

## BHCC01 Revised Schedule of Proposed Modifications to the Proposed Submission City Plan Part 2, August 2021

1. Following the **Inspector's Note 1 – Inspector's Initial Questions** (INSP01) the schedule has been revised and supersedes the version submitted with the Plan for examination in May 2021 (Examination library reference SD02). Additional proposed modifications have been added related to updated references to the National Planning Framework and updated references to Supplementary Planning Documents.
2. This schedule sets out the proposed Main Modifications (MM) and Additional Modifications (AM) to the Proposed Submission Brighton & Hove City Plan Part 2 (April 2020) that have been submitted for consideration as part of the Examination process to address representations of soundness and other representations on the Plan, plus those minor changes considered appropriate to improve the clarity of plan or to provide update.
3. The proposed modifications are generally expressed in the form of ~~strikethrough~~ for deletions of text and underlined for additions of text and are set out in the same order as the City Plan Part 2.
4. Proposed Main modifications (MM##) are included in the first table. These are changes to policy wording and supporting text that would affect interpretation of policy. The second table contains Proposed Additional Modifications (AM##). These are changes are factual, grammatical or typographical. A third table sets out the consequential changes to the Proposed Changes to the Policies Map (Map#). A fourth table sets out the consequential changes to the CPP2 Implementation and Monitoring Targets (IMP#).

**Table 1 - Main Modifications**

Mod. Number	Proposed Submission City Plan Part 2 Reference	Modification Proposed	Reason for Modification
MM01	Policy DM3 page 20	<p><b><i>DM3 Residential conversions and the retention of smaller dwellings</i></b>  <i>In footnote 1 to the policy, amend first sentence to read:</i></p> <p><sup>1</sup>The original floor area excludes later additions such as extensions, garages (including converted garages) and loft conversions <u>since the dwelling was built or as built on 1st July 1948</u>. The calculation of the original floor area must be based on internal dimensions only.</p>	To clarify and simplify the policy criteria of 'original floor area' and to be consistent with the definition of original dwelling in The Town and Country Planning (General Permitted Development) Order 2015 as amended.

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MM02	Supporting text to DM4 Paragraph 2.36 page 36	<p><b>DM4 Housing and Accommodation for Older Persons</b>  Amend the final sentence in the fourth bullet point in paragraph 2.36 to read:</p> <p>“Extra-care/assisted living homes normally fall either within Use Class C2 or C3, this <del>varies</del> <u>may vary</u> depending on the level of care provided and <del>whether overnight care is available</del> <u>the scale of communal facilities provided.</u>”</p>	To align with national planning practice guidance (Ref ID: 63-014-20190626)
MM03	Supporting text to Policy DM8, paragraph 2.77	<p><b>DM8 Purpose Built Student Accommodation</b>  Delete the following text in paragraph 2.77:</p> <p>“<del>The majority of new PBSA developments in recent years have been located along the Lewes Road academic corridor due to the accessibility to the universities. Some of these locations are in areas not covered by Controlled Parking Zones so the council cannot restrict the number of cars brought to the city by occupants through permit-free developments.</del>”</p>	To reflect the council no longer using planning conditions to restrict access to parking permits.
MM04	Policy DM9, page 40	<p><b>DM9 Community Facilities</b>  Amend part 1 of policy to read:</p> <p>1. Planning permission will be granted for new community facilities <u>in Regional, Town, District and Local Centres</u> in accordance with Policy DM12 and in other locations where all of the following criteria are met:</p>	For consistency with Policy DM12
MM05	Supporting text to Policy DM9, paragraph 2.79 pages 40 -41	<p><b>DM9 Community Facilities</b>  Amend the bullet points in paragraph 2.79 to read:</p> <p>2.79 The term ‘community facilities’ encompasses a wide range of facilities and services which are defined in national policy as being social, recreational and cultural in nature. They can be broadly separated into the following types of use:</p> <ul style="list-style-type: none"> <li>• <u>Medical or health services (use class E(e));</u></li> <li>• <u>Creche, day nursery or day centre (use class E(f));</u></li> </ul>	To reflect changes to the Use Classes Order and for added clarity and brevity.

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		<ul style="list-style-type: none"> <li>• <u>Learning and non-residential Institutions (Use Class F1 D1) – these are defined by the Use Classes Order and include education uses (non-residential), health clinics/GP surgeries, day nurseries/crèches, law courts, training centres, museums, public libraries, public halls and places of worship;</u></li> <li>• <u>Local community uses (use class F2) – isolated local shops selling essential goods, halls or meeting places for the principal use of the local community. Areas of outdoor sport or recreation, swimming pools and skating rinks also fall within the F2 use class, and are protected by City Plan Part One Policy CP17;</u></li> <li>• <u>Essential community public sector infrastructure including to meet the needs of the city. This includes:</u> <ul style="list-style-type: none"> <li>○ Facilities for the emergency services including the NHS and Fire, Police and Ambulance Services;</li> <li>○ Public toilets; and</li> <li>○ Prison and custody facilities.</li> </ul> </li> <li>• <u>Cultural and social facilities which perform an important role in the health and wellbeing and ‘quality of life’ of the city’s residents. Arts and performance venues. These include theatres, cinemas, public houses, social clubs, night-time venues, bingo halls, and sport facilities. These types of venue are already protected by City Plan Part One Policy CP5.</u></li> <li>• <u>Public houses. These are protected by Policy DM10.</u></li> </ul> <p><u>Some changes of use fall under permitted development and would not be covered by the scope of this policy, however it is considered important to maintain a range of community facilities by applying this policy where permitted development rights do not apply.</u></p>	
MM06	Supporting Text to Policy DM10, para. 2.85, page 42	<p><b>DM10 Public Houses</b>  <i>Amend paragraph 2.85 with an additional sentence at the end to read:</i></p> <p>“Public houses are important contributors to the character and vitality of communities, providing opportunities for social interaction, strengthening social cohesion and acting as a</p>	For added clarity.

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		focus for the local community. <u>Proposals for new or extended public houses will be assessed using Part 1 of Policy DM9.</u>	
MM07	Policy DM11, page 45	<p><b><i>DM11 New Business Floorspace</i></b>  <i>Amend Policy DM11 to read:</i></p> <p>Development proposals involving the provision of new <del>B1a, b and c</del> <u>E(g) (i), (ii) and (iii)</u> Use Class business 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 <del>B1</del> <u>E(g)</u> uses and activities; and for new <del>B1c</del> <u>E(g) (iii)</u> light industrial, B2 industrial and B8 storage and warehousing premises include adequate floor to ceiling heights; floor loading, power, servicing and loading facilities.</p> <p>Redevelopment proposals on protected industrial estates will be supported where they provide an efficient use of the site/ premises to provide higher density and flexibly designed business premises for <del>B1</del> <u>E(g)</u>, B2 and/or B8 uses in accordance with City Plan Part 1 Policy CP3 Employment Land</p>	To reflect changes to the Use Classes Order
MM08	Supporting text to Policy DM11, page 45	<p><b><i>Policy DM11 New Business Floorspace</i></b>  <i>Amend paragraph 2.97, first sentence to read:</i></p> <p>Flexible design features for new <del>B1a</del> <u>E(g)(i)</u> office floorspace include:</p>	To reflect changes to the Use Classes Order
MM09	Supporting text to Policy DM11, page 46	<p><b><i>Policy DM11 New Business Floorspace</i></b>  <i>Amend paragraph 2.98, first sentence to read:</i></p> <p>Where new <del>B1b</del> <u>E(g)(ii)</u> or <del>B1c</del> <u>E(g)(iii)</u> units are proposed the council...</p>	To reflect changes to the Use Classes Order

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MM10	Supporting text to Policy DM11, page 46	<p><b>Policy DM11 New Business Floorspace</b>  Amend paragraph 2.100, first sentence to read:</p> <p>Proposals that provide mix of <del>B</del><u>E(g)</u>, B2 and B8 use class employment uses must be designed to demonstrate there is adequate separation of uses, to ensure high standards of amenity.</p>	To reflect changes to the Use Classes Order
MM11	Supporting text to Policy DM11, page 47	<p><b>Policy DM11 New Business Floorspace</b>  Amend paragraph 2.102, fourth sentence to read:</p> <p>Where opportunities for redevelopment of older/ poor quality/ lower density industrial premises come forward on safeguarded industrial estates/ business parks, in accordance with CPP1 Policy CP3 Employment Land, the council will seek a mix of flexibly designed unit sizes suitable for a range of <del>B1</del> <u>E(g)</u>, B2 and B8 uses making efficient use...</p>	To reflect changes to the Use Classes Order
MM12	DM12, pages 48-49	<p><b>DM12 Changes of Use within Regional, Town, District and Local Shopping Centres</b>  Amend Policy DM12, including name to read:</p> <p><del>DM12 Changes of Use within Regional, Town, District and Local Shopping Centres</del></p> <p><del>To allow for diversification in shopping centres, change of use of an existing class A1 unit to non-A1 town centre uses within the following designated shopping centres and as shown on the Policies Map, will be permitted where the following criteria are met;</del></p> <p><del>A) Regional, Town and District Shopping Centres</del></p> <p><del>i) — Changes of use of a ground floor Class A1 unit in the primary shopping frontages will only be permitted where the proportion of Class A1 units would not fall below 75% in the Regional Centre, and 50% in Town and District Centres (as a proportion of total units measured across the total Primary Shopping Frontage), taking into account unimplemented planning permissions for changes of use;</del></p>	To reflect changes to the Use Classes Order

