NPPF criteria, the sites selected were chosen and other sites, such as Whitehawk Hill LNR, were excluded. •Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Space because they act as ‘important green wedges into the urban area’. Clearly Whitehawk Hill also meets this objective. •The choice of sites, and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space is therefore not justified, effective or consistent with national policy, as it excludes a site which would meet the designation criteria.

Changes required

Whitehawk Hill should be designated as a Local Green Space. I have lived in the area for over 20 years and have already seen the improvements that have been

made through the sheep grazing scheme (and I have been a volunteer looker in the past). Paul Gorrige does amazing work as the local ranger, connecting the community to this green space, and leading other improvement projects. With continued support, this area will thrive - there are more kestrels to be seen there, along with yellowhammers, and owls. It is also an important site for nesting skylarks and for birds to feed before migrating south, and the increasing diversity of plants and creatures is a credit to all the staff and volunteers who currently put in the time. It is an accessible 'green lung' for a large population who cherish it - so an official designation would go a long way to continuing this for the future.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	8 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	XR Brighton
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

•Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Local Green Space, as listed in paragraph 77 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2. •The choice of sites suggested for designation as Local Green Spaces in the 2014 Urban Fringe Assessment, from which the list in City Plan Part 2 is derived, is not supported by evidence to show why, against the NPPF criteria, the sites selected were chosen and other sites, such as Whitehawk Hill LNR, were excluded. •Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Space because they act as ‘important green wedges into the urban area’. Clearly Whitehawk Hill also meets this objective. •The choice of sites, and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space is therefore not justified, effective or consistent with national policy, as it excludes a site which would meet the designation criteria.

Changes required

Add Whitehawk Hill Local Nature Reserve to the list of sites for designation as Local Green Spaces.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

Representatives from Friends of Whitehawk Hill will be asking to attend the examination in public and we will try to represent the community's views

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	7 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I don't understand why Whitehawk Hill Local Nature Reserve is not included here to be a designated Local Green Space - it definitely fits the same criteria as described in para 2.293 as far as I am concerned and these last few months with COVID have shown this even more than ever. The exclusion from the list does not seem justified to me.

Changes required

Please add Whitehawk Hill Local Nature Reserve to the list of designated Local Green Spaces. This would give proper parity in relation to the other lovely spaces on the list here and citizens the chance to engage with the council in relation to this space in the same way.

Participate at the hearing session(s)?

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	6 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Local Green Space, as listed in paragraph 77 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2. The choice of sites suggested for designation as Local Green Spaces in the 2014 Urban Fringe Assessment, from which the list in City Plan Part 2 is derived, is not supported by evidence to show why, against the NPPF criteria, the sites selected were chosen and other sites, such as Whitehawk Hill LNR, were excluded. Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Space because they act as 'important green wedges into the urban area'. Clearly Whitehawk Hill also meets this objective. The choice of sites, and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space is therefore not justified, effective or consistent with national policy, as it excludes a site which would meet the designation criteria.

Changes required

Add Whitehawk Hill Local Nature Reserve to the list of sites for designation as Local Green Spaces.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	271 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The move to build on green spaces is not consistent with National Planning Policy framework. The Urban Fringe Assessment is outdated. Benfield valley is a designated green space. In City Plan Part 1, the council stated green spaces should be protected and that there should be more of them within the city, rather than fewer. This green space provides a invaluable green lung and is part of the one percent of remaining chalkland. Building on this site reduces green space and threatens biodiversity. There is no guarantee that building on the space will improve biodiversity, and it is very unlikely that it will. Building on the Benfield Valley will spoil the integrity of the nature reserve, and this has not been taken into account. Building on the Benfield Valley has not considered the positive developments in wildlife since the Urban fringe Assessment. The area is home to many indicator species and ancient hedgerow, which need protection. Building on the Benfield Valley will undermine the positive work of volunteers and ecologists to preserve and restore priority habitats. Whitehawk Hill Local Nature reserve meets all the requirements for designation of Local green Space (Para. 77 of National planning Policy Framework), but is not listed for designation in the City Plan part 2. It is not clear why Whitehawk Hill Local Nature Reserve was excluded from the choice of sites suggested for designation as Local Green Spaces in the 2014 Urban fringe Assessment. Whitehawk Hill meets the objective to act as 'important green wedges into local areas' (Para 2.293 of City Part Plan 2)

Changes required

Protect all local nature reserves from developmentAdd Whitehawk hill Local Nature reserve to the list of sites for designation as Local green Spaces

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	253 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	CPRE Sussex
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

CPRE Sussex supports the inclusion of policy DM38 and the allocation of Hollingbury Park, Three Cornered Copse, Ladies' Mile and Benfield Valley as Local Green Spaces (LGS). However, we believe that Whitehawk Hill should be designated as a LGS and that the policy is not sound without this. Whitehawk Hill LNR meets the criteria set out in paragraph 100 of the NPPF. CPRE Sussex is concerned that the allocation of a development site on Whitehawk Hill LNR (policy H2) will set a damaging precedent which is not consistent with paragraph 174 of the NPPF.

Changes required

CPRE Sussex believes that the allocation of 'Land at and adjoining Brighton Race Course' is not sound and should be deleted from the plan. Additionally, the entirety of Whitehawk Hill LNR should be included in the list of Local Green Spaces. If the allocation is not deleted, we believe that the remainder of the LNR should be designated as a Local Green Space, as has been done for Benfield Valley.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

CPRE Sussex wishes to attend the examination hearings so that we can present our views in this issue in more detail. CPRE Sussex wishes to participate in any examination hearings sessions relevant to any sections of the City Plan Part Two that we have submitted objections to. We wish to discuss our objections formally with the Inspector and respond to any additional evidence presented by other respondents.

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	25 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Whitehawk Hill Local Nature Reserve is not included in the list of designated Local Green Spaces, despite meeting all the criteria , listed in paragraph 77 National Planning Policy Framework.The City Plan pt 2 para 2.293 justifies designation of the four areas for inclusion as they are 'green wedges into the urban area' . As this is also true of Whitehawk Hill LNR it should also have been included. It's exclusion is therefore unjustified.The 2014 Urban Fringe Assessment (from which the City Plan pt 2 is derived), fails to show why, using NPPF criteria, some sites were included, or excluded. It does not support with evidence how these decisions were made.

Changes required

Whitehawk Hill LNR should be added to the list of site designated as Local Green Spaces.

<u>Participate at the hearing session(s)?</u>	No, I do not wish to participate in hearing session(s)
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<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	153 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

•Whitehawk Hill Local Nature Reserve and the wider Racecourse Landscape meet all the criteria for designation as a Local Green Space, as listed in paragraph 100 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2. •The choice of sites suggested for designation as Local Green Spaces in the 2014 Urban Fringe Assessment, from which the list in City Plan Part 2 is derived, is not supported by evidence to show why, against the NPPF criteria, the sites selected were chosen and other sites, such as Whitehawk Hill LNR, were excluded. •Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Space because they act as ‘important green wedges into the urban area’. Whitehawk Hill LNR and the Racecourse Landscape is also just such a green wedge, lying between, for example, Whitehawk, Bristol Estate, Craven Vale and Queens Park etc. It also forms an important gateway to the wider South Downs and the National Park from near the centre of the city. •The choice of sites, and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space is therefore not justified, effective or consistent with national policy, as it excludes an important site which would meet the designation criteria and which local people highly value and would like to see protected.

Changes required

Add Whitehawk Hill Local Nature Reserve/the Racecourse Landscape to the list of sites for designation as Local Green Spaces.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM38	
<u>Respondent Number / Rep Number</u>	219	4
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Sussex Wildlife Trust	
<u>Respondent Type</u>	Environment	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The Sussex Wildlife Trust (SWT) supports the inclusion of policy DM38 and the allocation of Hollingbury Park, Three Cornered Copse, Ladies' Mile and Benfield Valley as Local Green Spaces (LGS). We also acknowledge that the policy has been strengthened since the regulation 18 consultation to better reflect the requirements of Chapter 8 of the NPPF. The Local Green Space Topic paper explains that these four sites were identified as suitable for LGS designation in the 2014 Urban Fringe Assessment (UFA). Further to this, other sites were considered, but only if put forward by organisations/local residents during the local plan consultations in 2016 and 2018. We now believe that Whitehawk Hill should be designated as a LGS and that the policy is not sound without this. Whitehawk Hill LNR meets the criteria set out in paragraph 100 of the NPPF and highlighted in paragraphs 2.290 and 2.293 of the proposed submission plan (please see our submission to question 3 for policy H2). Like the four suggested LGS, Whitehawk Hill is clearly also a 'green wedge' into the urban area. The council also clearly has no objection to designating Local Nature Reserves (LNR) where evidence justifies this, as LGS as both Ladies' Mile and Hollingbury Park are LNRs. The council acknowledges in the topic paper (paragraph 4.2) that LGS designation implies a greater level of protection than general open spaces policy. In particular, that LGS designations should be capable of enduring in the long term (beyond the end of the plan period). SWT is very concerned that the allocation of a development site on Whitehawk Hill LNR (policy H2)

will open the gates to further development as the council continue to fail to meet the unachievable housing targets required by the NPPF standard method. Whilst SWT does not believe any development should occur on the LNR, if the H2 allocation does go forward, it is paramount that there is not a shift to the continuous 'nibbling away' of the LNR. SWT feel strongly that a LGS designation would allow the site to be protected in the long term for the benefit of both biodiversity and local residents. As it stands we do not believe the exclusion of Whitehawk Hill as a LGS is justified as it is not clear what evidence was used in the 2014 UFA to identify potential sites. The topic paper (section 6.11) states that the UFA involved a comprehensive assessment of all sites within the city's urban fringe, however the Schedule of Sites in Appendix 3 and the site proformas in Appendix 4 of the UFA do not mention the LGS designation. The main UFA text states that four sites have been identified, but not why they were selected or why others were ruled out. Not protecting the LNR from further development is also not consistent with paragraph 174 of the NPPF. BHCCs own documentation demonstrates that they acknowledge the LNR contains one of Europe's rarest and most spectacular habitats – ancient chalk grassland and Whitehawk Camp – one of Britain's most significant earthwork structures. This indicates both richness to wildlife and local significance. https://www.brightonhove.gov.uk/sites/default/files/migrated/article/inline/downloads/cityparks/management_plans/Whitehawk_Hill_booklet_final.pdf. There is clear local interest in the site, demonstrated by the activities of the Friends of Whitehawk Hill (FoWH) who are working with the council's Park Rangers to actively manage the LNR and improve it for wildlife and people. As the FoWH demonstrate in their own submission to this consultation – Whitehawk Hill has been celebrated, enjoyed and written about by a wide variety of local people for two hundred years. The whole of Whitehawk Hill LNR should be designated as a Local Green Space under DM38. Its glaring omission makes policy DM38 unsound.

Changes required

As demonstrated by our objection to policy H2, SWT believes that the allocation of 'Land at and adjoining Brighton Race Course' is not sound and should be deleted from the plan. Additionally, the entirety of Whitehawk Hill LNR should be included in the list of Local Green Spaces. However, even if the Inspector does not delete the allocation in H2, we still believe that the remainder of the LNR should be designated as a Local Green Space, as has been done for Benfield Valley.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

The Sussex Wildlife Trust wishes to attend the examination hearings so that we can discuss our objections formally with the Inspector and respond to any additional evidence presented by other respondents.

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	196 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Fields in Trust
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	Yes
<u>Reasons Given for Being Late</u>	Staff issues at charity meant consultation response was not sent on time.
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We are writing to comment on policies DM37 and DM38. Though we concede that they likely do meet legal requirements we would contend that their soundness could be improved. Specifically that details within these policies could be more positively prepared, and require further justification. We were disappointed, given Brighton & Hove's commitment to safeguarding green infrastructure, and the largely reasonable standards set for open space provision (particularly for parks and natural space), that only four sites have been put forward for designation as Local Green Space. This is particularly pertinent given the lack of regard shown to park and recreational space within DM37. We would suggest that there are many parks within Brighton & Hove that are of very special significance to the community and which hold high recreational value. We would therefore urge the council to consider the recreational need of the community and nominate some further spaces for Local Green Space designation, or better still protection with Fields in Trust, to truly achieve a Plan in keeping with sustainable development. We do concede that the council may be reserving further designations for the purview of Neighbourhood Plans. However, given that no Neighbourhood Plans have so far been submitted and it appears that only one of the five designated Neighbourhood Forums has begun drafting a plan, we would suggest that the council themselves should put forward further green space to ensure their designation. As always, we would be happy to liaise with the council further on their

standards for provision and the evidencebase for open space, having recently carried out research into revaluing green space, and having extended our greenspace index work to now map against other key demographic factors relevant to open space provision. We wouldalso welcome any discussion of further protection of the council's spaces

Changes required

We would suggest that there are many parks within Brighton & Hove that are of very special significance to the community and which hold high recreational value. We would therefore urge the council to consider the recreational need of the community and nominate some further spaces for Local Green Space designation, or better still protection with Fields in Trust, to truly achieve a Plan in keeping with sustainable development.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	176 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	n/a
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Whitehawk Hill meets all the criteria as a designation as a Local Green Space, as listed in paragraph 77 of the National Planning Policy Framework, but is not listed for designation in the City Part Plan 2. The choice of sites designated as Local Green Spaces in the 2014 Urban Fringe Assessment from which City Part Plan 2 is derived is not supported by evidence to show why against the NPPF criteria, the sites selected were chosen and other sites such as Whitehawk Hill LNR were excluded. Paragraph 2,293 of the City Plan 2 justifies the designation of the 4 Local Green Spaces because they act as important wedges into the urban areas. Clearly Whitehawk Hill meets this objective. The choice of sites & exclusion of Whitehawk Hill LNR as a Local Green Space is therefore not justified, effective or consistent with national policy as it excludes a site which would meet the designation criteria.

Changes required

Include Whitehawk Hill LNR as a designated Local Green Space.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

N/A

<u>Policy</u>	DM38	
<u>Respondent Number / Rep Number</u>	175	2
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Although Whitehawk Hill Local Nature Reserve clearly meets all the criteria to be designated as a Local Green Space, for some reason it is not listed for designation in City Plan Part Two. Your choice of sites suggested for designation as Local Green Spaces in the 2014 Urban Fringe Assessment from which you have derived the list in City Plan Part 2, is not supported by evidence to show why, against the NPPF criteria, the sites selected were chosen and other sites, such as Whitehawk Hill Local Nature Reserve, were excluded. Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Spaces because they act as 'important green wedges into the urban area'. Clearly Whitehawk Hill also meets this objective and there is no reason for you to omit it. The choice of sites, and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space is therefore not justified, effective or consistent with national policy, as it excludes a site which would meet the designation criteria. You must surely be aware that the ecological and historic landscape value of Whitehawk Hill is recognised nationally and even internationally, as exceptionally biodiverse chalk grassland, chalk heath and scrub on an urban fringe location.

Changes required

Add the Whitehawk Hill Local Nature Reserve to the list of sites for designation as Local Green Spaces.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

You need as many members of local communities as possible to explain to you the value of urban sites like Whitehawk Hill. As a retired academic I also have knowledge of the local ecology and historical environment which should be of interest to you.

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	174 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

•Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Local Green Space, as listed in paragraph 77 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2. •The choice of sites suggested for designation as Local Green Spaces in the 2014 Urban Fringe Assessment, from which the list in City Plan Part 2 is derived, is not supported by evidence to show why, against the NPPF criteria, the sites selected were chosen and other sites, such as Whitehawk Hill LNR, were excluded. •Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Space because they act as ‘important green wedges into the urban area’. Clearly Whitehawk Hill also meets this objective. •The choice of sites, and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space is therefore not justified, effective or consistent with national policy, as it excludes a site which would meet the designation criteria.

Changes required

•Add Whitehawk Hill Local Nature Reserve to the list of sites for designation as Local Green Spaces.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	172 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The Urban Fringe Assessment is an unreliable and inconsistent appraisal of the importance of many treasured Local Green Spaces, for instance Whitehawk Hill, not only a LNR but a much loved green space for those living in the tower blocks at the top of the estate. Also the Land to the North East of Coldean Lane, where planning consent has already been granted to destroy agricultural land forming part of the Stanmer Historic Park and Garden. The only designation of the Coldean site as available for building is from the UFA which is an assessment and not a development plan and the consent is therefore unsound.

Changes required

Add Whitehawk Hill LNR to the list of sites for designation as Local Green Spaces and remove the planning consent for the Stanmer Land to the NE of Coldean Lane.

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	169 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Whitehawk Hill Nature reserve and the wider Race Hill landscape has not been listed for designation as a Local Green Space, despite the fact that it meets all the criteria as set out in National Planning Policy Framework, paragraph 77. This is far from sound. The four sites chosen for Green Spaces were suggested in the 2014 Urban Fringe Assessment, but further scrutiny shows that there is not clear evidence to show why they are included and why Whitehawk Hill Nature Reserve and wider Landscape is not. The CPP2 states that the four chosen sites are chosen “due to their value to the local community and their local significance in their role as areas for enjoyment of recreation, tranquillity, wildlife, heritage and their linkages to the adjacent urban area.”, however Whitehawk Hill has all these in abundance.

Local communities include Whitehawk to the east, Kemptown and Craven Vale to the south, Pankhurt Estate, Hanover and Elm Grove to the West and Bevendean and Woodingdean to North and north east value this land. All these communities join onto the boundaries of the Racehill landscape, it sits between them and there is a constant flow from each to each, with the Hill being our piece of Downs in the middle, much to our delight. Recreation – used directly, daily, for walking, running, cycling, dog-walking, horse riding. There are football pitches at the bottom and multiple paths up and across the Hill and around top and bottom.

Tranquility – this is Downland in the city, with all the nature and peace that can offer. Long views, skies, sea views or sitting amongst wildflowers watching butterflies. Wildlife- is abundant, badgers, foxes, birds, butterflies, bats, bees, beetles, grassland dainties. It is one of the richest sites in the city as evidenced recently in a submission Friends of Whitehawk Hill made to the council. Four experts made studies showing the scope and detail of precious species in this site. Heritage – locals love this Neolithic landscape, with the causewayed Camp, and schoolchildren learn about the ancient heritage, with the amazing finds displayed at the museum. ‘Whitehawk Woman’ is a very famous mother and baby neolithic skeletons. More recent heritage is from Georgian times, the racegoers from that time to now. It is old common land, still enshrined in a deed from this time. We walk our history on this landscape, seeing similar views to the ancients. The Downland Heritage is also valuable, remnants of old farm buildings at the two stable sites, and sheep grazing across the Hill all year, our Sussex tradition. Linkages to local areas – folk walk on old chalk pathways from Bevendean down to Kempton, quicker than bus. There are no roads from top of Whitehawk and hundreds use the paths to get into town. Likewise the other direction, this is where we walk into the South Downs National park. Walks to Sheepcote Valley, to Rottingdean beach, to Castle Hill National Nature reserve, the Juggs Lane to Lewes and more. Finally, Paragraph 2.293 of the CPP2 justifies the designation of the four Local Green Space because they act as ‘important green wedges into the urban area’. Whitehawk Hill is a green wedge from the National Park swooping through the edges of the surrounding high density urban areas. All of the criteria for a Local Green Space are more than met.

Changes required

Whitehawk Hill Local Nature Reserve should be added to the list of sites for designation as Local Green Space.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

n/a

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	166 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	None
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Local Green Space and should be included. It is a green 'wedge' maintaining an uninterrupted channel between the City and the South Downs National Park. Benfield Valley despite its designation as a Local Green Space is still subject to development which is unsound. Proposed development here is contrary to the National Planning Framework and is not justified. It will diminish the integrity of the site with damaging impacts on local residents and threatened wildlife.

Changes required

Whitehawk Hill Local Nature Reserve should be added to the list of protected Local Green Spaces. Benfield Valley LGS should be fully protected and deleted from the allocations in policy H2.

<u>Participate at the hearing session(s)?</u>	No, I do not wish to participate in hearing session(s)
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<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	165 / 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

•Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Local Green Space, as listed in paragraph 100 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2. •The choice of sites suggested for designation as Local Green Spaces in the 2014 Urban Fringe Assessment, from which the list in City Plan Part 2 is derived, is not supported by evidence to show why, against the NPPF criteria, the sites selected were chosen and other sites, such as Whitehawk Hill LNR, were excluded. •Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Space because they act as ‘important green wedges into the urban area’. Clearly Whitehawk Hill also meets this objective. •The choice of sites, and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space is therefore not justified, effective or consistent with national policy, as it excludes a site which would meet the designation criteria.

Changes required

Add Whitehawk Hill Local Nature Reserve to the list of sites for designation as Local Green Spaces.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM38	
<u>Respondent Number / Rep Number</u>	162	2
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	None	
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Lmocal Green Space, as listed in paragraph 77 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2. The choice of sites suggested for designation as Local Green Spaces in the 2014 Urban Fringe Assessment, from which the list in City Plan Part 2 is derived, is not supported by evidence to show why, against the NPPF criteria, the sites selected were chosen and other sites, such as Whitehawk Hill LNR, were excluded. Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Space because they act as 'important green wedges into the urban area'. Clearly Whitehawk Hill also meets this objective. The choice of sites, and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space is therefore not justified, effective or consistent with national policy, as it excludes a site which would meet the designation criteria.

Changes required

Add Whitehawk Hill Local Nature Reserve to the list of sites for designation as Local Green Spaces.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	161 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Friends of Whitehawk Hill
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I understand that Whitehawk Hill LNR meets all of the criteria for the status of Local Green Space as noted in para 77 of the National Planning Policy but it is not designated as such in the CPP2 - is there a reason for its exclusion? There does not appear to be consistency in the choice of sites designated as a Local Green Space

Changes required

Include Whitehawk Hill in the list of sites to be designated as a Local Green Space.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

To support the community who would wish to see Whitehawk Hill with the status of Local Green Space.

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	122 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I believe that Whitehawk Hill should be considered as a Local Green Space, it has all the important qualifications such as the proximity to a large group under represented people who do not have transport, or are disadvantaged and so cannot get out to other areas of countryside. The evidence base for the selection of the Local Green Spaces is very weak and so unsound.

Changes required

Add Whitehawk Hill to the list of Local Green Spaces as there are not enough sites in the plan, it is not ambitious despite the value that time in nature provides in terms of mental health.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	159 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	n/a
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

-

Changes required

Hove Lawns should be included as a green space to be protected.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

-

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	230 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Friends of Whitehawk Hill
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

3.1 Introduction 3.1.1 Friends of Whitehawk Hill believes that Whitehawk Hill Local Nature Reserve and the wider Racecourse Landscape, meet all the criteria for designation as a Local Green Space, as set out in paragraph 100 of the National Planning Policy Framework. However, neither is it included in the list of sites to be designated as Local Green Space in City Plan Part 2.3.2 Not justified 3.2.1 Insufficient evidence is presented for the choice of sites identified for designation as Local Green Spaces in City Plan Part 2. This list is based on the list of sites identified as having 'potential for designation as Local Green Spaces' in the 2014 Urban Fringe Assessment. However, although the 2014 Urban Fringe Assessment mentions the NPPF criteria (paragraph 4.13), this list of sites is not supported by any evidence, for example in the form of a table or matrix, to show why, against the NPPF criteria, the sites selected were considered to meet the criteria and other sites, such as Whitehawk Hill LNR/the Racecourse Landscape, were considered not to meet them. 3.2.2 BHCCs Local Green Space Topic Paper (2019), which considered sites for Local Green Space designation in the light of the previous City Plan Part 2 consultation, was an improvement, because it did present some evidence for sites in relation to the NPPF criteria. However, this was limited to the sites identified as having potential for designation in the 2014 Urban Fringe Assessment and the Draft City Plan Part 2, as well as sites suggested for designation during the previous (2018) consultation. It did not reassess, for example, the

other Urban Fringe sites, like Whitehawk Hill LNR/the Racecourse Landscape.3.2.3 Paragraph 100 of the National Planning Policy Framework states - 'The designation should only be used:- where the green space is in reasonably close proximity to the community it serves;- where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and- where the green area concerned is local in character and is not an extensive tract of land.' Taking these one by one in relation to Whitehawk Hill LNR/the Racecourse Landscape; Criterion 1 - Whitehawk Hill and the Racecourse Landscape are adjacent to Whitehawk, Craven Vale and the Bristol Estate, as well as close to, and well used by, residents in Kemptown, Hanover, Queen's Park, the areas either side of Elm Grove and Bear Road, and parts of Woodingdean (Figure 1). <Officer note: Photo 1 shows Messages of what Whitehawk Hill means to local people, from the re-launch of Friends of Whitehawk Hill April 2019.> Criterion 2 - Many residents in the areas close to Whitehawk Hill and Race Hill say that it is special and important to them (Photo 1). It has been celebrated, enjoyed and written about by a wide variety of people for two hundred years. - It has been the subject of a book describing its history, and wildlife ('Whitehawk Hill: Where the Turf Meets the Surf' by David Bangs, 2004).- Most people would agree that it is beautiful, and includes and supports features that are beautiful.- It includes a Scheduled Ancient Monument - a Neolithic Causewayed Camp – and its wider setting and 'archaeological landscape'.- We know it because of Brighton Rock - Richard Attenborough's film and Graham Greene's book - and The Prince Regent's love of racing. It is a historic, prehistoric, and geohistoric landscape, which book-ends the whole sweep of the Sussex coastal plain.- It is well used and loved by local residents on a daily basis throughout the year for contact with nature and a range of recreational activities.- Despite its location next to built-up areas it has qualities of tranquillity. It is certainly an area of relative tranquillity in a local context.- It has a statutorily designated Local Nature Reserve, supports a range of protected and notable species and has been described by BHCCs ranger service as 'one of the best wildlife sites in Sussex' (Photo 2). <Officer note: Photo 2 shows BHCC ranger service grazing notice which describes Whitehawk Hill as 'one of the best wildlife sites in Sussex'.> Criterion 3- The last criterion, i.e. whether it is an 'extensive tract of land' is clearly open to interpretation but, for example, BHCCs Local Green Space Topic Paper states (paragraph 6.15) 'the NPPF does not define any size thresholds for LGS designation, with the NPPG stating explicitly that there are no hard and fast rules about how big a LGS can be.'3.2.4 Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Space because they act as 'important green wedges into the urban area'. Clearly Whitehawk Hill/the Racecourse Landscape also comprises such a 'green wedge', lying between the built up areas of Whitehawk to the east, Kemptown and the Bristol Estate to the south and Craven Vale, Queens Park, Hanover and Elm Grove to the west (Figure 2). <Officer note: Figure 2 presents an aerial photograph/map showing Whitehawk Hill/Racecourse Landscape green wedge and its relationship with adjoining residential areas of the city >3.3 Not effective3.3.1 Given that Whitehawk Hill LNR/Racecourse Landscape meets the criteria for designation as a Local Green Space, its exclusion from the list of sites for designation in City Plan Part 2 means that the plan is not effective in designating those sites which could or should be so designated.3.4 Not consistent with national policy3.4.1 The exclusion of Whitehawk Hill LNR/Racecourse Landscape from the list of sites for designation as a Local Green Spaces in the City Plan Part 2, given that such a list is being brought forward in the plan, appears inconsistent with paragraph 100 of the National Planning Policy Framework.

Changes required

3.5 Conclusion3.5.1 The choice of sites, and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space, is therefore not justified, effective or consistent with national policy, as it excludes an important site which would meet the designation criteria.3.5.2 Whitehawk Hill LNR/Racecourse Landscape should be added to the list of sites identified for designation as Local Green Spaces.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

Friends of Whitehawk Hill would like to participate in the Public Examination hearing sessions. This would provide the opportunity for a full examination of the issues and evidence, and for representatives from Friends of Whitehawk Hill to answer questions regarding their case and its supporting evidence.

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	137 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Whitehawk Hill Local Nature Reserve would appear to meet all relevant criteria for designation as a Local Green Space as described in paragraph 77 of the National Planning Policy Framework, but it is not designated as such in City Plan Part 2.

Changes required

For full compliance you must reasonably add Whitehawk Hill Local Nature Reserve to the list of sites designated Local Green Spaces.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	130 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	resident of Whitehawk
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Whitehawk Hill Local Nature Reserve/the vRcaecourse Landscape meets all the criteria for designation as Local Green Space, as listed in paragraph 100 of the National Planning Policy Framework, but isn't listed for designation in City Plan Part 2The choice of sites suggested for designation as Local Green Spaces in the 2014 Urban Fringe Assessment is not supported by any evidence to show why, against the NPPF criteria, the sites selected were chosen and why other sites, like Whitehawk Hill LNR, were not chosen.Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Spaces chosen because they are 'important green wedges into the urban area'. Whitehawk Hill is also a green wedge of this sort.The choice of sites, and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space isn't justified, effective or consistent with national policy, as it excludes a site which would meet the designation criteria.

Changes required

Add Whitehawk Hill LNR/Racecourse Landscape to the list of sites for designation as Local Green Spaces

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	131 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Whitehawk Hill Local Nature Reserve meets all criteria to be included as a Local Green Space, as listed in paragraph 77 of the National Planning Policy Framework, but is not listed as such in the City Plan Part 2. There is no evidence as to why Whitehawk Hill LNR was not chosen in the 2014 Urban Fringe Assessment, from which the list in City Plan Part 2 is derived. It is not clear how the NPPF criteria were used to select certain sites but not Whitehawk Hill. Indeed, Whitehawk Hill clearly meets the objective listed in paragraph 2.293 of the City Plan Part 2 as acting as an 'important green wedge(s) into the urban area'. The choice of sites, and specifically the exclusion of Whitehawk Hill LNR from designation as a Local Green Space is therefore not justified, effective or consistent with national policy. This is a site which meets the designation criteria, yet has been excluded.

Changes required

Whitehawk Hill Local Nature Reserve should be added to the list of sites designated as Local Green Spaces. This will be for the benefit of the whole community and the local wildlife.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	133 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	n/a
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Local Green Space, as listed in paragraph 77 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2. The choice of sites suggested for designation as Local Green Spaces in the 2014 Urban Fringe Assessment, from which the list in City Plan Part 2 is derived, is not supported by evidence to show why, against the NPPF criteria, the sites selected were chosen and other sites, such as Whitehawk Hill LNR, were excluded. Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Spaces because they act as 'important green wedges into the urban area'. Clearly Whitehawk Hill also meets this objective. The choice of sites, and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space is therefore not justified, effective or consistent with national policy, as it excludes a site which would meet the designation criteria.

Changes required

Include Whitehawk Hill LNR on the list of sites for designation as a 'Local Green Space'

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	134 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Whitehawk Hill LNR meets all the criteria for designation as Local Green Space as listed in the National Planning Policy Framework and there is no evidence in the 2014 Urban Fringe Assessment, from which the City Plan Part 2 list is derived, to support its exclusion from the list of those sites suggested for such designation. The choice of sites and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space is therefore not justified or consistent with national policy .

Changes required

Please add Whitehawk Hill Local Nature Reserve to the list of sites for designation as Local Green Spaces.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

N/A

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	135 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I have a particular concern about Whitehawk Hill LNR not being proposed for designation in the City Plan Part 2 as I think it meets all the criteria for designation as a Local Green Space when you compare to paragraph 77 of the NPPF.4 other Local Green Spaces are proposed in the City Plan to be designated as "important green wedges into the urban area" Yet it can be argued Whitehawk does the same. This issue seems to stem from Whitehawk not being included in the 2014 Urban Fringe Assessment list as being suitable for designation. Yet it was not made clear then why this was the case and the same thing is happening again with insufficient justification .

Changes required

Designate Whitehawk Hill LNR as a Local Green Space in the City Plan and add it to the list

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	152 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	no
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Local Green Space, as listed in paragraph 77 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2. The choice of sites suggested for designation as Local Green Spaces in the 2014 Urban Fringe Assessment, from which the list in City Plan Part 2 is derived, is not supported by evidence to show why, against the NPPF criteria, the sites selected were chosen and other sites, such as Whitehawk Hill LNR, were excluded. Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Space because they act as 'important green wedges into the urban area'. Clearly Whitehawk Hill also meets this objective. The choice of sites, and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space is therefore not justified, effective or consistent with national policy as it excludes a site which would meet the designation criteria

Changes required

Include Whitehawk Hill LNR as a Local Green Site

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	138 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I am extremely concerned about this policy as Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Local Green Space, as listed in paragraph 100 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2. Following on from this, the choice of sites suggested for designation as Local Green Spaces in the 2014 Urban Fringe Assessment, from which the list in City Plan Part 2 is derived, is not supported by evidence to show why, against the NPPF criteria, the sites selected were chosen and other sites, such as Whitehawk Hill LNR, were excluded. In paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Space because they act as 'important green wedges into the urban area'. Clearly Whitehawk Hill also meets this objective and therefore the choice of sites, and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space is therefore not justified, effective or consistent with national policy, as it excludes a site which would meet the designation criteria.

Changes required

Add Whitehawk Hill Local Nature Reserve to the list of sites for designation as Local Green Spaces.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	140 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

In the 2014 Urban Fringe Assessment it is unclear and not evidenced, which criteria were used to suggest designation of some Local Green Spaces and not others. A glaring omission was Whitehawk Hill Nature Reserve- Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Local Green Space, as listed in paragraph 77 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2- the designation of the four Local Green Spaces is justified in the City Plan Part 2, paragraph 2.293 thus: 'because they act as important green wedges into the urban area'. Clearly, so does Whitehawk Hill Local Nature Reserve situated, as it is, adjacent to a densely populated area.

Changes required

Add Whitehawk Hill Local Nature Reserve to the list of sites for designation as Local Green Spaces.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	145 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Local Green Space, as listed in paragraph 77 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2.Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Space because they act as ‘important green wedges into the urban area’. Clearly Whitehawk Hill also meets this objective.The choice of sites, and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space is therefore not justified, effective or consistent with national policy, as it excludes a site which would meet the designation criteria.

Changes required

Add Whitehawk Hill Local Nature Reserve to the list of sites for designation as Local Green Space.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	146 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Local Green Space, as listed in paragraph 77 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2. The choice of sites suggested for designation as Local Green Spaces in the 2014 Urban Fringe Assessment, from which the list in City Plan Part 2 is derived, is not supported by evidence to show why, against the NPPF criteria, the sites selected were chosen and other sites, such as Whitehawk Hill LNR, were excluded. Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Space because they act as 'important green wedges into the urban area'. Clearly Whitehawk Hill also meets this objective. The choice of sites, and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space is therefore not justified, effective or consistent with national policy, as it excludes a site which would meet the designation criteria.

Changes required

Add Whitehawk Hill Local Nature Reserve to the list of sites for designation as Local Green Spaces.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	150 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

• Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Local Green Space, as listed in paragraph 77 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2. This seems a serious oversight. • The choice of sites suggested for designation as Local Green Spaces in the 2014 Urban Fringe Assessment, from which the list in City Plan Part 2 is derived, is not supported by evidence to show why, against the NPPF criteria, the sites selected were chosen and other sites, such as Whitehawk Hill LNR, were excluded. • Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Space because they act as ‘important green wedges into the urban area’. Clearly Whitehawk Hill also meets this objective. • The choice of sites, and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space is therefore not justified, effective or consistent with national policy, as it excludes a site which would meet the designation criteria.

Changes required

I suggest that Whitehawk Hill Local Nature Reserve is added to the list of sites for designation as Local Green Spaces.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	151 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Whitehawk Hill Local Nature Reserve qualifies under the criteria for designation as Local Green Space in accordance with para 77 of the National Planning Policy Framework but is not so designated in the City Plan. The methodology for inclusion of other sites so designated implies that Whitehawk should also be included, but it is not. Whitehawk Hill clearly meets the "green wedge" criterion.

Changes required

Include Whitehawk Hill as a designated local green space.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	158 7
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Living Coast UNESCO Biosphere
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	77 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Badgers Tennis Club
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We (Badgers Tennis Club) made representations on the draft City Plan Part 2 when it was out to consultation in July - September 2018. One of the representations made by us related to draft Policy DM38 Local Green Space and we requested the site be considered for designation as a Local Green Space. An assessment was undertaken by the Council against a number of criteria and this is included in the October 2019 Local Green Space Topic Paper the site and concluded that: [The club] operates as a membership club and is therefore not an openly accessible space to the wider community. No evidence has been provided that the site is demonstrably special to the local community and holds a particular significance. The site is more appropriate to be explored for LGS designation through neighbourhood plans. For the reasons set out below we believe this conclusion is not sound and the site should now be designated in the City Plan Part 2 as a Local Green Space. Although the site has been managed by a membership club since 2013 the site is an openly accessible space to the wider community. It is also demonstrably special to the local community and holds a particular historic significance. The site has been included on the Council's list of Assets of Community Value since 5th July 2018. Extensive evidence demonstrating that the site was accessible and special to the local community was submitted to the Council to support the application for such listing and that evidence is included here in the Appendix. The Council accepted this and was therefore well aware in

October 2019 that the site was accessible and demonstrably special to the local community. Therefore, the conclusion reached in the Topic Paper that the site is not demonstrably special to the local community was fundamentally and demonstrably wrong. Furthermore, since 2018, the community activities on the site have increased to include fitness classes and a Woodcraft Folk group. A key attraction of the site for all the activities are the gardens which surround the tennis courts where, weather permitting, all these classes and activities can, and do, run outdoors. The gardens continue to be especially enjoyed by all users of the club, both members and non-members. Volunteers now help maintain the gardens around the tennis courts. In addition to the more formal areas, there are meadow garden areas, which are designed to attract a diversity of insects and wildlife. With regard to the particular significance of the site, there is much local history involved with it. The walls that surround the site were designated by the Council in 2015 as a Locally Listed Heritage Asset. As the Council's Directory document states, the walls relate to improvements made to the Marquis of Bristol's estate between 1832 and 1851 when he added a dairy, farm, nursery garden, pleasure gardens, stables and housing for estate workers. The walls are constructed in English bond utilising plum brick. The brick was made on the Duke's estate in Suffolk (Shotley Brick and Cement Works) and transported to Brighton by sea. It is more typical of the later 18th century or areas in central and northern England where it was common in the 19th century. The most prominent brick walls are the tall walls to the Badger's Tennis Courts. Originally enclosing the pleasure gardens, the area is shown as a tennis ground on the c.1930s Ordnance Survey map. Further evidence that the Council was aware of the historical significance of the site is provided by its inclusion within an Archaeological Notification Area in the City Plan Part 2. Further, as evidenced in the Appendix, the first tennis club on this site was probably the earliest tennis club in Brighton and one of the earliest in the country. We have the minute books recording the historical detail of the site, how they managed the mowing of grass courts, the membership, how they supported recovering soldiers in the first world war, even including the tea and cakes they served. The Council was well aware in October 2019 that the site holds a particular significance and therefore the conclusion reached in the Topic Paper in this regard was also fundamentally and demonstrably wrong. The evidence supports the designation of the site as a Local Green Space now and it is not appropriate to refer this to a neighbourhood plan, particularly as one does not exist for the area in which the site is located.

Changes required

See above

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

The response to our initial request to have Badgers designated as Local Green Space appeared to show an ignorance of the council's own decision to designate us as an asset of community value; I think, therefore, that it would be useful to be present.

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	258 25
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

DM37/38:- * General Support for these sections. Reconsideration should be given to the boundaries of the Hollingbury Park Golf Course area in order to allow PART to be allocated for eco-friendly homes and allotments. * It should be recognised that areas of eco-friendly homes can also help contribute to carbon reduction through the growing of trees, shrubs and other plants in small streets, gardens and pocket parks

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	228 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Ornithological Society
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Policy DM38 – supportIt is noted that Benfield Valley is one of four designated Green Spaces and that it is also a Local Wildlife Site. This policy states "Development will not be permitted within a Local Green Space designated within the City Plan or an approved Neighbourhood Plan unless there are very special circumstances where the public benefits of the development proposed would outweigh the harm that would be caused by development within the Local Green Space."Paragraph 2.293 explains that"All four also act as important green wedges into the urban area which act as wildlife corridors"SOS welcomes these policy statements and the allocation of Hollingbury Park, Three Cornered Copse, Ladies' Mile and Benfield Valley as the three other Local Green Spaces (LGS's)

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	11 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Branch of SERA
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Whitehawk Nature Reserve fits all the criteria for a Local Green Space (see paragraph 77 of the NPPF) but the City Plan Part 2 does not include it in this category.The 2014 Urban Fringe Assessment which is the basis for City Plan Part 2 does not explain why some sites were chosen as Local Green Spaces and not others. It also fails to explain why Whitehawk Hill LNR, even though fitting all the NPPF criteria was left out.For instance the four Local Green Spaces described in paragraph 2.293 of the City Planas important Green Wedges into the urban area, have no more justification for this designation than Whitehawk Hill which is clearly a Green Wedge.

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	DM39
<u>Respondent Number / Rep Number</u>	88 29
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM39
<u>Respondent Number / Rep Number</u>	212 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Natural England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support this policy's requirement to accord with shoreline management plan and coastal strategy study. As well as the requirement to have regard to Beachy Head West Marine Conservation Zone (MCZ), we strongly recommend that the requirement is strengthened to include reference to the protection afforded this internationally designated site, and that a MCZ assessment may be required. In line with the NPPF (166.) and the government's 25-year plan (Chapter 5).

Changes required

As well as the requirement to have regard to Beachy Head West Marine Conservation Zone (MCZ), we strongly recommend that the requirement is strengthened to include reference to the protection afforded this internationally designated site, and that a MCZ assessment may be required.

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM39
<u>Respondent Number / Rep Number</u>	214 38
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to the content of these policies.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM39
<u>Respondent Number / Rep Number</u>	219 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Wildlife Trust
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The Sussex Wildlife Trust strongly supports this policy and in particular the recognition of the MCZ.

Changes required

N/A

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM39
<u>Respondent Number / Rep Number</u>	244 9
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brunswick Town Association (BTA)
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Development of seafront. It is essential to ensure that the Hove Esplanade/Hove Sea wall is regularly maintained as a safe area for walkers and promenaders who simply wish to 'walk by the sea' without diversionary activities. The Hove seafront and its Listed Buildings, from the Peace Statue to the boundary appear to be of secondary importance in the document, and this is to be regretted. They are far too important in heritage terms to be left to serendipity and chance.

Changes required

Development of seafront. It is essential to ensure that the Hove Esplanade/Hove Sea wall is regularly maintained as a safe area for walkers and promenaders who simply wish to 'walk by the sea' without diversionary activities. The Hove seafront and its Listed Buildings, from the Peace Statue to the boundary appear to be of secondary importance in the document, and this is to be regretted. They are far too important in heritage terms to be left to serendipity and chance.

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM39
<u>Respondent Number / Rep Number</u>	247 18
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Regency Society of Brighton & Hove
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The restored arches of Madeira Terrace should be used to minimise development on the actual beach, facilitated by the minimisation of traffic on Madeira Drive.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM39
<u>Respondent Number / Rep Number</u>	254 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	East Sussex County Council
<u>Respondent Type</u>	Public Sector / Local Authority
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

DM39 Development on the Seafront Para 2.298 Development which generates a need for enhancements to defences should not be permitted if it would be detrimental to nature conservation, most notably the MCZ, SSSI and areas of coastal vegetated shingle.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM39
<u>Respondent Number / Rep Number</u>	258 26
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

DM39:-Seafront Infrastructure and Coastal Defences should be checked thoroughly on a regular basis (preferably annually/minimum bi-annually) and after periods of severe weather conditions. The City's many miles of seafront must be assessed, monitored and maintained, in partnership with Agencies such as the Environment Agency. (Justification: Safety; Susyainability; Longer-Term Protection of Homes and Infrastructure)

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM40
<u>Respondent Number / Rep Number</u>	88 30
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM40
<u>Respondent Number / Rep Number</u>	158 8
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Living Coast UNESCO Biosphere
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM40	
<u>Respondent Number / Rep Number</u>	164	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	individual	
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I think that what the policy says about light pollution, or more positively put: good quality lighting design and lighting strategies is absurdly minimal. Actually it fails to recognise some good work done/in progress by the council's own lighting design team. The positive impact this good quality design has on light pollution levels in general, human and wildlife impacts specifically is very important, and needs to be spelt out in much more detail in this document. Sadly people struggle to understand that sometimes light can be a bad thing, mainly because for millennia the church has equated light with good and dark with bad. It also needs to be more considered in its approach to light nuisance and light harms: it needs to deal with super spills, unshielded glare, harmful colour temperatures and flicker.

The prominence given to the use of lighting professionals with adequate training and experience is woefully lacking. As it stands the document demonstrates a lack of even basic understanding about light. If we use light well it can be a real asset. If we use it badly it can cause great harm. With LEDs light has become as cheap as plastic, and like plastic its uncontrolled proliferation is a driver of extinction.

Changes required

All developments, including highways, will need to demonstrate highest quality lighting design in order to ensure that light is only directed where it is needed, and never directed or reflected upwards. Lights which create harmful spectra, flicker or other damaging effects will be prohibited. A lighting audit process will ensure that year on year light pollution is reduced, and the light that is used is more effective and efficient. Street lights will not be moved to positions nearer to people's bedrooms, and luminaires will not be placed on ever higher poles which enable the light to spill further. In general the policy should be to reduce artificial light to benefit human health and wildlife habitat.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

<u>Policy</u>	DM40
<u>Respondent Number / Rep Number</u>	171 10
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I cannot see how this policy, without describing mitigations such as EV's can work and is incoherent as it cites pollution from diesel vehicles, without accepting the new class Euro 6 of diesel vehicles which pollutes less than many petrol vehicles. We may need to reduce car use but we are a rural city, therefore without great transport links across the region, the policy is fairly incoherent and does not appreciate how residents really live.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM40
<u>Respondent Number / Rep Number</u>	179 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	South Downs National Park Authority
<u>Respondent Type</u>	Public Sector / Local Authority
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Support DM40 part g) referring to the South Downs National Park International Dark Sky Reserve and the use of outdoor lighting in development.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM40
<u>Respondent Number / Rep Number</u>	212 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Natural England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support this policy's requirements for outdoor lighting to not cause detriment to biodiversity and/or the South Downs National Park International Dark Sky Reserve. In line with the NPPF (170, 172, & 180.) and the government's 25-year environment plan (Chapter 2.).

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM40
<u>Respondent Number / Rep Number</u>	214 39
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to the content of these policies.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak

<u>Policy</u>	DM40
<u>Respondent Number / Rep Number</u>	219 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Wildlife Trust
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The Sussex Wildlife Trust is pleased to see that our suggested amendments from the regulation 18 consultation have been included in the new version of the policy. We strongly support this policy.

Changes required

N/A

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM40
<u>Respondent Number / Rep Number</u>	253 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	CPRE Sussex
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

CPRE Sussex supports policy DM40, particularly point 'g' in relation to ensuring "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." We support protection of the dark skies of the SDNPA as believe that this is in alignment with the National Parks and Access to the Countryside Act 1949. However we question whether the word 'outdoor' should be removed so that this policy covers all lighting which may be intrusive?

Changes required

Remove the word 'outdoor' from this policy.

<u>Participate at the hearing session(s)?</u>	Yes, I wish to participate in the hearing session(s)
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<u>Policy</u>	DM41
<u>Respondent Number / Rep Number</u>	126 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	n/a
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

2.316 Re-use of polluted land and buildings" After remediation land should be appropriate for the proposed use...." I support the policy, but suggest the word "should" needs to be changed to "shall" to make this a binding obligation. 2.317 When there is cause to suspect that a proposed development site is polluted

" Any desktop study, site investigation, remediation and verification work should be undertaken by a competent person/company...." I support the policy, but suggest the word "should" needs to be changed to "shall" to make this a binding obligation.

Changes required

See item 3 above

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	DM41
<u>Respondent Number / Rep Number</u>	158 9
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Living Coast UNESCO Biosphere
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM41
<u>Respondent Number / Rep Number</u>	172 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sue Craig
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I cannot find any details of the Development plans for the Black Rock Gas Works in this document but trust this policy would negate the proposals for residential development currently being developed for this brownfield site.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM41	
<u>Respondent Number / Rep Number</u>	211	5
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	St William Homes LLP	
<u>Respondent Type</u>	landowner / developer	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Established in 2014, St William is a joint venture between the Berkeley Group and National Grid Property ('National Grid'), established to bring forward regeneration and the redevelopment of decommissioned, vacant National Grid sites across the south-east, delivering essential new homes and jobs. The partnership combines National Grid's extensive portfolio of surplus brownfield sites with the Berkeley Group's design expertise, substantial experience of redeveloping complex regeneration sites and proven track record of significant housing delivery and high-quality developments. The Brighton Gasworks site ('Brighton Gasworks') falls within the portfolio and St William is pleased to be actively progressing plans to deliver a mixed use development on this Site in line with its site allocation under the City Plan Part 1. St William are currently in pre-application discussions with BHCC and have commenced a programme of public consultation with a view to submitting a planning application in 2021. This would mean that the first homes could be delivered by the mid 2020s. St William welcomes the opportunity to work with BHCC and have the opportunity to provide comments on the draft City Plan Part Two. St William would be very happy to meet with BHCC to discuss any of the comments set out in these representations. Comments provided are made in the context of the Strategic Site Allocation DA2 'Brighton Marina, Gas Works and Black Rock Area' outlined in the adopted Local Plan Part One (2016). In accordance with the guidance note on making representations to the draft Plan, our

comments relate to matters of legal compliance and whether the Plan is 'sound' in the context of paragraph 35 of the National Planning Policy Framework (NPPF) which requires plans to be: a) Positively prepared b) Justified c) Effective d) Consistent with national policy Comments are also submitted in line with paragraphs 11 and 81 of the NPPF, which states that plans and decisions should apply a presumption in favour of sustainable development and for plan-making this means that plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change. Site Background

The Site is a brownfield site and a former gas works site located to the east of Brighton city centre and northwest of Brighton Marina. The Site is bound by Boundary Road to the west, Roedean Road to the north and Marina Way to the east and south as shown in Figure 1 [see uploaded supporting document]. The existing site comprises a decommissioned gas holder and storage tank, vehicular parking areas, a number of commercial sheds and buildings used for automotive repairs and storage of commercial vehicles and a holding area for the construction work taking place at Sussex County Hospital. The site is allocated within the adopted City Plan Part One under strategic site allocation DA2. Policy DA2 comprises 3 distinct sites: the Brighton Marina, the Gas Works site and the Black Rock Area. Part C.2 outlines the localised policies for the Gas Works site which identifies the site for 'a minimum' of 85 residential units, which are shown on the current proposals map to the south of the site (as highlighted in Figure 2 [see uploaded supporting document]) and approximately 2,000 sqm of business floorspace to the north of the site. The policy goes on to explain that the employment provision should provide an appropriate mix of employment floorspace of varying sizes that cater for business uses ranging from office to light industrial, including small starter units or managed units (former Use Classes B1). Whilst this site allocation is outlined within the adopted City Plan Part One (2016) and is not therefore open for comment, these representations must be considered in the context of the site's strategic allocation and the framework set out in the City Plan Part One. DM41 Polluted Sites, Hazardous Substances and Land Stability NPPF Paragraph 11 – Flexibility Test - This policy does not afford sufficient flexibility. NPPF Paragraph 35 – Soundness Test- The policy does not meet the soundness tests as it is not effective. St William fully support the need for appropriate information to be provided at the appropriate time to ensure that all contaminated land is remediated safely and successfully. The management and remediation of contaminated land is tightly controlled and highly regulated. The existing processes in place often result in an iterative process of information gathering and decision making between multiple parties to ensure the best strategy is selected on each site. The supporting paragraph 2.319 to policy DM41 should be amended to reflect that the site investigation and remediation strategy process is a complex and often iterative process, and that in some instances there may be reasons why the results of a full site investigation may not be available by the time of a planning application. Pre commencement planning conditions can be an equally effective medium for ensuring the objectives of the policy are met without unduly delaying the consideration of a planning application.

Changes required

Policy DM41 Polluted sites, hazardous substances and land stability supporting paragraph 2.319 Delete "Where the suspected stability or contamination of a site is not considered to be significant or not of a high risk," from start of sentence and replace with: "In some instances it may be appropriate for" and delete "may" and replace with "to" to read: "2.319 In some instances it may be appropriate for permission to be granted subject to conditions requiring site investigation, discovery strategy and any remedial measures as deemed necessary once a competent person has carried out an options appraisal."

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM41	
<u>Respondent Number / Rep Number</u>	214	40
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Whaleback Ltd	
<u>Respondent Type</u>	Planning agent / architect	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to the content of these policies.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM42
<u>Respondent Number / Rep Number</u>	79 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Environment Agency
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The Environment Agency support this policy. Along with Policies DM40 Protection of the Environment and Health – Pollution and Nuisance and DM41 Polluted sites, hazardous substances & land stability, this should afford protection to the water environment, assuming that policies are applied and implemented at the development management stage. Of particular importance is the protection of the Brighton Chalk Block aquifer which is a source of public water supply.

Changes required

Suggested revised wording to improve the supporting text: Supporting text paragraph 2.322 refers to sea water as being a key recreational asset. This paragraph could make specific reference to the designated bathing waters within the plan area to highlight the importance of the protection of this asset.

<u>Participate at the hearing session(s)?</u>	No, I do not wish to participate in hearing session(s)
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<u>Policy</u>	DM42	
<u>Respondent Number / Rep Number</u>	104	4
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Brighton Corporation bought the Stanmer estate in 1947 as it was realised that the town needed the water underneath for the increasing number of residents, from under the countryside. Protection of this source of water was presumably legally documented for all time. Therefore it cannot be legally compliant to devise a policy which destroys the countryside unessessarily, not for a highway of benefit to the city but just a residential development blotting out the rainwater catchment area.

Changes required

No further spoiling of the water catching area of Stanmer, already seriously damaged by construction of the ever expanding University of Sussex with high demands on water and the A27 road driven right through the protected water catching parkland.

<u>Participate at the hearing session(s)?</u>	Yes, I wish to participate in the hearing session(s)
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Why wish to speak

I understand it is a public hearing, open to all?

<u>Policy</u>	DM42
<u>Respondent Number / Rep Number</u>	126 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	n/a
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

DM42 Protecting the Water Environment "Applicants will be required to demonstrate that capacity exists on and off-site in the sewerage network to serve the development or that occupation of the development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider, to avoid sewer flooding. "I am concerned that if any upgrading of sewer infrastructure capacity is left until occupation of the development, it may be too late!! believe there is a significant risk that the introduction of hundreds/thousands of new residential units and residents could overwhelm the City's existing sewer systems and that upgrade works could be very costly and disruptive. If this is the case, I think the adequacy of sewer capacity need to be assessed and upgrades planned before construction of these developments is started.2.327 Applicants should liaise with Southern Water.....Suggest changing "should" to "shall", to make this a more binding obligation"In some circumstances, it may be necessary"Suggest changing "may" to "will", to make this a more binding obligation

Changes required

See item 3 above

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

n/a

<u>Policy</u>	DM42
<u>Respondent Number / Rep Number</u>	158 10
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Living Coast UNESCO Biosphere
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM42
<u>Respondent Number / Rep Number</u>	172 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The public and members of the Planning Committee are excluded from any detailed information on water management plans before granting consent, which are often accompanied by a Condition of Informative suggesting further discussions with Southern Water and/or the Environment Agency. However, there remains a gap in public knowledge since 2016, the time of the adoption of CPP1, as Southern Water, with the worst record in the UK, remains under investigation by Ofwat and the Environment Agency. There is a lack of public confidence in the ability of Southern Water to deliver the fresh and waste water management in the area between the R. Adur in the west and the R. Ouse in the east. The region is described as 'water stressed' and so it is, but there are no measures outlined here to protect the aquifer below the chalk nor any to protect against overdevelopment. The population of the University of Sussex campus is now equal to that of Lewes town. Lewes has an above ground river, Brighton does not.

Changes required

The ChAMP project and the Aquifer Partnership are a great start, but there needs to be much more effective action taken in order to restore confidence in the

ability of Brighton & Hove and Southern Water to protect our drinking water supply.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

To be heard

<u>Policy</u>	DM42
<u>Respondent Number / Rep Number</u>	212 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Natural England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support this policy's requirements for proposals to include measures to reduce any risk to the water environment and its ecology. Additional advice on water efficiency is included in Annex A [uploaded supporting information document]. In line with the NPPF (149. & 170.) and the government's 25-year environment plan.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM42
<u>Respondent Number / Rep Number</u>	214 41
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to the content of these policies.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM42
<u>Respondent Number / Rep Number</u>	219 7
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Wildlife Trust
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The Sussex Wildlife Trust is pleased to see that our suggested amendments from the regulation 18 consultation have been included in the new version of the policy. We strongly support policy.

Changes required

N/A

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM43
<u>Respondent Number / Rep Number</u>	79 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Environment Agency
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We are particularly supportive of the following supporting text to ensure that the design of SuDS is appropriate to the individual location so that the Brighton Chalk Block Aquifer is not compromised.2.333 The choice of appropriate sustainable drainage measures for a site/development should be informed by specific catchment and ground characteristics, and will require the early consideration of a wide range of issues relating to the management, long term adoption and maintenance of SuDS. When determining the suitability of SuDS, vulnerability and the importance of local ecological resources, such as water quality, in particular within the Brighton & Hove aquifer and biodiversity should be considered. In some locations of the city only specific types of SuDS will be appropriate so as not to have an adverse impact on groundwater quality.

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	DM43
<u>Respondent Number / Rep Number</u>	158 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Living Coast UNESCO Biosphere
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM43
<u>Respondent Number / Rep Number</u>	172 7
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

It is widely acknowledged that soakaways are inappropriate in drinking water Source Protection Zones and although it is common practice, it is not best practice. It is another example of how the vulnerable nature of the chalk block beneath Brighton and Hove is not taken into consideration.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM43
<u>Respondent Number / Rep Number</u>	180 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Highways England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

It is requested that further text is added as follows: "Please note that for developments in close proximity to the SRN, applicants should consider the requirements set out in DfT Circular 02/13 whereby Highways England does not permit stormwater runoff into its highway boundary or its drainage network, while if there is an existing storm water connection from the development site into Highways England's drainage network, Highways England may not allow continued discharge into its network following change of use of the site";

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM43
<u>Respondent Number / Rep Number</u>	202 8
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Woodland Trust
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Woods and trees form a highly effective part of Sustainable Drainage Systems (SuDS) in addition to their other benefits to environmental quality. Planting trees can slow the flow of water and reduce surface water runoff by up to 62% compared to asphalt, while individual tree canopies can intercept as much as 79% of a 20mm, 24-hour rainfall event under optimum, full leaf conditions. We therefore recommend strengthening this policy with a requirement to include trees and hedgerows in all SuDS schemes.

Changes required

We therefore recommend strengthening this policy with a requirement to include trees and hedgerows in all SuDS schemes.

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM43
<u>Respondent Number / Rep Number</u>	212 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Natural England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support this policy's requirements for proposals to incorporate appropriate Sustainable Drainage Systems (SuDS). In conjunction with best practice guidance and local policy, we also advise SuDS design should consider local topography and landscape character to avoid incongruous drainage features. We support the inclusion of above-ground SuDS features wherever possible and recommend a master-planning approach to allow the spatial requirements of SuDS to be integrated with other features early in the design process. Well-designed SuDS schemes can provide multiple benefits for people, nature and local amenity value, and can contribute to net gains for biodiversity. In line with the aims of the NPPF (163. & 165.).

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	DM43
<u>Respondent Number / Rep Number</u>	214 42
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to the content of these policies.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM43
<u>Respondent Number / Rep Number</u>	258 27
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

DRAINAGE ISSUES The Council should consider local drainage and potential localised flooding issues in all developments. Existing drainage issues should also be considered and grant applications made to help solve these issues as a matter of priority for infrastructure projects. (Justification: Environmental Protection).

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM44
<u>Respondent Number / Rep Number</u>	126 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	n/a
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I generally support the policy and appreciate that much of the feedback from earlier consultations has been incorporated in CPP2. However, to mitigate the effects of the impending climate emergency, I believe we need a more robust approach to energy efficiency. I therefore believe that, in the case on new builds, words like "encourage" and "may" seem to be too aspirational and need to be changed to absolute requirements.

Changes required

See item 3 above

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak n/a

<u>Policy</u>	DM44
<u>Respondent Number / Rep Number</u>	158 11
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Living Coast UNESCO Biosphere
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM44
<u>Respondent Number / Rep Number</u>	171 11
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The Future Homes Standard may automatically make the 19% increase in energy efficiency unworkable, so should be removed. The new standard will increase standards so building regulations standards should be used, not planning policy. This is also a pointless endeavour as this will be met with SAP, not with true energy efficiency need. It is also incorrect to ask for renewables on new buildings as they will not be replaced or maintained. The councils needs to focus on district energy and heating, not piecemeal renewables on new homes. Bizarrely, there is also no reference to onshore renewables. It is astounding that this is the case and sites should be allocated to onshore renewables. There is no support for increased energy efficiency retrofitting measures such as exemptions for External Wall Insulation in conservation zones, new roofs which improve energy efficiency, or other streamlines measures to support EPC improvements. Expecting new homes to meet this measure examples how poor this policies approach is.

Changes required

2.339 Developments should maximise opportunities for on-site electricity and heat production from solar technologies (photovoltaic and thermal) and use

innovative building materials and smart technologies. This will reduce carbon emissions, reduce energy costs to occupants, improve the city's energy resilience and support the growth of green jobs - REMOVE THIS SECTION2.345 To mitigate carbon emissions associated with all new development and meet local and national policy objectives for CO2 emissions reduction, this minimum requirement now applies to all types of development. In order to meet the national and local carbon reduction targets, greater CO2 emission reductions will need to be delivered in the future and these targets will be kept under review.To ensure the assessment of new development better reflects the actual carbon emissions associated with their expected operation, planning applicants are required to use the government's updated carbon emission factors (SAP 10 or subsequent versions). It is anticipated that on developments where carbon savings from certain technologies (e.g. gas-engine CHP and solar PV) do not achieve the carbon savings set out in City Plan Part One Policy CP8, alternative or additional technologies will need to be utilised to meet the 19% improvement against part L. - REMOVE THIS SECTIONAdd a section which sets out a Local Development Order (LDO) for homes meeting Passivhaus or 19% increase energy efficiency against Part L,

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

This policy is unviable and nobody appears to understand why. The council is not helping residents, it is harming them. Somebody needs to speak up.

<u>Policy</u>	DM44
<u>Respondent Number / Rep Number</u>	202 9
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Woodland Trust
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We note in footnote 103 the Council's recognition that residual emissions can be off-set against carbon-positive measures such as tree planting. Offsite carbon mitigation is a legitimate part of any responsible emissions reduction strategy. It should be within a hierarchical approach that first avoids emissions where possible, limits them to a minimum, finally compensating for those that are unavoidable. The Woodland Trust supports schemes to harness the potential of native woods and trees to mitigate energy use while reconnecting our landscapes: in particular, we recommend following the Woodland Carbon Code (WCC), which provides a best practice standard for domestic woodland creation schemes financed by carbon credits.

Changes required

The Woodland Trust supports schemes to harness the potential of native woods and trees to mitigate energy use while reconnecting our landscapes: in particular, we recommend following the Woodland Carbon Code (WCC), which provides a best practice standard for domestic woodland creation schemes financed by carbon credits.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM44
<u>Respondent Number / Rep Number</u>	210 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Home Builders Federation
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Energy Efficiency and Renewables Part 2 of the policy is unsound as it is not consistent with national policy. The Council have included a requirement for new build development to meet higher Energy Performance Certificate ratings than those that are required through Building Regulations. This is in addition to the 19% improvement in CO2 on the basis of the transitional arrangements following the discontinuation of the Code for Sustainable Homes in the 2015 Written Ministerial Statement (WMS). The Government have recognised the confusion that has been caused with regard to energy efficiency in the absence of the legislation promised in the WMS. The HBF recognise that the transitional arrangements provide flexibility for Council's to require development to deliver improvements in CO2 emissions over the levels expected in Building Regulations to what would have been expected under Code 4 of the Building Regulations. However, the regulations do not provide further flexibility for Councils to require new homes to meet higher than expected standards set out through Energy Performance Certificates (EPC). At present all properties for sale and rent are expected to meet at least a level EPC C rating yet the Council is requiring new build residential development to deliver up a minimum EPC B rating. Given that EPC ratings goes beyond just CO2 emissions we are concerned that this approach is not consistent with national policy and guidance. Whilst the vast majority of new homes will achieve a level B or higher EPC rating [84.4% of new build homes were rated A-B for energy efficiency in the

second quarter of 2017 (HBF 2017)] , we would suggest this requirement is removed to ensure consistency with national policy and avoid confusion as to the legally required standard. The HBF has continually argued that the most effective approach to ensuring improvements in the energy efficiency of homes is through a consistent national approach applied through the Building Regulations. This approach allows the supply chains required to deliver improved energy efficiency to become established and not threaten development viability and the delivery of new homes – and in particular, low-cost market homes.

Changes required

Part 2 of the Policy we would suggest this requirement is removed to ensure consistency with national policy and avoid confusion as to the legally required standard.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

The HBF is the principal representative body of the housebuilding industry in England and Wales and our representations reflect the views of discussions with our membership of national and multinational corporations through to regional developers and small local housebuilders. Our members account for over 80% of all new housing built in England and Wales in any one year. We would also welcome, in due course, the opportunity to participate in any hearings organised as part of the Examination in Public in order to present our concerns with the City Plan Part 2 to the appointed inspector.

<u>Policy</u>	DM44
<u>Respondent Number / Rep Number</u>	211 7
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	St William Homes LLP
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Established in 2014, St William is a joint venture between the Berkeley Group and National Grid Property ('National Grid'), established to bring forward regeneration and the redevelopment of decommissioned, vacant National Grid sites across the south-east, delivering essential new homes and jobs. The partnership combines National Grid's extensive portfolio of surplus brownfield sites with the Berkeley Group's design expertise, substantial experience of redeveloping complex regeneration sites and proven track record of significant housing delivery and high-quality developments. The Brighton Gasworks site ('Brighton Gasworks') falls within the portfolio and St William is pleased to be actively progressing plans to deliver a mixed use development on this Site in line with its site allocation under the City Plan Part 1. St William are currently in pre-application discussions with BHCC and have commenced a programme of public consultation with a view to submitting a planning application in 2021. This would mean that the first homes could be delivered by the mid 2020s. St William welcomes the opportunity to work with BHCC and have the opportunity to provide comments on the draft City Plan Part Two. St William would be very happy to meet with BHCC to discuss any of the comments set out in these representations. Comments provided are made in the context of the Strategic Site Allocation DA2 'Brighton Marina, Gas Works and Black Rock Area' outlined in the adopted Local Plan Part One (2016). In accordance with the guidance note on making representations to the draft Plan, our

comments relate to matters of legal compliance and whether the Plan is 'sound' in the context of paragraph 35 of the National Planning Policy Framework (NPPF) which requires plans to be: a) Positively prepared b) Justified c) Effective d) Consistent with national policy Comments are also submitted in line with paragraphs 11 and 81 of the NPPF, which states that plans and decisions should apply a presumption in favour of sustainable development and for plan-making this means that plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change. Site Background

The Site is a brownfield site and a former gas works site located to the east of Brighton city centre and northwest of Brighton Marina. The Site is bound by Boundary Road to the west, Roedean Road to the north and Marina Way to the east and south as shown in Figure 1 [see uploaded supporting document]. The existing site comprises a decommissioned gas holder and storage tank, vehicular parking areas, a number of commercial sheds and buildings used for automotive repairs and storage of commercial vehicles and a holding area for the construction work taking place at Sussex County Hospital. The site is allocated within the adopted City Plan Part One under strategic site allocation DA2. Policy DA2 comprises 3 distinct sites: the Brighton Marina, the Gas Works site and the Black Rock Area. Part C.2 outlines the localised policies for the Gas Works site which identifies the site for 'a minimum' of 85 residential units, which are shown on the current proposals map to the south of the site (as highlighted in Figure 2 [see uploaded supporting document]) and approximately 2,000 sqm of business floorspace to the north of the site. The policy goes on to explain that the employment provision should provide an appropriate mix of employment floorspace of varying sizes that cater for business uses ranging from office to light industrial, including small starter units or managed units (former Use Classes B1). Whilst this site allocation is outlined within the adopted City Plan Part One (2016) and is not therefore open for comment, these representations must be considered in the context of the site's strategic allocation and the framework set out in the City Plan Part One. Draft Policy DM44 Energy Efficiency and Renewables NPPF Paragraph 11 – Flexibility Test - This policy does not afford sufficient flexibility. NPPF Paragraph 35 – Soundness Test - The policy does not meet the soundness tests as it is not effective. The policy should be clear that the CO2 reduction is based on Part L 2013 baseline. It is expected that "Part L 2020" will soon be introduced, and this will already set the minimum targets 20-30% lower than the current Part L 2013 baseline, so will be equal to or greater than the current proposed 19% CO2 reduction. Therefore, it needs to be clear what the current Part L standard is. Updating to SAP 10.1 carbon emission factors will ensure the policy is making it clear that it is referring to the most recent emission factors from the outset (paragraph 2.345).

Changes required

Policy DM44 Energy Efficiency and Renewables Add "2013" after Part L to read: Part 1 "All development including conversions and change of use of existing buildings to achieve at least 19% improvement on the carbon emission targets set by Part L 2013 unless superseded by national policy or legislation..." Paragraph 2.345 to be revised as follows: add "SAP10.1" to brackets to read: To ensure the assessment of new development better reflects the actual carbon emissions associated with their expected operation, planning applicants are required to use the government's updated carbon emission factors (SAP 10.1 or subsequent versions).

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM44
<u>Respondent Number / Rep Number</u>	213 7
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Hove Civic Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

In 2018 Hove Civic Society made extensive representations at the draft stage to the City Plan Part 2. We supported a number of the policies and made suggestions for improvements in a number of other areas. We are pleased that those policies we supported remain and in some cases have been strengthened. In particular we refer to policies DM1 and the inclusion of the national space standards, DM4, DM19, DM44 and DM46.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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Why wish to speak

<u>Policy</u>	DM44
<u>Respondent Number / Rep Number</u>	214 43
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The NPPF (2019) at para. 50 states that: 'Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.' The current NPPG states that: 'The National Planning Policy Framework expects local planning authorities when setting any local requirement for a building's sustainability to do so in a way consistent with the government's zero carbon buildings policy and adopt nationally described standards. Local requirements should form part of a Local Plan following engagement with appropriate partners, and will need to be based on robust and credible evidence and pay careful attention to viability. In this respect, planning authorities will need to take account of government decisions on the Housing Standards Review when considering a local requirement relating to new homes.' (Paragraph: 009 Reference ID: 6-009-20150327) The 'Housing Standards Review' referred to in the NPPG was published in 2015 with a Written Ministerial Statement 25 March 2015, which included the following passage: 'local planning authorities and qualifying bodies preparing neighbourhood plans should not set in their emerging Local Plans, neighbourhood plans, or supplementary planning documents, any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings. This includes any policy requiring any level of the Code for Sustainable Homes to be achieved by new development; the government has now withdrawn the code, aside from the management of legacy

cases. Particular standards or requirements for energy performance are considered later in this statement. Local planning authorities and qualifying bodies preparing neighbourhood plans should consider their existing plan policies on technical housing standards or requirements and update them as appropriate, for example through a partial Local Plan review, or a full neighbourhood plan replacement in due course. Local planning authorities may also need to review their local information requirements to ensure that technical detail that is no longer necessary is not requested to support planning applications. The optional new national technical standards should only be required through any new Local Plan policies if they address a clearly evidenced need, and where their impact on viability has been considered, in accordance with the National Planning Policy Framework and Planning Guidance. Neighbourhood plans should not be used to apply the new national technical standards.'The 2019 NPPF has re-affirmed that, as set out in the 2015 Housing Standards Review, Local Plan requirements should reflect the Government's national approach to technical standards. Therefore, it is not for LPA's to set their own local additional standards. The LPA has the option to require nationally described standards where they address a clearly evidenced need and where their impact on viability has been considered. The current nationally described standards are already secured by CPP1 Policy CP8. Policy DM44 goes beyond Government's nationally described standards (i.e. the optional building regulations for energy and water usage). Policy DM44 requires: * 19% CO2 emission reduction over Part L requirements* Minimum EPC ratings* CO2 emission reduction measures* Off-site CO2 mitigation measures* The submission of 'Energy Statements' at validation stage which must meet technical guidance requirements (yet to be published)* The submission of post-completion reports to demonstrate that CO2 emission reductions have been achieved, which must meet technical guidance requirements (yet to be published)The policy states that these requirements must be met by 'all development', including conversions and changes of use. There is no threshold set out, therefore it appears that the requirements will apply to all new development regardless of scale. We support the objective of addressing the challenges of climate change and CO2 emissions, these are however national / international issues. Government has set out definitively that the Planning agenda in respect of these issues and any standards for buildings will be set at a national level. The proposed requirements are therefore contrary to the Government's clear approach and we object to them on this basis. Furthermore, they will place a disproportionate burden upon smaller developments as no threshold has been set in the policy. The policy states that the standards set out in Policy DM44 'will be required unless it can be demonstrated that doing so is not technically feasible and/or would make the scheme unviable'. This is not an appropriate approach. The NPPG sets out clearly that the drafting of such policies should pay careful attention to viability. Requirements should not be introduced which threaten viability. The wording proposed suggests that the LPA expects that in some cases the requirements will threaten viability and then puts the onus upon developers to make this case, presumably through a detailed viability case which will in itself incur expense and an additional burden, particularly in respect of small-scale developments. Policy DM44 should be not be adopted in its current form, as the issues it seeks to cover are being addressed at a national level by Government, and Government has set out explicitly that no measures beyond the nationally described standards can be secured by Local Planning Authorities. These permitted standards are already secured by CPP1 Policy CP8. A potential way forward would be to word the objectives of Policy DM44 as 'encouraging' developers to adopt such standards rather than setting enforceable requirements. The policy as it stands is not consistent with national policy. The policy is therefore unsound.

Changes required

A potential way forward would be to word the objectives of Policy DM44 as 'encouraging' developers to adopt such standards rather than setting enforceable requirements.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM44
<u>Respondent Number / Rep Number</u>	247 19
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Regency Society of Brighton & Hove
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Implementation of this policy should take into account the whole life energy consumption of existing buildings on circular economy principles, including the embodied energy of the existing fabric and the theoretically unlimited life of a historic building, against the energy cost of demolition and disposal, new raw materials, manufacturing and transporting components to site and constructing new buildings of limited life.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM44
<u>Respondent Number / Rep Number</u>	254 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	East Sussex County Council
<u>Respondent Type</u>	Public Sector / Local Authority
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Low Carbon Opportunity Zones: the release of carbon from the loss of semi-natural habitats and the ability for semi-natural habitats to sequester and store carbon should be taken into account.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM45
<u>Respondent Number / Rep Number</u>	214 44
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We note that this policy is worded as developers are 'encouraged to'. Therefore, unlike Policy DM44 this policy does not set out any definitive requirements. We do not therefore object to this policy. As the policy sets out encouragement rather than any requirements, we see no point in setting out a size threshold for medium scale and Major developments. The encouragement can apply to all developments

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	DM46
<u>Respondent Number / Rep Number</u>	213 8
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Hove Civic Society
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

In 2018 Hove Civic Society made extensive representations at the draft stage to the City Plan Part 2. We supported a number of the policies and made suggestions for improvements in a number of other areas. We are pleased that those policies we supported remain and in some cases have been strengthened. In particular we refer to policies DM1 and the inclusion of the national space standards, DM4, DM19, DM44 and DM46.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	DM46
<u>Respondent Number / Rep Number</u>	214 45
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Whaleback Ltd
<u>Respondent Type</u>	Planning agent / architect
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have no objection to this policy.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We wish to participate in hearing sessions, particularly in respect of the policies we have objected to.

<u>Policy</u>	SA7
<u>Respondent Number / Rep Number</u>	24 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	SA7
<u>Respondent Number / Rep Number</u>	49 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	SA7	
<u>Respondent Number / Rep Number</u>	58	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

This "green lung" should not be developed.

Changes required

Previous planning proposals were abandoned. All the reasons are still valid.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	SA7
<u>Respondent Number / Rep Number</u>	80 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The Benfield Valley land was a designated wildlife area and when Sainsbury's was built it was agreed this space would be reserved as a wildlife reserve. Wildlife needs no interference by people. It is detrimental to wildlife to build on this land and the wider area will be affected. It's pointless to say you will build on part of it and then manage the rest. It is not justified! We are amidst a pandemic and with David Attenborough talking about things we need to do Nationally, Internationally and in our own areas thus building on green space that was designated for wildlife is not justified! People in the surrounding areas utilise this space for exercise and their mental wellbeing. We moved to this area for that reason. My son had cancer at 3 1/2 and it affected our whole families well-being. Our well-being has been improved dramatically by living near this green space. Rather than draining resources if the NHS we have used our environment to improve our mental health. You are proposing to take this away. We live directly behind this space. I am not a NIMBY, and accept that housing needs to be built, but housing should be built on brown field sites and where there are large houses or buildings with land around it environmentally thought through housing should be built when these properties become available. If you 'chip away' at green space then there is less to protect and then it will no longer be worth protecting! My three points for being emphatically opposed to this building going ahead are: 1. The wildlife and environment will be irreversibly damaged. 2. You are reneging in the promise to protect

the Benfield Valley Nature reserve for local residents and wildlife to enjoy.³ The mental health and well-being of the local people will be affected detrimentally leading to further resources being needed for mental health and well being. Furthermore, I am disgusted that Labour and Green Councillors thought these plans were acceptable in the first place! They are both meant to be protecting the environment and people neither of which they are doing with these plans.

