



**Brighton & Hove  
City Council**

City Development and  
Regeneration  
First Floor, Hove Town Hall  
Hove  
BN3 3BQ

Inspector Ms R Barrett MRTPI IHBC  
C/o Programme Officer  
Pauline Butcher

Date: 13<sup>th</sup> August 2021  
e-mail: [helen.gregory@brighton-hove.gov.uk](mailto:helen.gregory@brighton-hove.gov.uk)  
Your Ref: BHCC01

Dear Inspector Barrett,

**Re: Inspector Note 1 – Inspector’s Initial Questions**

Further to your Note received 26<sup>th</sup> July 2021 please find attached the council’s response to the questions raised.

I trust this response will provide you with all the information you require at this stage.

Yours sincerely,

*Sandra Rogers*

Sandra Rogers  
Planning Manager, Policy, Projects & Heritage Team  
Enc.

## **BHCC01 – Council’s Response to Inspector Note 1 – Inspector’s Initial Questions**

### **Hearing Sessions**

#### **Paragraph 3. The Council’s formal response to proposed hearing arrangements.**

The council is content with the proposed arrangements for the hearings to start week commencing 1<sup>st</sup> November and scheduled for two weeks with an additional week in reserve. The council agrees that to provide certainty for the programme the Examination should be conducted virtually. The council will ensure that formal notification of the start date for the hearing sessions will take place at least six weeks in advance of the sessions commencing.

### **Procedural and legal Compliance matters**

#### **Paragraph 6. Has the schedule of Proposed Modifications been subject to HRA?**

As set out in the PAS Local Plan Toolkit Part 4 (SD12), Habitats Regulation Assessment (HRA) was carried out prior to publication of the Plan at the Proposed Submission (Regulation 19) stage. The HRA Screening Report (SD08a) screened out all potential impacts on European sites with the exception of air quality impacts on the Ashdown Forest SAC, where it concluded that more detailed evidence was needed to satisfy the requirement for ‘appropriate assessment’ in the HRA Regulations. To address this, the council commissioned an Air Quality Impact Assessment of Traffic related Effects on Ashdown Forest (SD08b). This concluded that the planned growth in Brighton & Hove will not result in an adverse effect on the integrity of Ashdown Forest SAC either on its own or ‘in combination’ with other plans and projects’. Natural England was formally consulted on the HRA work and agreed these findings (SD08c).

The council does not consider that any HRA update is required with respect to the Proposed Modifications since these do not increase the cumulative level of development proposed in the Plan as set out below:

- Proposed modifications to Policy H1 involve the allocation of two additional housing sites at Land at Preston Road/Campbell Road and 154 Old Shoreham Road (54 dwellings) (PM82). This is partly offset by the deletion of 2-16 Coombe Road (33 dwellings) (PM81) (the other proposed deletions from H1 listed in PM83 reflect the substantial completion of development on those sites). This results in a cumulative net gain of 21 dwellings.
- Proposed modifications to Policy H2 result in the deletion of the site at Land adjoining Horsdean Recreation Ground, Patcham (25 dwellings) (PM87) and the reduction of housing proposed on Land at former nursery, Saltdean from 24 to 18 dwellings (PM88). This results in a cumulative net loss of 31 dwellings.
- In cumulative terms the Proposed Modifications will therefore result in a small decrease of 10 dwellings on sites allocated in the Plan.

These are the only Proposed Modifications which would impact on the level of development in the Plan. Since the proposed level of growth will not be increased compared to the Proposed Submission Plan, it is not considered that further HRA screening is required.

**Paragraph 8. Can the council review the schedule of Proposed Modifications in light of Inspector's comments (7.) to form separate Proposed Main Modifications (MM) and Additional Modifications (AM) and hold separate running lists?**

The Schedule of Proposed Modifications (SD02) has been reviewed. A revised schedule with separate tables of Proposed Main Modifications (MM) and Additional Modifications (AM) has been prepared. This revised schedule will be added to the Examination Library as BHCC02 Revised Schedule of Proposed Modifications to the Proposed Submission City Plan Part 2 August 2021.

**National Planning Policy Framework 2021 (the Framework)**

**Paragraph 12. Can the council consider the potential implications of the revised Framework for the submitted Plan, given the need for consistency with it? Can the council consider any proposed modifications to the Plan (Both MMs and AMs) as a result of the New Framework?**

The council has considered the potential implications of the revised National Planning Policy Framework (2021) and considers the CPP2 to be consistent with the new Framework. This consideration is set out in full in Table 1 in Appendix 1.

Additional modifications are proposed in the revised schedule of Proposed Modifications (BHCC02) to ensure the City Plan Part Two contains updated references to the 2021 National Planning Policy Framework. Additional modifications have also been included to update references to relevant council Supplementary Planning Documents.

**Duty to Cooperate**

**Paragraph 15. Can the council confirm whether the Plan relates to any strategic matters and whether it considers the DtC to be engaged in this case? If so. What are those matters? Has the DtC been met so as to meet the test of legal compliance?**

The majority of cross-boundary strategic matters affecting the city were comprehensively considered as part of the preparation of the City Plan Part 1 (CPP1) and do not fall to be re-opened. This includes the key strategic matters of housing and employment; both of which were dealt with in the preparation and the examination of the City Plan Part 1 (as set out in the CPP1 Inspector's Report). The role of the City Plan Part 2 (CPP2) is to support the implementation of the strategic planning policy framework as set out in the adopted CPP1 through additional site allocations and detailed development management policies.

However, because the Duty to Co-operate is an on-going duty, the Duty to Cooperate Topic Paper [SD10] at Section 3. provides an update regarding the ongoing engagement on cross-boundary strategic planning priorities that will inform the CPP1 Review in due course. Section 3 also sets out how the potential cross-border issues regarding the Ashdown Forest SAC have been considered and resolved during the preparation of the CPP2.

With respect to the provision for gypsy and traveller accommodation the duty to cooperate was engaged as part of the preparation of the CPP2. To address the requirements of CPP1 Policy CP22 Gypsy and Traveller Accommodation which set out the need for new pitches as assessed at that time<sup>1</sup>, a comprehensive site search exercise was undertaken jointly with the South Downs National Park Authority (SDNPA) [ED05 Gypsy & Traveller Site Assessments, Brighton & Hove City Council and

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<sup>1</sup> Part a) of the policy sets out a requirement for 18 permanent pitches to meet assessed requirements to 2019. 12 pitches were subsequently delivered at a site at Horsdean resulting in an outstanding requirement at that time of six pitches to 2019.

the South Downs National Park Authority (2017)]. A further independent Study was commissioned by the City Council to scrutinise the site selection process undertaken up to that point and to analyse a shortlisted site in more detail (ED06 Brighton And Hove Detailed Traveller Site Assessment, 2017). The assessment concluded that the shortlisted site was no longer available as it was being progressed as a Joint Venture with a Registered Provider for 100% affordable housing and therefore not available for alternative uses. Neighbouring authorities were formally contacted through the Duty to Cooperate to establish if there was capacity to accommodate the unmet need in other areas. No positive responses to this request were received (see SD10 – Duty to Cooperate Statement - Appendix 6 for details of the formal requests).

Policy CP22 also indicated that the council would review its needs assessment to cover the remaining plan period to 2030. The conclusion of ED04 Gypsy and Traveller Accommodation Assessment (2019) was that within the Brighton & Hove Local Planning Authority area (i.e. the City Plan area) there was no need for additional traveller pitches for households that met the (revised) planning definition. There is a need for 11 additional pitches for households that met the planning definition within the SDNPA planning area that falls within the Brighton & Hove administrative area.