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		<p>ii) — Changes of use of a ground floor Class A1 unit in the secondary shopping frontages will only be permitted where the proportion of Class A1 units would not fall below 35% in the Regional Centre and below 30% in the Town and District Centres (as a proportion of total units measured across the total Secondary Shopping Frontage), taking into account unimplemented planning permission for changes of use.</p> <p>iii) — 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 use.</p> <p>iv) — The unit has been marketed for a minimum of 6 months, at an appropriate rent (providing three comparable shop rents within the centre) with the marketing information clearly demonstrating that there is no realistic prospect of the unit being used for A1 use in the foreseeable future; and</p> <p>v) — A shop front has been retained or provided;</p> <p><b>B) Local Shopping Centres</b></p> <p>i) — The proportion of Class A1 units in the centre would not fall below 50% (as a proportion of total units in the whole centre) taking into account unimplemented planning permission for changes of use;</p> <p>ii) — The shop unit has been marketed for a minimum of 6 months, at an appropriate rent (providing three comparable shop rents within the centre) with the marketing information clearly demonstrating that there is no realistic prospect of the unit being used for A1 use in the foreseeable future; and</p> <p>iii) — A shop front has been retained or provided.</p> <p><u>Commercial, business and service uses (use class E), learning and non-residential institutions (use class F1) and local community uses (use class F2) will be supported within the city's defined Regional, Town, District and Local Centres (as set out in CPP1 policy CP4 and as shown on the Policies Map).</u></p>	

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		<p>1. <u>Proposals for other uses will be permitted where it can be demonstrated that the scheme meets all of the following criteria;</u></p> <ul style="list-style-type: none"> <li>a) <u>The proposal will maintain and enhance the vitality, viability and the character of the shopping area;</u></li> <li>b) <u>The proposal will retain active ground floor uses and frontage and provide a direct service or sales to visiting members of the public;</u></li> <li>c) <u>The proposed development or uses will not have a harmful impact on the amenity of local residents due to noise, odour, disturbance or light pollution (see DM21, DM40); and</u></li> <li>d) <u>Where appropriate shop front design should be in accordance with the council's shop front policy (see DM23).</u></li> <li>e) <u>In addition to criteria a-d) above, proposals within the Lanes1 and North Laine2 areas of the Regional Centre should not result in the amalgamation of three or more adjoining units resulting in an overly dominant unit, in order to retain the unique character of the area.</u></li> </ul> <p>2. Residential use may be appropriate above or to the rear of units in shopping centres provided the active frontage is not compromised and that satisfactory residential amenity can be achieved.</p> <p>3. Temporary and 'meanwhile' use of vacant buildings and sites by start-up businesses as well as creative, cultural and community organisations will be <del>considered</del><u>supported</u>-particularly where they help activate and revitalise <del>retail</del> centres <u>and can generate increased footfall.</u></p> <p>As an update to the hierarchy of shopping centres as set out in policy CP4 of the City Plan Part One, the secondary frontage of the Regional Centre has been amended to facilitate a new centre called Brunswick Town Local Centre. This centre is shown on the updated Policies Map.</p>	

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		<p><sup>1</sup> <u>Within the Lanes area this includes frontages within Market Street, Bartholomews, Meeting House Lane, Nile Street, Brighton Square, Union Street, Ship Street (east), Prince Albert Street, Brighton Place, Hanningtons Lane and Clarence Yard.</u></p> <p><sup>2</sup> <u>Within the North Laine area this includes frontages within Bond Street, Gardner Street, Church Street, North Road, Kensington Gardens, Sydney Street, Gloucester Street and Trafalgar Street.</u></p>	
MM13	Supporting text to Policy DM12, pages 49-52	<p><b>DM12 Changes of Use within Regional, Town, District and Local Shopping Centres</b>  <i>Amend Policy DM12 supporting text to read:</i></p> <p><del><b>Review of and designation of shopping frontages</b></del></p> <p><del>2.103 Primary and secondary frontages are defined within the Regional, Town and District Centres of the city in order to assist in the safeguarding and managing of retail uses and related facilities and services.</del></p> <p><u>Policy DM12 supports the City Plan Part One policy CP4 Retail provision and SA2 Central Brighton, as the focus of commercial activity in the centres identified in the Retail Hierarchy of Brighton &amp; Hove. The policy contributes towards maintaining and enhancing the attractiveness of town centres by encouraging more people to use these locations. The main uses encouraged within these ground floor frontages to support footfall will be class E ('commercial, business and service').</u></p> <p><u>Over recent years the increasing importance of internet shopping has changed the focus of shopping in town centres. The Covid-19 pandemic has exacerbated this trend and a change has been seen in primary shopping areas of the city as retail stores have closed and many national companies have downsized or ceased to trade.</u></p> <p><u>Increasing economic activity within town centres supports high street vitality. The council will therefore be supportive of alternative uses where proposals enhance the vitality and viability of the centre, provide services or sales to visiting members of the public, maintain an active ground floor use and frontages such as commercial window displays and sight of a reception or arrivals area. Where appropriate proposals should be in alignment with the council's shop front policy</u></p>	To reflect changes to the Use Classes Order



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		<p><u>DM23. Recognising that our town centres also have a high residential population, the council will ensure that proposals will not have a harmful impact on the amenity of local residents.</u></p> <p><u>Appropriate alternative uses which could contribute to vitality and viability may include sui generis uses such as launderettes, takeaways, pubs, bars, and cinemas which help generate footfall to an area.</u></p> <p><u>Proposals within the Regional Centre</u></p> <p><u>One of the council priorities is to maintain central Brighton’s role as the city’s vibrant, thriving Regional Centre for shopping, leisure, tourism, cultural, office and commercial uses.</u></p> <p><u>The different but interconnecting shopping areas within the Regional Centre are identified and described in the Retail Study Update 2011. There is active support for the protection of existing and provision of new small unit space, largely catering for local independent traders, located within the Lanes and North Laine areas.</u></p> <p><u>The availability of small units provides improved choice for business location and affordability. This in turn provides choice for consumers and this contributes significantly towards maintaining and enhancing the attractiveness and viability. Small units are often more affordable and encourage more specialist or independent retailers. Therefore in order to assist in maintaining the unique/niche/independent retailers in the Lanes and the North Laine as well as the supply of smaller units, changes of use should not result in the amalgamation of three or more adjoining units in order to create a larger unit.</u></p> <p><u>Primary Shopping Area</u></p>	

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		<p><u>2.107 In the case of the Regional, Town and District Shopping Centres, the Primary Shopping Area is the extent of the identified primary and secondary frontages. Local Centres tend to be small, therefore they do not have distinctive primary and secondary frontages.</u></p> <p><u>2.104 In 2017 a review was undertaken of the primary and secondary shopping frontages of the current hierarchy of shopping centres in the city. As part of the review some frontage designations have now changed between primary and secondary designation and a new Local Centre in Brunswick Town and some newly identified Important Local Parades have been included within the retail hierarchy. New developments adjacent to shopping frontages have also been designated where it was appropriate to do so. The review's recommendations are now reflected in the updated Policies Map.</u></p> <p>2.105 The review indicated that it is appropriate to continue the approach of controlling the amount of class A1 uses and non-A1 uses in each centre. This has proven to be a practical approach in the past and one that allows some flexibility for change of uses within the frontages and an achievement of a good mix of uses.</p> <p>2.106 For a shopping centre to operate successfully it is necessary for shops to group together. Interruption of retail frontages by non-retail uses, such as a restaurant, pub or estate agent can be complementary to the centre's primary shopping function because they can be considered as providing a local service but, the retail function will be adversely affected if the mix of uses is affected by the dilution of too many A1 units.</p> <p><b>Primary Shopping Area</b></p>	