Changes required

Building anything on this site would not be acceptable. Brown field sites that have already been damaged fine, not Benfield Valley!

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

I would be more than happy to attend if my presence is required to block this site from being built on.

<u>Policy</u>	SA7
<u>Respondent Number / Rep Number</u>	98 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Benfield Valley has ecological value and protected habitats and should not be built on.

Changes required

No new developments. This is a very well used green lung into this part of the city and much wildlife can be found here and spills in the local area. In my garden just across the Old Shoreham Road I've seen pheasants, foxes, hedgehogs, slow worms, bats, jays even an owl. Without this rich nature corridor a lot of their natural habitat will be lost along with the green space enjoyed by so many. Green space has to come before a developers profits. Browfield sites much be used first or build upwards. Don't take away spaces that encourage nature and improve mental wellbeing.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	SA7
<u>Respondent Number / Rep Number</u>	111 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I am contesting the development of Benfield Valley as outlined in section 3.6 of the plan document and refer to section 5.6 in the Sustainability Appraisal document for CPP2. The most problematic part of this is that, as outlined in section 5.6 of the Sustainability Appraisal, there are a number of aspects that are deemed to have a 'significant adverse impact' on the local wildlife and area that have been skirted over. In my eyes, having read the Sustainability Appraisal as it applies to Benfield Valley, section 5.6 of the CPP2 Sustainability Appraisal does not go far enough to recognise the value of this space. I will go through the main issues here. Firstly, it cites that, 'Although the policy was found to have potential for adverse effects for biodiversity in the short term, it was found to have positive effects for biodiversity and open space in the longer term, as whilst the policy supports housing delivery on two parts of the site, the policy was found to have overall benefits these objectives, as it seeks to secure funding to protect and enhance the remainder of the site for nature conservation and open space purposes. It is also noted that the areas for development have been assessed as having lower ecological value than other parts of the site which should help to minimise ecological losses.' No local conservation group or Ecologist not driven by financial gain would agree that any of this statement is true and I cannot understand how something so counter-intuitive could end up in an official document such as the CPP2 - why do we need to build on this space in order for it to have value and

deserve protection and therefore access to funding? Allowing my true feelings to show now, I am incensed by the final sentence of this paragraph in particular. No area in a space like Benfield Valley is of 'lower ecological value' and I would appreciate the evidence for this being presented to the local community conservation and wildlife groups. In the natural world, every space has value. Whether it's the fungi that grows on the woodland floor and nourishes the earth through its mycelium, or the foraging and living space that it provides for local wildlife such as the now threatened hedgehog, rare Wasp Spiders, Common Lizards, which are protected in the UK under the Wildlife and Countryside Act, 1981 and are priority Species under the UK Post-2010 Biodiversity Framework (see video and highlighted images), red Foxes, butterflies of many species including the Common Blue and Red Admiral, Adders, Lime Hawkmoths, Buff Ermine Moths, Peach Blossom moths, Swallow-tail Moths, Buff Arches moths and Buff-Tip moths (please see link of evidence for images and videos of each of these sightings in the accompanying document, all taken by local residents and community groups from in and around the areas marked for development), as well as the homes that the canopies of the trees in this area provide for local birds such as robins, sparrows, skylarks, blackbirds, blue tits (to name just a few!) and also our community of climate-indicators, Pipistrel bats. If this space is seen as having 'lower ecological value' it is only because it has not been properly managed or cared for: paths have not been maintained, rubbish has not been cleared, tree canopies have not been tended to so as to provide more light to the woodland floor and encourage further growth and biodiversity. Why the council feels it could only do this if the land were to be 'developed' (and I use that term ironically), as mentioned in the Sustainability Appraisal, is anyone's guess.

The Impact on Mental Health To continue on from the Sustainability Appraisal, 'Delivery of housing, particularly affordable housing can help reduce housing-based deprivation and also contributes towards economic growth. The policy was found to have potential for significant adverse impact for landscape in the short term, although impacts should improve over time, as the areas of the site suitable for housing have been assessed as having potential for significant landscape effect¹²⁰ based on a lower amount than proposed in the policy and therefore a higher amount could have a greater significant landscape effect particularly in the short term whilst any screening mitigation is ineffective. Impacts become less significantly adverse in the longer term as mitigation becomes more effective.' The irony here is that working class people, ethnic minorities (who are statistically more likely to face socioeconomic disadvantage), and those facing 'housing-based deprivation' (if we are talking about housing deprivation in this sense and not in the 'let's-get-as-many-people-onto-the-property-ladder-as-possible-and-make-as-much-money-as-we-can' sense) are those most likely to suffer the long term mental health effects of a lack of good quality, accessible green space (and this does not include sports pitches) as those lower income households are more likely to live in urban areas, which generally have with less uninterrupted green space. A 2014 OECD report based on the results of a project conducted 2010-2013 states that, 'what we do know about living in cities is that it increases our risk of mental health problems...(and that)...cities have both health risks and benefits (such as accessible health care and social support), but mood and anxiety disorders are more prevalent in city-dwellers and the incidence of schizophrenia is much higher in people born and raised in cities.' Studies prove that the human brain needs natural biodiversity for so many reasons. US researcher, Richard Taylor and his team, found that natural shapes and repeated patterns in nature (known as fractals) prompt the alpha and beta waves in the brain, suggesting a 'relaxed but focused state' when out in good quality green spaces. This was supported by recent study by the University of Derby, which demonstrates a greater level of activity in the parasympathetic nervous system when in a natural setting. The parasympathetic system is also known as the 'relax and restore' system and is the state that humans need to be in in order to feel and be well, rather than in the sympathetic nervous system, which prompts the 'fight or flight' response in the brain, raising levels of adrenaline and cortisol in the blood, thereby depressing the immune system and causing physical and mental health problems. An OECD report in 2019 reported that the NHS spends approximately £94 billion (give or take a pound or two!) per year on mental health conditions; if something as simple as natural green spaces can help and actually improve the mental health of human beings, eventually saving the council and NHS money, then why get rid of them at such a rate? Moreover, thanks to the law of Trespass, 92% of land in the England is privately owned, meaning that unless you are privileged enough to call an expanse of green space your back garden, you only will have access to 8% of good quality green space in England. We must hold onto to whatever spaces we have with both arms, not sell it off to the highest bidder who cares for nothing but profit at the expense of public health.

The Last 1% of Chalkland in the South Downs is Here... Alongside this, the suggestion here if we look at the second sentence is that we are better off with these plans because '...based on a lower amount than proposed in the policy and therefore a higher amount could have a greater significant landscape effect particularly in the short term whilst any screening mitigation is ineffective. Impacts become less significantly adverse in the longer term as mitigation becomes more effective.' My argument would be that no section of the Valley should be built on - be that 100 dwellings or more - due to it's ecological value. The whole of the Valley is part of the last 1% of chalkland (known as a priority

habitat) that we have in the South Downs. From the National Trust website, 'Wildflower meadows on chalk downland are sometimes called Europe's tropical rainforest. They're home to an incredibly rich and diverse range of plant and insect life...Up to 40 species of flowering plants can be found in one square metre of chalk grassland – also called lowland calcareous grassland. Many species grow nowhere else, including many beautiful orchids and wildflowers. In turn, they attract many insects and rare butterflies such as the Adonis Blue and Duke of Burgundy...Lime-rich, but low in nutrients, the thin soil holds little water and heats up quickly. These stressed conditions stop the dominant lush grasses from taking over. This allows a diverse range of smaller herbs and lower plants to flourish.' Anyone who has walked from the bottom end of the Benfield Valley all the way to the top at the South of the A27 on a Summer's day will know this to be true. Attached are images of just a few of the species to be found on the section of land marked for development and include Pleated Inkcup, Spindle, Hawthorn, Apple tree, Blackthorn/Sloe berries, Agrimony, Ribbed Melilot, Common Mallow, Old Man's Beard, Clover, Wild Carrot, Creeping Thistle, Yarrow and Teasel. We cannot afford to lose any of this space and the council is setting a dangerous precedence by allowing any of it to be built upon.

Air Quality Before I begin this section, did you know that it takes seven trees to provide enough oxygen for one person? As stated in the Sustainability Appraisal, 'The policy was found to have potential for significant adverse impacts for air and noise quality. The site suffers from road noise, which could impact upon occupier amenity and which could worsen through any increase in transport movements. Although outside the AQMA, delivery of 100 dwellings on the site could result in an increase in vehicle movements that has a significant effect on air quality.' This statement is the most problematic of all. The area to the south of the Benfield Valley, at the bottom of the A293, is stated on the 2020 Brighton and Hove Air Quality survey as being an AQMA (see map attached). It stands to reason that with a significantly reduced number of trees to absorb carbon emissions from the passing traffic, air quality could not only worsen the situation further but also put more pressure on the local NHS services. As stated in the 2018 government guidance document 'Health Matters: Air Pollution,' 'Air pollution has a significant effect on public health, and poor air quality is the largest environmental risk to public health in the UK. In 2010, the Environment Audit Committee considered that the cost of health impacts of air pollution was likely to exceed estimates of £8 to 20 billion.' We already know from cases such as the death of nine year-old Ella Kissi-Debrah in 2014 as the result of a fatal asthma attack thought to have been brought on by spikes in nitrogen oxide and PM10s near to her home in South London, that high levels of air pollution have the potential to cause serious health damage. Especially in the times we are facing now, councils should be helping with constituents to remain healthy and safe, not decimate one of the few, uninterrupted green spaces we have left in the borough. If we are to reach Carbon Neutral by 2030, we are not moving any closer to that by concreting over our local green spaces. For all of the reasons stated, I consider that the plans for Benfield Valley neither meet the duty to cooperate (due to the ignoring of legally protected species and their needs) nor sound.

Changes required

There is funding and support available outside of town councils for protecting green spaces such as Benfield Valley and by tapping into these, working with local rangers, Ecologists and Conservation and Community groups, this space could be something even more wonderful than it already is, drawing in visitors from around the country, perhaps becoming a stopping off point for walkers visiting the South Downs Way, which runs nearby, and becoming a centre for environmental/conservation education for young people and students as well as the wider community. The grade II listed barn (also a home for our Pipistrel bats) on the north site could be restored by local builders to become a community arts and learning hub, perhaps providing an opportunity for local conservation and community groups to convert the garden behind it into a 'wild garden' to teach and learn about permaculture and biodiverse gardening in small spaces. By designating the Benfield a Local Green Space, adding it to the list of Conservation areas, creating a Field in Trust, or saving the space and transforming it into a legally-protected Nature Reserve in the way that the Worthing and Adur Council have done for the New Salts Farm the council would be protecting the health and wellbeing not just of our local ecosystem, but of our children, who want so much to grow up in a world rich with biodiversity and wildlife. This space also provides an opportunity for 'green jobs' for locals for many years to come, contributing to the local economy in innovative and creative ways. The current leaseholders do not care for this space as the local residents do, and as the council should (and my thoughts on that could write another four page letter entirely!). Spaces such as the Benfield Valley should not be held to ransom in this way. It is dangerous, it is unethical and it is just a small (but no less significant) part of what seals our fate as a species. All it takes is imagination, community engagement and the courage to do things differently.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

I have set up a group called the Benfield Valley Project and we are moving towards becoming a constituted community group to help celebrating and 'speak for' the Benfield Valley, the people who love it and the wildlife that lives in it. I have written an open letter to relevant councillors and MPs (attached to this response), which has also been sent to the media and interested parties such as fellow local groups. It would be great to provide a non-political voice for the local residents who also feel passionately about protecting this space.

<u>Policy</u>	SA7
<u>Respondent Number / Rep Number</u>	121 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I do support making Benfield Valley a Special Area for the stated aims of protection of heritage and that it is retained as a local green space. What I object to and believe to be unsound/ inappropriate is the proposal of building 100 houses in the middle of it and the suggestion of 3 storey homes where in the immediate area they do not go above 2. This will damage the area and character of the Valley . It will increase the traffic at an already busy large junction and if it is combined with the the objective listed under E1 for business and warehouse premises at Hangleton Bottom the traffic on the Hangleton Link Road and the junction with Fox Way will increase greatly particularly at peak times.

Changes required

By removing the proposal for housing it will mean the objective of Benfield Valley being designated as a Local Green space and Special area would be achieved.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

<u>Policy</u>	SA7
<u>Respondent Number / Rep Number</u>	166 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	None
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The policy is unsound in that does not take full account of the loss of uninterrupted green space, habitat loss for threatened species, detrimental outcomes for local people and the increase in air and noise pollution (which is already high and requires monitoring). The putative improvements could be carried out at low cost without the loss of the site to private housing. The council can meet its statutory housing requirements without these 100 dwellings.

Changes required

The proposed development is not in the public interest. It brings no benefit for current local residents, no benefit is shown for incoming new residents, it is not required by the City's housing need and should not go ahead. The City should support enhancement of the site in consultation with the local community.

Participate at the hearing session(s)?

<u>Policy</u>	SA7
<u>Respondent Number / Rep Number</u>	170 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I do not believe that the policy is legally compliant as the Council have not adhered to their Statement of Community Involvement. Although information has been made available online, the Council have not attempted to involve the community or draw the community's attention to the policy or the plan to build on Benfield Valley. I live in the local community and have received no information from the council. I also frequently walk through Benfield Valley and I have never seen any council notices advising of their intention to build 100 houses on it. Secondly, I do not consider that the Council's policy is Positively prepared or Sound for the reasons below: 1. The building of 100 houses of up to 3 stories each on Benfield Valley cannot be justified. Benfield Valley is a highly valued community green space and is widely used by residents. Walking, cycling, jogging and dog walking are frequent and popular activities undertaken in Benfield Valley by the local community. Today, I even saw someone riding a horse in the Valley. Brighton & Hove Council should instead concentrate on the development of the brown field sites available. 2. It has been proven that being able to get out and exercise in a natural environment is good for both physical and mental health. I am particularly concerned that building on Benfield Valley would have a negative impact on the mental health of those who live locally. We cannot keep "chipping away" at the last undeveloped space within communities. If we do, soon there will be none left, to everyone's detriment. 3. I do not believe that 100 homes can be built solely

within the area indicated as a Housing site (H2) on the Brighton and Hove map – I think that were 100 houses to be built here, the wild natural area lost would be much greater than the area implied by the yellow lines on the map. For instance, the map does not show how either site would be accessed from the road, that would be additional land area lost to development. 4. The policy does not seem to have properly considered the required infrastructure to support 100 additional homes, which it is required to do to be considered “positively prepared”. The policy states “it is recognised that some services are located more than preferred maximum walking distance from the site”. It is already problematic trying to find GP and Dentist surgeries in the area.5. The policy states that building in Benfield Valley “should lead to improved public access to and through the site, including for pedestrians and cyclists”. Pedestrians and cyclists already have good access to this area! Building 100 houses will lead to increased traffic levels on the A293 and Hangleton Lane and will detract from the pleasure of cycling and walking here and will make it much harder for cyclists and walkers to cross Hangleton Lane from one side of Benfield Valley to the other!6. The Brighton & Hove CPP2 West Area map (Feb2020) available here: <https://www.brighton-hove.gov.uk/sites/default/files/migrated/article/inline/ CPP2%20West%20Area%20map%20Feb2020web.pdf> shows that the proposed development North of Hangleton Lane is within an Archaeological Notification Area (ANA) – once this historic, open land is built upon, it is lost to the community, forever.7. The National Planning Policy Framework states under item 118b that Planning policies and decisions should “recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production”. Benfield Valley meets several of these criteria:a) Wildlife: There is abundant wildlife living here – photos of the local wildlife can be seen on the Benfield Valley Project Facebook page (<https://www.facebook.com/benfieldvalleyproject>). Wildlife would be displaced if this land is built upon. Brighton & Hove admit in their policy that building on Benfield Valley would have an adverse effect on biodiversity.b) Recreation: Benfield Valley is widely used for recreation as already described above. Building on this land would damage the opportunity to appreciate the natural environment.c) Carbon storage: The area proposed for building is heavily wooded, building would require destruction of the trees and release carbon, feeding climate change. 8. The Council admit that residential development on the site is likely to “increase vehicle movements”. The A293 can already become congested, adding 100 homes will make this worse, leading to increased congestion and pollution. The council also admit in their policy that this increased traffic could result in “significant adverse impacts for air and noise quality”. This is very bad news for those that suffer from asthma or other respiratory problems.9. Brighton & Hove Council claim in their policy that the delivery of 100 homes would “help to improve the surrounding site through securing ongoing maintenance and management, improving the open space offer”. The Council should not be claiming in their policy that Benfield Valley will be “an important green wedge into the urban area, a valued Local Wildlife Site and Local Green Space” while planning to destroy a significant proportion of it. That is nonsense. The open space is already widely used and enjoyed by the community and is already a valued local wildlife site. The Council should be protecting all of what we already have from residential development!10. The policy refers to Benfield Barn being derelict! The barn is not derelict, it is being used by Brighton Footgolf to sell drinks to their customers and is shown in their video on the company’s webpage: <https://brightonfootgolf.com/> (also available on youtube: <https://youtu.be/Ed1-WLhTcpo>). The photo on the same webpage shows the area proposed for development; the entire wooded area shown in the photograph would be destroyed. This open space will be lost to the community.11. The National Planning Policy Framework states in section 15 “Conserving and enhancing the natural environment”, paragraph 170:“Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes ...b) recognising the intrinsic character and beauty of the countryside ...d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.”I think there is little doubt that building 100 homes in the middle of the “green wedge” (as the Council refer to it) and hence dividing it further will greatly diminish the ability of the local ecology and ecosystems to be more resilient to future pressures. I would urge Brighton & Hove Council to remove the planned residential development of Benfield Valley from their Policy.

Changes required

In view of the points I have set out in answer to part 3 above, I consider it necessary to remove the proposed allocation for housing in Benfield Valley from Brighton & Hove Council’s City Plan (Part 2). I firmly do not believe that building on Benfield Valley is justifiable as it would be detrimental to the local community (loss of green space, increased traffic and noise, reduced air quality) and to the local wildlife (loss of habitat).The Council should also not refer to Benfield Barn as being derelict when it is clearly not. This is misleading. The barn is actively being used by Brighton Footgolf and is shown in the video on their website:

<https://youtu.be/Ed1-WLhTcpo> amongst other things, it sells refreshments in the barn to its customers! What is true is that building 100 houses adjacent to the barn would irreparably spoil the historic setting of the barn and its surroundings.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

I am a member of the local community and I wish to make it clear that the community don't want Benfield Valley to be built on. Its value as a green Space for the community would be reduced and the effect on the local wildlife would be damaging.

<u>Policy</u>	SA7
<u>Respondent Number / Rep Number</u>	173 10
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Ramblers
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I support the policy and would like to see it applied to other Local Wildlife Sites and Local Green Spaces within the City.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	SA7
<u>Respondent Number / Rep Number</u>	179 7
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	South Downs National Park Authority
<u>Respondent Type</u>	Public Sector / Local Authority
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Reiterate support: for bullet points 1 and 3 of the policy regarding connectivity through the site to the SDNP and creation of gateway facilities respectively; the wording in the supporting text on improving pedestrian and cycle links through the site including the north/south route; the site as a visually attractive gateway to the National Park, and the creation of a community/interpretation facility at Benfield Barn is welcomed.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	SA7
<u>Respondent Number / Rep Number</u>	180 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Highways England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Confirmation is requested that the Special Area does not encroach upon the highway boundary as this could impede essential highway works including safety maintenance works.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	SA7
<u>Respondent Number / Rep Number</u>	185 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I understand that there is to be a consultation to build houses on the Benfield Valley Wildlife Estate. Would it be possible, if I could politely ask you, to stop contemplating forcing your way onto the area that I live and destroying the natural habitat, purely for someone's financial gain. It is not acceptable. Imagine if you lived in that area? The answer is not to build more houses, the answer is to stop the population growth.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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Why wish to speak

<u>Policy</u>	SA7	
<u>Respondent Number / Rep Number</u>	202	10
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Woodland Trust	
<u>Respondent Type</u>	Environment	
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The habitat enhancement for this local wildlife site is encouraged including recognition of the importance of this site as "an important 'green lung' for the area. However, the proposed housing allocation here potentially requires removal of or impacts on woodland. The northern section of housing overlays approximately half a hectare of broadleaf woodland while both sites encroach on the corridor of woodland running north - south. Development here is likely to impact the ability of the woodland to support species using and moving through this corridor through edge effects. To better accord with Policy DM37 Green Infrastructure it is recommended that the housing allocation boundaries be reduced to limit the loss of woodland and to recognise a buffer with the corridor

Changes required

To better accord with Policy DM37 Green Infrastructure it is recommended that the housing allocation boundaries be reduced to limit the loss of woodland and to recognise a buffer with the corridor.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	SA7
<u>Respondent Number / Rep Number</u>	204 13
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Historic England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

In relation to Section 3 special area and site allocations, we note that sites have been subject to assessment 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 protection of the character of the associated conservation area (which is on the Heritage at Risk Register) in Special Area SA7 Benfield Valley, and that a heritage assessment is required in relation to the effects that the housing allocation areas may have on the setting 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.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	SA7	
<u>Respondent Number / Rep Number</u>	212	7
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Natural England	
<u>Respondent Type</u>	Government Agency	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

3. Comments on allocations Noting the location of a number of allocation sites close to and/or in the setting of the South Downs National Park, we support the requirement for Landscape and Visual Impact Assessment (LVIA). Where required, we advise LVIA is undertaken in accordance with Guidelines for Landscape and Visual Impact Assessment (GLVIA 3rd edition), recognising the Special Qualities of the South Downs National Park and the ambitions of the Partnership Management Plan. In accordance with NPPF paragraph 172, great weight should be given to conserving and enhancing landscape and scenic beauty of the National Park.

Changes required

Participate at the hearing session(s)?

Why wish to speak

<u>Policy</u>	SA7
<u>Respondent Number / Rep Number</u>	216 17
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Food Partnership
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Noting the multiple policies relating to food growing in City Plan, Part 1, the recent adoption of the revised PAN on incorporating food growing in development and the incorporation of food growing and food access we feel that this area has been overlooked in the DM policies in city plan part 2. Given the centrality of food in carbon reduction, with the IPCC & UK parliament Audit committee findings that food contributes up to 30% of carbon foot print, along with Brighton & Hove City Council's climate emergency declaration and commitment to become the first Gold Sustainable city in the UK, we urge that in order to meet the test of soundness and compatibility with sustainable development the role of food growing has to be part of these policies in order to meet the test. We are disappointed that none of the major / strategic sites (SA7/ SSA1-7) include specific reference to food growing as an upfront requirement, as with Toads Hole Valley, which made it clear that 1.59 hectares of food growing space was required. In short, as Brighton and Hove City Council have already accepted the principle that food is 30% of carbon footprint, and implemented planning policy as a response, if this area is not addressed alongside transport an energy then the plan as a whole cannot be considered to meet the test of soundness wrt sustainable development.

Changes required

We are disappointed that none of the major / strategic sites (SA7/ SSA1-7) include specific reference to food growing as an upfront requirement, as with Toads Hole Valley, which made it clear that 1.59 hectares of food growing space was required.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We would be happy to participate in the Inspector's hearing to make these points.

<u>Policy</u>	SA7	
<u>Respondent Number / Rep Number</u>	218	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Benfield Valley Project	
<u>Respondent Type</u>	Individual	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

RE: The planned development of Benfield Valley as stated in the CPP2 ProposalsAs I begin this letter, it is 4.27am on a Tuesday morning and I cannot sleep. I have been wanting to write this email to you for weeks but have not been able to find the words, so I will just write it anyway. It's a long one (and yes it has attachments and footnotes!) but please read until the end. I would also be grateful for a response to the points I have raised as this has taken a significant amount of my time to put together and I would be grateful if this could be respected. Six months ago, at the beginning of lockdown, I heard about the CPP2 plans to develop a section of the Benfield Valley (Special Area 7 on the CPP2) via a school whatsapp group for the parents of my daughter's class. I felt so impassioned by what I found out that I spoke to a number of local individuals, community groups, including:- Cllr. Dawn Barnett,- the Benfield Wildlife and Conservation Group (who look after the site to the north of the A27),- HK Hedgehogs,- The Hangleton and Knoll Project,- our local Bat Group and Moth and Butterfly group,- and the Hangleton Community Centre- and set up the Benfield Valley Project, a community group to support and protect the wildlife, flora and fauna of the Benfield Valley for generations to come. Going forward we will be working with Claire Johnson at HK Project to become a Constituted Community Group and provide social and conservation activities for the land and local residents. What's the Problem? You see, fellow residents (and I address you as such as we are all residents of Brighton and Hove and this

affects us all), the fact is that people become attached to natural spaces; lockdown strengthened this attachment for local residents and visitors to the space. The CPP2 threatens not just the mental health of those that use this space - something that could arguably lead to greater expenditure by the local NHS in caring and providing for those whose mental health may suffer as a result of seeing this land carved up for profit - but the wildlife that lives there, the trees that grow there and which do an incredible job of absorbing the emissions from the neighbouring A293 (the lower section of which is an AQMA as detailed in Brighton & Hove's Air Quality Report 2020, see below for further detail) and the busy A27. We cannot keep needlessly carving up our landscape, nonchalantly claiming, 'oh, it's just a little bit,' and expect our natural world to recover from the damage we have already done to it. No-one is disagreeing that we need affordable housing, of course we do, but, if as local Councillor Stephen Bell said in the Argus recently, deleting the urban fringe sites such as Benfield and Whitehawk Hill from CPP2 will still bring Brighton and Hove council 1,900 dwellings above their target, then building on a green space which is the last green lung that connects the Old Shoreham road to the South Downs, is senseless and destructive. There are plenty of unused dwellings (and perhaps some recently vacated office spaces?) within and around B&H which can serve this purpose; but once any section of the Benfield Valley is concreted over, however much we try to 'make room for nature' (which I hope would be up there on the list of top priorities should the council go against consensus and dangerously continue with the plans), the fact is that those trees will no longer exist. Ecologists tell us that our land is now so depleted that re-planting trees is not the same as allowing old ones to continue to grow, we cannot recreate the conditions that the trees initially grew under so anything that follows is, whilst still better than nothing, of less value to the biodiversity of the area: 'The older the tree, the more vital to wildlife it becomes.' (The Woodland Trust) The Sustainability Appraisal Every Space Has Value In my eyes, having read the Sustainability Appraisal as it applies to Benfield Valley, section 5.6 of the CPP2 Sustainability Appraisal does not go far enough to recognise the value of this space. I will go through the main issues here. Firstly, it cites that, 'Although the policy was found to have potential for adverse effects for biodiversity in the short term, it was found to have positive effects for biodiversity and open space in the longer term, as whilst the policy supports housing delivery on two parts of the site, the policy was found to have overall benefits these objectives, as it seeks to secure funding to protect and enhance the remainder of the site for nature conservation and open space purposes. It is also noted that the areas for development have been assessed as having lower ecological value than other parts of the site which should help to minimise ecological losses.' No local conservation group or Ecologist not driven by financial gain would agree that any of this statement is true and I cannot understand how something so counter-intuitive could end up in an official document such as the CPP2 - why do we need to build on this space in order for it to have value and deserve protection and therefore access to funding? No area in a space like Benfield Valley is of 'lower ecological value' and I would appreciate the evidence for this being presented to the local community conservation and wildlife groups. In the natural world, every space has value, whether it's the fungi that grows on the woodland floor and nourishes the earth through its mycelium, or the foraging and living space that it provides for local wildlife such as:- the now threatened hedgehog- rare Wasp Spiders- Common Lizards, which are protected in the UK under the Wildlife and Countryside Act, 1981 and are priority Species under the UK Post-2010 Biodiversity Framework (see video and highlighted images in the link at the bottom of this letter)- red Foxes- butterflies of many species including the Common Blue and Red Admiral- Adders- Lime Hawkmoths- Buff Ermine Moths- Peach Blossom moths- Swallow-tail Moths- Buff Arches moths- and Buff-Tip moths (see images and videos in the link at the bottom of this letter as evidence - all taken by local residents and community groups from in and around the areas marked for development), <Officer note: Images of Wildlife and Wildflowers/Plants were submitted with the email rep>...as well as the homes that the canopies of the trees in this area provide for local birds such as:- robins- sparrows- skylarks- blackbirds- blue tits- and also our community of climate-indicators, Pipistrel bats. If this space is seen as having 'lower ecological value' it is only because it has not been properly managed or cared for: paths have not been maintained, rubbish has not been cleared, tree canopies have not been tended to so as to provide more light to the woodland floor and encourage further growth and biodiversity. Why the council feels it could only do this if the land were to be 'developed' (and I use that term ironically), as mentioned in the Sustainability Appraisal, is anyone's guess. The Impact on Mental Health To continue on from the Sustainability Appraisal, 'Delivery of housing, particularly affordable housing can help reduce housing-based deprivation and also contributes towards economic growth. The policy was found to have potential for significant adverse impact for landscape in the short term, although impacts should improve over time, as the areas of the site suitable for housing have been assessed as having potential for significant landscape effect¹²⁰ based on a lower amount than proposed in the policy and therefore a higher amount could have a greater significant landscape effect particularly in the short term whilst any screening mitigation is ineffective. Impacts become less significantly adverse in the longer term as mitigation becomes more effective.' The irony here is that working class people, ethnic minorities (who are statistically more likely to face socioeconomic

disadvantage), and those facing 'housing-based deprivation' are those most likely to suffer the long term mental health effects of a lack of good quality, accessible green space (and this does not include sports pitches) as those lower income households are more likely to live in urban areas, which generally have with less uninterrupted green space. A 2014 OECD report based on the results of a project conducted 2010-2013 states that, 'what we do know about living in cities is that it increases our risk of mental health problems...(and that)...cities have both health risks and benefits (such as accessible health care and social support), but mood and anxiety disorders are more prevalent in city-dwellers and the incidence of schizophrenia is much higher in people born and raised in cities.' Studies prove that the human brain needs natural biodiversity for so many reasons. US researcher, Richard Taylor and his team, found that natural shapes and repeated patterns in nature (known as fractals) prompt the alpha and beta waves in the brain, suggesting a 'relaxed but focused state' when out in good quality green spaces. This was supported by recent study by the University of Derby, which demonstrates a greater level of activity in the parasympathetic nervous system when in a natural setting. The parasympathetic system is also known as the 'relax and restore' system and is the state that humans need to be in in order to feel and be well, rather than in the sympathetic nervous system, which prompts the 'fight or flight' response in the brain, raising levels of adrenaline and cortisol in the blood, thereby depressing the immune system and causing physical and mental health problems. An OECD report in 2019 reported that the NHS spends approximately £94 billion per year on mental health conditions; if something as simple as natural green spaces can help and actually improve the mental health of human beings, eventually saving the council and NHS money, then why get rid of them at such a rate? Moreover, thanks to the law of Trespass, 92% of land in the England is privately owned, meaning that unless you are privileged enough to call an expanse of green space your back garden, you only will have access to 8% of good quality green space in England. We must hold onto to whatever spaces we have with both arms, not sell it off to the highest bidder who cares for nothing but profit at the expense of public health. The Last 1% of Chalkland in the South Downs is Here... Alongside this, the suggestion here if we look at the second sentence is that we are better off with these plans because '...based on a lower amount than proposed in the policy and therefore a higher amount could have a greater significant landscape effect particularly in the short term whilst any screening mitigation is ineffective. Impacts become less significantly adverse in the longer term as mitigation becomes more effective.' My argument would be that no section of the Valley should be built on - be that 100 dwellings or more - due to its ecological value. The whole of the Valley is part of the last 1% of chalkland (known as a priority habitat) that we have in the South Downs. From the National Trust website, 'Wildflower meadows on chalk downland are sometimes called Europe's tropical rainforest. They're home to an incredibly rich and diverse range of plant and insect life... Up to 40 species of flowering plants can be found in one square metre of chalk grassland - also called lowland calcareous grassland. Many species grow nowhere else, including many beautiful orchids and wildflowers. In turn, they attract many insects and rare butterflies such as the Adonis Blue and Duke of Burgundy... Limerich, but low in nutrients, the thin soil holds little water and heats up quickly. These stressed conditions stop the dominant lush grasses from taking over. This allows a diverse range of smaller herbs and lower plants to flourish.' Anyone who has walked from the bottom end of the Benfield Valley all the way to the top at the South of the A27 on a Summer's day will know this to be true. Attached are images of just a few of the species to be found on the section of land marked for development and include:- Pleated Inkcap,- Spindle,- Hawthorn,- Apple tree,- Blackthorn/Sloe berries,- Agrimony,- Ribbed Melilot,- Common Mallow,- Old Man's Beard,- Clover,- Wild Carrot,- Creeping Thistle,- Yarrow- and Teasel. <Officer note: Images of Wildlife and Wildflowers/Plants were submitted with the email rep> We cannot afford to lose any of this space and the council is setting a dangerous precedence by allowing any of it to be built upon. Air Quality Before I begin this section, did you know that it takes seven trees to provide enough oxygen for one person? As stated in the Sustainability Appraisal, 'The policy was found to have potential for significant adverse impacts for air and noise quality. The site suffers from road noise, which could impact upon occupier amenity and which could worsen through any increase in transport movements. Although outside the AQMA, delivery of 100 dwellings on the site could result in an increase in vehicle movements that has a significant effect on air quality.' The area to the south of the Benfield Valley, at the bottom of the A293, is stated on the 2020 Brighton and Hove Air Quality survey as being an AQMA (see map attached). It stands to reason that with a significantly reduced number of trees to absorb carbon emissions from the passing traffic, air quality could not only worsen the situation further but also put more pressure on the local NHS services. As stated in the 2018 government guidance document 'Health Matters: Air Pollution,' 'Air pollution has a significant effect on public health, and poor air quality is the largest environmental risk to public health in the UK. In 2010, the Environment Audit Committee considered that the cost of health impacts of air pollution was likely to exceed estimates of £8 to 20 billion.' We already know from cases such as the death of nine year-old Ella Kissi-Debrah in 2014 as the result of a fatal asthma attack thought to have been brought on by spikes in nitrogen oxide and PM10s near to her home in South London, that high levels of air pollution have the potential to

cause serious health damage. Especially in the times we are facing now, councils should be helping with constituents to remain healthy and safe, not decimate one of the few, uninterrupted green spaces we have left in the borough. So where do we go from here and what could the space become? Some ideas. My offer to you then is to come to the Benfield Valley, to see the section the planning committee has marked for development, and allow me to walk you around it, showing you everything that is there and the potential it offers us for becoming a nature reserve that could be a source of pride for Brighton and Hove and East Sussex as a whole (this outdoor meeting would not be a contravention of any current government restrictions and could take place at a time of your convenience). There is funding and support available outside of town councils for protecting green spaces such as Benfield Valley and by tapping into these, working with local rangers, Ecologists and Conservation and Community groups, this space could be something even more wonderful than it already is, drawing in visitors from around the country. Some suggestions and possibilities are as follows:- Create a stopping off point for walkers visiting the South Downs Way, which runs nearby,- Create a centre for environmental/conservation education for young people and students as well as the wider community.- The grade II listed barn (also a home for our Pipistrel bats) on the north site could be restored by local builders to become a community arts and learning hub,- Convert the garden behind the barn to a 'wild garden' to teach and learn about permaculture and biodiverse gardening in small spaces would provide an opportunity for local conservation and community groups- Designate the Benfield Valley a Local Green Space,- Add it to the list of Conservation areas,- Create a Field in Trust, or saving the space- Transform it into a legally-protected Nature Reserve in the way that the Worthing and Adur Council have done for the New Salts Farm the council would be protecting the health and wellbeing not just of our local ecosystem, but of our children, who want so much to grow up in a world rich with biodiversity and wildlife.- This space also provides an opportunity for 'green jobs' for locals for many years to come, contributing to the local economy in innovative and creative ways. The current leaseholders do not care for this space as the local residents do, and as the council should (and my thoughts on that could write another four page letter entirely!). Spaces such as the Benfield Valley should not be held to ransom in this way. It is dangerous, it is unethical and it is just a small (but no less significant) part of what seals our fate as a species. All it takes is imagination, community engagement and the courage to do things differently. Thank you for taking the time to read this letter. Please do let me know if you would like to take me up on my offer of introducing you to and guiding you around the space. In hope, Helen Forester A Local Resident and Mother of two children aged 4 and 6. ***Please go to this link to view all images and videos referenced in this letter: https://drive.google.com/drive/folders/198StbnTg8lpW9mZAZVbqF3LCxI_OyZK?usp=sharing ***NB. Please note that a copy of this letter has also been sent to Peter Kyle MP, Caroline Lucas MP, a representative at BBC South Today, BBC Radio Sussex, the Sussex branch of the CPRE, the Sussex Wildlife Trust, The Woodlands Trust, community and conservation leaders and in the local area and has been published, with all addressees named, on my website www.promptedbynature.co.uk as well as the Benfield Valley Project Facebook page. References and Links <https://www.wildlifetrusts.org/wildlife-explorer/reptiles/common-lizard> E. Hewlett & V. Moran, 'Making Mental Health Count' (OECD, 2014) L. Jones, 'Losing Eden' (Allen Lane, 2020) C.M. Hagerhall, T. Laike, R.P. Taylor, M. Kuller, R. Kuller and T.P. Martin, 'Investigations of Human EEG response to viewing fractal patterns,' Perception, (2008) pp. 1488-94 M. Richardson, K. McEwan, F. Maratos, D. Sheffield, 'Joy and Calm: how an evolutionary functional model of affect regulation informs positive emotions in nature.' Evolutionary Psychological Science (Dec 2016) https://www.oecd-ilibrary.org/social-issues-migration-health/health-at-a-glance-2019_4dd50c09-en (<https://www.nationaltrust.org.uk/features/whats-special-about-chalk-grassland>) <https://www.sciencefocus.com/planet-earth/how-many-trees-does-it-take-to-produce-oxygen-for-one-person/> (<https://www.gov.uk/government/publications/health-matters-air-pollution/health-matters-air-pollution>) <https://www.bbc.co.uk/news/uk-england-london-48132490> (<https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space#Local-Green-Space-designation>) (<http://www.fieldsintrust.org>) <https://www.theargus.co.uk/news/18696946.new-salts-farm-shoreham-bought-kept-nature-reserve/>

Changes required

So where do we go from here and what could the space become? Some ideas. My offer to you then is to come to the Benfield Valley, to see the section the planning committee has marked for development, and allow me to walk you around it, showing you everything that is there and the potential it offers us for becoming a nature reserve that could be a source of pride for Brighton and Hove and East Sussex as a whole (this outdoor meeting would not be a contravention of any current government restrictions and could take place at a time of your convenience). There is funding and support available outside of town councils for protecting green spaces such as Benfield Valley and by tapping into these, working with local rangers, Ecologists and Conservation and Community groups, this

space could be something even more wonderful than it already is, drawing in visitors from around the country. Some suggestions and possibilities are as follows:- Create a stopping off point for walkers visiting the South Downs Way, which runs nearby,- Create a centre for environmental/conservation education for young people and students as well as the wider community.- The grade II listed barn (also a home for our Pipistrel bats) on the north site could be restored by local builders to become a community arts and learning hub,- Convert the garden behind the barn to a 'wild garden' to teach and learn about permaculture and biodiverse gardening in small spaces would provide an opportunity for local conservation and community groups- Designate the Benfield Valley a Local Green Space,- Add it to the list of Conservation areas,- Create a Field in Trust, or saving the space- Transform it into a legally-protected Nature Reserve in the way that the Worthing and Adur Council have done for the New Salts Farm the council would be protecting the health and wellbeing not just of our local ecosystem, but of our children, who want so much to grow up in a world rich with biodiversity and wildlife.- This space also provides an opportunity for 'green jobs' for locals for many years to come, contributing to the local economy in innovative and creative ways. The current leaseholders do not care for this space as the local residents do, and as the council should (and my thoughts on that could write another four page letter entirely!). Spaces such as the Benfield Valley should not be held to ransom in this way. It is dangerous, it is unethical and it is just a small (but no less significant) part of what seals our fate as a species. All it takes is imagination, community engagement and the courage to do things differently.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	SA7
<u>Respondent Number / Rep Number</u>	219 8
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Wildlife Trust
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The Sussex Wildlife Trust (SWT) supports the inclusion of a special area policy for Benfield Valley and in particular the acknowledgement that this site needs to be protected and enhanced as an important green wedge, a valued Local Wildlife Site (LWS) and a Local Green Space (LGS). This desire to protect Benfield Valley is clearly consistent with the requirements of NPPF paragraph 170 and particularly, the need to establish coherent ecological networks that are more resilient to current and future pressures. However, SWT maintains its objection to allowing residential development within the LWS and the allocation of housing for this site under policy H2. We do not believe that this is justified or compliant with national policy. NPPF paragraph 174 is clear that plans should safeguard components of local wildlife-rich habitats including locally designated sites of importance for biodiversity. Further to this, National Planning Practice Guidance states: 'National planning policy expects plans to identify and map these sites, and to include policies that not only secure their protection from harm or loss but also help to enhance them and their connection to wider ecological networks.' (Paragraph: 013 Reference ID: 8-013-20190721). We understand that BHCC has received pressure from various site promoters to allow large scale development on the site. However, BHCC own the freehold of the site and therefore the council does have a large say in whether development occurs. SWT greatly respects the professional opinion of the County Ecologist as set out in Appendix 2 of the topic paper. However, we

disagree with both her and the council that the requirement for housing on the urban fringe established in the City Plan Part 1 (CPP1) means that it is not possible to avoid development within this LWS. The CPP1 Inspector's Report (February 2016) clearly states that the CPP1 does not allocate urban fringe sites and that decisions on whether individual sites should be developed, will be made through the process of preparation of the City Plan Part 2 (CPP2). Table 3 of the Housing Provision Topic Paper demonstrates that the updated assessment of housing delivery, including site allocations in the CPP2, shows potential to deliver 14,875 net dwellings. This is a surplus of 1,665 dwellings against the city plan target. Removing the housing allocations in policy H1 and H2 that are in Local Wildlife Sites or Local Nature Reserves and do not currently have any planning permission would reduce this delivery number by 237 (as set out in our response to question 3 for policy H2). This would still leave a surplus of supply of 1428 dwellings. CPP1 policy CP1 does set out the proposed distribution of new housing in part B, but caveats this with 'new housing will be delivered broadly in line with the following distribution'. We do believe that the number of dwellings being delivered in the urban fringe could be reduced with the CPP2 still being compliant with the requirements of the CPP1. Specifically for Benfield Valley we disagree that retaining wildlife corridors and buffers around the development will be sufficient to reduce negative impacts of introducing housing within the designated site. In 2017, Yorkshire Wildlife Trust investigated the relationship between housing proximity and frequency of damage and disturbance on their nature reserves: https://connectingfornature.files.wordpress.com/2017/11/inpractice97_sep2017_rylattgarsiderobin.pdf The study found that 'Each of the five types of damage identified generally occurs more frequently the closer the reserve is to a settlement.' Whilst this is not surprising, it was also found that all but one type of damage and disturbance decreased between reserves within 100m of a settlement and reserves between 101m and 500m from a settlement. The decrease was seen again for reserves over 501m away. The study recommended that 'the first step in the planning process should be to locate new housing developments at least 100m from reserves, and ideally more than 500m away. Further to this we note that Natural England supported policy SA7 during the regulation 18 consultation on the grounds that it recognises the value of Benfield Valley LWS as natural capital stock and a green infrastructure asset. This is as the LWS stands and whilst better management of the site would be very welcome, this is not required for the site to act as a natural capital asset or a valued component of the wider ecological network. SWT does not believe it is consistent with the requirements of the NPPF, and in particular the need to allocate land with the least environmental or amenity value and safeguard locally designated sites, to develop on Benfield Valley Local Wildlife Site. We also do not think the allocation is justified given the council's evidence base and the surplus in housing delivery being proposed. Apart from the above, we note the comment in section 2.4 of the Benfield Valley Topic Paper that 'The development of the Sainsbury's Superstore at the southern end of the valley in the early 1990s was linked to restrictive covenants which sought to protect the rest of valley for outdoor recreation.' This is not mentioned again and it is unclear what impact this has on the proposal to allow some residential development.

Changes required

SWT requests that the second paragraph of policy SA7, which relates to residential development, be deleted from the plan. Policy SA7 should reiterate that residential development is not appropriate on Benfield Valley Local Wildlife Site and the boundary of the Local Green Space should be extended to cover the whole of Benfield Valley.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

The Sussex Wildlife Trust wishes to attend the examination hearings so that we can discuss our objections formally with the Inspector and respond to any additional evidence presented by other respondents.

<u>Policy</u>	SA7
<u>Respondent Number / Rep Number</u>	228 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Ornithological Society
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Policy SA7 - objectThe proposal is to develop 100 dwellings on land designated as a Local Wildlife Site. The buildings would not blend into the landscape - instead it is proposed that they would be 3-stories high, which is higher than surrounding residential densities. In other words this would be visually an intrusive development on land that is designated to protect nature. The importance of the whole valley is reflected in paragraph 3.7 of BHCC's Local Greenspace Topic Paper, which states: "Benfield Valley forms an important green corridor stretching northwards from the A270 Old Shoreham Road to the A27 Bypass, connecting with the SDNP beyond. It includes 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 LWS"No attempt is made to explain what the "very special circumstances" are that justify bisecting this "important green wedge and wildlife corridor" - as is required by Policy DM38, (see paragraph 2.293) nor to explain (let alone mention) why development is even being considered on an LWS. No mitigation is being put forward to compensate for the loss of part of this LWS to development. Allowing development to bisect wildlife corridors goes against every principle of linking areas of nature conservation importance that is being promoted by the current development of Nature Recovery Networks. It also weakens Brighton City's Green Network by breaking the continuity of one of the main

arteries in that Network. For all the above reasons SOS objects to the proposed development of Special Area SA7, Benfield Valley, as we believe it is neither justified nor effective. As noted elsewhere in this submission (under DM1), by insisting on a small increase in overall building densifications the loss of these 100 dwellings would not affect BHCC's ability to meet its housing targets. SOS therefore requests that the second paragraph, which relates to residential development, be deleted. Instead Policy SA7 should reiterate that residential development is not appropriate on Benfield Valley Local Wildlife Site and the boundary of the Local Green Space should be extended to cover the whole of Benfield Valley. To summarise; SOS are asking for 287 dwellings to be deleted from CPP2. These are at: SA7 Benfield Valley (100 dwellings) HI, site 10 (10 dwellings) H2, sites UF 1 and 2 (30 dwellings) site UF16 (25 dwellings) site UF 21a (12 dwellings) site UF30 (30 dwellings) site UF33 (30 dwellings) sites UF38, 38a and 39 (50 dwellings). The loss of these 287 dwellings could be made up by achieving an overall increased densification of 2.2% on the balance of the 12,913 houses covered by the other urban and urban fringe sites, thereby restoring the total of dwellings to 13200. As BHCC have already identified opportunities to build an extra 1655 dwellings on the CPP1 and CPP2 sites, protecting these nature-conservation assets from development by deleting these 287 dwellings would not impact BHCC's ability to deliver its housing targets. We believe that going ahead with these developments would also put BHCC in breach of meeting their nature conservation commitments as required by Sections 171 and 174 of the NPPF. Instead not building them would go some way to limiting the damage that CPP2 will do to BHCC's nature network.

Changes required

To summarise; SOS are asking for 287 dwellings to be deleted from CPP2. This includes: SA7 Benfield Valley (100 dwellings) SOS therefore requests that the second paragraph, which relates to residential development, be deleted. Instead Policy SA7 should reiterate that residential development is not appropriate on Benfield Valley Local Wildlife Site and the boundary of the Local Green Space should be extended to cover the whole of Benfield Valley.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

SOS wishes to participate in any examination hearings sessions relevant to any sections of the City Plan Part Two that we have submitted objections to. We wish to discuss our objections formally with the Inspector and respond to any additional evidence presented by other respondents.

<u>Policy</u>	SA7
<u>Respondent Number / Rep Number</u>	231 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	BHCC Conservative Group
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Yes

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

<Officer note: See respondent's comments under Policy H2>

Changes required

Group does not propose abandoning CPP2 and recognise the work that has gone into producing this document. Instead, it is suggested that H2 (including SA7) should be deleted with the remainder of CPP2 approved which would allow the development of the City's brownfield sites to get underway swiftly. If further examination of the Urban Fringe is required, Group recommends that it is carried out with full public participation in future.

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	SA7
<u>Respondent Number / Rep Number</u>	246 9
<u>Name</u>	(Montagu Evans LLP)
<u>Email</u>	
<u>Organisation/individual</u>	Aberdeen Standard Investments
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
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<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Section 3 (Special Area Policy, Strategic Site Allocations, Housing and Mixed Use Sites and other Site Allocations) of the draft CPP2 allocates further sites for housing and mixed use development. The NPPF requires plans to identify enough land to meet housing need. In addition, the NPPF makes clear that planning authorities should plan positively to meet a full range of housing needs. As illustrated by the SHLAA update (2019) discussed above the Council are unable to identify a five year supply of housing to meet their need. As discussed in City Plan Part 2 Background Studies, the SLHAA identifies that the Plan falls short of meeting its annual housing need figure and can only demonstrate a four year housingsupply. Given Section 3 of the draft CPP2 does not identify and allocate a sufficient supply of land to meet the housing need, the role of diversifying the land uses and offering of existing site allocations to deliver much needed housing should be acknowledged in Section 3. Currently, the findings of the SHLAA are not discussed or examined in the draft CPP2. ASI is of the opinion that the findings of the SHLAA should be captured in Section 3 to help shape development over the plan period and, given the requirements of national policy for the planning authority to identify land to meet its housing need, this shortfall and deviation from the NPPF requirements should be addressed.

Changes required

Given Section 3 of the draft CPP2 does not identify and allocate a sufficient supply of land to meet the housing need, the role of diversifying the land uses and offering of existing site allocations to deliver much needed housing should be acknowledged in Section 3. Currently, the findings of the SHLAA are not discussed or examined in the draft CPP2. ASI is of the opinion that the findings of the SHLAA should be captured in Section 3 to help shape development over the plan period and, given the requirements of national policy for the planning authority to identify land to meet its housing need, this shortfall and deviation from the NPPF requirements should be addressed.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	SA7
<u>Respondent Number / Rep Number</u>	253 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	CPRE Sussex
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

CPRE Sussex objects to residential development within the LWS at Benfield Valley. We do not believe that this is justified or compliant with national policy under paragraph 174 of the NPPF which requires plans to safeguard components of local wildlife-rich habitats including locally designated sites of importance for biodiversity.

Changes required

CPRE Sussex requests that the second paragraph of policy SA7, which relates to residential development, be deleted from the plan. The boundary of the Local Green Space should be extended to cover the whole of Benfield Valley.

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak

CPRE Sussex wishes to attend the examination hearings so that we can present our views in this issue in more detail. CPRE Sussex wishes to participate in any examination hearings sessions relevant to any sections of the City Plan Part Two that we have submitted objections to. We wish to discuss our objections formally with the Inspector and respond to any additional evidence presented by other respondents.

<u>Policy</u>	SA7
<u>Respondent Number / Rep Number</u>	257 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

EXTRACT OF INTERVIEW - LATEST TV: BENFIELD VALLEYINTERVIEWER: MARK WALKER, LATEST TVINTERVIEWEE: COUNCILLOR DAWN BARNETTRECORDED: WEDNESDAY 21 OCTOBER 2020PUBLISHED: FRIDAY 30 OCTOBER 2020 <https://www.youtube.com/watch?v=q6mZsFYWBPO> KEY TOPICS:* Residents were denied any chance to have a say to Brighton & Hove City Council or Councillors on City Plan Part 2 through democratic processes of Council.* The Council did not provide sufficient answers about the lease arrangements for Benfield Valley at the only Council meeting during the Consultation period that would have allowed residents and councillors to include this information in their submissions.* The Council has sufficient brownfield sites to meet its housing targets without building on green land.* There is a breadth of opposition to the inclusion of Benfield Valley in City Plan Part 2 across community groups.START OF EXTRACT: 4 MINS 37 SECONDSCLLR DAWN BARNETT:I was promised in August that I would be allowed to bring my petition to council in October - in August I only had 1250 signatures we now have nearly 2500 - to leave it as it is and be taken out of the City Plan Part 2.INTERVIEWER:And it is all part of City Plan at the moment?CLLR DAWN BARNETT:It is part of it but we would like it removed from there. And it's not just me, there's people in Whitehawk trying to save their land up by the stables, there's people in Coldean. You cannot keep taking every piece of green land because there is plenty of Brownfield sites that can be used.

They've got enough Brownfield sites - and don't ask me where they all are – but there's enough brownfield sites to build sufficient houses and more besides without using green land. INTERVIEWER: So what can be done then because what's happened with the petition so far? CLLR DAWN BARNETT: Well, they've now refused - after a faithful promise - they've now refused to allow us to present our petition. If you get more than 1,250 you can make a debate on council. You get 15 minutes to debate it. But they've said no it's a planning petition. But it's not, it's not in Planning. The City Plan Part 2 is still under consideration until the end of the month, so that is a load of rubbish. It's not democratic, it's not at all democratic. They say they want to be democratic City then they need to let all three of our petitions go forward tomorrow. INTERVIEWER: And that's when there's a full council meeting? CLLR DAWN BARNETT: That is a full council meeting and they should be allowed. The residents – the residents, they owe it to the residents to be able to speak and be able to speak up not take it into their own hands to do exactly as they want, as they did with the Old Shoreham Road bike lane. INTERVIEWER: And it's not just the local residents that are going to be affected I'm guessing there's going to be increased traffic in that area as well? CLLR DAWN BARNETT: Of course there would be of course there - and when you come out of Portslade, there is only two ways out of Portslade down through the village onto the main road or through into Hangleton and through Hangleton. It's chaos now without building more. INTERVIEWER: So as well as the petition what are local residents doing then? I know you've been active in the campaign, who else is involved in it? CLLR DAWN BARNETT: Well as I say there's everybody involved. All the different groups that use it. The hedgehog people. The Benfield Wildlife people. All the different individual groups they're all behind it. INTERVIEWER: So next step's then I know there's a deadline for the consultation for people -

CLLR DAWN BARNETT: End of the month INTERVIEWER: End of the month. So that's the 31st October so people listening can put can put forward their objections to City Plan Part 2 - CLLR DAWN BARNETT: It's all online and people have got to put their objections through. And the council have got to listen they cannot go rough riding over everybody like they're doing. The City is being spoilt because nobody is getting a say, they're just doing exactly as they want. INTERVIEWER: So what else can be done with Benfield I mean how would you like Benfield, would you like it to stay as it is as a footy golf kind of - CLLR DAWN BARNETT: I haven't got an objection against footgolf, I have an objection against building on it. I would like to see it exactly as it is or be taken over as part of the South Downs and for the enjoyment of residents of the City. INTERVIEWER: So what else can people do then to try and protect that piece land. You are asking for the council to take it back, the lease back? CLLR DAWN BARNETT: I am asking for the council to take the lease back – it's a long lease something like 250 years and I don't know how much the family that are running it actually paid for it. I am under the impression it was given to Sainsbury's so as to whether Sainsbury's sold part of it to the family that are running it or whether that was also handed over we are still waiting for answers on that the council haven't got back to me on that. But I would like to see the lease taken back off of them and left as it is for the enjoyment. INTERVIEWER: OK, And if people want to find out more information they should, where can they go? CLLR DAWN BARNETT: They can come to us, they can go online. The petition's still running online. As I say we've got about with what's online and with what we've got on paper we've got about 2,400 odd. ENDS. END OF EXTRACT: 9 MINS 15 SEC.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	SA7
<u>Respondent Number / Rep Number</u>	268 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Enplan
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

1.0 INTRODUCTION
1.1 These representations are made by Enplan on behalf of Benfield Valley Investments Ltd in respect of the public consultation on Brighton and Hove City Council's 'City Plan Part Two' (CPP2). They have been informed by assessments undertaken by EPR (regarding ecology and biodiversity) and Heritage Collective (in respect of heritage).
1.2 The current development plan for Brighton and Hove comprises the Brighton and Hove City Plan Part One (CPP1) which was adopted 26th March 2016 and the saved policies of the Brighton and Hove Local Plan 2005.
1.3 The CPP1 sets out the vision and objectives for the City's growth and development. It contains planning policies to apply to new development and identifies the infrastructure requirements for the City. It sets out broad locations for development and allocates key strategic sites. Upon adoption, it replaced parts of the previously adopted Brighton and Hove Local Plan.
1.4 The purpose of the CPP2 is to allocate additional development sites and set out a detailed development management policy framework. When adopted, it will replace the remaining saved policies of the Brighton and Hove Local Plan and form the development plan for the City along with the CPP1.
1.5 The CPP2 has been published for Regulation 19 public consultation prior to submission to the Secretary of State for independent examination.
2.0 POLICY SA7 POLICY H2 AND POLICIES MAP2.1
Draft Policy SA7 identifies Benfield Valley as a Special Area and sets out the policy objectives for the site. The draft policy wording is as follows <Sets out Policy SA7

as worded in CPP2 Proposed Submission>2.2 Draft Policy H2 sets out two areas for residential development at Benfield Valley; one site of 0.93ha to the north of Hangleton Lane and another site of 0.67ha to the south of Hangleton Lane. The policy allocates a potential number of 100 dwelling units at Benfield Valley; 60 on the area to the north of the Hangleton Lane and 40 on the area to the south. It also indicates that it would be appropriate for 50% of the units to be family sized housing (ie 3+ bedrooms).2.3 The extent of the areas allocated for residential development within the Benfield Valley site is shown on the proposed policies map. They are also shown in the CPP2 at Figure 2 (under policy SA7) and Appendix 4 – Policy H2 Urban Fringe Housing Site Maps.2.4 It is considered that the content of draft policy SA7 which seeks to protect and enhance important landscape, ecology, biodiversity and heritage features of the site is appropriate and this is broadly supported. However, it should be more overtly acknowledged that the identified objectives for the site will require significant funding and this will need to be provided through new residential development. The ability of the site to make a significant contribution to the Council’s housing requirements also needs to be more effectively recognised. Accordingly, the policy should more clearly emphasise the requirement for an appropriate level of residential development in order to deliver the suite of other policy objectives.2.5 It is also considered that the quantum of housing development for the site identified in draft policy H2 can and should be increased from the 100 dwellings currently indicated. Furthermore, the identified developable areas should be extended. This will not only ensure that the full suite of benefits will be delivered but also facilitate their optimisation whilst delivering increased levels of housing which are required to meet the Council’s strategic housing requirement.3.0 HOUSING NEED AND SUPPLY3.1 The CPP1 in policy CP1 set out a target housing provision of at least 13,200 new homes over the plan period 2010 – 2030. It is noted that this figure comprises only around 60% of the Objectively Assessed Need (OAN). 13,200 homes equates to an average of 660 dwellings per annum (dpa), although a stepped trajectory was proposed throughout the plan period to deal with previous years’ under-supply. For the period 2014/15-2018/19 the target delivery rate was 655dpa. For the period 2019/20-2023/24 this increased to 856dpa and then for the remainder of the plan period, ie 2024/25-2029/30 it is 712dpa.3.2 In fact, the delivery of housing since the adoption of the CPP1 has failed to meet even the lower annual requirements of 655dpa and, therefore, the housing requirement for the remainder of the plan period is now significantly increased and, in consequence, the supply needs to be commensurately increased.3.3 The most recent annual review of the Strategic Housing Land Availability Assessment (SHLAA) published in October 2019 states that Brighton and Hove City Council (BHCC) are unable to demonstrate a five year housing land supply (refer to table on page 7 of the SHLAA update).3.4 The NPPF requires that Local Planning Authorities should be able to identify a supply of deliverable sites that are sufficient to provide a minimum of five years’ worth of housing against local need along with an additional buffer of between 5 and 20%. The largest amount of buffer (20%) should be added to the figure where there has been significant under delivery of housing over the previous three years.3.5 In the last three years BHCC has delivered significantly fewer new dwellings than the requirement, as evidenced by the Housing Delivery Test (HDT). The most recently published HDT data (2019 measurement) demonstrates a consistent under-delivery of housing over the last three years resulting in the provision of only 70% of the requirement for that period and, therefore, BHCC must add a 20% buffer to its requirement figure as well as making up the deficit.3.6 Adding the previous years’ under supply and the 20% buffer results in a revised requirement of some 1,230 dpa (see para 5.4 of the SHLAA update report) This is shown in the tables below.<First table referred to presents the annual Housing requirement identified in CPP1 of 655 dwellings per annum (dpa) over the period from 2014/15 to 2018/19 giving a cumulative figure of 3,275 net dwellings for the period 2014-2019, and shows the annual surplus/shortfall against this target over the period 2014/15 to 2018/19 amounting to a cumulative shortfall of -844 net dwellings over the period 2014-2019><Second table presents the annual Housing requirement identified in CPP1 of 856 dwellings per annum (dpa) over the period from 2019/20 to 2023/24 giving a cumulative requirement figure of 4,280 net dwellings over the period 2019-2024, and shows the 'New housing requirement (inc 844 under-supply and 20% buffer)' amounting to 1,230 dwellings per annum giving a cumulative under-supply of 6,150 net dwellings over the period 2019-2024>3.7 Furthermore, it should be noted that the requirement identified above is a minimum figure rather than a limit. Against this increased figure, the projected supply as set out in the latest SHLAA update is only 4 years.3.8 The Council’s projections indicate an expectation that the delivery of housing for the current period (2019-2020) will be less than half the annual requirement (see Chart A: Housing Trajectory in the SHLAA update report October 2019). The circumstances in 2020, where construction has been impacted by COVID-19, are likely to limit the delivery of housing for this period even further. This suggests that when the housing delivery is calculated for 2019/20 it will be significantly less than half the annual requirement.3.9 The CPP1 at policy CP1 sets out a target of 13,200 new homes to be built over the plan period 2010-2030, an average of 660dpa. Policy CP1 also indicates that 1,060 of the total 13,200 new homes will be delivered on urban fringe sites. Policy H2 in the CPP2 sets out the urban fringe locations and indicates the number of dwellings allocated for each site and locations of developable areas. The total number of

dwelling proposed in the allocations is only 930 dwellings, which is fewer than the target of 1,060 indicated by CPP1 policy CP1. Furthermore, due to past under delivery, the annual housing target has increased compared to that indicated in CPP1. Accordingly, the CPP2 as drafted is not effective in delivering the housing requirement as it does not make provision for even the number of dwellings on urban fringe sites which were required when the CPP1 was adopted in 2016. The number of dwellings required to meet the housing need is now significantly greater following the recent history of undersupply. Put simply, the draft CPP2 is “planning to fail” and is, therefore, considered to be unsound.

3.10 To make it sound, the CPP2 needs more effectively to support the optimisation of the available development sites by allocating appropriate levels of housing.

3.11 Failure to allocate within the CPP2 a sufficient quantity of dwellings to meet even the requirement set out in the CPP1 would be unsound as it would mean that the Plan is not positively prepared, is not justified, is not effective and would not be in accordance with national policy (which seeks to “boost significantly” the supply of housing – para 59 of the NPPF).

3.12 The Benfield Valley site is well placed to make a significant contribution to the Council’s housing land supply in both the short to medium term. It could come forward with a planning application within 2 years and development could begin to be delivered within 4 years, thus assisting with the current shortfall in the five year housing land supply. It is considered that, with a suitable allocation in the CPP2, all the housing on the site could be delivered well within the remainder of the plan period (ie by 2030).

3.13 The affordable housing provision target set out in policy CP20 of the CPP1 is 40% on sites delivering more than 15 dwellings. All of the strategic development areas identified in the CPP1 (apart from land at Toad’s Hole Valley, policy DA7) are large urban sites where viability issues have resulted in affordable housing provision being reduced from 40%. Consequently, the actual affordable housing need in the City is not being met. Generally greenfield sites do not have abnormal development costs and are, therefore, able to provide policy compliant affordable housing. Maximising the quantum of development on the Benfield Valley site would provide scope for greater provision of affordable housing, including family housing.

4.0 THE SITE

4.1 Developable areas

4.1 Policy SA7 and its supporting text identify a number of functions performed by Benfield Valley including as green wedge in the urban area, a Local Wildlife Site (LWS) and Local Green Space (LGS).

4.2 However, it is considered that there is significant scope for developing a larger area than has been indicated by the “developable areas” shown on the draft policy map whilst still protecting and enhancing landscape character, biodiversity & wildlife protection and the heritage assets.

4.3 An increase in the area of residential development will not only make the most effective use of the site in delivering new housing to help meet a significant shortfall in the City, it will provide the funding to deliver all of the objectives of Policy SA7 to a high standard. It will also ensure the ability to maintain and manage new “gateway” facilities, as well as provide for long term habitat management, so that the important functions of the site are retained for the entire plan period and beyond.

4.4 The areas currently identified for development as shown at Figure 2 (under policy SA7) and Appendix 4 of the CPP2 and on the policy map, do not correspond with any physical boundaries on the site, nor is their size and shape dictated by any ecological, landscape or heritage constraints. In view of this, it is considered that these areas could readily be revised in order to allow additional housing and hence additional funding, which would enable the site to better meet the special policy aims.

4.5 The developable area on the northern part of the site (north of Hangleton Lane) could be extended northwards to the existing east-west hedgerow located to the south of the listed barn which marks the southern edge of truly ‘open’ landscape to the west of the listed barn. This would maintain the setting of the barn including long distance views from the west at Foredown Tower. The existing footgolf car park and land to the north and east of it would also be retained to provide the southerly setting of the listed barn and Conservation Area. The extended developable area would also retain the existing woodland to the south and west along the site boundaries. Overall the revised area would be more legible on the ground and would acknowledge historical and ecological constraints.

4.6 With regard to the southern part of the site (south of Hangleton Lane), there are currently no physical boundaries on the site which correspond with the southern and eastern edges of the developable area shown on the proposals map. Therefore, it is considered that the developable area could be extended to the south and east without compromising the policy objectives of SA7 and would retain the important woodland boundaries to the north and west.

4.7 These proposed extensions to the developable areas would, however, retain a significant area of green space, footpath access and boundary planting along the eastern side of Benfield Valley extending from the SDNP to the north down to the Old Shoreham Road in the south. This would preserve the green lung function provided by the site.

4.8 Recreation and Enjoyment

4.8 Currently the site offers recreational opportunities in the form of a footgolf course (on the northern part of the site) and public footpaths to both the south and north. The footpaths are well used but there is limited maintenance undertaken. There is also some signage and information boards either side of Hangleton Lane which were erected approximately 30 years ago. However, these contain limited information about the history and ecology of the site and have not been maintained. Consequently, they are faded and have been partially obscured by graffiti. Since they were installed, the South Downs National Park (SDNP) has been designated (in

2010) and is located immediately to the north of the A27. The footpaths across Benfield Valley provide an important link to the SDNP but there is no public information about this on site nor any facilities directed towards visitors to the Park. Accordingly, the creation of gateway facilities is a key objective of policy SA7 and Benfield Barn and its associated structures offer a significant opportunity to provide such facilities. These could include bike hire with associated changing, holiday let units, visitors centre with information boards, café and improved parking area with associated landscaping.4.9 In addition to providing the above new facilities, development on the site could also fund improvements to the existing footpaths allowing for access to a wider range of visitors.4.10 Whilst part of the area of the northern parcel of the site identified as a developable area is currently occupied by one of the footgolf holes. there is ample scope for this to be relocated elsewhere within the footgolf course which would be retained on the land between Hangleton Lane and the A27. The listed barn would also continue to provide ancillary facilities for the footgolf operation. Ecology and Biodiversity4.11 The site is a LWS and LGS, however, only parts of the site are of intrinsic ecological importance, whilst other areas have no meaningful ecological value. Development at Benfield Valley provides an opportunity to protect, restore and create calcareous grassland, native broadleaved woodland and scrub, which in turn provide habitats for a range of species. The funds released from new housing development will also allow the long-term management of these habitats.4.12 Since the completion of the Sainsburys superstore to the south in 1992, the remaining open green space within Benfield Valley has been neglected. The grasslands have become rank and overgrown and scrub has encroached onto sensitive habitats. In addition the area has been subjected to some fly-tipping. 4.13 The grassland in the northern land parcel is mown within the footprint of the Benfield Valley footgolf course. Different areas of grassland are subject to different mowing regimes, so that some areas are short and other grassland has a longer sward. The southern land parcel, south of Hangleton Lane, undergoes minimal management.4.14 Historical mapping indicates that there is one remaining historic field boundary along the eastern boundary of the southern land parcel. It is now a mature, gappy hedgerow, but most of the boundary is no longer present.4.15 Given the lack of wildlife-sensitive management, opportunities now exist to halt the decline of habitats and instead introduce beneficial management (funded by development) to protect, restore and create habitats to benefit flora and fauna in the long-term.4.16 Surveys show that the area to the north of Hangleton Lane mostly comprises calcareous grassland that is either managed as a footgolf course or has been neglected and left unmanaged. The proposals provide an opportunity to restore the calcareous grassland to good condition through habitat management. This will, over time, increase species richness, particularly flora and invertebrate fauna, and therefore the ecological condition of the habitats. These enhanced habitats will be publicly accessible for people to enjoy.4.17 In addition to enhancements to grassland habitats, the proposals will protect important areas of boundary habitat, mature trees and scrub. These will be enhanced by supplementary planting and management and will provide a green corridor for wildlife as well as a buffer to the important grassland habitat. These improvements will increase habitat extent, quality and connectivity. The protection and sympathetic management of hedgerows, hedgerow buffers, grasslands and other habitats will improve the permeability of the site so a range of animals can move through the landscape unimpeded.4.18 Furthermore, subject to agreement with Highways England, the development offers an opportunity to retrofit a mammal bridge to the existing footbridge across the A27. This would significantly improve connectivity between the isolated populations of Hazel Dormice that are known to be present on either side of the A27.4.19 Residential dwellings would include integrated bat and bird boxes for a range of species including local Biodiversity Action Species such as Swift *Apus apus* and Starling *Sturnus vulgaris*, as well as other Red and Amber-listed species such as House Sparrow *Passer domesticus* and House Martin *Delichon urbicum*.4.20 Educational interpretation boards will provide opportunities for residents to learn about the wildlife on their doorstep. By engaging residents and providing opportunities to wander freely and to look and learn about nature, they are more likely to care about 'their space', and in turn it will encourage people to look after their green spaces. 4.21 Improvements in habitats also deliver many 'ecosystem goods and services' because the resurgence in nature improves pollination, helps capture carbon and delivers benefits for air and water quality.4.22 Overall, the proposals can achieve the following:- Restoration of approximately 7ha of lowland calcareous grassland, a Habitat of Principal Importance. In doing so, this will create habitat for Species of Principal Importance, such as the Small Heath *Coenonympha pamphilus* and other species that are of local priority, such as Glow-worm.- Improvement of approximately 2,000 metres of shrubs. This will provide habitat for invertebrates, birds, and mammals, including Hedgehog *Erinaceus europaeus* and dormice.- Creation of new bat roosting opportunities by installing integrated bat boxes in the new dwellings. The improvements to grassland, hedgerow, scrub and woodland habitats, as well as the provision of new ponds, will improve the quality of bat foraging habitat.- Installation of Swift bricks to contribute towards 'Action for Swifts.'- The retrofitting of a bridge for small mammals, such as the Hazel Dormouse, to the existing footbridge to link currently isolated populations on either side of the A27.- Creation of new hibernacula for reptiles.- Secure funding for habitat management and

monitoring in the long-term up to 25 years.4.23 Without development there is little prospect of securing the funds needed to restore and manage this LWS.4.24 It is also noted that the developable area identified by the Council on the draft proposals maps includes an area of existing woodland on the northern boundary of the southern section of the site. The County Ecologist identified the tree belts and boundary habitats as being important in ecological terms and that these should be retained (see para 4.9 of the Benfield Valley Topic Paper 2019). This area of woodland would be excluded from the developable area.

Heritage4.25 There are a number of heritage assets on and in the vicinity of the site which are as follows:• Benfield Barn (grade II)• Benfield Barn Conservation Area• Hangleton Manor (grade II*) and dovecote (grade II)• Rookery Cottage (grade II)• St Helen’s Church (grade II*)• Hangleton Conservation Area4.26 The ability to achieve the objectives of the draft policy SA7 depends on the provision of financial input – particularly with regard to the restoration and improvements of the Benfield Barn Conservation Area.4.27 As set out above, the current boundaries of the developable areas to the north of Hangleton Lane do not appear to be based upon any specific identification of heritage sensitivity or tolerance. It is considered that there could be an increase in this area for development, without eroding those areas of the setting that contribute to the significance and values – or means to experience – the Benfield Barn Conservation Area or the listed Benfield Barn.4.28 The western area of the footgolf car park, and the scrubby wooded areas east of the current developable area would provide for an expanded location for valuable additional development whilst also securing funds to achieve the aims of policy SA7.4.29 Of the designated heritage assets identified above, Benfield Barn Conservation Area and the listed Benfield Barn are considered of the greatest relevance with regard to the site and the proposed developable area north of Hangleton Lane. The setting of the Hangleton Conservation Area is also identified within the SA7 policy text as needing preservation. The small group of listed buildings at Hangleton Manor is located within modern residential development with limited opportunities to see or understand the heritage characteristics or details of the buildings, or their grouped value, from within the site. This also applies to the southern portion of the site, south of Hangleton Lane. The land south of Hangleton Lane is less sensitive in heritage terms.4.30 The open area of the northern section of the footgolf course immediately west and north west of Benfield Barn, is considered to make a positive contribution to the historic illustrative values of the listed barn and the Conservation Area in retaining the greatest consistency with the historic setting, of open farmland. This area is particularly defined to the north of the hedgerow that runs east-west from the edge of the Conservation Area just south of the barn. This hedgeline is considered to be the northern most edge of the developable area, as set out above.4.31 The route which runs north off Hangleton Lane also contributes to the setting and significance of the designated assets in that it is an enclosed, informal and wooded and although the barns are heavily screened it enables an understanding of the historical approaches, it also gives some shared experience with Hangleton Manor.