There is therefore no unmet need for traveller pitches which the Brighton & Hove City Plan needs to address. However, the council has agreed in a Statement of Common Ground with the SDNPA to continue to work jointly to seek to address the need arising in the area of the National Park that falls within the administrative area of Brighton & Hove. Neighbouring authorities were again contacted to establish if there was capacity to accommodate in other areas this unmet need from the SDNPA area of Brighton & Hove through the Duty to Cooperate but no positive responses to this request were received. The agreed position between the authorities in this regard is set out in a further Statement of Common Ground (SOCG) agreed between Adur, Brighton & Hove, Horsham, Lewes, Mid Sussex, South Downs NPA and Worthing (the SOCG is included in Appendix 4 of SD10 – Duty to Cooperate Statement).

The Council therefore confirms it has discharged its statutory duty and cooperatively addressed matters arising since the adoption of the City Plan Part 1 that affect the implementation of its strategic policies through the City Plan Part Two.

**Paragraph 16. Please can the Council advise on progress of the [West Sussex and Greater Brighton Strategic Planning Board Statement of Common Ground] SoCG and whether it considers it relevant to the soundness or legal compliance of the Plan?**

A Statement of Common Ground between all the Strategic Planning Board (SPB) member local authorities is nearing completion and will be published and made available as an appendix to the Duty to Cooperate Statement as soon as possible. The Statement of Common Ground will highlight the current extent of unmet development needs across the sub-region and will outline a programme and timetable of work to explore options to address unmet needs through the preparation of Local Strategic Statement Three (LSS3) which will provide an overarching framework for future local plan reviews. The recent change to the NPPF (July 2021) will enable local plan reviews to consider longer term plan timescales to enable options such as new settlements and significant urban extensions to be considered. The City Plan Part 1 Review will commence late 2021/2022 with adoption estimated in 2024.

In conclusion, the SoCG is not considered relevant to the soundness or legal compliance of the City Plan Part Two.

## **Conformity with Part 1 Plan**

### **Paragraph 17. Can the Council confirm whether the Plan is in conformity with the Part 1 Plan?**

Yes, the council considers that the City Plan Part 2 is in conformity with the City Plan Part 1 supporting the delivery of its strategy for accommodating growth through additional strategic site allocations SSA1-SSA7 and through housing and mixed use allocations H1 – H3 and E1 and complementing the strategic policies by the detailed development management policies (DM1 – DM46).

## **Local Development Scheme**

### **Paragraph 18. Do the timetable and milestones for the relevant documents in the Local Development Scheme (CD11) reflect what has happened? If not, the LDS should be updated prior to the hearings.**

Yes, the City Plan Part Two (CPP2) has been prepared in broad alignment with the timetable set out in the Local Development Scheme (LDS) 2020-2023 [CD11] which was published in November 2020. The LDS identifies the role, subject, coverage and timetable for the CPP2 (page 4). The LDS has been kept up to date during the plan-making process with the November 2020 version reflecting delays to the Regulation 19 Proposed Submission consultation caused by Covid-19 pandemic.

CPP2 Consultees were made aware of the delay to the Regulation 19 Proposed Submission Consultation through press releases at the time of the Council meeting, the Planning Policy Newsletter in May and July 2020. This is explained further in Section 1.4 and 2.1 of the Consultation Statement. Changes to the CPP2 timetable were also updated on the council's CPP2 website in accordance with the 2014 Act (Section 15 (9a)(c)).

There was a three month delay in Submission (anticipated in the LDS for March 2021) due to the impact of the government's national lockdown in early 2021 impacting on capacity within the council Planning Policy Team. This will also impact on the estimated dates for examination hearings (indicated for summer 2021), Inspector's report (early 2022) and estimated date for adoption (Spring 2022). Despite this minor slippage the CPP2's content and timing remain broadly compliant with the LDS. All consultees have been kept informed of the minor delay through a newsletter issued in May 2021 and updates on the council's website, and it is not considered necessary to formally update the LDS for the limited impact of this three-month delay to submission.

## **Representations**

### **Paragraph 19. Please can the council identify non-duly made representations. Can it give a clear steer as to whether it is accepting them or not?**

Three representations were received after the close of consultation. These non-duly made representations were accepted and included in the schedule of representations and were submitted to the Secretary of State, although they are identified as 'non-duly made' they have been accepted:

**Respondent No. 196 Fields in Trust** received 02/11/2020 – staff issues at charity meant consultation response was not sent in time.

**Respondent No. 242 - The Community Stadium Ltd** received 02/11/2020 – consultant on behalf of client who proposed site for allocation in the CPP2 (SSA7) had had intermittent issues with internet and assumed email had been sent on Friday.

**Respondent No. 255 - Network Rail** received 02/12/2020 – automated response from statutory consultee 12<sup>th</sup> October 2020 suggested that it had been passed on and assigned for comment.

Two statutory consultees indicated that they had no comments to make on the City Plan Part 2 at this stage/ following a review of the Plan/ satisfied that their comments had been addressed at the draft City Plan Stage. These were accepted by the council and included in the schedule of duly made representation for completeness:

**Respondent No. 198 West Sussex County Council**

**Respondent No. 199 Southern Water**

There were seventeen representations via the consultation portal that included consultee contact details only, with no general comments/ representations made to policies/ parts of the Plan. A follow up email was sent after the close of consultation seeking clarification. Four responses providing clarification of their representation were received and included as duly made representations (**Respondent No.s 260, 261, 262, 263**). Where there was no response to this request for clarification the contact details were not accepted as duly made representation and were not included in the schedule of representations.

### **The Scope of the Plan**

**Paragraph 21. To aid my preparation, would the Council provide a simple table that itemises what this Plan needs to provide in order to fulfil its purpose and meet the requirements of the Part 1 Plan, in terms of site allocations, development management policies and any other requirements?**

Table 2 has been prepared which sets out what the City Plan Part Two needs to provide to fulfil its purpose and meet the requirements of the Part 1 Plan. This is at Appendix 2.

**In particular, in respect to housing and employment land, what proportion of the overall Part 1 Plan requirements is this Plan intended to provide?**

City Plan Part Two: housing provision against the City Plan target

The Housing Provision Topic Paper (TP06) sets out in detail how the site allocations proposed in City Plan Part Two (CPP2) will contribute to meeting the City Plan housing target. City Plan Part One (CPP1) Policy CP1 sets a minimum housing requirement of 13,200 homes to be met over the period 2010-2030 and breaks this down by source of housing supply (this is summarised in Table 1 of the Housing Provision Topic Paper). The Topic Paper then sets out in detail the current housing supply position against the CPP1 target based on the council's latest housing supply data as set out in the SHLAA Update 2020 (ED15). The figures identify a total potential housing supply of 15,096 net dwellings for the period 2010-2030 taking account of deliverable housing from all sources. A total of 4,391 net dwellings has already been completed over the City Plan period to date (2010-2020) leaving a minimum figure of 8,819 needed to meet the City Plan target.

Table 3 at Appendix 3 shows how the CPP2 site allocations will contribute to meeting this remaining target. Overall, the CPP2 allocations provide for at least 3,276 dwellings comprising 1,100 dwellings on the four strategic sites (Policies SSA1-SSA4); 1,277 dwellings on non-strategic sites within the built-up area (Policy H1); and 899 dwellings on urban fringe sites (Policy H2). Together these sites will contribute 37% of the outstanding City Plan housing requirement.

As shown in Table 3 in Appendix 3, there is a substantial supply of housing from other sources which make up the remainder of the 15,096 net dwellings. This includes sites already under construction and sites with planning permission not allocated in CPP2; Strategic sites without planning permission allocated in CPP1; and other additional housing potential identified in the Brownfield Land Register.

## City Plan Part Two: employment land provision against the City Plan Part One

The spatial strategy in the City Plan Part One (CPP1) focuses development towards Development Areas (DA1-DA8) which provide opportunities for regeneration and include strategic allocations which will bring forward employment floorspace to meet a proportion of the forecast need for employment floorspace over the plan period. Policy CP3 Employment Land in the CPP1 sets out the strategic approach to safeguarding needed employment sites and bringing forward new employment floorspace guided by the evidence base that supported the CPP1 (Employment Land Study 2013).