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		<p data-bbox="562 344 1733 411"><del>2.107 In the case of the Regional, Town and District Shopping Centres, the Primary Shopping Area is the extent of the identified primary and secondary frontages.</del></p> <p data-bbox="562 469 972 496"><b>Primary and Secondary Frontages</b></p> <p data-bbox="562 512 1704 699">2.108 In the Primary Frontages of each centre a higher percentage of A1 uses is set out in the policy to help to ensure that class A1 acts as the dominant use and core function of the centres and to reinforce the overall vitality and viability. The primary frontage sees the highest levels of activity and footfall; therefore it is also appropriate to locate uses to these areas which enhance the character and attractiveness of the centre as a place to visit.</p> <p data-bbox="562 756 1733 922">2.109 Within the secondary frontages, a wider mix of uses is supported and consequently a lower minimum threshold for class A1 uses is appropriate. Although these areas do not form part of the primary shopping frontages they do still contribute to the overall vitality and viability of the centre offer. Therefore it would not be appropriate for clusters of non-retail uses to form in these locations either.</p> <p data-bbox="562 970 1704 1066">2.110 The percentage of class A1 uses required in the Regional Centre is the highest, in order to maintain its role as the principle shopping centre in East Sussex, which is of considerable importance to the economic and social life of Brighton and Hove.</p> <p data-bbox="562 1114 1733 1246">2.111 In order to assist in maintaining the unique/niche/independent retailers in the Lanes and the North Laine, changes of use should not result in a group of three or more adjoining units being in non-A1 use in order to ensure that there are a range of retail premises to promote and encourage retailers in these areas of the city centre.</p> <p data-bbox="562 1294 1733 1353">2.112 Community uses (e.g. doctors and dentists) which would draw people to the centre and may generate combined shopping visits will also be considered to be appropriate town centre uses</p>	

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		<p>where they are considered complementary to the town centre, and where they would maintain a window display and draw pedestrian activity into the centre.</p> <p><b>Local Centres</b>  2.113 Local centres are small groupings, usually comprising a newsagent and a general grocery store and occasionally a sub post office, pharmacy, a hairdresser and other small shops of a local nature. As local centres tend to be small, they do not have primary and secondary frontages. A threshold of 50% A1 use is stipulated to ensure that these centres remain functional to the communities that they serve in providing top up shopping and local services</p> <p><b>Table 3 – Brighton &amp; Hove’s Retail Hierarchy (adopted City Plan Part 1 Policy CP4 Retail Provision)</b></p> <table border="1" data-bbox="577 810 1704 1342"> <thead> <tr> <th data-bbox="577 810 853 911">Centre Definition</th> <th data-bbox="853 810 1402 911">Defined Centres</th> <th data-bbox="1402 810 1704 911">Linked City Plan Part 1 Policies</th> </tr> </thead> <tbody> <tr> <td data-bbox="577 911 853 975">Regional Centre</td> <td data-bbox="853 911 1402 975">Brighton</td> <td data-bbox="1402 911 1704 975">DA1, SA2, CP4</td> </tr> <tr> <td data-bbox="577 975 853 1098" rowspan="2">Town Centres</td> <td data-bbox="853 975 1402 1034">Hove</td> <td data-bbox="1402 975 1704 1034">CP4</td> </tr> <tr> <td data-bbox="853 1034 1402 1098">London Road</td> <td data-bbox="1402 1034 1704 1098">DA4, CP4</td> </tr> <tr> <td data-bbox="577 1098 853 1283" rowspan="3">District Centres</td> <td data-bbox="853 1098 1402 1157">St James’s Street</td> <td data-bbox="1402 1098 1704 1157">CP4</td> </tr> <tr> <td data-bbox="853 1157 1402 1216">Lewes Road</td> <td data-bbox="1402 1157 1704 1216">DA3, CP4</td> </tr> <tr> <td data-bbox="853 1216 1402 1283">Boundary Road/Station Road</td> <td data-bbox="1402 1216 1704 1283">DA8, CP4</td> </tr> <tr> <td data-bbox="577 1283 853 1342">Local Centres</td> <td data-bbox="853 1283 1402 1342">Mill Lane, Portslade</td> <td data-bbox="1402 1283 1704 1342">SA6, CP4</td> </tr> </tbody> </table>	Centre Definition	Defined Centres	Linked City Plan Part 1 Policies	Regional Centre	Brighton	DA1, SA2, CP4	Town Centres	Hove	CP4	London Road	DA4, CP4	District Centres	St James’s Street	CP4	Lewes Road	DA3, CP4	Boundary Road/Station Road	DA8, CP4	Local Centres	Mill Lane, Portslade	SA6, CP4	
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			Portland Road, Hove ‘The Grenadier’, Hangleton Road Richardson Road, Hove Eldred Avenue, Withdean Old London Road, Patcham Ladies Mile Road, Patcham Seven Dials Fiveways Hollingbury Place, Hollingdean Beaconsfield Road, Preston Park St George’s Road, Kemptown Warren Way, Woodingdean Whitehawk Road, Whitehawk High Street, Rottingdean Lustrell’s Vale, Saltdean Longridge Avenue, Saltdean Brunswick Town	(all centres)		

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		<p><b>Implementation and Monitoring</b></p> <p>2.114 <del>The long-term impact of the pandemic on our town centres is not fully known at this stage and therefore it is critical that the Council continues to monitor the impacts in cooperation with other internal teams as well as external organisations.</del> Implementation of the policy will be assisted by continuing to monitor <del>numbers of retail units uses and vacancy levels</del> within defined shopping centres <del>to be reported in the Authority Monitoring Report.</del> <del>The council will use retail survey data, the lawful use and unimplemented extant permissions to help calculate the proportion of units in A1 use. The council's retail survey data will be updated at least bi-annually. The council will report on this in their Authority Monitoring Report. The performance of existing centres will be monitored by the Council. This might result in a centre being moved higher or lower in the hierarchy; an amendment to an existing centre boundary; or, in the larger centres, a change to the defined prime retail frontage within that boundary. Any forthcoming changes will be undertaken in any review of the City Plan Part One.</del></p> <p>2.115 <del>As part of the development management process, applicants may wish to conduct similar studies themselves to justify that proposals for changes of use would not result in the proportions of A1 units within the primary and secondary frontages falling below the threshold set out in the policy.</del></p> <p><b>Evidence of Marketing</b></p> <p>2.116 <del>In demonstrating that marketing for at six months has been carried out, the council will expect the applicant to outline where and how marketing has been undertaken, with details provided to demonstrate that the asking rent has been at a realistic rate, evidence that a prominent advertisement was displayed during the marketing and submitting details of at least three comparable properties for rent. It would be expected that the site has been actively marketed nationally and locally on commercial property websites.</del></p> <p><b>Permitted Development Rights</b></p>	

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		<p>2.117 <del>Several changes to the Permitted Development Rights affecting change of use to and from retail have been introduced in recent years.</del> Where prior approval is needed, the Council will interpret 'key shopping areas' referred to in the General Permitted Development Order as being designated Primary and Secondary Shopping Frontages.</p> <p>2.118 <del>Ongoing monitoring of the concentration of non-retail uses in shopping centres will be maintained in order to continue to examine the feasibility of implementing Article 4 Directions to remove permitted development rights where shopping areas are showing over-concentrations of particular non-A1 uses.</del></p> <p><b>New Development in Centres</b></p> <p>2.119 The policy will be applied to new units that are constructed within designated frontages or where they form a logical extension to an existing frontage. <u>Due to the predominance of larger units in the Primary Frontages, proposals for larger format retail will generally be suited to these defined areas.</u></p> <p>2.120 Residential development contributes to the overall health of centres and to meeting the city's housing target. There is scope to increase housing stock in the centres, by increasing densities or by introducing housing on upper floors, or to the rear of commercial properties, provided that this does not lead to amenity issues or an unacceptable loss of commercial space and that the commercial uses on the ground floor remain of a viable size <u>to include adequate storage space and staff facilities.</u></p> <p>2.121 From time to time, temporary uses are sought for vacant buildings or cleared sites that are awaiting redevelopment. Although temporary in nature and therefore often lacking the standards of design and finish that would usually be expected from permanent development, such uses can provide jobs and add much to the vitality and vibrancy of an area in the meantime.</p>	

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PM11	Policy DM13, page 53	<p><b><i>DM13 Important Local Parades, Neighbourhood Parades and Individual Shop Units</i></b>  <i>Amend Policy DM13 to read:</i></p> <p><b><i>DM13 Important Local Parades, <del>Neighbourhood Parades and Individual Shop Units</del></i></b></p> <p>A) <del>Important Local Parades</del></p> <p>The following shopping areas are designated as Important Local Parades<sup>1</sup> within the retail hierarchy as shown on the Policies Map;</p> <ul style="list-style-type: none"> <li>• Cowley Drive, Woodingdean</li> <li>• Goldstone Villas, Hove</li> <li>• Hove Park Villas, Hove</li> <li>• Islingword Road, Brighton</li> <li>• Old Shoreham Road/Sackville Road, Hove</li> <li>• Preston Drive, Preston Park</li> <li>• Valley Road, Portslade</li> <li>• Victoria Terrace, Hove</li> <li>• Warren Road, Woodingdean</li> <li>• Woodland Parade, Hove</li> </ul> <p><u>Commercial, business and service uses (E Use Class) will be supported within Important Local Parades.</u></p> <p><u>Proposals for other uses will be permitted where it is demonstrated that the scheme meets the following criteria:</u></p> <ol style="list-style-type: none"> <li>a) <u>The proposal will maintain and enhance the vitality, viability and the character of the Important Local Parade;</u></li> <li>b) <u>The proposal will retain an active ground floor use and frontage and provide a direct service or sales to visiting members of the public;</u></li> </ol>	To reflect changes to the Use Classes Order