4.32 In contrast, the current car park is a low quality area of space which makes no specific contribution to the heritage assets or an experience of them.4.33 Draft policy SA7 encourages “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”. The character and appearance of the Conservation Area is today heavily dominated by the ruinous state of the farmyard and outbuildings to the east and south. Aside from the listed barn all former structures are in a declining state, with high risk of collapse and further loss. Although they have some heritage value, they are dangerous, closed off, and offer no means for public access, understanding or experience as a former farm yard. Their over grown nature precludes and prevents any means of understanding their former forms, functions, material or aesthetic qualities even from a distance.4.34 Clearance of overgrowth, careful restoration and reconstruction of the structures, walls and yards of the former farm yard combined with sensitive plans and proposals for a sustainable new use would offer a wholly transformative improvement to the character and appearance of the Conservation Area and the setting of the listed barn.4.35 New uses associated with leisure, ecology, interpretation and information on the SDNP, the local area and its history would not only enable intellectual access to the heritage of the site and nearby assets at Hangleton Manor which share historic context, but would also fulfil objectives within Policy SA7 relating to the creation of ‘gateway facilities’ for the SDNP.4.36 The improvements to the barn and farmyard also offer scope for restoring the historic connection between Benfield Manor Farm and Hangleton Manor. This restoration would rise naturally from the reinstatement of a legible farm group at the barns and could be augmented with historic interpretation boards or information that build upon existing information at the other places. Preservation of the historic approach route as a primarily pedestrian route would maintain some sense of historic links and the small scale diminutive nature of this historic route between ancient places. It would preserve the historic approach between

Hangleton Manor and Benfield Barn and farm, a currently important but poor quality area of setting to both assets.4.37 The southern part of the Benfield Barns Conservation Area contains four derelict 19th century cottages, on the site of the former Manor house. Restoration of these four cottages, with associated amenity garden space to their south would also contribute to the enhancement of the character and appearance of the Conservation Area, the setting of the listed barn and the visual character and quality of the approach. There is good evidence in the form of historic photographs as well as the standing ruinous remains for the appearance of these cottages. A facsimile reproduction could be created that would restore the historic appearance of this small farmstead. These could be private residential cottages or used as holiday let cottages which would also address the policy aim for recreational uses and increasing public access to the surrounding area. As the buildings are almost entirely collapsed at present, new dwellings could be offered with enhanced environmental credentials the minimise impact of these structures. 4.38 The restoration and reuse of the Benfield Barn Conservation Area would give rise to other public benefits in terms of local employment, craftsmen and traditional building techniques in the restoration of the structures which will need to be undertaken in a careful manner utilising sensitive materials and traditional techniques.Landscape Impact4.39 It is noted that none of the Benfield Valley site which is the subject of draft policy SA7 (ie, south of the A27) is subject to any landscape designation. It is accepted and agreed that the northern-most part of the site, ie north of the above mentioned east-west hedgerow, is not appropriate for development given that this is the most elevated area. There are long distance views from the northern extent of the site across the surrounding urban area but from where the proposed developable areas would be largely screened by existing retained mature vegetation and planting.4.40 Development to the north and south of Hangleton Lane would be situated on the lower parts of the site where any landscape impact would be limited. Furthermore, ensuring there is no development north of the existing hedgerow referenced above would protect views across the valley between the listed barn and Foredown Tower.4.41 The developable area could be expanded as indicated above without any significant additional landscape impact. On the southern part of the site where ground levels are lower there are substantial areas of boundary vegetation which would screen new built form from long distance views.5.0 SUMMARY AND CONCLUSIONS5.1 As set out above, BHCC do not currently have a five year housing land supply and the annual housing requirement set out in the CPP1 has not been met in the years since adoption of the plan. As a result the housing requirement for the remainder of the plan period is significantly greater and BHCC must seek to maximise the opportunities for housing within the CPP2 in order to ensure that it is effective in delivering the housing requirement.5.2 The CPP1 at policy CP1 sets out a target of 13,200 new homes to be built over the plan period 2010-2030, an average of 660dpa. Policy CP1 also indicates that 1,060 of the total 13,200 new homes will be delivered on urban fringe sites. Policy H2 in the CPP2 sets out the urban fringe locations and indicates the number of dwellings allocated for each site. The total of these is only 930 dwellings which is 130 units fewer than the target of 1,060 indicated by CPP1 policy CP1. Furthermore, due to past under delivery, the annual housing target has increased compared to that indicated in CPP1, particularly in the short term. This confirms that the draft CPP2 would not be effective in delivering the housing requirement as it does not make provision for even the number of dwellings on urban fringe sites which were required when the CPP1 was adopted, let alone the increased number of housing which is now required. The NPPF at para 59 sets out an objective of significantly boosting the supply of homes and, as set out above, the current draft of the CPP2 is not able to achieve this.5.3 BHCC does not have the luxury of retaining Urban Fringe sites such as Benfield Valley while the housing need goes unmet. Sites such as Benfield Valley that can deliver more housing should do so in this context.5.4 It is recognised that the Benfield Valley site performs a number of functions. The draft special area policy (SA7) to protect and enhance the site as such is supported in principle. However, it should be noted that the quality of the habitats on site are in decline naturally and that active improvement and management is required in order to preserve the ecological and biodiversity value. Appropriately funded improvement works and management proposals would not only preserve but would enhance the ecological value of the site including measures for protected species such as dormice and reptiles.5.5 The policy sets out a list of objectives for the site to enhance its biodiversity and landscape character role, maintain and improve wildlife connectivity, secure long term habitat management, improve public access to the wider natural environment, preserve and maintain the heritage assets and provide “gateway” facilities to the South Downs National Park. These objectives within policy SA7 are broadly supported.5.6 In order to achieve these objectives the policy states that some residential development on the site will be permitted. This is also supported but it is considered that the policy should place greater emphasis on the need for residential development given the need to meet the Council’s housing requirement and because this is the means by which the essential funding will be secured to deliver all the other objectives for the site. The greater the funding, the higher the quality of measures that can be secured and implemented. The site is currently underused and not well maintained which has resulted in the decline in both the heritage and ecological value of the site. Without development there is little prospect of securing the funds needed to restore and manage this Local

Changes required

5.8 Consequently, it is considered that the policy wording should be revised to read as follows:"In conjunction with residential development (approximately 175 dwellings) on the areas shown, 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 supports residential development on the site where it addresses the key considerations set out in Policy H2 Urban Fringe Housing Sites and secures the following objectives:* 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 creation of 'gateway' facilities and interpretation facilities in connection with the South Downs National Park;* Preventing further decline of habitats and securing biodiversity conservation and enhancements; including wildlife connectivity and buffer zones, as well as 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 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;* 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;* 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. 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 will also be subject to the criteria set out in City Plan Part One Policy SA4."5.9 The proposed revised wording of policy SA7 (as set out above) therefore achieves the following important purposes:i. It improves the housing supply;ii. It makes the policy more effective in securing its objectives; andiii. It de-risks the allocation and secures the viability of all the policy proposals.5.10 As set out above, more housing on the site could be accommodated without having any greater impact in terms of landscape character, heritage or ecology than the current draft allocation for 100 units. Indeed, more development would offer enhancements to the various features of the site by:i. improving public access to promote recreational use of the land and links to the SDNP;ii. allowing long term habitat management to prevent further natural decline and preserve protected species, andiii. by securing high quality restoration and maintenance works to the historic buildings with the consequent enhancement to the Benfield Barn Conservation Area.5.11 A larger development area could readily accommodate approximately 75 additional dwellings without compromising the function of the LWS and LGS. This would result in a development density of approximately 53 dwellings per hectare which sits at the lower end of the range of densities set out in policy CP14 of the CPP1. This would also increase the number of dwellings allocated in policy H2 of the CPP2 to be more in line with the 1,060 set out in adopted policy CP1 of CPP1.5.12 In conclusion, the CPP2 as currently drafted is considered "unsound" for the following reasons:- It is not positively prepared in that it fails to make most effective use of an Urban Fringe site, Benfield Valley in order to not only provide sufficient housing to help meet the need in the City but to secure the funding to deliver all the objectives of Special Area policy SA7 to a high standard. - It is not justified in that BHCC cannot adequately defend the retention of unmanaged Urban Fringe land when there is a significant housing land shortfall.- It is not effective in that it does not meet the housing requirement for the City which has increased since the adoption of the CPP1. It does not allocate sufficient housing on Urban Fringe sites to meet the requirement detailed in policy CP1 of CPP1.- It is not consistent with national policy in that it does not seek to significantly boost the supply of housing.5.13 It is considered that the following changes to the Plan are required:- Amendment to the wording of policy SA7 to reflect that shown at para 5.8 above.- Amendment to the wording of the column headings in the table of urban fringe sites within policy H2 to read approximate area of development potential" and "approximate number of dwelling units". The development areas should also be rounded to one decimal point rather than two.- Increasing the "area of development potential" for the Benfield Valley site to a total of 3.3 ha (1.8ha for site 11 and 1.5ha for site 12) and to amend the potential number of dwelling units to a total of approximately 175.<The supporting document submitted includes a map indicating the proposed expanded boundaries of the indicative developable areas shown on the Policies Map>

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

To respond to questions regarding the housing allocation for the site.

<u>Policy</u>	SA7
<u>Respondent Number / Rep Number</u>	271 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

It is not justified as the Council is able to meet its targets without building on the city's last green lung. Building on this area will not improve its biodiversity. The area's existing biodiversity is underestimated and this is the home of many indicator species. Building here will result in loss of habitat and threatens biodiversity. The building threatens air quality for local residents. There is a genuine concern about the increased traffic this build will generate. Benfield valley is a designated green space. In City Plan Part 1, the council stated green spaces should be protected and that there should be more of them within the city, rather than fewer. This green space provides an invaluable green lung and is part of the one percent of remaining chalkland. Building on this site reduces green space and threatens biodiversity. There is no guarantee that building on the space will improve biodiversity, and it is very unlikely that it will. The space does not need development in order to support biodiversity. In contrast, nationally we have seen that building on biodiverse areas threatens or destroys biodiversity and endangers wildlife. The area already contains indicator species and important biodiversity as a green space. Green spaces do not need to be 'scenic' in order to be valuable. There is strong evidence that scrub land like the Benfield Valley site is precisely the sort of green land we should be protecting to ensure biodiversity and wildlife habitat. The green wedge already exists and building on it reduces the green space. Building on the Benfield Valley will spoil the integrity of the nature reserve, and this has not been

taken into account. Air quality will be reduced with additional traffic and a reduction of green space. Building on the Benfield Valley proposals have not considered the positive developments in wildlife since the Urban fringe Assessment. The area is home to many indicator species and ancient hedgerow, which need protection. Building on the Benfield Valley will undermine the positive work of volunteers and ecologists to preserve and restore priority habitats. This development is not supported by all councillors, and the council does not need to build on this land to meet its housing target. Mile Oak, Hangleton and Portslade are losing many of their green spaces to development. This contravenes City Plan Part 1

Changes required

Rather than building on the area, consider supporting the nature reserveDo not build on local nature reserves. Protect green spaces

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

<u>Policy</u>	SA7
<u>Respondent Number / Rep Number</u>	272 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	SSA1	
<u>Respondent Number / Rep Number</u>	154	2
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Royal Society for the Protection of Birds (RSPB)	
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The RSPB is aware that Sussex Ornithological Society (SOS) has submitted comments regarding the Strategy Site A1 (SSA1), Brighton General Hospital, regarding swift brick provision. The RSPB agrees that an amendment to Policy SSA1 is recommended to ensure that the site-specific requirements for SSA1 effectively consider and implement Policy DM37 on Green Infrastructure and Nature Conservation. Policy DM37 states: 'All development should seek to conserve and enhance biodiversity and geodiversity features ensuring: •a net gain in biodiversity is achieved; •that recognised priority species and habitats are protected and supported; •that appropriate and long-term management of new or existing habitats is secured to ensure a network of nature recovery;...' The RSPB (in agreement with SOS) recommend that an additional requirement (i) be added to the site-specific requirements (p. 153) using the below paragraph: 'i) development proposals should specifically include proposals to provide alternative nest sites for Swifts, and these nests should be installed and proven to be successful before any development commences.'

Changes required

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	SSA1	
<u>Respondent Number / Rep Number</u>	172	8
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	SSA1
<u>Respondent Number / Rep Number</u>	204 14
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Historic England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

In relation to Section 3 special area and site allocations, we note that sites have been subject to assessment in relation to their potential impact on the significance of heritage assets or their settings. 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. The requirement for a heritage impact statement is supported, but the policy itself should be worded to ensure the preservation of the listed building and its setting.

Changes required

The requirement for a heritage impact statement is supported, but the policy itself should be worded to ensure the preservation of the listed building and its setting.

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	SSA1
<u>Respondent Number / Rep Number</u>	216 18
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Food Partnership
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Noting the multiple policies relating to food growing in City Plan, Part 1, the recent adoption of the revised PAN on incorporating food growing in development and the incorporation of food growing and food access we feel that this area has been overlooked in the DM policies in city plan part 2. Given the centrality of food in carbon reduction, with the IPCC & UK parliament Audit committee findings that food contributes up to 30% of carbon foot print, along with Brighton & Hove City Council's climate emergency declaration and commitment to become the first Gold Sustainable city in the UK, we urge that in order to meet the test of soundness and compatibility with sustainable development the role of food growing has to be part of these policies in order to meet the test. We are disappointed that none of the major / strategic sites (SA7/ SSA1-7) include specific reference to food growing as an upfront requirement, as with Toads Hole Valley, which made it clear that 1.59 hectares of food growing space was required. In short, as Brighton and Hove City Council have already accepted the principle that food is 30% of carbon footprint, and implemented planning policy as a response, if this area is not addressed alongside transport an energy then the plan as a whole cannot be considered to meet the test of soundness wrt sustainable development.

Changes required

We are disappointed that none of the major / strategic sites (SA7/ SSA1-7) include specific reference to food growing as an upfront requirement, as with Toads Hole Valley, which made it clear that 1.59 hectares of food growing space was required.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We would be happy to participate in the Inspector's hearing to make these points.

<u>Policy</u>	SSA1
<u>Respondent Number / Rep Number</u>	219 9
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Wildlife Trust
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Whilst we support the development of this brownfield site, Sussex Wildlife Trust is concerned that the policy wording in part h is not sufficient to ensure the protection of the swift colony on site. Whilst this policy requires provisions to safeguard the policy, it does not require that these provisions are provided in advance of any development. The current hospital buildings are home to Brighton's largest colony of Swifts (15 nests in 2018 and 19 nests in 2019) – an amber listed species, which in Great Britain nests only under the eaves of roofs of buildings or in Swift nest boxes. Swifts return to the same nesting location year on year and therefore it is the continuity of nest availability at this site that is key to maintaining the population. Any proposal that requires the destruction or disturbance of the existing nests, must be required to provide successful alternative nesting opportunities before there is any disturbance i.e. the alternative nest sites should be installed and proven to be successful before any development commences. Without this requirement, there can be no guarantee that the proposals will be successful in safeguarding the colony.

Changes required

SWT requests that part h is amended to read as follows:h) The development should contribute towards Biodiversity Action Plan objectives and provide biodiversity net gains, green infrastructure and wider landscaping enhancements through creative landscaping solutions and provide alternative nest sites to safeguard the swift colony, these nests should be installed and proven to be successful before any development commences.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

The Sussex Wildlife Trust wishes to attend the examination hearings so that we can discuss our objections formally with the Inspector and respond to any additional evidence presented by other respondents.

<u>Policy</u>	SSA1
<u>Respondent Number / Rep Number</u>	223 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Community Land Trust
<u>Respondent Type</u>	Community & Voluntary
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The policy related to the BGH site does not include the Council's request for the land at BGH to be developed for "truly affordable housing, including options for development by the Joint Venture, B&H Community Land Trust, directly by the Council, or a combination." which was passed unanimously at the Council's Committee meeting on 19th July 2018. The wording of this policy should be amended to reflect this.

Changes required

The policy related to the BGH site does not include the Council's request for the land at BGH to be developed for "truly affordable housing, including options for development by the Joint Venture, B&H Community Land Trust, directly by the Council, or a combination." which was passed unanimously at the Council's Committee meeting on 19th July 2018. The wording of this policy should be amended to reflect this.

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	SSA1
<u>Respondent Number / Rep Number</u>	228 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Ornithological Society
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

SSA1- objectThe current hospital buildings are home to Brighton’s largest colony of Swifts (15 nests in 2018 and 19 in 2019) – an amber listed species, which in Great Britain nests only under the eaves of roofs of buildings or in Swift bricks/ boxes. As noted in our comments on Policy DM37 and the clarification that we and RSPB are seeking to paragraph 2.281, RSPB has reached agreement with BHCC that this species should be protected, and that all developments should include the installation of Swift nests whenever this is suitable.Given the opening statements of Policy DM37....."All development should seek to conserve and enhance biodiversity and geodiversity features ensuring:• a net gain in biodiversity is achieved;• that recognised priority species and habitats are protected and supported;• that appropriate and long-term management of new or existing habitats is secured to ensure a network of nature recovery;....'..... and the importance of the Swift colony at Brighton General Hospital, we ask that an addition be made to Policy SSA1 to make it more effective. We would like to see the following paragraph added:i) development proposals should specifically include proposals to provide alternative nest sites for Swifts, and these nests should be installed and proven to be successful before any development commences.

Changes required

We would like to see the following paragraph added:i) development proposals should specifically include proposals to provide alternative nest sites for Swifts, and these nests should be installed and proven to be successful before any development commences.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

SOS wishes to participate in any examination hearings sessions relevant to any sections of the City Plan Part Two that we have submitted objections to. We wish to discuss our objections formally with the Inspector and respond to any additional evidence presented by other respondents.

<u>Policy</u>	SSA1
<u>Respondent Number / Rep Number</u>	246 10
<u>Name</u>	(Montagu Evans LLP)
<u>Email</u>	
<u>Organisation/individual</u>	Aberdeen Standard Investments
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Section 3 (Special Area Policy, Strategic Site Allocations, Housing and Mixed Use Sites and other Site Allocations) of the draft CPP2 allocates further sites for housing and mixed use development. The NPPF requires plans to identify enough land to meet housing need. In addition, the NPPF makes clear that planning authorities should plan positively to meet a full range of housing needs. As illustrated by the SHLAA update (2019) discussed above the Council are unable to identify a five year supply of housing to meet their need. As discussed in City Plan Part 2 Background Studies, the SLHAA identifies that the Plan falls short of meeting its annual housing need figure and can only demonstrate a four year housingsupply. Given Section 3 of the draft CPP2 does not identify and allocate a sufficient supply of land to meet the housing need, the role of diversifying the land uses and offering of existing site allocations to deliver much needed housing should be acknowledged in Section 3. Currently, the findings of the SHLAA are not discussed or examined in the draft CPP2. ASI is of the opinion that the findings of the SHLAA should be captured in Section 3 to help shape development over the plan period and, given the requirements of national policy for the planning authority to identify land to meet its housing need, this shortfall and deviation from the NPPF requirements should be addressed.

Changes required

Given Section 3 of the draft CPP2 does not identify and allocate a sufficient supply of land to meet the housing need, the role of diversifying the land uses and offering of existing site allocations to deliver much needed housing should be acknowledged in Section 3. Currently, the findings of the SHLAA are not discussed or examined in the draft CPP2. ASI is of the opinion that the findings of the SHLAA should be captured in Section 3 to help shape development over the plan period and, given the requirements of national policy for the planning authority to identify land to meet its housing need, this shortfall and deviation from the NPPF requirements should be addressed.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	SSA1
<u>Respondent Number / Rep Number</u>	247 20
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	The Regency Society of Brighton & Hove
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have supported the designation as a conservation area of the site formerly occupied by the Brighton Workhouse and wish to see it progressed as a priority.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	SSA1	
<u>Respondent Number / Rep Number</u>	256	20
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	The Brighton Society	
<u>Respondent Type</u>	Civic & Amenity	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support the proposals to make the Hospital Site a Conservation Area. The aim to progress this proposal should be included.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	SSA1
<u>Respondent Number / Rep Number</u>	258 28
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support the aim of providing 40% “affordable homes” within housing developments and this should include a considerable element of “social rented” housing. It has been disappointing that many housing developments in recent years haven’t met this aim, with some developments, both on publicly and privately owned land, failing to meet the requirements of the City. Some examples are: the former AMEX Site (Edward Street); Artisan development (Davigdor Road); the Ellen Street development; former Baptist Church Hall (Montpelier PI); and former Council owned buildings in Buckingham Rd. This 40% rule for the provision of affordable/social rented homes should apply to the “Strategic Site Allocations” listed in the City Plan including the former Brighton General Hospital Site in Elm Grove (SSA1); the Combined Engineering Site in New England Road (SSA2); and the Lyon Close Site (SSA3).

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	SSA1
<u>Respondent Number / Rep Number</u>	266 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Community NHS Foundation TRust
<u>Respondent Type</u>	Public Sector / Local Authority
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Supporting Evidence for Sussex Community NHS Foundation Trust's submission to Brighton & Hove City Council's City Plan Part Two public consultation (re: SSA1 Brighton General Hospital Site) I am writing on behalf of Sussex Community NHS Foundation Trust (SCFT) in support of the plan to develop the Brighton General Hospital site on Freshfield Road, as described in section SSA1 of Brighton & Hove City Council's City Plan Part Two, to include: * a 10,000-12,000 sq m health and care facility; * a minimum of 200 residential units; and * community facilities. The Brighton General site is not currently fit for delivering 21st century health care or a modern working environment for staff. The site includes a significant number of hazardous buildings that are no longer sound or safe and the internal layout of the former Victorian workhouse buildings makes it impossible to create clinical environments that meet today's standards for patient privacy, dignity and infection control. Services are spread over approximately 20 buildings, on a large site with very steep gradients. This makes accessing clinics and services particularly challenging for visitors who are disabled, elderly and those with young children. Despite its name, Brighton General Hospital is no longer a hospital and now houses a number of community health services, SCFT administrative and support functions. The last bed on site closed in 2009, with hospital bed services moving to the Royal Sussex County Hospital less than a mile away. Only 50% of the current estate is well used, with 20% empty. The local NHS does not have need for a 4.6-

hectare site approximately one mile away from a large acute hospital that is currently undergoing a substantial investment in new facilities. Holding on to land for which we have no use is a drain on NHS funds. It is therefore necessary to look at how the site can be redeveloped to make it fit for purpose for current and likely future health service need, while improving how services are delivered, providing a better working environment for staff, and ensuring that services operate from smaller but better utilised facilities with as much investment as possible in effective frontline patient care. The Trust is proposing to build a new community Health Hub, Sussex Rehabilitation Centre and NHS car park on the north-west corner of the site. The NHS will not need the whole site for the Health Hub so there is the potential for part of the site to contribute to meeting the city's housing need through the creation of new housing on surplus land. The Trust intends to develop detailed design plans in consultation with local people, patients and staff for the health and housing elements of the redevelopment that will:

- * Achieve a high quality of design which preserves and where possible enhances the setting of the landmark Grade II Listed Arundel Building on site. The Trust is absolutely committed to the preservation of the Arundel Building, which is a landmark building that is visible in the skyline from locations across the city. We are working closely with Brighton & Hove City Council's heritage advisors to ensure a development that not only addresses health needs but adds residential development to the area in a sustainable and sympathetic modern urban setting that respects the site's Elm Grove frontage and workhouse history. Furthermore, any scheme will retain much of the curtilage wall around the Brighton General site.
- * Allow for improved landscaping and the creation of new green space through its parking management strategy.
- * Deliver sustainable transport infrastructure improvements that provide and promote public and sustainable transport to and through the site. We are committed to working with the council and public transport providers to lobby for improved public transport provision to the site. We will provide showers and cycle storage in order to encourage active travel and will also incorporate more charging points and encourage pooled electric vehicles.
- * Create new jobs and training opportunities within the local economy. We will look to appoint contractors that can deliver other social benefits, such as apprenticeships (which could be delivered in partnership with the city's local universities and FE College).
- * Contribute towards Biodiversity Action Plan objectives. We will work with RSPB and other organisations to protect bird habitat and other biodiversity and make provision to safeguard the swift colony on site.

In summary, The Trust's Health Hub plan will redevelop the Brighton General Hospital site to make it better for patients, better for health and care staff and better for the environment, while offering the promise of new homes and jobs for local people in Brighton & Hove.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

We do not necessarily wish to participate at the hearing sessions during the examination but we attach a letter of support for the Council's proposals on the basis that these are compatible with the need to develop local health services and that they have been prepared in a manner that is sound, legally compliant and aligned to the Council's Duty to Co-operate

<u>Policy</u>	SSA2	
<u>Respondent Number / Rep Number</u>	204	15
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Historic England	
<u>Respondent Type</u>	Government Agency	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

In relation to Section 3 special area and site allocations, we note that sites have been subject to assessment in relation to their potential impact on the significance of heritage assets or their settings. SSA2 Combined Engineering Depot, New England Road is in close proximity to a number of heritage assets, including the grade II* railway station (as noted in para 3.23) and train sheds and the grade II New England railway bridge and viaduct, and is at a strategic arrival point into the city. It is noted that in section g), development is required to respect the setting of these assets. A heritage impact statement should be prepared to identify the potential impacts of development on the assets as part of any application for the development of the site.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	SSA2	
<u>Respondent Number / Rep Number</u>	216	19
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Brighton & Hove Food Partnership	
<u>Respondent Type</u>	Environment	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Noting the multiple policies relating to food growing in City Plan, Part 1, the recent adoption of the revised PAN on incorporating food growing in development and the incorporation of food growing and food access we feel that this area has been overlooked in the DM policies in city plan part 2. Given the centrality of food in carbon reduction, with the IPCC & UK parliament Audit committee findings that food contributes up to 30% of carbon foot print, along with Brighton & Hove City Council's climate emergency declaration and commitment to become the first Gold Sustainable city in the UK, we urge that in order to meet the test of soundness and compatibility with sustainable development the role of food growing has to be part of these policies in order to meet the test. We are disappointed that none of the major / strategic sites (SA7/ SSA1-7) include specific reference to food growing as an upfront requirement, as with Toads Hole Valley, which made it clear that 1.59 hectares of food growing space was required. In short, as Brighton and Hove City Council have already accepted the principle that food is 30% of carbon footprint, and implemented planning policy as a response, if this area is not addressed alongside transport an energy then the plan as a whole cannot be considered to meet the test of soundness wrt sustainable development.

Changes required

We are disappointed that none of the major / strategic sites (SA7/ SSA1-7) include specific reference to food growing as an upfront requirement, as with Toads Hole Valley, which made it clear that 1.59 hectares of food growing space was required.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We would be happy to participate in the Inspector's hearing to make these points.

<u>Policy</u>	SSA2	
<u>Respondent Number / Rep Number</u>	246	11
<u>Name</u>	(Montagu Evans LLP)	
<u>Email</u>		
<u>Organisation/individual</u>	Aberdeen Standard Investments	
<u>Respondent Type</u>	landowner / developer	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Section 3 (Special Area Policy, Strategic Site Allocations, Housing and Mixed Use Sites and other Site Allocations) of the draft CPP2 allocates further sites for housing and mixed use development. The NPPF requires plans to identify enough land to meet housing need. In addition, the NPPF makes clear that planning authorities should plan positively to meet a full range of housing needs. As illustrated by the SHLAA update (2019) discussed above the Council are unable to identify a five year supply of housing to meet their need. As discussed in City Plan Part 2 Background Studies, the SLHAA identifies that the Plan falls short of meeting its annual housing need figure and can only demonstrate a four year housingsupply. Given Section 3 of the draft CPP2 does not identify and allocate a sufficient supply of land to meet the housing need, the role of diversifying the land uses and offering of existing site allocations to deliver much needed housing should be acknowledged in Section 3. Currently, the findings of the SHLAA are not discussed or examined in the draft CPP2. ASI is of the opinion that the findings of the SHLAA should be captured in Section 3 to help shape development over the plan period and, given the requirements of national policy for the planning authority to identify land to meet its housing need, this shortfall and deviation from the NPPF requirements should be addressed.

Changes required

Given Section 3 of the draft CPP2 does not identify and allocate a sufficient supply of land to meet the housing need, the role of diversifying the land uses and offering of existing site allocations to deliver much needed housing should be acknowledged in Section 3. Currently, the findings of the SHLAA are not discussed or examined in the draft CPP2. ASI is of the opinion that the findings of the SHLAA should be captured in Section 3 to help shape development over the plan period and, given the requirements of national policy for the planning authority to identify land to meet its housing need, this shortfall and deviation from the NPPF requirements should be addressed.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	SSA2
<u>Respondent Number / Rep Number</u>	258 29
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support the aim of providing 40% “affordable homes” within housing developments and this should include a considerable element of “social rented” housing. It has been disappointing that many housing developments in recent years haven’t met this aim, with some developments, both on publicly and privately owned land, failing to meet the requirements of the City. Some examples are: the former AMEX Site (Edward Street); Artisan development (Davigdor Road); the Ellen Street development; former Baptist Church Hall (Montpelier PI); and former Council owned buildings in Buckingham Rd. This 40% rule for the provision of affordable/social rented homes should apply to the “Strategic Site Allocations” listed in the City Plan including the former Brighton General Hospital Site in Elm Grove (SSA1); the Combined Engineering Site in New England Road (SSA2); and the Lyon Close Site (SSA3).

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	SSA3	
<u>Respondent Number / Rep Number</u>	126	4
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	n/a	
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

SSA3 Land at Lyon Close, Hove Should the retail warehouse unit nrs 1 and 2 Peacock Industrial Estate come forward for redevelopment, provision needs to be made in the City Plan for appropriate new accessible locations for these units."f. Development should provide for a mix of dwelling type, tenure and size to cater for a range of housing requirements and to improve housing choice (see Policy CP19);"Suggest changing "should" to "shall", to make this a more binding obligation" h. Occupation of development will be phased to align with the delivery of sewerage network reinforcement, in consultation with the service provider; and "I believe that the need for any sewerage network reinforcement needs to be assessed and any infrastructure improvement works planned and implemented before planning consent for further redevelopment is granted."3.27 A coordinated masterplan approach" I question the statement that the site allocation as being potentially suitable for taller buildings, especially if this results in excessive massing, density, shading, visual impact and lack of open spaces."3.31 potential for land contamination" Suggest changing "should" to "shall", to make this a more binding obligation

Changes required

See item 3 above

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

n/a

<u>Policy</u>	SSA3	
<u>Respondent Number / Rep Number</u>	139	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	No	
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

•CPP2 states a minimum of 300 residential units. Please note that there are already 333 already built or approved, with a total pipeline of 478. This is massive overdevelopment over this area and this should not be allowed. •CPP2: Proposes tall buildings above 6 stories. But if you have been there you will see that this area is not suitable for buildings over 6 stories. 6 should be the maximum allowed otherwise it will be towering and overpowering. •CPP2 requires a co-ordinated master-plan approach . However, all the the recent applications have been viewed on a stand alone basis. We have even been told that the council planning committee specifically does NOT consider applications together with others in the area. How can this be aligned to the requirement of the CPP2? SSA3 seems already like a playing field for money hungry developers and existing building owners just wanting to develop and increase size and scope to fit in as much as possible with no consideration of existing infrastructure, area, neighbourhood, people. •CPP2: "Design Principles" created with the support of Design South East. This Design seems to have a vision to stack high and sell cheap. Approved plans have been high but expensive with hard to sell flats and empty building sites. We need a better plan which provides what is needed here and affordable! •CPP2: Requirement for a high standard of design and amenity and a "coherent townscape" . The sc-called townscape in this area of Hove consists still mainly of family homes, church, hospital, a few businesses and a few offices. It is not

overtowered by a massive high-rise development with a canyon effect on the main road and very little space for green or trees. Also the flats are small, have little light and are just not providing the family and affordable or even social housing we need in this area. •CPP2: A mixture of dwelling type, tenure and size In reality the target for affordable housing is always missed with the explanation that the poor developers will not make enough profit. There is also never enough family housing provided (usually high density 1-2 bedroom flats with no gardens)•CPP2: Occupation of development to be phased to align with upgrading public sewer capacity This is strange - so you are saying there will be developments approved which cannot be supported by the existing infrastructure. There has never been a joint approach for all developments or an analysis of what the existing infrastructure can support or the effect on the area (pollution, traffic etc.) . If ever this infrastructure would get improved, what would it mean for the area? How many months or years of closed roads and noise in public highways? Sorry if this is all not in the right box. Very difficult for us laymen to comment entirely in line with your four boxes. Please still consider these comments. Extremely important for current life in this neighbourhood and the future.

Changes required

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	SSA3	
<u>Respondent Number / Rep Number</u>	142	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	n/a	
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

In my opinion the height of the buildings should be limited to about five or maximum six stories. Any higher will bring too much height and bulk and volume to the site. The current plan is biased too much in favour of the developers' business and profit, and not enough in favour of the local community. I haven't seen sufficient concrete plans for expansion of local amenities - the park, the doctors, schools, buses, water etc. Not enough to justify this as an appropriate strategy.

Changes required

No buildings over six stories high
Concrete plans to expand local amenities (park, doctors, schools, buses, water etc.) according to the increase in population

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	SSA3	
<u>Respondent Number / Rep Number</u>	159	6
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	n/a	
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

-

Changes required

SSA3 is not suitable for "Tall Buildings" over 6 storeys, and the area is already overdeveloped and unsustainable. The policy should be amended to cap the number of storeys at below 6. There are 333 already built or approved, with a total pipeline of 478! This is massive overdevelopment with no need to continue this trend. None of the recent applications have taken a wider view of the SSA3 area in context. Plans are approved 'stand alone' by the Committee, however all reference previously approved tower blocks (like P&H etc). That's why SSA3 is becoming so un-coordinated and tall. Recent applications have been high but certainly not cheap; resulting in hard to sell flats and empty building sites. We need a better plan that serves the community! Recent plans have had very poor architectural design, and will create a canyon effect along Davigdor Road. New buildings have little or no sympathy to existing Goldsmid architecture. Never enough family housing is provided (usually high density 1-2 bedroom flats with no gardens).

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

-

<u>Policy</u>	SSA3	
<u>Respondent Number / Rep Number</u>	178	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Hove Gold	
<u>Respondent Type</u>	Civic & Amenity	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Dear Planners & Councillors, After discussions with local residents in Goldsmid, Hove Gold, is very concerned about how CPP2 affects the future of SSA3. While the area is ripe for sustainable redevelopment, locals feel that approved plans and forthcoming applications are a gross overdevelopment, in an unsustainable and uncharacteristic way. The amendments to CPP2 regarding Tall Buildings shows an unsuitable vision, anything above 6 storeys isn't suitable for this area and is completely out of character with the design principles that make Hove, Hove. As you can see from the comments below, the sheer number of residential units (already at 150% recommendation) will create an enormously high population density, with little provision for amenities or infrastructure. Hove Gold would cite the applications on Lyon Close/Davigdor Rd which have not broken ground yet, and hope we can learn from the 'test case' of Artisan which has had issues with S106, selling to a Housing Association, and not even being fully occupied after 2 years. With reference to SSA3: CPP2: Minimum of 300 residential units - Comment: There are 333 already built or approved, with a total pipeline of 478! HoveGold considers this massive overdevelopment with no need to continue this trend.CPP2: Proposals for tall buildings above 6 storeys -Comment: This area is not suitable for buildings over 6 storeys, so we strongly advise capping the size of buildings at 6 storeys maximum.- Approved applications are too tall already, and have been met with disapproval from locals with non, or borderline, compliance

with BRE daylight and sunlight guidelines, light pollution, overlooking etc., in many cases CPP2: A co-ordinated master-plan approach - Comment: None of the recent applications have taken a wider view of the SSA3 area in context. Plans are approved 'stand alone' by the Committee*, however all reference previously approved tower blocks (like P&H etc). That's why SSA3 is becoming so uncoordinated. (*the Chair of Planning specifically directed the committee members to only consider the Lyons Close development as a stand alone application and not in the wider context) CPP2: "Design Principles" for SSA3, created with the support of Design South East. - Comment: This workshop has a vision to stack em high, sell em cheap. Approved buildings have been high but expensive; resulting in hard to sell, unwanted flats and empty building sites. The Design Principles document is clearly unsuitable and should be revisited with consultation from the public. CPP2: Requirement for a high standard of design and amenity and a "coherent town-scape" - Comment: Recent plans have had very poor architectural design, and will create a canyon effect along Davigdor Road and within the development area. - Creation of additional office space has been approved, immediately after the approval of conversion of office space to residential space! This makes no sense- New buildings have little or no sympathy to existing Goldsmid architecture.- The 'Design Principles' document does not provide a vision for a coherent townscape, only highrise infill. CPP2: A mixture of dwelling type, tenure and size - Comment: the target for 40% affordable housing is almost always missed in applications and offset with S106/CIL Not enough family housing is provided (usually high density 1-2 bedroom flats with no gardens)- proven to be unsuitable during COVID Hove Gold approve of some of the recommendations (master-plan approach, coherent town-scape etc) but as this has not been historically achieved, we request an amendment on how it will be formally guaranteed during the application process? We implore that before CPP2 is formally adopted, it is amended to take a lower impact approach to SSA3, with a maximum height of 6 storeys, reduced massing and family housing to help contain the unsustainable impact on the local area. Yours faithfully, Hove Gold

Changes required

We implore that before CPP2 is formally adopted, it is amended to take a lower impact approach to SSA3, with a maximum height of 6 storeys, reduced massing and family housing to help contain the unsustainable impact on the local area.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	SSA3	
<u>Respondent Number / Rep Number</u>	186	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>	Individual	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Are you crazy destroying local jobs in Hove to create a ghetto of young families. No parking not enough drainage oversubscribed local services and traffic. Leave the industrial estate. We need it, lots of elderly rely on going to wickes and screwfix as they give up their licences and the loss of jobs in this area is not acceptable

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	SSA3
<u>Respondent Number / Rep Number</u>	187 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Do not approve this over development of this site. It totally unsuitable for this area, ugly slums of tomorrow. Design attractive max 4 storeys high that people want to live in to enhance this area and people's lives Do not Increase the pollution or put a strain on schools and GPs.. Why do this? It's a disgrace. Yes this is an objection to the overdevelopment in Lyon Close. I am a member of Hove gold. I also object to the demolition of the 5 detached houses on Cromwell Road/Palmeria ave for the same reasons, but more as that development is so high it will block my light that comes into my flat opposite this ugly development. Why are you building so high? When we have to conform to restrictions. STOP HIGH RISE IN HOVE!

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	SSA3
<u>Respondent Number / Rep Number</u>	188 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Very dense plan, unsuitable for families . Very tall buildings out of character for the area. Max 6 stories should be the limit . Significant overlooking and loss of light . Affordable housing of 40% should be an absolute requirement for all development in the area . Artisan development is still not completely sold, this shows that this kind of development is not suitable for this area . The plan will generate significant extra traffic on Cromwell Road and attendant pollution, with no mitigation . There should be some guidance on design and build quality, simply going for the cheapest housing will turn this area into a slum . For such a high-density proposal there are no extra community amenities as part of this plan

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	SSA3
<u>Respondent Number / Rep Number</u>	189 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

In agreement with Hove Gold objections I wish to record that I consider the SSA3 is not suitable for "Tall Buildings" over 6 storeys. The area is already overdeveloped and unsustainable.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	SSA3	
<u>Respondent Number / Rep Number</u>	190	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>	Individual	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I have found out late the details of SSA3. The plan is entirely inappropriate. It makes no provision for existing residents. The area is already over developed. The infrastructure cannot cope. There is an opportunity to improve the quality of life in the area and this plan makes no attempt to do that. The destruction of the local facilities will also have a negative environmental impact. The plan is inappropriate.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	SSA3
<u>Respondent Number / Rep Number</u>	192 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I wish to object to the city plan part two which is proposed for davidor rd hove.The reasons are that this is a major ill thought out high rise development, having little co ordination to the adjoining Willet conservation area.Surely there could be a better plan, with attractive architectural design, such as the large development opposite.Also where is the affordable 40 per cent within these proposals?It looks as though this is a vision of stack em high and sell them cheap!This is surely a massive overdevelopment in a pleasant part of hove.Yours sincerelyPamela mills (a Cromwell rd resident).

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	SSA3
<u>Respondent Number / Rep Number</u>	195 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

As a local residents in Goldsmid, Hove Gold, I am very concerned about how CPP2 affects the future of SSA3. While the area is ripe for sustainable redevelopment, I feel that approved plans and forthcoming applications are a gross overdevelopment, in an unsustainable and uncharacteristic way. The amendments to CPP2 regarding Tall Buildings shows an unsuitable vision, anything above 6 storeys is not suitable for this area and is completely out of character with the design principles that make Hove, Hove. As you can see from the comments below, the sheer number of residential units (already at 150% recommendation) will create an enormously high population density, with little provision for amenities or infrastructure. I cite the applications on Lyon Close/Davigdor Rd which have not broken ground yet, and hope we can learn from the 'test case' of Artisan which has had issues with S106, selling to a Housing Association, and not even being fully occupied after 2 years. Please consider my points below. The area SSA3, I am considering, encompasses Willett Estate conservation area ,For our area SSA3 - Goldsmid WardCPP2 : Minimum of 300 residential units.Comments: There are 333 already built or approved units, with a pipeline of 478 !! I consider this massive overdevelopment and this trend should not continue. CPP2: Proposals for tall buildings above 6 storeysComment: This area is not suitable for buildings over 6 storeys maximum, we strongly advise capping the size of buildings at 6 storeys maximum.* Approved applications are too tall already, and have been met with

disapproval from locals with non,or borderline, compliance with BRE daylight and sunlight guidance, light pollution, overlooking in many cases.CPP2: A co-ordinated master-plan approachComment: None of the recent applications have taken a wider view of the SSA3 area in context. Plans are approved 'stand alone' by the Committee*, however all reference previously approved tower blocks (like P&H etc). That's why approvals in SSA3 is becoming so un-coordinated (*the chair of Planning specifically directed the committee members to only consider the Lyons Close development as a stand alone application and not in the wider context) and looking messy area.CPP2: "Design Principles" for SSA3 which is the image below - created with the support of Design South East.Comment: This workshop has a vision to stack them high, sell them cheap. Approved plans have been high but expensive; resulting in hard to sell flats and empty building sites. We need a better plan!*The Design Principles document is clearly unsuitable and should be revisited with consultation from the public.CPP2: Requirement for a high standard of design and amenity and a "coherent town-scape"Comment: Recent plans have had very poor architectural design, and will create a canyon effect along Davigdor Road. * Creation of amenities (additional office space) has been approved immediately after the approval of conversion of office space to residential space! This makes no sense at all.Developers are taking advantage with total disregard for the area* New buildings have little or no sympathy to existing Goldsmid architecture.*The 'Design Principles' document does not provide a vision for a coherent townscape, only high rise infill CPP2: A mixture of dwelling type, tenure and sizeComment: the target for affordable housing is always missed in applications and offset with S106/CIL* Never/ not enough family housing is provided (usually high density 1-2 bedroom flats with no gardens). Covid pandemic has shown that outside space is very important.CPP2: Occupation of development to be phased to align with upgrading public sewer capacityComment: likely to involve major excavation works in public highwaysI approve of some of the recommendations (master-plan approach, coherent town-scape etc) but as this has not been historically achieved, we request an amendment on how it will be formally guaranteed during the application process? I implore that before CPP2 is formally adopted it is amended to take a lower impact approach to SSA3, with a maximum height of 6 storeys, reduced massing and family housing to help contain the unsustainable impact on the local area. Also member of HOVE Gold

Changes required

I implore that before CPP2 is formally adopted it is amended to take a lower impact approach to SSA3, with a maximum height of 6 storeys, reduced massing and family housing to help contain the unsustainable impact on the local area.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	SSA3
<u>Respondent Number / Rep Number</u>	216 20
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Food Partnership
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Noting the multiple policies relating to food growing in City Plan, Part 1, the recent adoption of the revised PAN on incorporating food growing in development and the incorporation of food growing and food access we feel that this area has been overlooked in the DM policies in city plan part 2. Given the centrality of food in carbon reduction, with the IPCC & UK parliament Audit committee findings that food contributes up to 30% of carbon foot print, along with Brighton & Hove City Council's climate emergency declaration and commitment to become the first Gold Sustainable city in the UK, we urge that in order to meet the test of soundness and compatibility with sustainable development the role of food growing has to be part of these policies in order to meet the test. We are disappointed that none of the major / strategic sites (SA7/ SSA1-7) include specific reference to food growing as an upfront requirement, as with Toads Hole Valley, which made it clear that 1.59 hectares of food growing space was required. In short, as Brighton and Hove City Council have already accepted the principle that food is 30% of carbon footprint, and implemented planning policy as a response, if this area is not addressed alongside transport an energy then the plan as a whole cannot be considered to meet the test of soundness wrt sustainable development.

Changes required

We are disappointed that none of the major / strategic sites (SA7/ SSA1-7) include specific reference to food growing as an upfront requirement, as with Toads Hole Valley, which made it clear that 1.59 hectares of food growing space was required.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We would be happy to participate in the Inspector's hearing to make these points.

<u>Policy</u>	SSA3
<u>Respondent Number / Rep Number</u>	234 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I would like to comment on the proposals for development of Lyon Close, in relation to the proposals for tallbuildings. It is my view that this is not a suitable area for tall buildings over 6 storey's. Therefore I strongly advise capping to 6 storey's as an absolute maximum.

Changes required

Therefore I strongly advise capping to 6 storey's as an absolute maximum.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	SSA3	
<u>Respondent Number / Rep Number</u>	235	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>	Individual	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I would like to comment on the CPP2 relating to SSA3 Lyon Close. As a local resident of over 20 years, I am opposed to the overdevelopment which is taking place in this area. The area is not suitable for tall buildings, and those that have been built have been hard to sell. The developments are not offering what is wanted or needed. We need a coordinated overview of development in this area, as each planning application is made based on "they let them build one last time, so let's apply to build another one". No – this is a residential area with a good mix of age groups, including lots of older people, and school aged children. Development should take into account the future needs of this population not aim to fulfil some number requirement for housing, regardless of what it is or how much it costs. Recent buildings are not in keeping with the area at all, being boxy high rises which you could see anywhere in the world. Not reflecting the style or design of the local area at all. The tall buildings are creating a sunless wind corridor, and over shadowing current residents homes, changing the nature of the area for the worse. This area needs affordable housing for our children to grow up to move into, and family housing with gardens for families. High rises of 1-2 bedroom flats have limited demand in this area – hence unsold flats still there in the Artisan block. We do need more housing, but not dense blocks. We need low rise blocks, houses with gardens and maybe even some bungalows!

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	SSA3	
<u>Respondent Number / Rep Number</u>	238	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>	Individual	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I am commenting on the Brighton and Hove City Plan. I understand that consultation finishes this evening. I have only just been made aware of the opportunity to respond, so I do not have time to make detailed comments. I will focus on Lyons Close which is close to me. I live in Addison Road. On the whole I endorse the comments made by Hove Gold who have concerns about the height of the buildings proposed, and their environmental impact on noise and the fact that the proposed buildings are neither in keeping with the character of Hove, or innovative and exciting enough to create a character of their own. I fully endorse the need for additional social housing in Hove, and I welcome new people coming in to the area. I don't think it is necessary for any provision to be made for cars, but possibly there is a need to enhance the public transport infrastructure locally. I would welcome more pedestrianised areas in Hove.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	SSA3	
<u>Respondent Number / Rep Number</u>	239	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>	Individual	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The SSA3 area is an easy win for the planning department for redevelopment however approved plans and forthcoming applications are a gross overdevelopment, in an unsustainable and uncharacteristic way, something which must be addressed in the City Plan 2. The amendments to CPP2 regarding Tall Buildings shows an unsuitable vision, anything above 6 storeys isn't suitable for this area and is completely out of character with the design principles that make Hove, Hove. As you can see from the comments below, the sheer number of residential units (already at 150% recommendation) will create an enormously high population density, with little provision for amenities or infrastructure.1. CPP2 says a minimum of 300 residential units but there are 333 already built or approved, with a total pipeline of 478! HoveGold considers this massive overdevelopment with no need to continue this trend.2. This area is not suitable for buildings over 6 storeys, so we strongly advise capping the size of buildings at 6 storeys maximum.3. Approved applications are too tall already, and have been met with disapproval from locals with non, or borderline, compliance with BRE daylight and sunlight guidelines, light pollution, overlooking etc., in many cases4. None of the recent applications have taken a wider view of the SSA3 area in context, certainly not a co-ordinated master-plan approach5. Plans are approved 'stand alone' by the Committee*, however all reference previously approved tower blocks (like P&H etc). That's why SSA3 is becoming so uncoordinated. (*the Chair of Planning specifically directed the

committeemembers to only consider the Lyons Close development as a stand alone application and not in the wider context)6. "Design Principles" for SSA3 has a vision to stack em high, sell em cheap. Approved buildings have been high but expensive; resulting in hard to sell, unwanted flats and empty building sites. The Design Principles document is clearly unsuitable and should be revisited with consultation from the public.7. Creation of additional office space has been approved, immediately after the approval of conversion of office space to residential space! This makes no sense8. New buildings have little or no sympathy to existing Goldsmid architecture. 9. The 'Design Principles' document does not provide a vision for a coherent townscape, only highrise infill.10. 40% affordable housing is almost always missed in applications and offset with S106/CIL11. Not enough family housing is provided (usually high density 1-2 bedroom flats with no gardens)- proven to be unsuitable during COVIDThe buildings Lyon Close/Davigdor Rd which have not broken ground yet, and hope we can learn from the 'test case' of Artisan which has had issues with S106, selling shared ownership, and not even being fully occupied after 2 years.Please make changes to CPP2 before publishing as the proposals for SSA3 are against the interests of your residents and constituents.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	SSA3	
<u>Respondent Number / Rep Number</u>	245	1
<u>Name</u>	Savills (UK) Limited	
<u>Email</u>		
<u>Organisation/individual</u>	BAE Systems Pension Fund Trustees Limited	
<u>Respondent Type</u>	landowner / developer	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

In summary, BAE supports the aspirations of investment and growth within Hove and appropriate redevelopment that will help to meet the requirements of the existing and new population over the plan period. BAE would also confirm its support for the emerging mixed use allocation of the retail warehouse units on Davigdor Road through Policy SSA3 in the long term subject to:1. The allocation not jeopardising the retail use and its active asset management in the medium term;2. An increase in the residential quantum envisaged by the allocation which would be necessary to support the viable redevelopment of the retail warehouses given their high existing use value; and3. The potential for retail uses to be retained on the Site as part of a comprehensive redevelopment pursuant to the Allocation.The redevelopment of the Site can help to meet strategic objectives in terms of residential land supply, economic growth and employment generation within Hove in the mid to long term. It should be noted that, given the existing lease profile of commercial operators at the Site, redevelopment would only be delivered towards the end of the Plan period.Residential The redevelopment of the Site can help to meet strategic objectives in terms of residential land supply, economic growth and employment generation within Hove in the mid to long term. It should be noted that, given the existing lease profile of commercial operators at the Site, redevelopment would only be delivered towards the end of the Plan period.Retail Whilst BAE supports the proposed allocation of the Site

for residential development and employment purposes, we consider that the Policy should also include flexibility to support the retention of retail uses. This would reflect the existing and established land use and enable the delivery of an appropriate mix of land uses. Retail uses would continue to help meet the needs of the existing shopper population as well as meeting the needs of a new residential community at the Site and within the wider allocation. The inclusion of retail uses within the allocation that might exceed 'ancillary' definition would help to meet shopping requirements locally and contribute to creating a sustainable, mixed use development.

Changes required

In summary, BAE supports the aspirations of investment and growth within Hove and appropriate redevelopment that will help to meet the requirements of the existing and new population over the plan period. BAE would also confirm its support for the emerging mixed use allocation of the retail warehouse units on Davigdor Road through Policy SSA3 in the long term subject to: 1. The allocation not jeopardising the retail use and its active asset management in the medium term; 2. An increase in the residential quantum envisaged by the allocation which would be necessary to support the viable redevelopment of the retail warehouses given their high existing use value; and 3. The potential for retail uses to be retained on the Site as part of a comprehensive redevelopment pursuant to the Allocation. 1) & 3) Retail Use The Site Allocation policy should be amended to include flexibility and support for residential, employment and retail land uses. In particular, we propose that the policy text which relates to the redevelopment of the retail warehouse units at the Site be updated to read as follows: "Should the retail warehouse units come forward for redevelopment during the Plan period then the council will seek a mix of business, residential and retail uses". The above alteration would ensure that the Plan is positively prepared and will make the most effective use of previously developed land. Furthermore, it would enable any future development scheme to respond appropriately to market forces in terms of what is a viable and deliverable. We would also stress that BAE would only support the emerging Policy on the basis that it does not impact on the effective management of the current, established retail floorspace. As set out above, the redevelopment of the floorspace is only anticipated in the medium to longer term and the owner must retain the ability to asset manage the floorspace in advance of any longer term redevelopment. The emerging Policy envisages this flexibility given it states: 'Should the retail warehouses come forward for redevelopment...'. This flexibility is critical and is demonstrative that, prior to comprehensive redevelopment, asset management objectives of the existing floorspace would not be considered to prejudice the longer term aspirations of the emerging Local Plan. 2) Residential Yield The Strategic Site Allocation is identified to deliver a minimum of 300 homes. As set out above, BAE supports the general approach to the intensification of the Site to include residential uses. Whilst it acknowledges the capacity quoted is a minimum threshold (and not a maximum), we would request that this be increased such that it more accurately reflects the potential of the Site and wider allocation. The Local Planning Authority has granted planning permission / prior approval for the creation of 336 units to date on sites at 121-123 Davigdor Road, 113-119 Davigdor Road, 106-112 Davigdor Road (P&H House) and land within Peacocks Trading Estate. Furthermore, there is a live application which is currently under consideration for an additional 43 no flats to be delivered on land formerly used for parking and circulation in association with the office use of P&H House. The above already exceeds the quantum currently stipulated in the emerging allocation. On the basis that the retail warehouse units have been specifically identified as suitable for residential uses, and the quantum of development required to facilitate a viable redevelopment would be significant, the minimum homes threshold should be increased to a minimum of 500 homes. This would more accurately reflect the existing extant position and the true potential of the allocation as a 'brownfield' source of housing land supply (which should be optimised where possible). The above matters will ensure that the emerging Local Plan is appropriately formulated to ensure the future development of the Site can be delivered in an appropriate manner, whilst allowing for reasonable flexibility.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	SSA3	
<u>Respondent Number / Rep Number</u>	246	12
<u>Name</u>	(Montagu Evans LLP)	
<u>Email</u>		
<u>Organisation/individual</u>	Aberdeen Standard Investments	
<u>Respondent Type</u>	landowner / developer	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Section 3 (Special Area Policy, Strategic Site Allocations, Housing and Mixed Use Sites and other Site Allocations) of the draft CPP2 allocates further sites for housing and mixed use development. The NPPF requires plans to identify enough land to meet housing need. In addition, the NPPF makes clear that planning authorities should plan positively to meet a full range of housing needs. As illustrated by the SHLAA update (2019) discussed above the Council are unable to identify a five year supply of housing to meet their need. As discussed in City Plan Part 2 Background Studies, the SLHAA identifies that the Plan falls short of meeting its annual housing need figure and can only demonstrate a four year housingsupply. Given Section 3 of the draft CPP2 does not identify and allocate a sufficient supply of land to meet the housing need, the role of diversifying the land uses and offering of existing site allocations to deliver much needed housing should be acknowledged in Section 3. Currently, the findings of the SHLAA are not discussed or examined in the draft CPP2. ASI is of the opinion that the findings of the SHLAA should be captured in Section 3 to help shape development over the plan period and, given the requirements of national policy for the planning authority to identify land to meet its housing need, this shortfall and deviation from the NPPF requirements should be addressed.

Changes required

Given Section 3 of the draft CPP2 does not identify and allocate a sufficient supply of land to meet the housing need, the role of diversifying the land uses and offering of existing site allocations to deliver much needed housing should be acknowledged in Section 3. Currently, the findings of the SHLAA are not discussed or examined in the draft CPP2. ASI is of the opinion that the findings of the SHLAA should be captured in Section 3 to help shape development over the plan period and, given the requirements of national policy for the planning authority to identify land to meet its housing need, this shortfall and deviation from the NPPF requirements should be addressed.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	SSA3
<u>Respondent Number / Rep Number</u>	258 30
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support the aim of providing 40% “affordable homes” within housing developments and this should include a considerable element of “social rented” housing. It has been disappointing that many housing developments in recent years haven’t met this aim, with some developments, both on publicly and privately owned land, failing to meet the requirements of the City. Some examples are: the former AMEX Site (Edward Street); Artisan development (Davigdor Road); the Ellen Street development; former Baptist Church Hall (Montpelier PI); and former Council owned buildings in Buckingham Rd. This 40% rule for the provision of affordable/social rented homes should apply to the “Strategic Site Allocations” listed in the City Plan including the former Brighton General Hospital Site in Elm Grove (SSA1); the Combined Engineering Site in New England Road (SSA2); and the Lyon Close Site (SSA3).

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	SSA3	
<u>Respondent Number / Rep Number</u>	272	2
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>	Individual	
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I am a local resident (Lyndhurst road) and I am writing to state my objections to the above proposed development. My objections are :1)The existing "Artisan" development still has unsold properties simply because they are ridiculously expensive.2) The idea of multiple high rise blocks is totally at odds with the neighbourhood, which is already fully developed. This area is definitely not suitable for buildings over 6 storeys3) the additional traffic on Davigdor Road will have a very negative impact in terms of pedestrian safety and pollution.4) The local schools, doctor and dentist practices are already over stretched.5) what is required locally is affordable housing, but the targets for social housing are never met in any new developments.6) The proposed position of the blocks will mean that the other blocks to the north will receive virtually no direct sunlight whatsoever. This is just not good for people's health & wellbeing. far too many high density blocks within a small area blocks should be a maximum of 6 storeys blocks will cast other blocks in permanent shadow huge negative impact on local traffic totally out of keeping with local area / architecture local working businesses will be forced to close, with loss of local jobs which are very important local schools, doctor, dentists already hugely over-subscribed

Changes required

maximum 6 storeys high reduce the number of proposed blocks position so as to not block one another's access to daylight

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	SSA4	
<u>Respondent Number / Rep Number</u>	79	3
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Environment Agency	
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

This Strategic Site Allocation falls within a Groundwater Source Protection Zone 1, 2 and 3 as is outlined in Paragraph 3.40 of the supporting text. There is however an inconsistency in the policy wording for this site compared to SSA7 Land Adjacent to American Express Community Stadium, Village Way (which also falls within Groundwater Source Protection Zone 1, 2 and 3). As protection of the Brighton Chalk Block Aquifer is an important environmental consideration, we feel that it is important to provide this clarity and consistency in the wording between different strategic site allocations.

Changes required

We would suggest that the following wording taken from SSA7 Land Adjacent to American Express Community Stadium, Village Way is also added to the policy wording for SSA4 Sackville Trading Estate and Coal Yard. 'Development must ensure that groundwater sources are protected, to the satisfaction of the Environment Agency;'

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	SSA4	
<u>Respondent Number / Rep Number</u>	181	2
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Royal London Asset Management	
<u>Respondent Type</u>	landowner / developer	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The Brighton and Hove City Plan 1 identified an objectively assessed housing need of 30,120 dwellings up to 2030, but only identifies a capacity for 13,200. As such, the City Plan Part 2 is required to deliver considerable additional housing and this should be borne in mind when considering the following representations. Draft Policy /Allocation SSA4: Sackville Trading Estate and Coal Yard, covers an area which sits within the wider DA6: Hove Station Development Area within the City Plan Part 1. However, it is not considered that the two policies entirely align and that Draft Policy SSA4 could preclude other sites within the wider DA6 Development Area from coming forward and making a meaningful contribution towards the housing shortfall. In considering Development Area DA6 in the City Plan Part 1, the Policy sets a number of development criteria for delivery by 2030 including a target of 525 residential units across the identified area (at Part B). Within this Development Area, the Conway Street Industrial Area allocation is identified for delivering 200 of the 525 residential units (Part C of the Policy), which leaves just 325 units for the remainder of the Development Area. City Plan Part 2 draft Policy SSA4 which is also within the Development Area DA6, allows for delivery of a minimum of 500 residential units which clearly exceeds the residual 325 units identified above. In addition, this does not consider other developments in the locality which have recently been permitted, for example the Kap Ltd. development approved last month for 148 dwellings (planning ref: BH2018/03356). This is fully

reflected in the Brighton and Hove Strategic Land Availability Assessment Update (2019) which identifies that the Hove Station Development Area DA6 is estimated to provide 856 dwellings up to 2030, as opposed to the 525 identified in the City Plan Part 1. Whilst we appreciate the above policy figures are set as a 'minimum', it is considered that more can be done within draft Policy SSA4 to clarify that this allocation alone will result in an exceedance of the housing delivery targets set in Development Area DA6 (City Plan Part 1) and to expressly allow for further exceedance if other sites in the Development Area come forward for residential development, either solely or as part of a mixed-use development. In light of the above, it is not considered that the City Plan Part 2 in general and Policy SSA4 more specifically are Positively Prepared or Justified, as they do not go far enough in supporting and delivering the Objectively Assessed Housing Need of 30,120 dwellings to 2030, when the City Plan Part 1 only provides for 13,200 new homes. As such, we consider the plan Unsound.

Changes required

The City Plan Part 2 should provide an update to the City Plan Part 1 DA6 allocation, to reflect the latest SHLAA (2019) position, which estimates 856 dwellings to 2030 as opposed to the current 525. In addition, this update should consider other sites within the Development Area such as the Kap. Ltd development (identified above). The City Plan Part 2 should also consider other sites within the Development Area which could contribute to the housing supply, including a site which my client wishes to be considered: 154 Old Shoreham Road. Please see accompanying covering letter and attached "Initial Design and Massing Report", prepared by PRP Architects in support of this

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

To fully explain the inconsistencies with the City Plan Parts 1 and 2 and to respond to any questions on forthcoming sites within the Development Area, particularly the development site proposed by my client.

<u>Policy</u>	SSA4	
<u>Respondent Number / Rep Number</u>	216	23
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Brighton & Hove Food Partnership	
<u>Respondent Type</u>	Environment	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Noting the multiple policies relating to food growing in City Plan, Part 1, the recent adoption of the revised PAN on incorporating food growing in development and the incorporation of food growing and food access we feel that this area has been overlooked in the DM policies in city plan part 2. Given the centrality of food in carbon reduction, with the IPCC & UK parliament Audit committee findings that food contributes up to 30% of carbon foot print, along with Brighton & Hove City Council's climate emergency declaration and commitment to become the first Gold Sustainable city in the UK, we urge that in order to meet the test of soundness and compatibility with sustainable development the role of food growing has to be part of these policies in order to meet the test. We are disappointed that none of the major / strategic sites (SA7/ SSA1-7) include specific reference to food growing as an upfront requirement, as with Toads Hole Valley, which made it clear that 1.59 hectares of food growing space was required. In short, as Brighton and Hove City Council have already accepted the principle that food is 30% of carbon footprint, and implemented planning policy as a response, if this area is not addressed alongside transport an energy then the plan as a whole cannot be considered to meet the test of soundness wrt sustainable development.

Changes required

We are disappointed that none of the major / strategic sites (SA7/ SSA1-7) include specific reference to food growing as an upfront requirement, as with Toads Hole Valley, which made it clear that 1.59 hectares of food growing space was required.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We would be happy to participate in the Inspector's hearing to make these points.

<u>Policy</u>	SSA4
<u>Respondent Number / Rep Number</u>	229 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Hove Station Neighbourhood Forum
<u>Respondent Type</u>	Neighbourhood Forum
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We propose minor amendments to the text in red for Policy SSA4 to make explicit the key role this strategic site will play in the development of this new quarter.

Changes required

<Officer comment: The respondent's proposed amendments to the wording of policy and supporting text are indicated below>"a. Contribute towards the local priorities for the wider Development Area as set out in City Plan Part One Policy DA6 and meet the policy requirements of a future Hove Station Neighbourhood Plan <add new text "for the delivery of a sustainable Hove Station Quarter"> once adopted;" "3.34 The site also falls within the Hove Station Neighbourhood Forum area. A draft Neighbourhood Plan has been produced, <add new text "which was informally consulted on in 2018 and formally consulted on in spring 2019. The draft Plan identified the high density mixed use redevelopment of this major site as a key component of the proposed Hove Station Quarter.">" "3.39 Connectivity and pedestrian linkages from the southern part of the site are currently poor and redevelopment proposals need to ensure it becomes a successfully integrated part of the <add new text "proposed Hove Station Quarter."> The site is located in close proximity to Hove Station, however there is no easy means of

accessing the station by vehicle or on foot. Redevelopment proposals should robustly investigate the feasibility of providing improved access, for example through the provision of a footbridge to the existing station car park or by the creation of a new access to Fonthill Road from the east of the Coal Yard which would follow pedestrian desire lines, <add new text "as suggested in the Draft Neighbourhood Plan.">"

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	SSA4	
<u>Respondent Number / Rep Number</u>	246	13
<u>Name</u>	(Montagu Evans LLP)	
<u>Email</u>		
<u>Organisation/individual</u>	Aberdeen Standard Investments	
<u>Respondent Type</u>	landowner / developer	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
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Reasons

Section 3 (Special Area Policy, Strategic Site Allocations, Housing and Mixed Use Sites and other Site Allocations) of the draft CPP2 allocates further sites for housing and mixed use development. The NPPF requires plans to identify enough land to meet housing need. In addition, the NPPF makes clear that planning authorities should plan positively to meet a full range of housing needs. As illustrated by the SHLAA update (2019) discussed above the Council are unable to identify a five year supply of housing to meet their need. As discussed in City Plan Part 2 Background Studies, the SLHAA identifies that the Plan falls short of meeting its annual housing need figure and can only demonstrate a four year housingsupply. Given Section 3 of the draft CPP2 does not identify and allocate a sufficient supply of land to meet the housing need, the role of diversifying the land uses and offering of existing site allocations to deliver much needed housing should be acknowledged in Section 3. Currently, the findings of the SHLAA are not discussed or examined in the draft CPP2. ASI is of the opinion that the findings of the SHLAA should be captured in Section 3 to help shape development over the plan period and, given the requirements of national policy for the planning authority to identify land to meet its housing need, this shortfall and deviation from the NPPF requirements should be addressed.

Changes required

Given Section 3 of the draft CPP2 does not identify and allocate a sufficient supply of land to meet the housing need, the role of diversifying the land uses and offering of existing site allocations to deliver much needed housing should be acknowledged in Section 3. Currently, the findings of the SHLAA are not discussed or examined in the draft CPP2. ASI is of the opinion that the findings of the SHLAA should be captured in Section 3 to help shape development over the plan period and, given the requirements of national policy for the planning authority to identify land to meet its housing need, this shortfall and deviation from the NPPF requirements should be addressed.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	SSA4
<u>Respondent Number / Rep Number</u>	258 31
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support the aim of providing 40% “affordable homes” within housing developments and this should include a considerable element of “social rented” housing. It has been disappointing that many housing developments in recent years haven’t met this aim, with some developments, both on publicly and privately owned land, failing to meet the requirements of the City. Some examples are: the former AMEX Site (Edward Street); Artisan development (Davigdor Road); the Ellen Street development; former Baptist Church Hall (Montpelier PI); and former Council owned buildings in Buckingham Rd. This 40% rule for the provision of affordable/social rented homes should apply to the “Strategic Site Allocations” listed in the City Plan including the former Brighton General Hospital Site in Elm Grove (SSA1); the Combined Engineering Site in New England Road (SSA2); and the Lyon Close Site (SSA3).

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	SSA4
<u>Respondent Number / Rep Number</u>	79 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Environment Agency
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

This Strategic Site Allocation falls within a Groundwater Source Protection Zone 1, 2 and 3 as is outlined in Paragraph 3.40 of the supporting text. There is however an inconsistency in the policy wording for this site compared to SSA7 Land Adjacent to American Express Community Stadium, Village Way (which also falls within Groundwater Source Protection Zone 1, 2 and 3). As protection of the Brighton Chalk Block Aquifer is an important environmental consideration, we feel that it is important to provide this clarity and consistency in the wording between different strategic site allocations.

Changes required

We would suggest that the following wording taken from SSA7 Land Adjacent to American Express Community Stadium, Village Way is also added to the policy wording for SSA4 Sackville Trading Estate and Coal Yard. 'Development must ensure that groundwater sources are protected, to the satisfaction of the Environment Agency;'

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	SSA4	
<u>Respondent Number / Rep Number</u>	181	2
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Royal London Asset Management	
<u>Respondent Type</u>	landowner / developer	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The Brighton and Hove City Plan 1 identified an objectively assessed housing need of 30,120 dwellings up to 2030, but only identifies a capacity for 13,200. As such, the City Plan Part 2 is required to deliver considerable additional housing and this should be borne in mind when considering the following representations. Draft Policy /Allocation SSA4: Sackville Trading Estate and Coal Yard, covers an area which sits within the wider DA6: Hove Station Development Area within the City Plan Part 1. However, it is not considered that the two policies entirely align and that Draft Policy SSA4 could preclude other sites within the wider DA6 Development Area from coming forward and making a meaningful contribution towards the housing shortfall. In considering Development Area DA6 in the City Plan Part 1, the Policy sets a number of development criteria for delivery by 2030 including a target of 525 residential units across the identified area (at Part B). Within this Development Area, the Conway Street Industrial Area allocation is identified for delivering 200 of the 525 residential units (Part C of the Policy), which leaves just 325 units for the remainder of the Development Area. City Plan Part 2 draft Policy SSA4 which is also within the Development Area DA6, allows for delivery of a minimum of 500 residential units which clearly exceeds the residual 325 units identified above. In addition, this does not consider other developments in the locality which have recently been permitted, for example the Kap Ltd. development approved last month for 148 dwellings (planning ref: BH2018/03356). This is fully

reflected in the Brighton and Hove Strategic Land Availability Assessment Update (2019) which identifies that the Hove Station Development Area DA6 is estimated to provide 856 dwellings up to 2030, as opposed to the 525 identified in the City Plan Part 1. Whilst we appreciate the above policy figures are set as a 'minimum', it is considered that more can be done within draft Policy SSA4 to clarify that this allocation alone will result in an exceedance of the housing delivery targets set in Development Area DA6 (City Plan Part 1) and to expressly allow for further exceedance if other sites in the Development Area come forward for residential development, either solely or as part of a mixed-use development. In light of the above, it is not considered that the City Plan Part 2 in general and Policy SSA4 more specifically are Positively Prepared or Justified, as they do not go far enough in supporting and delivering the Objectively Assessed Housing Need of 30,120 dwellings to 2030, when the City Plan Part 1 only provides for 13,200 new homes. As such, we consider the plan Unsound.

Changes required

The City Plan Part 2 should provide an update to the City Plan Part 1 DA6 allocation, to reflect the latest SHLAA (2019) position, which estimates 856 dwellings to 2030 as opposed to the current 525. In addition, this update should consider other sites within the Development Area such as the Kap. Ltd development (identified above). The City Plan Part 2 should also consider other sites within the Development Area which could contribute to the housing supply, including a site which my client wishes to be considered: 154 Old Shoreham Road. Please see accompanying covering letter and attached "Initial Design and Massing Report", prepared by PRP Architects in support of this

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

To fully explain the inconsistencies with the City Plan Parts 1 and 2 and to respond to any questions on forthcoming sites within the Development Area, particularly the development site proposed by my client.

<u>Policy</u>	SSA4	
<u>Respondent Number / Rep Number</u>	216	23
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Brighton & Hove Food Partnership	
<u>Respondent Type</u>	Environment	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Noting the multiple policies relating to food growing in City Plan, Part 1, the recent adoption of the revised PAN on incorporating food growing in development and the incorporation of food growing and food access we feel that this area has been overlooked in the DM policies in city plan part 2. Given the centrality of food in carbon reduction, with the IPCC & UK parliament Audit committee findings that food contributes up to 30% of carbon foot print, along with Brighton & Hove City Council's climate emergency declaration and commitment to become the first Gold Sustainable city in the UK, we urge that in order to meet the test of soundness and compatibility with sustainable development the role of food growing has to be part of these policies in order to meet the test. We are disappointed that none of the major / strategic sites (SA7/ SSA1-7) include specific reference to food growing as an upfront requirement, as with Toads Hole Valley, which made it clear that 1.59 hectares of food growing space was required. In short, as Brighton and Hove City Council have already accepted the principle that food is 30% of carbon footprint, and implemented planning policy as a response, if this area is not addressed alongside transport an energy then the plan as a whole cannot be considered to meet the test of soundness wrt sustainable development.

Changes required

We are disappointed that none of the major / strategic sites (SA7/ SSA1-7) include specific reference to food growing as an upfront requirement, as with Toads Hole Valley, which made it clear that 1.59 hectares of food growing space was required.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We would be happy to participate in the Inspector's hearing to make these points.

<u>Policy</u>	SSA4
<u>Respondent Number / Rep Number</u>	229 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Hove Station Neighbourhood Forum
<u>Respondent Type</u>	Neighbourhood Forum
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We propose minor amendments to the text in red for Policy SSA4 to make explicit the key role this strategic site will play in the development of this new quarter.

Changes required

<Officer comment: The respondent's proposed amendments to the wording of policy and supporting text are indicated below>"a. Contribute towards the local priorities for the wider Development Area as set out in City Plan Part One Policy DA6 and meet the policy requirements of a future Hove Station Neighbourhood Plan <add new text "for the delivery of a sustainable Hove Station Quarter"> once adopted;" "3.34 The site also falls within the Hove Station Neighbourhood Forum area. A draft Neighbourhood Plan has been produced, <add new text "which was informally consulted on in 2018 and formally consulted on in spring 2019. The draft Plan identified the high density mixed use redevelopment of this major site as a key component of the proposed Hove Station Quarter.">" "3.39 Connectivity and pedestrian linkages from the southern part of the site are currently poor and redevelopment proposals need to ensure it becomes a successfully integrated part of the <add new text "proposed Hove Station Quarter."> The site is located in close proximity to Hove Station, however there is no easy means of

accessing the station by vehicle or on foot. Redevelopment proposals should robustly investigate the feasibility of providing improved access, for example through the provision of a footbridge to the existing station car park or by the creation of a new access to Fonthill Road from the east of the Coal Yard which would follow pedestrian desire lines, <add new text "as suggested in the Draft Neighbourhood Plan.">

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	SSA4	
<u>Respondent Number / Rep Number</u>	246	13
<u>Name</u>	(Montagu Evans LLP)	
<u>Email</u>		
<u>Organisation/individual</u>	Aberdeen Standard Investments	
<u>Respondent Type</u>	landowner / developer	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Section 3 (Special Area Policy, Strategic Site Allocations, Housing and Mixed Use Sites and other Site Allocations) of the draft CPP2 allocates further sites for housing and mixed use development. The NPPF requires plans to identify enough land to meet housing need. In addition, the NPPF makes clear that planning authorities should plan positively to meet a full range of housing needs. As illustrated by the SHLAA update (2019) discussed above the Council are unable to identify a five year supply of housing to meet their need. As discussed in City Plan Part 2 Background Studies, the SLHAA identifies that the Plan falls short of meeting its annual housing need figure and can only demonstrate a four year housingsupply. Given Section 3 of the draft CPP2 does not identify and allocate a sufficient supply of land to meet the housing need, the role of diversifying the land uses and offering of existing site allocations to deliver much needed housing should be acknowledged in Section 3. Currently, the findings of the SHLAA are not discussed or examined in the draft CPP2. ASI is of the opinion that the findings of the SHLAA should be captured in Section 3 to help shape development over the plan period and, given the requirements of national policy for the planning authority to identify land to meet its housing need, this shortfall and deviation from the NPPF requirements should be addressed.

Changes required

Given Section 3 of the draft CPP2 does not identify and allocate a sufficient supply of land to meet the housing need, the role of diversifying the land uses and offering of existing site allocations to deliver much needed housing should be acknowledged in Section 3. Currently, the findings of the SHLAA are not discussed or examined in the draft CPP2. ASI is of the opinion that the findings of the SHLAA should be captured in Section 3 to help shape development over the plan period and, given the requirements of national policy for the planning authority to identify land to meet its housing need, this shortfall and deviation from the NPPF requirements should be addressed.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	SSA4
<u>Respondent Number / Rep Number</u>	258 31
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats
<u>Respondent Type</u>	Councillor/Political Group
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We support the aim of providing 40% “affordable homes” within housing developments and this should include a considerable element of “social rented” housing. It has been disappointing that many housing developments in recent years haven’t met this aim, with some developments, both on publicly and privately owned land, failing to meet the requirements of the City. Some examples are: the former AMEX Site (Edward Street); Artisan development (Davigdor Road); the Ellen Street development; former Baptist Church Hall (Montpelier PI); and former Council owned buildings in Buckingham Rd. This 40% rule for the provision of affordable/social rented homes should apply to the “Strategic Site Allocations” listed in the City Plan including the former Brighton General Hospital Site in Elm Grove (SSA1); the Combined Engineering Site in New England Road (SSA2); and the Lyon Close Site (SSA3).

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	SSA6
<u>Respondent Number / Rep Number</u>	204 17
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Historic England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

In relation to Section 3 special area and site allocations, we note that sites have been subject to assessment in relation to their potential impact on the significance of heritage assets or their settings. Bullet point b. in SSA6 Former Peter Pan leisure site (adjacent Yellow Wave), Madeira Drive is noted and supported.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	SSA6
<u>Respondent Number / Rep Number</u>	216 22
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Food Partnership
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Noting the multiple policies relating to food growing in City Plan, Part 1, the recent adoption of the revised PAN on incorporating food growing in development and the incorporation of food growing and food access we feel that this area has been overlooked in the DM policies in city plan part 2. Given the centrality of food in carbon reduction, with the IPCC & UK parliament Audit committee findings that food contributes up to 30% of carbon foot print, along with Brighton & Hove City Council's climate emergency declaration and commitment to become the first Gold Sustainable city in the UK, we urge that in order to meet the test of soundness and compatibility with sustainable development the role of food growing has to be part of these policies in order to meet the test. We are disappointed that none of the major / strategic sites (SA7/ SSA1-7) include specific reference to food growing as an upfront requirement, as with Toads Hole Valley, which made it clear that 1.59 hectares of food growing space was required. In short, as Brighton and Hove City Council have already accepted the principle that food is 30% of carbon footprint, and implemented planning policy as a response, if this area is not addressed alongside transport and energy then the plan as a whole cannot be considered to meet the test of soundness wrt sustainable development.

Changes required

We are disappointed that none of the major / strategic sites (SA7/ SSA1-7) include specific reference to food growing as an upfront requirement, as with Toads Hole Valley, which made it clear that 1.59 hectares of food growing space was required.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We would be happy to participate in the Inspector's hearing to make these points.

<u>Policy</u>	SSA6
<u>Respondent Number / Rep Number</u>	246 15
<u>Name</u>	(Montagu Evans LLP)
<u>Email</u>	
<u>Organisation/individual</u>	Aberdeen Standard Investments
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Section 3 (Special Area Policy, Strategic Site Allocations, Housing and Mixed Use Sites and other Site Allocations) of the draft CPP2 allocates further sites for housing and mixed use development. The NPPF requires plans to identify enough land to meet housing need. In addition, the NPPF makes clear that planning authorities should plan positively to meet a full range of housing needs. As illustrated by the SHLAA update (2019) discussed above the Council are unable to identify a five year supply of housing to meet their need. As discussed in City Plan Part 2 Background Studies, the SLHAA identifies that the Plan falls short of meeting its annual housing need figure and can only demonstrate a four year housingsupply. Given Section 3 of the draft CPP2 does not identify and allocate a sufficient supply of land to meet the housing need, the role of diversifying the land uses and offering of existing site allocations to deliver much needed housing should be acknowledged in Section 3. Currently, the findings of the SHLAA are not discussed or examined in the draft CPP2. ASI is of the opinion that the findings of the SHLAA should be captured in Section 3 to help shape development over the plan period and, given the requirements of national policy for the planning authority to identify land to meet its housing need, this shortfall and deviation from the NPPF requirements should be addressed.