The CPP1 acknowledges that there is a shortfall of employment sites to meet the forecast needs and identifies a role for CPP2 in allocating additional employment sites and mixed use allocations to ensure employment land delivery is maintained over the plan period (CP3.6). Importantly, City Plan Part 1 also acknowledges that this shortfall will also need to be addressed through a coordinated partnership approach with neighbouring authorities and the Local Enterprise Partnership.

The CPP1 Inspector<sup>2</sup> recognised that the CPP1 did not seek to accommodate all identified employment floorspace needs and that this had been recognised as a Duty to Cooperate issue. The city's significant constraints to finding land for new development were recognised.

Table 4 in Appendix 4 identifies the City Plan Part Two (CPP2) planned employment land provision. The table shows that through CPP2 strategic site allocations and mixed use housing sites, delivery of additional employment land will be maintained over the plan period reducing the shortfall of employment sites against the forecast needs. Further explanation is included at Appendix 5.

### **In terms of housing over what part of the Part 1 Plan period? And is the purpose of this Plan to provide a five year housing land supply?**

In terms of housing, the City Plan Part Two (CPP2) covers the plan period 2020-2030. The CPP2 does not seek to provide a 5-year housing land supply. The most recent published figures setting out the housing land supply position are set out in the Strategic Housing Land Availability Assessment (SHLAA) Update 2020 (ED15) which show a 5-year housing shortfall of 342 net dwellings (equivalent to 4.7 years housing supply).

However, on 24 March 2021 CPP1 reached five years since adoption. In accordance with national planning policy local housing need must now be calculated using the Government's standard method rather than the City Plan housing requirement. In addition, following an amendment to the standard method set out in national planning practice guidance, from 16 June 2021 onwards Brighton & Hove is required to apply an additional 35% uplift as one of the top 20 cities in the urban centres list.

The local housing need figure for Brighton & Hove using the standard method (including the 35% uplift) is 2,331 homes per year which compares to the City Plan average annual figure of 660 homes per year. Set against this increased housing need figure, the 5-year housing supply figures (as set out in the SHLAA Update 2020) show a current shortfall of 6,604 net dwellings (equivalent to 2.2 years of housing supply).

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<sup>2</sup> The City Plan Part One Inspector's Report will be added to the Examination Library as CD15.

## **Housing**

**Paragraph 23. Paragraphs 69 and 70 of the Framework refer to the need to identify land to accommodate at least 10% of housing requirements on sites no larger than one hectare. Can the Council confirm whether this is the case and point me to the relevant evidence?**

Brighton & Hove is subject to significant environmental and physical constraints and as such a high proportion of housing development is focused on small or medium brownfield sites. Analysis of the latest published version of the Brownfield Land Register (BLR, November 2020) indicates potential for a minimum 4,741 net dwellings on BLR sites of under 1 ha. This represents 51% of the total minimum identified BLR potential of 9,341 net dwellings. The BLR can be viewed on the council's website at [Brownfield Land Register \(brighton-hove.gov.uk\)](http://brownfield-land-register.brighton-hove.gov.uk) and has been added to the City Plan Part Two (CPP2) Examination Library (ED25).

The BLR only includes sites with potential for at least 5 dwellings and it should be noted that small housing sites (defined by the council as developments of less than 6 residential units) also provide a significant contribution to the housing supply in the city. As indicated by the figures in Table 4 of the Housing Provision Topic Paper (TP06) small windfall sites (<6 units) are projected to provide about 20% of the city's housing supply over the City Plan period and such sites are by definition likely to be less than 1 ha in size.

The City Plan housing requirement of 13,200 net dwellings covers the whole period from 2010-2030 and therefore many sites have already been completed or have planning permission. No site size analysis was undertaken of the strategic site allocations which are included in City Plan Part One (CPP1) Policies DA1-DA8. Although these are identified as strategic sites, some are in multiple ownership and are likely to come forward as smaller parcels of under 1 ha (examples include the strategic allocations in Policy DA4 New England Quarter and London Road and Policy DA6 Hove Station Area).

Analysis of the size breakdown of the sites proposed for allocation in CPP2 is set out in Table 5 In Appendix 6. Site areas for all the proposed site allocations are set out in the individual site proformas provided in Appendices 3, 4 and 6 in the Site Allocation Topic Paper (TP07). The figures for indicative net dwellings have been adjusted to include the council's Proposed Modifications and tie in with the figures in Table 3 of the Housing Provision Topic Paper (TP06).

The figures in Table 5 show that around 45% of the housing proposed through site allocations in CPP2 will be on sites of less than 1 ha. This includes around 90% of the non-strategic housing sites allocated within the city's existing built-up area boundary (Policy H1 sites). The proportion of urban fringe allocations (Policy H2) under 1 ha is much lower, reflecting the lower housing densities needed in order for these sites to incorporate acceptable levels of development mitigation.

In total, sites of less than 1ha allocated in CPP2 will contribute c.17% towards the outstanding City Plan requirement of around 8,800 homes (excluding the 4,400 net dwellings already completed over the period 2010-2020).

As indicated above, it is not possible to provide a definitive figure for the proportion of the City Plan housing figure that will be met on sites of less than 1 ha. However, based on the council's BLR figures and projections for small windfall development, it is estimated that around 60% of the housing target is likely to be provided on such sites which is well above the minimum 10% needed to meet NPPF requirements.



## **Evidence Base**

### **Paragraph 25. Please could the Council point me to the evidence that assesses the viability implications of the Plan requirements as a whole?**

The viability of relevant policies has been assessed, including all required development standards, developer contributions and CIL charging requirements. The Community Infrastructure Levy (CIL) Viability Study (Dixon Searle, 2017 with successive addendums in 2018) tested the viability of the council's CIL charging rates (implemented from 5 October 2020) for a wide range of scheme development scenarios (i.e different mixes of uses, scales of development and locations across the city). These documents have been added to the Examination Library [OD80a-i]. The viability testing factored in the development standards and developer requirements set out in both adopted City Plan Part One (CPP1) policies and proposed City Plan Part Two (CPP2) policies. This included:

- **Energy and water** – Requirements set in CPP1 Policy CP8 Sustainable Buildings including energy performance for residential development of 19% carbon reduction improvement against Part L (equivalent to Code for Sustainable Homes level 4 in energy use) and the Water efficiency 'optional' standard of 110 litres/person/day.
- **Residential space and accessibility standards** - Requirements proposed in CPP2 Policy DM1 Housing Quality, Choice and Mix for all residential development to meet the NDSS and M4(2) Accessibility standards, with schemes of 10 or more residential units to provide 10% of affordable housing and 5% of all housing units as M4(3) wheelchair user housing as a standard assumption within all the development viability scenarios tested. The standards were further tested in relation to build to rent through the Brighton & Hove Build to Rent Study 2019, Dixon Searle Partnership [ED02a and 2b]
- **Affordable housing** - The residential mix within scheme development scenarios tested incorporated a range of affordable housing assumptions including starting at 5 units or more and testing up to 40% affordable housing in line with the requirements in CPP1 Policy CP20 Affordable Housing.
- **Residual s106 developer contributions** - An assumption of £3,000/unit was included for non-strategic sites. For strategic sites, detailed infrastructure costs were factored in where known.

**DM6 Build to Rent** - sets the requirement at part 2a) for the provision of up to 20% affordable housing at genuinely affordable housing rents to be agreed with the council. The justification is set out in the supporting text and based on viability evidence set out in the Brighton & Hove Build to Rent Study 2019, Dixon Searle Partnership [ED02a and 2b].