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		<p>c) <u>The proposed development or use(s) will not have a harmful impact on the amenity of local residents, due to noise, odour, disturbance or light pollution; and</u></p> <p>d) <u>Where appropriate shopfront design should be in accordance with the council's shop front policy (DM23).</u></p> <p>In Important Local Parades, changes of use involving the loss of units in A1 use class, will be permitted where;</p> <p>a) <del>The proposal would not result in the number of units in class A1 use falling below 50%; and</del></p> <p>b) <del>The shop unit has been marketed for a minimum of one year;</del></p> <p>Changes of use at ground floor to residential will be permitted to the rear or on upper floors in Important Local Parades.</p> <p>Temporary and 'meanwhile' use of vacant buildings by start-up businesses as well as creative, cultural and community organisations will be <del>considered</del> supported where they help activate and revitalise <del>retail centres</del> <u>parades and can generate increased footfall.</u></p> <p><del>B) Neighbourhood Parades and Individual Shop Units</del></p> <p><del>Planning permission will be granted for change of use of shops (use classes A1 to A5) to non A1-A5 uses outside of designated centres and Important Local Parades provided that;</del></p> <p>a) <del>There are alternative shopping facilities within reasonable walking distance (300 metres);</del></p> <p>b) <del>The shop unit has been marketed for a minimum of one year;</del></p> <p><sup>1</sup> As designated on the Policies Map.</p>	
MM14	Supporting text to Policy DM13, pages 54-55	<p><b><i>DM13 Important Local Parades, Neighbourhood Parades and Individual Shop Units</i></b></p> <p><i>Amend Policy DM13 supporting text to read:</i></p>	To reflect changes to the Use Classes Order

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		<p>2.121 The term ‘Important Local Parades (ILPs)’ as defined on the Policies Map refers to a group of shops (five or more). ILPS have a key role in contributing to sustainable development, providing access to day-to-day necessities such as a newsagent, convenience store off-licence, pharmacies and post offices, which are easily accessible to people without a car or with restricted mobility <u>within walking distance from home. Access to these local facilities have become more important during the Covid-19 pandemic. Parades complement the local shopping facilities provided in the city’s designated centres and ensure that local convenience shopping facilities are within walking distance to residential areas.</u></p> <p><u>2.### An assessment of 35 shopping parades was undertaken in 2017 and reviewed in 2019 in order to identify areas that could be designated as Important Retail Parades in City. The assessment was set out in the council’s Shopping Frontage Review Paper (April 2020) and its subsequent amendments.</u></p> <p><u>2.### There may be some circumstances where alternative uses will be acceptable such as when they also provide services or sales to visiting members of the public, maintain an active ground floor use and frontages such as commercial window displays and sight of a reception or arrivals area. Where appropriate proposals should be in alignment with the council’s shop front policy DM23. Recognising that Important Local Parades tend to be in close proximity to residential areas, the council will ensure that proposals will not have a harmful impact on the amenity of local residents.</u></p> <p>2.123 The term ‘Neighbourhood Parade’ refers to a cluster of three or more units in class A1 use such as a newsagent, convenience store or off licence, together with A2 uses, for example estate agents or A3, A4 or A5 uses, that function as a group and are capable of serving the convenience needs of a local residential catchment population particularly for older people, people with disabilities and the very young who cannot easily travel far, it is important that convenience retail needs can be met within an easy walking distance within their neighbourhood. In terms of sustainable development, it is important that people are not dependant on use of the car for their</p>	

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		<p>day to day retail needs. In areas not close to larger retail centres, parades and isolated shop units provide convenient access to goods and services which are needed on a day to day basis. To support sustainable communities the loss of retail and services will be resisted in under-served areas.</p> <p>2.124 The function of parades has gradually changed over time, and in addition to shops that perform a local shopping function, many parades now provide more specialist retailers (for example, bridal wear or musical instruments) together with a range of non-retail uses such as takeaways. Whilst non-retail uses can provide an important local function, there is risk that the presence of too many can undermine the ability of the parade to meet local shopping needs and are still anchored by at least one convenience retailer. It is vital, therefore, that each neighbourhood parade continues to offer a good balance of shops and services to support residents' day today needs, whilst providing flexibility to allow for other appropriate uses.</p> <p>2.125 When determining applications for planning permission or prior approval for retail to residential permitted development, the council will not normally permit development resulting in the loss of local retail and service provision unless there is alternative equivalent provision within 300 metres. This is considered a reasonable walking distance (5 minutes for the average person) to access convenience shopping and local services. Provision will be considered equivalent where it provides a similar offer which meets the same need, such as the need for fresh food or a financial service.</p> <p>2.126 Where applications involve the loss of units in A1 use class, the council will require supporting evidence that retail use(s) are no longer economically viable. Applicants will be expected to demonstrate an active marketing campaign for a continuous period of at least a 12 months with evidence submitted showing that a prominent advertisement was displayed during the marketing, whilst the premises was vacant or in 'meanwhile use', which has been shown to be unsuccessful. In addition, for neighbourhood parades and individual retail units where there is no equivalent alternative provision within 400 metres, it will also need to be demonstrated that Use</p>	

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		<p><del>Classes A2, A3 and laundrettes are not viable, before any other uses will be permitted. However, subject to the policy requirements, change of use to a community facility such as a community centre may be permitted where it can be demonstrated there is a need for such provision.</del></p> <p><del>2.127 In all cases, demonstration of need must include evidence of consultation with service providers and the local community and an audit of existing provision within the local area.</del></p> <p><del>2.128 Brighton and Hove has numerous small local shopping parades and individual shops located in local residential communities. It is important that these shopping facilities remain vibrant, attractive and accessible. Providing local shopping and related facilities within walking distance enables the less mobile, including the elderly and low income groups, access to food and services close to where they live, and is important in achieving equality of opportunity and sustainable neighbourhoods.</del></p> <p><del>2.129 From time to time, temporary uses are sought for vacant buildings or cleared sites that are awaiting redevelopment. Although temporary in nature and therefore often lacking the standards of design and finish that would usually be expected from permanent development, such uses can provide jobs and add much to the vitality and vibrancy of an area in the meantime.</del></p>	
MM15	Policy DM14, page 56	<p><b><i>DM14 Commercial and Leisure Uses at Brighton Marina</i></b>  <i>Amend Policy DM14 to read:</i>  <u>Within the Brighton Marina Inner Harbour area<sup>1</sup> commercial, business and service uses (E use class) and local community uses (F2 use class) will be supported.</u></p> <p>In order to maintain and enhance <u>support</u> the special commercial <u>existing commercial</u> and leisure offer within Brighton Marina, changes of use in existing retail/commercial/service frontages will be permitted provided that all of the following criteria are met;</p>	To reflect changes to the Use Classes Order and to clarify the area that the policy applies too. To address representations by Land Security.

Mod. Number	Proposed Submission City Plan Part 2 Reference	Modification Proposed	Reason for Modification
		<p>a) The proposed use would improve the vitality and viability of the Marina, by encouraging combined trips and attracting pedestrian activity; and</p> <p>b) The <del>development</del> <u>proposed use</u> would not be materially detrimental to the amenities of occupiers of nearby properties or the general character of the Marina;</p> <p>c) <del>A window display is provided to retain an active frontage</del> <u>The proposal will retain an active ground floor use and frontage and provide a direct service or sales to visiting members of the public;</u></p> <p>d) <u>The proposed use would not have a harmful impact on amenity due to noise, odour, disturbance or light pollution.</u></p> <p>A change of use at ground floor level to residential in retail / commercial/ <del>leisure</del> <u>service</u> frontages will not be permitted but may be considered appropriate on upper floors.</p> <p><sup>1</sup> The Brighton Marina Inner Harbour area is a strategic site allocation in the adopted City Plan Part One (DA2.C.1)</p>	
MM16	Supporting text to Policy DM14, page 56	<p><b><i>DM14 Commercial and Leisure Uses at Brighton Marina</i></b>  <i>Amend supporting text to read:</i></p> <p>2.129 Brighton Marina, functions as an independent component of the city’s urban area. The Marina provides a mix of housing, shopping, commercial, leisure and recreational buildings in addition to <del>being performing as</del> a working harbour. This creates a unique commercial and leisure environment.</p> <p>2.130 The majority of existing retail activity takes place in the Merchant’s Quay /Marina Square, <u>the Waterfront</u> and at the <del>ASDA</del> superstore. Brighton Marina contains a range of bars, restaurants and factory outlet stores related to its wider recreation and leisure role City Plan Part One Policy DA2 Brighton Marina, Gas Works and Black Rock Area). Brighton Marina is no longer designated as</p>	For clarification and to support changes to policy wording