Changes required

Given Section 3 of the draft CPP2 does not identify and allocate a sufficient supply of land to meet the housing need, the role of diversifying the land uses and offering of existing site allocations to deliver much needed housing should be acknowledged in Section 3. Currently, the findings of the SHLAA are not discussed or examined in the draft CPP2. ASI is of the opinion that the findings of the SHLAA should be captured in Section 3 to help shape development over the plan period and, given the requirements of national policy for the planning authority to identify land to meet its housing need, this shortfall and deviation from the NPPF requirements should be addressed.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	SSA7
<u>Respondent Number / Rep Number</u>	212 8
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Natural England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

3. Comments on allocations Noting the location of a number of allocation sites close to and/or in the setting of the South Downs National Park, we support the requirement for Landscape and Visual Impact Assessment (LVIA). Where required, we advise LVIA is undertaken in accordance with Guidelines for Landscape and Visual Impact Assessment (GLVIA 3rd edition), recognising the Special Qualities of the South Downs National Park and the ambitions of the Partnership Management Plan. In accordance with NPPF paragraph 172, great weight should be given to conserving and enhancing landscape and scenic beauty of the National Park.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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Why wish to speak

<u>Policy</u>	SSA7
<u>Respondent Number / Rep Number</u>	180 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Highways England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Please note that proposals that could impact on the SRN will need consideration by Highways England, and in any event, due to the close proximity of the site to the SRN, Highways England will need to be consulted on any applications submitted.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	SSA7
<u>Respondent Number / Rep Number</u>	179 8
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	South Downs National Park Authority
<u>Respondent Type</u>	Public Sector / Local Authority
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Welcome the added wording at point b) that the design of the development provides visual connectivity to the SDNP. Support the additions to the supporting text at paragraphs 3.56 and 3.58 regarding the site being a gateway to the SNDP and the design needing to reflect the setting of the National Park. It is suggested that the reference in paragraph 3.58 to the South Downs Integrated Landscape Character Assessment (SDILCA) includes the specific part of the document relevant to policy SSA7, that is Appendix A, Landscape Character Type A: Open Downland, A2: Adur to Ouse Open Downs (page A-16) <https://www.southdowns.gov.uk/wpcontent/uploads/2020/10/South-Downs-Appendix-A-Open-Downland.pdf> Adding the specific part of the SDILCA would be consistent with how the document is referenced in the supporting text for policy H2 Housing Sites – Urban Fringe, paragraph 3.75 and accompanying footnote. Also welcome that the wording about policy DM40, is now stated as a separate paragraph in the supporting text. There is an opportunity to also seek improvements to existing walking and cycling connections to the SDNP through development at this site in accordance with point d) of SSA7. Suggested adding to the supporting text that contributions from development are sought to upgrade the crossing for cyclists at the Village Way/B2123 junction to improve links through the SDNP via the Falmer-Woodingdean shared use path.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	SSA7
<u>Respondent Number / Rep Number</u>	173 11
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Ramblers
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I object to this policy for reasons given in Q4 below.

Changes required

There should be no further major development in the vicinity of the Amex Stadium. and certainly not outside the City boundary into Lewes District. The residents of Falmer have already suffered enough with the imposition of the stadium on their doorstep but whereas the stadium is in use only when there is a football match or other event, any other development is likely to be in use for much longer periods. Any new development along Village Way, because of its elevated position, will be higher than the stadium and more intrusive in the setting of the National Park which should be reason enough not to allow new development here. Furthermore, it will lead to more congestion along the B2123. Therefore, I strongly urge the City Council to rethink this policy.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	SSA7
<u>Respondent Number / Rep Number</u>	246 16
<u>Name</u>	(Montagu Evans LLP)
<u>Email</u>	
<u>Organisation/individual</u>	Aberdeen Standard Investments
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Section 3 (Special Area Policy, Strategic Site Allocations, Housing and Mixed Use Sites and other Site Allocations) of the draft CPP2 allocates further sites for housing and mixed use development. The NPPF requires plans to identify enough land to meet housing need. In addition, the NPPF makes clear that planning authorities should plan positively to meet a full range of housing needs. As illustrated by the SHLAA update (2019) discussed above the Council are unable to identify a five year supply of housing to meet their need. As discussed in City Plan Part 2 Background Studies, the SLHAA identifies that the Plan falls short of meeting its annual housing need figure and can only demonstrate a four year housingsupply. Given Section 3 of the draft CPP2 does not identify and allocate a sufficient supply of land to meet the housing need, the role of diversifying the land uses and offering of existing site allocations to deliver much needed housing should be acknowledged in Section 3. Currently, the findings of the SHLAA are not discussed or examined in the draft CPP2. ASI is of the opinion that the findings of the SHLAA should be captured in Section 3 to help shape development over the plan period and, given the requirements of national policy for the planning authority to identify land to meet its housing need, this shortfall and deviation from the NPPF requirements should be addressed.

Changes required

Given Section 3 of the draft CPP2 does not identify and allocate a sufficient supply of land to meet the housing need, the role of diversifying the land uses and offering of existing site allocations to deliver much needed housing should be acknowledged in Section 3. Currently, the findings of the SHLAA are not discussed or examined in the draft CPP2. ASI is of the opinion that the findings of the SHLAA should be captured in Section 3 to help shape development over the plan period and, given the requirements of national policy for the planning authority to identify land to meet its housing need, this shortfall and deviation from the NPPF requirements should be addressed.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	SSA7
<u>Respondent Number / Rep Number</u>	242 1
<u>Name</u>	DMH Stallard LLP
<u>Email</u>	
<u>Organisation/individual</u>	The Community Stadium Limited
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	Yes
<u>Reasons Given for Being Late</u>	I was having intermittent issues with my home internet and thought that
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Whilst we support this Policy in principle we consider that the bullet points d and g make the Policy and Plan unsound as they are not considered to be positively prepared or justified in this case. With regards to bullet point d, it should be noted that the Community Stadium already lies in a highly sustainable location which has received significant investment due to construction and expansion of the Universities and Community Stadium. Both the Universities and Community Stadium operate under detailed Travel Plans to promote sustainable transport in compliance with Planning Conditions and Legal Agreements. The Proposed Development will be for a complementary use to these existing facilities and it is considered unnecessary and too prescriptive to require any significant additional sustainable transport infrastructure. It is considered that any significant additional sustainable transport infrastructure would not be justified, due to the highly sustainable location and the proposed uses. With regards to bullet point g, it is considered unnecessary and unjustified to require a training place agreement given the level of training being provided already to local people throughout various aspects of The Community Stadium Limited's business and having regard to the Proposed Development itself, which is likely to comprises elements of education use. The requirement for additional financial contributions to training, along with the CIL requirements, may make any scheme unviable. It is our view that this requirement is therefore not justified.

Changes required

In order to make this Policy sound we would request that:1. removal of reference to provision of new sustainable transport infrastructure; and2. removal of reference to the requirement for a training place agreementFurther to the above, we would like to attend the Public Examination and look forward to receiving confirmation of arrangements of this in due course. If you wish to discuss any aspect of these comments please do not hesitate to contact us.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

<u>Policy</u>	SSA7
<u>Respondent Number / Rep Number</u>	216 24
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Food Partnership
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Noting the multiple policies relating to food growing in City Plan, Part 1, the recent adoption of the revised PAN on incorporating food growing in development and the incorporation of food growing and food access we feel that this area has been overlooked in the DM policies in city plan part 2. Given the centrality of food in carbon reduction, with the IPCC & UK parliament Audit committee findings that food contributes up to 30% of carbon foot print, along with Brighton & Hove City Council's climate emergency declaration and commitment to become the first Gold Sustainable city in the UK, we urge that in order to meet the test of soundness and compatibility with sustainable development the role of food growing has to be part of these policies in order to meet the test. We are disappointed that none of the major / strategic sites (SA7/ SSA1-7) include specific reference to food growing as an upfront requirement, as with Toads Hole Valley, which made it clear that 1.59 hectares of food growing space was required. In short, as Brighton and Hove City Council have already accepted the principle that food is 30% of carbon footprint, and implemented planning policy as a response, if this area is not addressed alongside transport an energy then the plan as a whole cannot be considered to meet the test of soundness wrt sustainable development.

Changes required

We are disappointed that none of the major / strategic sites (SA7/ SSA1-7) include specific reference to food growing as an upfront requirement, as with Toads Hole Valley, which made it clear that 1.59 hectares of food growing space was required.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We would be happy to participate in the Inspector's hearing to make these points

<u>Policy</u>	SSA7
<u>Respondent Number / Rep Number</u>	204 18
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Historic England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

In relation to Section 3 special area and site allocations, we note that sites have been subject to assessment in relation to their potential impact on the significance of heritage assets or their settings. While the 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 supporting text (para 3.59), it could be reinforced by a requirement for a Heritage Impact Assessment to ensure the effects of any development are fully considered as part of any scheme design.

Changes required

supporting text (para 3.59) could be reinforced by a requirement for a Heritage Impact Assessment to ensure the effects of any development are fully considered as part of any scheme design.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	SSA7
<u>Respondent Number / Rep Number</u>	116 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Rottingdean Parish Council
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

SSA7: Rottingdean Parish Council welcomes note d) in this policy but remains concerned that no mitigating measures are proposed here in relation to the inevitable impact of this major development on the A259 and B2123. d) Sustainable transport infrastructure will be required to support proposals and to ensure that there is no adverse impact on air quality and/or congestion"

Changes required

SSA7)d) Sustainable transport infrastructure will be required to support proposals and to ensure that there is no adverse impact on air quality and/or congestion"

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	SSA7
<u>Respondent Number / Rep Number</u>	123 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Lewes District Council
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H1	<u>H1 sites - ALL SITES</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	88	31	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	Brighton & Hove Economic Partnership		
<u>Respondent Type</u>			
<u>Late Representation?</u>	Not Answered		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H1	<u>H1 sites - ALL SITES</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	167	18	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	Brighton YIMBY		
<u>Respondent Type</u>			
<u>Late Representation?</u>	Not Answered		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

We currently believe the current housing site allocation is grossly inadequate considering both Brighton's acute shortage of housing and its demographic predictions. The Brighton and Hove City Council report of Objectively Assessed Need in 2015 suggested 30,120 homes were needed between 2010 and 2030. A target of 13,200 is therefore under half what the city calculates it needs to stop the housing situation deteriorating any further. The current plan is therefore a statement for Brighton's housing crisis to get worse. Therefore we suggest that this plan has not been Positively Prepared or can be Justified in any meaningful sense. By deliberately worsening Brighton's housing shortage it contravenes Paragraph 20 section a) of the NPPF by failing to make sufficient provision for housing. We instead suggest that the rate of housebuilding over part 2 of the plan period be at least increased to yearly figure which the OAN figure suggests is necessary, 1,500 homes per year. This would imply an overall figure of 20,000 homes for the plan. We believe that such a target can be effective assuming a capable and proactive planning policy. Brighton's land constraints can be overcome using a policy of suburban intensification, promoting the better and more environmentally friendly use of poorly-utilised land which comprises the majority of the city. That will allow more journeys to be undertaken via non-vehicular modes of travel, provide support for local shops and other amenities, and reduce national carbon emissions by allowing people to move to less car-dependent

modes of living. Assuming an average of 500 hundred homes are built through this scheme per annum this will allow the addition of 5,000 houses to be added to the housing target of the plan. In addition, there are areas of the national park, namely the six golf courses that are contained within the jurisdiction of the city area. Although the plan has currently agreed to not co-operate with the National Park Authority in providing housing, which is in violation of the duty to co-operate, there is an opportunity to change this as the duty to co-operate is being replaced in the current planning reforms. We suggest that this opportunity be taken. It has been estimated that the Hollingbury golf course, which we understand to be regularly sprayed with pesticides, has space for 1,500 homes alone. Therefore we believe the remainder of our more realistic target, which requires 1800 more houses, can be met on these otherwise unattractive and ecologically barren and environmentally damaging areas. Building on these areas would be both possible and desirable. We are confident in the ability of the planning authorities of Brighton and the National Park to make sure that these houses enhance the local landscape and enable net biodiversity gain. They can be completed with local support through good design, the provision of extensive affordable housing as many of these courses are on public land, and the provision of high-quality public greenspace.

Changes required

Paragraph 3.62: Delete 'housing target of 13,200 new homes'. Replace with 'housing target of 20,000 new homes' To residential site allocations add: 'Suburban sites for intensification' - 5000 South Downs National Park - 1800.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

We believe there is a strong case for Brighton being able to build more of the homes that it desperately needs. These policies will benefit large sections of people, such as younger people and those on low incomes, who are unable to traditionally voice their opinions in the planning system.

<u>Policy</u>	H1	<u>H1 sites - ALL SITES</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	181	3	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	Royal London Asset Management		
<u>Respondent Type</u>	landowner / developer		
<u>Late Representation?</u>	No		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

As identified above, the Brighton and Hove City Plan Part 1 identifies an objectively assessed housing need of 30,120 dwellings up to 2030, but only identifies a capacity for 13,200. As such, the City Plan Part 2 is required to deliver considerable additional housing. Policies H1 and H2 identify specific housing delivery sites. However, with all the sites combined the number of dwellings anticipated for delivery comes to just 2,500, which still falls far below the 30,120 homes required. In addition, there are sites which have recently been granted planning permission for housing developments, which are not included within Policy H1 such as Kap Ltd. development approved last month for 148 dwellings (planning ref: BH2018/03356). This type of site should be allocated to support future development should the permission lapse before implementation. It is considered that further sites are required in order to meet this substantial shortfall and that the Council should undertake a more robust review of development sites to identify further opportunities for meeting the identified housing need. Without this, the plan cannot be said to be Positively Prepared or Effective and is considered Unsound.

Changes required

The City Plan Part 2 should also consider other sites which could contribute to the housing supply, including a site which my client wishes to propose: 154 Old Shoreham Road. Please see accompanying covering letter and attached "Initial Design and Massing Report", prepared by PRP Architects.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

To present and respond to any questions on forthcoming sites within the Development Area, particularly the development site proposed by my client.

<u>Policy</u>	H1	<u>H1 sites - ALL SITES</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	204	19	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	Historic England		
<u>Respondent Type</u>	Government Agency		
<u>Late Representation?</u>	No		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

In relation to Section 3 special area and site allocations, we note that sites have been subject to assessment in relation to their potential impact on the significance of heritage assets or their settings. 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 6 - Residential Site Allocations and Table 7 - Mixed Use Housing Site Allocations attached to H1 Housing Sites and Mixed Use Sites, the wording of the policy and site entries should make clear that where appropriate a Heritage Impact Assessment is required as part of development applications.

Changes required

the wording of the policy and site entries should make clear that where appropriate a Heritage Impact Assessment is required as part of development applications.

Participate at the hearing session(s)?

Not Answered

<u>Policy</u>	H1	<u>H1 sites - ALL SITES</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	241	15	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	Lewis & Co Planning		
<u>Respondent Type</u>	Planning agent / architect		
<u>Late Representation?</u>	No		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The site allocation policies also contain a number of outdated references to Use Classes that no longer exist and should be revised prior to submission.

Changes required

The site allocation policies also contain a number of outdated references to Use Classes that no longer exist and should be revised prior to submission.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H1	<u>H1 sites - ALL SITES</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	246	17	
<u>Name</u>	(Montagu Evans LLP)		
<u>Email</u>			
<u>Organisation/individual</u>	Aberdeen Standard Investments		
<u>Respondent Type</u>	landowner / developer		
<u>Late Representation?</u>	No		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Section 3 (Special Area Policy, Strategic Site Allocations, Housing and Mixed Use Sites and other Site Allocations) of the draft CPP2 allocates further sites for housing and mixed use development. The NPPF requires plans to identify enough land to meet housing need. In addition, the NPPF makes clear that planning authorities should plan positively to meet a full range of housing needs. As illustrated by the SHLAA update (2019) discussed above the Council are unable to identify a five year supply of housing to meet their need. As discussed in City Plan Part 2 Background Studies, the SLHAA identifies that the Plan falls short of meeting its annual housing need figure and can only demonstrate a four year housingsupply. Given Section 3 of the draft CPP2 does not identify and allocate a sufficient supply of land to meet the housing need, the role of diversifying the land uses and offering of existing site allocations to deliver much needed housing should be acknowledged in Section 3. Currently, the findings of the SHLAA are not discussed or examined in the draft CPP2. ASI is of the opinion that the findings of the SHLAA should be captured in Section 3 to help shape development over the plan period and, given the requirements of national policy for the planning authority to identify land to meet its housing need, this shortfall and deviation from the NPPF requirements should be addressed.

Changes required

Section 3 (Special Area Policy, Strategic Site Allocations, Housing and Mixed Use Sites and other Site Allocations) of the draft CPP2 allocates further sites for housing and mixed use development. The NPPF requires plans to identify enough land to meet housing need. In addition, the NPPF makes clear that planning authorities should plan positively to meet a full range of housing needs. As illustrated by the SHLAA update (2019) discussed above the Council are unable to identify a five year supply of housing to meet their need. As discussed in City Plan Part 2 Background Studies, the SLHAA identifies that the Plan falls short of meeting its annual housing need figure and can only demonstrate a four year housingsupply. Given Section 3 of the draft CPP2 does not identify and allocate a sufficient supply of land to meet the housing need, the role of diversifying the land uses and offering of existing site allocations to deliver much needed housing should be acknowledged in Section 3. Currently, the findings of the SHLAA are not discussed or examined in the draft CPP2. ASI is of the opinion that the findings of the SHLAA should be captured in Section 3 to help shape development over the plan period and, given the requirements of national policy for the planning authority to identify land to meet its housing need, this shortfall and deviation from the NPPF requirements should be addressed.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H1	<u>H1 sites - ALL SITES</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	265	1	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	The Arch Company		
<u>Respondent Type</u>	landowner / developer		
<u>Late Representation?</u>	No		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Please refer to Section 3 of the attached Statement.3. Housing Land SupplyFive-year Housing Land Supply3.1 In order for a local plan to be considered up to date the Council must be able to show that it provides a five-year land supply on adoption.3.2 The level of housing provision is specifically addressed at Policy CP1 of the City Plan Part 1 which states that the Council will make provision for at least 13,200 new homes to be built over the plan period 2010 – 2030 which equates to an annual average rate of provision of 660 dwellings. The Policy states that this will be achieved by:a) Focussing new development in accessible areas of the city and those with the most capacity to accommodate new homes;b) Promoting the efficient use and development of land/sites across the city including higher densities in appropriate locations (see CP12 and CP14)c) Making strategic site allocations in this Plan for at least 3,635 additional new homes;d) Preparing Part 2 of the City Plan (Development Policies and Site Allocations) to allocate additional sites to help ensure housing delivery is maintained over the plan period; ande) Ensuring that all new housing development contributes to the creation and/or maintenance of mixed and sustainable communities (see SA6).3.3 The Council’s Strategic Housing Land Availability Assessment (SHLAA) published in October 2019 indicates that the adoption of this local plan will not result in the Council having a five-year housing land supply between 2020/21 and 2022/23. Using the delivery expectations in the SHLAA the HBF has calculated the rolling 5-year housingland

supply for 2020/21 to 2024/25 which is set out in Table 1 below [Please refer to Section 3 of the attached Statement].3.4 The table indicates that the Council will only have 4.27-year land supply in 2020/21 and that it will not have a five-year land supply until 2023/24 at the earliest.3.5 The five-year supply at 2023/24 is marginal and delay of delivery on any of the identified sites could extend the period within which the supply is less than the required five years. The evidence indicates that additional sites with the ability to deliver new homes in the next five years need to be identified and brought forward through this local plan.3.6 In essence, therefore, to ensure that there is a five-year supply of deliverable sites upon adoption, the City Local Plan Part 2 needs to identify additional sites for the delivery of housing. City Plan Part 2 - Policy H1 Housing Sites3.7 As noted above, City Plan Part One, Policy CP1 - Housing Delivery sets out the city's housing target of 13,200 new homes over the Plan period to 2030 and states that additional sites will be allocated in Part 2 of the Plan to help ensure housing delivery is maintained over the plan period. The policy goes on to note that significant constraints on the City's capacity to accommodate the amount of development required mean that it is important to maximise the use of brownfield sites.3.8 Policy H1 identifies and allocates sites for the provision of housing (Table 6) and mixed use development including housing (Table 7) to contribute to meeting the identified housing need of the district.3.9 The Council's Site Allocations Topic Paper (November 2019) confirms the process by which sites were identified. The Topic Paper confirms that the 2016 SHLAA provided a starting point with further potential sites identified through the 2016 City Plan Part 2 scoping consultation, a review of submitted planning applications and review of commercial databases. Only sites capable of delivering 10 or more dwellings were considered for allocation and this is reflected in the site allocations at Tables 6 and 7.3.10 Supporting text to Policy H1 notes (paragraph 3.64): "Only sites which are expected to bring forward 10 or more residential units are allocated in this policy. It is expected that smaller sites and windfall provision will continue to make a significant contribution towards the city's planned housing requirements as accounted for in Policy CP1."3.11 With regard to the reliance on "windfall provision", the NPPF (paragraph 72) is clear that "Where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply". On the basis that the Council has adopted an approach which allocates only sites which can deliver 10 dwellings or more, it is reasonable to assume some future windfall provision on smaller sites. The NPPF is also clear however (paragraphs 67 and 73) planning policies should "identify a supply of specific, deliverable sites for years 1 to 5 of the plan period (our emphasis). This is reflected in planning practice guidance which states that: "Local planning authorities have the ability to identify broad locations in years 6-15 (our emphasis), which could include a windfall allowance".3.12 It is clearly established in national guidance therefore that windfall sites should not be relied on in years 1-5 of the plan period. We have noted above in our commentary on 5-year housing land supply that there is a shortfall in provision in 2020/21, 2021/22 and 22/23 with a marginal 5 year supply thereafter. It is clear therefore that the Local Planning Authority should identify further specific, deliverable sites, through the City Plan Part 2, in order to ensure that the plan is sound and that housing needs are met in full.3.13 It is considered that development of our client's site at Preston Road / Campbell Road could make an important contribution to meeting the identified needs for family housing and affordable housing which the Council are insufficiently planning for in the current City Plan Part 2.3.14 The Council's current strategy is considered to be unsound in that it is neither justified nor effective, and our client's site should be allocated for residential development under Policy HI of the City Plan Part 2 to help address the flaws in the current strategy.

Changes required

Please refer to Section 3 of attached statement. The Council should allocate additional sites for residential development under Policy H1 of the City Plan Part 2 to ensure that an adequate supply of housing is available in the first five years of the plan period. Allocation of land at Preston Road / Campbell Road is specifically proposed as a means of helping address the deficit in supply. Our client has a land interest at Preston Road / Campbell Road. The site is in a sustainable location, located within Development Area 4 "New England Quarter and London Road Area" which the City Plan Part 1 identifies as one of eight areas to which development will be directed. It is an appropriate and sustainable location for development, has good access to services and amenities and is located close to the town centre. The attached Statement and the supporting evidence has clearly demonstrated that residential development can be appropriately accommodated on this deliverable site and would make a valuable contribution to the supply of land for housing. 5. Allocation of Land Off Preston Road for Redevelopment for Housing Site location5.1 The site is located off Preston Road to the north of central Brighton. The site boundary is shown on the plan at Appendix 1 of the attached statement.5.2 Vehicular access is available from Preston Road and Campbell Road, with the latter providing the principal access at present.5.3 At present the site comprises of a small warehouse / workshop and yard. It is in use for motor vehicle storage and repair however this is considered to represent a sub-

optimal use of the site.5.4 To the north of the site, and at a slightly higher level, are residential properties on Parkmore Terrace and Dyke Road Drive. Immediately to the north is a six-storey office building known as London Gate. To the east is the three storey former Brighton City College Construction Trades building. Planning permission has been granted to convert this building to residential apartments.5.5 To the south of the site are residential properties on Campbell Road and Argyll Road. To the east is an area of trees / woodland beyond which is the mainline railway.5.6 The London Road Railway Viaduct, which is a Grade II* Listed structure, over-sails the site. In broad terms the area is one of predominantly residential character with some commercial (retail) uses located on Preston Road and dispersed within the surrounding residential streets. There are a variety of building styles and forms in the locality ranging from five and six-storey office and residential buildings to the north and northeast, to three storey buildings on Preston Road to the east and predominantly two storey houses to the south of the viaduct. Policy Context5.7 The site is located within the New England Quarter and London Road Development Area which is one of eight development areas specifically identified by the City Plan Part 1. City Plan Part 1 states: "Spatially the majority of new housing, employment and retail development will be located on brownfield (previously developed) sites within the city's built up area and directed to (our emphasis) eight specific development areas"5.8 The site is currently in employment use but is not a strategic employment site and does not benefit from the same level of policy protection that strategic sites do. We note also that where loss of non-strategic employment sites is permitted the priority for reuse will be for alternative employment generating uses or housing (Local Plan Part 1 Policy CP3).5.9 Given the relatively constrained nature of the site, particularly in respect of access for commercial vehicles, we consider that it has limited suitability for continued employment use, or redevelopment for employment purposes, and that its release to residential use would not materially prejudice the overall supply of employment sites. We note that a number of similar small employment sites are proposed as residential allocations in the current draft local plan.5.10 As noted in preceding Sections, we have reviewed the local plan evidence base documents with regard to overall supply of housing and also the provision for specialist forms of housing. With regard to overall housing land supply, we note that the Council is currently unable to identify a 5 year housing land supply. The emerging local plan seeks to address this by allocating sites for a greater number of units than the minimum required by Local Plan Part 1 and, in our judgement, the Preston Road site should be allocated to ensure housing provision on sustainable brownfield sites is maximised and contribute to meeting the 5-year supply requirement. Site Potential5.11 The site offers a brownfield redevelopment opportunity with no significant constraints to its redevelopment.5.12 It is located in an area of mixed character where residential development is the predominant land-use.5.13 The Grade II* Listed railway viaduct which over-sails the site is acknowledged as a factor which will need to be taken fully into account when formulating a redevelopment proposal. It is clear however that the viaduct is already surrounded by development, including some tall buildings, along its length and that, whilst the impact of development on its setting will be a material consideration, it does not represent an absolute constraint.5.14 The proposed allocation site is well located to access the existing services and facilities both in the immediate vicinity but also within the wider centre of Brighton. The site also benefits from good accessibility by public transport being located close to Brighton Station and London Road Station and bus services on Preston Road.5.15 From an initial capacity review of the site we consider that the site could accommodate around 70 residential apartments with a mixture of 1 and 2 bed units. If purpose built student accommodation were proposed we consider that there would be capacity for around 185 student rooms.5.16 A concept proposal indicating one possible redevelopment scenario is provided at Appendix 2.5.17 The site should be allocated at Policy H1, Table 6 of the City Plan Part 2 with an indicative capacity of 70 units of residential accommodation.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

To allow us to adequately examine and test the Council's approach.

<u>Policy</u>	H1	<u>H1 sites - ALL SITES</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	270	2	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	McLaren Living		
<u>Respondent Type</u>			
<u>Late Representation?</u>	No		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

See enclosed representations. The site [3–9 Blackman Street, Brighton] could make a positive contribution to Housing Needs in Brighton and should be included under Policy H1 as a Housing Site or a Mixed Use Site. Not including such a site undermines policy H1 as it does not make effective use of a highly accessible and sustainably located site. The site is protected for offices where it could support high density residential or mixed use development. The Inspector's conclusions in the Report for City Plan Part One (to maximise development on site allocations) applies specifically to Policy DA4 and sites within it. To simply allocate this site for offices, when the office consent has expired is wholly ineffective. It will deter developers from seeking to purchase/redevelop the site, or seek to appeal it contrary to the desire for a plan-led system. The site does not currently make a positive contribution given its highly accessible location and as such to not include it (even though it is within a designated Policy Area fails to represent positive planning. There is a significant housing need which is just as important as the need for offices. Further the need for offices is likely to be subject to significant structural changes following on from the effects of the Pandemic. Accordingly and in accordance with the NPPF the policy that affects this site should be sufficiently flexible to accommodate to such changes in circumstances and support employment and residential development on this site either as a housing site or a mixed use site. The policy is also out-dated as the current use of the site is storage and distribution, the

previous office permission has expired and thus any redevelopment for housing or mixed use could not by default result in the loss of office floorspace. Failure to include this site as a housing or mixed use allocation when it could make a positive contribution to housing need, would be contrary to National Planning Policy which seeks to make the most effective use of brownfield previously developed sites in accessible locations, particular where the Council is unable to meet its housing need or does not have a 5YHLS. Info from supporting document: The Site has been identified within a wider Policy Area within Local Plan Part One (Policy DA4), in need of wider physical regeneration with potential to provide a minimum 1,130 residential units, 20,000 sqm of B1a and B1b floorspace and 300 bed spaces (student housing). Planning permission was granted for the site to be redeveloped for offices in 2009. The permission was extended in 2012. However, the permissions expired in 2015 and the Site has yet to come forward for redevelopment.

Changes required

Refer to Enclosed Representations - The site should be included as a residential or mixed use site to accommodate circa 50 homes, and reference to its protection for offices should be deleted given that the site does not have a valid permission for offices and is currently in Storage and Distribution Use.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

It is important to be able to make the case to include this site within those listed under H1 and to demonstrate the positive contribution it can make to helping Brighton & Hove meet its housing shortfall. By the time of the Examination a redevelopment proposal for the site will be available to present to the Inspector

<u>Policy</u>	H1	<u>H1 sites</u>	2-16 Coombe Road, Brighton
<u>Respondent Number / Rep Number</u>	248	1	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	Big Yellow Self Storage Company Limited		
<u>Respondent Type</u>	landowner / developer		
<u>Late Representation?</u>	No		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Big Yellow Self-Storage Company Limited ('Big Yellow'): Big Yellow is one of the leading self-storage operators in the UK. It is a publicly listed company which develops, owns and operates modern self-storage centres for personal, business and leisure storage. It now has 76 trading stores open across the UK, totalling over 5.4 million sq ft of storage space, and has 41 stores in London. Big Yellow has been a pioneer in the self-storage industry, being the first operator to build purposebuilt warehouses, as well as providing high quality, sensitive conversions of existing premises. Big Yellow employs over 300 full and part-time staff. Big Yellow's stores provide a secure, do-it-yourself facility for business customers and private individuals. Each store provides a variety of different room sizes from 10 sq ft to 400 sq ft, dependent on the requirements of the customer. The storage space provided is high quality, comprising modern, secure rooms each accessed from wide, well-lit corridors designed for easy manoeuvrability. The individual rooms can be rented for as short a period as seven days or for as long a period as the customer requires. Each individual room has its own door, is alarmed and is locked by each customer's own padlock. Customers of Big Yellow use self-storage for either domestic or business purposes. On average around 84% of customers of a store will be domestic, with the remaining 16% being business customers. This proportion relates to the numbers of customers, but business customers usually take a greater area of floorspace and thus the floor area they occupy is actually

much greater, at 28% of the average store. The existing Big Yellow self-storage facility on the Site provides direct and indirect employment to the local area. Typically, Big Yellow directly employs 3 or 4 staff at each store, but underlying this is a very positive employment story resulting in a significant contribution to the local economy. Across 76 stores, Big Yellow is home to over 7,000 businesses that in turn employ 23,000 people who depend on the space to run their businesses. The vast majority of these customers will be local small start-ups who have never rented space anywhere else before. Recent research has been commissioned by Big Yellow to establish the indirect employment generation of their stores and this is summarised within the appended employment survey (Appendix 2), prepared by Quod. The survey explains that on average a Big Yellow self-storage facility generates one job for every 28m² of gross internal area across the whole store.

Existing Allocation HO1 – Brighton & Hove Local Plan 2005: The Site is identified within Policy HO1 of the Brighton & Hove Local Plan as allocated for residential mixed use redevelopment that does not benefit from planning permission (referenced as, Former Tyre Co Building, 2-14 Coombe Road, Brighton). It is suggested indicatively that the Site could accommodate 20 residential units with 40% of those units for affordable housing. Since this time, this Site has not come forward for redevelopment, yet the allocation has been retained and remains present on the latest version of the adopted Policies Map (2020).

Publication Draft for Consultation – Draft Policy H1 (Housing Sites and Mixed Use Sites): We understand is that the intention is to carry forward the main thrust of the existing allocation into City Plan Part 2. Draft Policy H1 states the following: ‘The sites listed in Tables 6 and 7 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 the minimum indicative amounts of development shown in the tables. The following additional criteria apply to certain sites where indicated:- For sites marked with a hash (#), the layout should be planned to ensure future access to existing water and/or wastewater infrastructure for maintenance and upsizing purposes.’ The Site is listed in Table 6 and marked with a hash meaning it is proposed to be retained as an allocation for housing (Use Class C3) (with an indicative number of 33 residential units suggested). It is also stated that permitted additional uses include Class B1 starter business units/affordable workspace at ground floor.

Our Position: Big Yellow strongly objects to the proposed allocation of the Site and requests that it is instead allocated for self-storage purposes (Class B8). The Site has been allocated for a residential-led mixed use development since the adoption of the Brighton and Hove Local Plan in July 2005 and has not come forward for redevelopment. The current Site accommodates a thriving self-storage facility and Big Yellow has no interest in either selling or redeveloping the Site within the plan period.

National Planning Policy Framework (‘NPPF’), Para 35: Tests of Soundness: Big Yellow considers the Proposed Submission draft of City Plan Part 2 to be unsound on the following grounds: 1) It includes an allocation that provides policy support for the replacement of four storeys of existing self-storage floorspace (Class B8) with support for one storey (ground floor only) of starter business units/affordable workspace (Class B1); 2) It is informed wrongly that the redevelopment of the Site for a mix of residential and employment uses is deliverable over the plan period (to 2030). Consequently, the plan is:- Not Justified; and- Not effective.

Employment Land Needs: Policy CP3 of adopted City Plan Part One sets out the City’s strategic policy approach to employment land and the supporting text to this policy in paragraph 4.29 sets out the City’s employment land requirements as follows: “The Employment Land Study Review 2012 recommended that the City Plan be guided by forecast growth requirements of 112,240 sq m of office floorspace (B1a, B1b) to 2030 and 43,430 sq m of industrial floorspace (B1c, B2 and B8) over the plan period. To ensure that there are sufficient employment sites and premises to meet this forecast requirement and to facilitate economic growth, Development Area proposals identify strategic allocations to bring forward new high quality employment floorspace (DA2-DA8).” As it is written, the allocation does not support the re-provision of self-storage (Class B8) uses on the Site. The existing store comprises self-storage floorspace across four floors. As part of redevelopment proposals, the allocation supports the re-provision of an element of employment floorspace but limits this to Class B1 floorspace on the ground floor. This would likely represent a complete loss of industrial floorspace on the Site and a significant net decrease of employment floorspace. Both of these outcomes would only serve to prejudice the significant employment land needs outlined within the Employment Land Study Review 2012 upon which the strategic employment policies in City Plan Part One are premised. This is not justified and inconsistent with the NPPF. Moreover, the existing Big Yellow store at the Site has been operating in this location for over 15 years, demonstrating that the current Site offers a suitable and viable location for such a use. This is reinforced by Big Yellow’s intention to continue to operate on the Site meaning there is a continuing demand and need for self-storage in the City. In addition, although the Site adjoins a mix of residential and commercial properties, the facility has demonstrated its compatibility within this environment. Policy should welcome and foster successful employment/industrial uses that are compatible in partly residential areas.

Deliverability: To reiterate, Big Yellow has no interest in either selling or redeveloping the Site within the plan period (to 2030).

Main Matters: City Plan

Part Two fails to fundamentally consider existing self-storage needs or address industrial floorspace requirements. More importantly, it wrongly considers the redevelopment of the Site for residential-led mixed use development to be deliverable, and incorrectly attributes a contribution to the City's housing supply over the plan period needs, when it is not. The allocation as it is presently written will only serve to prejudice the ongoing operation of a very successful industrial occupier that is a significant employment generator in the City and fosters small-to-medium enterprises. In addition, it will support redevelopment of the Site for which there is no prospect and incorrectly apportions a proportion of the City's housing supply to be delivered on the Site. For these reasons, Big Yellow strongly objects to the proposed allocation of the Site and requests that it is instead allocated for self-storage purposes (Class B8).

Changes required

The draft Plan could be made sound through the re-wording of the allocation to:- Remove support for the introduction of residential uses and starter business units/affordable workspace on the Site; and- Replace the wording with support for the retention of the existing self-storage facility (Class B8).

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H1	<u>H1 sites</u>	27-31 Church Street (corner with Portland Street)
<u>Respondent Number / Rep Number</u>	209	1	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	SM Brighton Ltd		
<u>Respondent Type</u>	landowner / developer		
<u>Late Representation?</u>	No		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

“The site has long been allocated for development and is currently vacant and cleared of all structures. Our clients are currently progressing plans for a new office (Use Class E) development following pre-application advice from the Council and an application has been submitted (BH2020/02801). We believe that the site provides an appropriate location for this type of development and the allocation within the City Plan Part Two should be amended accordingly to ensure that this is delivered.

Planning permission was granted in 2013 on appeal for a mixed-use development of offices, retail (341m2) and nine residential dwellings (BH2011/02401), however despite being legally commenced following amendments (BH2015/03236 and BH2017/01372) the development has never been built-out. The 2013 appeal scheme appears to be the basis for the current allocation in the Proposed Submission City Plan Part Two, however this has failed to result in a viable development of the site.

The requirement within the policy to accommodate a small number of residential units would greatly impact upon the ongoing plans for the site and would result in

a more inefficient use of this important city centre development site. Moreover, there is currently a significant shortfall of Grade A office space in the city to meet growing demand from local and regional occupiers"

Changes required

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The requirement within the policy to accommodate a small number of residential units would greatly impact upon the ongoing plans for the site and would result in a more inefficient use of this important city centre development site. Moreover, there is currently a significant shortfall of Grade A office space in the city to meet growing demand from local and regional occupiers"

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H1	<u>H1 sites</u>	71 - 76 Church Street, Brighton
<u>Respondent Number / Rep Number</u>	205	1	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>			
<u>Respondent Type</u>	landowner / developer		
<u>Late Representation?</u>	No		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The Policy and allocation for 50 units on the site does not maximise the potential of this highly sustainable brownfield site to accommodate new dwellings.

Changes required

The allocation should be for “a minimum of 80 dwellings, plus ground floor Class E uses”

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

If the policy/allocation is changes as we have requested, then there will be no need to attend the sessions. However, if the policy is not amended – we would like to attend the sessions to demonstrate to the Inspector that the capacity of the site exceed that of the allocation and therefore the allocation should be increased in the interests of maximising the supply of new homes on brownfield land.

<u>Policy</u>	H1	<u>H1 sites</u>	Hove Sorting Office, 88 Denmark Villas, Hove
<u>Respondent Number / Rep Number</u>	229	7	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	Hove Station Neighbourhood Forum		
<u>Respondent Type</u>	Neighbourhood Forum		
<u>Late Representation?</u>	No		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Residential sites allocation Table 6 Hove Sorting Office - 67 units This site was allocated for housing development in early draft NP policies and is included in the Regulation 16 Draft.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H1	<u>H1 sites</u>	Hove Sorting Office, 88 Denmark Villas, Hove
<u>Respondent Number / Rep Number</u>	269	3	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	Royal Mail		
<u>Respondent Type</u>			
<u>Late Representation?</u>	Not Answered		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

See enclosed representations. The policy does not make effective use of a highly accessible and sustainably located site. The amount of development proposed is significantly below other sites in the area recently approved and given the scale of housing need and the Inspector's conclusions in the Report for City Plan Part One (to maximise development on site allocations), the Policy as worded is considered to be ineffective - as it will deter developers from seeking to purchase/redevelop the site, it is not positive as it doesn't propose to make a sufficiently positive contribution to housing need, which in turn is contrary to National Planning Policy which seeks to make the most effective use of brownfield previously developed sites in accessible locations, particular where the Council is unable to meet its housing need or does not have a 5YHLS. This is not positively planned and would likely result in an appeal.FOLLOWING TEXT TAKEN FROM SUPPORTING DOCUMENT6.1 The Site has been identified within a wider Policy Area within Local Plan Part One (Policy DA6), in need of wider physical regeneration with potential to provide a minimum 525 dwellings and 1,000sqm of new employment space. We would emphasise that consistent with the NPPF, and the Inspector's Report that accompanied the City Plan Part One, the amount of housing directed to the allocated sites should be considered a minimum so as to help meet the acute housing and employment needs of the Council.6.2 The accompanying document prepared by Conran & Partners highlights that should the Site become

available for redevelopment, it could accommodate a more sustainable form of development than that currently identified in draft planning policy set out in draft Local Plan Part 2. The Conran & Partners Study highlights the constraints of the Site and demonstrates that an opportunity exists for a new residential development that could accommodate between 128 and 135 dwellings.

6.3 Although located in proximity to the Hove Station and Willett Estate Conservation Areas, the Site has been expressly excluded from these designations. Moreover, the Site includes no listed buildings in or immediately adjacent to the Site. Listed buildings in proximity include Ralli Memorial Hall, Walls and Railings, however, this is separated from the Site by a newly erected development.

6.4 In developing the proposals enclosed, in accordance with adopted planning policy, Conran & Partners have considered the amenity of surrounding residential properties, including loss of privacy, daylight sunlight and overshadowing. Having taken into consideration separation distances between buildings, window placement and building orientation, the study demonstrates that if the Site were to become available for redevelopment, it could accommodate 128 and 135 dwellings without having a detrimental impact on surrounding properties. This is far more than the capacity identified in the SHLAA of 67 homes – and consistent with the NPPF and Inspector’s Report in respect of the City Plan Part One, the Council should be seeking to maximise the contribution brownfield previously developed sites such as these can make.

6.5 The Conran & Partners Study considers a number of massing scenarios on the Site. Key findings include:

1. A redevelopment of the Site would not cause loss of light to neighbouring properties immediately north, although taller buildings may result in overshadowing properties north of the railway line. At six storeys in height, such overshadowing would not occur, however, this should be considered a minimum and a taller building could be accommodated subject to an appropriate daylight sunlight assessment.
2. The most appropriate option considered is to form a Courtyard Block (massing option A) of circa 6 storeys in height that can deliver a minimum of 128 new homes.
3. Given the Site’s highly accessible location adjacent to Hove Station and in proximity to various bus stops, parking can be limited to circa 0.3-0.5 spaces per unit, ensuring a more efficient use of land. This aligns with the emerging Hove Station Neighbourhood Plan which proposes that the Policy DA6 designated area is classified as a Central Zone, which would drastically reduce the number of car parking spaces required.

6.6 The latest SHLAA and Local Plan Part 2 identify the Site as suitable to deliver 67 residential units, a density of 100 dwellings per hectare. Although adopted Policy CP14 ‘Housing Density’ sets a general expectation for a minimum net density of 100 dwellings per hectare within Development Areas including DA6, this should be treated as a minimum. Simply applying the minimum net density to future allocations would result in significant underdevelopment across B&HCC, contrary to adopted national and local policy, and in direct conflict with the conclusions of the Inspector’s Report for the City Plan Part One. It will deter developers from acquiring and redeveloping sites, potentially stifle the delivery of affordable housing and further amplify the housing supply shortage within the area. It will also result in speculative development, and planning appeals rather than a plan led approach.

6.7 The Site can accommodate, subject to a number of technical assessments relating to Daylight/Sunlight etc. a minimum of 128 dwellings should it become available (approximately 190 dph). This is comparable to recently approved applications/ allowed appeals in the area including:

1. Lyon Close, Hove (LPA reference BH2018/01738), which secured planning permission for the mixed use redevelopment of the Site (6-8 storeys) to provide 152 dwellings, 2 live/ work units and 697 sqm of office accommodation on 31 July 2019 (approximately 167 dph); and
2. 70 Goldstone Lane, Hove (LPA reference BH2014/03605), which secured planning permission for office floorspace, 59 self-contained apartments (4-6 storeys) and 6 x 3 storey terrace dwellings on 25 May 2016 (approximately 217 dph).

6.8 Taking the two sites above as an average, and applying that to the site area of the Royal Mail Site, would accommodate 128.6 dwellings – consistent with the massing studies enclosed.

6.9 Recently, the Sackville development, located south of the railway line, within policy area DA6, (1 – 3 Ellen Street, Hove) (LPA reference BH2016/02663), secured permission for a mixed use development of 188 residential apartments (up to 16 storeys), 1,988 sqm of office space and 226 sqm of retail space. Following refusal by B&HCC, the application was allowed at appeal on 24th January 2019 (Appeal reference APP/Q1445/W/18/3192649). The approximate density of this development is 470 dph. This scheme sets a precedent for the DA6 area, particularly on land south of the railway line, which the draft Neighbourhood Plan has identified as being suitable for taller buildings.

6.10 The Conran & Partners Study highlights the Site, if it were to become available, could accommodate at least 128 dwellings. If we were to apply a density of 470 dph, as approved a part of the Sackville development, the Site could accommodate circa 315 units. In short, whilst each site must be considered on its own merit, we consider our Client’s Site has a minimum capacity to deliver 128 dwellings, with scope to include the Site’s capacity significantly further, given the potential for taller buildings that would not be visible from the Conservation Area within this area.

6.18 Draft Policy H1 identifies housing and mixed-use sites within Brighton and Hove. These sites would allow for a quicker delivery compared to larger, strategic sites, which are often burdened with infrastructure constraints that delay delivery. The sites identified in draft Policy H1 would therefore assist the Council in maintaining a five-year housing land supply, which the

Council is currently struggling to uphold.6.19 Of note, our Client's Site is identified in Table 6 as a housing site, with an "indicative number of residential units" of 67 dwellings, which is welcomed. We also note that permitted additional uses include employment. The principle of the allocation is welcomed. However, we are concerned the quantum of development identified would constitute 'underdevelopment' if the Site were to come forward for redevelopment. This would be contrary to NPPF Para 123, adopted local planning policy CP14 and DA6, which focus on higher density development and the regeneration of under-utilised land. We note the Council has applied Policy CP14's minimum density to the Site (100 dwellings per hectare). However, we must stress this is a minimum only. Please refer to the enclosed Study prepared by Conran & Partners which demonstrates that the Site has a significantly larger capacity than 67 dwellings. Given adopted planning policy and the Council's fiveyear housing supply shortfall of 1,200 units, we consider the Council should have greater ambitions for our Client's Site, if it were to become available for redevelopment.6.20 The Site comprises brownfield land in a highly sustainable location, less than 250m from Hove Station. The emerging Hove Station Neighbourhood Plan has earmarked land south of the railway as potentially suitable for tall buildings. Adopted policy CP14 states Response to Local Plan Part 2 development should be a minimum of 100 dph in designated development area such as this. The recently approved Sackville development (LPA reference BH2016/02663), also located south of the railway line within wider policy designation DA6, is 16 storeys in height and has a density of approximately 470 dph. This further cements the notion that this area can accommodate higher density, tall buildings. Whilst each site must be considered on its own merit, we consider our Client's Site has capacity to deliver a minimum of 128 dwellings (approximately 190 dwellings per hectare). With exemplary development, there is scope to include the Site's capacity further, similar to that of Sackville. Policy H1 should be amended to reflect the Site's full potential.6.21 In relation to commercial uses, draft Policy H1 states 'employment' as an additional use on Site, with no reference to Use Classes. Our Client welcomes this flexibility and requests that this is retained in future drafting. This is in accordance with Para 81 of the NPPF, which requires planning policies to be flexible enough to accommodate needs not anticipated in the Plan.6.22 In line with the enclosed Conran & Partners Study, we consider the Site should be retained in draft Policy H1, however, the minimum capacity of the Site increased to a minimum of 128 dwellings. This will provide the Council with additional housing supply on an accessibly located brownfield site, to assist in addressing existing shortfalls.

Changes required

See enclosed Representations. The site should be allocated for a minimum of 120 new homes.FOLLOWING TEXT TAKEN FROM SUPPORTING INFORMATION6.22 In line with the enclosed Conran & Partners Study, we consider the Site should be retained in draft Policy H1, however, the minimum capacity of the Site increased to a minimum of 128 dwellings. This will provide the Council with additional housing supply on an accessibly located brownfield site, to assist in addressing existing shortfalls.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

It is necessary to attend the Examination to make the case for an appropriate quantum of development at the site.

<u>Policy</u>	H1	<u>H1 sites</u>	Kingsway/Basin Road North (site AB4 in JAAP policy CA2)
<u>Respondent Number / Rep Number</u>	264	4	
<u>Name</u>	(Chairman KAWHRA)		
<u>Email</u>			
<u>Organisation/individual</u>	Kingsway and West Hove Residents Association (KAWHRA)		
<u>Respondent Type</u>	Civic & Amenity		
<u>Late Representation?</u>	No		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

H1 Table 7: KAWHRA supports policy H1 Table 7 Mixed use housing allocations which is positively prepared, justified effective and consistent with the NPPF. Table 7 appropriately and accurately includes the physically and environmentally constrained site at Kingsway/Basin Road North as allocated for 90 dwellings. This is as allocated in the adopted Shoreham Harbour Joint Area Action Plan following in depth assessments of its capacity over the past seven years.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	H1	<u>H1 sites</u>	Land at the corner of Fox Way and Foredown Road, Portsl
<u>Respondent Number / Rep Number</u>	120	3	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>			
<u>Respondent Type</u>			
<u>Late Representation?</u>	Not Answered		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The inclusion in the plan of 'Land at the corner of Fox Way and Foredown Road, Portslade' as a development site has elicited dep concern among local residents. The legal basis of this submission relates to the National Planning and Policy Framework (NPPF) [1]. Specifically, paragraph 157: Planning and flood risk [2]. The steep slope from Fox Way down to Valley Road is at risk of flash flooding, whenever there is heavy rain. Water frequently runs as deep as the kerm-stones, outside my own house on Southdown Road. There have been long-standing and well documented problems with flooding in Portslade Old Village, at the bottom of this hill. New, non-porous surfaces,, which will be part of any development inevitably increase these risks. NPPF paragraph 157, specifically dictates that policy must be drafted not only based upon historic flood risk, but 'taking into account the current and future impacts of climate change.' Paragraph 156 requires planning policy to 'consider cumulative impacts'. Given the huge changes to this area over the past 30 years, the increase in flood risk from increased run off has already been considerable. Any further increase in this risk is unjustified, given the alternative local development sites which could be found for a small number of houses. The area marked for development also represents a local amenity 'GreenInfrastructure' as defined on page 192 of the City Plan Part Two Proposed Submission. The area is well used and any housing development at this altitude will have significant impact upon visual amenity.[1]

<https://www.gov.uk/government/collections/planning-practice-guidance>[2] <https://www.gov.uk/guidance/national-planning-policy-framework/14-meeting-the-challenge-of-climate-change-flooding-and-coastal-change>

Changes required

Removal of 'Land at the corner of Fox Way and Foredown Road, Portslade' from page 175, Table 6 of the City Plan Part Two Proposed Submission. This will make the plan legally compliant, because it will not further exacerbate local flood risk.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H1		<u>H1 Site</u>
<u>Respondent Number / Rep Number</u>	207	1	Land between Manchester Street/Charles Street, Brighton
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	NEK Holdings		
<u>Respondent Type</u>	landowner / developer		
<u>Late Representation?</u>	No		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The policy allocation 12 units plus commercial space on the site does not make a full and efficient use of the land. Please see the attached letter from Lewis & Co Planning and the capacity study by Yelo Architects

Changes required

Representation 1: It is requested that the draft policy H1 be amended in relation to this site, to allocate the site for development of a minimum of 19 residential units and a minimum of 250sqm of commercial floor space (Class E). Representation 2: We seek an amendment to the draft Policy H1 to refer to the allocation numbers for all sites as "minimum number", rather than an "indicative number" or a "minimum indicative amount". This will provide greater certainty and clarity to the policy.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

If the policy/allocation is changed as we have requested, then there will be no need to attend the sessions. However, if the policy is not amended – we would like to attend the sessions to demonstrate to the Inspector that the capacity of the site exceed that of the allocation and therefore the allocation should be increased in the interests of maximising the supply of new homes on brownfield land.

<u>Policy</u>	H1		<u>H1 Site</u>
<u>Respondent Number / Rep Number</u>	219	10	Land between Marine Drive and rear of 2-18 The Cliff, Brighton
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	Sussex Wildlife Trust		
<u>Respondent Type</u>	Environment		
<u>Late Representation?</u>	No		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The Sussex Wildlife Trust (SWT) objects to the allocation of the Land between Marine Drive and rear of 2-18 The Cliff, Brighton because this site is designated as a Local Wildlife Site (LWS). The NPPF is clear in paragraph 174 that plans should safeguard components of local wildlife-rich habitats including the hierarchy of designated sites of importance for biodiversity. Further to this, the Planning Practice Guidance states: 'National planning policy expects plans to identify and map these sites, and to include policies that not only secure their protection from harm or loss but also help to enhance them and their connection to wider ecological networks.' (Paragraph: 013 Reference ID: 8-013-20190721). The value of the site for biodiversity does not appear to have been considered in the SHLAA or draft versions of the plan. The Sustainability Appraisal (SA) site assessment notes that the site was recently designated as a LWS but does not acknowledge that the site was recommended as a LWS in both 2013 and 2017. The SA site assessment also states that the amount of development proposed on the site has been reduced from 16 to 10 to reflect the LWS designation. However, as no evidence is provided to explain how the reduction was decided, this appears somewhat arbitrary. The Local Wildlife Site Review states that the site contains rough coastal grassland, including priority habitat chalk grassland, which is unusual within the City. The site also supports a significant population of common lizard. This site is a core component of the city's ecological network and a natural capital asset that

should be safeguarded as per the NPPF. As set out in our answers to question 3 for policy SA7 and policy H2, we believe this site can be removed from the plan without materially impacting on housing delivery. Table 3 of the Housing Provision Topic Paper demonstrates that the updated assessment of housing delivery, including site allocations in the CPP2, shows potential to deliver 14,875 net dwellings. This is a surplus of 1,665 dwellings against the city plan target. Removing the housing allocations in policy H1 and H2 that are in Local Wildlife Sites or Local Nature Reserves and do not currently have any planning permission would reduce this delivery number by 237. This would still leave a surplus of supply of 1428 dwellings.

Changes required

Remove Land between Marine Drive and rear of 2-18 The Cliff, Brighton from policy H1 and protect it as a Local Wildlife Site.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

The Sussex Wildlife Trust wishes to attend the examination hearings so that we can discuss our objections formally with the Inspector and respond to any additional evidence presented by other respondents.

<u>Policy</u>	H1		<u>H1 Site</u>
<u>Respondent Number / Rep Number</u>	228	6	Land between Marine Drive and rear of 2-18 The Cliff, Brighton
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	Sussex Ornithological Society		
<u>Respondent Type</u>	Environment		
<u>Late Representation?</u>	No		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

H1 - objection to the development of one site Site 5, Land between Marine Drive and the rear of 2-18 The Cliff CCP2 allocates this BHCC-owned land as a development site for just 10 dwellings. This entire (small) site was designated as an LWS (Cliff Road Paddock LWS, BH66) in January 2017 (although it was first recognised as a Candidate LWS in 2013). We understand that this chalkland site has a healthy reptile population of Common Lizard, whose habitat would be destroyed if the site were developed. Its development would not be in accord with paragraph 174 of the NPPF which states that plans should safeguard components of local wildlife-rich habitats including the hierarchy of designated sites of importance for biodiversity. This is one of the most recently designated LWS's in Sussex and we are disappointed to see BHCC putting it forward as they own the site and have recently been deeply involved in its being designated an LWS. Its proposed development also runs contrary to the principles laid out in Policy DM37, namely: "Development proposals will be required to demonstrate that they safeguard and/or contribute positively to the existing multifunctional network of Green Infrastructure that covers all forms of green and open spaces; the interrelationship between these spaces and; ensure that the natural capital of the area is retained, enhanced and complements UNESCO Biosphere objectives". There are clearly no overwhelming reasons why such a newly established LWS should be destroyed so that a mere 10 dwellings can be built on it. Removal of this site from the allocated

sites for development will not affect BHCC's ability to deliver 13200 new dwellings in the 2010-2030 time frame, especially as BHCC have identified a further 1655 dwellings which they expect can be added to the current CCP1 and CCP2 allocations. The tiniest increase in planned overall densification of new developments would cover the loss of 10 dwellings on this site. It would also save the Common Lizard colony. To summarise; SOS are asking for 287 dwellings to be deleted from CPP2. These are at: SA7 Benfield Valley (100 dwellings) HI, site 10 (10 dwellings) H2, sites UF 1 and 2 (30 dwellings) site UF16 (25 dwellings) site UF 21a (12 dwellings) site UF30 (30 dwellings) site UF33 (30 dwellings) sites UF38,38a and 39 (50 dwellings) The loss of these 287 dwellings could be made up by achieving an overall increased densification of 2.2% on the balance of the 12,913 houses covered by the other urban and urban fringe sites, thereby restoring the total of dwellings to 13200. As BHCC have already identified opportunities to build an extra 1655 dwellings on the CPP1 and CPP2 sites, protecting these nature-conservation assets from development by deleting these 287 dwellings would not impact BHCC's ability to deliver its housing targets. We believe that going ahead with these developments would also put BHCC in breach of meeting their nature conservation commitments as required by Sections 171 and 174 of the NPPF. Instead not building them would go some way to limiting the damage that CPP2 will do to BHCC's nature network.

Changes required

There are clearly no overwhelming reasons why such a newly established LWS should be destroyed so that a mere 10 dwellings can be built on it. Removal of this site from the allocated sites for development will not affect BHCC's ability to deliver 13200 new dwellings in the 2010-2030 time frame. To summarise; SOS are asking for 287 dwellings to be deleted from CPP2: this includes: HI, site 10 (10 dwellings)

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

SOS wishes to participate in any examination hearings sessions relevant to any sections of the City Plan Part Two that we have submitted objections to. We wish to discuss our objections formally with the Inspector and respond to any additional evidence presented by other respondents.

<u>Policy</u>	H1	<u>H1 Site</u>	Preston Park Hotel, 216 Preston Road, Brighton
<u>Respondent Number / Rep Number</u>	249	1	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	Preston Park Hotel Ltd		
<u>Respondent Type</u>	landowner / developer		
<u>Late Representation?</u>	No		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Policy H1 refers to the site as being suitable for development for 22 units. This is in line with an extant grant of planning permission – BH2015/04536 that was approved on 07 August 2018. It is anticipated that development will commence next summer, once pre-commencement conditions have been approved. Our concern is that Policy H1 qualifies its reference to the Preston Park Hotel site with an omega symbol, and then states that for sites referenced with the omega symbol “occupation of the development will be phased to align with the delivery of sewerage network reinforcement, in consultation with the service provider;” Such a restriction on our client’s site is unnecessary, and could prevent development going ahead (if a revised planning application is submitted to the Council). This is for the following reasons: 1. The extant planning permission contains no such restrictions, and so it is inconsistent to now apply a restriction that does not otherwise exist. 2. Drainage impact will not be materially different to the existing use of the site – which has 34 bedrooms and therefore a similarly occupancy level (including staff) as would a scheme for 22 flats. 3. For what is a relatively modestly scaled scheme, the scheme would not be suitable for phased occupation – as it would have a disproportionate impact on the cash flow of the development. Furthermore, the restriction would also mean that occupation (and by implication, sale) of any units would be dependent on an outside body. These impacts would place a significant burden on the owners with regard to obtaining

development finance. Given the above, the policy restriction set out in policy H1 means that the Plan has not been positively prepared, as it is placing an unnecessary obstacle to development on a site that is suitable for the provision of housing.

Changes required

Remove the reference to the Preston Park Hotel site needing to be subject to a phased occupation plan

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H1	<u>H1 sites</u>	Saunders Glassworks, Sussex Place, Brighton
<u>Respondent Number / Rep Number</u>	208	1	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	Brightstay (Sussex) LLP		
<u>Respondent Type</u>	landowner / developer		
<u>Late Representation?</u>	No		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

See supporting letter, the policy unnecessarily restricts future development proposals to regenerate the site.

Changes required

The allocation should permit a mixed-use proposal including commercial, leisure and community uses, as well as purpose built student accommodation proposals

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak If the policy/allocation is changed as we have requested, then there will be no need to attend the sessions. However, if the policy is not amended – we would like to put this case across in person.

<u>Policy</u>	H1
<u>Respondent Number / Rep Number</u>	180 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Highways England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Table 6 - Residential Site Allocations, Table 7 - Mixed Use Site Allocations and Table 8 – Urban Fringe Allocations (pages 173-182) – Highways England requires confirmation that the cumulative impact of the development sites has been included within the strategic modelling and therefore included within the junction mitigations. If not, further consideration of appropriate mitigation may be required

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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Why wish to speak

<u>Policy</u>	H1	
<u>Respondent Number / Rep Number</u>	197	6
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>	Individual	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have the potential to be the best city in Britain, but this will not be achieved unless there is a plan that meets the future rather than just tinkers with the inadequate current situation. I would like to comment on two of the proposals. 1. Housing, Accommodation and community (policies DM1-DM10) I have read the document regarding future housing in the city with interest. I cannot understand whilst the council cannot this opportunity to look forward and take a more considered view of the future. With only just over 1000 new homes planned on brown field sites it does not say what next? It is the 'what's next' that seems to me the most important question for the council thinktank to consider and seek ideas from the community. The City is locked by the sea and thenational park and there are only limited brown field sites available. On 26th of January 2013 I wrote in the Argus, I asked the question, 'what do we do when the city is full?' This question has not yet been addressed. I suggested that we need to think outside the box and consider extending the land into the sea, build under the Downs and allow high rise housing within the city to replace low rise buildings. The fight that the council planners have had to try to stop the 28 story tower in the Marina is typical of the short sighted policies of successive council administrations. Would it not be possible for example to extend the Marina to build council towers for rent? Selling some flats to fund the others? It is time to move the planning department into the 21st century with the Council setting its own

guidelines and allowing more leeway in developments. This will also reduce the cost to rate payers, the costly appeals which seem such a feature of the council's activities will be reduced. Policies are pretty useless, unless they are coupled with an action plan. Where is it?

Changes required

I suggested that we need to think outside the box and consider extending the land into the sea, build under the Downs and allow high rise housing within the city to replace low rise buildings.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H1	
<u>Respondent Number / Rep Number</u>	202	11
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Woodland Trust	
<u>Respondent Type</u>	Environment	
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The Woodland Trust objects to ancient woodland areas being included in sites allocated as suitable for development. Areas of natural woodland, in particular ancient woodland, are vulnerable to pollution, encroachment from development, and habitat fragmentation. It is important that any development is located and designed to avoid damaging ancient woodland, providing buffers for designated sites and protecting connectivity between wildlife habitats. Further information is available in the Trust's Planners' Manual for ancient woodland. We recognise the intense pressure to identify and bring forward new sites for housing and employment uses. This pressure makes it all the more important that vital protections for ancient woodland and veteran trees are upheld. Development which would result in the loss of ancient woodland, aged or veteran trees should not be permitted. In the case of the specific site allocations in this plan, we are pleased to see that woodland has generally been excluded from sites, and the one section of ancient woodland potentially affected had a buffer applied. We wish to see these standards maintained throughout the local plan process. The Trust reserves the right to object to future site allocations or individual planning applications which threaten ancient woodland or veteran trees.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H1
<u>Respondent Number / Rep Number</u>	212 9
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Natural England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

3. Comments on allocations Noting the location of a number of allocation sites close to and/or in the setting of the South Downs National Park, we support the requirement for Landscape and Visual Impact Assessment (LVIA). Where required, we advise LVIA is undertaken in accordance with Guidelines for Landscape and Visual Impact Assessment (GLVIA 3rd edition), recognising the Special Qualities of the South Downs National Park and the ambitions of the Partnership Management Plan. In accordance with NPPF paragraph 172, great weight should be given to conserving and enhancing landscape and scenic beauty of the National Park.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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Why wish to speak

<u>Policy</u>	H1
<u>Respondent Number / Rep Number</u>	216 14
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Food Partnership
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We welcome the specific reference food growing under H1-H3 (housing and mixed use sites)

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We would be happy to participate in the Inspector's hearing to make these points.

<u>Policy</u>	H1
<u>Respondent Number / Rep Number</u>	250 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	RKO Developments
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

This representation recommends that Land at Palmeira Avenue and Cromwell Road, is included within the City Plan Part Two as a housing allocation. This representation has been prepared by SF Planning Ltd on behalf of RKO Developments Ltd who are promoting land at Palmeira Avenue and Cromwell Road, Hove ('the site') for housing allocation. The Site: The site currently comprises of an area of land measuring approximately 0.3ha located on the corner of Palmeira Avenue and Cromwell Road in Hove to the west of Brighton City Centre. The land currently contains 4 dwellings and a former building with flat, which also had a nursery use. The nursery was damaged as a result of an arson attack and so allocation of this brownfield sites would be in line with national policy. The allocation of this site would also be in line with the council's strategy of allocating brownfield sites. The indicative capacity for the site would be 95 dwellings in line with the previously submitted planning application to the council for 94 dwellings. There are a few other application in the vicinity of this site was have been granted permission. The county cricket ground which is in close proximity to the site was granted permission for a 9 storey mixed use building with 37 residential apartments. It is also worth noting that an application on Davigdor Road was granted permission as a mixed use site with 52 residential flats. In response to the previously submitted planning application for the site submitted in March 2020 the policy team at the council were in support of the principle of development

where the proposed scheme represented an effecting and efficient use of the site. Site Allocation: The City Plan Part Two is consistent with the vision, strategy, objectives and strategic policies set out in City Plan Part One and covers the period up to 2030. This representation is being made to the City Plan Part Two Pre-Submission Consultation regarding the soundness of the plan with particular focus on the failure to deliver the housing requirement set out in City Plan Part One, a failure to maintain a five year housing land supply despite having an adopted plan and the failure to plan for the housing need for the city. The council have agreed that the City Plan Part One did not allocate enough housing to meet its need due to constraints. The site is being submitted to the council for inclusion within the plan as a suitable site for residential development to assist with meeting the housing requirement. This site has not been previously considered by the council through the plan making process however the site has been considered by the council through the development management process. This consultation is to make comment on whether the plan is sound based on whether it is positively prepared, justified, effective and consistent with national policy. In light of the Government proposed changes to the standard method the council will fall short despite the plan meeting the requirement it should account for affordability. Considering whether the plan has been positively prepared based on a strategy which seeks to meet objectively assessed development requirements has not been done given that the City Plan Part One (adopted 2016) fails to meet the full housing need. The City Plan Part Two seeks to develop the strategic framework set out in Part One, by identifying and allocating further sites for new housing to enable the delivery of sufficient new housing to meet the overall City Plan housing target. Site allocations in City Plan Part Two were identified and selected and the process is shown in the Site Allocations Topic Paper. The proposed sites allocations in CPP2, shows potential to deliver at least 13,440 net dwellings, a surplus of 230 dwellings against the City Plan target however City Plan Part One (Policy CP1) sets a minimum housing provision target of 13,210 net dwellings to be delivered over the period 2010-2030 which represents only 44% of the full housing need. It was recognised in the City Plan Part One that this shortfall would have implications on sustainable development as set out in the NPPF. As such, the Inspector strongly encouraged BHCC to find new land for development in the City Plan Part Two, concluding: "The target of 13,200 new homes is expressed as a minimum, which offers scope for that number to be increased when more detailed consideration of individual sites is undertaken for the preparation of the City Plan Part Two." The City Plan Part One is not an effective plan as it is proving to be undeliverable and given that the City Plan Part Two follows the strategic framework adopted in Part One this plan should address the shortfall by allocating further housing sites. Brighton and Hove have failed to deliver the minimum 90% housing delivery requirement in the housing delivery test in 2018 or 2019 with the 2019 results resulting in a 70% delivery and the implementation of a buffer added to the five year supply. The council have also failed to deliver enough housing for the last two years which shows a lack of consent for major schemes and that the allocation of this site on Palmeira Avenue to provide flats would both boost supply and result in the redevelopment of a brownfield site which government are promoting in the planning for the future consultation and national policy. The housing supply is not sufficient to meet the needs of the new housing requirement identified by the Standard Method, and in fact represents a significant shortfall. The council are also unable to confirm a five year housing land supply with a current publication stating that they have 4.0 years, albeit this figure has not been tested and thus it could be lower. Moreover, if the government's proposed changes to the standard method come into force then this would further reduce the council's supply to 3.27 years, even against their own figures. The City Plan should be consistent with national policy and the plan should enable delivery of sustainable development in accordance with the policies in the national framework. Paragraph 59 of the NPPF makes it clear that "to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land come forward where it is needed..." The Government have a target of 300,000 homes a year and in the latest publication of the housing supply figures for the monitoring year 2018/2019 the country has a shortfall of 60,000 homes. Paragraph 60 goes on to note the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies including those who require affordable housing, older people, people with disabilities and people who rent their homes. The site is located 600m from the development boundary of the 'Hove Station Area' – a designated development area benefitting from good sustainable transport links and offering significant capacity for substantial regeneration and development, as defined by Policy DA6 of the Brighton and Hove City Plan (Part 1). Allocation of this site would be justified and effective and consistent with national policy in that it is a brownfield site. Paragraph 68 of the NPPF supports the development of small and medium sized sites, and recognises the important contribution that these sites can have a five – year housing supply. As a result this site should be allocated and at a density that is in line with the adopted City Plan and representative of nearby apartment blocks with a density of 313dph. Conclusion: SF Planning Ltd are firmly of the view that the site offers a realistic, available and deliverable parcel of land that ought to be allocated for housing in the CPP2. By allocating this site it is an opportunity for the council to address their under delivery and this is a missed opportunity to dictate land supply

and future growth of the city through the plan making system. It is therefore crucial that the Council explores all possible options for the delivery of additional housing within the City over the plan period in order to comply with the requirements of paragraph 59 of the NPPF and to ensure that the plan is positively prepared in accordance with the soundness tests set out at paragraph 35 of the NPPF. On behalf of RKO Developments, we thank you for the opportunity to comment and trust our comments will be given full consideration in due course.

Changes required

This representation recommends that Land at Palmeira Avenue and Cromwell Road, is included within the City Plan Part Two as a housing allocation. Allocation of this site would be justified and effective and consistent with national policy in that it is a brownfield site. The indicative capacity for the site would be 95 dwellings in line with the previously submitted planning application to the council for 94 dwellings.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H1
<u>Respondent Number / Rep Number</u>	252 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	C Brewer & Sons Limited
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

More sites can be added including New England Street BN1 4GQ. am fully supportive of the Plan and would be keen to bring forward a site we own as either a mixed use or PBSA scheme. We have been approached by many developers and would anticipate that we could bring a project forward in the time frame of the next 3-7 years. One of our issues would be to find suitably alternative premises to relocate our business and to provide our Tenants the appropriate opportunity to do likewise. The address is : Albany house, New England Street, Brighton BN1 4GQ and the adjoining land at St James House New England Street, Brighton BN1 4GQ registered under title number SX 83575 Provided the Council are amendable to a tall building, the site could accommodate over 10 storeys high (the site across the road has recently been permissioned at 14 storeys and developers have approached about a PBSA of in excess of 500 units and this would translate into a mixed use scheme of shop/office on lower floors and 200 plus residential units. The site was I believe referenced in the Part One and should be referenced again in Part Two.

Changes required

More sites can be added including Albany house, New England Street, Brighton BN1 4GQ and the adjoining land at St James House New England Street, Brighton

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H1
<u>Respondent Number / Rep Number</u>	259 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Mid Sussex District Council
<u>Respondent Type</u>	Public Sector / Local Authority
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Mid Sussex District Council (Council) welcomes the opportunity to comment on the Regulation 19 consultation of the Brighton & Hove Draft City Plan Part Two ('the Plan'). The Council acknowledge and welcome the additional analysis that Brighton & Hove City Council (City Council) has undertaken of its housing sites since the Draft CPP2 consultation. CPP1 Policy CP1: Housing Delivery sets a minimum housing requirement of 13,210 new homes; 16,910 below its objectively assessed need. Therefore, it is critical that the City Council demonstrates that it has investigated all opportunities to deliver housing through allocating deliverable sites. Paragraph 23 of the NPPF states that: 'Strategic policies should provide a clear strategy for bringing sufficient land forward.... This should include planning for and allocating sufficient sites to deliver the strategic priorities of the area.' Paragraph 3.17 of the Housing Provision Topic Paper (October 2019) (HPTP) states that as at 1 April 2019 there is identified potential to deliver at least 14,875 net dwellings; 1,665 over the CP1 housing requirement. However, the over delivery is largely sourced from Small Sites (completions on small identified sites and windfall allowance), Prior Approvals and HRA Estates Regeneration sites rather than allocations. The windfall allowance in CPP2 is now 1,321 net dwellings over the Plan period, an increase of 101 from the Draft CPP2. The Council note that this represents just under 9% of the total supply. It remains a substantial element of the total supply and so should be carefully monitored and adjusted

accordingly. The HPTP states that 232 dwellings are to be delivered through the City Council's Estates Regeneration Programme, however these are sites described as being in the pipeline and 'Additional potential supply'. As such, there is uncertainty around when these will be delivered. Without their specific allocation there must be robust evidence to justify their contribution to meeting the housing requirement.

Changes required

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2	<u>H2 Sites</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	29	1	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	N/A		
<u>Respondent Type</u>			
<u>Late Representation?</u>	Not Answered		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The council has a duty to protect urban fringe and not build upon it. They are custodians and should protect these important areas from development.

Changes required

Protection for urban fringe areas into the plan.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2	<u>H2 Sites</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	32	1	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	N.a		
<u>Respondent Type</u>			
<u>Late Representation?</u>	Not Answered		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Building on urban fringe green field sites is the very last thing we should do in a Climate and Biodiversity Emergency. We should be rewilding these areas to encourage nature back into our lands to preserve our planet for the future. This mass building programme on green sites is ecocide when we need regeneration.

Changes required

Remove and rebuild ineffective and inefficient housing. Use brown field sites . Re plant 100,000 trees around and in the city. This 1990s policy of building more inefficient housing on green fields, removing even more nature from the planet has to end now.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2	<u>H2 Sites</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	34	1	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>			
<u>Respondent Type</u>			
<u>Late Representation?</u>	Not Answered		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Green belt land should not ever be considered for development despite who owns the land. This is of particular concern as there are plenty of brown field sites to develop in the first instance. Further to his royal highness prince William making a strong case for the conservation of our countryside and the conservation of our natural species it is inconceivable that Brighton and hove council would possibly consider the use of our bordering countryside as a development site.

Changes required

No development on existing greenfield land

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2	<u>H2 Sites</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	53	1	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>			
<u>Respondent Type</u>			
<u>Late Representation?</u>	Not Answered		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

There is absolutely no need whatsoever to build on precious green land in the city. The statistics clearly and unequivocally show this. The City Plan Part 2 document is a plan required to meet a minimum housing target for the city of 13,200 additional homes. Deleting the greenfield urban fringe sites from City Plan (Section H2) and developing only on brownfield sites listed in the plan would still leave Brighton and Hove City Council over 1,900 homes above the minimum target. There is therefore absolutely no need to build on our precious green land. Why is mayor Alan Robins refusing to accept the petitions about the council's strategic blueprint – known as City Plan Part 2 – on advice from officials. This surely is unconstitutional.

Changes required

Deleting the greenfield urban fringe sites from City Plan (Section H2) and developing only on brownfield sites listed in the plan .

Participate at the hearing session(s)?

<u>Policy</u>	H2	<u>H2 Sites</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	54	1	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	n/a		
<u>Respondent Type</u>			
<u>Late Representation?</u>	Not Answered		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I think that the bar for building on the urban fringe is set too low. These are sites of significant value to the natural setting in which the city is framed. If buildings in the city were generally a storey or two higher a lot of the housing need could be met without eating into the fringe. Building in the fringe too soon will consume this resource and leave few options for housing in the future

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2	<u>H2 Sites</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	57	1	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>			
<u>Respondent Type</u>			
<u>Late Representation?</u>	Not Answered		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

These 16 site are green field 'lungs' of the city which we need to keep as they are, not build all over them just to comply with some arbitrary government target. there are only 930 more homes proposed to be built on these sites, and we can meet our target without them. They should all be removed from the plan.

Changes required

Delete H2 in its entirety

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

I wish to protect our urban fringe.

<u>Policy</u>	H2	<u>H2 Sites</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	59	1	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>			
<u>Respondent Type</u>			
<u>Late Representation?</u>	Not Answered		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Please see comments below in section 4.

Changes required

The future housing quota can be satisfied fully within existing identified brownfield sites. I therefore propose that all of the stated urban fringe development sites should be removed from the city plan part 2. Consideration should also be made to the trend towards increasing home working, allowing the subsequent redundant office space to be converted to housing, subject of course to the necessary planning controls. As a resident of Patcham, I am in particular strongly opposed to the two urban fringe development sites in this area identified in the proposed plan. Development at either of these sites would have a severely detrimental effect on the village structure and would be nothing short of environmental vandalism. In summary, I would hope that a 'green' led council would favour retaining all of the identified urban fringe development sites in the plan as protected green space which can be continued to be enjoyed by all Brighton & Hove residents, instead of agreeing to the future destruction of these green spaces as currently proposed in the city plan part 2.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2	<u>H2 Sites</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	65	1	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>			
<u>Respondent Type</u>			
<u>Late Representation?</u>	Not Answered		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I do not support the development of the urban fringe when it is far preferable to develop brownfield sites. Many of these are run down and unsightly and would benefit greatly by enhancement. Eroding our green surroundings impacts on mental health and well being and damages our beautiful natural environment, Additional services such as schools & health care would be required as well as driving additional transport volume into the area as less well supported by sustainable transport links. Furthermore it stresses our local water resources and potentially leads to increased flood and pollution risk.