**Policy DM44 Energy Efficiency and Renewables** extends the CPP1 Policy CP8 Sustainable Development standard of at least 19% improvement on the carbon emission targets set by Part L to cover all development including non-residential and also sets out minimum Energy Performance Certificate (EPC) ratings ahead of the Minimum Energy Efficiency Standards (MEES) Regulations. Additional analysis of viability to justify this is set out in the Brighton & Hove Energy Study 2018 (ED11 see sections 5.6 and 7.2 page 78 and 90.)

## **Neighbourhood Plans**

### **Paragraph 26. Can the Council provide an update of the progress of each Neighbourhood Plan?**

Table 6 in Appendix 7 summarises all the designated Neighbourhood Development Plan areas located within the Brighton & Hove and the progress towards a Neighbourhood Plan. There are currently no adopted Neighbourhood Plans within the authority boundary.

## **Supplementary Planning Documents**

### **Paragraph 27. Can the Council compile a comprehensive list of the above relevant to the submitted Plan showing their status, purpose and their programme for preparation?**

A comprehensive list is set out in Table 7 in Appendix 5.

**Appendix 1 – Table 1 Consideration of the Implication of the revised National Planning Policy Framework (NPPF, 2021) on the City Plan Part Two (CPP2)**

Revised NPPF paragraph	Consideration of Implication of revised National Planning Policy Framework (NPPF) on the City Plan Part Two (CPP2) and whether modifications to the CPP2 are required.
11a Plan making	<p>No modifications required.</p> <p>Site allocations in the City Plan Part Two (CPP2) conform with the adopted City Plan Part One (CPP1) (CD01) strategy for achieving a balanced and sustainable approach for accommodating growth over the plan period. The CPP1 recognises that the City is constrained by its location between the sea and the South Downs National Park. In spatial terms, the CPP1 seeks to concentrate development within the existing built-up area with higher density development directed to eight development areas. These are areas of the city which either already benefit from close proximity to good sustainable transport links or areas where accessibility can be improved; are areas which offer significantly capacity for new development and areas where new development and/or regeneration will secure substantial benefits for the city. This approach ensures that opportunities for development of brownfield sites are maximised, transport impacts will be minimised and that the city’s countryside and the South Downs National Park will continue to be protected.</p> <p>The strategy for accommodating growth in the city and maximising development opportunities from brownfield sites has been carried through in site allocations in the CPP2 and Policy DM19 Maximising Development Potential will help to ensure the most effective and efficient use of available sites in the city. Due to need to plan positively to meet the city’s housing needs in full and adequately address the social dimension of sustainable development the urban fringe was identified in the CPP1 as a broad source of potential for housing development and urban fringe housing site allocations (CPP2 Policy H3) have been made in accordance with CPP1.</p> <p>Growth is aligned with Infrastructure requirements. The Infrastructure Delivery Plan (IDP) Annexe 2 to the adopted City Plan Part 1 [CD03] identifies existing infrastructure provision, current shortfalls and existing and future needs to support new development over the plan period up to 2030. This is regularly updated; it was last updated in 2017 and is being updated again and scheduled to go to the relevant council committee November 2021.</p> <p>The CPP2 site allocations identify infrastructure requirements informed by Infrastructure Delivery Plan or through consultation with statutory consultees (e.g. Southern Water re water and/or wastewater infrastructure).</p> <p>The Transport Technical Paper May 2021 [TP03] addresses the transport mitigation requirements in order to support the provision of planned growth.</p>

<b>Revised NPPF paragraph</b>	<b>Consideration of Implication of revised National Planning Policy Framework (NPPF) on the City Plan Part Two (CPP2) and whether modifications to the CPP2 are required.</b>
	<p>The CPP2 conforms with the adopted CPP1 which takes a proactive approach to mitigate climate change and adapting to its effects from the spatial strategy for accommodating growth to a suite of city wide policies including: CP8 Sustainable Buildings; CP9 Sustainable Transport, CP10 Biodiversity, CP11 Flood Risk. These policies are supported by the City Plan Part Two through the following policies:</p> <p>Policy DM22 Landscape Design and Trees  Policy DM37 Green Infrastructure and Nature Conservation.  Policy DM39 Development on the Seafront.  Policy DM42 Protecting the Water Environment.  Policy DM44 Energy Efficiency and Renewables.  Policy DM43 Sustainable Drainage</p>
<b>35 d- Test of Soundness</b>	<p>The City Plan Part Two (CPP2) is considered to be consistent with other statements of national planning policy and no modifications are required:</p> <p><b>Planning Policy for Waste (16 October 2014)</b> - the scope of the City Plan does not include planning for waste management, which the council undertakes separately through joint working with East Sussex County Council and the South Downs National Park Authority. A joint Waste and Minerals Plan (2013) and Waste and Minerals Sites Plan (2017) form the development plan for waste and minerals in the Brighton &amp; Hove and East Sussex area, and a separate process is currently underway to review some of the polices in these documents, with a Reg. 19 consultation on revised polices expected to take place in autumn 2021. The Planning Policy for Waste document does not have implications for Plan Part Two.</p> <p><b>Planning Policy for traveller sites (31 August 2015)</b> was addressed through CPP1 Policy CP22. The council’s further work in seeking to identify additional traveller sites for allocation in CPP2 (see Gypsy &amp; Traveller Site Assessments 2017 (ED05) and Detailed Traveller Site Assessment (ED06)) and the updated Gypsy &amp; Traveller Accommodation Assessment (ED04) all explicitly take account of the requirements of the updated Planning Policy for Traveller Sites published in 2015. This work is summarised in the council’s Duty to Cooperate Paper (SD10).</p> <p><b>Planning for schools Development: Statement (15 August 2011)</b> presumption in favour of the development of state funded schools does not have implications for the CPP2. The presumption is supported by CPP1 Policy SA6 Sustainable Neighbourhoods at Part 7.</p>

<p><b>Revised NPPF paragraph</b></p>	<p><b>Consideration of Implication of revised National Planning Policy Framework (NPPF) on the City Plan Part Two (CPP2) and whether modifications to the CPP2 are required.</b></p>
	<p><b>Written Ministerial Statement: Onshore Wind (6 June 2013)</b> – does not have implications for CPP2 policies – the opportunity for onshore wind was considered and discounted in the CPP2 Energy Study 2018</p> <p><b>The Sustainable Drainage Policy (December 2014)</b> -CPP2 policy DM43 Sustainable Drainage ensures that sustainable drainage systems are put in place, however in light of evidence set out in ED13a SFRA Level 1 and 2 SFRA October 2018 Update underpinning the Policy this requirement is applied to all development.</p> <p><b>Parking Policy (WMS March 2015)</b> – this issue was considered through the Parking Standards SPD which was adopted by the council in 2016 and the standards were incorporated into the CPP2 at Appendix 2.</p> <p><b>The WMS on First Homes</b> (issued 24 May 2021) does not have any implications for policies in CPP2. The council’s affordable housing policy is set out in CPP1 (Policy CP20). The only CPP2 policy which addresses affordable housing is DM6 (Build to Rent Housing), however build to rent is not subject to the First Homes policy requirements (as indicated in NPPF para 65).</p>
<p><b>12 - Trees</b></p>	<p>City Plan Part Two(CPP2) is considered to be consistent with the updated NPPF wording in paragraph 131 and no modifications are required.</p> <p>CPP2 Policy DM22f) requires major development proposals with significant street frontage to plant and maintain street trees. This requirement reflects the limited opportunities for new streets in the city and the nature of high density brownfield developments with practical constraints such as underground services, highways and safety matters likely to limit the ability to plant trees on existing streets.</p> <p>The opening paragraph of Policy DM22 and policy DM22h) address the incorporation of trees through the requirement to provide trees as part of landscaping.</p> <p>Policy DM22i) requires submission of a maintenance plan and DM22d) requires retention of existing trees unless unavoidable.</p> <p>SPD06 Trees and Development Sites provides further practical advice to assist in the identification and retention of trees, however it is noted that CPP2 policy DM22 does not include a cross-reference to this SPD. It is suggested this is included in the updated schedule of modifications.</p>