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		<p>a shopping centre in the retail hierarchy and therefore any proposals for additional retail development not allocated by policy DA2 in City Plan Part One will need to meet the tests of policy CP4 and the National Planning Policy Framework<sup>1</sup>.</p> <p>2.131 The purpose of this policy is to broaden and strengthen the choice and performance of commercial activity in the Marina by proposing a flexible approach to ensure that its vitality and viability is maintained and enhanced <u>whilst protecting the amenity, public safety and security of existing residents and visitors.</u> <del>Both retail and non-retail uses (including community facilities)</del> <u>Uses should draw additional pedestrian activity to the Marina to strengthen its offer and provide other facilities required to support existing residents and visitors, as well the increased population that will be generated by the proposed additional residential developments. There may be some circumstances where alternative uses will be acceptable, such as when they provide services or sales to visiting members of the public and maintain an active ground floor use and frontages such as commercial window displays and sight of a reception or arrivals area.</u></p> <p><sup>1</sup>National Planning Policy Framework (NPPF) (2019) paragraphs 89-90</p>	
MM17	Policy DM15, page 57	<p><b><i>DM15 Commercial and Leisure Uses on the Seafront</i></b>  <i>Amend Policy DM15 to read:</i></p> <p>Development proposals, including change of use, for new <del>shop</del> <u>retail</u>, food and drink <u>premises (class E (a) &amp; (b)), hot food takeaways, and bars, pubs drinking and nightclubs establishments (A1-A5 Use Class) (sui generis use) and galleries (D1 Use Class Class F1b) and museums (D2 Use Class Class F1c) will be supported</u> on the lower promenade, Madeira Drive and within the seafront arches, <del>will be permitted</del> provided that all of the following criteria are met;</p> <p>a) The existing diversity and mix of <del>retail</del> <u>sport, leisure, cultural and recreation uses</u> along the seafront will be retained or enhanced;</p>	To reflect changes to the Use Classes Order

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		<ul style="list-style-type: none"> <li>b) The proposed development is of appropriate scale and design to complement the historic character and setting of the seafront (See City Plan Part One Policies SA1 and CP4);</li> <li>c) The proposal will support the role of the seafront as recreation and tourist destination helping to extend footfall and reduce seasonality; and</li> <li>d) The proposed development or uses will not have a harmful impact on the amenity of local residents, visitors and the seafront due to noise, odour, disturbance and or light pollution</li> </ul>	
MM18	Supporting text to Policy DM15, page 57	<p><b><i>DM15 Commercial and Leisure Uses on the Seafront</i></b> Amend the supporting text to read:</p> <p>2.132 The City’s seafront arches are occupied by a variety of tenants and provide an eclectic offer to visitors and residents alike. The seafront traders occupy the length of the arches loosely by ‘zone’, such as sport, outdoor leisure, artist quarter leisure, restaurants and bars, as well as recreation. Opportunities exist for additional shops and food and drink facilities to cater for visitors from small kiosks to small scale shops, cafes or restaurants in certain areas. There is the potential to enhance the range of uses in order to increase activity in the evening, reduce seasonality and extend footfall along the seafront to the east. Policy CP17 Sports Provision will apply to new sport or leisure proposals.</p> <p>2.133 Any <u>temporary</u> use extending for more than <u>the time allowed under permitted development rights 28 days</u> (consecutively or in a single year) requires planning permission. Interim or ‘meanwhile’ uses such as pop-up cafés, performance space/ community uses shops and temporary uses of empty property and land can help to animate and activate vacant buildings/ sites before regeneration or development begins. This can have the benefit of providing an interim income stream whilst also enhancing the attractiveness of a site or location for potential future tenants.</p>	For clarification and to safeguard the policy wording in case of future changes to planning legislation.
MM19	Supporting text to Policy DM18,	<p><b><i>DM18 High Quality Design and Places</i></b> <i>Amend the supporting text at paragraph 2.147 to read:</i></p>	To reflect adoption of SPD17 Urban Design

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	para 2.147, page 63	More detailed design guidance for developers, including area- and site-specific design principles, <del>will form part of the</del> <u>are set out in SPD17 Urban Design Framework Supplementary Planning Document</u> which <del>will</del> supports City Plan Part 1 Policies CP12 Urban Design and City Plan Part 2 Policy DM18 High Quality Design and Places. Guidance on identified strategic views and how new strategic and local views can be identified <del>will be</del> <u>is</u> included.	Framework in July 2021.
MM20	Supporting text to Policy DM18, paragraph 2.148 page 64	<p><b><i>DM18 High Quality Design and Places</i></b>  <i>Amend the supporting text at paragraph 2.148 after the third sentence to read:</i></p> <p>The scale of consideration of local context should be commensurate with the scale and impact of the proposals <u>as well as significant and exceptional site constraints</u>. 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.</p>	To address the representation made by St William Homes
MM21	Supporting text to Policy DM18, para 2.149, page 64.	<p><b><i>DM18 High Quality Design and Places</i></b>  <i>Amend the last sentence of the supporting text at paragraph 2.149 to read:</i></p> <p>Criteria for assessing proposals for tall buildings, including cumulative impact <del>will be</del> <u>are</u> set out in <del>the SPD17 Urban Design Framework</del> <u>SPD</u>.</p>	To reflect adoption of SPD17 Urban Design Framework in July 2021.
MM22	Supporting text to Policy DM18, paragraph 2.156 page 66	<p><b><i>DM18 High Quality Design and Places</i></b>  <i>Amend the supporting text at paragraph 2.156 after the first sentence to read:</i></p> <p><u>It refers to providing amenities that allow users to take advantage of the micro-climate conditions, such as sunshine/ shade, and are conducive to relaxation, play and social engagement.</u></p>	To address the representation made by Aberdeen Standard Investments JTC Fund Solution
MM23	Supporting text to Policy DM18, paragraph 2.158 page 66	<p><b><i>DM18 High Quality Design and Places</i></b>  <i>Amend the supporting text at paragraph 2.158:</i></p>	To address a representation made by Hove Civic Society



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		Proposals for major applications on strategic or prominent sites or development that is likely to have an impact on public realm will need to demonstrate how an artistic element has been incorporated into development design and how proposals meet the objectives of <u>the council's Public Art Strategy and relevant art and public realm-related strategies and guidance.</u>	
MM24	Supporting text to Policy DM20, para 2.169, page 70	<p><b>DM20 Protection of Amenity</b>  <i>Amend the supporting text at paragraph 2.169:</i></p> <p>Further guidance will be <u>is</u> provided in the Urban Design Framework Supplementary Planning Document (UDF SPD<sup>49</sup>)</p>	To reflect adoption of SPD17 Urban Design Framework in July 2021.
MM25	Footnote 29, page 70	<p><b>DM20 Protection of Amenity</b>  <i>Delete footnote:</i></p> <p><sup>49</sup> <del>A draft version of the Urban Design Framework is currently being prepared and adoption is anticipated in 2020.</del></p>	To reflect adoption of SPD17 Urban Design Framework in July 2021.
MM26	Policy DM22 page 73	<p><b>DM22 Landscape Design and Trees</b>  <i>Add new footnote after the words "national importance" in the second paragraph on page 73:</i></p> <p><i>New footnote to read:</i>  <u>Development of national importance includes, for example, infrastructure projects, where the public benefit would outweigh the loss or deterioration of habitat, as defined by footnote 58 of the NPPF (2019).</u></p>	To add further clarity to policy and to address representation submitted by The Brighton Society.
MM27	Supporting text to Policy DM22 para. 2.177 page 74	<p><b>DM22 Landscape Design and Trees</b>  <i>Amend paragraph 2.177, after fifth sentence to read:</i></p>	To add further clarity to policy point (h) and address representation

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		Native species will be encouraged in particular those of local origin subject to climate change adaptability. <u>Tree stock sourced from the UK or Ireland, and locally sourced seeds is encouraged.</u>	submitted by The Woodland Trust
MM28	Supporting text to DM22 para. 2.178 page 74	<p><b><i>DM22 Landscape Design and Trees</i></b></p> <p><i>Amend paragraph 2.178 to read:</i></p> <p>2.178 <u>Existing landscape features can be used more effectively if they have multi-functional uses. For example, natural landscape design features can provide opportunities for informal play or sports; productive plants that form part of the landscape design can provide opportunities for food growing. Provision of food growing opportunities should have regard to the Food Growing Planning Advice Note. Effective landscaping will be required...</u></p>	To add clarity to policy point (g) and address representation by Brighton & Hove Food Partnership.
MM29	Supporting text to DM22, para. 2.180 page 75	<p><b><i>DM22 Landscape Design and Trees</i></b></p> <p>At the end of supporting text paragraph 2.180 add the following:</p> <p><u>Proposals will be expected to have taken into account the guidance provided in SPD06 Trees and Development Sites.</u></p>	For thoroughness and to ensure cross-references to all relevant adopted supplementary planning guidance are included.
MM30	Supporting text to Policy DM22 para. 2.184 page 76	<p><b><i>DM22 Landscape Design and Trees</i></b></p> <p><i>Amend penultimate sentence of paragraph 2.184 to read:</i></p> <p>If trees are (or will become) owned or maintained by the council then, alongside maintenance plans, applicants will be expected to provide adequate funding to manage additional maintenance that is foreseeable as a result of development <u>in consultation with City Parks and in accordance with Policy CP7 Developer Contributions.</u></p>	To reflect practice and to add clarity to policy.