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2	<u>H2 Sites</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	95	1	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>			
<u>Respondent Type</u>			
<u>Late Representation?</u>	Not Answered		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2	<u>H2 Sites</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	119	3	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	N/A		
<u>Respondent Type</u>			
<u>Late Representation?</u>	Not Answered		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the allocation at Land at and adjoining Brighton Race Course because - The allocation is inconsistent with conditions in the 1822 Tenantry Down (common) enclosure deed, which state that the successor owner of the 'Race Ground' 'shall not at any time thereafter break up, convert into tillage, or divide the said Race Ground' and 'that the inhabitants of Brighton and the public in general should have the use of it for the purpose of racing...and any other purposes of exercise and diversion as heretofore'. These conditions were reiterated in the 1888 Indenture when the 'Race Ground' was purchased by Brighton Corporation. Contrary to paragraph 174 of the National Planning Policy Framework. Won't be able to deliver a net gain to biodiversity as required by paragraph 170 of the National Planning Policy Framework. Not justified because the ecological evidence in the Urban Fringe Assessments - is out of date and undervalues the importance of the site's biodiversity and its Local Nature Reserve designation is insufficient to justify their conclusion of no significant impact with mitigation. is inconsistent, for example the conclusion that impacts on this site can be mitigated is inconsistent with other statements in the same documents, for example the 2014 Urban Fringe Assessment, which states that 'provision for the biodiversity assets may help to create new habitats and contribute to habitat connectivity helping to mitigate significant negative effects', which is rightly more cautious and does not claim that negative effects can be mitigated. did not consider or assess

the impact development on this allocation would have on the integrity of the Local Nature Reserve, partly severing (fragmenting) a section at the centre of the core part of the reserve between Manor Hill and Warren Rd/Wilson Ave. did not consider or assess the impact development on this allocation would have on the historic gorse scrub habitat and its dependent species, including a breeding population of the Red Listed bird species and Species of Principal Importance linnet, identified as using the gorse scrub in breeding bird surveys undertaken in 2019. did not consider or assess the impact development on this allocation would have on the important invertebrate assemblage that surveys indicate the area in and around the allocation supports. A nationally recognised expert wrote that a survey in 2019 'indicates an extremely rich site'. did not consider or assess the impact development on this allocation would have on several invertebrate Species of Principal Importance which have been recorded in recent years within or close to the allocation, including brown-banded carder bee and small heath, small blue, dingy skipper, wall and brown hairstreak butterflies. contains errors and omissions, such as, within the wider site, wrongly identifying the Priority Habitat/Habitat of Principal Importance Lowland Calcareous Grassland as semi-improved neutral grassland in the Phase 1 Habitat Survey, and wrongly recommending tree planting as a mitigation measure, where the priority in this area is the conservation of open habitats, such as grassland. These errors undermine the credibility of the evidence of the Urban Fringe Assessments as well as their conclusions. Not justified because -the evidence in the Urban Fringe Assessments in relation to landscape is framed wholly in terms of impacts of development on the National Park's setting and views, and did not consider such effects within the local visual catchment (within and adjoining LNR), for example of views along Whitehawk Hill from the south and north, as well as from the valley below. Although the existing tower blocks impinge upon these views, the views are in many places currently uninterrupted. the evidence in the Urban Fringe Assessments did not recognise that development would result in the intrusion of a residential landscape into what is currently a semi-natural landscape, significantly reducing its strong sense of naturalness. the evidence in the Urban Fringe Assessments did not consider the loss of statutory Access Land (which includes the whole of the allocation) that would be caused by development in this allocation. it will result in a loss of Open Space, which is inconsistent with statements in City Plan Part 1 which seeks to increase, not decrease the amount of accessible land adjacent to the urban area (SA5 The Setting of the South Downs National Park, 3.170). Will undermine the positive work of community volunteers on this site, who have been working with the councils Ranger Service to conserve and restore Priority Habitats/ Habitats of Principal Importance in the Local Nature Reserve, leading to the degradation of the rest of the LNR. Is not effective because councillors from all main parties in the city have said they won't support development of the site. Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables) These sites are separated from the edge of the current built up area of the city so their development would create isolated new residential developments in what is currently open countryside. The NPPF advises against giving consent for new and isolated homes in the countryside and this is restated in City Plan Part 1 (3.16.1). Whilst these allocations are not for single homes they are still within the spirit of the NPPF guidance. The evidence in relation to the landscape impact of development of these sites in the Urban Fringe Assessments was inadequate. The sites are in sensitive elevated locations close to the top of a ridge and adjacent to the National Park Boundary. Development of these sites would have a significant negative impact on landscape character. The South Downs National Park Local Plan (Strategic Policy SD4: Landscape Character) states 'Development proposals will only be permitted where they conserve and enhance landscape character by demonstrating that: ... 3. The settlement pattern and individual identity of settlements and the integrity of predominantly open and undeveloped land between settlements will not be undermined.' Effects on views were not fully considered in the Urban Fringe Assessments. For example the western part of the allocation at Land north of Warren Road (Ingleside Stables) is on greenfield land immediately to the north of a well-used track. Development of this site would obscure and/or significantly negatively impact important and valued views north from this track and from Warren Road. This was not considered in the Urban Fringe Assessments. This part of the site is also clearly visible, for example, in an important view south eastwards from Hollingbury Camp/Castle, within the National Park on the northern edge of the city. Loss of these farmsteads/buildings to housing will create knock-on pressures for new replacement buildings within this landscape because residual 'bare land holdings' (without buildings) will require such infrastructure. Allocation and development of these two sites would set a dangerous precedent for further development on this open, high, greatly inter-visible Downland ridge, (between Brighton and Woodingdean, and between the National Park and the Bevendean Down and Whitehawk Hill LNRs), which would further erode it's character.

Changes required

'Delete Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables) from the

list of allocations in policy H2'.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

I am a resident of the hill and feel strongly about being a part of this process.

<u>Policy</u>	H2	<u>H2 Sites</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	143	3	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	Sussex Cohousing		
<u>Respondent Type</u>			
<u>Late Representation?</u>	Not Answered		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The City plan 2 incorporates a sound policy with regards to addressing the housing needs by developing the urban fridge sites. The characteristics of the dwellings mentioned in the plan with regards to biodiversity, production of home-grown food, sustainable transport infrastructure and access to South Downs Way will assure that the development of the sites will be performed maintaining intact the environmental and social capital of these areas. Furthermore, the inclusion of Community Led housing projects will ensure further integration of established communities, and opportunity to involve local people as part of engagement and co-design process. This can bring forward a housing development more eco-sustainable thanks to values and practices upheld by community led initiatives. For example, with regards to transportation, community led projects are focussed on minimising the use of fossil fuel and will promote sharing and reducing vehicle mileage per household.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H2	<u>H2 Sites</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	147	1	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	n/a		
<u>Respondent Type</u>			
<u>Late Representation?</u>	Not Answered		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The Urban Fringe sites are not positively prepared - the smaller number of units these sites provide does not justify the impact on the environment and loss of facilities (e.g. stables, open green spaces around Whitehawk Hill etc).It has been demonstrated that the housing quotas can be met by the CPP2, with the exclusion of the urban fringe sites.The loss of these spaces to housing contradicts conclusions in the "Proposed Submission City Plan Part Two - Sustainability Appraisal (April 2020)".Specifically: - key sustainability objectives listed in section 3.2 - 'Biodiversity & geodiversity', are undermined by the development of these sites. The disruption to wildlife by these developments is in contradiction to these objectives. - key sustainability objectives listed in section 3.7 - 'Cultural heritage, landscape and open space', are undermined by the development of these sites. The loss of open space and development of these areas is in contradiction to these objectives.

Changes required

Remove section H2 From the CPP2.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

Local business owner and resident affected by the changes

<u>Policy</u>	H2	<u>H2 Sites</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	156	1	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	No		
<u>Respondent Type</u>			
<u>Late Representation?</u>	Not Answered		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We should not be building on the urban fringe as these residual urban green spaces are more beneficial to local communities than the housing that would be provided.

Changes required

No building in urban green spaces, instead derelict buildings and areas, fallow development areas and brownfield sites should be used.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

Not applicable

<u>Policy</u>	H2	<u>H2 Sites</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	167	19	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	Brighton YIMBY		
<u>Respondent Type</u>			
<u>Late Representation?</u>	Not Answered		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

In addition to this we also fully support the current efforts of the council and planning department to develop Brighton's rural-urban fringe. We are appalled by the misinformation and hostility being shared to these highly necessary and beneficial developments.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H2	<u>H2 Sites</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	172	9	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	Sue Craig		
<u>Respondent Type</u>			
<u>Late Representation?</u>	Not Answered		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Land has been included in the Urban Fringe Assessment which should have been protected by HE11 Historic Parks and Gardens. HE11 was a retained policy from Brighton's Local Plan 2005 (updated March 2016) and appears as Annex 4 of City Plan Part One, adopted 24 March 2016. DM30 from draft CPP2 is intended to replace HE11 from CPP1 - but how is that possible if HE11 does not appear in CPP1? It has come to light recently that HE11 was inexplicably omitted from City Plan Part One and its omission has had serious consequences for Grade II Listed and Registered Park & Garden of Stanmer Park. The estate walls and woodland tree belt form the south west boundary of Stanmer Park, most of which lies within the South Downs National Park. There is a body of evidence to prove that the planning permission granted for BH2018/03541 on 23 March 2020 is unsound. The convenient omission of all protection of Historic Parks and Gardens, and the omission of development plans for Stanmer Park from City Plan Part One, is a matter of such a serious nature that it merits a full public investigation. Likewise there is no reference to the development plans for the south west part of the Stanmer Estate - Land to the NE of Coldean Lane, although the land lies outside the SDNPA (why?) and outside the B&H City area, nevertheless the land remains part of the Grade II Listed & Registered Park and Garden. Perhaps it is because Brighton and Hove Council have already granted planning consent for their Joint Venture with Hyde Housing to develop the land? The only designation of the site being available for

building development is in the Urban Fringe Assessment(s) but, of course, these are not development plans, merely assessments. Are you not surprised that the most toxic plans for Brighton's most popular historic Stanmer Park appear in neither CPP1 or CPP2? The policies contained in this CPP2 do not take account of recent Government proposals to increase green spaces by 30%, nor the importance to local communities that has been underlined over the last six months of Covid restrictions. For many, particularly those without their own outside space, the availability of 'nature on the doorstep' has been a life saver and this benefit has not been acknowledged or addressed.

Changes required

Unlocking brownfield sites which have already been granted planning consent before destroying the urban fringe for building development. Greater emphasis should be placed on sustainably produced food and community-led ECO housing on green spaces around Brighton. Ensure that HE11 is reinstated into City Plan Part One with the removal of planning consent from BH2018/03541 as a result.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

To get a fair hearing.

<u>Policy</u>	H2	<u>H2 Sites</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	204	20	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	Historic England		
<u>Respondent Type</u>	Government Agency		
<u>Late Representation?</u>	No		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

A number of sites subject to H2 Housing Sites – Urban Fringe policy and included in Table 7 Urban Fringe Allocations are noted to have historic environment (i.e. archaeology, heritage) or related (i.e. landscape) significances. The policy wording itself, however, is not explicit about the requirement to assess the heritage impacts of developing the sites – this should be made clear; e.g. by addition of an additional bullet point to the policy along the lines of that for the natural environment (i.e. bullet d)). In respect of two sites in the Urban Fringe, Land to north east of Coldean Lane and Land north of Varley Halls, Coldean Lane, we have strong concerns that proposed housing developments would have serious detrimental heritage impacts in view of the high archaeological potential of the sites, and their location in the Grade II Stanmer Park Registered Park and Garden. Ideally these sites should be removed from the allocation policy; or, at the very least a requirement should be inserted that any development proposals should be subject to a Heritage Impact Assessment, and that the scale and form of the developments should be conditioned by that assessment and any impacts it identifies.

Changes required

The policy wording itself, however, is not explicit about the requirement to assess the heritage impacts of developing the sites – this should be made clear; e.g. by addition of an additional bullet point to the policy along the lines of that for the natural environment (i.e. bullet d)). In respect of two sites in the Urban Fringe, Land to north east of Coldean Lane and Land north of Varley Halls, Coldean Lane - ideally these sites should be removed from the allocation policy; or, at the very least a requirement should be inserted that any development proposals should be subject to a Heritage Impact Assessment, and that the scale and form of the developments should be conditioned by that assessment and any impacts it identifies

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H2	<u>H2 Sites</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	215	2	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	South Downs Society		
<u>Respondent Type</u>	Environment		
<u>Late Representation?</u>	No		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The Friends of the South Downs (The South Downs Society), is grateful for the opportunity to comment on the City Plan Part Two. Our core business is campaigning and fundraising for the conservation and enhancement of the landscape of the South Downs National Park (SDNP) and its quiet enjoyment, recognising that these qualities can only be realised if the setting of the SDNP is also respected and protected. We recognise that the City Plan is for that element of the city that lies outside the SDNP but it is vital that the plan affords appropriate priority to the conservation and enhancement of the park. Indeed, there is a statutory duty on the City Council under Section 62 of the Environment Act 1995 to have regard to its implications for the SDNP. The Society provided its comments throughout the process of the City Plan Part One (now adopted) with particular emphasis on the setting of the SDNP and the sites allocated for possible development on the Urban Fringe. We acknowledge that when the City Plan Part One was examined in 2013, the Inspector instructed your Council to plan much more positively to meet as much of the city's full housing need which has resulted in some sites on the Urban Fringe being allocated through Part Two. We believe the revised housing supply numbers on the scale set out within the Urban Fringe and adjacent to the SDNP has the potential to cause permanent and irreversible damage to the Park. Our concerns throughout the whole process, including the content of this City Plan Part Two, is that there would inevitably be a reduction in the City's limited and largely

green infrastructure preventing urban sprawl and those areas that are adjacent and/or form the gateway to the SDNP. Below summarises our concerns on some, but not all of, the sites allocated in Part Two: Sites 48 to 48c - Cluster at Coombe Farm. This site has been granted outline planning consent for 60 dwellings. A decision is pending for full planning permission (BH2020/00002) for 72 dwellings. The site is highly sensitive due to its proximity to the boundary of the SDNP which is particularly important to defend from the impact of development. The Society consider this to be over development of the site which would significantly impact on the setting of the SDNP. Sites 38, 38a & 39 – Land at Ovingdean Hall Farm etc. Again the site is highly sensitive due to its proximity to the boundary of the SDNP which is particularly important to protect from the impact of development. The site is viewed from high ground and development could have a significant negative impact on the setting. Access is also very restricted. It would seem most inappropriate to develop the site other than for continued rural use. Sites 1, 3, 4, 4a and 5 at Mile Oak and Portslade can all be viewed from higher ground in the SDNP and notwithstanding the A27 have strong connectivity with the SDNP. Similarly are sites 11 & 12 at Benfield Valley have strong connectivity with the SDNP as has Site 2 at Patcham. Sites 30, 31, 32, 32a and 22 at Brighton Racecourse, Racehill and Warren Road at all located at high level and highly visible from distant view points. The impact of developments on these sites will result in a decrease in “green space”, farm and amenity land and a loss of wildlife habitat. We recognise that the principle of development on a number of the Urban Fringe sites may have been established under the City Plan Part One. However, there is still the opportunity to ensure the sites can continue to be protected from development during the period of the City Plan up to 2030. The Council will be aware that the Government has launched a consultation on proposals for reform of the planning system in England. This consultation closes at on 29 October 2020. Under the draft proposals land is divided into three categories – Growth, Renewal and Protected. Protected Areas would include sites and areas which, as a result of their particular environmental and/or cultural characteristics, would justify more stringent development controls to ensure sustainability. This would include areas such as Green Belt, Areas of Outstanding Natural Beauty (AONBs), Conservation Areas, Local Wildlife Sites, areas of significant flood risk and important areas of green space. At a smaller scale it can continue to include gardens in line with existing policy in the National Planning Policy Framework. It would also include areas of open countryside outside of land in Growth or Renewal areas. Whilst the Society have reservations regarding the current planning reform proposals, it would ask the Council would consider that its Urban Fringe sites in the City Plan Part 2 by deemed as “Protected” therefore preventing them from development. We prefer that all plans close to the boundaries of the SDNP should incorporate a buffer zone between the development and the Park boundary to preserve a green space both for the residents of the development and for the local flora and fauna. And all developments should be so designed that there is adequate screening to preserve the open views from the Downs. We also ask the Council that plans for the development on any of the Urban Fringe sites to be considered only as a matter of last resort and only after proposals and housing numbers on the brownfield sites have been fully established. This would also take into account additional brownfield sites that may become available during the course of the City Plan up to 2030. The Society would not consider it proper that the Council and developers prioritise Urban Fringe sites which may take advantage of cheaper land for return for early gains in housing numbers.

Changes required

We recognise that the principle of development on a number of the Urban Fringe sites may have been established under the City Plan Part One. However, there is still the opportunity to ensure the sites can continue to be protected from development during the period of the City Plan up to 2030. The Council will be aware that the Government has launched a consultation on proposals for reform of the planning system in England. Whilst the Society have reservations regarding the current planning reform proposals, it would ask the Council would consider that its Urban Fringe sites in the City Plan Part 2 by deemed as “Protected” therefore preventing them from development. We prefer that all plans close to the boundaries of the SDNP should incorporate a buffer zone between the development and the Park boundary to preserve a green space both for the residents of the development and for the local flora and fauna. And all developments should be so designed that there is adequate screening to preserve the open views from the Downs. We also ask the Council that plans for the development on any of the Urban Fringe sites to be considered only as a matter of last resort and only after proposals and housing numbers on the brownfield sites have been fully established. This would also take into account additional brownfield sites that may become available during the course of the City Plan up to 2030. Specific references to sites: Sites 48 to 48c - Cluster at Coombe Farm. This site has been granted outline planning consent for 60 dwellings. A decision is pending for full planning permission (BH2020/00002) for 72 dwellings. The site is highly sensitive due to its proximity to the boundary of the SDNP which is particularly important to defend

from the impact of development. The Society consider this to be over development of the site which would significantly impact on the setting of the SDNP. Sites 38, 38a & 39 – Land at Ovingdean Hall Farm etc. Again the site is highly sensitive due to its proximity to the boundary of the SDNP which is particularly important to protect from the impact of development. The site is viewed from high ground and development could have a significant negative impact on the setting. Access is also very restricted. It would seem most inappropriate to develop the site other than for continued rural use. Sites 1, 3, 4, 4a and 5 at Mile Oak and Portslade can all be viewed from higher ground in the SDNP and notwithstanding the A27 have strong connectivity with the SDNP. Similarly are sites 11 & 12 at Benfield Valley have strong connectivity with the SDNP as has Site 2 at Patcham. Sites 30, 31, 32, 32a and 22 at Brighton Racecourse, Racehill and Warren Road are all located at high level and highly visible from distant view points.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H2	<u>H2 Sites</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	220	2	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	Ovingdean Estates Ltd		
<u>Respondent Type</u>	landowner / developer		
<u>Late Representation?</u>	No		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

As with comments on policy DM37, our client's site (Land North East of Longhill Close, Ovingdean) has been omitted from the list of sites. The only reason for this (as set out in the Site Allocations Topic Paper) is that the site would yield less than 10 units (earlier SHLAAs have indicated six units on the site). <Officer note: The original rep included an extract from the Site Allocations Topic Paper (Appendix 3 table for UF Site 43 stating the reason for not allocating the site as 'No - Yield less than 10 units (Land to rear of Longhill Road)'.>Given the wording of City Plan Policy Part 1 policy SA4 restricts Urban Fringe housing development to sites that are allocated – this in effect means that the Council is refusing to allocate small scale housing on urban fringe sites. This is counterintuitive as a) it restricts the availability of housing sites and b) it will often be the case that pockets of smaller scale housing will be more appropriate (in terms of neighbour impact, highway impact and landscape/ecological impact) than larger site.

Changes required

The policy should be amended to include our client's site as being suitable for 6 units of housing, and the policy should also be worded more flexibly to allow for

other urban fringe sties to come forwards if they can demonstrate acceptable impact with regard to landscape, ecology and highways.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

As with policy DM37, there may be a need to prevent further evidence in support of our client's site.

<u>Policy</u>	H2	<u>H2 Sites</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	223	3	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	Brighton & Hove Community Land Trust		
<u>Respondent Type</u>	Community & Voluntary		
<u>Late Representation?</u>	No		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

We would like to suggest that ALL Council owned Urban Fringe sites should be approached as "public land for public good" and could only be developed with meaningful community engagement, biodiversity and ecology at the heart alongside 100% affordable and 0% carbon housing outcomes. With this in mind, we suggest that all development on Council owned UF should be led by BHCLT working in partnership with community stakeholders and CLH groups. This will also support the Special Council Agenda item 32(1) referred to above.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	H2	<u>H2 Sites</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	225	1	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>			
<u>Respondent Type</u>	Individual		
<u>Late Representation?</u>	No		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I strongly oppose the urban fringe of Brighton and Hove being developed as outlined in the City Plan Part 2- H2 Housing Sites- Urban Fringe. I object to all the green spaces that are listed being developed as I believe they should be protected from any development and remain in use as precious green space for the benefit of residents of Brighton and Hove. It is my view that all brownfield sites should be fully developed for use as housing, rather than greenfield sites. Brownfield sites should be prioritised with a strong emphasis on progressing development, as I see some sites being abandoned or not utilised year on year. The recent, and sadly continuing, Covid 19 pandemic has detrimentally impacted certain areas of the retail trade and office premises. With the increasing amount of on-line shopping, even before the pandemic, there is the opportunity to convert redundant retail premises into housing. Additionally with the large increase in working from home during the pandemic, again there is the opportunity to convert redundant office space into housing. Whilst I'm objecting to all the identified sites on the urban fringe, I'm particularly concerned about the loss of precious green space in the Patcham Ward i.e The site adjacent to Horsdean Recreation Ground and the Ladies Mile Nature Reserve. It is my understanding that the land by Horsdean Recreation ground was designated as an area of outstanding natural beauty. The proposed development would mean the destruction of numerous trees, and adversely affecting wildlife and the ecology. Access for residents of the city to the South Downs

and the National Park should be protected from any development. Similarly, the aptly named Ladies Mile Nature reserve and the green areas adjacent to it should also be preserved as it is a valuable green space which should be protected against any more urban sprawl. These two areas, along with other urban fringe green sites, have been invaluable during the pandemic giving greenspaces for fresh air, exercise and for general health and mental wellbeing. I understand from reading about these proposals that there is no need to build on precious green land in the city. The City Plan Part 2 is required to meet a minimum housing target of 13,200 additional homes. With the removal of the greenfield sites (section H2) and developing only on brownfield sites listed in the Plan, this, I understand, would still leave the Council more than 1,900 homes above the minimum target, meaning there is no need to build on greenfield sites. Therefore I look forward to the removal of these urban fringe sites from the City Plan.

Changes required

Therefore I look forward to the removal of these urban fringe sites from the City Plan.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H2	<u>H2 Sites</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	226	1	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>			
<u>Respondent Type</u>	Individual		
<u>Late Representation?</u>	No		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Brown field sites should be considered before urban fringe sites

Changes required

BHCC should have a stated policy that planning applications for green-field and urban fringe sites will not be considered until construction has started on all brown-field sites.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2	<u>H2 Sites</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	231	2	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	BHCC Conservative Group		
<u>Respondent Type</u>	Councillor/Political Group		
<u>Late Representation?</u>	No		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Yes		

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

5. Urban Fringe Removal The key issue of contention between the Labour/Green Groups and the Conservative Group is the degree to which Brighton & Hove City Council should fight to save from development 16 sites on the unspoilt Urban Fringe – a key piece of the City that is more socially valuable than ever at this time. The Labour/Green Groups are happy to proceed on the advice of a consultant who was tasked with the job of finding sites for development. This was carried out in 2014 by means of the Brighton & Hove Urban Fringe Assessment. Not only did Brighton & Hove City Council embrace this report without balancing its recommendations with adequate further environmental, amenity and leisure study, it has gone much further – by recommending additional homes over and above what was recommended for inclusion on these controversial sites, prior to knowing how many sites for potential development had been found elsewhere. Of Group's 8 unsound amendments, 4 related to the Urban Fringe. This meant that no vote by Councillors was allowed at the crunch moment of potential democratic oversight on the most controversial topics in CPP2. There are no two ways about it, building 930 homes on the city's 16 remaining natural sites on the Urban Fringe is a disaster for the environment. The Conservative Group was surprised that neither of the Labour/Green Groups mounted any sort of questioning of or campaign against the destruction of the Urban Fringe sites despite there being clear assurances prior to the 2019 local elections that some of the sites would be

safe. Little discussion took place about detailed figures within CPP2 despite most Councillors being aware of the assessed need of 30,000 homes and an agreed minimum target of 13,200 – exceeding which is ultimately the point of CPP2. No Labour/Green Councillor seemed aware that the minimum target had been exceeded by some stretch which was most concerning. The approval of CPP2 in its proposed form would give rise to a situation where the City would surpass the agreed minimum target by over 20% – nearly 16,000 homes in total. This is not mentioned in CPP2. The figure is calculated by taking the total housing supply figure of 14,875 from the Housing Provision Topic Paper of October 2019 and adjusting it to take into account increased predictions for the Hove Station Development Area following planning permission being recently granted for the Sackville Trading Estate and Peugeot garage on Newtown Road during the course of the CPP2 process. With nearly 16,000 homes in total, CPP2 ultimately provides for 2,700 homes over the minimum. There are only 930 homes in the whole Urban Fringe proposal. Looking back, it was clearly decided to exclude from consideration areas with what were considered to be ‘Absolute Constraints’, including areas with national level designations such as Site of Special Scientific Interest (SSSI) and above. Correspondence shows that the Inspector was not prescriptive on how BHCC should look again at the Urban Fringe, or which sites should be included or excluded from any assessment. In the Inspector’s letter to BHCC of 13th December 2013, she wrote: “Whilst it may be the Council’s aspiration to designate some of these sites as Local Green Space (i.e. not to be identified for developed), ... I have doubts as to whether some of these areas would meet the requirements of paragraph 77 of the Framework.” As an example, Whitehawk Hill would meet the requirements of paragraph 77 of the National Planning Policy Framework (2012). Further, the Inspector wrote: “However, your own analysis concludes that some of these sites do not make a significant contribution to the provision of useable open space, and have limited potential to do so in the future. No consideration appears to have been given to the possibility of allowing development on these sites.” Again, as an example, Whitehawk Hill does indeed make a very significant contribution to the provision of open space in the City. It would have been possible for BHCC to have chosen, with reasoned justification, to exclude, for example, Local Nature Reserves and areas of statutory Access Land from the Urban Fringe Assessments by identifying them as Absolute Constraints. In her letter to BHCC of 13th February 2014, the Inspector said: “According to your Urban Fringe Assessment September 2013, it appears that there are a limited number of sites which are subject to national designations such as SSSI or Scheduled Monument, and such designations apply to parts of sites, rather than the whole of identified sites. In the case of sites affected by SSSI/RIGS designation (site 37 is the only one identified in your Assessment) you will need to consider the extent to which development of parts of the site not covered by the designation would have an adverse impact on the notified special interest features, and the extent to which any harm could be adequately mitigated. Similarly, you will need to consider the extent to which development would harm a Scheduled Monument in accordance with paragraph 132 of the Framework.” The inclusion of RIGS (Regionally Important Geological Sites) in the list of potential areas to be excluded by the assessment is noted. RIGS are locally designated sites, but such designation is not statutory, whereas Local Nature Reserves are statutory, and bear the additional weight that that implies. If RIGS were to be excluded, why not Local Nature Reserves as well? The Inspector’s response does not appear to explicitly endorse BHCC’s approach but simply states that the assessment will need to take into consideration the potential for adverse effects of development on the types of sites listed and the extent to which they could be mitigated. The Inspector’s letter of 13th February 2014 is noteworthy: “For the avoidance of any doubt, my initial conclusions should not be interpreted as an indication that all urban fringe sites would be suitable and/or appropriate for development. My main concern is that the decision to protect some sites from development because of their open space/recreational value is not supported by your own assessment of their existing or potential value for such uses.” It is clearly the case that sites have not been put forward as Local Green Spaces because they are deemed suitable for development – yet they have been deemed suitable for development because they are not Local Green Spaces. This paradox should have been addressed from the outset and should have led to the removal of a number of the Urban Fringe sites but particularly the entirety of the four sites which are the subject of petitions from residents.

6. Democratic Deficit The inclusion of the Urban Fringe to such a degree within the Council’s CPP2 can be firmly linked to a theme of a deficit in democracy that has been exacerbated over the past year by both a dearth in leadership at the Council and the challenges of the coronavirus crisis.

6.1 Amendments Denied The first major issue of concern relates to the flawed presentation of CPP2 by what was at the time a Labour Administration at the Special Council Meeting that took place on 23rd April 2020. When the Special Council Meeting was held, the Council had not provided full and up-to-date statistics showing the relationship of the proposals in the plan to housing targets. Labour/Green Groups were simply not aware that CPP2 had surpassed the agreed minimum target of 13,200 homes. They were not aware that the minimum housing target could be met through brownfield sites only and were under the impression that green land had to be built on. Given this flawed presentation, a further opportunity should have been provided for Full

Council to debate the issue with all of the data to hand. Further, four amendments that related to the Urban Fringe were deemed unsound which meant that no vote on the Urban Fringe could even take place. Councillors were not even given the opportunity to remove questionable sites from CPP2 by means of a highly dubious soundness test. Elected representatives were actually denied the opportunity to remove the Urban Fringe, and elements of it, from CPP2. This is scandalous. It wasn't only Councillors who were denied the opportunity to participate in the CPP2 process – residents were treated just as badly.

6.2 Election Pledges Abandoned

The last local government election in Brighton & Hove was held in May 2019. Prior to that election, residents petitioning to save the Urban Fringe from development were given a pledge by the local Labour Party that their land would not be developed after inviting each political party to attend a public meeting. Referring to the urban fringe site 'Land at and adjoining Brighton Race Course', the now Leader of the Labour Group Cllr Platts made a public pledge to petitioners: "I will be opposing any proposals for this site to be developed and I will be supporting the residents in their campaign to stop this build." Following the election, Labour formed the Administration of the Council with Cllr Platts as Leader. At this point, residents and petitioners stopped their petition and campaign in the belief that the land was safe following the pledge made by the then Leader of the Council. Residents were then taken by complete surprise when, within one year of the election, the new Labour Administration proposed CPP2 with the Urban Fringe included with greater housing numbers than before. After publication, the Labour/Green Groups proceeded to vote through CPP2 at the Special Council meeting on 23rd April 2020 during a time of mass national panic at the early stages of the ongoing coronavirus crisis. Residents had had no opportunity to lobby for changes as they had stopped their campaign after the pledge that they had been given by Labour prior to the election. There had been no community consultation and they were not afforded the opportunity to speak at the Special Council Meeting. As a result, these residents were left with only one opportunity: participate in the subsequent consultation that was planned for 7th September to 30th October. Group argues that the consultation process has been flawed and, as a consequence, residents have not had a reasonable chance to properly engage with CPP2. On 7th September 2020, BHCC announced the start of the consultation process for CPP2 with a press release stating: "Residents are being invited to have their say on proposals which will guide new development in the city to 2030. We're currently consulting on the proposed City Plan Part Two before we submit it to the Secretary of State for examination and approval and are asking local people to tell us what they think." However, during the consultation process a number of issues came to light that suggest that this was not a meaningful consultation.

6.3 Petitions Ignored

Following the CPP2 Special Council meeting, four petitions (Appendices 4-7) were circulated by residents' groups wanting to express their views to Councillors that they wanted specific Urban Fringe sites removed from CPP2. These petitions were as follows: 1. Petition to Save Benfield Valley; 2. Petition to Save Whitehawk Hill; Ingleside Stables; South Downs Riding School from Development; 3. Petition to Save Land Adjoining Horsdean Recreation Ground AND Ladies Mile Adjoining the Ladies Mile Nature Reserve from Development; and 4. Petition to Save Coldean's Green Land from Development. Petitions 1-3 reached the target required to trigger a democratic debate at a meeting of Full Council (1,250 signatures). Petition 4 has achieved 1,002 at the time of writing and is likely to achieve the requisite number of signatures imminently. Petition 1 was the first to reach this target and did so in July. The Principal Petitioner submitted the petition to the Council and was told there was no space to debate the petition at the meeting of Full Council in August but was given an assurance that the petition would be listed for debate in October, the final meeting of Full Council before the end of the CPP2 consultation process. Petitions 2 and 3 also reached the threshold for debate and were submitted in plenty of time for debate at the October Council meeting. However, a few days before the Full Council meeting, petitioners received notification from the Chief Executive and Mayor of BHCC that the petitions would be rejected for debate. The following reason was given: "The draft agenda for the Council meeting was discussed this morning with the Chief Executive and he questioned whether it would be appropriate for the 3 petitions relating to the City Plan Part 2 to be debated at full Council bearing in mind that the Council had already approved the City Plan Part 2 (which included the sites identified in the petitions) and having regard to the fact that a consultation process was in progress." Group appealed against this decision and set out its reasons in a letter (Appendix 1), but never received a response from the Chief Executive, despite following up the matter twice.

6.4 Deputations Rejected

In addition to the rejection of the petitions, two residents' groups submitted public deputations to the meeting. These were rejected, with the following explanation: "I am writing to inform you that after consideration and consultation with the Chief Executive, the Mayor has confirmed that he will not accept the deputation for the Council meeting on Thursday as it relates to the City Plan Part 2 which is now part of a formal process for consultation and written submissions to the Secretary of State. It would not be appropriate for the Council to receive the deputations as it has concluded its consideration of the City Plan Part 2 and they should be submitted directly to the Planning Inspectorate as part of the consultation process." Residents who had not been given an opportunity to influence the CPP2 Special Council meeting vote, had now been denied the

opportunity to have their concerns considered by Full Council.6.5 Consultation Pre-judgedDuring the consultation period, one Councillor was advised that the business operators at one of the sites listed in Section H2 of City Plan – Land at South Downs Riding School & Reservoir – had already been given a date to vacate, even though CPP2 was out to consultation.Cllr Dee Simson raised this matter with the Chief Executive on 8th October and was promised a response. No response was provided during the consultation.6.6 Webcast LostWhile Councillors and residents raised oral questions about CPP2 at the October Council meeting, the webcast recording of the meeting was lost. This has meant that information that was gained from that meeting is unable to beincluded in submissions to the consultation process.It is not known by Group if any other instances of webcasts being misplaced in a similar manner have taken place in the past.7. ConclusionThis submission has highlighted serious issues relating to the presentation, consultation and democratic input of residents with regard to Section H2 of the CPP2 process.As it stands, CPP2 is potentially open to legal challenge. It certainly lacks a mandate from the people of Brighton & Hove. Group does not propose abandoning CPP2 and recognise the work that has gone into producing this document.Instead, it is suggested that H2 (including SA7) should be deleted with the remainder of CPP2 approved which would allow the development of the City’s brownfield sites to get underway swiftly.If further examination of the Urban Fringe is required, Group recommends that it is carried out with full public participation in future.8. Appendices 1. Letter to Geoff Raw from Cllr Steve Bell CBEDeputations2. Coldean Summary3. Coldean Supporting Information4. Whitehawk Hill Summary5. Whitehawk Hill Supporting InformationPetitions6. Petition to Save Benfield Valley7. Petition to Save Whitehawk Hill; Ingleside Stables; South Downs Riding School from Development8. Petition to Save Land Adjoining Horsdean Recreation Ground AND Ladies Mile Adjoining the Ladies Mile Nature Reserve from Development9. Petition to Save Coldean’s Green Land from DevelopmentNB Original petitions have been submitted to Democratic Services for number/signature verification as per advice from Planning Policy Team.<Officer note: The appendices are included within the emailed representation which has been uploaded as a supporting document.>

Changes required

Group does not propose abandoning CPP2 and recognise the work that has gone into producing this document.Instead, it is suggested that H2 (including SA7) should be deleted with the remainder of CPP2 approved which would allow the development of the City’s brownfield sites to get underway swiftly.If further examination of the Urban Fringe is required, Group recommends that it is carried out with full public participation in future.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H2	<u>H2 Sites</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	246	18	
<u>Name</u>	(Montagu Evans LLP)		
<u>Email</u>			
<u>Organisation/individual</u>	Aberdeen Standard Investments		
<u>Respondent Type</u>	landowner / developer		
<u>Late Representation?</u>	No		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Section 3 (Special Area Policy, Strategic Site Allocations, Housing and Mixed Use Sites and other Site Allocations) of the draft CPP2 allocates further sites for housing and mixed use development. The NPPF requires plans to identify enough land to meet housing need. In addition, the NPPF makes clear that planning authorities should plan positively to meet a full range of housing needs. As illustrated by the SHLAA update (2019) discussed above the Council are unable to identify a five year supply of housing to meet their need. As discussed in City Plan Part 2 Background Studies, the SLHAA identifies that the Plan falls short of meeting its annual housing need figure and can only demonstrate a four year housingsupply. Given Section 3 of the draft CPP2 does not identify and allocate a sufficient supply of land to meet the housing need, the role of diversifying the land uses and offering of existing site allocations to deliver much needed housing should be acknowledged in Section 3. Currently, the findings of the SHLAA are not discussed or examined in the draft CPP2. ASI is of the opinion that the findings of the SHLAA should be captured in Section 3 to help shape development over the plan period and, given the requirements of national policy for the planning authority to identify land to meet its housing need, this shortfall and deviation from the NPPF requirements should be addressed.

Changes required

Given Section 3 of the draft CPP2 does not identify and allocate a sufficient supply of land to meet the housing need, the role of diversifying the land uses and offering of existing site allocations to deliver much needed housing should be acknowledged in Section 3. Currently, the findings of the SHLAA are not discussed or examined in the draft CPP2. ASI is of the opinion that the findings of the SHLAA should be captured in Section 3 to help shape development over the plan period and, given the requirements of national policy for the planning authority to identify land to meet its housing need, this shortfall and deviation from the NPPF requirements should be addressed.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H2	<u>H2 Sites</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	254	5	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	East Sussex County Council		
<u>Respondent Type</u>	Public Sector / Local Authority		
<u>Late Representation?</u>	No		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

H2 Housing Sites - Urban Fringe Para 3.73 states that information required includes an Ecological Assessment including Protected Species Surveys. To align with best practice guidance and to streamline the planning process, applications should be informed by an ECOLOGICAL IMPACT ASSESSMENT which should include details of any protected species surveys required and be clear and unambiguous as to the mitigation, compensation and enhancement measures that will be implemented. Multiple reports should not be provided. [caps denote suggested change] Para 3.76 States that all sites identified in the 2014 UFA were subject to detailed ecological assessments in the 2015 UFA. This not the case. Sites were subject to desktop studies and phase 1 habitat surveys to identify broadscale impacts and potential for protected/notable habitats and species. These studies cannot be classified as detailed surveys.

Changes required

See response to Question 3.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H2	<u>H2 Sites</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	262	1	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>			
<u>Respondent Type</u>	Individual		
<u>Late Representation?</u>	Not Answered		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I don't consider myself to be unintelligent but when I sent in my representation concerning Brighton and Hove City Council's Proposed Submission City Plan Part 2 I really did not understand the complexities of management policies and site allocation policies but wish to make it very clear that I am absolutely opposed to the development of any green field sites when there are so many other brown field sites available to you to develop. I appreciate it is far cheaper to develop pristine green field sites but I should have thought that, bearing in mind Brighton and Hove is a 'green council' this would be the last thing to be considered. It would appear that the Council is more than happy to throw ridiculous sums of money at redundant cycle lanes throughout the City which have caused much distress and pollution (where there are massive queues of traffic due to the cycle lanes) in covert operations through the night with no consultation with the Council Tax Payers. I hope this clarifies my representation and I have to wonder if this has been made so complicated in a ploy to make the average resident feel unable to comment.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H2	<u>H2 Sites</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	263	1	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>			
<u>Respondent Type</u>	Individual		
<u>Late Representation?</u>	Not Answered		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I found the consultation questionnaire to be unclear and unnecessarily complicated. Therefore, for the avoidance of doubt, please note that I strongly object to the destruction of any greenfield site covered by the city plan. In my opinion, our "green" council should not even consider the development of greenfield sites until every single brownfield site has been fully investigated, and either sympathetically developed or deemed inappropriate (with evidence). It's common knowledge that our greenfield sites are critically endangered and are the lungs of the planet. They must be protected at all costs.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	2 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Whitehawk valley does not need more housing/building development - it should be a protected green area

Changes required

Remove site 30 from the allocation list

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	5 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The hatched area of Saltdean nurseries includes the track to the south that separates the houses to loose barn close. This is privately owned by myself and must not be included in the area for development

Changes required

The hatched area must not include the track to the south

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak I own the track and the access road, ie saltdean vale

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	6 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Land at and adjoining Brighton Race Course object to the allocation at Land at and adjoining Brighton Race Course because-•The allocation is inconsistent with conditions in the 1822 Tenantry Down (common) enclosure deed, which state that the successor owner of the 'Race Ground' 'shall not at any time thereafter break up, convert into tillage, or divide the said Race Ground' and 'that the inhabitants of Brighton and the public in general should have the use of it for the purpose of racing...and any other purposes of exercise and diversion as heretofore'. These conditions were reiterated in the 1888 Indenture when the 'Race Ground' was purchased by Brighton Corporation.•Contrary to paragraph 174 of the National Planning Policy Framework.•Won't be able to deliver a net gain to biodiversity as required by paragraph 170 of the National Planning Policy Framework•Not justified because the ecological evidence in the Urban Fringe Assessments -is out of date and undervalues the importance of the sites biodiversity and its Local Nature Reserve designation is insufficient to justify their conclusion of no significant impact with mitigation. Is inconsistent, for example the conclusion that impacts on this site can be mitigated is inconsistent with other statements in the same documents, for example the 2014 Urban Fringe Assessment, which states that 'provision for the biodiversity assets may help to create new habitats and contribute to habitat connectivity helping to mitigate significant negative effects', which is rightly more cautious and does not claim that negative effects can be mitigated. Did not

consider or assess the impact development on this allocation would have on the integrity of the Local Nature Reserve, partly severing (fragmenting) a section at the centre of the core part of the reserve between Manor Hill and Warren Rd/Wilson Avoided not consider or assess the impact development on this allocation would have on the historic gorse scrub habitat and its dependent species, including a breeding population of the Red Listed bird species and Species of Principal Importance linnets, identified as using the gorse scrub in breeding bird surveys undertaken in 2019. did not consider or assess the impact development on this allocation would have on the important invertebrate assemblage that surveys indicate the area in and around the allocation supports. A nationally recognised expert wrote that a survey in 2019 'indicates an extremely rich site' did not consider or assess the impact development on this allocation would have on several invertebrate Species of Principal importance which have been recorded in recent years within or close to the allocation, including brown-banded carder bee and small heath, small blue, dingy skipper, wall and brown hairstreak butterflies. Contains errors and omissions, such as, within the wider site, wrongly identifying the Priority Habitat/Habitat of Principal Importance Lowland Calcareous Grassland as semi-improved neutral grassland in the Phase 1 Habitat Survey, and wrongly recommending tree planting as a mitigation measure, where the priority in this area is the conservation of open habitats, such as grassland. These errors undermine the credibility of the evidence of the Urban Fringe Assessments as well as their conclusions.

- Not justified because -other evidence in the Urban Fringe Assessments in relation to landscape is framed wholly in terms of impacts of development on the National Park's setting and views, and did not consider such effects within the local visual catchment (within and adjoining LNR), for example of views along Whitehawk Hill from the south and north, as well as from the valley below. Although the existing tower blocks impinge upon these views, the views are in many places currently uninterrupted. other evidence in the Urban Fringe Assessments did not recognise that development would result in the intrusion of a residential landscape into what is currently a semi-natural landscape, significantly reducing its strong sense of naturalness. The evidence in the Urban Fringe Assessments did not consider the loss of statutory Access Land (which includes the whole of the allocation) that would be caused by development in this allocation. It will result in a loss of Open Space, which is inconsistent with statements in City Plan Part 1 which seeks to increase, not decrease the amount of accessible land adjacent to the urban area (SA5 The Setting of the South Downs National Park, 3.170).
- Will undermine the positive work of community volunteers on this site, who have been working with the councils Ranger Service to conserve and restore Priority Habitats/ Habitats of Principal Importance in the Local Nature Reserve, leading to the degradation of the rest of the LNR.
- Is not effective because councillors from all main parties in the city have said they won't support development of the site. Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables)
- These sites are separated from the edge of the current built up area of the city so their development would create isolated new residential developments in what is currently open countryside. The NPPF advises against giving consent for new and isolated homes in the countryside and this is restated in City Plan Part 1 (3.16.1). Whilst these allocations are not for single homes, they are still within the spirit of the NPPF guidance.
- The evidence in relation to the landscape impact of development of these sites in the Urban Fringe Assessments was inadequate. The sites are in sensitive elevated locations close to the top of ridge and adjacent to the National Park Boundary. Development of these sites would have a significant negative impact on landscape character. The South Downs National Park Local Plan (Strategic Policy SD4: Landscape Character) states 'Development proposals will only be permitted where they conserve and enhance landscape character by demonstrating that: ... 3. The settlement pattern and individual identity of settlements and the integrity of predominantly open and undeveloped land between settlements will not be undermined.'
- Effects on views were not fully considered in the Urban Fringe Assessments. For example, the western part of the allocation at Land north of Warren Road (Ingleside Stables) is on greenfield land immediately to the north of a well-used track. Development of this site would obscure and/or significantly negatively impact important and valued views north from this track and from Warren Road. This was not considered in the Urban Fringe Assessments. This part of the site is also clearly visible, for example, in an important view south eastwards from Hollingbury Camp/Castle, within the National Park on the northern edge of the city.
- Loss of these farmsteads/buildings to housing will create knock-on pressures for new replacement buildings within this landscape because residual 'bare land holdings' (without buildings) will require such infrastructure.
- Allocation and development of these two sites would set a dangerous precedent for further development on this open, high, greatly inter-visible Downland ridge, (between Brighton and Woodingdean, and between the National Park and the Bevendean Down and Whitehawk Hill LNRs), which would further erode its character.

Changes required

Delete Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables) from the

list of allocations in policy H2

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	7 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Re land adjoining racecourse - firstly, I believe it would go against the legal requirements from when the Brighton Corporation obtained the land in 1888. I don't believe development here is justified adequately by use of the Urban Fringe Assessment - it has for example several omissions including e.g. that this site is very important for invertebrates including several butterflies and a carder bee, and for the linnet. Re land at South Downs Riding school/ the reservoir and Ingleside stables - these are currently open countryside and housing here would be a dangerous precedent as it is against the spirit of the National Planning Policy Framework. These are high up and so would significantly affect the beautiful open views from several directions. Again, this is not adequately taken into account in the Urban Fringe Assessments.

Changes required

Please delete these areas from the list of allocations in policy H2:- Land at and adjoining Brighton Racecourse- Land at South Downs Riding school and reservoir site- Land north of Warren Rd (Ingleside Stables)

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	8 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	XR Brighton
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

One objects to this decision as this is in contradiction to the 1822 Tenantry Down enclosure deed which states that the race ground shall not be broken up and as such was bought by the Brighton Corporation. This is contrary to paragraph 174 of the National Planning Policy Framework. It won't be able to deliver a net gain to biodiversity.

Changes required

You should delete land adjoining Brighton Race Course from the list of allocations in policy H2

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	9 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	I am writing in support of the objections raised by Friends of Whitehawk
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I support the objections to the allocation at Land at and adjoining Brighton Race Course as outlined by Friends of Whitehawk Hill which are -

- The allocation is inconsistent with conditions in the 1822 Tenantry Down (common) enclosure deed, which state that the successor owner of the 'Race Ground' 'shall not at any time thereafter break up, convert into tillage, or divide the said Race Ground' and 'that the inhabitants of Brighton and the public in general should have the use of it for the purpose of racing...and any other purposes of exercise and diversion as heretofore'. These conditions were reiterated in the 1888 Indenture when the 'Race Ground' was purchased by Brighton Corporation.
- Contrary to paragraph 174 of the National Planning Policy Framework.
- Won't be able to deliver a net gain to biodiversity as required by paragraph 170 of the National Planning Policy Framework
- Not justified because the ecological evidence in the Urban Fringe Assessments - ois out of date and undervalues the importance of the sites biodiversity and its Local Nature Reserve designationois insufficient to justify their conclusion of no significant impact with mitigation.ois inconsistent, for example the conclusion that impacts on this site can be mitigated is inconsistent with other statements in the same documents, for example the 2014 Urban Fringe Assessment, which states that 'provision for the biodiversity assets may help to create new habitats and contribute to habitat connectivity helping to mitigate significant negative effects', which is rightly more cautious and does not claim that

negative effects can be mitigated. did not consider or assess the impact development on this allocation would have on the integrity of the Local Nature Reserve, partly severing (fragmenting) a section at the centre of the core part of the reserve between Manor Hill and Warren Rd/Wilson Ave. did not consider or assess the impact development on this allocation would have on the historic gorse scrub habitat and its dependent species, including a breeding population of the Red Listed bird species and Species of Principal Importance linnet, identified as using the gorse scrub in breeding bird surveys undertaken in 2019. did not consider or assess the impact development on this allocation would have on the important invertebrate assemblage that surveys indicate the area in and around the allocation supports. A nationally recognised expert wrote that a survey in 2019 'indicates an extremely rich site'. did not consider or assess the impact development on this allocation would have on several invertebrate Species of Principal Importance which have been recorded in recent years within or close to the allocation, including brown-banded carder bee and small heath, small blue, dingy skipper, wall and brown hairstreak butterflies. contains errors and omissions, such as, within the wider site, wrongly identifying the Priority Habitat/Habitat of Principal Importance Lowland Calcareous Grassland as semi-improved neutral grassland in the Phase 1 Habitat Survey, and wrongly recommending tree planting as a mitigation measure, where the priority in this area is the conservation of open habitats, such as grassland. These errors undermine the credibility of the evidence of the Urban Fringe Assessments as well as their conclusions.

- Not justified because -othe evidence in the Urban Fringe Assessments in relation to landscape is framed wholly in terms of impacts of development on the National Park's setting and views, and did not consider such effects within the local visual catchment (within and adjoining LNR), for example of views along Whitehawk Hill from the south and north, as well as from the valley below. Although the existing tower blocks impinge upon these views, the views are in many places currently uninterrupted.
- othe evidence in the Urban Fringe Assessments did not recognise that development would result in the intrusion of a residential landscape into what is currently a semi-natural landscape, significantly reducing its strong sense of naturalness.
- othe evidence in the Urban Fringe Assessments did not consider the loss of statutory Access Land (which includes the whole of the allocation) that would be caused by development in this allocation.
- oit will result in a loss of Open Space, which is inconsistent with statements in City Plan Part 1 which seeks to increase, not decrease the amount of accessible land adjacent to the urban area (SA5 The Setting of the South Downs National Park, 3.170).
- Will undermine the positive work of community volunteers on this site, who have been working with the councils Ranger Service to conserve and restore Priority Habitats/ Habitats of Principal Importance in the Local Nature Reserve, leading to the degradation of the rest of the LNR.
- Is not effective because councillors from all main parties in the city have said they won't support development of the site.
- Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables)
- These sites are separated from the edge of the current built up area of the city so their development would create isolated new residential developments in what is currently open countryside. The NPPF advises against giving consent for new and isolated homes in the countryside and this is restated in City Plan Part 1 (3.16.1). Whilst these allocations are not for single homes they are still within the spirit of the NPPF guidance.
- The evidence in relation to the landscape impact of development of these sites in the Urban Fringe Assessments was inadequate. The sites are in sensitive elevated locations close to the top of a ridge and adjacent to the National Park Boundary. Development of these sites would have a significant negative impact on landscape character. The South Downs National Park Local Plan (Strategic Policy SD4: Landscape Character) states 'Development proposals will only be permitted where they conserve and enhance landscape character by demonstrating that: ... 3. The settlement pattern and individual identity of settlements and the integrity of predominantly open and undeveloped land between settlements will not be undermined.'
- Effects on views were not fully considered in the Urban Fringe Assessments. For example the western part of the allocation at Land north of Warren Road (Ingleside Stables) is on greenfield land immediately to the north of a well-used track. Development of this site would obscure and/or significantly negatively impact important and valued views north from this track and from Warren Road. This was not considered in the Urban Fringe Assessments. This part of the site is also clearly visible, for example, in an important view south eastwards from Hollingbury Camp/Castle, within the National Park on the northern edge of the city.
- Loss of these farmsteads/buildings to housing will create knock-on pressures for new replacement buildings within this landscape because residual 'bare land holdings' (without buildings) will require such infrastructure.
- Allocation and development of these two sites would set a dangerous precedent for further development on this open, high, greatly inter-visible Downland ridge, (between Brighton and Woodingdean, and between the National Park and the Bevendean Down and Whitehawk Hill LNRs), which would further erode it's character.

Changes required

you need to delete the following: Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables) from the list of allocations in policy H2.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	11 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Branch of SERA
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

This land should not be allocated for housing because such allocation would contravene the 1822 Tenantry Downs Enclosure Deed which was repeated in 1888 when the land was bought by Brighton Corporation. It is also in contravention of the NPPF. Paragraph 170 of the latter requires a net gain to biodiversity and allocation of land at and adjoining the racecourse would make this impossible. The ecological evidence in the Urban Fringe Assessment does not justify the conclusion of "No significant impact". It is out of date and inaccurate and a complete failure to understand the importance of chalk grassland is shown by its recommendation of tree planting. This development would also chop up the LNR which of course would impede wildlife connectivity. Fast disappearing birds and the rare insects now found on this site are dependent on the gorse/scrub habitat. Isolated new residential developments in open countryside is against the NPPF policy which also states that development must conserve and enhance natural landscape which building on this LNR certainly would not. Instead it would set a precedent for encroaching on countryside which is vital to some of the poorer residents of Brighton.

Changes required

The policy of building on the Whitehawk LNR can not be made legally sound or even in any way advisable. It would mean loss of access land and the ruination of the natural landscape. Covid times have highlighted the importance to the mental and physical health of humans of being able to walk in natural surroundings. The policy would also, of course, mean loss of open space which the City has pledged to increase. Local people in Whitehawk have clearly shown their need for and interest in the natural world and landscape by their work with rangers to restore and develop the LNR. PLEASE DELETE THESE THREE SITES FROM THE LIST OF ALLOCATIONS IN POLICY H2

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	13 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Local people have not been involved. The consultation website is hard to navigate and will deter people from making representations. The council should build on brownfield sites, not greenfield ones. The proposals if implemented will result in a substantial reduction in green space that is valuable for Brighton's residents.

Changes required

Remove greenfield sites from the proposals.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	14 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the allocation of land at and adjoining Brighton Race Course because it is (as indicted in my responses to DM 37 above it is contrary to Paragraph 174 of the National planning Policy Framework, and will not be able to deliver a net gain to biodiversity as required by paragraph 170 of the National planning Policy Framework. It's not consistent with the conditions of the 1822 tenantry Down agreement which stipulate that the successor owner of the Race Ground 'shall not at any time thereafter break up ... or divide the said Race ground' It's not justified as the ecological evidence in the Urban Fringe Assessment (UFA) seriously undervalues the significance of these sites biodiversity; is insufficient to justify the conclusion of no important impact with mitigation; is inconsistent - the 2014 UFA is much more cautious in supporting the idea that mitigation is possible. Does not consider the serious impact on the integrity of the LNR, with the proposals cutting out a core section of the LNR between Manor Hill and Warren Rid/Wilson Ave. Current research on conservation points strongly to the need to create and conserve large, uninterrupted tracts of protected land to support biodiversity. To choose to build on part of an LNR in this way is shortsighted, irresponsible, ill informed and inconsistent. I did not consider or assess the impact development on this site would have on the historic gorse scrub habitat and its dependent species, including a breeding population of the Red Listed bird species and Species of Principal Importance linnet, identified as using the gorse scrub in breeding bird

surveys undertaken in 2019 did not consider or assess the impact development on this allocation would have on the important invertebrate assemblage that surveys indicate the area in and around the allocation supports. A nationally recognised expert wrote that a survey in 2019 'indicates an extremely rich site'. did not consider or assess the impact development on this allocation would have on several invertebrate Species of Principal Importance which have been recorded in recent years within or close to the allocation, including brown-banded carder bee and small heath, small blue, dingy skipper, wall and brown hairstreak butterflies. contains errors and omissions, such as, within the wider site, wrongly identifying the Priority Habitat/Habitat of Principal Importance Lowland Calcareous Grassland as semi-improved neutral grassland in the Phase 1 Habitat Survey, and wrongly recommending tree planting as a mitigation measure, where the priority in this area is the conservation of open habitats, such as grassland. These errors undermine the credibility of the evidence of the Urban Fringe Assessments as well as their conclusions. •Not justified because -othe evidence in the Urban Fringe Assessments in relation to landscape is framed wholly in terms of impacts of development on the National Park's setting and views, and did not consider such effects within the local visual catchment (within and adjoining LNR), for example of views along Whitehawk Hill from the south and north, as well as from the valley below. Although the existing tower blocks impinge upon these views, the views are in many places currently uninterrupted. othe evidence in the Urban Fringe Assessments did not recognise that development would result in the intrusion of a residential landscape into what is currently a semi-natural landscape, significantly reducing its strong sense of naturalness. othe evidence in the Urban Fringe Assessments did not consider the loss of statutory Access Land (which includes the whole of the allocation) that would be caused by development in this allocation. oit will result in a loss of Open Space, which is inconsistent with statements in City Plan Part 1 which seeks to increase, not decrease the amount of accessible land adjacent to the urban area (SA5 The Setting of the South Downs National Park, 3.170). •Will undermine the positive work of community volunteers on this site, who have been working with the councils Ranger Service to conserve and restore Priority Habitats/ Habitats of Principal Importance in the Local Nature Reserve, leading to the degradation of the rest of the LNR. Is unsound in suggesting potentially costly mitigation measures are put in place when leaving the LNR as it is would not require such expenditure. •Is not effective because councillors from all main parties in the city have said they won't support development of the site. Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables) •These sites are separated from the edge of the current built up area of the city so their development would create isolated new residential developments in what is currently open countryside. The NPPF advises against giving consent for new and isolated homes in the countryside and this is restated in City Plan Part 1 (3.16.1). Whilst these allocations are not for single homes they are still within the spirit of the NPPF guidance. •The evidence in relation to the landscape impact of development of these sites in the Urban Fringe Assessments was inadequate. The sites are in sensitive elevated locations close to the top of a ridge and adjacent to the National Park Boundary. Development of these sites would have a significant negative impact on landscape character. The South Downs National Park Local Plan (Strategic Policy SD4: Landscape Character) states 'Development proposals will only be permitted where they conserve and enhance landscape character by demonstrating that: ... 3. The settlement pattern and individual identity of settlements and the integrity of predominantly open and undeveloped land between settlements will not be undermined.' •Loss of these farmsteads/buildings to housing will create knock-on pressures for new replacement buildings within this landscape because residual 'bare land holdings' (without buildings) will require this type of infrastructure. •Allocation and development of these two sites would set a dangerous precedent for further development on this open, high, greatly inter-visible Downland ridge, (between Brighton and Woodingdean, and between the National Park and the Bevendean Down and Whitehawk Hill LNRs), which would further erode its character and again is seriously inconsistent with current conservation research and recommendations.

Changes required

Delete land at and adjoining Brighton Race Course, Land at the South Downs Riding School & Reservoir Site and land North of Warren Road from the list of allocations in Policy H2

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	15 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the allocation of Land at and adjoining Brighton Race Course because - * It is inconsistent with conditions in the 1822 Tenantry Down (common) enclosure deed which states that any successor owner of the Race Ground 'shall not at any time break up, convert into tillage or divide said race ground' and that 'inhabitants of Brighton and public in general should have use of it for the purpose of racing and any other purpose of exercise ...' * It is contrary to paragraph 174 of the National Planning Policy Framework. * Not justified because of the ecological evidence in the Urban Fringe Assessments :- it is out of date and undervalues the importance of the site's biodiversity, it did not consider or assess the impact development would have on the local nature reserve ,or on the historic gorse scrub habitat and breeding populations of Red Listed bird species such as linnets and Dartford Warblers. It did not consider or assess the impact development on this site would have on the extremely rich habitat of important invertebrates some of which are extremely rare. Some of these invertebrates include brown-banded carder bees, adinis blue butterflies and a large number of specimens that are Species of Principal Importance. *It contains errors and omissions, such as the wider site, wrongly identifying the Priority Habitat of Principal Importance Lowland Calcareous Grassland as semi improved neutral grassland in the Phase 1 Habitat survey and wrongly recommending tree planting as a mitigation measure when the conservation of open habitats such as grassland is a priority. * The allocation of these sites

for development will set a dangerous precedent for further development on this open, high and greatly visible Downland ridge (between Brighton and Woodingdean) and between the National Park and Bevendean Down and Whitehawk Hill LNR. This part of the site is also visible in an important view south eastwards from Hollingbury camp/Castle within the National Park on the edge of the city.

Changes required

Delete Land at and adjoining Brighton Race Course, Land at South Downs Riding School and Reservoir Site and Land north of Warren Road (Ingleside stables) from the list of allocations in policy H2

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2	
<u>Respondent Number / Rep Number</u>	16	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	18 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Building houses next to/on a SDNP nature reserve is madness! I thought that these areas were sacred? Building houses and an access road will seriously affect the protected wildlife in this area.

Changes required

Do not build any more houses on the Ladies mile Nature reserve!

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	19 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	N/A
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The building of the houses will be detrimental to the existing residents of patcham. This will increase the volume of vehicles driving up ladies mile rd and vale avenue. Both areas referenced are used extensively by locals and loosing the natural habitat will impact by locals and wildlife.

Changes required

No new houses built. Leave the land as it is to allow locals to continue enjoying it.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak N/A

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	20 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Land at and adjoining Brighton Race Course: I object to the allocation here because:It is inconsistent with conditions in the 1822 Tenantry Down enclosure deed which stated that the successor owner of the "Race Ground" "shall not at any time break up, convert into tillage, or divide the said Race Ground" and that " the inhabitants of Brighton and the public in general should have the use of it for the purpose of racing and an other purpose of exercise and diversion as heretofore". The conditions were repeated in 1888 when the "Race Ground" was purchased by Brighton Corporation.It is contrary to paragraph 174 of the National Planning Policy Framework.It is not justified because of the ecological evidence in the Urban Fringe Asestsments:This undervalues the importance of the site's biodiversity and its Local Nature Reserve designation.The evidence is insufficient to justify the conclusion that there would be no significant impact with mitigation.It does not consider the negative impact that development in the centre of the Nature Reserve would have on wildlife: it would cause disruption to the historic gorse scrub habitat and its dependent species such as a breeding population of the Red Listed bird species and species of Principal Importance: the linnet, identified as present here in 2019 .The Assessment did not consider the impact of development of the site on several invertebrate species of Principle Importance which have been recorded in recent years including brown-banded carder bees, small heath, small blue, dingy skipper wall and brown hair streak butterflies.There are errors such as

within the wider site wrongly identifying the Habitat of Principal Importance Lowland Calcerous grassland as semi-improved neutral grassland in the Phase 1 Habitat Survey. It recommended tree planting as a mitigation measure where as the priority in this area is the conservation of chalk grass land. The Urban Fringe Assessment did not take into account how development would change the semi-natural landscape into a residential one. Development will result in a loss of Open Space which is inconsistent with statements in the City Plan Part 1 which seeks to increase the amount of accessible land adjacent to the urban area. It will undermine the work that has been done by volunteers on the site who have worked with the council's Ranger Service to conserve and restore Priority Habitats in the Local Nature Reserve. It will not be effective because councillors from all the main parties in the City have said they won't support building on the site.

Changes required

Please delete the land adjoining Brighton Race Course, land at South downs Riding School and Reservoir Site from the list of allocations in policy H2.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	21 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons
Please do not build on land near Horsdean recreation ground or other green field sites because they are valuable open spaces used by the whole community.

Changes required
see 3. Don't do it.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak n/a

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	22 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Friends of Waterhall
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Evidence contained within the Urban Fringe assessments was outdated and incomplete. It ignores the importance of some of these site's designations as Local Nature Reserves and all as important community green spaces. Volunteer groups have spent decades dedicating themselves to preserving them for future generations to be able to go to for respite and enjoyment, often working with council rangers. For the council to be so short sighted in their designations is a clear reflection of the decline in the council's knowledge base when it comes to ecology. At a time when the council has declared an ecological emergency the fracturing of these sites for small scale, aspirational housing shows that the ignorant acts of business as usual continue unabated. As a biologist, I understand the true value of the chalk grassland as miniature rainforests, Europe's most biodiverse habitat, and archaic scrub. The truth is that the effects of these developments cannot be mitigated as the habitats they destroy take millennia to build. The lack of understanding of this is highlighted by the mention of planting of trees to offset the losses. This shows how disconnected the information contained in the report is from reality. Planting a few saplings will never replace the open, highly biodiverse grasslands or ancient gorse, home to breeding red listed linnet, they destroy. If we are to begin to turn the tide on the decline in nature we must begin to fully weigh up our actions. These developments will significantly fracture and impinge upon the integrity of Local Nature Reserves while making

negligable contributions to affordable housing targets. This precedent will ensure that LNR designation carries no weight in planning assessments leaving the council ever weaker in protection of the urban fringe and green spaces throughout the city.

Changes required

Delete Benfield Valley, Ladies Mile, Land North East of Coldean Avenue, Land north of Varley Halls, Land at and adjoining Brighton Racecourse, LAnd at SOuth Downs Riding School and Reservoir Site and Land North of Warren Road fromthe list of allocations in policy H2

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	23 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the allocation at Land at and adjoining Brighton Race Course because the ecological evidence in the Urban Fringe Assessments undervalues the importance of the biodiversity of the site and the fact that it is designated as a Local Nature Reserve. Development on this allocation will fragment a section of the Reserve between Manor Hill and Warren Road/Wilson Avenue. There has been no consideration of the impact on the gorse scrub habitat and its dependent species, some of which are Red Listed bird species or invertebrate Species of Principal Importance. Community volunteers have been working with the Council specifically to restore these habitats. Contrary to para 174 of the National Planning Policy Framework, there will not be a net gain to biodiversity. There will be a loss of Open Space inconsistent with statements in City Plan Part 1, and an intrusion of a residential landscape into a natural landscape. I object to the allocation of Land at South Downs Riding School and Reservoir Site and Land north of Warren Road because this creates new residential developments in open countryside. This is against the spirit of the NPPF guidance cited in the City Plan Part 1. Furthermore, this would set an unwelcome precedent for further development in this area, ultimately destroying its character.

Changes required

Delete Land at and adjoining Brighton Race Course, Land at South Downs Riding School and Reservoir Site and Land north of Warren Road (Ingleside Stables) from the list of allocations in policy H2.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	24 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The allocation of Land at and adjoining Brighton Race Course is inconsistent with conditions in the 1822 Tenantry Down (common) enclosure deed, which states that the successor owner of the 'Race Ground' 'shall not at any time thereafter break up, convert into tillage, or divide the said Race Ground' and 'that the inhabitants of Brighton and the public in general should have the use of it for the purpose of racing...and any other purposes of exercise and diversion as heretofore'. These conditions were reiterated in the 1888 Indenture when the 'Race Ground' was purchased by Brighton Corporation. It is contrary to paragraph 174 of the National Planning Policy Framework and will not deliver a net gain to biodiversity as required by paragraph 170. The conclusion that impacts on this site can be mitigated is inconsistent with other statements in the same documents, for example the 2014 Urban Fringe Assessment, which states that 'provision for the biodiversity assets may help to create new habitats and contribute to habitat connectivity helping to mitigate significant negative effects', which is rightly more cautious and does not claim that negative effects can be mitigated. It does not assess the impact development would have on the integrity of the Local Nature Reserve, partly severing (fragmenting) a section at the centre of the core part of the reserve between Manor Hill and Warren Rd/Wilson Ave. Nor does it assess the impact development would have on the historic gorse scrub habitat and its dependent species, including a breeding population of the Red Listed bird

species and Species of Principal Importance linnet, identified as using the gorse scrub in breeding bird surveys undertaken in 2019 or on the important invertebrate population considered by a nationally recognised expert to be 'an extremely rich site'.Nor does it assess the impact development would have on several invertebrate Species of Principal Importance which have been recorded in recent years within or close to the allocation, including brown-banded carder bee and small heath, small blue, dingy skipper, wall and brown hairstreak butterflies.The evidence in the Urban Fringe Assessments did not consider the loss of statutory Access Land (which includes the whole of the allocation) that would be caused by development in this allocation and will result in a loss of Open Space, which is inconsistent with statements in City Plan Part 1 which seeks to increase, not decrease the amount of accessible land adjacent to the urban area (SA5 The Setting of the South Downs National Park, 3.170).It is not effective because councillors from all main parties in the city have said they will not support development of the site.

Changes required

Remove Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables) and Benfield Valley from the list of allocations in policy H2.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	25 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the allocation of Land adjoining Brighton Race Course:a) the allocation is inconsistent with conditions in the 1822 Tenantry Down (common) enclosure deed, which state that the successor owner of the 'Race Ground' 'shall not at any time thereafter break up, convert into tillage, or divide the said Race Ground' and 'that the inhabitants of Brighton and the public in general should have the use of it for the purpose of racing...and any other purposes of exercise and diversion as heretofore'. These conditions were reiterated in the 1888 Indenture when the 'Race Ground' was purchased by Brighton Corporation.b) It is also contrary to paragraph 174 of the National Planning Policy Framework.c) did not consider or assess the impact development on this allocation would have on the integrity of the Local Nature Reserve, partly severing (fragmenting) a section at the centre of the core part of the reserve between Manor Hill and Warren Rd/Wilson Ave.d) did not consider or assess the impact development on this allocation would have on the historic gorse scrub habitat and its dependent species, including a breeding population of the Red Listed bird species and Species of Principal Importance linnet, identified as using the gorse scrub in breeding bird surveys undertaken in 2019e) did not consider or assess the impact development on this allocation would have on the important invertebrate assemblage that surveys indicate the area in and around the allocation supports. A nationally recognised expert wrote that a survey in 2019 'indicates an extremely rich site'.f) did not consider or assess the

impact development on this allocation would have on several invertebrate Species of Principal Importance which have been recorded in recent years within or close to the allocation, including brown-banded carder bee and small heath, small blue, dingy skipper, wall and brown hairstreak butterflies.g) contains errors and omissions, such as, within the wider site, wrongly identifying the Priority Habitat/Habitat of Principal Importance Lowland Calcareous Grassland as semi-improved neutral grassland in the Phase 1 Habitat Survey, and wrongly recommending tree planting as a mitigation measure, where the priority in this area is the conservation of open habitats, such as grassland. These errors undermine the credibility of the evidence of the Urban Fringe Assessments as well as their conclusions.I object to the allocation of all site ticked because:1) development is not compatible with net gain in biodiversity as required in paragraph 170 National Planning Policy Framework.2)Not justified because the ecological evidence in the Urban Fringe Assessments - is out of date and undervalues the importance of the sites biodiversity. Some are additionally designated Local Nature Reserves which has also been undervalued.3) is insufficient to justify their conclusion of no significant impact with mitigation.4) is inconsistent, for example the conclusion that impacts on sites can be mitigated is inconsistent with other statements, for example the 2014 Urban Fringe Assessment, which states that 'provision for the biodiversity assets may help to create new habitats and contribute to habitat connectivity helping to mitigate significant negative effects', which is rightly more cautious and does not claim that negative effects can be mitigated.5) did not consider the levels of public use of these green spaces, which is huge and highly valued & is inconsistent with statements in City Plan Part 1 which seeks to increase, not decrease the amount of accessible land adjacent to the urban area (SA5 The Setting of the South Downs National Park, 3.170).6) did not consider the visual impact of development on ancient chalk down land hilltops, some also being very ancient & important archaeological sites.7) the evidence in the Urban Fringe Assessments did not recognise that these sites are all currently semi-natural landscapes, house building will significantly reduce their strong sense of naturalness, and the well-being they provide to large numbers of City residents.8) the evidence in the Urban Fringe Assessments did not consider the loss of statutory Access Land (which includes the whole of the allocation) that would be caused by development in this allocation.9) Will undermine the positive work of community volunteers on many of these sites, who have been working with the councils Ranger Service to conserve and restore Priority Habitats/ Habitats of Principal Importance. All these sites provide habitat to many different insect and invertebrate species. They provide a 'reservoir' of essential pollinators for food crops whether on farms, allotments or in urban gardens10) Is not effective because councillors from all main parties in the city have said they won't support development of the site.Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables)a)These sites are separated from the edge of the current built up area of the city so their development would create isolated new residential developments in what is currently open countryside. The NPPF advises against giving consent for new and isolated homes in the countryside and this is restated in City Plan Part 1 (3.16.1). Whilst these allocations are not for single homes they are still within the spirit of the NPPF guidance.b) The evidence in relation to the landscape impact of development of these sites in the Urban Fringe Assessments was inadequate. The sites are in sensitive elevated locations close to the top of a ridge and adjacent to the National Park Boundary. Development of these sites would have a significant negative impact on landscape character. The South Downs National Park Local Plan (Strategic Policy SD4: Landscape Character) states 'Development proposals will only be permitted where they conserve and enhance landscape character by demonstrating that: ... 3. The settlement pattern and individual identity of settlements and the integrity of predominantly open and undeveloped land between settlements will not be undermined.'c) Loss of these farmsteads/buildings to housing will create knock-on pressures for new replacement buildings within this landscape because residual 'bare land holdings' (without buildings) will require such infrastructure.d) Allocation and development of these two sites would set a dangerous precedent for further development on this open, high, greatly inter-visible Downland ridge, (between Brighton and Woodingdean, and between the National Park and the Bevendean Down and Whitehawk Hill LNRs), which would further erode it's character.

Changes required

Delete from the list of urban fringe siteBenfield ValleyLand off Ladies Mile, Carden venueland North East of Coldean laneland North of Varley Halls, Coldean laneland adjoining Brighton Race Courseland at South Downs Riding School and Reservoir siteland North of Warren road (Ingleside Stables)

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	26 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the allocation of land at and adjoining Brighton Racecourse because:1) It is inconsistent with the 1822 Tenantry Down (common) enclosure deed and the subsequent 1888 indenture.2) Does not satisfy paragraph 170 of the NPPF3) Contrary to paragraph 174 of the NPPF4) Cannot be justified by the Urban Fringe Assessments for the reasons outlined above.5) Will compromise the work of local volunteers and rangers to preserve and improve one of the world's rarest and most threatened habitats.