<b>Revised NPPF paragraph</b>	<b>Consideration of Implication of revised National Planning Policy Framework (NPPF) on the City Plan Part Two (CPP2) and whether modifications to the CPP2 are required.</b>
<b>12</b> well-designed places	<p>City Plan Part Two is considered to be consistent with the updated NPPF wording in Section 12 and no modifications are required. The CPP2 design policies DM18-21 reflect the key principles expressed in updated paragraph 126. The recently adopted citywide urban design guide (SPD17 Urban Design Framework SPD – adopted 17 June 2021) supports the adopted CPP1 Policy CP12 Urban Design and policies DM18-21 and reflects the updated guidance in paragraphs 128-123 by providing a local framework for good design which delivers inclusive, sustainable and climate-resilient development. It provides clarity on design expectations at an early stage and is consistent with the National Design Guide.</p> <p>The Examination Library has been updated as OD09 Draft Urban Design Framework SPD and OD10 SPG5 Tall Building Guidance have now been superseded by the recently adopted SPD17 Urban Design Framework SPD – OD79 and modifications are proposed to update references to the SPD in the City Plan Part Two.</p>
<b>92b</b> - healthy and safe communities	<p>No modifications are required. The need for attractive, well designed, clear and legible pedestrian and cycle routes is positively addressed in adopted CPP1 Policy CP13 Public Streets and Spaces and further detailed policy is set out in CPP2 policies DM18 High Quality Design and Places at Part d i) – iv) and DM33 Safe, Sustainable and Active Travel which address safety, comfort and convenient access for pedestrians (part 1) and cyclists (part 2).</p>
<b>106d</b> – transport	<p>No modifications are required. The additional text in the new Framework requires walking and cycling networks to be “attractive and well-designed” and cycle parking to be “secure”. Policy DM33 Safe, Sustainable and Active Travel is in accordance with the new wording, with Part 1(b) setting out measures required to ensure a safe and attractive pedestrian environment, and part 2 of the policy requiring facilities for cyclists to be, inter alia, high-quality, accessible, convenient to use and well-located. The new NPPF requirement for cycle parking to be ‘secure’ already forms part of this policy in clause 2d.</p>
<b>110c</b> - site allocations	<p>No modifications required. The aspects of the National Design Guide and the National Model Design Code which relate to the design of streets and transport elements are well aligned with Policy DM33 Safe, Sustainable and Active Travel and CPP1 Policy CP13 Public Streets and Spaces. The recently adopted citywide urban design guide (SPD17 Urban Design Framework SPD – adopted 17 June 2021) supports the national requirements by setting out in Section 2.1 how good design can enable active and inclusive travel. Additionally, modifications have</p>

<p><b>Revised NPPF paragraph</b></p>	<p><b>Consideration of Implication of revised National Planning Policy Framework (NPPF) on the City Plan Part Two (CPP2) and whether modifications to the CPP2 are required.</b></p>
	<p>been proposed to Policy DM33 to require applicants to take account of new national guidance in ‘Cycle Infrastructure Design (Local Transport Note 1/20)’ and ‘Gear Change; A bold vision for cycling and walking’.</p>
<p><b>125 – appropriate densities</b></p>	<p>No modifications are required. The adopted CPP1 takes a strong policy approach to promote higher density housing development, in particular through CPP1 Policy CP14 Housing Density which sets a general expectation for development to achieve a minimum net density of 50 dwellings per hectare (dph) with a minimum of 100 dph within Development Areas DA1-6 and DA8.</p> <p>CPP2 Policy DM19 Maximising Development Potential strengthens CPP1 Policy CP14 further by requiring that development proposals should avoid the under-development of sites and seek to maximise opportunities for the development and use of land.</p> <p>The CPP2 housing allocations in Policy H1 Housing Sites and Mixed Use Sites and H2 Housing Sites – Urban Fringe include indicative housing numbers based on detailed site assessments undertaken by the council which are set out in the Site Allocations Topic Paper. These are intended to maximise housing potential taking account of identified site constraints and potential development impacts (set out in TP07 Site Allocations Topic Paper May 2021).</p>
<p><b>161 – flood risk</b></p>	<p>No modifications are required. The Council has applied a sequential, risk-based approach to the location of development taking into account all sources of flood risk and the future impacts of climate change. The updated Strategic Flood Risk Assessment (SFRA) [ED13a, ED13b and ED14] assessed the risk of flooding from all sources such as surface water, groundwater, coastal flooding and the likely effects of climate change. The SFRA will inform the application of adopted CPP1 Policy CP11 Flood Risk. The SFRA also informed the location of proposed development in the City Plan (as set out in TP08 Sequential and Exception Test CPP2 update) and will be a consideration in the assessment of planning applications. The study has also informed CPP2 Policy DM42 Sustainable Drainage which encourages at the third paragraph: <i>‘SuDS should be sensitively located and designed, in line with recognised best practice and in accordance with the Sustainable Drainage SPD to ensure that the quality of local water is not adversely affected; and should provide <b>where possible improved biodiversity, an enhanced landscape/townscape and good quality spaces that improve public amenities in the area.</b>’</i> The highlighted text in bold is consistent with the changes at part 161.c</p>
<p><b>176 – National Park</b></p>	<p>No modifications required. CPP1 already includes Policy SA5 (Setting of the South Downs National Park) which requires that proposals within the setting of the National Park must have regard to the impact on the National Park. That policy sets specific criteria, including that</p>

<b>Revised NPPF paragraph</b>	<b>Consideration of Implication of revised National Planning Policy Framework (NPPF) on the City Plan Part Two (CPP2) and whether modifications to the CPP2 are required.</b>
	<p>development must respect and not significantly harm the National Park and its setting, in accordance with Section 62 of the Environment Act 1995 and that any adverse impacts must be minimised and appropriate mitigation or compensatory measures included.</p> <p>The policy wording in CPP2 Policy H2 (Housing Sites – Urban Fringe) requires that development proposals on the proposed urban fringe allocations must have particular regard to Policies SA4 and SA5. The urban fringe sites proposed as housing allocations in CPP2 Policy H2 have all been subject to extensive assessment through the Urban Fringe Assessment studies (ED21a-c; ED22a-g; and ED24) including consideration of the potential impacts of development on the National Park and its setting in terms of landscape, ecology and historic environment. These studies have been used to define developable areas taking account of the sensitivity of the locations and the potential to avoid or minimise adverse impacts. The studies provide specific recommendations on measures to reduce the impact of development through avoidance, mitigation and enhancement.</p>



**Appendix 2, Table 2 Scope of City Plan Part Two**

<b>Adopted City Plan Part 1 Policies</b>	<b>Policy requirement for City Plan Part 2</b>	<b>Relevant Site Allocations</b>	<b>Relevant DM policies</b>
SS1 - Presumption in Favour of Sustainable Development	2.13 states that opportunities will be sought in City Plan Part 2 to address the potential shortfall in employment land supply alongside a coordinated approach to bringing forward development sites across the city region in order create new employment space.	SSAs H1 E1	DM11
<b>Development and Special Area policies</b>			
DA1 – Brighton Centre and Churchill Square Area	No specific requirement		DM17
DA2 – Brighton Marina, Gas Works and Black Rock Area	3.17 A detailed policy regarding the appropriate type and mix of A1 and non-A1 uses in the Marina will be set out in Part 2 of the City Plan.		DM14 DM17
DA3 – Lewes Road Area	Part B. Additional site allocations to be made through City Plan Part Two to assist meeting strategic amounts of development.	SSA7 H1 H3	
DA4 – New England Quarter and London Road Area	Part B. Additional site allocations to be made through City Plan Part Two to assist meeting strategic amounts of development.	SSA2 H1 H3	DM17
DA5 – Eastern Road and Edward Street Area	See above 7. Making more efficient use of under-used sites that will be identified through the strategic allocations below and Part 2 of the City Plan.	H1	
DA6 – Hove Station Area	See above	SSA4 H1	DM17
DA7 – Toad’s Hole Valley	No specific requirement		
DA8 – Shoreham Harbour	No specific requirement	H1	
SA1 – The Seafront	3.214. Regard to be had to the marine plan in Part 2 of the City Plan.	SSA5 SSA6	DM14-15 DM39