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MM31	Supporting text to Policy DM29, para. 2.227 page 89	<p><b>DM29 The Setting of Heritage Assets</b>  <i>Amend first sentence of paragraph to read:</i></p> <p>2.227 Reference to scale in the policy includes height. Consideration of setting in urban areas, given the potential numbers and proximity of heritage assets, will often overlap with considerations both of townscape/urban design and of the character and appearance of conservation areas. This policy does not therefore preclude a bold architectural approach where Appropriate.</p>	For clarity and in order to address a representation from Sussex Gardens Trust and align with the Town and Country Planning (Development Management Procedure) (England) Order 2015.
MM32	Policy DM30, page 91	<p><b>DM30 Registered Parks and Gardens</b>  <i>Amend second sentence of first paragraph of policy to read:</i></p> <p>In assessing the impact of such proposals on the significance of the park or garden this, the council will have particular regard to the impact of development on any notable view of, within or across the park or garden.</p>	For clarity and to address a representation from Sussex Gardens Trust.
MM33	Policy DM30, page 91	<p><b>DM30 Registered Parks and Gardens</b>  <i>Amend first sentence of second paragraph of policy to read:</i></p> <p><i>As an exception to the above, and w</i>Where permission is required, temporary uses or events (including associated structures) may <u>exceptionally</u> be permitted where any harm caused would be strictly temporary, <u>clearly</u> minor and easily reversible, having regard to the significance of the site within the park and garden, the scale of impact, timing and any public benefits arising from the use or event.</p>	For clarity and to address a representation from Sussex Gardens Trust.
MM34	Supporting Text to Policy DM30,	<p><b>DM30 Registered Parks and Gardens</b>  <i>Amend paragraph 2.235 by adding new second sentence to read:</i></p>	For clarity to support the policy wording and

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	paragraph 2.235 page 91	<u>All applications will be expected to include evidence to show what alternative sites have been considered and why they are not deemed suitable.</u>	to address a representation from The Brighton Society.
MM35	Policy DM31 page 93	<p><b><i>DM31 Archaeological Interest</i></b>  <i>Amend first sentence of fourth paragraph of policy to read:</i></p> <p>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 <u>pre-determination</u>.</p>	For clarity and to address as representation from the County Archaeologist.
MM36	Policy DM32, page 95	<p><b><i>Policy DM32 The Royal Pavilion Estate</i></b>  <i>Amend criterion d) of part 1 of the policy to read:</i></p> <p>d) <del>Transform</del> <u>Enhance</u> the quality and infrastructure of the gardens <u>as previously restored</u> and enable the <u>better</u> management of activities within them;</p>	To address the concern of Sussex Gardens Trust that the policy ignored the late 20 <sup>th</sup> century restoration scheme.
MM37	Supporting text to Policy DM32, paragraph 2.245 page 96	<p><b><i>Policy DM32 the Royal Pavilion Estate</i></b>  <i>Amend second sentence of paragraph 2.245 to read:</i></p> <p><del>This should include improving the infrastructure within the gardens,</del> <u>Whilst the gardens were positively restored in the late 20<sup>th</sup> century, opportunity should be taken to enhance that scheme such as with, for example, protective fencing, better paths and lighting levels, improved irrigation and waste disposal and better facilities for the gardening staff.</u></p>	To address the concern of Sussex Gardens Trust that the policy ignored the late 20 <sup>th</sup> century restoration scheme.
MM38	Supporting text to Policy DM32, paragraph 2.246 page 96	<p><b><i>Policy DM32 the Royal Pavilion Estate</i></b>  <i>Amend by adding a new third sentence and amending the fourth sentence of 2.246 to read:</i></p>	For clarity and to address a representation from Sussex Gardens Trust.

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		<p>The garden's historic interest is in part its use as a promenading garden and place for reflection. <del>The impact</del> <u>Impacts</u> on public views and access will <u>also</u> form <u>a key</u> part of <del>this</del> considerations.</p>	
MM39	Policy DM33 Page 98	<p><b><i>Policy DM33 Safe, Sustainable and Active Travel</i></b> <i>Amend part 4(c):</i></p> <p>c) Do not prejudice the implementation of proposed road safety improvements set out in the Local Transport Plan (and subsequent revisions/successor documents or programmes) <del>and the council's Road Safety/Safer Roads Strategy;</del> and</p>	Factual update as Road Safety Strategy has expired
MM40	Supporting text to Policy DM33, paragraph 2.253 page 100	<p><b><i>Policy DM33 Safe, Sustainable and Active Travel</i></b> <i>Add sentence to end of paragraph 2.253:</i></p> <p><u>In providing new infrastructure for cycling and walking, applicants should also take account of national guidance in 'Cycle Infrastructure Design (Local Transport Note 1/20)' and 'Gear Change; A bold vision for cycling and walking', in addition to the council's Local Cycling and Walking Infrastructure Plan.</u></p>	To include reference to important and relevant new national and local documents.
MM41	Policy DM34 footnote 65 Page 102	<p><b><i>Policy DM34 Transport Interchanges</i></b> Amend footnote 65 as follows: <u>"The test set out in Department for Transport <del>C2/13 para 10</del> and <del>NPPF para. 32</del>. Circular 02/2013, particularly paragraphs 9 &amp; 10, and the NPPF (2019), particularly paragraphs 110 and 111"</u></p>	Factual update in response to a representation by Highways England and updated with NPPF 2021 paragraph references
MM42	Policy DM36, criterion 2, page 107	<p><b><i>Policy DM36 Parking and Servicing</i></b> <i>Amend policy introduction and criterion 2 to read:</i></p>	For legal compliance. An update to a SPD cannot change a policy requirement.

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		<p>Provision of parking, including 'blue badge' holder and cycle parking, in new developments should follow the standards in <del>SPD14 'Parking Standards for New Development' (and any subsequent revisions)</del> as set out in Appendix 2. In addition:</p> <p>2) Car-free residential developments will be supported and encouraged subject to consideration of relevant factors as set out in SPD14 'Parking Standards for New Development' <del>(and any subsequent revisions)</del>.</p>	
MM43	Supporting text to Policy DM36, paragraph 2.266, page 108	<p><b>Policy DM36 Parking and Servicing</b>  <i>Amend paragraph 2.266 to read</i></p> <p>"...The guidance in the SPD on parking levels is now transposed into policy and is set out in full in Appendix 2. This reflects local circumstances and aims to strike the right balance between providing appropriate levels of car parking spaces whilst also promoting sustainable forms of transport in areas of good public transport accessibility. <del>Any future revisions to these standards will replace those currently set out in the Appendix 2.</del>"</p>	For legal compliance. An update to a SPD cannot change a policy requirement
MM44	Policy DM36 Paragraph 2.268, page 108	<p><b>Policy DM36 Parking and Servicing</b>  <i>Amend paragraph 2.268 to read:</i></p> <p>"In locations where it cannot be demonstrated that on-street parking capacity would be sufficient to accommodate overspill, the council may use Traffic Regulation Orders <del>add conditions to planning permissions</del> to ensure that developments are 'permit free', i.e. that future occupants of a development are not eligible to apply for council-issued on-street parking permits."</p>	Update to reflect the means by which the council can ensure developments are permit free.
MM45	Policy DM37 page 110	<p><b>Policy DM37 Green Infrastructure and Nature Conservation</b>  <i>Amend first paragraph in Nature Conservation section of policy to read:</i></p> <p><del>Development should avoid adverse impacts and All development should</del> seek to conserve and enhance biodiversity and geodiversity features ensuring:</p>	To better accord with NPPF paragraph 175a.

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MM46	Policy DM37 page 110	<p><b>Policy DM37 Green Infrastructure and Nature Conservation</b>  Amend bullet point list in Nature Conservation Section of policy to read:</p> <ul style="list-style-type: none"> <li>• <u>accordance with the mitigation hierarchy (link to footnote)</u></li> <li>• <u>an additional</u> net gain in biodiversity is achieved;</li> </ul>	To better accord with NPPF paragraph 175 and 175d and to address representations by ESCC County Ecologist and Natural England
MM47	Policy DM37 page 110	<p><b>Policy DM37 Green Infrastructure and Nature Conservation</b>  Amend bullet point list in Nature Conservation Section of policy to read:</p> <ul style="list-style-type: none"> <li>• that recognised <u>protected and notable</u> priority species and habitats are protected and supported;</li> </ul>	To address representation by Sussex Ornithological Society and RSPB.
MM48	Policy DM37 page 110 Footnote 67	<p><b>Policy DM37 Green Infrastructure and Nature Conservation</b>  Amend footnote 67 to read:</p> <p>Nature recovery networks allows opportunities for <u>protection and</u> enhancement of existing nature assets including protected sites and wildlife-rich habitats, <u>and creation of new habitats</u>, to be identified and prioritised within a local area.</p>	To better reflect Nature Recovery Networks aims and objectives.
MM49	Policy DM37 page 111	<p><b>Policy DM37 Green Infrastructure and Nature Conservation</b>  Amend first paragraph of policy on page 111 that follows bullet point list to read:</p> <p><del>Proposals for development within a designated site of importance to nature conservation or which could impact upon a designated site must</del> <u>also</u> satisfy the following criteria:</p>	Deletion of unnecessary text.
MM50	Policy DM37 page 111	<p><b>Policy DM37 Green Infrastructure and Nature Conservation</b>  Amend policy at Part A. Internationally protected sites to read:</p>	To better accord with the Conservation of Habitats and Species Regulations, to better