Changes required

Delete Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables) from the list of allocations in policy H2

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	27 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Responding for myself
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I am objecting in the strongest possible terms to the allocation of Land at and adjoining Brighton Race Course because:-*The allocation is not consistent with conditions in the 1822 Tenantry Down (common) enclosure deed, which states that the successor owner of the Race Ground "shall not at any time thereafter break up, convert into tillage, or divide the said Race Ground" and that "the inhabitants of Brighton and the public in general should have the use of it for the purpose of racing...and any other purposes of exercise and diversion as heretofore"...These conditions were reiterated in the 1888 Indenture when the "Race Ground" was purchased by Brighton Corporation.*It is contrary to paragraph 174 of the National Planning Policy Framework.*It won't be able to deliver a net gain to biodiversity as required by paragraph 170 of the National Planning Policy Framework.*It is not justified because the ecological evidence in the Urban Fringe Assessments-1. Is out of date and undervalues the importance of the site's biodiversity and its Local Nature Reserve designation.2. Is insufficient to justify their conclusion of no significant impact with mitigation.3. It is inconsistent; for example the conclusion that impacts on this site can be mitigated is not consistent with other statements in the same documents. The 2014 Urban Fringe Assessment, which states that "provision for the biodiversity assets.....MAY help to create new habitats and CONTRIBUTE to habitat connectivity.....HELPING to mitigate significant negative effects", this is properly more cautious and does not claim that

negative effects can be mitigated.4. It did not consider or assess the impact development on this allocation would have on the integrity of the Local Nature Reserve. It will cause fragmentation of a section at the centre of the core part of the reserve between Manor Hill and Warren Road/Wilson Avenue.5. It did not consider or assess the impact development on this allocation would have on the historic gorse scrub habitat and its dependent species, including a breeding population of Red Listed bird species and Species of Principal Importance. For example, linnets have been identified as using the gorse scrub in breeding bird surveys undertaken as recently as 2019.6. It did not consider or assess the impact development on this allocation would have on the important number of invertebrate species that numerous surveys have found in the area. A nationally recognised expert wrote in a survey carried out in 2019 “indicates an extremely rich site”.7. No consideration or assessment has been made on the impact development on this allocation would have on several invertebrate Species of Principal Importance which have been recorded in recent years within or close to the allocation, including brown-banded carder bee, small heath, small blue, dingy skipper, wall and brown hairstreak butterflies.8. There are errors and omissions, such as, within the wider site, wrongly identifying the Priority Habitat/Habitat of Principal Importance Lowland Calcareous Grassland as semi-improved neutral grassland in the Phase 1 Habitat Survey, and wrongly recommending tree planting as a mitigation measure. The priority in these areas is the conservation of open habitats, such as grassland. These errors undermine the credibility of the evidence of the Urban Fringe Assessments as well as their conclusions.9. The evidence in the Urban Fringe Assessments in relation to landscape is framed wholly in terms of impacts of development on the National Park’s setting and views, and did not consider such effects within the local visual catchment (within and adjoining LNR). For example, the views along Whitehawk Hill from the South and North, as well as from the valley below. Although the existing tower blocks impinge upon these views, the views are largely currently uninterrupted.10. The evidence in the Urban Fringe Assessments did not recognise that development would result in the intrusion of a residential landscape into what is currently a semi-natural landscape. The strong sense of naturalness it has at the moment would be significantly reduced.11. The evidence in the Urban Fringe Assessments did not consider the loss of statutory Access Land (which includes the whole of the allocation) that would be caused by development in the allocation.12. It will result in a loss of Open Space, which is inconsistent with statements in the City Plan Part 1. This seeks to increase not decrease the amount of accessible land adjacent to the urban area (SA5 The Setting of the South Downs National Park, 3.170).13. It will undermine the positive work of community volunteers on this site, who have been working with the council’s Ranger Service to conserve and restore Priority Habitats/Habitats of Principal Importance in the Local Nature Reserve, and this in turn will lead to the degradation of the rest of the LNR.14. It is not effective because councillors from all main parties in the city have said they will not support development of the site.LAND AT SOUTH DOWNS RIDING SCHOOL & RESERVOIR SITE and LAND NORTH OF WARREN ROAD (INGLESIDE STABLES)1. These sites are separated from the edge of the current built up area of the city so their development would create isolated new residential developments in what is currently open countryside. The NPPF advises against giving consent for new and isolated homes in the countryside and this is restated in the City Plan Part 1 (3.16.1). Whilst these allocations are not for single homes they are still within the spirit of the NPPF guidance.2. The evidence in relation to the landscape impact of development of these sites in the Urban Fringe Assessments was inadequate. The sites are sensitive elevated locations close to the top of a ridge and adjacent to the National Park Boundary. Development of these sites would have a significant negative impact on the landscape character. The South Downs National Park Local Plan (Strategic Policy SD4: Landscape Character) states “Development proposals will only be permitted where they conserve and enhance landscape character by demonstrating that “3. The settlement pattern and individual identity of settlements and the integrity of predominantly open and undeveloped land between settlements will not be undermined”.3. The effects on views were not fully considered in the Urban Fringe Assessments. For example, the Western part of the allocation at Land North of Warren Road (Ingleside Stables) is on greenfield land immediately to the North of a well used track. Development of this site would obscure and/or have a significant negative impact on the important and valued views North from this track and from Warren Road. This part of the site is clearly visible from other areas of the city fringes. For example, it can be seen if observing the land to the South East from Hollingbury Camp/Castle. This is within the National Park on the Northern Edge of the City.4. The loss of the farmsteads and buildings to housing will create knock-on pressures for new replacement buildings within this landscape because residual ‘bare land holdings’ (those without buildings) will require such infrastructure. 5. Allocation and development of these two sites would set a dangerous precedent for further development on this open, high, and generally inter-visible Downland ridge, (between Brighton and Woodingdean, and between the South Downs National Park and Bevendean Down and Whitehawk Hill LNRs). It would further erode the character of the area.

Changes required

Delete “Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site” and “Land north of Warren Road (Ingleside Stables)” from the list of allocations in Policy H2.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	30 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	31 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Proper consultation has not taken place and public opinion has been ignoredThe land is a designated green space for the benefit of the public NOT for the benefit of developers.

Changes required

A full public consultation should take place of all households wishing a 2 mile radius and a survey of the opinions of the users of this facility should be taken into account.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2	
<u>Respondent Number / Rep Number</u>	36	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We have had notice of development on an additional site the horse field behind Southdown road and Downsview road at the bottom of Henge way. This site is not included in city plan 2 yet is being looked at for development. We were told it was part of the city plan. As with many other green sites it is a place filled with natural habitats, green space and trees that are the lungs of the area. The horse field in particular is home to crested newts (protected), badger sets, slow worms (protected) and rare bats (also protected). It also has a Roman pathway running through it, so has important historical significance. The Horse field is already developed on three sides of the site, and behind two schools, one a SEN school the construction would cause considerable disruption to children and the school arrivals/ departures and studies. The horse field as with other proposed sites is a vital soak away for rain water as Portslade village is susceptible to flooding. The added traffic would add disruption and reduce safety for many children walking to and from schools. Resident parking, already a challenge, would become very difficult. It is a shame to build on green sites. There is so much to be gained for communities by having space and nature so close. It instilled a sense of care for wildlife and our environment. I moved here for my sons to learn about nature, and they love the field and surrounding green sites. What are we teaching them by destroying these vital areas. The current Mike Oak site and the old brewery have changed their plans after consultation seriously effecting residents. This includes

heights of buildings, public thru ways, pollution, water access etc. Portslade has a rich history and cramming more houses does not respect why many residents have chosen to make their homes here. Sewerage, and bus transport could be effected negatively. Why over crowd a small community, where will the infrastructure come from; doctors, dentists, public transport, policing, school support, all will have more pressure. Already with the old brewery and the mile oak site we are seeing increased pressure on our surroundings. I ask that this proposed horse field site and surrounding Portslade areas on green urban areas are not slated for development. Thank you.

Changes required

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

Each housing development has gone in no matter what residents objected to. Changes are made after residents were told that this will be happening , this is what it will look like, this is how close buildings will be to your property and each time it changes with no council over site. If these green space are developed communities must have the opportunity to discuss.

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	39 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

I am opposed to building on green field sites for ecological and social welfare reasons.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	44 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I am against this taking away Portslades character. Lived here since born and am angry about the effects on wildlife and social wellbeing

Changes required

Stop!

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak NHS NURSE so too busy but incensed at the amount of history that's been lost. The horse field is surrounded by houses and near schools.lovely clean air for the kids. Stop over building in green areas that support wildlife and has a positive impact on mental health. Much upset is being caused in mile oak already with poor access and dangerous lorries near schools getting stuck. Anti all the way.

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	46 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Individual
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

These are areas of nature and green areas which help help reduce carbon emissions. They are also in areas that are unsuitable for building infringing on a nature reserve and an area enjoyed by people as a place of recreation. If the greens agree this it goes against all they talk about and will make them a absolutely hypocritical party that do not practice what they preach. I feel this is because Patcham is a Tory area they are doing this as spite and not about what is right

Changes required

Reverse the approval of these sites to developers and leave them as areas of nature and places the residents can enjoy

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak I don't feel the need to attend I trust my councillors to act on my behalf

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	48 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Green space in our city is so important for local residents to keep them physically and mentally fit. Having this fantastic part of South Downs within walking distance is so precious.

Changes required

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	49 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	50 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I am writing to raise an objection to the draft city plan – 2 (Patcham Ward)The density of housing currently put forward in the plan will spoil the village atmosphere and materially impact on the character of Patcham Village. To have so many mature trees felled and mature gardens destroyed will disturb the multitude of wildlife habitats in the area. The drainage/sewage system has been a constant concern for Patcham residents and flood risk to the area is high. Patcham Village area has flooded on many occasions in the past, with sewage overflowing into the road in 2000-2001 and flooding in basements since then in 2014. With climate changes this is likely to occur more frequently in the future. How therefore can a high density development such as this be justified? I understand that the summary of the Inspector’s conclusions on the previous McCarthy and Stone scheme stated that “The site has previously suffered from surface water flooding and is identified as having low-medium risk of surface water flooding,” Experts however, believe that this is not the case. In fact an expert in the area of flood risk told residents at a public meeting in May 2016 that the drainage system just cannot cope and that the main sewer running down the London Road 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? The two sites in Patcham that are proposed are developments on the urban fringe,

with no detail relating to access, density, or character. This will create further infrastructure problems, with increased traffic, congestion, adverse impact upon schools, GP surgeries as well as the already mentioned problems of drainage and sewer systems. These urban fringe sites are locations that local Brighton and Hove residents use very frequently for walking and other leisure activities, something I know that the council is committed to and supports. As an example; Vale Avenue in the rush hour is highly congested with traffic backing up from the A23 roundabout. This causes 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. The very detailed 2015 Patcham Conservation Area Appraisal shows just how important the village atmosphere is in Patcham and such a development would drastically alter this. https://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/Conservation_Area_Patcham_Dec_2015.pdf I am passionate about the use of brownfield sites and deplore the fact that Anston House is still such a blot on the landscape of our 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”. Please don’t look for what appears to be an easier alternative when such sites could and should be developed. I urge the council to consider the use of such sites.Yours sincerely Sue Ward

Changes required

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	51 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons
Horsedean and Ladies Mile/Carden Avenue sites should be kept as 'green' site, not for housing.

Changes required
Horsedean and Ladies Mile/Carden Avenue sites should be kept as 'green' site, not for housing.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak I do not wish to participate.

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	55 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

These areas are full of wildlife habitat as it is wild natural woodland and reserve. There are so many areas in Brighton which are lying derelict and could easily be used for housing. It is so important to keep these natural areas for the benefit of our children and also elderly people. I walk often and see many elderly people especially at the top of Ladies Mile as it is close enough from their homes to walk to . Much research has shown that in these times of high stress levels it is very important to walk in nature to help reduce that stress. As our council is supposed to be 'green' I consider this to be against a national policy of trying to protect our green areas.

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	56 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The land adjacent to Horsdean Rec is not only Downland but also attracts a lot of wildlife. It is access land for many locals to reach the Downs. There are numerous trees here which acts as a sound buffer between the A27 and the houses on Braeside Avenue. The recreation ground is home to Patcham United and the Cricket Club. Building houses adjacent to the ground would increase traffic therefore endangering lives of many youngsters. The road leading up to Horsdean is unadopted by the council, the increase in traffic would deteriorate this road, Who would pay for it?!

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	60 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

It will remove green space that is vitally important for community use at a time when access to the open air is vital.

Changes required

remove this area from the list.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	61 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	62 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Not Applicable
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to any urban developments that affect our right to roam and enjoy our beautiful countryside near my home or that removes trees/forestry unnecessarily. Consider it vital that we protect our green spaces and do not build on them especially those that surround existing happy and peaceful homes! Thank you

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	63 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	66 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The access to these sites, especially the Ladies Mile Road is not good, the road itself is narrow, and already congested with cars parked on both sides and has poor access for large vehicles required for building. The site is next to a Nature reserve which has been essential for the mental health of local residents and beyond. This has been especially relevant during lockdown, the biodiversity of the Nature Reserve will be greatly damaged both by the building process, and the loss of habitats for wildlife.

Changes required

The new building should take place on brownfield sites in the city, which are already developed, and avoid the protected areas of the Urban Fringe

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

The importance of a range of local residents being able to give their views and local knowledge

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	67 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	n/a
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I feel the local residents have not been consulted and this is an important wildlife area. It is an important green space for local residents. Traffic is already busy in this area. We do not want to lose any more of our important green spaces.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	69 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

1) The proposed brown field site of former allotments: Patcham (Horsdean)a) This is a classic example of town- planners and developers, hoping to make a quick buck, trying to ram new builds on to an unsuitable site : e.g. a flood plain - never mind the consequences of this irresponsible development (local flooding in a flood plain for example) The unsuitable site in this instance being land which is right next door to a busy main road - the A27. If houses were to be built there what kind of quality of life would the residents have having to contend with all that traffic noise/ noise pollution? Who would want to live in such a place? Yes, acoustic barriers may be suggested to overcome this but i) at what extra cost ? And ii) why? When these extra houses aren't needed to fulfil the quota in the first place and, if they were could be built elsewhere - what about re-developing/ repurposing derelict buildings / sites in the city which have lain derelict / vacant for years e.g. Anson House on the Preston Road/ A23 into town?2) This proposed site and the site of the former Fawcett school, Ladies Mile, Carden Avenue, Patcham are on the doorstep of the South Downs, our newest National Park, as such local people use both sites as the 'gateway' to the National Park and are popular with walkers, dog-walkers and cyclists. Moreover, nature is recolonising these areas and wildlife is re-claiming them. Sheep are even put to graze in the vicinity of the former Fawcett School, Ladies Mile, Carden Avenue, Patcham. Does BHCC and this so-called 'green' conservationist constituency, the only one in the country really want to

destroy what nature is doing when there are derelict buildings/ sites in the city centre which could be demolished or redeveloped instead, with services available in the vicinity? Moreover both proposed schemes would exert extra pressure on local services/ utilities: gas, water and utilities.

Changes required

How can I explain why each suggested change would make policy legally complaint? I am not legally trained. I am just Jane Public. This so-called 'consultation' process is a farce - it is designed to discourage objection on the part of the general public by bombarding us with legalese and a plethora of time-consuming documentation to read though and thereby enable BHCC to present the city with a fait accompli 'because ' no -one objected' BHCC should just use existing sites within the city centre where there are derelict buildings/ sites which could be demolished or redeveloped and which have services available in the vicinity or former services in situ which could be re-connected to fulfil local housing demands rather than building on ANY of the city's so called 'urban fringes'.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

No.

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	70 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

a) This is a classic example of town- planners and developers, hoping to make a quick buck, trying to ram new builds on to an unsuitable site : e.g. a flood plain - never mind the consequences of this irresponsible development (local flooding in a flood plain for example) The unsuitable site in this instance being land which is right next door to a busy main road - the A27. If houses were to be built there what kind of quality of life would the residents have having to contend with all that traffic noise/ noise pollution? Who would want to live in such a place? Yes, acoustic barriers may be suggested to overcome this but i) at what extra cost ? And ii) why? When these extra houses aren't needed to fulfil the quota in the first place and, if they were could be built elsewhere - what about re-developing/ repurposing derelict buildings / sites in the city which have lain derelict / vacant for years e.g. Anson House on the Preston Road/ A23 into town?2) This proposed site and the site of the former Fawcett School, Ladies Mile, Carden Avenue, Patcham are on the doorstep of the South Downs, our newest National Park, as such local people use both sites as the 'gateway' to the National Park and are popular with walkers, dog-walkers and cyclists. Moreover, nature is recolonising these areas and wildlife is re-claiming them. Sheep are even put to graze in the vicinity of the former Fawcett School, Carden Avenue, Patcham . Both areas are fast becoming nature reserves in their own right. Does BHCC and this so-called 'green' conservationist constituency, the only one in the country really want to destroy what nature is doing when

there are derelict buildings/ sites in the city centre which could be demolished or redeveloped instead?Moreover both proposed schemes would exert extra pressure on local services/ utilities: gas, water, electricity and drainage and require the extension (and the extra cost involved of that extension) of those local utilities to serve them , whereas if you were building on formerly derelict sites or redeveloping derelict sites - the former services could be re-connected at a fraction of the cost or existing services would be in close proximity and require little extension.

Changes required

BHCC should just use existing sites within the city centre where there are derelict buildings/ sites which could be demolished or redeveloped and which have services available in the vicinity or former services in situ which could be re-connected to fulfil local housing demands rather than building on ANY of the city's so called 'urban fringes'.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	71 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

1) This is a classic example of town-planners, and developers hoping to make a quick buck, trying to ram new builds on to an unsuitable site or a site which should not be built on : e.g. a flood plain - never mind the consequences of this irresponsible development (local flooding in a flood plain for example) The unsuitable site in this instance being land which is right next door to a busy main road - the A27. If houses were to be built there what kind of quality of life would the residents have having to contend with all that traffic noise/ noise pollution? Who would want to live in such a place? Yes, acoustic barriers may be suggested to overcome this but i) at what extra cost ? And ii) why? When these extra houses aren't needed to fulfil the quota in the first place and, if they were could be built elsewhere - what about re-developing/ repurposing derelict buildings / sites in the city which have lain derelict / vacant for years e.g. Anson House on the Preston Road/ A23 into town?2) This proposed site and the site of the former Fawcett School, Ladies Mile, Carden Avenue, Patcham are on the doorstep of the South Downs, our newest National Park, as such local people use both sites as the 'gateway' to the National Park and are popular with walkers, dog-walkers and cyclists. Moreover, nature is recolonising these areas and wildlife is re-claiming them. Sheep are even put to graze in the vicinity of the former Fawcett School, Ladies Mile, Carden Avenue, Patcham . Both areas are fast becoming nature reserves in their own right. Does BHCC and this so-called 'green' conservationist constituency, the only one in the

country really want to destroy what nature is doing when there are derelict buildings/ sites in the city centre which could be demolished or redeveloped instead? Moreover both proposed schemes would exert extra pressure on local services/ utilities: gas, water, electricity and drainage and require the extension (and the extra cost involved of that extension) of those local utilities to serve them , whereas if you were building on formerly derelict sites or redeveloping derelict sites - the former services could be re-connected at a fraction of the cost or existing services would be in close proximity and require little extension.

Changes required

BHCC should just use existing sites within the city centre where there are derelict buildings/ sites which could be demolished or redeveloped and which have services available in the vicinity or former services in situ which could be re-connected to fulfil local housing demands rather than building on ANY of the city's so called 'urban fringes'.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	72 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	NA
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2	
<u>Respondent Number / Rep Number</u>	73	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Changes required

Participate at the hearing session(s)?

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	75 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	N/A
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	76 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Friends of the Earth
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	78 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I don't think that the Urban Fringe Assessments for Land Adjoining Brighton Racecourse,takes into account the impact that any housing development would have upon the wildlife of the gorse scrub which is a breeding area of some rare birds,not to mention small invertebrates and reptiles.It is well documented by naturalists that this is an important environmental site for these creatures.I understood that historically this area was designated as for the use of the citizens of Brighton for leisure activities when the Brighton Corporation bought it in 1888.

Changes required

Delete the land Adjoining Brighton Racecourse from the allocations list in policy H2.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	81 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I don't believe it takes enough account of the impact on the ecology in the area or the cramped conditions of the area that already exist with the number of blocks of flats etc.

Changes required

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	83 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Having grown up and lived in Patcham my entire life I regularly frequent both spots for exercise and opportunity to access an urban green fringe site. To take these sites away from residents would be completely detrimental to national government policy to encouragement to complete regular daily exercise. The sites at Ladies mile road/ carden avenue and horsdean are currently 2 wonderful green spots that habituate many different species aswell as flora and fauna.

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	85 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The policy has not been positively prepared. I attended meetings where our leaders told us that the development of affordable housing around Whitehawk hill had been removed so I did no more. I have just found out that it was not removed after all but quietly kept in scope. The policy is unsound.1) local experts have found more wild plants in this racecourse landscape than in any other equivalent sized area in Sussex – some 220 more than the next richest area.2) there is absolutely no need whatsoever to build on precious green land in the city. The statistics clearly and unequivocally show this.The City Plan Part 2 document is a plan required to meet a minimum housing target for the city of 13,200 additional homes.Deleting the greenfield urban fringe sites from City Plan (Section H2) and developing only on brownfield sites listed in the plan would still leave Brighton and Hove City Council over 1,900 homes above the minimum target.Add to this , we are living through a pandemic where the people of Whitehawk need green spaces, living in a built up area with little or no gardens. The areas are sloped and will cause flooding or landslides affecting the housing below. You do not need to build here.Have you actually been up here and actually looked? I walk/run that way almost every day. The site is beautiful and something we should be developing and cherishing as a tourist beauty spot like Devils Dyke, not building on.

Changes required

Remove the areas around Whitehawk hill and the riding stables from your affordable housing building plans please. You dont need to build here. You are decimating the beautiful landscape to the detriment of the present residents and all future people of Brighton.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

Not necessary for me

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	86 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I would first like to express my concern for developments proposed on the Urban Fringe, particularly the piece of land by Patcham's Horsdean Recreation Ground. This is Downland and was designated as an area of outstanding natural beauty. This appalling proposal will mean the destruction of numerous trees and adversely affect wildlife.

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak

The present council (and Mayor) are refusing to allow the petition. They are using 'bully-boy' tactics to impose their will on the residents who, I am sure will respond at the next election to remove them from their positions

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	87 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I believe the development to be unsound on the basis of housing need and other brown-land sites available for development. As I understand it, brown-land sites would accommodate the government mandated new build requirement placed on each council. Building on green-land is non-essential for hitting these targets - and therefore seems to only be done as a surplus to increase council income, rather than meeting housing needs. Additionally, as there are so many large-scale student accommodation developments occurring in the city right now (particularly in the area around the University of Brighton), there should be less demand on city housing for these students once works are complete - meaning they can return to being offered for families instead. Additionally I don't believe the local communities have been adequately involved in discussion. Nearby residents in my area (Coldean) are generally against this development, but petitions are being ignored, discussions are not being tabled at council meetings, and people are enraged at their inability to have a say. Even this consultation has not been promoted. I've only just found out about it from an individual in the area - I haven't seen it promoted anywhere. A lot of older people will not know about it or how to respond.

Changes required

I feel that the consultation should be extended - door-drops in the areas should invite people to respond (on and offline), and a wider discussion for the council should be arranged before anything is decided. People want to have their say, and it being denied is entirely undemocratic. I also would like the council to reassess whether more HMOs and general student rental housing can be encouraged to return to being private rentals for workers/families/council housing or in fact be sold - so more houses on the market lowering the prices overall - making homes legitimately more affordable.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	89 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons
It is inconsistent with 1822 Tenantry Down enclosure deedIt does not help protect our endangered wildlife

Changes required
Delete Land at and adjoining Brighton Race Course , Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables)from the list of allocations in policy H2

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak not applicable

<u>Policy</u>	H2	
<u>Respondent Number / Rep Number</u>	90	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I submit that the policy in regard to the development of the urban fringe areas is unsound in a major respect: the basic needs of the existing local community (people) do not seem to be fairly weighed against all of the other (legal) considerations. It is a good thing that the ecology, archaeology, water catchment, flooding, etc are all quantified and on the 'weighing scales' to be assessed. Where amenity value (to the local community) is concerned it seems to be just another box/heading in the list of parameters. The sense is that amenity value has been quantified via the number of formal comments/objections to the proposed Plan. If so, I submit that it is unsound, making the Plan unsound. At the time the Brighton By-pass was proposed the residents of Patcham were given verbal assurances that the green areas enclosed to the south would not be developed. The area adjacent to Horsdean - where the Plan shows a site for urban fringe development - was designated as a part of a linear park. The area continues to be used by many local people for outdoor exercise, for dog walking, for observing nature in its glory, as a refuge from the pressures of urban living, as an outdoor place for meeting socially. These essential activities of the local people are not being properly weighted in the Plan. I submit that there should at least be mention of research evidence into the relationship between mental health and well-being in relation to access to parks and open spaces. The apparent lack of this evidence therefore makes the Plan unsound. Should there ever be a proposal by the Council to identify

a part of any other park in the body of Brighton and Hove as being suitable for future development I submit that there would likely be a public outcry: because of the loss of a valuable amenity. On that basis I submit that the Plan is unsound.

Changes required

I submit that the proposed area for urban fringe development be removed from the Plan as it is unsound (see submissions above).

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

Because of the mental and physical health and well-being of the community in Patcham.

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	91 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

All sites are used as green spaces for the city, essential for wellbeing of city dwellers. Other brownfield sites should be used.

Changes required

I have no wish to make the policy legally compliant - it is ill thought out.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	92 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The urban green spaces that are left within the areas indicated may be the only spaces accessible by those with mobility issues. The current policies suggest that we are to be less reliant on cars as a mode of transport, but if these green areas are taken away, a large number of people will have no other option but to use vehicles to travel to green spaces to enjoy walks and fresh air. Personally, I think it is irresponsible to 'fill in' the only green spaces let in some urban areas, because as already stated, for some people, these remain the only green spaces they are able to access, as well as being a 'green lung' within already crowded urban areas

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	93 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	N/a
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

There are loads of brownfield sites in btn and surrounding areas that could be used for housing once these sites go they are lost forever. We have a duty of care to protect green spaces for future generations - loss of wildlife and trees is detrimental to wider community With COVID there will be less need for lots of commercial spaces and these could be repurposed for residential- I work for a large corporation who will be downsizing their commercial property portfolio as people will be working from home longer term. The days of working in the office mon-fri 9-5 are gone

Changes required

Think we should not use these sites and find other alternatives which there are plenty in Brighton and there will be more in the coming year.

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	94 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Please do not build on the Patcham nature reserve and other sites. These sites are so precious and valuable to local residents and wildlife. They can never be replaced.

Changes required

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

I feel strongly that building on these areas is the wrong decision.

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	97 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	N/A
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The site near the recreational ground is right next to A27. The trees and bushes are currently acting as a sound barrier to reduce the noise pollution for the area. The new houses will be too close to A27, there will be no barrier for motorway noise. The noise and pollution level for the new build might exceed or at the top of legal level.

Changes required

Additional trees will need to be planted and noise barrier to be installed.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	99 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The council is not respecting or listening to public opinion, this is not a consultation. Ignoring people's plea for petitions to be heard is not democratic. The land should remain as green field land or petitions be heard. The council refusing to hear petitions is unconstitutional. The petition scheme only excludes petitions that apply to a planning application. City Plan Part 2 is not a planning application. It is a policy document.

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	101 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Coldean Residents' Association
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The site has never been formally released from the Stanmer Estate - the Stanmer boundary wall is still visible along Coldean Lane - and yet it was described to the Planning Committee as 'formerly part of the Stanmer Estate', which was misleading. Similarly, there is no official documentation formally releasing the land from agricultural use - it was farmed within living memory. Upon being questioned about this, the Planning Solicitor stated that 'Application ref. BN2018/03541 ... was a composite application for both operational development and change of use.' This is, to say the least, a dangerous precedent, if the Council is able to grant itself change of use for a piece of land without any official consultation or documentation. The South Downs National Park lodged an objection to the plans for this site, on the grounds that it would be 'an inappropriate scale and density for this hillside urban fringe location within the setting of the SDNP' and said that 'it would also appear to conflict with Policy SA4 of the City Plan Part One, and with the proposed designation of the site as a Local Nature Reserve'. Policy SA4 states that development on the urban fringe can only be permitted if a countryside location can be justified and the proposal has regard to the downland landscape setting of the city. Development of the Coldean site would indeed appear to conflict with this requirement.

Changes required

To be legally compliant and sound, the land would need to be formally released from the Stanmer Estate and from agricultural use and the planning process begun again from scratch, with proper consideration given to the objections voiced by the SDNP.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	102 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Hasn't been released from stanmer estate it's not needed it's not released from agricultural use and the planning developers were not aware of the fact it was also a change of use as well as a development

Changes required

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	103 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The site has never been formally released from Stanmer park estate and not released from agricultural use.

Changes required

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	105 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Coldean Residents Association
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The land has never been formally released from the Stanmer Estate, or from agricultural use, and the Planning Committee were misled about this, and not specifically told that the application was a 'composite application both for development and for change of use' (the explanation given to us by the Planning solicitor in retrospect). Also the South Downs National Park's objection was not given sufficient weight - they stated that it would be 'an inappropriate scale and density for this hillside urban fringe location within the setting of the SDNP' and said that 'It would also appear to conflict with Policy SA4 of the City Plan Part One, and with the proposed designation of the site as a Local Nature Reserve. (Policy SA4 states that development on the urban fringe can only be permitted if a countryside location can be justified and the proposal has regard to the downland landscape setting of the city).

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	106 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Coldean Residents Association
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The land has never been formally released from the Stanmer Estate, or from agricultural use, and the Planning Committee were misled about this, and not specifically told that the application was a 'composite application both for development and for change of use' (the explanation given to us by the Planning solicitor in retrospect). Also the South Downs National Park's objection was not given sufficient weight - they stated that it would be 'an inappropriate scale and density for this hillside urban fringe location within the setting of the SDNP' and said that 'It would also appear to conflict with Policy SA4 of the City Plan Part One, and with the proposed designation of the site as a Local Nature Reserve. (Policy SA4 states that development on the urban fringe can only be permitted if a countryside location can be justified and the proposal has regard to the downland landscape setting of the city).

Changes required

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	107 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	108 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

More flats where there will be more cars and traffic in a very steep part of the area which was deemed undevelopable anyway makes no sense. The wildlife has already suffered and the air quality during development will be terrible let alone afterwards. The building will be technologically and environmentally unfit in the coming years as we work out more sustainable ways of living. The noise pollution will add to the A27 noise.

Changes required

none. Do not set this plan out

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	109 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The proposal breaks up the Whitehawk Hill area which contains many sections that are habitats for rare species, many of which are listed as endangered. It is also an area defined as of Principal Importance for invertebrates such as the brown carder bee and the and. The habitat in many at risk butterflies. No impact assessment has been made of the species specific gorse areas which are important habitats for many birds such as the Red Listed Linnet . Inaccurate description of the chalk lands as ripe for tree planting is inaccurate as this is a very important, rare area of grassland. These assessments are wrong and dangerous to rely on. As a volunteer working to restore the natural grassland, it will destroy all the work we have achieved.The inclusion of Tenantry Down conflicts with enclosure deed. These are common lands.It contradicts Paragraph 174 of the National Planning Policy FrameworkIt will be detrimental to diversity and not improve it as claimed and will break up wildlife corridors and habitatsIt will damage the aesthetic pleasure of this area which has been allocated over centuries for the enjoyment of people from Brighton Local councillors are also unhappy about inclusion of this space

Changes required

The following areas should therefore be deleted area land at and adjoining Brighton Race Course, land at South Downs Riding School & Reservoir Site and area north of Warren Road (Ingleside Stables) and removed from the list of allocations in policy H2

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	110 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	None
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

How can these developments be consistent with national policy when the government recently announced its intention to be world leaders in environmental practises? How does that fit with bulldozing fields and woods.? How does it fit in with the ethos of a Green council such as Brighton's?Stanmer society gave the land to Brighton in good faith. So far Varley Halls has been built on it and the intention is to completely eradicate what's left of that section of the woods with two further builds

Changes required

Development should not be considered on ANY green space in Brighton, but especially not in the realms of a national park

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

Do not wish to participate

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	112 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Land at and adjoining Brighton Race Course object to the allocation at Land at and adjoining Brighton Race Course because -- The allocation is inconsistent with conditions in the 1822 Tenantry Down (common) enclosure deed, which state that the successor owner of the 'Race Ground' 'shall not at any time thereafter break up, convert into tillage, or divide the said Race Ground' and 'that the inhabitants of Brighton and the public in general should have the use of it for the purpose of racing...and any other purposes of exercise and diversion as heretofore'. These conditions were reiterated in the 1888 Indenture when the 'Race Ground' was purchased by Brighton Corporation.· Contrary to paragraph 174 of the National Planning Policy Framework.· Won't be able to deliver a net gain to biodiversity as required by paragraph 170 of the National Planning Policy Framework.· Not justified because the ecological evidence in the Urban Fringe Assessments -1. is out of date and undervalues the importance of the sites biodiversity and its Local Nature Reserve designation2. is insufficient to justify their conclusion of no significant impact with mitigation.3. is inconsistent, for example the conclusion that impacts on this site can be mitigated is inconsistent with other statements in the same documents, for example the 2014 Urban Fringe Assessment, which states that 'provision for the biodiversity assets may help to create new habitats and contribute to habitat connectivity helping to mitigate significant negative effects', which is rightly more cautious and does not claim that

negative effects can be mitigated.4. did not consider or assess the impact development on this allocation would have on the integrity of the Local Nature Reserve, partly severing (fragmenting) a section at the centre of the core part of the reserve between Manor Hill and Warren Rd/Wilson Ave.5. did not consider or assess the impact development on this allocation would have on the historic gorse scrub habitat and its dependent species, including a breeding population of the Red Listed bird species and Species of Principal Importance 'linnet', identified as using the gorse scrub in breeding bird surveys undertaken in 2019.6. did not consider or assess the impact development on this allocation would have on the important invertebrate assemblage that surveys indicate the area in and around the allocation supports. A nationally recognised expert wrote that a survey in 2019 'indicates an extremely rich site'.7. did not consider or assess the impact development on this allocation would have on several invertebrate Species of Principal Importance which have been recorded in recent years within or close to the allocation, including brown-banded carder bee and small heath, small blue, dingy skipper, wall and brown hairstreak butterflies.8. contains errors and omissions, such as within the wider site, wrongly identifying the Priority Habitat/Habitat of Principal Importance Lowland Calcareous Grassland as semi-improved neutral grassland in the Phase 1 Habitat Survey, and wrongly recommending tree planting as a mitigation measure, where the priority in this area is the conservation of open habitats, such as grassland. These errors undermine the credibility of the evidence of the Urban Fringe Assessments as well as their conclusions.· Not justified because -1. the evidence in the Urban Fringe Assessments in relation to landscape is framed wholly in terms of impacts of development on the National Park's setting and views, and did not consider such effects within the local visual catchment (within and adjoining LNR), for example of views along Whitehawk Hill from the south and north, as well as from the valley below. Although the existing tower blocks impinge upon these views, the views are in many places currently uninterrupted.2. the evidence in the Urban Fringe Assessments did not recognise that development would result in the intrusion of a residential landscape into what is currently a semi-natural landscape, significantly reducing its strong sense of naturalness.3. the evidence in the Urban Fringe Assessments did not consider the loss of statutory Access Land (which includes the whole of the allocation) that would be caused by development in this allocation.4. it will result in a loss of Open Space, which is inconsistent with statements in City Plan Part 1 which seeks to increase, not decrease the amount of accessible land adjacent to the urban area (SA5 The Setting of the South Downs National Park, 3.170).5. it will undermine the positive work of community volunteers on this site, who have been working with the councils Ranger Service to conserve and restore Priority Habitats/ Habitats of Principal Importance in the Local Nature Reserve, leading to the degradation of the rest of the LNR.6. Is not effective because councillors from all main parties in the city have said they won't support development of the site.Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables)- These sites are separated from the edge of the current built up area of the city so their development would create isolated new residential developments in what is currently open countryside. The NPPF advises against giving consent for new and isolated homes in the countryside and this is restated in City Plan Part 1 (3.16.1). Whilst these allocations are not for single homes they are still within the spirit of the NPPF guidance.· The evidence in relation to the landscape impact of development of these sites in the Urban Fringe Assessments was inadequate. The sites are in sensitive elevated locations close to the top of a ridge and adjacent to the National Park Boundary. Development of these sites would have a significant negative impact on landscape character. The South Downs National Park Local Plan (Strategic Policy SD4: Landscape Character) states 'Development proposals will only be permitted where they conserve and enhance landscape character by demonstrating that: ... 3. The settlement pattern and individual identity of settlements and the integrity of predominantly open and undeveloped land between settlements will not be undermined.'· Effects on views were not fully considered in the Urban Fringe Assessments. For example the western part of the allocation at Land north of Warren Road (Ingleside Stables) is on greenfield land immediately to the north of a well-used track. Development of this site would obscure and/or significantly negatively impact important and valued views north from this track and from Warren Road. This was not considered in the Urban Fringe Assessments. This part of the site is also clearly visible, for example, in an important view south eastwards from Hollingbury Camp/Castle, within the National Park on the northern edge of the city.· Loss of these farmsteads/buildings to housing will create knock-on pressures for new replacement buildings within this landscape because residual 'bare land holdings' (without buildings) will require such infrastructure.· Allocation and development of these two sites would set a dangerous precedent for further development on this open, high, greatly inter-visible Downland ridge, (between Brighton and Woodingdean, and between the National Park and the Bevendean Down and Whitehawk Hill LNRs), which would further erode it's character.

Changes required

Delete Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables) from the list of allocations in policy H2'.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	113 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	N/A
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the allocation of Land at and adjoining Brighton race course as it is inconsistent with national policy and does not take into account the biodiversity and ecological significance of the site. In particular, this puts it at odds with paragraph 174 of the National Planning Policy Framework which sets a requirement to 'safeguard components of local wildlife-rich habitats'. This development allocation is also unjustified as the assessment has not accounted for the impact of the loss of integrity it causes to this rare chalk downland LNR site. The reduction in the available land space and interconnectedness of different parts of the LNR will harm the survival chances of species at this site, including red listed bird species such as linnet and declining invertebrate species such as wall brown butterflies. Considering the downward trend in insect species observed nationally, sites such as this containing threatened species are vital to protect. Further, ecological assessment contains glaring errors, including the suggestion that the effects can be mitigated by tree planting, when the significance of this site is due to the open grassland habitat it provides. The allocation of Land at South Downs Riding School & Reservoir Site and of Land north of Warren Road (Ingleside Stables) is outside the current residential area of the city and is a very visible location on a ridgeline. Development on these sites would impinge upon the views and amenity of the area.

Changes required

Remove the areas I have commented on from the allocations in policy H2. These are Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables).

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	114 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

1. The Land At and Adjoining Brighton Race Course. I know this land very well and walk through it most days for either work or pleasure. Firstly, I strongly object to the allocation of 'Land At and Adjoining Brighton Race Course' because I believe it to be contrary to the National Planning Policy Framework. This states that: "174. To protect and enhance biodiversity and geodiversity, plans should: a) 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 biodiversity⁵⁶; wildlife corridors and steppingstones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation⁵⁷; and b) 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." I do not believe that the works proposed will be able to deliver net gains to biodiversity (paragraph 170, point d of the NPP Framework). Secondly, I do not believe that the allocation is consistent with the conditions outlaid in the 1822 Tenantry Down (common) enclosure deed. This states that the successor owner of the 'Race Ground': "Shall not at any time thereafter break up, convert into tillage, or divide the said Race Ground", and also "that the inhabitants of Brighton... should have the use of it for the purposes of racing... and any other purposes of exercise and

diversion as heretofore". If you go down to this land on a sunny day, you will see many many inhabitants of Brighton enjoying exercise and nature on this land. The conditions I have mentioned above were also reiterated in the 1888 Indenture, which was when the 'Race Ground' was purchased by Brighton Corp. Thirdly, I don't think that the ecological evidence in the Urban Fringe Assessment is of an acceptable standard. It is out-of-date, and does not capture the importance of the site's biodiversity. Nor does it represent the site's 'Local Nature Reserve' designation. For example, it doesn't consider the impact your development on this land would have on the many invertebrates who live in this area. A nationally recognised expert wrote that a survey in 2019 'indicates an extremely rich site'; within the last few years, there have also been several 'Species of Principal Importance' identified within or close to the allocated site. These include brown hairstreak butterflies (Section 41 species of principal importance under the NERC Act in England) and Dingy Skipper Butterflies (Section 41 species of principal importance under the NERC Act in England; also UK Biodiversity Action Plan status: Priority Species). Small Heath butterflies have also been seen in this area (Section 41 species of principal importance under the NERC Act in England, also Butterfly Conservation priority: High). I have had the pleasure of observing many butterflies in this area during the summer months. There is also a gorse scrub habitat in this area which has many species depending on it. This has not been given proper consideration.

I also don't think that the Urban Fringe Assessment considered the impact that this allocation would have by fragmenting the Local Nature Reserve. It would sever a section at the centre of the reserve, between Manor Hill and Warren Road/Wilson Avenue. This is bound to affect the many creatures and plants living in the reserve. I also feel that the work suggested will create a loss of Open Space. This is inconsistent with the statements in City Plan Part 1, which wanted to increase the amount of accessible land adjacent to the urban area (SA5 The Setting of the South Downs National Park). I also don't believe it would be effective, because councillors from all the main parties in Brighton have been quoted that they will not support development of the site. The Land at South Downs Riding School... This proposed development would create some isolated new residential developments, in what is currently open countryside (the view is very spectacular; again, I often walk here for pleasure). The NPPF advises against giving consent for new and isolated homes in the countryside "79. Planning policies and decisions should avoid the development of isolated homes in the countryside." It then gives a list of exception criteria, which I do not believe the proposed changes would meet. Yet again, the Urban Fringe Assessment was inadequate. It did not consider the effect on the views for the local community. One example is that the western part of the allocation at the land North of Warren Road (Ingleside Stables) is on greenfield land, immediately to the north of a well-used track. Developing this site will obscure and/or negatively impact important views that are valued by our local community. I believe that allocation and development of these sites will create a dangerous precedent. So much scientific evidence these days points to the need for people to have access to green spaces for their physical and mental health. At a time where the nation's health is more important than ever, why is our council trying to damage or limit our access to these beautiful spaces?

Changes required

Delete 'Land at and adjoining Brighton Race Course'. Also please delete 'Land at South Downs Riding School & Reservoir Site and Land North of Warren Road (Ingleside Stables) from the list of allocations in policy H2.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	115 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Horsdean Recreation Ground was reduced to 1/3 of its original size as a result of the building of the bypass in the 1990s which divided the area in two. The northern part of what was a public space was allocated to a travellers site soon after the bypass was completed. The area that remains is adjacent to the public space between Vale and Barhill Avenues, and this is now treated as one area by all users. (photograph 2) The road access to the proposed development will again divide the remaining area into two sections (photograph 3), and crossing a road will create danger to all the users of the space, including many children. (Photographs 4 and 9) Dogs will have to be kept on a lead and will not have the free range that they enjoy at the moment. None of the public spaces in the locality have any barriers to the adjoining roads, eg: Patcham Place, Withdean Park, Surrenden Park, Preston Park, so it is assumed that this site will not either. The land to the east of Horsdean Recreation Ground, which prior to the building of the bypass was a ploughed field and part of Standean farm. Since then, the land has been used 'as of right' in accordance with the Commons Act 2006 and has been so for over the prescribed 20 years, and is now therefore common land. (Photographs 1,5,6,7,8)

Changes required

As stated above, the area to the east of Horsdean Recreation Ground has been used 'as of right' in accordance with the Commons Act 2006 and has been so for over the prescribed 20 years, is now common land, and cannot therefore be legally developed.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2	
<u>Respondent Number / Rep Number</u>	117	3
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Relating to the land adjoining the racecourse: 200 year old laws stipulate that the inhabitants of brighton should benefit from access to an unbroken section of land around the race course. Instead of delivery a gain to the biodiversity of the area as required by para 170 of the national planning policy framework, this could reduce the biodiversity of the site. Evidence used by the city plan part 2 - the urban fridge assessments - is out of date and underestimates the value of this site. There isn't evidence to support the conclusion that there will be no significant impact on the biodiversity of the site with mitigation. The effect of the division or part-division of the site has not been investigated so a decision to proceed is callous. This reserve has become an important breeding ground for rare and endangered birds and other species of invertebrate. The plans will result in a loss of open space and accessible land adjacent to urban areas as stipulated in the city plan part 1. There has clearly been a lot of work on this site by rangers, and a lot of local effort put into conserving and encouraging new species into the site. It has a unique character in the area for being a semi re-wilded area.

Changes required

Delete 'Land at and adjoining Brighton Race Course' from the list of allocations in policy H2'

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

n/a

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	118 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	N/a
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

This is an area of outstanding natural beauty. It is a narrow green corridor link to the Downs. It is not worth building a minimum amount of housing, which could be included elsewhere on a more suitable site, for instance, Hangleton Bottom.

Changes required

N/a

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak N/a

<u>Policy</u>	H2	
<u>Respondent Number / Rep Number</u>	120	4
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Land at and adjoining Brighton Race Course object to the allocation at Land at and adjoining Brighton Race Course because: The allocation is inconsistent with conditions in the 1822 Tenantry Down (common) enclosure deed, which state that the successor owner of the 'Race Ground' 'shall not at any time thereafter break up, convert into tillage, or divide the said Race Ground' and 'that the inhabitants of Brighton and the public in general should have the use of it for the purpose of racing...and any other purposes of exercise and diversion as heretofore'. These conditions were reiterated in the 1888 Indenture when the 'Race Ground' was purchased by Brighton Corporation. Furthermore, the allocation:- Is contrary to paragraph 174 of the National Planning Policy Framework;- Will not be able to deliver a net gain to biodiversity as required by paragraph 170 of the National Planning Policy Framework;- Is not justified because the ecological evidence in the Urban Fringe Assessments;- Is out of date and undervalues the importance of the sites biodiversity and its Local Nature Reserve designation;- Insufficiently justifies their conclusion of no significant impact with mitigation; The allocation inconsistent, for example the conclusion that impacts on this site can be mitigated is inconsistent with other statements in the same documents, for example the 2014 Urban Fringe Assessment, which states that 'provision for the biodiversity assets ... may help to create new habitats and contribute to habitat connectivity ... helping to mitigate significant negative effects', which is more cautious and does not

claim that negative effects can be mitigated. The City Plan Part Two Proposed Submission does not consider or assess the impact development on this allocation would have on the integrity of the Local Nature Reserve, partly severing (fragmenting) a section at the centre of the core part of the reserve between Manor Hill and Warren Rd/Wilson Ave. The City Plan Part Two Proposed Submission does not consider or assess the impact of this development on the historic gorse scrub habitat and its dependent species, including a breeding population of Linnet, a Red Listed bird species: Identified as using the gorse scrub in breeding bird surveys, 2019. The City Plan Part Two Proposed Submission does not consider or assess the impact development on this allocation would have on invertebrate species. A nationally recognised expert wrote that a survey in 2019 'indicates an extremely rich site'. Consistent errors undermine the credibility and soundness of this allocation. A phase 1 habitat survey mis-identified the Priority Habitat: Lowland Calcareous Grassland, as semi-improved grassland. This allocation is not justified because: The evidence in the Urban Fringe Assessments in relation to landscape is framed wholly in terms of impacts of development on the National Park setting and views, and did not consider such effects within the local visual catchment (within and adjoining Local Nature Reserve), for example of views along Whitehawk Hill from the south and north, as well as from the valley below. Although the existing tower blocks impinge upon these views, the views are in many places currently uninterrupted. The evidence in the Urban Fringe Assessments did not recognise that development would result in the intrusion of a residential landscape into what is currently a semi-natural landscape, significantly reducing its strong sense of naturalness. The evidence in the Urban Fringe Assessments did not consider the loss of statutory Access Land (which includes the whole of the allocation) that would be caused by development in this allocation. Development of the allocation would result in a loss of Open Space, which is inconsistent with statements in City Plan Part 1 which seeks to increase, not decrease the amount of accessible land adjacent to the urban area (SA5 The Setting of the South Downs National Park, 3.170). Development of the allocation would undermine the positive work of community volunteers on this site, who have been working with the councils Ranger Service to conserve and restore Priority Habitats/ Habitats of Principal Importance in the Local Nature Reserve, leading to the degradation of the rest of the LNR. Development of the allocation is not effective because councillors from all main parties in the city have said they won't support development of the site. Land at South Downs Riding School and Reservoir Site and Land north of Warren Road (Ingleside Stables) These sites are separated from the edge of the current built up area of the city so their development would create isolated new residential developments in what is currently open countryside. The NPPF advises against giving consent for new and isolated homes in the countryside and this is restated in City Plan Part 1 (3.16.1). Whilst these allocations are not for single homes they are still outside the spirit of the NPPF guidance. Evidence in relation to the landscape impact of development of these sites in the Urban Fringe Assessments was inadequate. The sites are in sensitive elevated locations close to the top of a ridge and adjacent to the National Park Boundary. Development of these sites would have a significant negative impact on landscape character. The South Downs National Park Local Plan (Strategic Policy SD4: Landscape Character) states 'Development proposals will only be permitted where they conserve and enhance landscape character. Effects on views were not fully considered in the Urban Fringe Assessments. For example the western part of the allocation at Land north of Warren Road (Ingleside Stables) is on greenfield land immediately to the north of a well-used track. Development of this site would have a significant impact on visual amenity. This was not considered in the Urban Fringe Assessments. This part of the site is also clearly visible, for example, in an important view south eastwards from Hollingbury Camp, within the National Park on the northern edge of the city. Loss of these farmsteads/buildings to housing will create knock-on pressures for new replacement buildings within this landscape because residual 'bare land holdings' (without buildings) will require such infrastructure. Allocation and development of these two sites would set a dangerous precedent for further development on this open, elevated, downland sites.

Changes required

Delete Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables) from the list of allocations in policy H2, p181.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	121 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I believe it to be unsound proposal to plan to build 100 , possibly 3 storey, homes in this Local Green space . It would cause great damage to the Valley and part of the area indicated is within a Archaeological Notification area (ANA) . The knock on from this would be increased traffic at the junction of Hangleton Lane, Hangleton Link Rd and Fox Way which gets very busy at peak times already. This problem would be made worse when combined with the proposal under E1 for warehouses at Hangleton Bottom which is a short distance north from this location further up the link road.

Changes required

Remove the proposal for housing at Benfield Valley

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	122 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the inclusion of any of the Local Wildlife Sites or the Local Nature Reserve in the City Plan because they are inconsistent with para 174 of the NPPF. These sites are already important for biodiversity and so their loss will not be able to be compensated for by the net gain policy (para 170 of NPPF). Whitehawk Hill has already been used as a receptor site for reptiles from development at Mile Oak and so to go ahead and develop this site would break the planning conditions of the previous development. The Ecological evidence for including these sites is of a poor quality, it does not include all of the wildlife on site and hence the land cannot be developed without an adverse impact. The negative impacts are huge, there will be more pressure on the remaining land which is already very heavily used (and appreciated) by the public. The Urban Fringe Assessment did not consider the impact of isolating an section of the Local Nature Reserve, this means that it will inherently lose it's wildlife value and cannot be mitigated for by creating land elsewhere. It is apparent that the ecological survey was of very poor quality - it mis-identified the chalk grassland as 'neutral' grassland and did not take account of the many butterflies and the linnets which use the area and need it to survive. Riding school and stables - should not be developed because the Urban Fringe Assessment did not adequately consider the landscape implications of developing this area - on top of the hill it will create more blighted views. In particular, this area is next to a well used track which many people enjoy. Benfield

Valley is a Local Wildlife Site and again should not be included for development because of the wildlife value of the site.

Changes required

Remove the sites ticked above from the allocation, that is Whitehawk Hill, Benfield Valley and the Riding School and stables.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

To support the campaigning group to save Whitehawk Hill.

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	124 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	n/a
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Not justified to build on green space.

Changes required

Do not build on green space

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	126 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	n/a
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

In view of the requirements set out in DM37 and DM38, the need for biodiversity, the preservation of irreplaceable habitats and public open spaces in an increasingly congested City, I believe it is hard to justify the inclusion of the following sites in the CPP2: - Site 30 - Site 32 - Site 32a - Site 33It seems a high price to pay for a potential 75 dwellings.

Changes required

See item 3 above

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

n/a

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	127 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

LAND AT AND ADJOINING BRIGHTON RACE COURSE I object to the allocation for development of this area for the following reasons;. in the 1822 /Tenantry Down (common) enclosure deed it states that the successor owner of the 'Race Ground' should not break up, convert into tillage, or divide the ground in any way and that this area be for the general use of the inhabitants of Brighton and the public for the purpose of racing and any other purposes of exercise. These same conditions were reiterated in the 1888 Indenture when the 'Race ground' was purchased by Brighton Corporation. . The delivery of a net gain to biodiversity which is required by paragraph 170 fo the National Planning Policy framework will not be achievable.. It is also not justified because the ecological evidence in the Urban Fringe Assessments - is out of date and therefore this undervalues the importance of the sites biodiversity and its Local Nature Reserve designation. . The justification to the CPP2 conclusion of 'no significant impact' is not correct. . The wildlife area of Whitehawk Hill would be significantly impacted on and the integrity of the Local Nature Reserve would be fragmented affecting parts of the reserve between Warren Road/Wilson Avenue and Manor Hill and the report of 2014 by Urban Fringe Assessment states that 'provision for the biodiersity assets MAY help to create new habitats and contribute to habitat connectivity and so helping to mitigate significant negative effects'. . No consideration or assessment has been made on the impact development on this allocation would have on the

historic gorse scrub habitat and all the dependent species which includes the breeding population of the Red Listed bird species and Species of Principal Importance - the Linnet, identified as using the gorse scrub in breeding bird surveys undertaken in 2019. . Does not consider the impact that development of this site would have on many invertebrate which have been recorded recently within or close to the allocation. These include brown-banded carder bees and small heath, samml blue, dingy skipper, wall and brown hairstreak butterflies. . Errors and omissions such as wrongly identifyig the Priority Habitat/Habitat of Principal Importance as semi-improved neutral grassland in the Phase 1 Habitat Survey, and wrongly reommending tree planting a a mitigaiton measure, where the priority in this area is the conservation of open habitats, such as grassland. These errors undermine the credibility of the evidence of the Urban Fringe Assessments as well as their conclusion. The development is not justified because is is framed in terms of its impact on the National Parks setting and views but did not consider effects within the local visual catchment such as views along Whitehawk Hill from the south and north as well as from the valley below. Although existing tower blocks impinge upon these views, the views are in many places still uninterrupted. The evidence in the Urgan Fringe Assessments did not acknowledge the result of development as intrusive of a residential landscape upon what at the moment is a semi-natural landscape which would reduce its strong feeling of naturalness.

The evidence in the Urban Fringe Assessments has not considered the loss of statutory Access Land (which includes. the whole of the allocation) that would be caused by development in this allocation. . There will be loss of Open Space and this is not consistent with statements in CPP1 which looks to increase the amount of accessible land adjacent to the urban area (AS5 The Setting of the South Downs National Park, 3.170). It will interfere with the positive work of community volunteers on this site, who have been working with the councils Ranger Service to conserve and restore Prioity Habitats/Habitats of Principal Importance in the Local Nature Reserve and this would in turn lead to the degradation of the res of the Local Nature Reserve. For many of the above reasons the plans are not effective because local councillors from all the main parties in the city have siad they will not support any development of this site. LAND AT SOUTH DOWNS RIDING SCHOOL AND RESERVOIR SITE AND LAND NORTH OF WARREN ROAD (INGLESIDE STABLES). These sites are open countryside on the edge of a current built up area of the city and therefore the residential development would be isolated and the National Planning Policy Framework advises against giving consent for new and isolated homes in the countryside. This is reinstated in CPP1 (3.16.1). The sites are in sensitive elevated locations close to the top of a ridge and close to the National Park Boundary and any development of these sites would have a negative impact on landscape character - contrary to the evidence in the Urban Fringe Assessments. The South Downs National Park Local Plan states: 'Development proposals will only be permitted where they conserve and enhance landscape character by demonstrating that:....3. The settlement pattern and individual identity of settlements and the integrity of predominantly open and undeveloped land between settlements will not be undermined.'. The effects on views were not fully considered in the assessments. For example; the western part of the allocation at Land north of Warren Road (Ingleside Stables) is on greenfield land immediately to the north of a well-used track. Development of this site would obscure and significantly impact important and valued views north from this track and from Warren Road. This part of the site is also clearly visible - for example in important views south eastwards from Hollingbury Camp/Castle, within the National Park on the northern edge of the city. . Loss of these farmsteads/buildings to housing will create a knockpon pressure for new replacement buildings within this landscape becaus residual 'bare land holdings' (without buildings) will require such infrastructure and a dangerous precedence would be set for further development on this open, high, greatly inter-visible Downland ridge which is between Brighton and Woodingdean and between the National Park, Bevendean Down and Whitehawk Hill LNRs, and this would further erode it's present character.

Changes required

I would suggest that you delete:1. Land at and adjoining Brighton Race Course and 2. Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables) from the list of allocations in policy H2.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

I have been a resident living not far from the race course for 20 years and I walk on Whitehawk Hill and all the surrounding areas virtually every day and the views are stunning and I appreciate the biodiversity of the land during all of my walks on all of the surrounding areas

including north of Warren Road where there is a track leading to Woodingdean and the South Downs walk along to Lewes and beyond. The track along there has important views over to Hollingbury and northeast of Brighton. Because of the importance this area holds for biodiversity and therefore for all of us - I would like to participate in the hearing sessions.

<u>Policy</u>	H2	
<u>Respondent Number / Rep Number</u>	128	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I am referring specifically to sites 32 and 32A. To deprive several long standing businesses of a future and their employees of employment, plus the destruction of the local enviroment for wildlife can never be reversed.However, with the ever increasing demand on our natural resources, it is essential that we safeguard them rather than destroying them. To propose building on a chalk aquifer reservoir when water is becoming an increasingly scarce resource is very short sighted and I cannot see how this can be justified.

Changes required

At the very least, the reservoir should be removed from the City Plan to protect this precious resource

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	129 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Individual
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Land at and adjoining Brighton Race Course object to the allocation at Land at and adjoining Brighton Race Course because- The allocation is inconsistent with conditions in the 1822 Tenantry Down (common) enclosure deed, which state that the successor owner of the 'Race Ground' 'shall not at any time thereafter break up, convert into tillage, or divide the said Race Ground' and 'that the inhabitants of Brighton and the public in general should have the use of it for the purpose of racing...and any other purposes of exercise and diversion as heretofore'. These conditions were reiterated in the 1888 Indenture when the 'Race Ground' was purchased by Brighton Corporation. Contrary to paragraph 174 of the National Planning Policy Framework. Won't be able to deliver a net gain to biodiversity as required by paragraph 170 of the National Planning Policy Framework. Not justified because the ecological evidence in the Urban Fringe Assessments - is out of date and undervalues the importance of the sites biodiversity and its Local Nature Reserve designation is insufficient to justify their conclusion of no significant impact with mitigation. is inconsistent, for example the conclusion that impacts on this site can be mitigated is inconsistent with other statements in the same documents, for example the 2014 Urban Fringe Assessment, which states that 'provision for the biodiversity assets may help to create new habitats and contribute to habitat connectivity helping to mitigate significant negative effects', which is rightly more cautious and does not claim that negative effects can be mitigated. did not

consider or assess the impact development on this allocation would have on the integrity of the Local Nature Reserve, partly severing (fragmenting) a section at the centre of the core part of the reserve between Manor Hill and Warren Rd/Wilson Ave did not consider or assess the impact development on this allocation would have on the historic gorse scrub habitat and its dependent species, including a breeding population of the Red Listed bird species and Species of Principal Importance linnet, identified as using the gorse scrub in breeding bird surveys undertaken in 2019 did not consider or assess the impact development on this allocation would have on the important invertebrate assemblage that surveys indicate the area in and around the allocation supports. A nationally recognised expert wrote that a survey in 2019 'indicates an extremely rich site.' did not consider or assess the impact development on this allocation would have on several invertebrate Species of Principal Importance which have been recorded in recent years within or close to the allocation, including brown-banded carder bee and small heath, small blue, dingyskipper, wall and brown hairstreak butterflies. contains errors and omissions, such as, within the wider site, wrongly identifying the Priority Habitat/Habitat of Principal Importance Lowland Calcareous Grassland as semi-improved neutral grassland in the Phase 1 Habitat Survey, and wrongly recommending tree planting as a mitigation measure, where the priority in this area is the conservation of open habitats, such as grassland. These errors undermine the credibility of the evidence of the Urban Fringe Assessments as well as their conclusions. Not justified because - the evidence in the Urban Fringe Assessments in relation to landscape is framed wholly in terms of impacts of development on the National Park's setting and views, and did not consider such effects within the local visual catchment (within and adjoining LNR), for example of views along Whitehawk Hill from the south and north, as well as from the valley below. Although the existing tower blocks impinge upon these views, the views are in many places currently uninterrupted. the evidence in the Urban Fringe Assessments did not recognise that development would result in the intrusion of a residential landscape into what is currently a semi-natural landscape, significantly reducing its strong sense of naturalness. the evidence in the Urban Fringe Assessments did not consider the loss of statutory Access Land (which includes the whole of the allocation) that would be caused by development in this allocation. it will result in a loss of Open Space, which is inconsistent with statements in City Plan Part 1 which seeks to increase, not decrease the amount of accessible land adjacent to the urban area (SA5 The Setting of the South Downs National Park, 3.170). Will undermine the positive work of community volunteers on this site, who have been working with the council's Ranger Service to conserve and restore Priority Habitats/ Habitats of Principal Importance in the Local Nature Reserve, leading to the degradation of the rest of the LNR. Is not effective because councillors from all main parties in the city have said they won't support development

Changes required

Delete Land at and adjoining Brighton Race Course

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	130 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	resident of Whitehawk
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Land at and adjoining Brighton Race Course object to the allocation at Land at and adjoining Brighton Race Course because - •The allocation is against conditions in the 1822 Tenantry Down (common) enclosure deed, which state that the successor owner of the 'Race Ground' 'shall not at any time thereafter break up, convert into tillage, or divide the said Race Ground' and 'that the inhabitants of Brighton and the public in general should have the use of it for the purpose of racing...and any other purposes of exercise and diversion as heretofore'. These conditions were restated in the 1888 Indenture when the 'Race Ground' was purchased by Brighton Corporation. •Its against paragraph 174 of the National Planning Policy Framework. •Won't be able to deliver the net gain to biodiversity required by paragraph 170 of the National Planning Policy Framework because of the damage that would be done to important habitats and species, as well as the integrity of the LNR, would not be able to be mitigated •Not justified because the ecological evidence in the Urban Fringe Assessments - ois out of date and doesn't sufficiently value the importance of the sites biodiversity and its Local Nature Reserve designation is insufficient (e.g. a flawed Phase 1 habitat survey) to justify their conclusion that there would be no significant negative impact with mitigation. ois inconsistent. For example the conclusion that negative impacts on this site can be mitigated is inconsistent with a statement in the 2014 Urban Fringe Assessment, which said that 'provision for the biodiversity assets may help to

create new habitats and contribute to habitat connectivity helping to mitigate significant negative effects', which is much more cautious and does not claim that negative effects can be mitigated. It did not discuss the impact development on this allocation would have on the integrity of the Local Nature Reserve, partly cutting through a section at the centre of the reserve between Manor Hill and Warren Rd. It didn't discuss the impact development on this allocation would have on the gorse scrub habitat and the species that live in it, including the Red Listed bird species and Species of Principal Importance linnet, which was shown to be using the gorse scrub in a breeding bird survey carried out in 2019. It didn't discuss the impact development on this allocation would have on the important insects that surveys found in the area in and around the allocation site. A nationally recognised expert wrote that a survey in 2019 'indicates an extremely rich site'. It didn't discuss the impact development on this allocation would have on several insect Species of Principal Importance which have been recorded in recent years in or close to the allocation site, such as brown-banded carder bee and small heath, small blue, dingy skipper, wall and brown hairstreak butterflies. It includes errors, such as, in the Phase 1 habitat survey wrongly identifying the Priority Habitat/Habitat of Principal Importance Lowland Calcareous Grassland as semi-improved neutral grassland, and wrongly suggesting tree planting as a mitigation measure, where the priority in this area is the conservation of open habitats, such as grassland. These errors undermine the credibility of the evidence in the Urban Fringe Assessments as well as their conclusions.

- Not justified because - the evidence in the Urban Fringe Assessments in relation to landscape is made almost entirely in relation to impacts of development on the National Park, and did not consider effects within the local area (for example within and adjoining the LNR), for example views along Whitehawk Hill from the south and north, as well as from the valley . Although the existing tower blocks have an effect on these views, they are still enjoyed by many local people.

the evidence in the Urban Fringe Assessments didn't discuss the fact that development on this site would put a residential area into what is currently a natural landscape, destroying its sense of naturalness. the evidence in the Urban Fringe Assessments didn't discuss the loss of statutory Access Land (which includes the whole of the allocation) that would be caused by development in this allocation. It will result in a loss of Open Space, which is against statements in City Plan Part 1 which try to increase, not decrease the amount of accessible land adjacent to the urban area. This natural open space is of particular importance as it is adjacent to, and heavily used and enjoyed by people from Whitehawk, one of the most deprived communities in the area.

- It will undermine the good work of community volunteers in the LNR, who have been working with the councils Ranger Service to conserve and restore habitats, and so it would lead to lack of management of the rest of the LNR.
- Is not effective because councillors from all the main parties in the city have said they won't support development of the site. Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables)
- These sites are separated from the edge of the built up area of the city so their development would create new residential developments in open countryside. The NPPF advises against giving permission for new and isolated homes in the countryside and this is also said in City Plan Part 1 (3.16.1). Although these allocations are not for single homes they are still within the spirit of the NPPF guidance.
- The evidence on landscape impact of development of these sites in the Urban Fringe Assessments was inadequate. The sites are in sensitive locations on the top of a ridge and next to the National Park . Development of these sites would have a negative impact on landscape character. The South Downs National Park Local Plan (Strategic Policy SD4: Landscape Character) states 'Development proposals will only be permitted where they conserve and enhance landscape character by demonstrating that: ... 3. The settlement pattern and individual identity of settlements and the integrity of predominantly open and undeveloped land between settlements will not be undermined.'
- Effects on some important views weren't discussed in the Urban Fringe Assessments. For example the western part of the allocation at Land north of Warren Road (Ingleside Stables) is on greenfield land immediately to the north of the well-used track which runs parallel with Warren Road. Development of this site would block this important view looking north from the track and from Warren Road.
- Loss of the buildings to housing will create knock-on pressures for new replacement buildings within the area because the remaining businesses will require such buildings.
- Allocation and development of these two sites would set a dangerous precedent for further development in this green gap between Brighton and Woodingdean), which would further damage its character.

Changes required

Delete the following sites from the list of Urban fringe housing allocations -1. Land at and adjoining Brighton Race Course 2. Land at South Downs Riding School & Reservoir Site, and 3. Land north of Warren Road (Ingleside Stables)

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

I am the original person who started up this protest in the first place. I am a resident of this lovely area. We have been told over the years that Whitehawk is an area of deprivation and the area is overcrowded. Many residents are on benefits or very low incomes and many have poor physical and mental health issues. We need to improve the area not make it worse. There is very bad infrastructure with only 1 main road in with small roads leading out. Rain water gushes down the footpath. I dread to think what would happen if a road was built. Cars already park on pavements and Green spaces. There are many rare plants and Wildlife. More than 2000 reptiles were relocated here from another area in 2018. Whitehawk residents should not be forced to choose between their Green Environment and the right to a home. We deserve both. There is plenty of Brownfield sites without using our Greenfield sites. Please do not destroy our unique and precious Nature Reserve. Protect our area. I appeal to you on behalf of the residents living in this beautiful area please take it OFF the City Plan

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	131 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Land at and adjoining Brighton Race Course: The 1822 Tenantry Down (common) enclosure deed, clearly states that the owner of the 'Race Ground', 'shall not at any time thereafter break up, convert into tillage, or divide the said Race Ground' and 'that the inhabitants of Brighton and the public in general should have the use of it for the purpose of racing...and any other purposes of exercise and diversion as heretofore'. This was underlined in 1888 when the 'Race Ground' was purchased by Brighton Corporation. The ecological evidence in the Urban Fringe Assessments is out of date and fails to capture the full importance of the sites biodiversity or assess the impact this development would have on the historic gorse scrub habitat and its dependent species, including the Red Listed bird species and Species of Principal Importance as noted in bird surveys from 2019. Tree planting has been cited as a mitigating measure, however the priority in this area is the conservation of open habitats, such as grassland. These errors negate the conclusions drawn. Further, this policy will undermine the efforts of community volunteers who have contributed much to this site by restoring priority habitats in the Local Nature Reserve. Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables) Given that these sites are not connected to the built up area of the city, their development would create isolated developments in open countryside. The NPPF advises against giving consent for new and isolated homes in the countryside, advice which is restated in City

Plan Part 1 (3.16.1).The landscape impact of developing these sites given in the Urban Fringe Assessments was inadequate and insufficient. Given the sensitive elevated locations and adjacent to the National Park Boundary, development would significantly and negatively impact the landscape character.This explicitly contravenes the South Downs National Park Local Plan (Strategic Policy SD4: Landscape Character) which clearly states 'Development proposals will only be permitted where they conserve and enhance landscape character by demonstrating that: ... 3. The settlement pattern and individual identity of settlements and the integrity of predominantly open and undeveloped land between settlements will not be undermined.'Were these two sites to be developed, in addition to the current damage, there would be a dangerous precedent set for future developments on an important ecological with much character.

Changes required

Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables) should be removed from the list of allocations in policy H2.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	132 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	None
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Please see comments on DM35 Travel Plans and Transport AssessmentsThe local transport infrastructure has not been shown to be able to contain the developments sustainably.

Changes required

Fix DM35 Travel Plans and Transport Assessments

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	133 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	n/a
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The allocation is not consistent with national policy because it is contrary to paragraph 174 of the National Planning Policy Framework and won't be able to deliver a net gain to biodiversity as required by paragraph 170 of the National Planning Policy Framework. The policy is not justified or effective because the ecological evidence in the Urban Fringe Assessments is out of date and undervalues the importance of the site's biodiversity and its Local Nature Reserve designation. It did not consider or assess the impact development on this site would have on Whitehawk Hill Local Nature Reserve by causing significant fragmentation, habitat loss and impacts on important bird and invertebrate species, including brown-banded carder bee and small heath, small blue, dingy skipper, wall and brown hairstreak butterflies. Development on this site also undermines the positive work of community volunteers on this site, who have been working with the Council's Ranger Service to conserve and restore the Local Nature Reserve.

Changes required

Land at and adjoining Brighton Race Course should be removed from the list of allocations

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	134 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the allocation of Land at or adjoining Brighton Race Course because:it would be inconsistent with the near 200 year old deeds which state that the public should have use of the land for the Race Ground for the purposes of racing...and ...exercise and diversion.'it contravenes para 174 of the NPPIt won't imporve biodiversity as required by para 170 of the NPPIt is not justified because the ecological evidence used in the Urban Fringe Assessments wasout of date as stated earlierdid not take account of the fact that the LNR would be partly fragmenteddid not consider the impact that development would have on rare species of bird and invertebrates and their habitatcontains errors and omissions such as recommending tree planting when the priority here is to conserve open habitats, such as grassland.It is also not justified because the evidence in the Urban Fringe Assessments did not recognise how development here would intrude onto a semi-natural landscape, would result in the loss of statutory Access land and a loss of Open Space which is inconsistent with the stated aims of City Plan Part 1 which sought to increase not decrease the amount of accessible land adjacent to the urban area.It is not effective because Councillors from all the main parties in the city have said they won't support development of the site.

Changes required

Delete land at and adjoining Brighton Race Course from the list of allocations in policy H2.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

N/A

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	135 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Land adjacent to Brighton Race Course * Contrary to para 174. of NPPR* Won't be able to deliver net biodiversity gain consistent with para. 170 of NPPF* Is based on out of incomplete and out of date ecological evidence in the Urban Fringe Assessment 2014* Seems very unlikely that local councillors will vote for development given local community support for the LNR and the commitment of volunteers who have been helping to restore the siteLand at South Downs Riding School & Reservoir site & Land north of Warren Rd* New and isolated homes in open countryside again is against consistent with NPPF* Impact on views of this very visible ridge site - this creates a dangerous precedent & close to the SDNP boundary

Changes required

Exclude the following sites from the allocations list in H2 :Land adjacent to Brighton Race Course Land at South Downs Riding School & Reservoir siteLand north of Warren Rd

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	136 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the allocation of Land at and adjoining Brighton Race Course because:• It fails to uphold the 1822 Tenantry Down (common) enclosure deed and 1888 Indenture, which reserve the area for racing, exercise and diversion. • It is unjustified by the Urban Fringe Assessments because the ecological evidence did not consider the impact on the historic gorse scrub habitat and dependent species including the linnet, which is Red Listed and a Species of Principal Importance, nor the impact on the integrity of the Local Nature Reserve; and undervalues the value of biodiversity, including precious Invertebrate Species of Principal Importance brown-banded carder bee, and brown hairstreak, dingy skipper, small blue and small heath butterflies. I object to the allocation of Land at South Downs Riding School and Reservoir Site and Land north of Warren Road (Ingleside Stables) because:• Development would create isolated housing sites in open countryside, having a significant negative impact on the character of the landscape of the South Downs National Park.

Changes required

I suggest you delete 'Land at and adjoining Brighton Race Course'; delete 'Land at South Downs Riding School and Reservoir Site' and 'Land north of Warren Road

(Ingleside Stables)' from the proposed allocations in policy H2.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	137 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The Local Nature Reserve on land at Brighton Race Course will be seriously fragmented as a result of this allocation. Evidence presented in the Urban Fringe Assessments does not properly consider the damaging effect of this for biodiversity. As a result it will not be possible to ensure any 'net gain' is delivered.

Changes required

Change the list of allocations in policy H2 to remove: land adjoining Brighton Race Course, Land at South Downs Riding School and Reservoir Site, and Land north of Warren Road (Ingleside Stables).

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	138 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the allocation of the land adjoining Brighton Race Course as the ecological evidence used is out of date and does not take into account it's Local Nature Reserve designation, and it's rich bird and invertebrate biodiversity. Additionally, this site has been invaluable during the Covid pandemic in allowing local residents to access green space and benefit their physical and mental health and wellbeing. I object to the allocation of the land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables), as any residential developments there would be isolated from the rest of the city. they would also have a negative impact on the character of the landscape so close to the South Downs National Park. it would also set a dangerous precedent for other building projects so close to the South Downs National Park.

Changes required

Delete Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables) from the list of allocations in policy H2.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	140 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the allocation of Land at and adjoining Brighton Race Course because- it's contrary to paragraph 174 of the National Planning Policy Framework- the 1822 Tenantry Down (common) enclosure deed clearly states, that successor owners shall not at any time break up or divide the Race Ground and 'that the inhabitants of Brighton and the public in general should have the use of it for the purpose of racing and any other purposes of exercise and diversion as heretofore'. These conditions were part of the 1888 Indenture, when Brighton Corporation purchased the Race Ground.- the ecological evidence in the Urban Fringe Assessment is out of date and undervalues the importance of the sites biodiversity and its Local Nature Reserve designation- the Urban Fringe Assessment contains a number of erroneous recommendations, i.e. to plant trees, when efforts by ranger and volunteers have focused on opening up the landscape to preserve the ancient chalk grass land, which, incidentally, has also been wrongly identified in the Assessment.- the positive effect of this unique, species rich green landscape on resident's mental health seems to have completely escaped the undertakers of the Urban Fringe Assessment. The Local Nature Reserve is used extensively by people living in the densely populated Whitehawk area, amongst other dog walkers, cyclists and joggers- a previous development project, involving the council, got abandoned recently, citing technical difficulties with the elevated site, not least due to danger of ground water flooding- the proposed

development site will effectively cut the Nature Reserve in two, thereby adversely affecting the habitat of several mammals, amongst them foxes and badgers. A population of adders, slow worms, common lizards and other wildlife was recently relocated to the site from another development site elsewhere in the borough. A pretty pointless exercise, if they are to be moved yet again to make way for a new development- access to any development in The Nature Reserve is problematic due to there being one way in between two existing blocks. The surrounding roads in Whitehawk are already congested with parked cars making it difficult for busses to negotiate the route

Changes required

Delete land at and adjoining Brighton Race Course from the plan.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2	
<u>Respondent Number / Rep Number</u>	141	2
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>		
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The allocation of land within this LNR for housing is inconsistent with paragraph 174 of the National Planning Policy Framework. It is also inconsistent with the legal agreement signed when Brighton Corporation purchased the land in which its use was to be preserved for the use of Brighton residents and the wider public for exercise and enjoyment..

Changes required

The Land at and adjoining Brighton Race Course should be removed from the list of H2 Housing Sites

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	144 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Individual
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I do not believe that the correct legal process has been carried out allowing representation of the people. A right to be heard was dismissed by the Mayor of Brighton

Changes required

I do not have sufficient legal training to articulate this.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	145 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the allocation of land by Brighton racecourse, because it is not justified as the ecological evidence in the Urban Fringe Assessments contains errors and omissions, such as wrongly identifying the Priority Habitat/Habitat of Principal Importance Lowland Calcareous Grassland as semi-improved neutral grassland in the Phase 1 Habitat Survey and wrongly recommending tree planting as a mitigation measure, where the priority in this area is the conservation of open habitats, such as grassland. These errors undermine the credibility of the evidence of the Urban Fringe Assessments as well as their conclusions.

Changes required

Delete 'Land at and adjoining Brighton Race Course' from the list of allocations in policy H.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	146 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the allocation of Land at and adjoining Brighton Race Course because:It is not justified because the ecological evidence in the Urban Fringe Assessment did not consider or assess the impact that development on this allocation would have on the important invertebrate species that surveys indicate inhabiting the area in and around the allocation. I recognise myself the surprisingly variety biodiversity the area supports and a nationally recognised expert wrote that a survey in 2019 'indicates an extremely rich site' in respect of the biodiversity found there.It will undermine the hard work of local community volunteers on this site, who have been working with the council's Ranger Service to conserve and restore Priority Habitats and Habitats of Principal Importance in the Local Nature Reserve, leading to the degradation of the rest of the LNR as a whole.I object to the allocation of Land at South Downs Riding School & Reservoir Siteand Land north of Warren Road (Ingleside Stables) because:These particular sites are separate from the edge of the current built up areasof the city and not very accessible, so development there would create isolated new residential developments in what is currently open countryside. Whilst these allocations are not for single homes they are still within the spirit of the NPPF guidance against giving consent for new and isolated homes in the countryside.The sites are in sensitive elevated locations, close to the top of a ridge and adjacent to the South Downs National Park Boundary. Development of these sites would have a negative impact on the

landscape character in general. Development of this site would obscure and negatively impact important and highly valued views north from this track and from Warren Road, both across the Downs and to the sea. Also views of this site from other areas of the city would be negatively impacted. Allocation and/or development of these sites would set a precedent for further development on this important Downland ridge, (between Brighton and Woodingdean, and between the National Park and the Bevendean Down and Whitehawk Hill LNRs), this would further erode it's much loved character.