<b>Adopted City Plan Part 1 Policies</b>	<b>Policy requirement for City Plan Part 2</b>	<b>Relevant Site Allocations</b>	<b>Relevant DM policies</b>
SA2 – Central Brighton	3.133 Further opportunities to allocate development sites will be considered as part of the preparation of the City Plan Part 2.	H1	
SA3 – Valley Gardens	No specific requirement		
SA4 – Urban Fringe	3.159 - refers to land within the city’s urban fringe as having potential to help meet the city’s housing requirements (see also Part B, Policy CP1 Housing Delivery) and that further detailed site assessment will inform allocations made through Part 2 of the City Plan.  Footnote 109 - SNCIs have been reviewed and will be renamed Local Wildlife Sites in Part 2 of the City Plan.	H2	DM19 DM37 and Appendix 3
SA5 – The Setting of the South Downs National Park	No specific requirement		
SA6 – Sustainable Neighbourhoods	Part 8 - Through the City Plan Part 2 ensure new housing meets optional technical standards for access and the nationally described space standards.  To identify and allocate sites for new community facilities where a need has been identified through City Plan Part 2.	Potential for community facilities in SSAs where appropriate. Health and Care facility within SSA1.	DM1 DM4 DM9 DM10 DM12 - 13 DM18 - 20
<b>City Wide Policies</b>			
CP1 Housing Delivery	Part d) City Plan Part Two to allocate additional sites to help ensure housing delivery is maintained over the plan period;	SSA1-SSA4 H1 H2	DM1 DM2
CP2 Sustainable Economic Development	6. Appropriate allocations for non-B Class uses will be made through the City Plan Part Two.	SSA1 -SSA7 H1 Housing and Mixed Use Sites E1	DM11 DM25
CP3 Employment Land	4.30 Opportunities for additional B use class employment / mixed use allocations to meet outstanding requirements to be addressed through the City Plan Part 2	SSA1 – SSA7 H1 Housing and Mixed Use Sites	DM11

<b>Adopted City Plan Part 1 Policies</b>	<b>Policy requirement for City Plan Part 2</b>	<b>Relevant Site Allocations</b>	<b>Relevant DM policies</b>
		E1	
CP4 Retail Provision	Detailed policies regarding the appropriate mix of A1 and non-A1 uses to be set out in the Part 2 of the City Plan.  Additional retail sites and proposed changes to retail centre boundaries will be allocated and/or amended in Part 2 of the City Plan.	Ancillary retail in SSAs where appropriate and ground floor uses on mixed use housing sites (H1)	DM12 – 16 DM23
CP5 Culture and Tourism	4.56 Opportunities for arts and creative industries workspace to be sought through site allocations in City Plan Part 2, through Developer Contributions, SPDs or development briefs in preparation for regeneration schemes and major mixed use developments.	SSA4-SSA5	DM9 DM17
CP6 Visitor Accommodation	No specific requirement		DM17
CP7 Infrastructure and Developer Contributions	No specific requirement		
CP8 Sustainable Buildings	4.84 Any changes to nationally described standards and or revised Building Regulations to be addressed through Part 2 of the City Plan or a review of this Policy.		DM40 -46
CP9 Sustainable Transport	No specific requirement		DM33-36
CP10 Biodiversity	Part 3 of Policy – criteria-based policies to be established against which development proposals affecting designated sites of international, national and local importance together with protected species and wider biodiversity can be judged.	SA7 SSA1-SSA7 H2 (policy references to contributions to biodiversity net gains and green infrastructure)	DM37
CP11 Flood Risk	No specific requirement		DM43
CP12 Urban Design	4.152 Advises that through the City Plan Part 2 the council will provide evidence and seek to introduce a policy to provide enhanced accessibility or adaptability.		DM1 DM18 DM20

<b>Adopted City Plan Part 1 Policies</b>	<b>Policy requirement for City Plan Part 2</b>	<b>Relevant Site Allocations</b>	<b>Relevant DM policies</b>
			DM21
CP13 Public Streets and Spaces	No specific requirement		DM18 DM22
CP14 Housing Density	No specific requirement		DM1 DM19
CP15 Heritage	No specific requirement		DM23-DM25 DM26 – DM32
CP16 Open Space	Part d) Policy indicates that the council will seek to allocate new open space in the City Plan Part 2.  4.186 refers to designation of new open space sites, the designation of Local Green Spaces and a criteria-based policy being included within the City Plan Part 2.	DM38 (Local Green Space designations) SA7 (Benfield Valley) SSAs (references to open space enhancement) H2 (Urban fringe sites – references to open space provision)	DM38 DM39
CP17 Sports Provision	3. The need for site allocations to support any wider council sports strategies and plans that are developed to be considered. <sup>3</sup>	SSA1 and 4 -multiuse sport facility SSA5 and SSA6	DM15 DM39
CP18 Healthy City	7. Appropriate sites for health use with good access to be identified and safeguarded through City Plan Part 2, taking into account future growth and demand for health services in the city.	SSA1 SSA3	DM4 DM9
CP19 Housing Mix	Indicates that policy in CPP2 will need to respond to accommodation requirements of specific groups in the city.  Also indicates the need to make best use of existing housing stock, to retain residential uses in the city and seek to apply the requirements of the nationally	H1 H2 (sets indicative percentage of family sized units 3+ bedrooms) H3	DM1 - 8

<sup>3</sup> Corporate work ongoing with a focus on improving existing sports facilities.

Adopted City Plan Part 1 Policies	Policy requirement for City Plan Part 2	Relevant Site Allocations	Relevant DM policies
	described space standard in Part 2 of the plan to secure the quality and sustainability in new residential development.		
CP20 Affordable Housing	No specific requirement		DM1 DM6
CP21 Student Housing and Housing in Multiple Occupation	No specific requirement	H3	DM7 DM8
CP22 Traveller Accommodation	Additional or outstanding pitch requirements to be facilitated through site allocations in Part 2 of the City Plan or through joint Development Plan working with adjacent local planning authorities <sup>4</sup> .	Updated needs assessment indicates no additional need within BHCC LPA area. See SD10 - Duty to Cooperate Paper.	

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<sup>4</sup> In accordance with pitch targets resulting from a revised assessment of traveller accommodation needs.

**Appendix 3 Table 3: Proportion of CPP1 housing requirement to be met through CPP2**

Housing provision by source	CPP1 Housing provision	Net completions 2010-2020	Remaining CPP1 requirement	CPP2 allocations	% of remaining CPP1 target	Housing supply from other sources <sup>1</sup>	Total potential supply	CPP2 housing provision by policy
Development Areas total	6,005	1,041	4,964	1,225	<b>25%</b>	4,085	6,351	H1 625 dwellings (13 sites); SSA2 100 dwellings; SSA4 500 dwellings
Rest of City								
- Built Up Area	4,130	1,889	2,241	1,152	<b>51%</b>	1,179	4,220	H1 652 dwellings (20 sites); SSA1 200 dwellings; SSA3 300 dwellings
- Urban Fringe	1,060	0	1,060	899	<b>85%</b>	20	919	H2 899 dwellings (15 sites)
Rest of City total	5,190	1,889	3,301	2,051	<b>62%</b>	1,199	5,139	
Small sites (identified + windfall)	2,015	1,461	554	0	<b>0%</b>	1,586	3,047	
Prior Approval for change of use to residential	0	-	na	0	<b>0%</b>	300	300	
HRA Estates Regeneration (additional potential)	0	-	na	0	<b>0%</b>	259	259	
<b>Total</b>	<b>13,210</b>	<b>4,391</b>	<b>8,819</b>	<b>3,276</b>	<b>37%</b>	<b>7,429</b>	<b>15,096</b>	

Notes:

<sup>1</sup> Includes Sites under construction and sites with planning permission not allocated in CPP2; Strategic sites without planning permission allocated in CPP1; and other additional housing potential identified in Brownfield Land Register.