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		<p>All development must comply with the Conservation of Habitats and Species Regulations (as amended) * (<a href="#">link to new footnote</a>). Development likely to have significant effects on an international site (either individually or in combination with other plans or projects) and which would affect the integrity of the site will be subject to Habitat Regulations Assessment and will not be permitted unless the council is satisfied that:</p> <ul style="list-style-type: none"> <li>i) There is no alternative solution (which can be adequately demonstrated by the developer); <u>and</u></li> <li>ii) There are imperative reasons of overriding public health or public safety for the development; and</li> <li>iii) Adequate <u>mitigation measures and/or</u> compensatory provision is secured.</li> </ul> <p><i>New footnote to read:</i>  The Conservation of Habitats and Species Regulations 2017 (as amended).</p>	<p>accord with the mitigation hierarchy and to address representation submitted by Natural England.</p>
MM51	Policy DM37 page 111	<p><b><i>Policy DM37 Green Infrastructure and Nature Conservation</i></b>  Amend policy at Part B. Nationally protected sites to read:</p> <p>Development proposals should avoid impacts on nationally protected sites* (<a href="#">link to new footnote</a>). Development proposals likely to have an adverse effect on the site's notified special interest features will not be permitted unless:</p> <ul style="list-style-type: none"> <li>i) the benefits of the development, at this site, clearly outweigh <u>both</u> the likely impact to notified features on the site and any broader impacts on the network of nationally protected sites; and</li> <li>ii) the <del>loss</del> impacts can be mitigated <u>in accordance with the mitigation hierarchy; and through on or off site habitat creation to achieve a net gain in biodiversity/ geodiversity.</u></li> <li>iii) <u>on or off site additional measurable net gains in biodiversity/geodiversity can be achieved.</u></li> </ul>	<p>To better accord with NPPF paragraph 175a in response to representation submitted by Natural England.</p>
MM52	Policy DM37 page 112	<p><b><i>Policy DM37 Green Infrastructure and Nature Conservation</i></b></p>	<p>Unnecessary as policy text</p>



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		<p><i>Move the first paragraph of page 112 and place as a footnote linked to the first sentence of Part B. Nationally protected sites.</i></p> <p><i>Footnote to read:</i></p> <p><u>Development likely to have a significant effect on nationally protected sites will be required to assess the impact by means of an Environmental Impact Assessment.</u></p>	
MM53	Policy DM37 page 112	<p><b><i>Policy DM37 Green Infrastructure and Nature Conservation</i></b>  <i>Amend policy at Part C. Locally protected sites to read:</i></p> <p><del>Unless allocated for development in the City Plan, d 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*(link to new footnote):</del></p> <p>i) <u>the site is allocated for development in the City Plan or there are exceptional circumstances that justify the development of the site and can be demonstrated to outweighing the adverse effects on the local designation are clearly demonstrated;</u> and</p> <p>ii) <u>the loss impacts can be mitigated through on or off-site habitat creation; and to achieve a net gain in biodiversity/geodiversity.</u></p> <p>iii) <u>on or off site additional measurable net gains in biodiversity/geodiversity can be achieved.</u></p>	<p>To ensure policy remains effective and in response to numerous representations submitted on Part C of the policy by organisations and residents.</p> <p>To better accord with NPPF paragraph 175a in response to representation submitted by Natural England.</p>
MM54	Policy DM37 page 112	<p><b><i>Policy DM37 Green Infrastructure and Nature Conservation</i></b>  <i>Move and amend the following section of the final paragraph from page 112 to follow the bullet point list on page 111. Paragraph reads:</i></p> <p>Proposals liable to affect green infrastructure and nature conservation features either directly or indirectly must be supported by an appropriate and detailed site investigation/assessment and</p>	<p>To clarify this section of the policy applies to all sites, whether protected or not, in response to representation</p>

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		accord with provisions set out in the mitigation hierarchy <sup>71</sup> . Measures to avoid or prevent harmful effects will be required.	submitted by Natural England.
MM55	Policy DM37 page 112	<p><b><i>Policy DM37 Green Infrastructure and Nature Conservation</i></b>  <i>Move and amend the following section of the final paragraph from page 112 to follow the new proposed section heading entitled “Designated Sites” on page 111 and prior to existing paragraph that reads “Proposals for development within a designated site of importance to nature conservation...”</i></p> <p><i>Paragraph to read:</i>  Where proposals are liable to cause direct or indirect harm to a designated site, they must provide:</p> <ul style="list-style-type: none"> <li>a) evidence to demonstrate that the objectives of the designation and integrity of the area will not be undermined;</li> <li>b) funded management plans that secure the long term protection and enhancement of remaining features<sup>72</sup>; and</li> <li>c) up-to-date information about the biodiversity/geodiversity which may be affected, and how <del>loss impacts</del> <u>impacts</u> can be mitigated <del>to achieve</del> <u>and additional</u> measurable net gains <u>achieved</u>.</li> </ul>	To clarify this section of the policy applies to protected sites and to better accord with the NPPF paragraph 175a in response to representation submitted by Natural England.
MM56	Policy DM37 page 112	<p><b><i>Policy DM37 Green Infrastructure and Nature Conservation</i></b>  <i>Move the first paragraph of page 112 and place as a footnote linked to the first sentence of Part B. Nationally protected sites.</i></p> <p><i>Footnote to read:</i></p> <p><u>Development likely to have a significant effect on nationally protected sites will be required to assess the impact by means of an Environmental Impact Assessment.</u></p>	Unnecessary as policy text

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MM57	Policy DM37 page 112	<p><b>Policy DM37 Green Infrastructure and Nature Conservation</b>  <i>Move the final paragraph of Part C Locally Protected Site and place as a footnote linked to the first sentence of Part C. Locally protected sites.</i></p> <p><i>Footnote to read:</i></p> <p><u>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.</u></p>	Unnecessary as policy text
MM58	Supporting text to Policy DM37 paragraph 2.275 page 112	<p><b>Policy DM37 Green Infrastructure and Nature Conservation</b>  <i>Amend the second sentence of paragraph 2.275 of the supporting text to read:</i></p> <p>A development proposal’s impact upon the natural environment must be considered early in the design process, including cumulative <u>and in-combination</u> impacts and impacts upon the wider environment.</p>	To reflect good practice as recommended by ESCC County Ecologist
MM59	Policy DM37 footnote 71 page 112	<p><b>Policy DM37 Green Infrastructure and Nature Conservation</b>  <i>Move footnote 71 to link to proposed first new bullet point on page 110 as follows:</i></p> <ul style="list-style-type: none"> <li>• <u>accordance with the mitigation hierarchy*</u></li> </ul> <p><i>Moved Footnote reads:</i></p> <p>The “mitigation hierarchy” is set out in the Biodiversity – code of practice for Planning and Development and the British standard for Biodiversity management (BS42020) 2013. In essence it seeks avoidance of harm; then mitigation; then compensation alongside new benefits for wildlife.</p>	For clarity
MM60	Supporting text to Policy DM37 paragraph 2.278 page 114	<p><b>Policy DM37 Green Infrastructure and Nature Conservation</b>  <i>Amend seventh sentence of paragraph 2.278 to read:</i></p> <p>The opportunity for nature recovery networks should be considered in accordance with the emerging Nature Capital Investment Strategy for Sussex and future Local Nature Recovery Strategies, <u>which will become a requirement under the forthcoming Environment Act.</u></p>	To reflect forthcoming legislation in response to representation by ESCC County Ecologist.