Changes required

Delete Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables) from the list of allocations in policy H2.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	150 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Land at and adjoining Brighton Race Course object to the allocation at Land at and adjoining Brighton Race Course because -

- The allocation is inconsistent with conditions in the 1822 Tenantry Down (common) enclosure deed, which state that the successor owner of the 'Race Ground' 'shall not at any time thereafter break up, convert into tillage, or divide the said Race Ground' and 'that the inhabitants of Brighton and the public in general should have the use of it for the purpose of racing...and any other purposes of exercise and diversion as heretofore'. These conditions were reiterated in the 1888 Indenture when the 'Race Ground' was purchased by Brighton Corporation.
- Contrary to paragraph 174 of the National Planning Policy Framework.
- Won't be able to deliver a net gain to biodiversity as required by paragraph 170 of the National Planning Policy Framework
- Not justified because the ecological evidence in the Urban Fringe Assessments - is out of date and undervalues the importance of the sites biodiversity and its Local Nature Reserve designation - is insufficient to justify their conclusion of no significant impact with mitigation. - is inconsistent, for example the conclusion that impacts on this site can be mitigated is inconsistent with other statements in the same documents, for example the 2014 Urban Fringe Assessment, which states that 'provision for the biodiversity assets may help to create new habitats and contribute to habitat connectivity helping to mitigate significant negative effects', which is rightly more cautious and does not claim that

negative effects can be mitigated. - did not consider or assess the impact development on this allocation would have on the integrity of the Local Nature Reserve, partly severing (fragmenting) a section at the centre of the core part of the reserve between Manor Hill and Warren Rd/Wilson Ave. - did not consider or assess the impact development on this allocation would have on the historic gorse scrub habitat and its dependent species, including a breeding population of the Red Listed bird species and Species of Principal Importance linnet, identified as using the gorse scrub in breeding bird surveys undertaken in 2019 - did not consider or assess the impact development on this allocation would have on the important invertebrate assemblage that surveys indicate the area in and around the allocation supports. A nationally recognised expert wrote that a survey in 2019 'indicates an extremely rich site'. - did not consider or assess the impact development on this allocation would have on several invertebrate Species of Principal Importance which have been recorded in recent years within or close to the allocation, including brown-banded carder bee and small heath, small blue, dingy skipper, wall and brown hairstreak butterflies. - contains errors and omissions, such as, within the wider site, wrongly identifying the Priority Habitat/Habitat of Principal Importance Lowland Calcareous Grassland as semi-improved neutral grassland in the Phase 1 Habitat Survey, and wrongly recommending tree planting as a mitigation measure, where the priority in this area is the conservation of open habitats, such as grassland. These errors undermine the credibility of the evidence of the Urban Fringe Assessments as well as their conclusions. • Not justified because -

- the evidence in the Urban Fringe Assessments in relation to landscape is framed wholly in terms of impacts of development on the National Park's setting and views, and did not consider such effects within the local visual catchment (within and adjoining LNR), for example of views along Whitehawk Hill from the south and north, as well as from the valley below. Although the existing tower blocks impinge upon these views, the views are in many places currently uninterrupted. - the evidence in the Urban Fringe Assessments did not recognise that development would result in the intrusion of a residential landscape into what is currently a semi-natural landscape, significantly reducing its strong sense of naturalness. - the evidence in the Urban Fringe Assessments did not consider the loss of statutory Access Land (which includes the whole of the allocation) that would be caused by development in this allocation. - it will result in a loss of Open Space, which is inconsistent with statements in City Plan Part 1 which seeks to increase, not decrease the amount of accessible land adjacent to the urban area (SA5 The Setting of the South Downs National Park, 3.170). - Will undermine the positive work of community volunteers on this site, who have been working with the councils Ranger Service to conserve and restore Priority Habitats/ Habitats of Principal Importance in the Local Nature Reserve, leading to the degradation of the rest of the LNR. • Is not effective because councillors from all main parties in the city have said they won't support development of the site. Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables) • These sites are separated from the edge of the current built up area of the city so their development would create isolated new residential developments in what is currently open countryside. The NPPF advises against giving consent for new and isolated homes in the countryside and this is restated in City Plan Part 1 (3.16.1). Whilst these allocations are not for single homes they are still within the spirit of the NPPF guidance. • The evidence in relation to the landscape impact of development of these sites in the Urban Fringe Assessments was inadequate. The sites are in sensitive elevated locations close to the top of a ridge and adjacent to the National Park Boundary. Development of these sites would have a significant negative impact on landscape character. The South Downs National Park Local Plan (Strategic Policy SD4: Landscape Character) states 'Development proposals will only be permitted where they conserve and enhance landscape character by demonstrating that: ... 3. The settlement pattern and individual identity of settlements and the integrity of predominantly open and undeveloped land between settlements will not be undermined.' • Effects on views were not fully considered in the Urban Fringe Assessments. For example the western part of the allocation at Land north of Warren Road (Ingleside Stables) is on greenfield land immediately to the north of a well-used track. Development of this site would obscure and/or significantly negatively impact important and valued views north from this track and from Warren Road. This was not considered in the Urban Fringe Assessments. This part of the site is also clearly visible, for example, in an important view south eastwards from Hollingbury Camp/Castle, within the National Park on the northern edge of the city. • Loss of these farmsteads/buildings to housing will create knock-on pressures for new replacement buildings within this landscape because residual 'bare land holdings' (without buildings) will require such infrastructure. • Allocation and development of these two sites would set a dangerous precedent for further development on this open, high, greatly inter-visible Downland ridge, (between Brighton and Woodingdean, and between the National Park and the Bevendean Down and Whitehawk Hill LNRs), which would further erode it's character.

Changes required

My recommendation to make the policy legally sound and compliant is to delete 'Land at and adjoining Brighton Race Course', 'Land at South Downs Riding School & Reservoir Site' and 'Land north of Warren Road (Ingleside Stables)' from the list of allocations in policy H2.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	151 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Brighton Racecourse;Inconsistent with original Tenantry Down enclosure deedContrary to para 74 of NPPFWill not deliver net biodiversity gainWill fragment the important habitat at the site and damage its particularly valuable features which support red listed bird species and invertebratesWill result in a loss of open space and compromise the natural beauty of the area.South Downs Riding School and land North of Warren Road;Creates isolated housing development in open countryside in contravention of NPPFContravenes requirements of South Downs National Park Local Plan by adversely affecting landscape characterWill destroy much treasured local viewsWill create pressure for the erection of farm buildings lost to development

Changes required

Delete land at and adjoining Brighton Racecourse, land at South Downs Riding School and Reservoir site and Land North of Warren Road (Ingleside Stables) from the list of allocations in policy H2

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	152 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Brighton Race course - the allocation is against paragraph 174 of the national planning policy framework as well as the 1822 enclosure deed for the land. The land should remain for recreational use for the people of Brighton. South downs riding school and land north of warren road - developing these areas would have a negative impact on the landscape character of the south downs and created isolated pockets of development.

Changes required

Remove the three listed sites from the H2 policy.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	153 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Land at and adjoining Brighton Race Course object to the allocation at Land at and adjoining Brighton Race Course because - •The allocation is inconsistent with conditions in the 1822 Tenantry Down (common) enclosure deed, which state that the successor owner of the 'Race Ground' '... such part thereof as is now uncultivated, should never be broken up or subdivided ...' and that '... the inhabitants and visitors of the town of Brighthelstone, and the public in general, should have the use of it for the purpose of racing, and other purposes of exercise and diversion as heretofore ...'. These conditions were reiterated in the 1888 Indenture when the 'Race Ground' was purchased by Brighton Corporation. •Contrary to paragraph 174 of the National Planning Policy Framework. •It won't be able to deliver a net gain to biodiversity as required by paragraph 170 of the National Planning Policy Framework because the adverse effects on habitats and species arising from development could not be adequately mitigated •Not justified because the ecological evidence in the Urban Fringe Assessments - ois out of date and undervalues the importance of the sites biodiversity and its Local Nature Reserve designationois insuficient, comprising only a review of records from the SBRC and a poorly conducted Phase 1 habitat survey, to justify their conclusion of no significant impact with mitigation.ois inconsistent, for example the conclusion that impacts on this site can be mitigated is inconsistent with the statement in the 2014 Urban Fringe Assessment, which more correctly states that

'provision for the biodiversity assets may help to create new habitats and contribute to habitat connectivity helping to mitigate significant negative effects'. The inclusion of 'may help', 'contribute to' and 'helping to' is rightly more cautious and does not claim that negative effects can be mitigated. I did not consider or assess the impact development on this allocation would have on the integrity of the Local Nature Reserve, partly severing (fragmenting) a section at the centre of the core part of the reserve between Manor Hill and Warren Rd/Wilson Ave. Habitat fragmentation is recognised as one of the main drivers of biodiversity loss. I did not consider or assess the impact development on this allocation would have on the historic gorse scrub habitat, which occurs within and close to the allocation and not elsewhere within the LNR, due to local variation in soils, as well as its dependent species, which includes a breeding population of the Red Listed bird species and Species of Principal Importance linnet, identified as using the gorse scrub in breeding bird surveys undertaken in 2019. I did not consider or assess the impact development on this allocation would have on the important invertebrate assemblage that surveys indicate the area in and around the allocation supports. A nationally recognised expert wrote that a survey in 2019 'indicates an extremely rich site'. This survey also identified the presence of a click beetle (*Prosternon tessellatum*) characteristic of acid grassland and heathland and whose presence in this area is likely to be linked to the local variation in soils reflected in the presence of the gorse scrub and which forms an important part of the diversity of the LNR. I did not consider or assess the impact development on this allocation would have on several invertebrate Species of Principal Importance which have been recorded in recent years within or close to the allocation, including brown-banded carder bee (recorded by a nationally recognised expert) and small heath, small blue, dingy skipper, wall and brown hairstreak butterflies, recorded during butterfly transects carried out during 2020. It contains errors and omissions, such as, within the wider site, wrongly identifying the Priority Habitat/Habitat of Principal Importance Lowland Calcareous Grassland as semi-improved neutral grassland, dense scrub and woodland in the Phase 1 Habitat Survey. The 2014 Urban fringe Assessment wrongly recommended tree planting as a mitigation measure, where the priority in this area is the conservation of open habitats, such as grassland. Indeed BHCCs ranger service and local community volunteers spend a considerable time removing trees in order to conserve and restore these habitats. These errors undermine the credibility of the evidence of the Urban Fringe Assessments as well as their conclusions.

- Not justified because - the evidence in the Urban Fringe Assessments in relation to landscape is framed in terms of impacts of development on the National Park's setting and views, and did not properly consider such effects within the local visual catchment (within and adjoining LNR), for example of views along Whitehawk Hill from the south and north, as well as from the valley below. Although the existing tower blocks impinge upon these views, the views are in many places currently uninterrupted and important and highly valued by the large number of people who regularly use the reserve. The evidence in the Urban Fringe Assessments did not recognise that development would result in the intrusion of a residential landscape into what is currently a semi-natural landscape, which would significantly reduce its strong sense of naturalness. The evidence in the Urban Fringe Assessments did not consider the loss of statutory Access Land (which includes the whole of the allocation) that would be caused by development in this allocation. It will result in a loss of Open Space, which is inconsistent with statements in City Plan Part 1 which seeks to increase, not decrease the amount of accessible land adjacent to the urban area (SA5 The Setting of the South Downs National Park, 3.170). Whitehawk Hill LNR, located adjoining some of the most deprived communities in the area, is of particular importance in this regard, as access to more distant areas of natural greenspace is often not an option for people from such communities. The adverse effect of the allocation on the setting of Whitehawk Camp Scheduled Ancient Monument, as well as the wider 'archaeological landscape' of which it forms a part, is not addressed in the evidence in the Urban fringe Assessments.
- Will undermine the positive work of community volunteers on this site, who have been working with the council's Ranger Service to conserve and restore Priority Habitats/ Habitats of Principal Importance in the Local Nature Reserve, and which would lead to the degradation of the rest of the LNR.
- Is not effective because councillors from all main parties in the city have said they won't support development of the site. The Conservative group has opposed the allocation and set up a petition against it. The leader of the Labour group and the former leader of the council Nancy Platts, as well as other Labour councillors, has made public statements opposing development within the LNR. In an email to myself earlier this year a green councillor said 'The council owns Whitehawk Hill and thankfully no political party wants to develop it...'

Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables)

- These sites are separated from the edge of the current built up area of the city so their development would create isolated new residential developments in what is currently open countryside. This would be contrary to the spirit of para 79 of the NPPF, which advises against giving consent for new and isolated homes in the countryside (and which is restated in City Plan Part 1 3.16.1).
- The evidence in relation to the landscape impact of development of these sites in the Urban Fringe Assessments was inadequate. The sites are in sensitive elevated locations close to the top of a ridge and adjacent to the National Park Boundary. Development of these sites would

have a significant negative impact on landscape character. The South Downs National Park Local Plan (Strategic Policy SD4: Landscape Character) states 'Development proposals will only be permitted where they conserve and enhance landscape character by demonstrating that: ... 3. The settlement pattern and individual identity of settlements and the integrity of predominantly open and undeveloped land between settlements will not be undermined.' •Development within the allocations would adversely affect the landscape character of the area. The South Downs NP Integrated Landscape Character Assessment identified this landscape as 'Open Downland', whose features include 'Large scale open elevated landscape of rolling chalk downland, with dry valleys and scarp slopes' and 'Sparse settlement, with occasional isolated farms and barns'. Further, The City Plan Part One (SA5. The Setting of the South Downs National Park) states 'Proposals within the setting of the National Park must have regard to the impact on the National Park. ... Development within the setting of the National Park: ... must respect and not significantly harm the National Park and its setting.' •Development within the allocations would erode the character of the important green gap and gateway to the wider South Downs/National Park between Brighton and Woodingdean, in which the allocations lie. •Effects on views were not fully considered in the Urban Fringe Assessments. For example the western part of the allocation at Land north of Warren Road (Ingleside Stables) is on greenfield land immediately to the north of a well-used track which forms part of the access network forming part of the gateway to the South Downs/National Park from Brighton towards . Development of this site would obscure and/or significantly adversely impact the important, extensive and valued views over Bevendean and to the Downs beyond, north from this track and from Warren Road. This was not considered in the Urban Fringe Assessments. This part of the site is also clearly visible, for example, in an important view south eastwards from Hollingbury Camp/Castle, within the National Park on the northern edge of the city. •The current use of the sites and adjoining areas for horse grazing and its associated infrastructure etc supports a rich assemblage of notable wildlife species. Of particular note is an assemblage of aerial feeding bird and bat species, including BoCC Amber listed swift and house martin, as well as swallow, which depend on the abundant flying insects supported by the current land use. This is now one of the few locations in or on the edge of the city where such an assemblage can be experienced. A range of other notable invertebrate species have also been recorded. •Loss of the buildings used by the current livery businesses will create knock-on pressures for new replacement buildings within this landscape because residual 'bare land holdings' (without buildings) will require such infrastructure. •Allocation and development of these two sites would set a dangerous precedent for further development on this open, high, greatly inter-visible Downland ridge, (between Brighton and Woodingdean, and between the National Park and the Bevendean Down and Whitehawk Hill LNRs), which would further erode it's character.

Changes required

Delete the following sites from the list of allocations in policy H2 -Land at and adjoining Brighton Race CourseLand at South Downs Riding School & Reservoir SiteLand north of Warren Road (Ingleside Stables)

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	155 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Re: Section H2 for the urban fringe
 The proposal to build 45 houses on the designated site is a very short sighted look at the effect that this would have on the environment, community, biodiversity and geodiversity of the area , bordering on the site of the Southdowns National Park. It is also contradictory to the 'Proposed Submission City Plan Part Two' – see section 3.2 and 3.7. The area currently is rich in wildlife, badgers, foxes, bats and a variety of birds including kestrels, a sparrow hawk and woodpeckers. Warren Road is already overburdened with traffic leading to the busy Falmer Road and an increase in housing would increase this problem. The stables are a rich resource to the community providing experiences for disabled and disadvantaged children from the surrounding areas (this includes Whitehawk and Moulscombe where rich educational experiences are imperative both for children and adults). The stables are actually at the peak of a South Down. They also provide employment locally.

Changes required

See above

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

Because the community should be at the forefront of this decision making.

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	157 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

This is an undemocratic and unconstitutional decision. The mayor refused to allow representation which is undemocratic. Petitions have been repeatedly ignored. I expect the mayor and the council to represent the people and not act against our wishes or without our consent.

Changes required

A democratic vote of the residents needs to be held. The mayor refused to allow representation which is undemocratic. The mayor and the council should represent the people not themselves.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	161 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Friends of Whitehawk Hill
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

My objection to the allocation of land at and adjoining Brighton Racecourse is because:- The Urban Fringe assessment has not fully considered or measured the impact of development on the site would have on the local nature reserve. - If the development were to take place, the LNR would be split at the core part of the reserve between Manor Hill and Warren Road/Wilson Avenue.- Whitehawk Hill has historic gorse, scrub habitat, and a breeding population of the Red Listed Bird species., including the linnet. This has been identified from breeding bird surveys in 2019. - The site is of importance not just because of its flora and fauna, but it is worth referencing the 1822 Tenantry Down Enclosure Deed which states the owner of the race ground 'shall not at any time thereafter break up, convert into tillage, or divide the said Race Ground' and 'that the inhabitants of Brighton and the public in general should have the use of it for the purpose of racing...and any other purposes of exercise and diversion as heretofore'. - For many years, community volunteers have been working with Council Ranger Service to conserve and restore habitats of principal importance - development means their conservation work will be undermined.

Changes required

Delete Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables) from the list of allocations in policy H2'.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

To represent the views of the community.

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	162 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	None
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the allocation at Land at and adjoining Brighton Race Course because It will not be able to deliver a net to biodiversity (per National Planning Policy Framework) - quite the opposite in fact. It relies on the urban fringe assessments which are out of date and inadequate - failing to acknowledge the the importance of biodiversity at the site and the damage that will be caused by fragmenting through important scrub habitat home to rare birds and reptiles.

Changes required

Delete Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables) from the list of allocations in policy H2

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	165 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Land at and adjoining Brighton Race Course object to the allocation at Land at and adjoining Brighton Race Course because - •The allocation is inconsistent with conditions in the 1822 Tenantry Down (common) enclosure deed, which state that the successor owner of the 'Race Ground' 'shall not at any time thereafter break up, convert into tillage, or divide the said Race Ground' and 'that the inhabitants of Brighton and the public in general should have the use of it for the purpose of racing...and any other purposes of exercise and diversion as heretofore'. These conditions were reiterated in the 1888 Indenture when the 'Race Ground' was purchased by Brighton Corporation. •Contrary to paragraph 174 of the National Planning Policy Framework. •Won't be able to deliver a net gain to biodiversity as required by paragraph 170 of the National Planning Policy Framework •Not justified because the ecological evidence in the Urban Fringe Assessments - ois out of date and undervalues the importance of the sites biodiversity and its Local Nature Reserve designationois insufficient to justify their conclusion of no significant impact with mitigation.ois inconsistent, for example the conclusion that impacts on this site can be mitigated is inconsistent with other statements in the same documents, for example the 2014 Urban Fringe Assessment, which states that 'provision for the biodiversity assets may help to create new habitats and contribute to habitat connectivity helping to mitigate significant negative effects', which is rightly more cautious and does not claim that

negative effects can be mitigated. did not consider or assess the impact development on this allocation would have on the integrity of the Local Nature Reserve, partly severing (fragmenting) a section at the centre of the core part of the reserve between Manor Hill and Warren Rd/Wilson Ave. did not consider or assess the impact development on this allocation would have on the historic gorse scrub habitat and its dependent species, including a breeding population of the Red Listed bird species and Species of Principal Importance linnet, identified as using the gorse scrub in breeding bird surveys undertaken in 2019. did not consider or assess the impact development on this allocation would have on the important invertebrate assemblage that surveys indicate the area in and around the allocation supports. A nationally recognised expert wrote that a survey in 2019 'indicates an extremely rich site'. did not consider or assess the impact development on this allocation would have on several invertebrate Species of Principal Importance which have been recorded in recent years within or close to the allocation, including brown-banded carder bee and small heath, small blue, dingy skipper, wall and brown hairstreak butterflies. contains errors and omissions, such as, within the wider site, wrongly identifying the Priority Habitat/Habitat of Principal Importance Lowland Calcareous Grassland as semi-improved neutral grassland in the Phase 1 Habitat Survey, and wrongly recommending tree planting as a mitigation measure, where the priority in this area is the conservation of open habitats, such as grassland. These errors undermine the credibility of the evidence of the Urban Fringe Assessments as well as their conclusions.

- Not justified because -othe evidence in the Urban Fringe Assessments in relation to landscape is framed wholly in terms of impacts of development on the National Park's setting and views, and did not consider such effects within the local visual catchment (within and adjoining LNR), for example of views along Whitehawk Hill from the south and north, as well as from the valley below. Although the existing tower blocks impinge upon these views, the views are in many places currently uninterrupted.
- othe evidence in the Urban Fringe Assessments did not recognise that development would result in the intrusion of a residential landscape into what is currently a semi-natural landscape, significantly reducing its strong sense of naturalness.
- othe evidence in the Urban Fringe Assessments did not consider the loss of statutory Access Land (which includes the whole of the allocation) that would be caused by development in this allocation.
- oit will result in a loss of Open Space, which is inconsistent with statements in City Plan Part 1 which seeks to increase, not decrease the amount of accessible land adjacent to the urban area (SA5 The Setting of the South Downs National Park, 3.170).
- Will undermine the positive work of community volunteers on this site, who have been working with the councils Ranger Service to conserve and restore Priority Habitats/ Habitats of Principal Importance in the Local Nature Reserve, leading to the degradation of the rest of the LNR.
- Is not effective because councillors from all main parties in the city have said they won't support development of the site.
- Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables)
- These sites are separated from the edge of the current built up area of the city so their development would create isolated new residential developments in what is currently open countryside. The NPPF advises against giving consent for new and isolated homes in the countryside and this is restated in City Plan Part 1 (3.16.1). Whilst these allocations are not for single homes they are still within the spirit of the NPPF guidance.
- The evidence in relation to the landscape impact of development of these sites in the Urban Fringe Assessments was inadequate. The sites are in sensitive elevated locations close to the top of a ridge and adjacent to the National Park Boundary. Development of these sites would have a significant negative impact on landscape character. The South Downs National Park Local Plan (Strategic Policy SD4: Landscape Character) states 'Development proposals will only be permitted where they conserve and enhance landscape character by demonstrating that: ... 3. The settlement pattern and individual identity of settlements and the integrity of predominantly open and undeveloped land between settlements will not be undermined.'
- Effects on views were not fully considered in the Urban Fringe Assessments. For example the western part of the allocation at Land north of Warren Road (Ingleside Stables) is on greenfield land immediately to the north of a well-used track. Development of this site would obscure and/or significantly negatively impact important and valued views north from this track and from Warren Road. This was not considered in the Urban Fringe Assessments. This part of the site is also clearly visible, for example, in an important view south eastwards from Hollingbury Camp/Castle, within the National Park on the northern edge of the city.
- Loss of these farmsteads/buildings to housing will create knock-on pressures for new replacement buildings within this landscape because residual 'bare land holdings' (without buildings) will require such infrastructure.
- Allocation and development of these two sites would set a dangerous precedent for further development on this open, high, greatly inter-visible Downland ridge, (between Brighton and Woodingdean, and between the National Park and the Bevendean Down and Whitehawk Hill LNRs), which would further erode it's character.

Changes required

Delete Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables) from the list of allocations in policy H2.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	166 5
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	None
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The policy is not consistent with National Planning Policy Framework (170, 174). It is not justified in terms of housing need. It undervalues existing biodiversity and compromises the City's biodiversity and environmental goals for 2030. It takes insufficient account of the need for the the City to maintain unimpeded green 'wedges' to the SDNP or the rarity species and habitat of the Local Nature Reserve and Green Spaces. The proposed developments are not congruent with other established aims of the City, including meeting carbon neutral targets, promoting good mental health through access to green space and access to green space to a wide diversity of residents as is currently the case in the Urban Fringe, e.g. Whitehawk and Benfield.

Changes required

The City should delete from H2 policy Benfield Valley; Land at Brighton Racecourse; Land at South Downs Riding School & Reservoir Site; Land North of Warren Road (Ingleside Stables).The City should undertake measurable surveys into current use and record the diversity of the local communities using these spaces.Further, although the City is claiming that current Government policy is behind the City's decision to build private housing on Green Spaces, the

Government itself is under pressure (e.g. the White Paper on Planning for The Future) to align planning laws with: access to nature, public health and well-being and improved democratic accountability. The City should use its position to align itself with these aims and delete all Green Space and Local Wildlife Sites from H2.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	168 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	n/a
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The Urban Fringe sites are not positively prepared - the smaller number of units these sites provide does not justify the impact on the environment and loss of facilities (ex the 2 Riding Stables, open green spaces around Whitehawk Hill etc).It has been demonstrated that the housing quotas can be met by the CPP2, with the exclusion of these urban fringe sites.The loss of these spaces to housing contradicts conclusions in the "Proposed Submission City Plan Part Two - Sustainability Appraisal (April 2020)".Specifically: - key sustainability objectives listed in section 3.2 - 'Biodiversity & geodiversity', are undermined by the development of these sites. The disruption to wildlife by these developments is in contradiction to these objectives. - key sustainability objectives listed in section 3.7 - 'Cultural heritage, landscape and open space', are undermined by the development of these sites. The loss of open space and development of these areas is in contradiction to these objectives.I strongly object to the proposal to develop these three precious and special sites. The proposals to build houses on this site are not sound or justified. And I cannot believe that building on an area of national beauty and on the edge of a national park is consistent with national policy.The stables provide exercise and occupation for many local young people and disabled riding is encouraged. The area is on a very busy road and would add approximately 100 or more cars to the area. There are no local shops or schools. There are no mains supplies of water, sewage, gas, electricityThe site

is on the edge of a national park and it would cause light pollution and noise pollution to a peaceful rural area full of wildlife - Skylarks, Woodpeckers, Kestrels, Badgers, Foxes, Slowworms, Frogs, Toads. And so many Butterflies, Moths and Insects of all shapes , sizes and colours that I have never even seen before and are probably rare. These would all be driven out by an increase in human activity.The destruction of ancient flint walls is pure vandalism.The site is also of archaeological interest.Unauthorised buildings have crept on to what was a farm site without being stopped by the council. Thus the site has the appearance of being more developed than it actually should be. It is historically inaccurate to assume this site is already residential - it is actually a number of trailer homes and caravans. It does of course supply a lot of homes for many Horses and Ponies who have nowhere else to go. The site is exposed and would be visible for miles - the development should be in a valley, not on a national park hilltop. I think this area of the plan should be seriously reconsidered and stopped in its tracks.

Changes required

To Remove H2 from CPP2. it is not necessary since the quota for housing has already been met.It would also disturb/kill off rare wildlife. Has a survey even been done to examine all the incredible wildlife and flora that is there?

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

n/a

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	169 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The inclusion of these 3 sites, 30/32/33, is not justified due to the unsoundness of the study that their inclusion was based on, the Urban fringe Assessment, and the non-compliance with local policies and national. I give more detail further on.(I find this consultation really difficult to respond to. I am an ordinary person who does not understand the detail of planning law, nor terms like soundness. I have read the notes on this but it is extremely hard for me to grasp and I worry that only a small proportion of citizens will be able to reply in the way that seems to be expected. I don't find that inclusive. I will do my best to explain, but know it won't be in the expected parameters, because I don't understand them).Site 30 is strangely named as 'Land at and adjoining Brighton Race Course' rather than what it is which is part of a Local Nature Reserve, a statutory designation. Chosen for its special features. Whitehawk Hill is a spectacular site, unacknowledged in the desk-based report written by people who neither knew it nor took time to understand its natural, ancient, local nor cultural history. Whitehawk Hill is - -An ancient Neolithic site, with a nationally important Ancient Scheduled Monument, a causewayed Camp, as part of the landscape context. An ancient site is not just the stones or ridges, but the land as a whole, the setting.- Local Nature Reserve. The decision not to exclude Local Nature Reserves from the Urban Fringe Assessments was the council's and was not prescribed by the planning inspector who advised that sites must be "suitable and appropriate".BHCC Planning Policy

– states that development that would have an adverse effect on a Local Nature Reserve should not be permitted unless it is of regional significance.- Statutory Access Land as designated in the CROW Act, land for the public to walk all across and enjoy in perpetuity.- ancient common land since those Neolithic times- a post enclosure 'recreational common', created in the 1822 Deed of Inclosure. 105 acre 'Race Ground', with new recreational rights and a clause preventing the 'break up' the Race Ground, which was included in the 1888 Indenture relating to the purchase of the 'Race Ground' by Brighton Corporation.- In 2012 it was considered of such quality that full council voted for its inclusion in the South Downs National Park. Locals have never known or been told why this was reversed. Communities around this site include Whitehawk to the east, Kemptown and Craven Vale to the south, Pankhurt Estate, Hanover and Elm Grove to the West and Bevendean and Woodingdean to North and north east value this land. All these communities join onto the boundaries of the whole sweeping Racehill landscape, it sits between them and there is a constant flow from each to each, with the Hill being our piece of Downs in the middle. Our Down. The Hill is used directly, daily, for walking, running, cycling, dog-walking, horse riding. There are football pitches at the bottom and multiple paths up and across the Hill and around top and bottom. It is a gateway to the South Downs National Park and part of its landscape. It is a rare Downland in the city, a green lung, with all the nature and peace that can offer. Long views, skies, sea views or sitting amongst wildflowers watching butterflies. Views to the east take in the white cliffs. To the West it is the bay of Sussex with distant views of Cissbury Ring and Chanctonbury Ring, and vice versa. These long distant views and common history are important. At the top, at the threatened sites 32/33, both of which literally join the South Downs National Park, the views are even more spectacular. Views through the lens of our ancestors, which should not be destroyed. There are 360 degree views here, those I have mentioned but also the northern sweep. All 3 of these proposed developments will ruin this whole, this historic landscape. We walk our history on this landscape, seeing similar views to the ancients. Locals learn this Neolithic landscape, with the causewayed Camp, and schoolchildren learn about the ancient heritage, with the amazing finds displayed at the museum. 'Whitehawk Woman' is a very famous mother and baby neolithic skeletons. More recent heritage is from Georgian times, the racegoers including Prince Regent, from that time to now. The Downland Heritage is also valuable, remnants of old farm buildings at the two stable sites, and sheep grazing across the Hill all year, our Sussex tradition. This is also a thoroughfare as folk walk on old chalk pathways from up Bevendean down to Kemptown, quicker than bus. There are no roads from top of Whitehawk and hundreds use the paths to get into town. Likewise the other direction, this is where we walk into the South Downs National park. Walks to Sheepcote Valley, to Rottingdean beach, to Castle Hill National Nature reserve, the Juggs Lane to Lewes and more. ----The Urban Fringe Assessments took none of that into account. They took little detail of the natural ecology into account either it seems and have significant omissions and therefore are very flawed and unsound as a basis for these site to be included as development sites in the CPP2. The report was a desktop report, the site visit was by a 'landscape planner' not an ecologist. The suggestion is that it could be mitigated for but to smash a landscape in two, to remove ancient and special and protected species to plant some inappropriate hedging seems a bit lacking. I consider them to be unsound, and that must mean the inclusion of these sites is.

- Damage to the integrity, and fragmentation of, a core part of the Local Nature Reserve, which would be cut in half, is not discussed or assessed in the UFAs
- There are errors and omissions in the UFA ecological survey, including the failure to identify the presence of chalk grassland (BAP Priority Habitat/Habitat of Principal Importance Lowland Calcareous Grassland, of international importance as a threatened habitat) in the reserve, one of its most important habitats, which undermines the credibility of the UFAs assessments
- They do not recognise that development would cause the loss of notable features of ecological interest within and adjoining the proposed development area, including:
 - o The gorse scrub, a historic landscape feature and habitat which occurs on this part of Whitehawk Hill and not elsewhere, reflecting local differences in soils that form part of the diversity of the reserve, and which is barely recognised in the UFAs;
 - o A group of distinctive and notable breeding birds intimately linked to the gorse scrub as a breeding habitat, including BoCC red listed species such as Linnet (breeding in the area in 2019), as well as Dartford Warbler and Stonechat (which have bred in recent years).
 - o Elements of a chalk heath flora;
 - o Notable invertebrate species associated with chalk heath and/or heathland habitats.
- Development would threaten a population of the BAP Priority Species/Species of Principal Importance brown banded carder bee;
- There would be a loss of statutory Access Land and Open Space, which is not discussed or addressed;
- Significant negative visual impact effects on the landscape and on important views within the local visual catchment, along the hill and from the valley, which would compromise the naturalness of the landscape and views and its sense of space and place - are not properly addressed as this is considered largely from the perspective of effects on the wider landscape and the National Park;
- They make inappropriate mitigation proposals, such as tree planting, when management of the hill to conserve and restore its historic landscapes and notable habitats requires the removal of trees;
- They do not address the effect development would have, by severing this green wedge and gateway to the

Downs, on peoples experience and enjoyment of this landscape; and•They wrongly conclude that that effects of development could be mitigated.Reptile translocation – Whitehawk Hill was used as a receptor site for more than 2,000 reptiles in a translocation from a site in Mile Oak in 2018. National guidance states receptor sites should be safe from future development.The ecological evidence did not consider or assess the impact development in this allocation would have on the LNRs gorse scrub or its dependent species. This is an historic landscape feature and habitat and is an important component of the habitat mosaic within the LNR. The gorse scrub grows on this part of the reserve and not elsewhere, due to local variation in soils.The allocation is contrary to paragraph 174 of the National Planning Policy Framework, as it would not protect or enhance a valued landscape and a designated site supporting habitats of high biodiversity valueit won't be possible to deliver a net gain to biodiversity as required by paragraph 170 of the National Planning Policy Framework, due to the damage it would incur on the integrity of the LNR, and to its habitats and species.The site is already in positive management due to the efforts of the Friends of Whitehawk Hill and the council Ranger service and Conservation Volunteers working together on conservation alongside the grazing project for chalk grassland preservation and repair.The inclusion of site 30 will not be effective in providing housing. The recently really reduced allocation (from 150, although the 2018 proposal was for 217) of 30 housing units makes such a small contribution to meeting the city's housing needs that clearly does not outweigh the serious damage to both the ecology of the site and the communities' use of the site and love for it. Sites 30/32/33 should be removed from the CPP2.

Changes required

Sites 30/32/33 should be removed from the CPP2.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	174 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Land at and adjoining Brighton Race Course object to the allocation at Land at and adjoining Brighton Race Course because the Urban Fringe Assessments does not guarantee that there won't be an impact on the biodiversity of this rich and rare site. In particular, it did not consider or assess the impact development on this allocation would have on the historic gorse scrub habitat and its dependent species, including a breeding population of the Red Listed bird species and Species of Principal Importance linnet, identified as using the gorse scrub in breeding bird surveys undertaken in 2019.

Changes required

Delete Land at and adjoining Brighton Race Course from the list of allocations in policy H2.

Participate at the hearing session(s)? No, I do not wish to participate in hearing session(s)

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	175 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I object to the allocation at Land at and adjoining Brighton Race Course because the allocation is inconsistent with conditions in the 1822 Tenantry Down (common) enclosure deed, which state that the successor owner of the 'Race Ground' shall not at any time thereafter break up, convert into tillage, or divide the said Race Ground' and 'that the inhabitants of Brighton and the public in general should have the use of it for the purpose of racing...and any other purposes of exercise and diversion as heretofore'. These conditions were reiterated in the 1888 Indenture when the 'Race Ground' was purchased by Brighton Corporation. Contrary to paragraph 174 of the National Planning Policy Framework Won't be able to deliver a net gain to biodiversity as required by paragraph 170 of the National Planning Policy Framework Not justified because the ecological evidence in the Urban Fringe Assessments is out of date and undervalues the importance of the sites biodiversity and its Local Nature Reserve designation is insufficient to justify their conclusion of no significant impact with mitigation. It is inconsistent. For example the conclusion that impacts on this site can be mitigated is inconsistent with other statements in the same documents, for example the 2014 Urban Fringe Assessment, which states that 'provision for the biodiversity assetsmay help to create new habitats and contribute to habitat connectivity helping to mitigate significant negative effects', which is rightly more cautious and does not claim that negative effects can be mitigated. It did not consider or assess the impact that

development on this allocation would have on the integrity of the Local Nature Reserve, partly severing (fragmenting) a section at the centre of the core part of the reserve between Manor Hill and Warren Rd/Wilson Avenue. It did not consider or assess the impact that development on this allocation would have on the historic gorse scrub habitat and its dependent species, including a breeding population of the Red Listed bird species and Species of Principal Importance linnet, identified as using the gorse scrub in breeding bird surveys undertaken in 2019. It did not consider or assess the impact development on this allocation would have on the important invertebrate assemblage that surveys indicate the area in and around the allocation supports. A nationally recognised expert wrote that a survey in 2019 'indicates an extremely rich site'. It did not consider or assess the impact development on this allocation would have on several invertebrate Species of Principal Importance which have been recorded in recent years within or close to the allocation, including brown-banded carder bee and small heath, small blue, dingy skipper, wall and brown hairstreak butterflies. It contains errors and omissions, such as, within the wider site, wrongly identifying the Priority Habitat/Habitat of Principal Importance Lowland Calcareous Grassland as semi-improved neutral grassland in the Phase 1 Habitat Survey, and wrongly recommending tree planting as a mitigation measure, where the priority in this area is the conservation of open habitats, such as grassland. These very basic errors undermine the credibility of the evidence of the Urban Fringe Assessments as well as their conclusions. Not justified because the evidence in the Urban Fringe Assessments in relation to landscape is framed wholly in terms of impacts of development on the National Park's setting and views, and did not consider such effects within the local visual catchment (within and adjoining LNR), for example of views along Whitehawk Hill from the south and north, as well as from the valley below. Although the existing tower blocks impinge upon these views, the views are in many places currently uninterrupted. The evidence in the Urban Fringe Assessments did not recognise that development would result in the intrusion of a residential landscape into what is currently a semi-natural landscape, significantly reducing its strong sense of naturalness. The evidence in the Urban Fringe Assessments did not consider the loss of statutory Access Land (which includes the whole of the allocation) that would be caused by development in this allocation. It will result in a loss of Open Space, which is inconsistent with statements in City Plan Part 1 which seeks to increase, not decrease, the amount of accessible land adjacent to the urban area (SA5 The Setting of the South Downs National Park, 3.170). It will undermine the positive work of community volunteers on this site who have been working with the Council's Ranger Service to conserve and restore Priority Habitats/Habitats of Principal Importance in the Local Nature Reserve, leading to the degradation of the rest of the LNR. It is not effective because councillors from all main parties in the city have said they won't support development of the site. In relation to the land at the South Downs Riding School and the Ingleside Stables, I will write in a more personal way as these are close to where I live and have been crucial to so many people taking exercise during lockdown. You must take into account the impact on views of users of the National Park. I do not believe that you have taken into account the impact on the Downland landscape. There are views to Hollingbury Castle, to Devil's Dyke and Truleigh Hill, to Falmer Down even to Chanctonbury Ring. Development of these sites would have an extremely detrimental effect on the character of the landscape.

Changes required

Delete Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables) from the list of allocations in policy H2.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

You need to hear from local residents.

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	176 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	n/a
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Land at & Adjoining Brighton Racecourse Contravenes Paragraph 174 of the NPPF in breach of of the 1822 Tenantry Down (Common) Enclosure Deed which states the land & use of, to the people of Brighton for racing exercise & leisure and is not to be broken up or built upon. When Brighton Corporation signed the lease on taking ownership in 1888, these terms were reconfirmed. Contravenes paragraph 170 of the NPPF as it won't be able to produce a gain in biodiversity as required. The ecological evidence in the Urban fringe Assessments undervalues the importance of the sites local nature reserve & biodiversity. There are lots of inconsistencies in the urban fringe assessments. It will break the nature reserves integrity. Did not consider the ecological impact on the birds, rare grasses, flowers & insects. This area is rich with all of these some of which only exist here. The urban assessments are unsound , it recommends tree planting in rich grass downland when it is the exact opposite that is required, it is lacking in basic knowledge & credibility is out of date. Is not effective as councillors from all parties have promised not to build on it. It will result in a loss of open space which is inconsistent with statements in City Plan 1 which wants to increase not decrease the amount of accessible land adjacent to the urban area. The loss of Statutory Land was not considered in the Urban Fringe Assessments . It is a semi natural landscape which will be significantly changed by this development, the change to residential and its impact on the landscape setting was not considered in a local

setting only in relation to the national park.***Land at South Downs Riding School & reservoir siteThe NPPF states that home should not be built in open country and City plan 1 endorses this . City plan 2 contravenes this by this building proposal.It will ruin the landscape views .it will leave the area open to more development.***Ingleside stables

Changes required

Delete the Land at & adjoining Brighton racecourse, Land at South Downs riding school & reservoir site and Land north of Warren road (Ingleside stables) from the list of allocations in H2.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

N/A

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	179 9
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	South Downs National Park Authority
<u>Respondent Type</u>	Public Sector / Local Authority
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Welcome the cross referencing of policies SA4 and SA5 in the policy recognising the impact on the SDNP of the development of these urban fringe sites. Also welcome the changed wording in the supporting text that a Landscape and Visual Impact Assessment will be expected as part of the background information at the planning application stage (paragraph 3.73) along with the importance of the setting of the SDNP in the design of development and reference to the specific parts of the SDILCA that are relevant to these urban fringe sites (paragraph 3.75). Regarding the reference at paragraph 3.75 and the accompanying footnote, it should be noted that the SDILCA was updated in 2020 and the online links need to be amended. The SDILCA and an interactive map is on the SDNPA website at the following link: <https://www.southdowns.gov.uk/planning-policy/landscape-character-assessments/southdowns-integrated-landscape-character-assessment/south-downs-integrated-landscape-character-assessment-ilca-2020/> The specific part of the SDILCA relevant to the urban fringe sites is Appendix A, Landscape Character Type A: Open Downland, A2: Adur to Ouse Open Downs (page A-16) <https://www.southdowns.gov.uk/wp-content/uploads/2020/10/South-Downs-Appendix-AOpen-Downland.pdf> There is an opportunity at these urban fringe sites to improve existing, and create new, connections to the SDNP in accordance with point f) of the policy. For specific sites improvements could be sought through the policy. Suggest adding to the supporting text that contributions from development at Land at

Mile Oak Road, Portslade and Land at Overdown Rise, Mile Oak will be sought to improve and maintain existing A27 underpasses to the SDNP at Mile Oak Road and Ridge Close respectively.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	180 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Highways England
<u>Respondent Type</u>	Government Agency
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We note that the following sites are located in close proximity to the A27 and therefore Highways England will need to be consulted on any applications submitted as they could impact on the SRN: Land at Mile Oak Road; Land off Overdown Rise; Land at and adjoining Horsdean Recreation Ground; Land at Ladies Mile; Land northeast of Coldean Lane; and Land north of Varley Halls. Table 6 - Residential Site Allocations, Table 7 - Mixed Use Site Allocations and Table 8 – Urban Fringe Allocations (pages 173-182) – Highways England requires confirmation that the cumulative impact of the development sites has been included within the strategic modelling and therefore included within the junction mitigations. If not, further consideration of appropriate mitigation may be required.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	183 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I want to express my strong opposition to any housing on Whitehawk Hill Local Nature Reserve. It is a rare habitat that demands protection and even if the footprint of the potential housing seems a small part of the LNR it would nonetheless undermine the integrity of the site -- a valuable enclave for plants and insects -- and open the way for further development. For the past ten years the group I run -- Brighton Conservation Volunteers -- has been working diligently on reviving the rich natural diversity of Whitehawk Hill and encouraging wider public access and so take a keen interest in its future.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	184 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I have arrived at work on this rather gloomy October day to open my Argus and find a double page spread on how Brighton and Hove City Council are planning to yet again fail. Miserably. To know that you are planning to build 'mixed housing' on large chunks of a nature reserve is probably one of the most heinous proposals you have come up with yet. Rather than protecting our vulnerable natural surroundings, time and time again you have taken it upon yourselves to contribute to the demise of our planet. The amount of derelict buildings littering Brighton could be transformed into suitable housing. I am absolutely disgusted!

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	191 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

City plan 2. Site 30 & 32A & 33I am writing to object to any development on these sites. I spend considerable time walking on these sites, especially during the recent months. The wild flowers, birds butterflies etc. are prolific here including many more species than other similar sites and many species that are unique to this area. Also this is an ancient site of archaeological interest and it would be a tragedy to destroy this by building when much more appropriate sites are available.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	193 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Dear Planning Committee Whilst I fully appreciate the need for housing everywhere, those of us who appreciate our environment feel that to build in the field adjoining the cricket pitch at Horsdean would be such a shame. This field is part of a beautiful area used regularly by people, locals and non-locals alike. Brighton & Hove Buses carry the slogan inviting people to get on a bus and come for a lovely walk around here. Every single day this field is enjoyed by local families/walkers/dog walkers away from traffic. In fact, we walk all around our area enjoying the beautiful countryside and never needing to cross a road. How amazing is that? So, without wishing to deprive anyone of a home of their own, we would ask that very careful consideration is given to building on our local field - the impact would ruin the nature of the area (literally). Thank you and if you are in any doubt as to this particular spot being spoilt please visit yourselves. You will be in for a treat. Please don't disturb the resident pheasant! Many thanks for reading this. It is signed by me and my husband.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	194 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I would like to register my objection to the proposed housing development of 25 units on land adjacent to Horsdean Recreation Ground and also 35 units adjacent to the Ladies Mile Nature Reserve both in Patcham on areas of woodland and biodiversity. Horsdean Recreation Ground is used by a large number of childrens' sports group and the road/parking in Vale Avenue, especially during the use of the recreation ground is already congested and a risk to families. The ground has provided invaluable for exercise/sport during the recent pandemic and the building of houses adjacent to it with the subsequent increase of traffic would prove an added danger in accessing this area in addition to removing greenspace which is a regular walking route for local people. The destruction of areas of woodland with the biodiversity it brings to a very populated area will have an adverse impact on the mental health and wellbeing of residents and should not be permitted. The roads in Patcham are already heavily congested and the provision of additional homes will make this worse as well as the added danger to pedestrians. Building on green field areas adjacent to the Ladies Mile Nature Reserve with its diversity of plants, insects etc likewise should not be permitted for the same reasons of the loss of habitat and countryside space that is so valuable to people's wellbeing. Not everyone is able to access the countryside so these local areas where people can walk from their homes are invaluable local resources. I would therefore like to register my objection to building homes on these two

areas of green field space.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H2	
<u>Respondent Number / Rep Number</u>	202	12
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Woodland Trust	
<u>Respondent Type</u>	Environment	
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The Woodland Trust objects to ancient woodland areas being included in sites allocated as suitable for development. Areas of natural woodland, in particular ancient woodland, are vulnerable to pollution, encroachment from development, and habitat fragmentation. It is important that any development is located and designed to avoid damaging ancient woodland, providing buffers for designated sites and protecting connectivity between wildlife habitats. Further information is available in the Trust's Planners' Manual for ancient woodland. We recognise the intense pressure to identify and bring forward new sites for housing and employment uses. This pressure makes it all the more important that vital protections for ancient woodland and veteran trees are upheld. Development which would result in the loss of ancient woodland, aged or veteran trees should not be permitted. In the case of the specific site allocations in this plan, we are pleased to see that woodland has generally been excluded from sites, and the one section of ancient woodland potentially affected had a buffer applied. We wish to see these standards maintained throughout the local plan process. The Trust reserves the right to object to future site allocations or individual planning applications which threaten ancient woodland or veteran trees. We welcome the requirement in policy H2 (p184) for landscape impact assessments, which should allow for assessment of the impacts on woodland cover; and for arboricultural surveys which should allow for appropriate root

protection for non-ancient trees and woodland. These policies should be applied in concert with the detailed protections for natural habitats and trees already specified in policies DM22 and DM37.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H2	
<u>Respondent Number / Rep Number</u>	206	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>	Individual	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

I strongly object to the proposal to develop these two precious and special sites. The proposals to build 45 houses on this site are not sound or justified. And I cannot believe that building on an area of national beauty and on the edge of a national park is consistent with national policy. The stables provide exercise and occupation for many local young people and disabled riding is encouraged. The area is on a very busy road - would add approximately 100 more cars to the area.

There are no local shops or schools. There are no mains supplies of water, sewage, gas, electricity. The site is on the edge of a national park and would cause light pollution and noise pollution to a peaceful rural area. The destruction of ancient flint walls is vandalism. The creatures using this natural habitat would be driven out - bats, badgers, birds. The site is of archaeological interest. Unauthorised buildings have crept on to what was a farm site without being stopped by the council. Thus the site has the appearance of being more developed than it actually should be. It is historically inaccurate to assume this site is already residential - actually a number of trailer homes and caravans. The site is exposed and would be visible for miles - the development should be in a valley, not on a national park hilltop. I think this area of the plan should be seriously reconsidered and stopped.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H2	
<u>Respondent Number / Rep Number</u>	212	10
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Natural England	
<u>Respondent Type</u>	Government Agency	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

3. Comments on allocations Noting the location of a number of allocation sites close to and/or in the setting of the South Downs National Park, we support the requirement for Landscape and Visual Impact Assessment (LVIA). Where required, we advise LVIA is undertaken in accordance with Guidelines for Landscape and Visual Impact Assessment (GLVIA 3rd edition), recognising the Special Qualities of the South Downs National Park and the ambitions of the Partnership Management Plan. In accordance with NPPF paragraph 172, great weight should be given to conserving and enhancing landscape and scenic beauty of the National Park.

Changes required

Participate at the hearing session(s)?

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	216 15
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Food Partnership
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We welcome the specific reference to food growing under H1-H3 (housing and mixed use sites).

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We would be happy to participate in the Inspector's hearing to make these points

<u>Policy</u>	H2	
<u>Respondent Number / Rep Number</u>	217	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>	Individual	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	218 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Benfield Valley Project
<u>Respondent Type</u>	
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons
See comments under SA7

Changes required
See comments under SA7

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	219 11
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Wildlife Trust
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The Sussex Wildlife Trust (SWT) objects to this policy and does not believe it is consistent with national policy or justified. 8 of the 16 site allocations in Table 8 are designated as Local Wildlife Sites (LWS) and one is designated as a Local Nature Reserve (LNR) as follows:- Land at Oakdene, Southwick/Land west of Mile Oak Road - BH22 Oakdene Southwick Hill LWS- Land off Overdown Rise, Mile Oak - BH02 Mile Oak Fields LWS- Benfield Valley - BH09 Benfield Valley LWS- Land at and adjoining Horsdean Recreation Ground - BH101 Patcham Court Field LWS- Land to north east of Coldean Lane - BH87 Land at Coldean Lane LWS- Land north of Varley Halls, Coldean Lane - BH87 Land at Coldean Lane LWS- Land at and adjoining Brighton Race Course - Whitehawk Hill Local Nature Reserve- Land north of Warren Road (Ingleside Stables) - BH86 Bevendean Horse Paddocks LWS- Land adjacent to Ovingdean and Falmer Road, Ovingdean - BH78 Meadowvale LWSThe NPPF is clear that the planning system should stablish coherent ecological networks that are more resilient to current and future pressures (paragraph 170) and that plans should take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure (paragraph 171). Further to this, paragraph 174 is clear that plans should safeguard components of local wildlife-rich habitats including locally designated sites of importance for biodiversity. This is reiterated in the Planning Practice Guidance which states: 'National planning policy expects plans to identify and map these sites, and to include policies that not only secure

their protection from harm or loss but also help to enhance them and their connection to wider ecological networks.’ (Paragraph: 013 Reference ID:8-013-20190721)As it stands, SWT does not believe that policy H2 is consistent with this policy. Whilst H2 says that development must mitigate any adverse impacts and provide biodiversity net gains, SWT has not seen any evidence to demonstrate that adverse impacts of development on these sites can be effectively mitigated or that net gains can actually be provided. Whilst all these LWS would benefit from ongoing management, allowing development of part of them is not an essential or reasonable way to achieve that. More fundamentally, these sites are a finite resource and the allocations simply make the valuable areas of habitat smaller. This is not a sustainable approach and does not align with the councils need to protect and enhance the City’s ecological network. Once built on, these core sites are gone forever.SWT also does not feel that the need for some of these allocations is justified. The total number of dwellings allocated for these 9 sites is 639. Three of the sites - Land off Overdown Rise, Land to north east of Coldean Lane and Land adjacent to Ovingdean and Falmer Road – already have planning permission, so SWT accepts that the principle of development has been set for these sites. Removing the allocations for the other 6 designated sites would only reduce the yield on the urban fringe by 227 dwellings. Also removing Cliff Road Paddock from policy H1 would reduce the number of dwellings being planned in the CPP2 by 237. Table 3 of the Housing Provision Topic Paper demonstrates that the updated assessment of housing delivery, including site allocations in the CPP2, shows potential to deliver 14,875 net dwellings. This is a surplus of 1,665 dwellings against the city plan target. Removing the housing allocations in policy H1 and H2 that are in Local Wildlife Sites or Local Nature Reserves and do not currently have any planning permission would reduce this delivery number to 14,638, still with a surplus of 1,428. The CPP1 Inspector’s Report (February 2016) clearly states that the CPP1 does not allocate urban fringe sites and that decisions on whether individual sites should be developed, will be made through the process of preparation of the City Plan Part 2 (CPP2). Further to this, whilst CPP1 policy CP1 does set out the proposed distribution of new housing in part B, it caveats this with ‘new housing will be delivered broadly in line with the following distribution’. SWT believes that the number of dwellings being delivered in the urban fringe could be reduced with the CPP2 still being compliant with the requirements of the CPP1. We also believe this strikes the right balance between the environmental and social pillars of the planning system, acknowledging that the natural capital that a coherent ecological network provides is an environmental and social benefit. Land at and adjoining Brighton Race Course Whilst we object to the allocation of housing on Local Wildlife Sites, we want to make clear to the Inspector that SWT’s strongest objection is to 30 dwellings on Whitehawk Hill Local Nature Reserve (site name ‘land at and adjoining Brighton Race Course’). This LNR is an exceptional site for wildlife and an extremely valuable community resource. Detailed ecological evidence has been submitted in the Friends of Whitehawk Hill (FoWH) and we commend this information to the Inspector as an accurate representation of the ecological importance of the site. In particular, the detailed analysis from national and local experts which demonstrates that the conclusions of the Urban Fringe Assessment 2014 (UFA) and Urban Fringe Assessment Summary 2015 (UFAS) should be considered out of date and unreliable. A summary of the most recent FoWH ecological evidence is appended to this submission (Appendix A). Under ‘Evidential Requirements’, the Procedure Guide for Local Plan Examinations (The Planning Inspectorate June 2019 (5th Edition)) states that ‘Evidence base documents, especially those relating to development needs and land availability, that date from two or more years before the submission date may be at risk of having been overtaken by events, particularly as they may rely on data that is even older’. SWT strongly feels that BHCC case for allocating on this LNR has been ‘overtaken by events’. The LNR has significant ecological importance that is recognised by BHCC, for example their acknowledgement that the LNR contains one of Europe’s rarest and most spectacular habitats – ancient chalk grassland: https://www.brightonhove.gov.uk/sites/default/files/migrated/article/inline/downloads/cityparks/management_plans/Whitehawk_Hill_booklet_final.pdf.

Further to this, temporary grazing signage was put up on site in 2019 by BHCC describing Whitehawk Hill as ‘one of the best wildlife sites in Sussex’. It is self-evident that the site is of high biodiversity value and should be safeguarded as required by the NPPF (170, 171 and 174). We note that Whitehawk Hill is not allocated as a LWS. However, this should not be taken as a reflection of its ecological value. It is apparent in the Introduction to the Brighton and Hove Local Wildlife Site Review that the process of identifying and designating LWS in the city has been a long and convoluted process, which still has not resulted in a comprehensive suite of sites. Whitehawk Hill LNR has never been assessed for designation as a LWS. However, if put forward, SWT believes it would clearly meet both the Brighton and Hove and Sussex LWS criteria. The allocation of this site and the requirements under policy H2 indicates that BHCC believe that any adverse impacts on the site from development can be mitigated for and further to this, that net gains to biodiversity can be delivered. SWT strongly disagrees with this position and believes that BHCC have both underestimated the high value of the site and the likely impacts of development. The council’s evidence disregards the ancient gorse scrub as a

valuable ecological feature and undervalues the importance and integrity of the mosaic of habitats acting together as a viable unit. The Lawton Review in 2010 was clear that the urgent need to recover nature required ecological networks that are 'bigger, better, more and joined up'. This principle has been taken forward in the Government's emerging Environment Act and the requirement for a Nature Recovery Network. Whitehawk Hill LNR is a linear 'finger' coming down from the South Downs National Park and into the city. The level of development around the LNR already makes it vulnerable to urbanising impacts, indeed as a core area, this site needs further buffering, not impingement at the narrowest point. The LNR is already in active management by BHCC rangers with committed, on the ground support by the Friends of Whitehawk Hill. BHCC claim that development on the LNR will result in enhancements to the remainder of the site, but it is clear that enhancements are already happening, despite the council's limited investment in their own LNR. This is a LNR that is working, that is valued by the local community and has a positive future. Allowing development on this site will undermine all this, undermine the community's enthusiasm and threaten the future of the whole LNR. SWT feel strongly that both the physical damage to the integrity of the LNR and emotional damage to the local community outweighs the minor contribution that 30 dwellings will have on the council's housing delivery. As we have stated previously, this site could be removed and still leave the council delivering a surplus of homes against the requirement in the CPP1. We acknowledge that the housing targets committed to in the CPP1 does not meet the OAN of the city which is considerably higher. Indeed, including the changes to the standard method which the Government has recently consulted on (<https://www.gov.uk/government/consultations/changes-to-the-current-planning-system>) would, according to Lichfields analysis (<https://lichfields.uk/grow-renew-protect-planning-for-the-future/how-many-homes-the-new-standard-method/#section16>), raise the OAN to 1,520 per year. This is an astronomical figure which could never be conceivably accommodated within the city. Even with radical planning changes, the city will always be constrained by geography (the sea and the SDNP) and therefore the pressure to develop on every patch within the city boundary will continue to grow. It is clear that these 30 proposed dwellings makes no real contribution to this delivery gap. But allowing development on the LNR will set a precedent which will open this site up for discussion every time the city plan is reviewed. SWT is extremely concerned that we will see a nibbling away of the LNR every 5 years until there is nothing left. This is an accumulative impact that is simply not worth the harm it will cause, given the tiny gain this site currently provides to housing delivery. Whitehawk Hill LNR is a site of high biodiversity value that should be cherished by the council as a core component of their ecological network. It is completely illogical to allocate this site for the development of such a small number of homes. This will have no real impact on housing delivery, but will irreversibly damage ecology, natural capital and community spirit. The allocation should be removed from the plan as unsound. Please note that as a nature conservation charity SWT has focused its objection on ecological matters and the importance of the site for biodiversity. However, we are aware that the LNR also has high landscape, archaeological, historical and community importance as demonstrated by the FoWH submission.

Changes required

Remove the following sites from policy H2 and safeguard them as Local Wildlife Sites:- Land at Oakdene, Southwick Hill / Land West of Mile Oak Road, Portslade-Benfield Valley- Land at and adjoining Horsdean Recreation Ground, Patcham- Land north of Varley Halls, Coldean Lane- Land north of Warren Road (Ingleside Stables) Delete the 'Land at and adjoining Brighton Race Course' from policy H2 and safeguard the site as a statutorily designated Local Nature Reserve.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

The Sussex Wildlife Trust wishes to attend the examination hearings so that we can discuss our objections formally with the Inspector and respond to any additional evidence presented by other respondents.

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	222 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

The draft policy is not sound as it does not make the most efficient use of land, nor does it seek to maximise the delivery of new homes. Having assessed the recently approved scheme for 32 new homes at Falmer Avenue which was consented at a density of 30 dwellings per hectare (DPH), and the existing development at Looes Barn Close which has an estimated density of 29 DPH and which is directly to the south of the Saltdean Nurseries Site, it is considered that the site allocation for Saltdean nurseries should be for 28 homes, which would give a density of development of 30DPH.

Changes required

The allocation for this site should be for 28 new homes, at a density of 30DPH. This is considered to be an efficient use of the land and will help to maximise the delivery of new homes in accordance with the requirements of the National Planning Policy Framework that the Local Plan is positively prepared and seeks to meet the Objectively Assessed need for housing.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

If the draft policy is changed as required by this representation to increase the allocation for the site to 28 homes then it will not be necessary to appear at the hearing sessions. If the allocation is not increased, then we would wish to appear at the hearing sessions in order to demonstrate why our proposed allocation of 28 is reasonable and achievable on the site having regard to the site's capacity, prevailing densities in the area and the need to maximise the delivery of homes on allocated sites.

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	224 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I would like to comment on the City Plan 2 proposals as part of your consultation. Specifically, I would like to comment on Policy H2 Urban Fringe Housing, Land North of Warren Road (Ingleside Stables). This land is unsuitable for housing development because: 1. The site is located on a busy artery road into Brighton that suffers with heavy fog / low cloud in the winter. The entrance to the proposed housing development would be located close to a blind corner on this road. With a 40 mph speed limit, this section of the road has seen many collision accidents over the years. 2. The entrance to the proposed development would also be shared with a restricted access lane that serves as the main gateway for East Brighton into the South Downs National Park. This lane is popular with horse riders, cyclists and pedestrians, and should not be shared with traffic entering and leaving the new proposed development. 3. The proposed development will mean the loss of a business (Ingleside Stables) and therefore the owner's and employee's livelihoods.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

and the National Park should be protected from any development. Similarly, the aptly named Ladies Mile Nature reserve and the green areas adjacent to it should also be preserved as it is a valuable green space which should be protected against any more urban sprawl. These two areas, along with other urban fringe green sites, have been invaluable during the pandemic giving greenspaces for fresh air, exercise and for general health and mental wellbeing. I understand from reading about these proposals that there is no need to build on precious green land in the city. The City Plan Part 2 is required to meet a minimum housing target of 13,200 additional homes. With the removal of the greenfield sites (section H2) and developing only on brownfield sites listed in the Plan, this, I understand, would still leave the Council more than 1,900 homes above the minimum target, meaning there is no need to build on greenfield sites. Therefore I look forward to the removal of these urban fringe sites from the City Plan.

Changes required

Therefore I look forward to the removal of these urban fringe sites from the City Plan.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H2	
<u>Respondent Number / Rep Number</u>	227	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>	Individual	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Proposed planning permission ideas on these riding establishments are uncountenanceable and destructive. Both these facilities provide valuable employment for a relatively large number of people, many if them younger people, in whose age bracket steady employment is already a rare and unstable commodity. The services to the local community that both equine businesses offer are extremely valuable to us all in terms of health and wellbeing. There are also many activities provided for some of the more vulnerable in our environment, that is, disabled children and adults. The proposals would be an eyesore in a landscape that has remained reasonably unchanged for a long time, certainly beyond any local can recall, and possibly centuries. This area is also a nature reserve and borders on the South Downs (hence the very name of the riding school ...) and is an area that is flourishing with an abundance of native wildlife and wildflowers. The lockdown earlier this year was a real boon for nature, one result of which was a visit by a (migrating?) corncrake, which any birdwatcher worth her salt will tell you is a real rarity (many told me it was "unlikely" to be this bird, but it was! a true thrill). Flora, too, has come into its own. It also has its many fascinations for archaeologists and historians - some have even suggested that the area ought, indeed, to be Listed. The area is poorly served for services and the infrastructure is at a bare minimum - local shops are at least a mile away, with no direct bus service, so further reliance would be placed on personal transport, thereby adding to air quality

degradation. The real threat of climate change is another reason to pass this plan over. Destruction of green lungs for the city to be replaced with a vast to light pollution, noise pollution, as already mentioned degradation of air quality, and swathes of nature-hating concrete. Why destroy something beautiful and constructive and replace it with something ugly and destructive? There are many brownfield sites available in Brighton and Hove and there are a large number of buildings that have been empty for a long time and many that have become empty because of Covid-19 - for a council that is so hot on recycling, surely the ultimate feather in the cap? Repurpose all these empty buildings. And a much, much cheaper option, surely? When I look at the many new buildings that are being thrown up across the city, my heart sinks. B&H is, at its heart a beautiful city many fine buildings, some magnificent, even. Most of this "new build" is identikit, tacky, undistinguished boxes piled on top of one another. Brighton and Hove is a unique city - this region of stables/riding school is also unique and, therefore, irreplaceable. Once it is gone, it is gone for good (or, rather, worse). I have heard that the stables and riding school have been served notice already. If this is true, surely it most irregular, if not illegal, since the consultation period is not yet over? I would urge the Planning Committee to get its "green priorities" right and leave this site alone. SAVE OUR STABLES.

Changes required

I would urge the Planning Committee to get its "green priorities" right and leave this site alone.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	228 7
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Sussex Ornithological Society
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

H2 – objection to the development of six sites For the reasons already explained in our responses to densification and Policy DM37 SOS is disappointed that CPP2 proposes substantial development in the Urban Fringe. Moreover, we strongly object that development is planned on designated Local Wildlife Sites and on an LNR. We would hope that BHCC looked at increased densification in urban sites first and then at urban fringe sites which are NOT designated as LWS's second. (From DM37 rep): We believe that designating sites on LWS's and LNR's for development does not comply with national policy, and that it is unsound. NPPF paragraph 171 states that plans should take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure. Additionally, NPPF paragraph 174 makes it clear that plans should safeguard components of local wildlife-rich habitats including locally designated sites of importance for biodiversity. (From DM1 rep): We do recognise that CPP1 set a requirement for some development on the urban fringe. But this does not equate to a requirement to build on sites designated as being important for nature conservation. Although large parts of the urban fringe area lie within the SDNP, or are designated as Local Wildlife Sites or an LNR, there is plenty of urban fringe land that does not lie in areas designated to be important for nature conservation. And plenty more dwellings can be built in the urban area if densification policies are increased. (From DM1 rep): CPP2 proposes that development occurs on no less than nine Local Wildlife Sites plus a

Local Nature Reserve. The Inspector carrying out the Public Examination of CPP1 was clear that it would be for BHCC to determine suitability of potential allocations in the urban fringe through the making of CPP2. We cannot find any work that has been done on this and no information is presented in CPP2 justifying any of these developments on sites of nature conservation importance, and no proposals to mitigate or compensate for such developments has been put forward. In our view this completely contradicts paragraphs 171 and 174 of the NPPF, which require BHCC to take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure and to safeguard components of local wildlife-rich habitats, including locally designated sites of importance for biodiversity. CPP2 appears to do none of this. SOS notes that planning applications are already being considered for three sites that will be built on LWS's, and therefore that the principle of their being developed, much as we dislike it, is already underway. At the time of writing we understand that no planning applications have been lodged for the following six proposed Urban Fringe developments, all of which affect LWS's or Whitehawk LNR. For the same reasons that we have outlined in our comments on DM37 and H1, we object to development on all six of these UF sites, which is for a total of only 227 dwellings.

Land west of Mile Oak Road, Portslade (UF sites 1 and 2) The proposed development of 30 dwellings would destroy about a third of Oakdene. Southwick Hill LWS (BH22). Land at, and adjoining Horsdean Recreation Ground (UF site 16) The proposed development of 25 dwellings on this 1.17ha site would destroy about 40% of the Patcham Court Field LWS (BH101) which is 2.3ha in size, and which adjoins (to the east) Braeside Avenue Scrub LWS (BH63) of 6.63ha. Both LWS's run alongside the A27 to the north with the SDNP beyond. Land North of Varley Halls, Coldean (UF site 21a) The proposed development of 12 dwellings on this 0.94ha site to the east of Halls of Residence, would destroy a small part of the 29.95ha Land at Coldean Lane LWS (BH87). Sited alongside the existing Halls of Residence, this development would lead to this LWS being effectively split into two halves, significantly reducing its value as a wildlife corridor. For such a small gain in dwellings we do not believe that such a development is justified. Land at and adjoining Brighton Racecourse (UF site 30) We object to this proposal to put 30 dwellings on this designated Local Nature Reserve. We object in principle to any development on a designated LNR, and in the case of the Whitehawk LNR we recognise its additional function as part of a key green wedge in Brighton's Nature Network and that it is a very important archaeological site. It also has an active Friends Group who monitor and help maintain it as Nature Reserve. Any permitted development on it would, we feel, be the thin end of the wedge and could lead to further nibbling away of the LNR in future City Plans. Land north of Ingleside Stables, Warren Road (UF site 33) 50% of the proposed development of 30 dwellings on this 1.2 ha site would be completely set in the 20.44ha Bevendean Horse Paddocks LWS (BH86) Site 43, Benfield Valley – see comments on Policy SA7 above. In addition to objecting to these 6 UF developments on LWS's/ Whitehawk LNR, we also object to a seventh UF development, namely.....Ovingdean Hall Farm and Bulstrode Farm (UF Sites 38, 38a and 39) This site borders the SDNP, but is not designated as an LWS. Barn Owl, a Schedule 1 species and Sussex BAP species, successfully nested in a Barn Owl box on this site in 2020 and the young were ringed by licensed ringers. The presence of successful nesting Barn Owl shows that the agricultural land around this site is attractive to small mammals. Development of this site for a mere 50 dwellings would increase BHCC's urban footprint into a surrounding agricultural area which clearly attracts wildlife and which directly borders the SDNP to the north and west. Such wildlife will be scared away for some considerable distance if humans and their pets were to inhabit a development on this site which is presently occupied by farm buildings. We therefore object to its development.

To summarise; SOS are asking for 287 dwellings to be deleted from CPP2. These are at: SA7 Benfield Valley (100 dwellings) HI, site 10 (10 dwellings) H2, sites UF 1 and 2 (30 dwellings) site UF16 (25 dwellings) site UF 21a (12 dwellings) site UF30 (30 dwellings) site UF33 (30 dwellings) sites UF38,38a and 39 (50 dwellings) The loss of these 287 dwellings could be made up by achieving an overall increased densification of 2.2% on the balance of the 12,913 houses covered by the other urban and urban fringe sites, thereby restoring the total of dwellings to 13200. As BHCC have already identified opportunities to build an extra 1655 dwellings on the CPP1 and CPP2 sites, protecting these nature-conservation assets from development by deleting these 287 dwellings would not impact BHCC's ability to deliver its housing targets. We believe that going ahead with these developments would also put BHCC in breach of meeting their nature conservation commitments as required by Sections 171 and 174 of the NPPF. Instead not building them would go some way to limiting the damage that CPP2 will do to BHCC's nature network.

Changes required

To summarise; SOS are asking for 287 dwellings to be deleted from CPP2. These include: H2, sites UF 1 and 2 (30 dwellings) site UF16 (25 dwellings) site UF 21a (12 dwellings) site UF30 (30 dwellings) site UF33 (30 dwellings) sites UF38,38a

and 39 (50 dwellings)

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

SOS wishes to participate in any examination hearings sessions relevant to any sections of the City Plan Part Two that we have submitted objections to. We wish to discuss our objections formally with the Inspector and respond to any additional evidence presented by other respondents.

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	230 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Friends of Whitehawk Hill
<u>Respondent Type</u>	Civic & Amenity
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

4.1 Introduction Racecourse Landscape 4.1.1 Friends of Whitehawk Hill object to the inclusion of three of the Urban Fringe allocations which lie within the important Racecourse Landscape. Site 30 Land at and adjoining Brighton Race Course, lies wholly within Whitehawk Hill Local Nature Reserve, an important and much loved natural open space for nature and people in the city. In addition to its LNR designation the allocation lies within statutory Access Land under the Countryside and Rights of Way Act 2000 (CROW Act) and the wider area forms an important gateway to the South Downs National Park (Figure 3) and is of great landscape, historical and cultural significance. <Officer note: Figure 3 presents an aerial photograph/map showing Whitehawk Hill LNR and Racecourse Landscape as a Green Gateway to the South Downs (allocations in orange). 4.1.2 Sites 32/32a Land at South Downs Riding School & Reservoir Site and 33 Land north of Warren Road (Ingleside Stables) are located within the wider Racecourse Landscape, distant from the edge of the city's built up area, in sensitive elevated positions on or close to the top of the ridge between Brighton and Woodingdean and adjacent to the National Park boundary. 4.1.3 BHCC, on 28th February 2002, voted by a large majority to recommend a boundary for the future South Downs National Park that included the whole of 'The Race Ground' recreational common - Whitehawk Hill and Race Hill - including the landmark racecourse grandstand and other racecourse buildings. They also recommended the inclusion of the Warren Road / 'Jugg's

Road' ridge between Whitehawk and Bevendean and between Brighton and Woodingdean, as well as most of Sheepcote Valley. This boundary embraced sites 30 and 33. At the 2003 Public Inquiry into the proposal for a South Downs National Park the City Council supported a very similar draft boundary which also embraced sites 30 and 33. In both of these decisions Brighton's Council recognised the landscape value of this important Racecourse Landscape that forms a major gateway onto the wider downland plateau and the South Downs National Park. Cultural Importance 4.1.4 The huge, many-layered bulk of cultural associations that the Racecourse Landscape holds are not reflected in any way in the UFA assessments. 4.1.5 Rowlandson drew the racecourse (1789). Constable painted Whitehawk Hill from several angles. It was the setting for parts of Graham Greene's 'Brighton Rock'. Generations of race goers have visited the Racecourse and many of them have delighted in its downland wildlife. One race goer's daughter wrote: "My fondest childhood memory is linked to (the Sussex Rampion) which I picked in bunches on Brighton racecourse in the early 1930's" (Mabey, R., 1996. Flora Britannica) Kipling's famous poem "Sussex" extolled its Downland ("the barrow and the camp abide / the sunlight and the sward".) Brighton's famous Booth Museum's drawers and cabinets hold specimen after specimen of bees, butterflies and other tiny wonders going back a century and more from the Hill's broad slopes. Multiple Values 4.1.6 The inclusion of these three allocations in the Racecourse Landscape is the culmination of a systematic misrepresentation of the value of this landscape within the planning process leading up to the submission of CPP2. This has involved a systematic dismissal of the hardwon cultural recognition of its outstanding value which had developed in the years before and after the creation of its Local Nature Reserve, the South Downs National Park and the designation of its statutory Access Land. This dismissal / demotion involves many aspects: - its importance in terms of value for wildlife, its centrality to the South Downs landscape, its historical and pre-historical value, its cultural value, and its millennia-and-more continuity of public rights of common and recreational usage. 4.1.7 These three allocations were based on the conclusions of the Urban Fringe Assessments (2014 and 2015). We believe that the UFAs failed to utilise the existing large amount of available evidence for the multiple public values of this sub-landscape. Their own presented evidence was insufficient to justify their conclusions, and therefore to justify the allocations. These documents did not recognise the multiple values of this landscape and its component features. 4.2 Site 30 Land at and adjoining Brighton Race Course Introduction 4.2.1 Friends of Whitehawk Hill object to the inclusion of this site in the list of Urban Fringe housing allocations. The allocation lies fully within, and forms an integral part of, a statutorily designated Local Nature Reserve. It is also statutory Access Land. It lies at the centre of the natural landscape forming the arc enclosing the Whitehawk estate. Not justified Inspectors Instruction 4.2.2 At review of the City Plan Part 1 the inspector instructed BHCC to undertake a more rigorous analysis of the Urban Fringe to determine whether there was more potential to deliver housing. The inspector, in their letter of the 13th December 2013, framed this largely in terms of the contribution (actual and potential) the Urban Fringe sites make to the provision of open space. For example they commented, 'some of these sites do not make a significant contribution to the provision of useable open space, and have limited potential to do so in the future.' Clearly Whitehawk Hill, which is mostly statutory Access Land (see 4.2.29 – 4.2.31), does make a significant contribution to the provision of (semi-natural) open space. 4.2.3 Further, the inspector also wrote to the council on the 13th February 2014 that 'For the avoidance of any doubt, my initial conclusions should not be interpreted as an indication that all urban fringe sites would be suitable and/or appropriate for development. My main concern is that the decision to protect some sites from development because of their open space/recreational value is not supported by your own assessment of their existing or potential value for such uses.' It is our view that Whitehawk Hill is wholly unsuitable and/or appropriate for development, not only because of its value as open space, but also for its other multiple values, which would be damaged by development within this allocation. 1822 'Race Ground' Enclosure Deed 4.2.4 The Site 30 allocation breaks the terms of the 1822 Tenantry Down (common) enclosure deed (Appendix III), which created the 'Race Ground', in which the allocation wholly lies. The deed of enclosure stated of the new 'Race Ground' that '... such part thereof as is now uncultivated, should never be broken up or subdivided ...' and that '... the inhabitants and visitors of the town of BRIGHTON, and the public in general, should have the use of it for the purpose of racing, and other purposes of exercise and diversion as heretofore ...' These conditions were reiterated in the 1888 Indenture (Appendix IV) when the 'Race Ground' was purchased by Brighton Corporation. Brighton Council again reiterated these conditions as the basis upon which it rejected a mooted housing development upon the Race Ground in 1962. Development within the allocation would breach these conditions.