**Appendix 4, Table 4 – City Plan Part Two Planned Employment Land Provision**

City Plan Part One (CPP1) Forecast Needs	City Plan Part One planned provision	City Plan Part Two planned provision
<p>Forecast employment land requirement to 2030:</p> <p><b>112,240 sq m of office space</b> (B1a and B1b) and</p> <p><b>43,430 sq m industrial floorspace</b> (B1c, B2 and B8)</p> <p>(2013 Employment Land Study)</p>	<p><b>Policy CP3 Table 4</b> identifies provision will be met largely through Strategic Site Allocations within Development Areas:</p> <p><b>91,000- 96,000 sq m office space</b></p> <p><b>9,500 sq m industrial floorspace</b></p> <p>Phasing of development indicated in 2013 ELS Trajectory</p> <p>Opportunities for additional B use class employment / mixed use allocations to meet outstanding requirements (c. 16-21, 000 sq m of office floorspace and c.34,000 sq m of industrial floorspace<sup>5</sup>) will be addressed through the City Plan Part Two and through a coordinated partnership approach with neighbouring authorities and the Local Enterprise Partnership.</p> <p>Upgrading and renewal of the City’s existing office and industrial stock will also be important to ensure that this space is better utilised, remains competitive and attractive to the market</p>	<p><b>Office space</b></p> <p><b>Through Strategic Site Allocations:</b><sup>6</sup></p> <p><b>SSA2</b> retention/replacement of minimum 1,000 sq m B1<sup>7</sup></p> <p><b>SSA3</b> retention/replacement of minimum 5,700 sq m net B1a<sup>8</sup></p> <p><b>SSA4</b> minimum 6000 sq m B1<sup>9</sup></p> <p><b>SSA5</b> -B1 uses identified as part of permitted uses.</p> <p><b>SSA7</b> – potential for B1a offices, D1 healthcare/ education uses</p> <p><b>Through mixed use housing sites:</b></p> <p><b>H1 – Table 7</b> indicates the potential to deliver minimum of c.4,100 sq m of B1 employment floorspace). Figures informed by extent planning permission/ representations and Site Assessments (Site Assessment Topic Paper (TP07)</p> <p><b>Planned provision:</b> potential to deliver a minimum of 10,000 sq m B1 floorspace<sup>10</sup>.</p> <hr/> <p><b>Industrial</b></p> <p><b>DM11</b> – where redevelopment proposals come forward on existing industrial estates the policy will ensure that proposals make the best use of existing businesses sites and premises by encouraging higher density and flexible designed business premises.</p> <p><b>E1 Opportunity site for business and warehouse uses</b> – Land at Hangleton Bottom, Hangleton Link Road North Portslade</p> <p>Policy safeguards the potential opportunity for new business and warehouse floorspace to come forward over plan period alongside waste management infrastructure. Suitability of site for employment uses assessed through allocation of site through SP1 in the Waste and Minerals Site Plan.</p>

<sup>5</sup> The 2017 Employment Land Supply Trajectory (set out in ED17 Housing and Employment Land Availability Study 2017 indicates an improved position with industrial floorspace provision of 13,852 sq m due to extant planning permissions)

<sup>6</sup> Employment floorspace figures in this table are expressed in the old Use Class ‘B’ for ease of reference to the CPP1. Proposed Modifications seek to update references with the new E Use Class

<sup>7</sup> Not included in total figures as whilst there is the potential net gain of B1 from other uses the provision of housing on some sites will lead to a net loss of other employment floorspace.

<sup>8</sup> As footnote 1

<sup>9</sup> PP recently granted at Sackville Trading Estate Site BH2019/03548 will when implemented provide 5164 sqm B1 floorspace

<sup>10</sup> PP recently granted at 27-21 Church Street BH2020/02801 for an office only scheme which will on implementation deliver 3,360 sq m of office floorspace compared with 630 sqm identified from previous planning permission.

## **Appendix 5 - Further background to employment land provision in City Plan Part Two**

The issues facing employment land supply and delivery in the city are set out at Section 3 in the City Plan Part Two Scoping Consultation Paper June 2016 (CD20). At section 3.4 the Scoping Paper acknowledges that the City Plan Part 1 (CPP1) was not able to identify sufficient sites to meet all the forecast demand for employment floorspace to 2030 that was identified in the 2013 Employment Land Study Review (a shortfall of between 16,240 to 21,240 sq. m of office floorspace and 33,930 sq. m of industrial floorspace). The role for Part 2 of the City Plan (as explained in Section 3.5) is to build on the strategic framework in the CPP1; to identify and allocate additional employment sites and mixed use site allocations to help ensure employment land delivery is maintained over the City Plan timeframe to 2030.

The scoping consultation in 2016 included a 'call for sites' for additional sites/clusters of sites that could deliver a range of size and type of new office floorspace and sought suggestions for improving office delivery. Appendix 5 of the CPP2 Scoping Report Statement of Consultation January 2017 (updated June 2018) [CD22a] provides a summary of key issues raised in the consultation responses. No new sites were submitted for consideration for office use.

The 2016 CPP2 Scoping Paper (CD20) also included as part of the call for sites for opportunities to identify and safeguard land/site for a new industrial estate in the city. The Paper acknowledged that addressing the shortfall of industrial land would also need to involve intensifying existing estates and working through the Greater Brighton and Coastal West Sussex Partnership to address the lack of move on space ('the missing middle') experienced in the region not just in Brighton & Hove. No new sites were submitted for consideration for a new industrial estate.

The call for sites did bring forward a number of sites in employment use for consideration for residential/ mixed use development and these were considered through the Site Assessment process (Site Assessment Topic Paper May 2021 TP07). The appraisal of site allocations in the CPP2 were informed by the Housing and Employment Land Study December 2017 (ED17) which recommended re-appraisal of Strategic Housing Land Availability Sites (SHLAA) sites with the opportunity to increase the potential for employment land on mixed use sites and removal of other sites where evidence of predicted long-term employment use had been identified. This was undertaken at the Stage 2 Review list stage.

The Brighton & Hove Industrial Estates Audit December 2017 (OD78) emphasises the pressure that industrial and trading estates face from higher value residential redevelopment and that a number of strategic allocations in the CPP1 involve the redevelopment of trading estates. In considering options for improving the provision of industrial estates it recognised the limited opportunities in the city. Most of the sites the audit identified for consideration at Section 10.10 are outside the city boundary and one site is already a protected industrial estate. Land at Hangleton Bottom, Hove was considered as an opportunity site. Given the site's current protection for a strategic scale waste management facility in the Waste and Minerals Site Plan (CD10b) the CPP2 has identified the site at Policy E1 as an opportunity site for business and warehouse uses where this would not prejudice the delivery of a strategic scale waste management facility. Suitability of site for employment uses was assessed through allocation of site through SP1 in the Waste and Minerals Site Plan (CD10b).

The Employment Land Trajectory Update is set out within the Housing and Employment Land Study, December 2017 (ED17) and Authority Monitoring Report (CD13c) provide an updated position on employment land supply. The 2017 Employment Land Trajectory indicates an improved position of supply of industrial floorspace supply provision compared with 2013 trajectory produced for City



Plan Part One. The Study considered employment land supply has remained relatively stable but noted that some identified site came forward with less than anticipated employment floorspace. This reflects site viability issues associated with employment floorspace delivery (as also demonstrated in the BHCC CIL Viability Assessments – OD80a-i) but also a trend of provision of office workspace aimed at a higher job density ratio and therefore generating the same job numbers for less space.

The most recent Authority Monitoring Report 2019/2020 (CD13c) shows that whilst schemes for new employment floorspace are coming forward there is still pressure on the city's employment sites through the impact of permitted development rights which allow the conversion of offices to residential use without planning permission outside the council's Office to Residential Article 4 Direction area (which covers the CPP1 areas of SA2 Central Brighton, DA4 New England Quarter and London Road Area and two offices sites). The net increase of employment floorspace in 2019/20 monitoring year has reversed a trend of net loss over the previous five monitoring years.

**Appendix 6 - Table 5 - Proposed site allocations in the CPP2 following proposed Modifications**

<b>CPP2 policy</b>	<b>Indicative net dwellings</b>	<b>Net dwellings on sites &lt;1 ha</b>	<b>% net dwellings on sites &lt;1 ha</b>
SSA1 Brighton General Hospital	200	0	0%
SSA2 Combined Engineering Depot, New England Rd	100	0	0%
SSA3 Land at Lyon Close, Hove	300	c150	c50%
SSA4 Sackville Trading Estate and Coal Yard	500	0	0%
H1 Housing and Mixed Use - Residential allocations	758	665	88%
H1 Housing and Mixed Use - Mixed use allocations	519	519	100%
H2 Housing Sites – Urban Fringe	899	145	16%
<b>Total</b>	<b>3,276</b>	<b>1,479</b>	<b>45%</b>

**Appendix 7, Table 6 - Neighbourhood Plan Progress**

<b>Neighbourhood Forum /Parish</b>	<b>Date of Designation</b>	<b>Progress</b>
<b>Hove Station Neighbourhood Forum</b>	Redesignation of Forum approved 18 September 2019  Original designation approved 18 September 2014	Regulation 14 consultation completed 23 March to 11 May 2019  Regulation 16 consultation completed 20 May 2021 to 15 July 2021  Council intends to submit draft NP for examination in Sept 2021
<b>Rottingdean Parish Council</b>	Rottingdean Area designation approved 2 March 2013	Regulation 14 consultation completed 14 February 2021 to 9 April 2021.  Currently reviewing responses and preparing submission version of Plan.  Likely Regulation 16 consultation will commence Autumn 2021
<b>Brighton Marina Business Forum</b>	Redesignation of Forum approved 3 November 2020  Original designation approved 18 June 2015	No formal consultation to date  Preparing draft plan
<b>Hangleton &amp; Knoll Forum</b>	Original designation 7 November 2018	No formal progress since designation
<b>Hove Park Forum</b>	Original designation 9 July 2015 – designation has now lapsed.	No formal progress since designation  Forum needs to be redesignated.
<b>Coldean Neighbourhood Area and Forum</b>		Application made August 2021 (advertised for consultation shortly).

## Appendix 8, Table 7- List of Relevant Supplementary Planning Documents

List of Supplementary Planning Documents (SPD) relevant to the submitted City Plan Part Two

Name of SPD	Purpose	Status/ Programme for Preparation	CPP2 policies that reference the SPD
SPD02 Shop Front Design	The SPD aims to give detailed policy guidance on the replacement of existing and the installation of new shop fronts throughout the city, in order to raise the standard of design quality and to enhance the attractiveness and local distinctiveness of the city's shopping centres.	Adopted 8 September 2005	DM23 Shop Fronts DM26 Conservation Areas
SPD06 Trees and Development Sites	The SPD provides practical advice and examples of best practice, and to assist applicants in the identification and successful retention of appropriate trees within development sites of all sizes. The SPD also sets out the information required to effectively assess and determine planning applications for development on sites that contain trees.	Adopted 23 March 2006	DM37 Green Infrastructure & Nature Conservation  (a drafted MM is proposed for reference in Policy D22 Landscape Design and Trees)
SPD07 Advertisements	The SPD seeks to give detailed guidance on the erection, fixing or replacement of advertisements and signs throughout the city, aiming to raise the standard of design quality in commercial areas.	Adopted 7 June 2007	DM24 Advertisements
SPD09 Architectural Features	The SPD provides detailed policy guidance on the repair, restoration and enhancement of historic buildings.	Adopted 17 December 2009	DM26 Conservation Areas DM27 Listed Buildings DM28 Locally Listed Heritage Assets
SPD11 Nature Conservation and Development	The SPD is intended for use by planning applicants, council officers and local people concerned with the conservation of biodiversity in development. This SPD addresses development proposals for sites with no current nature conservation value and proposals affecting existing areas of nature conservation value.	Adopted 25 March 2010.  An updated SPD is underway. Public consultation expected autumn 2021,	DM37 Green Infrastructure & Nature Conservation

Name of SPD	Purpose	Status/ Programme for Preparation	CPP2 policies that reference the SPD
		adoption Spring 2022	
SPD12 Design Guide for Extensions and Alterations	The SPD offers guidance on how to comply with relevant planning policies and achieve the best possible residential extension or alteration.	Adopted 16 January 2020	DM21 Extensions & Alterations
SPD12 Design Guide for Extensions and Alterations	The SPD offers guidance on how to comply with relevant planning policies and achieve the best possible residential extension or alteration.	Adopted 16 January 2020	DM21 Extensions & Alterations
SPD14 Parking Standards	The SPD provides clear information and guidance to allow document users to easily determine the right level of parking for developments in different locations and with different land uses.	Adopted 3 October 2016  The standards are now incorporated in Appendix 2 of the CPP2.	DM33 Safe, Sustainable & active Travel DM36 Parking & Servicing
SPD16 Sustainable Drainage	The SPD provides guidance for developers on what is expected of them as they bring sites forward for planning. It is essential that the management of water is considered at the earliest stage of a development. By adopting a sequential approach to development site allocation and integrating SUDS into the site design, the maximum benefits can be achieved, for people, for biodiversity and the environment.	Adopted 26 September 2019	DM43 Sustainable Drainage SSA3 Land At Lyon, Close Hove SSA4 Sackville Trading Estate and Coal Yard SSA5 Madeira Terrace & Madeira Drive SSA7 Land Adjacent to Amex Stadium
SPD17 Urban Design Framework	The SPD signposts priorities the council would like applicants to consider when preparing design proposals. The level of consideration will depend on the scale and type of the development. The SPD illustrates how good design is vital to the delivery of inclusive, sustainable and climate-resilient development and can be used by: planning applicants and their design team when preparing planning applications; planning officers when assessing applications; councillors when making planning decisions; and residents, amenity	Adopted 17 June 2021	DM18 High Quality Design & Places  DM20 Protection of Amenity  SSA3 Land at Lyon Close, Hove

Name of SPD	Purpose	Status/ Programme for Preparation	CPP2 policies that reference the SPD
	groups and other organisations when commenting on planning applications.		
Tall Buildings SPD	This SPD is referred in the supporting text to Policy SSA4 but has subsequently been superseded by SPD17 Urban Design Framework.	Superseded by SPD17	SSA4 Sackville Trading Estate and Coal Yard  A modification has been drafted to amend the text as appropriate.
Hove Station Masterplan SPD	The SPD will provide further detail to help guide future development in the Hove Station Area (Policy DA6 in City Plan Part One) in order to secure the long-term regeneration of the area as an attractive and sustainable mixed-use neighbourhood.	Consultation on draft SPD took place December 2020 – February 2021  Adoption due September 2021	A modification has been drafted to refer to the SPD in supporting text to Policy SSA4 Sackville Trading Estate and Coal Yard.
Eastern Seafront Masterplan SPD	The preparation of a masterplan for the Eastern Seafront will help support high-quality, innovative regeneration through improving access, activation of the seafront, coherent placemaking, environmental enhancement and protection of the world class heritage assets	Public consultation anticipated autumn 2021  Adoption Winter 2021/22	SSA5 Madeira Terraces and Drive