Ecology 4.2.5 The ecological evidence in the Urban Fringe Assessments (2014 and 2015) is out of date, i.e. more than five years old. In general, ecological baseline evidence is considered out of date when more than three years old. It also fails to take into account the weight of evidence available and with the Council for consideration in the UFAS process. 4.2.6 The ecological evidence in the Urban Fringe Assessments (2014 and 2015) is insufficient to justify their conclusion that

'development has the potential to mitigate any significant negative effects.' (2014) and 'it is considered that housing can be delivered ... without significant impacts on ... ecology...' (2015). The ecological evidence presented in the UrbanFringe Assessments comprised; 2014.1. Desk base review of ecological designations; and 2. Site visit by a 'landscape planner' (not ecologist). 2015.1. Desk based review of biological records obtained from the Sussex Biological Record Centre; and 2. Phase 1 Habitat Survey.

4.2.7 This evidence is quite insufficient to justify the conclusions reached by them. For example, the Urban Fringe Assessments correctly make recommendations for further surveys, for habitats and protected and notable species, which would be likely to be necessary for any application that might be brought forward on the site. It would rightly be considered unjustified and contrary to national policy by a planning authority for an applicant to reach such conclusions on the basis of the level of evidence presented in the Urban Fringe Assessments, and in the absence of a full assessment based on further and more detailed surveys and detailed proposals.

4.2.8 There are major omissions in the ecological evidence. A large body of biological records and other relevant evidence (summarised in Appendix V), as well as local knowledge and expertise, which would evidence the ecological importance of the site, was not reviewed or consulted during the preparation of the documents. Further, this body of records was in the Council's possession. This includes;

- Botanical surveys (& some faunal records), 1998-1990, by Tony Spiers. Undertaken in relation to BHCC's Sites of Nature Conservation Importance (SNCl, now Local Wildlife Sites/LWSs), which identified all the habitat types and a range of scarce and rare species and characteristic species of unimproved chalk grassland and leached chalk grassland;
- Further botanical surveys, 1990 onwards, by Tony Spiers, David Bangs and others;
- Entomological Surveys, 1997 and 2001, Peter J Hodge, consultant entomologist specialising in beetles, which identified many scarce and rare species and corroborated the importance of both the LNR and the wider Racecourse Landscape;
- Entomological Survey 2001, Marcus Oldfield, BHCC Booth Museum entomologist specialising in bugs;
- Botanical survey work for 'The Flora of Sussex', 2000 – 2015, led by Tony Spiers;
- Entomological surveys work by developer's consultants, 2002, at the Wilson Avenue SNCl / LWS and adjacent LNR compartments, leading to the discovery of the Whitehawk Soldier Beetle;
- Surveys of molluscs, spiders, butterflies and moths, hymenoptera, and grassland fungi c1994 - 2006, by David Bangs and other Friends of Whitehawk Hill supporters, which generated records of many scarce and emblematic species; and
- Whitehawk Hill: "Whitehawk Hill, Where the Turf Meets the Surf", David Bangs (2004), a 240 page book was published, which embraced both landscape and natural history.

4.2.9 There is insufficient recognition of the importance of the Local Nature Reserve designation, and of the important habitats and species it supports.

4.2.10 The Urban Fringe Assessments do not recognise or discuss the damaging effect development in this allocation would have on the integrity of the LNR. Whilst the 2015 Urban Fringe Assessment states 'The potential development area includes a relatively small area of the LNR and therefore although this would result in loss of an area of habitat it is not considered that this would significantly affect the reasons for designation of the LNR.' This does not take into consideration the location of this area in, or its relationship with, the boundaries of the LNR. It would result in a loss of semi-natural habitat which would partially sever and fragment an important section of the LNR at the centre of the core part of the reserve between Manor Hill and Warren Rd, as illustrated in Figure 4, thereby significantly adversely affecting the reserve's integrity. Habitat fragmentation is widely recognised as one of the main drivers of biodiversity loss.

<Officer note: Figure 4 presents an aerial photograph/map showing the Indicative spatial relationship between Whitehawk Hill LNR (green) and CPP2 Site 30 allocation (orange) >

4.2.11 The ecological evidence did not consider or assess the impact development in this allocation would have on the LNRs gorse scrub or its dependent species. This is an historic landscape feature and habitat and is an important component of the habitat mosaic within the LNR. The gorse scrub grows on this part of the reserve and not elsewhere, due to local variation in soils. It is identifiable in historic mapping and photographs (Figure 5a and Photos 1 & 2). The relationship between the allocation and gorse scrub is illustrated in Figure 5b.

< Figure 5 Showing distribution of gorse scrub, a) on 1877 Ordnance survey map (gorse scrub highlighted in yellow), and b) current distribution (yellow) and allocation (orange, indicative) >

>> Photo 1 Gorse scrub c.1901 looking south along hill close to allocation >> Photo 2 Looking north along Whitehawk Hill c.1905 with gorse scrub visible as dark area(s) on right >

4.2.12 A breeding bird survey carried out by Richard Bickers during spring 2019 (Appendix VIa) identified a breeding population of Linnet (BoCC Red Listed and a S41 Species of Principal Importance) located within the gorse scrub. Such a population is of at least Local Importance and development within the allocation would put this population at significant risk, due to the combination of direct habitat loss, as well as disturbance during and after construction. In recent decades the gorse scrub has also supported other notable and characteristic breeding bird species, including Dartford Warbler (WCA schedule 1 and BoCC Amber Listed) and Stonechat.

4.2.13 The evidence did not consider or assess the impact development on this allocation would have on the important invertebrate assemblage that surveys indicate the area in and around the allocation supports. A nationally recognised expert (Peter Hodge), following a survey focusing on beetles, bugs and flies within and immediately adjoining the allocation in May 2019, wrote in his report

(Appendix VIb) that 'To record 65 species of beetles ... in just 3 hours ... indicates an extremely rich site. Its importance ... is enhanced by the presence of several highly notable species.' These included both Nationally and Locally Scarce species, as well as a click beetle (*Prosternon tessellatum*), which was recorded in good numbers and is characteristic of acid grassland and heathland, and also found at Lullington Heath National Nature Reserve, one of the few surviving chalk heath sites on the South Downs or the country. It is likely that this record reflects the underlying soils, which differ from those elsewhere in the reserve. Based on the results of this survey the area can be considered to be of at least Local Importance for these insect groups. Loss of this area to development would threaten these species and the assemblage.

4.2.14 The evidence did not consider or assess the impact development on this allocation would have on several invertebrate S41 Species of Principal Importance which have been recorded recently within or close to the allocation. These include a population of the brown-banded carder bee, recorded during a survey carried out in July 2019 by the nationally recognised expert Mike Edwards. His assessment (Appendix VIc) was that this core part of the reserve supported several colonies of this important bee. Habitat loss and fragmentation within the reserve could put this population at risk. They also include populations of small heath, small blue, dingy skipper, wall and brown hairstreak butterflies, identified in surveys within the reserve, including butterfly transect surveys carried out by Richard Bickers during 2020.

4.2.15 The evidence did not consider or assess the impact development on this allocation would have on the breeding bird assemblage that the area in and around the allocation supports. A breeding bird survey carried out by Richard Bickers during spring 2019 (Appendix 4) recorded 15 breeding bird species, including S41 Species of Principal Importance and BoCC Red listed Linnet and Song Thrush, as well as Greenfinch, which experienced a 65% decline in England between 2007 and 2017 (<https://app.bto.org/birdtrends/species.jsp?&s=grefi>). The assemblage is considered to be of at least Local Importance.

4.2.16 The evidence contains errors and misjudgements undermine the credibility of the evidence of the Urban Fringe Assessments, as well as their conclusions. For example, in the wider site, the Phase 1 Habitat Survey carried out as part of the 2015 Urban Fringe Assessment wrongly identified the Priority Habitat/Habitat of Principal Importance Lowland Calcareous Grassland as semi-improved neutral grassland (or dense scrub or woodland, Figure 6), thereby undervaluing one of the most important habitats in the LNR. < Officer note: Figure 6 presents a map showing Areas of Priority Habitat/Habitat of Principal Importance Lowland Calcareous Grassland (Phase 1 Unimproved Calcareous Grassland) misidentified as habitats of lower value in the 2015 Phase 1 Habitat Survey >

4.2.17 The 2014 Urban Fringe Assessment wrongly recommended tree planting as a mitigation measure, where the priority in this area is the conservation of open habitats, such as grassland. Indeed BHCCs ranger service, with the help of local volunteers, has been working hard for some years removing trees to conserve and restore these habitats.

4.2.18 The evidence presented is inconsistent. For example, the conclusion presented in both Urban Fringe Assessments that impacts on this site can be mitigated is inconsistent with other statements within the same documents. For example the 2014 Urban Fringe Assessment, states that (our bold) 'provision for the biodiversity assets may help to create new habitats and contribute to habitat connectivity helping to mitigate significant negative effects'. This is rightly more cautious and does not claim that negative effects can be mitigated, only that they may help to contribute to mitigating them.

4.2.19 In 2018 an area close to the allocation was used as a receptor site for a large reptile translocation (planning ref. BH2018/00238) during which more than 2,000 reptiles were moved to Whitehawk Hill LNR from a development site in Mile Oak. Natural England's standing advice (<https://www.gov.uk/guidance/reptiles-protection-surveys-and-licences>) states 'If you need to move reptiles to a new location you'll have to choose a receptor site: that will be safe from future development and managed in the long term'. Translocated reptiles will disperse from the original release site and suitable habitat for reptiles is present within and immediately adjoining the allocation.

4.2.20 The evidence in the Urban Fringe Assessments in relation to landscape is framed almost wholly in terms of impacts of development on the National Park's setting and views, and did not properly consider such effects within the local visual catchment (i.e. within and adjoining the LNR), for example of views along Whitehawk Hill from the south and north, as well as from the valley below (Photos 3-5). < Location map, Photos 3-5 >< Photo 3 View south along Whitehawk Hill from the north of the existing tower blocks >< Photo 4 View north east from diagonal track, Whitehawk Hill >< Photo 5 View from northern end of playing fields adjacent to Haybourne Road >

4.2.21 The significant adverse effect of the existing tower blocks was minimised and used as a justification for further damaging development. Thus, the 2014 Urban Fringe Assessment comments 'the tower blocks have very little impact on the wider landscape as they sit just below the enclosing ridgeline. There may be scope to accommodate similar buildings on the steeper slope to the west'. There is no recognition of the impact these blocks have more locally within the enclosing ridgeline. Yet even BHCCs Housing Department, in recognition of their visual intrusiveness, initiated a programme of brown horizontally banded 'camouflage' cladding of the larger blocks during the early 2000s.

4.2.22 Nevertheless, although the existing tower blocks do impinge upon Whitehawk Hill and its views, an uninterrupted sweep of the hill remains intact and important views are in

many places currently uninterrupted. This would be lost if the allocation were to be developed. 4.2.23 The Urban Fringe Assessment's identification of this site's suitability for development appears to rest very largely on the presence of the existing tower blocks. Further, they go on to suggest that similar buildings be delivered within the site. This not only fails to recognise the adverse landscape impact of the existing blocks, but also the devastating effect further such development would have within the LNR. 4.2.24 The evidence in the Urban Fringe Assessments did not recognise that development would result in the intrusion of a residential landscape into an area with a strong sense of naturalness. Such an intrusion would inevitably have a significant adverse effect on landscape character in and around the allocation and the impact this would have on people's experience of this part of the reserve, including as part of an important gateway to the South Downs National Park. Archaeology 4.2.25 Too little weight was given to the archaeological significance of Whitehawk Hill (and the wider Racecourse Landscape) in the Urban Fringe Assessments and this is reflected in the allocations in City Plan Part 2. 4.2.26 Whitehawk Camp Scheduled Ancient Monument, which comprises a Neolithic causewayed enclosure, and which may also include an earlier Neolithic long barrow, lies less than 500m to the south of the allocation. It is one of only 66 such features currently known in Britain. "Compared to the 1,500 Iron Age hillforts or the 600 Neolithic long barrows this is a tiny number. Yet of this small number only 15 survive to any extent as upstanding earthworks, and only ten are well preserved. Whitehawk Hill's camp is a very special survival" (David Bangs, 2004. Whitehawk Hill: Where the Turf Meets the Surf pp. 40-41). 4.2.27 Whitehawk Hill, Race Hill and the ridges that connect and extend from them form a wider 'archaeological landscape'. In addition to the Scheduled Ancient Monument the wider landscape includes remains of a cluster of (probably Bronze Age) round barrows, which are located on the racecourse. A further possible cluster of barrows exists west of, and adjacent to, the racecourse tunnel, and further potential sites of importance have also been suggested. Evidence of Iron Age-Romano British farming has been recorded on the ridge during the course of excavation work at the camp, as well as on the southern slopes of Whitehawk Hill. Much more geophysical examination and sampling excavation remains to be done to identify the full extent, nature and importance of the archaeological features in this landscape. 4.2.28 Modern research into the Neolithic emphasises the importance of landscape setting for the understanding of such monument/features (Dr Matthew Pope, pers. comm.). Furthermore, the scarcity value and intactness of the Whitehawk camp, together with its close proximity to a major conurbation and consequent greatly heightened value as an educational monument, combine to make the current integrity of its contextual landscape of huge importance. 4.2.29 Development within the allocation would damage and adversely affect the archaeological landscape setting of the Scheduled Ancient Monument and is inconsistent with City Plan Part 2 Policy DM31 Archaeology, which states (our bold) 'Development proposals affecting heritage assets with archaeological interest will be permitted where it can be demonstrated that development will not be harmful to the archaeological interest of the heritage assets or their settings, having regard to their significance. This will include: direct impacts on designated sites (e.g. developments requiring Scheduled Monument Consent); indirect impacts on the settings of designated sites; and impacts on sites that have the potential to include heritage assets with archaeological interest.' Access Land and Open Space 4.2.30 Whitehawk Hill is a well-used and much loved by residents, for example, in the adjoining Whitehawk estate, one of the most deprived communities in the city (based on the index of multiple deprivation), for whom access to natural greenspace close to home is of particular importance, as well as by residents from areas adjacent to the west and south, and elsewhere in the city. 4.2.31 The whole allocation, along with much of the LNR, is currently both statutory Access Land (CROW Act 2000, Figure 7) and public access land in perpetuity (under the terms of The Race Ground deed, 1822, 1851, 1888, 1962, Figure 8). The evidence in the Urban Fringe Assessments did not consider or even discuss the loss of Access Land that would result from development of this allocation, despite the resonance such loss has with the local community and across the city. < Figure 7 Relationship between allocation (orange, indicative) and statutory Access Land (from MagicMap application) >> Figure 8 Relationship between allocation (orange, indicative) and 'The Race Ground' > 4.2.32 Development of this allocation would result in a loss of Open Space, which is inconsistent with policy in City Plan Part 1 (e.g. SA5 The Setting of the South Downs National Park, para. 3.170) which seeks to increase, not decrease the amount of accessible land adjacent to the urban area. Not consistent with national policy 4.2.33 The allocation is contrary to paragraph 174 of the National Planning Policy Framework, as it would not protect or enhance a valued landscape and a designated site supporting habitats of high biodiversity value. 4.2.34 It won't be possible to deliver a net gain to biodiversity as required by paragraph 170 of the National Planning Policy Framework, due to the damage it would incur on the integrity of the LNR, and to its habitats and species. It should be noted that the site is already in positive management due to the efforts of local volunteers, including the FoWH, and the BHCC ranger service. Not effective 4.2.35 The allocation would not be effective in delivering housing because councillors from all main parties in the city have said they won't support development of the site. For example, Nancy Platts, the leader of the previous Labour administration spoke out repeatedly against development on the Whitehawk

Hill LNR allocation (e.g. <https://www.brightonandhovenews.org/2018/11/17/brighton-councillor-sets-out-opposition-to-new-homes/>). The Conservative group have publically announced their opposition to development of the site (<https://www.brightonandhovenews.org/2020/09/10/why-its-time-for-a-final-stand-on-whitehawk-hill/>) and set up a petition against it (<https://www.brightonhoveconservativecouncillors.com/campaigns/petition-save-whitehawk-hill-development>). In an email to Richard Bickers earlier in 2020 a councillor from the Green group wrote 'The council owns Whitehawk Hill and thankfully no political party wants to develop it...'. Similar views have been expressed to members of FoWH by councillors from all main parties and independents.

4.2.36 The now reduced allocation (from 150) of 30 housing units would make a small contribution to meeting the city's housing needs that clearly does not outweigh the serious damage to both the ecology of the site and the communities passion for it.

4.3 Sites 32/32a Land at South Downs Riding School & Reservoir Site and 33 Land north of Warren Road (Ingleside Stables) Introduction

4.3.1 Friends of Whitehawk Hill object to the inclusion of these two sites in the list of Urban Fringe Allocations. The sites lie within a precious open ridge-top corridor (just over half a mile long) forming a 'green gap' between the edge of Brighton at the top of Bear Road/Elm Grove and Woodingdean, and form an important part of the Racecourse Landscape and a gateway to the South Downs/National Park. This area represent the first intimation (as one leaves the Brighton built-up area) of the farmed landscape of the wider Downs.

4.3.2 On a summer evening birds and bats forage above your head on the many insects dependent upon the horse pastures, as you cast your eyes across to the high Downland landmarks of Ditchling Beacon hillfort, Hollingbury hillfort, Seaford Head hillfort, Cissbury Ring hillfort, Highdown, the Devils Dyke hillfort, and the blue-grey distant cliffs of Bembridge on the Isle of Wight.

4.3.3 The allocation of these development sites ignores and reverses BHCC's own rising trajectory of recognition of the importance of this high downland ridge.

4.3.4 This recognition within development planning had been expressed as far back as the 1930's, when the planning authority (East Sussex County Council) adopted the 300ft contour as the datum above which Downland development should not be permitted. Development site 32/32a is 160 feet above the 300 ft contour, and development site 33 is 175 ft above that contour.

4.3.5 Brighton Council in its 1995 Local Plan included the whole of this ridge in their 'AILEV' (Area of Important Landscape and Environmental Value) which was a further advance of landscape protection for Brighton's Downland after the designation of the South Downs AONB in 1966. This boundary embraced UFA development sites 32 and 33. Not justified Landscape and Views

4.3.6 The evidence in relation to the landscape impact of development of these sites in the Urban Fringe Assessments was inadequate. The sites are in sensitive elevated locations on or close to the top of an open ridge-top (Photos 6 & 7) and adjacent to the National Park Boundary (Figure 10). Development of these sites would have a significant adverse impact on landscape character, eroding the green gap between Brighton (at the top of Bear Road and Elm Grove) and Woodingdean, and between Bevendean and Whitehawk (Figure 9). The South Downs National Park Local Plan (Strategic Policy SD4: Landscape Character) states 'Development proposals will only be permitted where they conserve and enhance landscape character by demonstrating that: ... 3. The settlement pattern and individual identity of settlements and the integrity of predominantly open and undeveloped land between settlements will not be undermined.' < Photo 6 View eastwards along the Warren Road ridge from near Site 32/32a towards Site 33 > Photo 7 View westwards along the Warren Road ridge from near Site 33 towards Site 32/32a > Figure 9 Indicative location of ridge-top 'Green Gap' (green) between Brighton and Woodingdean, and Bevendean and Whitehawk, and indicative location of sites 32/32a and 33 (orange) within it >

4.3.7 The landscape within the immediately adjoining National Park has been characterised as 'Open Downland' (LUC, for the South Downs National Park Authority, 2005 (updated 2011). Integrated Landscape Character Assessment). Its features include 'Large scale open elevated landscape of rolling chalk downland, with dry valleys and scarp slopes' and 'Sparse settlement, with occasional isolated farms and barns'. Although the sites lies just outside the National Park, insertion of these residential developments into this landscape would erode its character and adversely impact the setting of the National Park. The City Plan Part One (SA5. The Setting of the South Downs National Park) states 'Proposals within the setting of the National Park must have regard to the impact on the National Park. ... Development within the setting of the National Park: ... must respect and not significantly harm the National Park and its setting.'

4.3.8 Loss of the existing farmsteads/buildings to housing will create knock-on pressures for new replacement buildings within this landscape/green gap, because the residual 'bare land holdings' (lacking buildings) will require such infrastructure in order to function.

4.3.9 Allocation and development of these two sites would set a dangerous precedent for further development in this downland ridge green gap, (between Brighton and Woodingdean, and between the National Park and the Bevendean Down and Whitehawk Hill LNRs), which would further erode it's integrity and character.

4.3.10 Effects on views were not fully considered in the Urban Fringe Assessments. For example, whilst it is true that parts of the allocation at site 33 Land north of Warren Road (Ingleside Stables) are screened by existing woodland from some directions, the western part of the site is on greenfield land immediately to the north of a well-used path/track forming part of the gateway t

Changes required

Site 30 Land at and adjoining Brighton Race Course Conclusion 4.2.37 This site should be removed from the list of Urban Fringe housing allocations. The ongoing management work by BHCCs ranger service and local volunteers to restore the LNRs landscapes and habitats, and to improve people's access to them, should not be undermined by damaging the reserves integrity, habitats and species. Sites 32/32a Land at South Downs Riding School & Reservoir Site and 33 Land north of Warren Road (Ingleside Stables) Conclusion 4.3.18 These sites should be removed from the list of Urban Fringe housing allocations. Instead, they and the landscape of which they form part should be subject to positive landscape and ecological restoration, along with the whole of the precious Racecourse Landscape.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

Friends of Whitehawk Hill would like to participate in the Public Examination hearing sessions. This would provide the opportunity for a full examination of the issues and evidence, and for representatives from Friends of Whitehawk Hill to answer questions regarding their case and its supporting evidence.

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	233 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Top/East end of Ladies Mile Rd - new housing Ladies Mile Road is unusual in being a long road with limited access - no roads into it from the north (after Warmdene Rd) and quite constricted hilly roads to the south. This makes it very slow to access and for a long stretch at the west end (east of Warmdene Rd) cars are parked on both sides, making it single-track, and traffic can be busy. These are 2 schools west of Warmdene Rd. So if access to the new houses is from Ladies Mile Rd it will exacerbate an existing problem. It would make sense to have access from Carden Avenue which the site is right next to.

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	236 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I strongly object to the proposed development above for the following reasons:-Whitehawk Hill has a wealth of amazing, unusual wildlife including many species of Butterfly and Moths, birds and other wildlife, the plant life, I understand, includes three species of orchids. This site has been a lifeline for many during the present pandemic and I am sure it has improved the mental health of all who use the site. The other two sites back onto open downland where there is an abundance of wildlife which would be lost forever. This area too has been appreciated by many during the pandemic. The other issues with building on these three sites would be access. Warren Road is already gridlocked from until 9.30 a.m and again from 3 p.m in the afternoon. To add to that traffic from the town centre is always redirected onto this road when there are major activities such as marathons etc in the town centre. The traffic calming in the Lewes Road, roads being closed for school opening times and other road works has seen an increase in traffic and subsequent road accidents. The Bus Service is not only expensive but not particularly reliable. The air pollution would increase dramatically, it is already high and those living with asthma and other lung condition already often have to stay indoors due to traffic. I am sure there are other sites within the city that could be developed without developing the beautiful urban fringe.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H2	
<u>Respondent Number / Rep Number</u>	237	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>	Individual	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I am writing to object to the proposed development of land at and around Brighton Racecourse. I object to this for three main reasons: 1. The vital importance of this area as a nature reserve, open space and recreation. The three areas outlined for development would take out part of the Nature Reserve and build on the existing stables. The Nature Reserve is the site of a rare habitat for flowers, spiders, moths, butterflies, bees, beetles and birds. Surely an enlightened Council like Brighton and Hove realise the importance of this site? 2020 has changed people's views on the importance of open spaces, particularly, in the case of Brighton & Hove, those easily-accessible areas on the fringe of the city. There is no other place like this on the city fringe; you have to travel miles outside the urban area to the Devil's Dyke or Ditchling Beacon to experience anything like the same unspoilt downland or sense of space. 2. The ancient archeology and history of our rare causewayed camp. Whitehawk Hill has the area's oldest building - 5,000 years old and built before Stonehenge. It is vital that we keep our ancient monuments and their surroundings intact and honoured. 3. The visual impact of buildings on the the Downs in this area. If you travel up Bear Road from Lewes Road and join Warren Road, you experience a complete change of landscape, starting near the top of the hill. The sky is huge, the view is endless, the air is fresh and there is a sense of the ancient grass downland being untouched for millennia. If you stand at the top of Whitehawk Hill, you can see for miles around, even to the

Isle of Wight. Please keep development away from this area. It is widely used and easily accessible on foot by the thousands of residents of East Brighton, Kemp Town, Hanover, Bevendean, Whitehawk, Woodingdean, Ovingdean and Rottingdean. The area of the Downs around Whitehawk Hill is a special gem in the crown of Brighton and Hove. Please keep it that way.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H2	
<u>Respondent Number / Rep Number</u>	240	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>		
<u>Respondent Type</u>	Individual	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Land at Ovingdean Hall Farm & Land at Bulstrode / Ovingdean Farm Sites 38, 38A & 39I strongly disagree that the farmland, proposed Sites 38, 38A & 39, set within the Ovingdean Conservation Area which borders the South Downs National Park, is suitable for housing development. Setting of the Conservation Area Ovingdean Conservation Area centres on the historic village which contains one Grade I and thirteen Grade II listed buildings, two buildings of local interest and an archaeological notification area. It borders the South Downs National Park. The village developed as a farming community and still retains its rural setting and agricultural history. The proposed development sites form the gateway to the north of the conservation area. There is minimal street lighting within the Conservation Area which contributes to the rural character of the village. The proposed development of these farm sites will neither preserve nor enhance the distinctive character of the conservation area nor its setting on the edge of the SDNP. In addition, it will interrupt the important views between open downland the Grade I listed church and the village, including key views to and from Cattle Hill and Greenways. The Conservation Area Character Statement tells us that the Ovingdean Road Area consists of vernacular cottages and converted farm buildings. Inappropriate larger 20th century buildings already dominate the smaller, older cottages. The narrow width and lack of pavements in the area greatly contribute to its character, emphasising their origins as rural farming tracks and lanes; they

are totally unsuitable for the current volume of vehicle traffic and are now subject to shared space between pedestrians and cars. It is not possible that these roads could safely support the additional hundreds of car movements per day from fifty new houses. Any housing development will have an adverse impact on the setting of the SDNP. The sites are on rising ground therefore any development will cause light and noise pollution and no amount of bee bricks or swift boxes could possibly mitigate the harm which will be caused to the existing green space which currently supports a rich variety of wildlife. Any housing development will be contrary to BHCC's proposals for Green Infrastructure and Nature Conservation. Development of the farm sites will add to the harm already caused to the Conservation Area and the setting of the South Downs National Park and would be contrary to the appraisal set out in the Ovingdean Conservation Area Character Statement.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	251 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Our concern is the possible proposal of Ingleside Stables and the Riding School Stables at the top of Bear Road. An obvious increase in traffic flow on one of the main routes in and out of Brighton. It has a 40 mph speed limit but this section is on a blind bend. This road inherently suffers from fog and low cloud during the winter months. It has a history of accidents on this section of road for the above reasons. Pedestrians wanting to cross and recross this section of road to exercise their pets on the adjacent land. Also mainly elderly and children wanting to crossover to the bus stop. The proposed number of new housing on these two sites would virtually link up with existing housing creating one dense suburb with no natural break. It would blight the views and enjoyment for the many people who walk the South Down Way. Something Brighton and its council are justifiably proud of.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	H2	
<u>Respondent Number / Rep Number</u>	253	5
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	CPRE Sussex	
<u>Respondent Type</u>	Environment	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

CPRE Sussex objects to this policy and does not believe it is consistent with national policy or justified. The NPPF is clear that the planning system should establish coherent ecological networks that are more resilient to current and future pressures (paragraph 170) and that plans should take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure (paragraph 171). Further to this paragraph 174 is clear that plans should safeguard components of local wildlife-rich habitats including locally designated sites of importance for biodiversity. We object to all allocations which compromise Local Wildlife Sites and the overall coherence of ecological networks. We strongly object to the allocation of 30 dwellings on Whitehawk Hill Local Nature Reserve (site name 'land at and adjoining Brighton Race Course'). This LNR is an exceptional site for wildlife and of high landscape, archaeological, historical and community importance. The total number of dwellings allocated for these sites is small against the main housing target, yet the ecological and community value is significant. The CPP1 Inspector's Report (February 2016) clearly states that the CPP1 does not allocate urban fringe sites and that decisions on whether individual sites should be developed, will be made through the process of preparation of the City Plan Part 2 (CPP2).

Changes required

Remove the following sites from policy H2* Land at Oakdene, Southwick Hill / Land West of Mile Oak Road, Portslade* Benfield Valley* Land at and adjoining Horsdean Recreation Ground, Patcham* Land north of Varley Halls, Coldean Lane* Land north of Warren Road (Ingleside Stables)* Land at Ovingdean Hall Farm & Land at Bulstrode / Ovingdean FarmDelete the 'Land at and adjoining Brighton Race Course' from policy H2 and safeguard the site as a statutorily designated Local Nature Reserve.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

CPRE Sussex wishes to attend the examination hearings so that we can present our views in this issue in more detail.CPRE Sussex wishes to participate in any examination hearings sessions relevant to any sections of the City Plan Part Two that we have submitted objections to. We wish to discuss our objections formally with the Inspector and respond to any additional evidence presented by other respondents.

<u>Policy</u>	H2	
<u>Respondent Number / Rep Number</u>	256	22
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	The Brighton Society	
<u>Respondent Type</u>	Civic & Amenity	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Object to inclusion of following Sites;Land at and adjoining Horsdean Recreation Ground, Patcham.Reason: Downland designated as an area of outstanding natural beauty. Would result in destruction of numerous trees and adversely affect wildlife. It would significantly change the setting of the recreation ground and surrounding area. Land at and adjoining Brighton Racecourse.(Objection does not include housing adjacent to Lodsworth Close).Reason for objection. Proposed small pockets of housing on the ridge line would be extremely detrimental to views of the Downland setting of this part of the city.Detrimental effect on ecology and wildlife of this sensitive area.Land at South Downs Riding School and reservoir siteReason: Site is on the ridge line of Downland and would cause a severe detrimental intrusion to views of the ridgeline from the north and west. Historically, past developments in Brighton have avoided any building on the ridge lines to preserve the setting of the Downs. This policy existed throughout the development of the estates built following the 2nd World War and this successful policy of ensuring that Brighton & Hove's Downland setting is maintained intact should not be jeopardised by proposed developments such as this.Land north of Warren Road (Ingleside Stables).Reason: Site is on the ridge line of Downland and would cause a severe detrimental intrusion to views of the ridgeline from the north and west. Historically past developments in Brighton have avoided any building on the ridge lines to preserve the setting of the Downs. This policy existed

throughout the development of the estates built following the 2nd World War and this successful policy of ensuring that Brighton & Hove's Downland setting is maintained intact should not be jeopardised by proposed developments such as this.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	260 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

I wish to clarify my objection to the proposed sites in Patcham along the grounds of the area being part of the south downs and an area of natural beauty and the proposed site being well used by the people of patcham as a recreational ground .

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	261 1
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

referring to the development at the north of patcham I.e horsdean

Changes required

Participate at the hearing session(s)? Not Answered

Why wish to speak

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	268 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Enplan
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

<See detailed comments under Policy SA7>

Changes required

5.10 As set out above, more housing on the site could be accommodated without having any greater impact in terms of landscape character, heritage or ecology than the current draft allocation for 100 units. Indeed, more development would offer enhancements to the various features of the site by: i. improving public access to promote recreational use of the land and links to the SDNP, ii. allowing long term habitat management to prevent further natural decline and preserve protected species, and iii. by securing high quality restoration and maintenance works to the historic buildings with the consequent enhancement to the Benfield Barn Conservation Area. 5.11 A larger development area could readily accommodate approximately 75 additional dwellings without compromising the function of the LWS and LGS. This would result in a development density of approximately 53 dwellings per hectare which sits at the lower end of the range of densities set out in policy CP14 of the CPP1. This would also increase the number of dwellings allocated in policy H2 of the CPP2 to be more in line with the 1,060 set out in adopted

policy CP1 of CPP1.5.12 In conclusion, the CPP2 as currently drafted is considered “unsound” for the following reasons:- It is not positively prepared in that it fails to make most effective use of an Urban Fringe site, Benfield Valley in order to not only provide sufficient housing to help meet the need in the City but to secure the funding to deliver all the objectives of Special Area policy SA7 to a high standard. - It is not justified in that BHCC cannot adequately defend the retention of unmanaged Urban Fringe land when there is a significant housing land shortfall.- It is not effective in that it does not meet the housing requirement for the City which has increased since the adoption of the CPP1. It does not allocate sufficient housing on Urban Fringe sites to meet the requirement detailed in policy CP1 of CPP1.- It is not consistent with national policy in that it does not seek to significantly boost the supply of housing.5.13 It is considered that the following changes to the Plan are required:- Amendment to the wording of the column headings in the table of urban fringe sites within policy H2 to read “approximate area of development potential” and “approximate number of dwelling units”. The development areas should also be rounded to one decimal point rather than two.- Increasing the “area of development potential” for the Benfield Valley site to a total of 3.3 ha (1.8ha for site 11 and 1.5ha for site 12) and to amend the potential number of dwelling units to a total of approximately 175.<The supporting document submitted includes a map indicating the proposed expanded boundaries of the indicative developable areas shown on the Policies Map>

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

To respond to questions regarding the housing allocation.

<u>Policy</u>	H2
<u>Respondent Number / Rep Number</u>	271 6
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	Individual
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	No
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Race Course development is inconsistent with 1822 Tenancy Down common enclosure deed.All areas.Contrary to para 174 of National Planning Policy FrameworkWill not deliver net gain to biodiversity (as required by para 170 of NPPF)The ecological evidence in the Urban Fringe Assessments is out of date and undervalues the importance of sites in terms of biodiversity and ecological impact and the impact on nature reserves.Negative effects are unlikely to be mitigated. The nature reserve will become fragmented and the UFA did not consider the impact of this. It also did not consider the impact on historic gorse and the scrub habitat, crucial to red-listed birds (identified in 2019 surveys) or the impact on the brown-banded carder bee, , smallheath and small blue, dingy skipper, wall and brown hairstreak butterflies.It is not justified because the tall buildings would affect the views from the National Park.The development would intrude on the strong sense of naturalness. The UFA did not consider the loss of statutory Access land The loss of open space undermines the work of the local volunteers and rangers to restore priority habitats, and is contrary to the City Plan Part 1, which seeks to increase rather than decrease the amount of accessibly land adjacent to urban areas.

Changes required

Delete this sites from the list of potential developments. Protect local green spaces and biodiversity

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H2	<u>H2 Omission Site</u>	Omission Site
<u>Respondent Number / Rep Number</u>	258	32	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	Brighton and Hove Liberal Democrats		
<u>Respondent Type</u>	Councillor/Political Group		
<u>Late Representation?</u>	No		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The failure to meet the aim of “40% affordable homes” in new developments over recent years means that there is now even more of a need for such homes. We believe that the existing plans are unlikely to meet the demand up until 2030, given that there are currently more than 19,000 (INDIVIDUAL) PEOPLE on the Housing Waiting List. We therefore support the re-allocation of Hollingbury Golf Course as an area for “Mixed Use”. This Mixed Use designation should include approximately 40% of that area for “Eco” Social Rented Homes; 40% to be preserved in perpetuity as a “nature reserve”; and 20% to be used as open leisure space, allotments and other recreational/leisure uses.

Changes required

<u>Participate at the hearing session(s)?</u>	Not Answered
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<u>Policy</u>	H3	<u>H3 PBSA sites</u>	ALL SITES
<u>Respondent Number / Rep Number</u>	265	2	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	The Arch Company		
<u>Respondent Type</u>	landowner / developer		
<u>Late Representation?</u>	No		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	Consistent with National Policy

Reasons

Please refer to Section 4 of the attached Statement.4. Policy H3 Purpose Built Student Accommodation4.1 Policy HS3 seeks to address the need for PBSA in the City. Brighton’s two universities, the University of Brighton and University of Sussex, are major assets that are vital to the city’s economy and make an important contribution to its economic and cultural life. Brighton and Hove have a particularly high proportion of students with the two main universities supporting a population of 39,355 in 2017/18, making up 13.5% of the city population. As noted within the City Plan, the provision of additional bed spaces in PBSA will assist in encouraging students to choose managed accommodation over houses in multiple occupation (HMO), which is particularly important for first yearstudents.4.2 The City Plan Part One sets out that the Council will work with universities and other education providers “to address the need for dedicated purpose built student accommodation in the local area where there is increasing pressure to accommodate students within the existing housing stock” (Para. 3.29).4.3 City Plan Part One Policy CP19 (Housing Mix) notes that the Council seeks to improve housing choice and ensure that an appropriate mix of housing is achieved across the city, including purpose built student accommodation. The Draft City Plan Two states that the number of permitted PBSA bedspaces remains below the number of studentsin the city requiring accommodation thereby demonstrating a demand for this type of housing to come forward.4.4 Brighton and Hove’s most recent

Authority Monitoring Report for 2018/19 notes that there has been an increase in HMO's over the years due to housing prices, the lack of availability of housing within the city and the supply of purpose built student accommodation not matching the expansion of the student population. This reflects the fact that the number of full-time students in Brighton has grown at a higher rate than the UK average over the past two decades. Due to the relatively low levels of private sector PBSA in the city, there is a heavy reliance on market housing as evidenced by high rental costs across the city. Notwithstanding that there are a number of PBSA schemes currently under construction, or recently been approved, there is a mismatch between the supply of PBSA and the number of students in the region of 20,000 students. Where the gap has not been met, these students will typically live in private rented accommodation around the city putting pressure on the housing market.4.5 Policy H3 of the City Plan Part 2 allocates a further three sites for the delivery of PBSA. The identified sites are considered to have potential to deliver 522 student bed-spaces. Whilst this will potentially improve the level of provision of PSA in the city it will still leave a significant under-supply in relation to known demand and will not ensure that the known need for housing is met. To that end the PBSA policies of the City Plan Part 2 are neither justified nor effective as they do not make adequate provision for the delivery of PBSA. As an alternative to its allocation as a site for housing under City Plan 2, Policy H1, the site should be allocated for PBSA, under City Plan Part 2, Policy H3.4.6 City Plan Part 1, Policy CP21 states that the development of student accommodation will not be supported on:* Sites allocated for housing or with an extant planning permission; or* Sites allocated as potential housing sites, which includes identification through the Strategic Housing Land Availability Assessment (SHLAA).4.7 Our client's site at Preston Road / Campbell Road does not benefit from any extant planning permission for residential accommodation nor has it been identified in the SHLAA. In the event that our client's site is not allocated for the delivery of housing under City Plan Part 2, Policy H1 it should be allocated for the delivery of PBSA under Policy H3.

Changes required

Please refer to Section 4 of attached statement. The Council should allocate additional sites for residential development under Policy H1 of the City Plan Part 2 to ensure that an adequate supply of land is available for the provision of Purpose Build Student Accommodation. Land at Preston Road / Campbell Road is specifically identified as a potential allocation as a means of helping address the deficit in supply.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

To enable the Council's evidence and approach to be tested and questioned.

<u>Policy</u>	H3	<u>H3 PBSA sites</u>	45 & 47 Hollingdean Road, Brighton
<u>Respondent Number / Rep Number</u>	79	4	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	Environment Agency		
<u>Respondent Type</u>			
<u>Late Representation?</u>	Not Answered		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Both the sites below fall within Groundwater Source Protection Zones 1, 2 and 3. Lewes Road Bus Garage, Lewes Road, Brighton 45 & 47 Hollingdean Road, Brighton. Within this policy, there is no acknowledgement that these sites fall within these zones. This is inconsistent with the wording of other allocations in Section 3 which either acknowledge these zones within the policy wording, supporting text or both. We do not find the policy to be unsound because of the overall protection provided in DM42 Protecting the Water Environment. However, as protection of the Brighton Chalk Block Aquifer is a significant environmental consideration, we feel that it is important to provide clarity and consistency of approach.

Changes required

We suggest that the wording is updated either in the policy or supporting text to acknowledge the Groundwater Source Protection Zones for these two sites and to ensure that due consideration is given to these whilst developing the sites.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H3	<u>H3 PBSA sites</u>	Lewes Road Bus Garage, Lewes Road, Brighton
<u>Respondent Number / Rep Number</u>	79	4	
<u>Name</u>			
<u>Email</u>			
<u>Organisation/individual</u>	Environment Agency		
<u>Respondent Type</u>			
<u>Late Representation?</u>	Not Answered		
<u>Reasons Given for Being Late</u>			
<u>Petition attached to rep?</u>	Not Answered		

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	Yes
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Both the sites below fall within Groundwater Source Protection Zones 1, 2 and 3. Lewes Road Bus Garage, Lewes Road, Brighton 45 & 47 Hollingdean Road, Brighton. Within this policy, there is no acknowledgement that these sites fall within these zones. This is inconsistent with the wording of other allocations in Section 3 which either acknowledge these zones within the policy wording, supporting text or both. We do not find the policy to be unsound because of the overall protection provided in DM42 Protecting the Water Environment. However, as protection of the Brighton Chalk Block Aquifer is a significant environmental consideration, we feel that it is important to provide clarity and consistency of approach.

Changes required

We suggest that the wording is updated either in the policy or supporting text to acknowledge the Groundwater Source Protection Zones for these two sites and to ensure that due consideration is given to these whilst developing the sites.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	H3
<u>Respondent Number / Rep Number</u>	159 7
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	n/a
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	No
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

-

Changes required

There should be no more student accommodation in the city. If we have a housing crisis then land should be used for permanent residents rather than being used for only a few months of the year. Covid restrictions are likely to lead to more online teaching and fewer students from overseas so this is a waste of resource. This space should be reallocated to residential.

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

-

<u>Policy</u>	H3	
<u>Respondent Number / Rep Number</u>	202	13
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Woodland Trust	
<u>Respondent Type</u>	Environment	
<u>Late Representation?</u>	Not Answered	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

The Woodland Trust objects to ancient woodland areas being included in sites allocated as suitable for development. Areas of natural woodland, in particular ancient woodland, are vulnerable to pollution, encroachment from development, and habitat fragmentation. It is important that any development is located and designed to avoid damaging ancient woodland, providing buffers for designated sites and protecting connectivity between wildlife habitats. Further information is available in the Trust's Planners' Manual for ancient woodland. We recognise the intense pressure to identify and bring forward newsites for housing and employment uses. This pressure makes it all the more important that vital protections for ancient woodland and veteran trees are upheld. Development which would result in the loss of ancient woodland, aged or veteran trees should not be permitted. In the case of the specific site allocations in this plan, we are pleased to see that woodland has generally been excluded from sites, and the one section of ancient woodland potentially affected had a buffer applied. We wish to see these standards maintained throughout the local plan process. The Trust reserves the right to object to future site allocations or individual planning applications which threaten ancient woodland or veteran trees.

Changes required

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	H3
<u>Respondent Number / Rep Number</u>	216 16
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Brighton & Hove Food Partnership
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	Yes
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We welcome the specific reference food growing under H1-H3 (housing and mixed use sites).

Changes required

Participate at the hearing session(s)? Yes, I wish to participate in the hearing session(s)

Why wish to speak We would be happy to participate in the Inspector's hearing to make these points.

<u>Policy</u>	H3
<u>Respondent Number / Rep Number</u>	252 4
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	C Brewer & Sons Limited
<u>Respondent Type</u>	landowner / developer
<u>Late Representation?</u>	No
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

More sites can be added including New England Street BN1 4GQ. am fully supportive of the Plan and would be keen to bring forward a site we own as either a mixed use or PBSA scheme. We have been approached by many developers and would anticipate that we could bring a project forward in the time frame of the next 3-7 years. One of our issues would be to find suitably alternative premises to relocate our business and to provide our Tenants the appropriate opportunity to do likewise. The address is : Albany house, New England Street, Brighton BN1 4GQ and the adjoining land at St James House New England Street, Brighton BN1 4GQ registered under title number SX 83575 Provided the Council are amenable to a tall building, the site could accommodate over 10 storeys high (the site across the road has recently been permissioned at 14 storeys and developers have approached about a PBSA of in excess of 500 units and this would translate into a mixed use scheme of shop/office on lower floors and 200 plus residential units. The site was I believe referenced in the Part One and should be referenced again in Part Two.

Changes required

More sites can be added including Albany house, New England Street, Brighton BN1 4GQ and the adjoining land at St James House New England Street, Brighton

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	E1
<u>Respondent Number / Rep Number</u>	121 3
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	
<u>Respondent Type</u>	
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

Although I understand there may be a need for light industrial units staff would have to travel to and from the site by car as public transport does not pass the site. Adding this traffic to the goods traffic to and from the businesses and what a waste management site would generate would severely increase the traffic on the Hangleton link road. The impact on the junction with Hangleton Lane and Fox Way would be huge if it is also added to what would be created if the plan for Housing in SA7 and H2 were to go ahead. You have noted the Foredown allotments are near the site , if the traffic levels increase those would be impacted by more pollutants from the increased traffic. The traffic flow from the recent Old Shoreham Road alterations already mean traffic is sometimes at a standstill or very slow moving this will exacerbate the problem

Changes required

I believe the warehouse proposal should be removed as the impact of the extra traffic and in combination with the housing proposed in SA7 and H2 would dramatically change the character of Benfield Valley and the area nearby

Participate at the hearing session(s)?

No, I do not wish to participate in hearing session(s)

Why wish to speak

<u>Policy</u>	E1
<u>Respondent Number / Rep Number</u>	202 14
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Woodland Trust
<u>Respondent Type</u>	Environment
<u>Late Representation?</u>	Not Answered
<u>Reasons Given for Being Late</u>	
<u>Petition attached to rep?</u>	Not Answered

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	Effective
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We note that para 3.87 states that "regard should be given to the need to conserve and enhance biodiversity" with reference to the overlap with local wildlife sites. We would like to see a more specific reference to retaining or enhancing the environmental value of the site in line with the emerging policy on biodiversity net gain. The Woodland Trust objects to ancient woodland areas being included in sites allocated as suitable for development. Areas of natural woodland, in particular ancient woodland, are vulnerable to pollution, encroachment from development, and habitat fragmentation. It is important that any development is located and designed to avoid damaging ancient woodland, providing buffers for designated sites and protecting connectivity between wildlife habitats. Further information is available in the Trust's Planners' Manual for ancient woodland. We recognise the intense pressure to identify and bring forward new sites for housing and employment uses. This pressure makes it all the more important that vital protections for ancient woodland and veteran trees are upheld. Development which would result in the loss of ancient woodland, aged or veteran trees should not be permitted. In the case of the specific site allocations in this plan, we are pleased to see that woodland has generally been excluded from sites, and the one section of ancient woodland potentially affected had a buffer applied. We wish to see these standards maintained throughout the local plan process. The Trust reserves the right to object to future site allocations or

individual planning applications which threaten ancient woodland or veteran trees.

Changes required

We would like to see a more specific reference to retaining or enhancing the environmental value of the site in line with the emerging policy on biodiversity net gain.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

Tests specified by officer

<u>Policy</u>	E1	
<u>Respondent Number / Rep Number</u>	212	11
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Natural England	
<u>Respondent Type</u>	Government Agency	
<u>Late Representation?</u>	No	
<u>Reasons Given for Being Late</u>		
<u>Petition attached to rep?</u>	Not Answered	

<u>Is the policy Legally Compliant?</u>	
<u>Is the policy Sound?</u>	
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	
<u>Unsound because not Consistent with National Policy</u>	

Reasons

3. Comments on allocations Noting the location of a number of allocation sites close to and/or in the setting of the South Downs National Park, we support the requirement for Landscape and Visual Impact Assessment (LVIA). Where required, we advise LVIA is undertaken in accordance with Guidelines for Landscape and Visual Impact Assessment (GLVIA 3rd edition), recognising the Special Qualities of the South Downs National Park and the ambitions of the Partnership Management Plan. In accordance with NPPF paragraph 172, great weight should be given to conserving and enhancing landscape and scenic beauty of the National Park.

Changes required

Participate at the hearing session(s)?

Why wish to speak

<u>Policy</u>	Sup Docs	
<u>Respondent Number / Rep Number</u>	12	1
<u>Name</u>		
<u>Organisation/individual</u>		

Supp docs comments

Housing Provision Topic Paper. Lists 27-31 Church Street as 'under construction'. It is still a boarded up vacant site. No obvious work has been started there.

Housing Provision Topic Paper and DM2 Retaining Housing and Residential Accommodation. No mention of the uncontrolled growth of airbnb's and the risk this presents to availability of housing stock, house prices and rents in the city. I'm aware that the council has no control over airbnb use and I believe that representations have been made to central government about this, but it is already a real problem. Some streets in the city centre are alleged to have significant numbers of properties given over to airbnb's. Apart from the loss of housing that they represent, they are clearly businesses but not paying business rates, not subject to any licensing or safety standards, not regulated in any way. It is a shame if this is not acknowledged somewhere in the planning documents. (Apologies if it is and I've missed it.)

DM20 Protection of Amenity. Sunlight. I am very pleased that developers will be required to consider the effects of proposals on sunlight but I find the BRE standard for assessing this to be inadequate for properties in the centre of towns on the south coast. The BRE assessment uses as its benchmark sunlight and over-shadowing at the Spring Equinox. This takes no account of homes in narrow streets behind existing taller buildings, such as on the seafront, where direct sunlight reaches the smaller properties during the summer months. The BRE assessment would wrongly conclude that such properties are in year-round shadow and that new developments of any height will present no loss of amenity. If at all possible, BHCC should use assessments that are relevant to the city's coastal position and topography, rather than rely solely on national standards.

Overall, I am impressed by the scale and depth of the work that has gone into the city plan. My warmest thanks to all who have been involved in this.

<u>Policy</u>	Sup Docs
<u>Respondent Number / Rep Number</u>	79 5
<u>Name</u>	
<u>Organisation/individual</u>	Environment Agency

Supp docs comments

Strategic Flood Risk Assessment Level 1 and 2 Screening.

This document was finalised in October 2018. In anticipation of the new climate change allowances being released in November 2018 (UKCP18), the following was included on Page 22 Section 4.3 of the report:

“The Environment Agency anticipate that there will be new climate change allowances released in November 2018. Any changes which impact on this SFRA will be added as an addendum after the release of the updated predictions”.

In order for the City Plan Part 2 to be sound, the Technical Note produced for Brighton and Hove City Council dated 15 October 2020 and titled 'UKCP18 updates and the impact on site allocation with the City Plan Part 2' should be included as part of the evidence base for the the Strategic Flood Risk Assessment and City Plan Part 2. We are satisfied that the Technical Note considers the impact of the new sea level rise allowances on the allocations contained within Section 3 of the City Plan Part 2 document for the sources of flooding that fall within our remit.

The above Technical Note has been uploaded in the Supporting Information section of this response

<u>Policy</u>	Sup Docs	
<u>Respondent Number / Rep Number</u>	132	3
<u>Name</u>		
<u>Organisation/individual</u>	None	

Supp docs comments

As noted in DM35 Travel Plans and Transport Assessments

There is a lack of evidence for the assumptions made in the material concerning transport assessment/congestion and its drivers, also a lack of evidence to show DfT guidelines were known and followed (verification, baseline checks etc.)

No recent congestion measurements were published at all, even though major transport interventions have taken place since the CPP1 STA 2013 was published (e.g. at North Street, Lewes Road, the Vogue Gyratory ...)

This was adequately covered in comments on DM35 Travel Plans and Transport Assessments and the attached PDF but is noted here for completeness

<u>Policy</u>	Sup Docs
<u>Respondent Number / Rep Number</u>	179 10
<u>Name</u>	
<u>Organisation/individual</u>	South Downs National Park Authority

Supp docs comments

Welcome the changes to the Policies Maps with the boundary and area of the SDNP now shown.

<u>Policy</u>	Sup Docs	
<u>Respondent Number / Rep Number</u>	180	7
<u>Name</u>		
<u>Organisation/individual</u>	Highways England	

Supp docs comments

Highways England is continuing to liaise with Brighton and Hove City Council and their transport consultants Systra with regard to the supporting Transport Evidence Base. With regard to the Transport Topic Paper submitted, whilst Highways England has accepted the methodology, we have expressed concerns with the modelling undertaken that are still to be resolved. Until the outstanding matters relating to the modelling are resolved, Highways England is not able to accept the Transport Assessment in support of the City Plan Part 2 and therefore the CPP2 itself. Accordingly we are not satisfied that CPP2 will not have a detrimental impact on the Strategic Road Network (the tests set out in DfT Circular 02/2013, particularly paragraphs 9 & 10, and MHCLG NPPF2019, particularly paragraphs 108 and 109).

<u>Policy</u>	Sup Docs
<u>Respondent Number / Rep Number</u>	210 4
<u>Name</u>	
<u>Organisation/individual</u>	Home Builders Federation

Supp docs comments

See comments made in relation to Duty to Cooperate Statement and SHLAA under Part One of the Plan.

<u>Policy</u>	Sup Docs	
<u>Respondent Number / Rep Number</u>	211	8
<u>Name</u>		
<u>Organisation/individual</u>	St William Homes LLP	

Supp docs comments

Policy Map Proposals map – waste and minerals sites allocation

NPPF Paragraph 11 – Flexibility Test - This policy does not afford sufficient flexibility.

NPPF Paragraph 35 – Soundness Test - The policy does not meet the soundness tests as it is not effective.

Proposed Modification

Revised waste and minerals sites allocation legend to make clear that it is an option for a waste and minerals site rather than an outright allocation.

The key / legend should be revised to say [new text in CAPS]: Waste & Minerals Sites OPTION.

Reason for Modification

The extract below [see uploaded supporting document] is taken from the revised proposals map (Figure 3) and illustrates the changes that have been made to strategic site allocation DA2. St William welcomes the proposed removal of the housing allocation in the southern part of the site only and notes that the site is now also allocated as a potential waste and minerals site in accordance with the adopted East Sussex, South Downs and Brighton and Hove Waste and Minerals Sites Plan (WMSP) (February 2017): St William understand from the supporting text in the Waste and Minerals Site Plan and from discussions with policy officers that this is an ‘options’ allocation identified as one of many sites that may be suitable, in principle, for a waste treatment activity. However, the WMSP recognises that the level of contamination on the site will affect viability and that higher value land uses may be necessary to finance decontamination and remediation of the site.

Whilst the supporting text makes it clear that it is actually unlikely to be suitable for waste treatment activity on this site and that the allocation is merely indicating the site as an option, without reading the supporting text this waste and minerals site allocation as indicated on the updated proposals map could be misleading and does not make it clear as to how this waste and minerals site allocation sits with the wider strategic site allocation. The proposed amendment is necessary to make the policy / proposals map effective

<u>Policy</u>	Sup Docs	
<u>Respondent Number / Rep Number</u>	212	12
<u>Name</u>		
<u>Organisation/individual</u>	Natural England	

Supp docs comments

4. Comments on Sustainability Appraisal (SA)

We have no specific comments to make regarding the SA for this plan. However, we refer to our comments on Policy DM37 in Section 2 of this letter, and comments in relation to the protection offered to nationally designated sites, which you may wish to re-consider against the relevant SA objectives.

<u>Policy</u>	Sup Docs	
<u>Respondent Number / Rep Number</u>	218	3
<u>Name</u>		
<u>Organisation/individual</u>	Benfield Valley Project	

Supp docs comments

The Sustainability Appraisal

Every Space Has Value

In my eyes, having read the Sustainability Appraisal as it applies to Benfield Valley, section 5.6 of the CPP2 Sustainability Appraisal does not go far enough to recognise the value of this space. I will go through the main issues here. Firstly, it cites that, 'Although the policy was found to have potential for adverse effects for biodiversity in the short term, it was found to have positive effects for biodiversity and open space in the longer term, as whilst the policy supports housing delivery on two parts of the site, the policy was found to have overall benefits these objectives, as it seeks to secure funding to protect and enhance the remainder of the site for nature conservation and open space purposes. It is also noted that the areas for development have been assessed as having lower ecological value than other parts of the site which should help to minimise ecological losses.'

No local conservation group or Ecologist not driven by financial gain would agree that any of this statement is true and I cannot understand how something so counter-intuitive could end up in an official document such as the CPP2 - why do we need to build on this space in order for it to have value and deserve protection and therefore access to funding? No

area in a space like Benfield Valley is of 'lower ecological value' and I would appreciate the evidence for this being presented to the local community conservation and wildlife groups. In the natural world, every space has value, whether it's the fungi that grows on the woodland floor and nourishes the earth through its mycelium, or the foraging and living

space that it provides for local wildlife such as:

- the now threatened hedgehog
- rare Wasp Spiders
- Common Lizards, which are protected in the UK under the Wildlife and Countryside Act, 1981 and are priority Species under the UK Post-2010 Biodiversity Framework (see video and highlighted images in the link at the bottom of this letter)
- red Foxes
- butterflies of many species including the Common Blue and Red Admiral
- Adders
- Lime Hawkmoths

- Buff Ermine Moths
- Peach Blossom moths
- Swallow-tail Moths
- Buff Arches moths
- and Buff-Tip moths

(see images and videos in the link at the bottom of this letter as evidence - all taken by local residents and community groups from in and around the areas marked for development), <Officer note: Images of Wildlife and Wildflowers/Plants were submitted with the email rep>

...as well as the homes that the canopies of the trees in this area provide for local birds such as:

- robins
- sparrows
- skylarks
- blackbirds
- blue tits
- and also our community of climate-indicators, Pipistrel bats.

If this space is seen as having 'lower ecological value' it is only because it has not been properly managed or cared for: paths have not been maintained, rubbish has not been cleared, tree canopies have not been tended to so as to provide more light to the woodland floor and encourage further growth and biodiversity. Why the council feels it could only do this if the land were to be 'developed' (and I use that term ironically), as mentioned in the Sustainability Appraisal, is anyone's guess.

The Impact on Mental Health

To continue on from the Sustainability Appraisal,

'Delivery of housing, particularly affordable housing can help reduce housing-based deprivation and also contributes towards economic growth. The policy was found to have potential for significant adverse impact for landscape in the short term, although impacts should improve over time, as the areas of the site suitable for housing have been

assessed as having potential for significant landscape effect¹²⁰ based on a lower amount than proposed in the policy and therefore a higher amount could have a greater significant landscape effect particularly in the short term whilst any screening mitigation is ineffective. Impacts become less significantly adverse in the longer term as mitigation becomes more effective.'

The irony here is that working class people, ethnic minorities (who are statistically more likely to face socioeconomic disadvantage), and those facing 'housing-based deprivation' are those most likely to suffer the long term mental health effects of a lack of good quality, accessible green space (and this does not include sports pitches) as those lower income households are more likely to live in urban areas, which generally have with less uninterrupted green space. A 2014 OECD report based on the results of a project conducted 2010-2013 states that,

'what we do know about living in cities is that it increases our risk of mental health problems...(and that)...cities have both health risks and benefits (such as accessible health care and social support), but mood and anxiety disorders are more prevalent in city-dwellers and the incidence of schizophrenia is much higher in people born and raised in cities.'

Studies prove that the human brain needs natural biodiversity for so many reasons. US researcher, Richard Taylor and his team, found that natural shapes and repeated patterns in nature (known as fractals) prompt the alpha and beta waves in the brain, suggesting a 'relaxed but focused state' when out in good quality green spaces.

This was supported by recent study by the University of Derby, which demonstrates a greater level of activity in the parasympathetic nervous system when in a natural setting. The parasympathetic system is also known as the 'relax and restore' system and is the state that humans need to be in in order to feel and be well, rather than in the sympathetic nervous system, which prompts the 'fight or flight' response in the brain, raising levels of adrenaline and cortisol in the blood, thereby depressing the immune system and causing physical and mental health problems.

An OECD report in 2019 reported that the NHS spends approximately £94billion per year on mental health conditions; if something as simple as natural green spaces can help and actually improve the mental health of human beings, eventually saving the council and NHS money, then why get rid of them at such a rate? Moreover, thanks to the law of Trespass, 92% of land in the England is privately owned, meaning that unless you are privileged enough to call an expanse of green space your back garden, you only will have access to 8% of good quality green space in England. We must hold onto to whatever spaces we have with both arms, not sell it off to the highest bidder who cares for nothing but profit at the expense of public health.

The Last 1% of Chalkland in the South Downs is Here...

Alongside this, the suggestion here if we look at the second sentence is that we are better off with these plans because '...based on a lower amount than proposed in the policy and therefore a higher amount could have a greater significant landscape effect particularly in the short term whilst any screening mitigation is ineffective. Impacts become less significantly adverse in the longer term as mitigation becomes more effective.'

My argument would be that no section of the Valley should be built on - be that 100 dwellings or more - due to it's ecological value. The whole of the Valley is part of the last 1% of chalkland (known as a priority habitat) that we have in the South Downs. From the National Trust website, 'Wildflower meadows on chalk downland are sometimes called Europe's tropical rainforest. They're home to an incredibly rich and diverse range of plant and insect life...Up to 40 species of flowering plants can be found in one square metre of chalk grassland – also called lowland calcareous grassland. Many species grow nowhere else, including many beautiful orchids and wildflowers. In turn, they attract many insects and rare butterflies such as the Adonis Blue and Duke of Burgundy...Limerich, but low in nutrients, the thin soil holds little water and heats up quickly. These stressed conditions stop the dominant lush grasses from taking over. This allows a diverse range of smaller herbs and lower plants to flourish.'

Anyone who has walked from the bottom end of the Benfield Valley all the way to the top at the South of the A27 on a Summer's day will know this to be true. Attached are images of just a few of the species to be found on the section of land marked for development and include:

- Pleated Inkcap,
- Spindle,
- Hawthorn,
- Apple tree,
- Blackthorn/Sloe berries,
- Agrimony,
- Ribbed Melilot,

- Common Mallow,
- Old Man's Beard,
- Clover,
- Wild Carrot,
- Creeping Thistle,
- Yarrow
- and Teasel.

<Officer note: Images of Wildlife and Wildflowers/Plants were submitted with the email rep>

We cannot afford to lose any of this space and the council is setting a dangerous precedence by allowing any of it to be built upon.

Air Quality

Before I begin this section, did you know that it takes seven trees to provide enough oxygen for one person? As stated in the Sustainability Appraisal, 'The policy was found to have potential for significant adverse impacts for air and noise quality. The site suffers from road noise, which could impact upon occupier amenity and which could worsen through any increase in transport movements. Although outside the AQMA, delivery of 100 dwellings on the site could result in an increase in vehicle movements that has a significant effect on air quality.'

The area to the south of the Benfield Valley, at the bottom of the A293, is stated on the 2020 Brighton and Hove Air Quality survey as being an AQMA (see map attached). It stands to reason that with a significantly reduced number of trees to absorb carbon emissions from the passing traffic, air quality could not only worsen the situation further but also put more pressure on the local NHS services. As stated in the 2018 government guidance document 'Health Matters: Air Pollution,' 'Air pollution has a significant effect on public health, and poor air quality is the largest environmental risk to public health in the UK. In 2010, the Environment Audit Committee considered that the cost of health impacts of air pollution was likely to exceed estimates of £8 to 20 billion.'

We already know from cases such as the death of nine year-old Ella Kissi-Debrah in 2014 as the result of a fatal asthma attack thought to have been brought on by spikes in nitrogen oxide and PM10s near to her home in South London, that high levels of air pollution have the potential to cause serious health damage. Especially in the times we are facing now, councils should be helping with constituents to remain healthy and safe, not decimate one of the few, uninterrupted green spaces we have left in the borough.

<u>Policy</u>	Sup Docs	
<u>Respondent Number / Rep Number</u>	220	3
<u>Name</u>		
<u>Organisation/individual</u>	Ovingdean Estates Ltd	

Supp docs comments

As referred to in our comments on policies DM37 and H2, strong concerns are raised with regard to:

Local Wildlife Study Update – which has designated the entirety of our client’s site as a local wildlife site, despite detailed representations submitted by David Archer Associates as to why this should not be the case (copy of representations attached).

SHLAA Update – that has removed our client’s site (43 – Land North East of Longhill Close) despite it being in earlier iterations

Site Allocations Topic Paper (Updated) that seems to have discounted our client’s site on the basis of it yielding less than 10 units.

<u>Policy</u>	Sup Docs	
<u>Respondent Number / Rep Number</u>	246	19
<u>Name</u>	(Montagu Evans LLP)	
<u>Organisation/individual</u>	Aberdeen Standard Investments	

Supp docs comments

Section 3 (Special Area Policy, Strategic Site Allocations, Housing and Mixed Use Sites and other Site Allocations) of the draft CPP2 allocates further sites for housing and mixed use development. The NPPF requires plans to identify enough land to meet housing need. In addition, the NPPF makes clear that planning authorities should plan positively to meet a full range of housing needs. As illustrated by the SHLAA update (2019) discussed above the Council are unable to identify a five year supply of housing to meet their need. As discussed in City Plan Part 2 Background Studies, the SLHAA identifies that the Plan falls short of meeting its annual housing need figure and can only demonstrate a four year housing supply.

Given Section 3 of the draft CPP2 does not identify and allocate a sufficient supply of land to meet the housing need, the role of diversifying the land uses and offering of existing site allocations to deliver much needed housing should be acknowledged in Section 3. Currently, the findings of the SHLAA are not discussed or examined in the draft CPP2. ASI is of the opinion that the findings of the SHLAA should be captured in Section 3 to help shape development over the plan period and, given the requirements of national policy for the planning authority to identify land to meet its housing need, this shortfall and deviation from the NPPF requirements should be addressed.

<u>Policy</u>	Sup Docs	
<u>Respondent Number / Rep Number</u>	265	3
<u>Name</u>		
<u>Organisation/individual</u>	The Arch Company	

Supp docs comments

Duty to Co-Operate Statement - Please see Section 2 of attached statement.

Duty to Co-operate

2.9 The NPPF requires councils to work together to address strategic priorities across boundaries and development requirements which cannot be wholly met within their own areas. As with the City Plan Part 1, the City Plan Part 2 notes that the Council will continue to engage constructively, actively and on an ongoing basis with neighbouring authorities and public bodies to address unmet needs as a member of the East Sussex Strategic Planning Members Group and the Coastal West Sussex and Greater Brighton Strategic Planning Board. A Duty to Cooperate Update Paper has been published alongside the Proposed Submission City Plan Part 2.

2.10 Paragraphs 24 to 27 of the 2019 National Planning Policy Framework (NPPF) set out the requirements relating to the duty to co-operate. Collaboration between authorities should identify the relevant strategic matters to be addressed and to identify where development needs that cannot be met in one area can be met elsewhere. Statements of Common Ground should be maintained documenting any activities relating to cross boundary strategic matters and paragraph 35 of the NPPF confirms that such matters should be dealt with and not be deferred. This paragraph represents a change to the 2012 NPPF in that it seeks to prevent strategic and cross boundary issues being deferred for future local plans to address.

2.11 The Council states in its Duty to Co-operate statement that most cross boundary issues affecting the city were dealt with at the examination of the City Plan Part 1. It takes the view that these do not need to be re-opened. Such an approach does not take account of the progress, or lack of progress, on certain key issues, including the supply of housing, or the acknowledged “significant” under- provision against objectively assessed need, since 2016. It also does not take into account that the Duty to Cooperate is an on-going requirement of plan making.

2.12 The unmet need for housing in Brighton and Hove identified in the City Plan Part 1 is not addressed in the Duty to Cooperate Update Paper. No detail is provided as to the progress made by other authorities in addressing Brighton and Hove’s unmet housing needs. In the absence of any evidence of progress in addressing the strategic issue of unmet housing need it will be necessary for the Council to consider whether more can be done to meet housing need through the City Plan Part 2 and this should be done before the plan is submitted for examination.

<u>Policy</u>	SSA7	
<u>Respondent Number / Rep Number</u>	242	1
<u>Name</u>	DMH Stallard LLP	
<u>Email</u>		
<u>Organisation/individual</u>	The Community Stadium Limited	
<u>Respondent Type</u>	landowner / developer	

Late Representation?

Late Reasons

I was having intermittent issues with my home internet and thought that they have been sent on Friday, only to find the email still in my draft folder on Monday. Apologies for this. Bearing in mind that we originally proposed the Policy on behalf of our Client who is the landowner, I trust that these can still be accepted.

<u>Is the policy Legally Compliant?</u>	<input type="text"/>
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	<input type="text"/>
<u>Tests specified by officer</u>	Tests specified by officer
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	<input type="text"/>
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	<input type="text"/>

Reasons

Whilst we support this Policy in principle we consider that the bullet points d and g make the Policy and Plan unsound as they are not considered to be positively prepared or justified in this case. With regards to bullet point d, it should be noted that the Community Stadium already lies in a highly sustainable location which has received significant investment due to construction and expansion of the Universities and Community Stadium. Both the Universities and Community Stadium operate under detailed Travel Plans to promote sustainable transport in compliance with Planning Conditions and Legal Agreements. The Proposed Development will be for a complementary use to these existing facilities and it is considered unnecessary and too prescriptive to require any significant additional sustainable transport infrastructure. It is considered that any significant additional sustainable transport infrastructure would not be justified, due to the highly sustainable location and the proposed uses. With regards to bullet point g, it is considered unnecessary and unjustified to require a training place agreement given the level of training being provided already to local people throughout various aspects of The Community Stadium Limited's business and having regard to the Proposed

Development itself, which is likely to comprises elements of education use. The requirement for additional financial contributions to training, along with the CIL requirements, may make any scheme unviable. It is our view that this requirement is therefore not justified.

Changes required

In order to make this Policy sound we would request that:1. removal of reference to provision of new sustainable transport infrastructure; and2. removal of reference to the requirement for a training place agreementFurther to the above, we would like to attend the Public Examination and look forward to receiving confirmation of arrangements of this in due course. If you wish to discuss any aspect of these comments please do not hesitate to contact us.

Participate at the hearing session(s)?

Yes, I wish to participate in the hearing session(s)

Why wish to speak

<u>Policy</u>	DM38
<u>Respondent Number / Rep Number</u>	196 2
<u>Name</u>	
<u>Email</u>	
<u>Organisation/individual</u>	Fields in Trust
<u>Respondent Type</u>	Environment

Late Representation?

Yes

Late Reasons

Staff issues at charity meant consultation response was not sent on time.

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We are writing to comment on policies DM37 and DM38. Though we concede that they likely do meet legal requirements we would contend that their soundness could be improved. Specifically that details within these policies could be more positively prepared, and require further justification. We were disappointed, given Brighton & Hove's commitment to safeguarding green infrastructure, and the largely reasonable standards set for open space provision (particularly for parks and natural space), that only four sites have been put forward for designation as Local Green Space. This is particularly pertinent given the lack of regard shown to park and recreational space within DM37. We would suggest that there are many parks within Brighton & Hove that are of very special significance to the community and which hold high recreational value. We would therefore urge the council to consider the recreational need of the community and nominate some further spaces for Local Green Space designation, or better still protection with Fields in Trust, to truly achieve a Plan in keeping with sustainable development. We do concede that the council may be reserving further designations for the purview of Neighbourhood Plans. However, given that no Neighbourhood Plans have so far been submitted and it appears that only one of the five designated Neighbourhood Forums has begun drafting a plan, we would suggest that the council themselves should put forward further green space to ensure their designation. As always, we would be happy to liaise with the council further on their

standards for provision and the evidencebase for open space, having recently carried out research into revaluing green space, and having extended our greenspace index work to now map against other key demographic factors relevant to open space provision. We wouldalso welcome any discussion of further protection of the council's spaces

Changes required

We would suggest that there are many parks within Brighton & Hove that are of very special significance to the community and which hold high recreational value. We would therefore urge the council to consider the recreational need of the community and nominate some further spaces for Local Green Space designation, or better still protection with Fields in Trust, to truly achieve a Plan in keeping with sustainable development.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

<u>Policy</u>	DM37	
<u>Respondent Number / Rep Number</u>	196	1
<u>Name</u>		
<u>Email</u>		
<u>Organisation/individual</u>	Fields in Trust	
<u>Respondent Type</u>	Environment	

Late Representation?

Yes

Late Reasons

Staff issues at charity meant consultation response was not sent on time.

<u>Is the policy Legally Compliant?</u>	Yes
<u>Is the policy Sound?</u>	No
<u>Does the policy Meet the Duty to Co-Operate?</u>	
<u>Tests specified by officer</u>	
<u>Unsound because Not Positively Prepared</u>	Positively Prepared
<u>Unsound because Not Effective</u>	
<u>Unsound because Not Justified</u>	Justified
<u>Unsound because not Consistent with National Policy</u>	

Reasons

We are writing to comment on policies DM37 and DM38. Though we concede that they likely do meet legal requirements we would contend that their soundness could be improved. Specifically that details within these policies could be more positively prepared, and require further justification. We applaud the recognition of the integral and connected nature of green infrastructure when it comes to preserving biodiversity and adapting to climate change. However, we would suggest that the policy could have been more positively prepared in regards to green infrastructure used for recreation. The only real recognition of the rolespaces of these typologies play in overall green infrastructure is a reference to policies CP16 Open Space and CP17 Sports Provision. Having also reviewed these City Plan Part 1 policies we would note that they are based on an openspace study last updated in 2011, and one which, although it follows generous and sensible standards for manspace typologies, provides a standard which we consider below the average when it comes for space for play. We would suggest that new developments should certainly have to meet a standard for play space that is greater than a quantity of 0.055 hectares per 1000 population, and an accessibility standard that is set at a 15-minute walk time(720m). We would therefore conclude that this DM37 policy was an opportunity to revisit and review these openspace standards to objectively assess the needs of the population, and to create an ambitious standard of green infrastructure across all of its typologies. As always, we would be

happy to liaise with the council further on their standards for provision and the evidencebase for open space, having recently carried out research into revaluing green space, and having extended our greenspace index work to now map against other key demographic factors relevant to open space provision. We wouldalso welcome any discussion of further protection of the council's spaces.

Changes required

We would therefore conclude that this DM37 policy was an opportunity to revisit and review these openspace standards to objectively assess the needs of the population, and to create an ambitious standard of greeninfrastructure across all of its typologies.

Participate at the hearing session(s)?

Not Answered

Why wish to speak

Respondent Number

28

Name

Email

Organisation

Details

No comments made on Portal

Respondent Number

35

Name

Email

Organisation

Details

No comments made on Portal

Respondent Number

37

Name

Email

Organisation

Details

No comments made on Portal

Respondent Number

40

Name

Email

Organisation

Details

No comments made on Portal

Respondent Number

41

Name

Email

Organisation

Details

No comments made on Portal

Respondent Number

42

Name

Email

Organisation

Details

No comments made on Portal

Respondent Number

43

Name

Email

Organisation

Details

No comments made on Portal

Respondent Number

47

Name

Email

Organisation

Details

No comments made on Portal

Respondent Number

52

Name

Email

Organisation

Details

No comments made on Portal

Respondent Number

64

Name

Email

Organisation

Withdean Commercial Property Ltd

Details

No comments made on Portal

Respondent Number

68

Name

Email

Organisation

Details

No comments made on Portal

Respondent Number

82

Name

Email

Organisation

Details

No comments made on Portal

Respondent Number

84

Name

Email

Organisation

Details

No comments made on Portal

Respondent Number

149

Name

Email

Organisation

Details

No comments made on Portal

Respondent Number

198

Name

Email

Organisation

West Sussex County Council

Details

Thank you for consulting West Sussex County Council on the City Plan Part Two (CPP2). I can confirm at this time there are no officer level comments being made to the consultation, but we would like to continue to be consulted on this and other documents.

Respondent Number

199

Name

Email

Organisation

Southern Water

Details

Thank you for your email below, inviting Southern Water to comment on the Proposed Submission City Plan Part 2.

I confirm we have reviewed this and are pleased to note that our previous comments have been taken into account in this version of the Plan. We therefore have no further comments to make.

We look forward to being kept informed of the Plan's progress.

Respondent Number

200

Name

Email

Organisation

National Grid

Details

Representations on behalf of National Grid. National Grid has appointed Avison Young to review and respond to local planning authority Development Plan Document consultations on its behalf. We are instructed by our client to submit the following representation with regard to the current consultation on the above document.

About National Grid

National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales. The energy is then distributed to the electricity distribution network operators, so it can reach homes and businesses.

National Grid Gas plc (NGG) owns and operates the high-pressure gas transmission system across the UK. In the UK, gas leaves the transmission system and enters the UK's four gas distribution networks where pressure is reduced for public use.

National Grid Ventures (NGV) is separate from National Grid's core regulated businesses. NGV develop, operate and invest in energy projects, technologies, and partnerships to help accelerate the development of a clean energy future for consumers across the UK, Europe and the United States.

Response

We have reviewed the above document and can confirm that National Grid has no comments to make in response to this consultation.

Further Advice

National Grid is happy to provide advice and guidance to the Council concerning their networks.

Please see attached information outlining further guidance on development close to National Grid assets.

If we can be of any assistance to you in providing informal comments in confidence during your policy development, please do not hesitate to contact us.

To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect their assets. Please remember to consult National Grid on any Development Plan Document (DPD) or site-specific proposals that could affect National Grid's assets.

We would be grateful if you could add our details shown below to your consultation database, if they are not already included.

Respondent Number

255

Name

Email

Organisation

Network Rail

Details

Regarding your request for Network Rail's views on the proposed City Plan, our Town Planning team have advised me that no representations from Network Rail are required.



Brighton & Hove
City Council