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MM61	Supporting text to Policy DM37 paragraph 2.278 page 114	<p><b>Policy DM37 Green Infrastructure and Nature Conservation</b>  <i>Amend the final paragraph 2.278 of supporting text to read:</i></p> <p>Any invasive non-native species should be removed in accordance with legislation and <u>best practice guidance</u> (see also DM40 Protection of the Environment and Health – Pollution and Nuisance).</p>	To reflect practice.
MM62	Supporting text to Policy DM37 paragraph 2.279 page 114	<p><b>Policy DM37 Green Infrastructure and Nature Conservation</b>  <i>Amend paragraph 2.279 to read:</i></p> <p>The council will continue to work with the Brighton and Lewes Downs UNESCO Biosphere partners, including the South Downs National Park Authority and other surrounding authorities, to secure a landscape scale approach to biodiversity and green infrastructure <u>as recommended by People and Nature Network (PANN) 2020, which builds upon the Sussex Natural Capital Investment Strategy.</u></p>	To reflect local strategy in response to representation by South Downs National Park Authority.
MM63	Supporting text to Policy DM37 paragraph 2.281 page 115	<p><b>Policy DM37 Green Infrastructure and Nature Conservation</b>  <i>Amend fourth sentence of paragraph 2.281 to read:</i></p> <p>All new build, refurbishment, and renovation schemes should incorporate swift boxes and bee bricks where possible ensuring their installation follows best practice guidance <u>including local guidance set out in the Guidance Note for Provision of Swift Boxes in New Development, 2020.</u></p>	To signpost to local guidance and to address representation submitted by Sussex Ornithological Society and RSPB.
MM64	Supporting text to Policy DM37 paragraph 2.282 page 115	<p><b>Policy DM37 Green Infrastructure and Nature Conservation</b>  <i>Amend eighth sentence to supporting text at paragraph 2.282 to read:</i></p> <p>Alongside this, opportunities should be explored to provide new benefits for wildlife <u>to deliver measurable biodiversity net gains.</u></p>	To clarify links to biodiversity net gain
MM65	Supporting text to Policy DM37	<p><b>Policy DM37 Green Infrastructure and Nature Conservation</b>  <i>Add sentence to end of paragraph 2.282 to read:</i></p>	To support ambition to achieve carbon

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	paragraph 2.282 page 115	<u>Nature-based solutions to carbon storage and sequestration should also be sought.</u>	neutrality and in response to representation submitted by ESCC County Ecologist.
MM66	Supporting text to Policy DM37 page 115	<p><b><i>Policy DM37 Green Infrastructure and Nature Conservation</i></b>  <i>Add new paragraph after existing paragraph 2.282. New paragraph to read:</i></p> <p><u>In addition to any measures required to mitigate impacts, net gains in biodiversity should also be achieved. Biodiversity net gain should be delivered on site where possible, or off site as appropriate and should still be secured where proposals have negligible or no adverse impacts on biodiversity. The Sussex Local Nature Partnership (LNP) has an ambition to achieve a 20% target for biodiversity net gain from developments. The council will work with the LNP to bring forward evidence to support this target. The updated SPD will also address biodiversity net gain and include examples of achievable targets.</u></p>	To reflect net gain principles and address representation by Natural England. To reflect LNP ambition for net gain and forthcoming SPD in response to representation submitted by ESCC County Ecologist.
MM67	Supporting text to Policy DM37 page 115	<p><b><i>Policy DM37 Green Infrastructure and Nature Conservation</i></b>  <i>Add new supporting text paragraph prior to the section entitled “Designated Sites” and new footnote to read:</i></p> <p><u>In relation to Part C of the policy, examples of exceptional circumstances include development required in relation to flood defences or coastal management, key infrastructure that meets the wider needs of the city, and transport related infrastructure. Where land within locally designated sites is subject to an allocation for development in the City Plan* (<i>new footnote</i>), it is considered that the exceptional circumstances required under section C i) of the policy have been demonstrated specifically through the examination and adoption of the City Plan Part One and the need to plan positively for housing within the context of a significant citywide housing shortfall. However, any development proposals on these sites will still be required to meet the requirements</u></p>	For clarity and in response to various representations regarding Part C of the policy.

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		<p><u>under section C ii) and C iii) for mitigation and net gain in biodiversity/geodiversity as well as requirements relating to ecological assessment.</u></p> <p><i>Footnote to read:</i>  <u>This applies to a small number of housing sites allocated in Policy H2 and one site allocated in Policy H1.</u></p>	
MM68	Supporting text to Policy DM37 paragraph 2.283 page 115	<p><b><i>Policy DM37 Green Infrastructure and Nature Conservation</i></b>  <i>Amend paragraph 2.283 to read:</i></p> <p>However, Castle Hill is designated a Special Area of Conservation (SAC) and lies within the South Downs National Park and the administrative area of the city council <u>and there are several designated European sites (SPAs and SACs) elsewhere within East and West Sussex. Large scale development within the City Plan area may still detrimentally affect the SAC by reason of additional pressure from visitors and traffic. As part of the preparation of City Plan Part Two, the council has undertaken a Habitats Regulations Assessment which concluded that the development proposed in the plan will not have significant adverse impacts on any designated European sites within 20km of the plan area boundary.</u></p>	To clarify the presence of other European sites within East/West Sussex and to reflect the findings of the Habitats Regulations Assessment undertaken on City Plan Part Two.
MM69	Supporting text to Policy DM37 paragraph 2.284 page 115	<p><b><i>Policy DM37 Green Infrastructure and Nature Conservation</i></b>  <i>Add new sentence at end of paragraph 2.284 to read:</i></p> <p><u>National sites also include Marine Conservation Zones (MCZ), designated through the Marine and Coastal Access Act 2009. The Beachy Head West MCZ lies partly within the City Plan area.</u></p>	To rectify omission and address representation submitted by Natural England.
MM70	Policy DM39 page 119	<p><b><i>Policy DM39 Development on the Seafront</i></b>  <i>Amend last paragraph of policy to read:</i></p> <p>All developments providing sea-based activities or with a potential impact upon the marine environment should <del>have appropriate regard to the Beachy Head West Marine Conservation Zone</del></p>	For clarity and better accord with NPPF

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		and be in accordance with the South Marine Plans. <u>Development that would be likely to have an adverse impact on designated sites including the Beachy Head West Marine Conservation Zone will need to accord with DM37 Green Infrastructure and Nature Conservation.</u>	
MM71	Supporting text to Policy DM39 paragraph 2.300 page 120	<p><b><i>Policy DM39 Development on the Seafront</i></b>  <i>Amend Supporting text at end of sentence at paragraph 2.30 to read:</i></p> <p>The council will seek to ensure that any new or enhanced sea defences integrate sensitively with the local environment <u>and avoid an adverse impact on nature conservation assets in accordance with Policy DM37 Green Infrastructure and Nature Conservation.</u></p>	For clarity and better accord with NPPF.
MM72	Policy DM40 Page 123	<p><b><i>DM40 Protection of the Environment and Health – Pollution and Nuisance</i></b>  <i>Amend criteria (g) to read:</i></p> <p>g) ensure <del>outdoor</del> 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 <u>health</u>, public &amp; highway safety, biodiversity, in particular priority habitats and species, the night sky and the South Downs National Park International Dark Sky Reserve.</p>	To better accord with NPPF para 180(c) and to address representation submitted by CPRE and local resident.
MM73	Supporting text to Policy DM40 paragraph 2.314 page 125	<p><b><i>DM40 Protection of the Environment and Health – Pollution and Nuisance</i></b>  <i>Amend supporting text paragraph 2.134 as follows:</i></p> <p>2.314 <u>Criteria g applies to any proposals which involve the installation of external lighting and where the design of developments may result in light spill from internal lighting.</u> Development proposals should avoid excessive and unnecessary lighting <u>to limit the potential for impacts on human health and biodiversity</u>, whilst at the same time recognising the important role of lighting in optimising the effective use of land outside daylight hours and addressing crime and antisocial behaviour (such as floodlighting for the extension of operating hours/crime deterrent). <u>Lighting</u></p>	For clarity and to better accord with NPPF para 180(c) to address representation submitted by CPRE and local resident.

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		<p><u>design should have regard to the Institute of Lighting Professionals (ILP) Guidance Note 1 for the Reduction of Obtrusive Light (2020).</u> In May 2016 the South Downs National Park was designated as an International Dark Sky Reserve (IDSR). Lighting within the setting of the National Park should therefore take particular care to avoid unnecessary direct or reflected illumination of the sky at night.</p>	
MM74	Policy DM44 Page 134	<p><b><i>DM44 Energy Efficiency and Renewables</i></b>  <i>Amend part one of Policy to read:</i></p> <p>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) until the <u>Future Homes Standard and the Future Buildings Standard or any interim uplift in Part L which exceeds 19% improvement come into effect unless superseded by national policy or legislation</u>;<sup>100</sup></p>	To address representations requesting clarification and to future proof policy with respect to the Future Homes and Buildings standards.
MM75	Policy DM44 Page 134	<p><b><i>DM44 Energy Efficiency and Renewables</i></b>  <i>Amend part footnote 100 to read:</i></p> <p>100 <del>Including changes to Part L of the Building Regulations or the approved calculation methodology.</del> <u>Following consultation, the government has indicated in its response to the Future Homes Standard consultation (The Future Homes Standard: 2019 Consultation on changes to Part L (conservation of fuel and power) and Part F (ventilation) of the Building Regulations for new dwellings, January 2021) that it will introduce a Future Homes Standard and a Future Buildings Standard for non-domestic buildings in 2025 and an interim uplift to Part L will come into effect in June 2022.</u></p>	To address representations requesting clarification and to future proof policy with respect to the Future Homes and Buildings standards
MM76	Policy DM44 Page 134	<p><b><i>DM44 Energy Efficiency and Renewables</i></b>  <i>Amend first sentence of last paragraph of policy to read:</i></p>	For clarification.



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		All development will be expected to submit an energy statement to provide details of the <u>building fabric energy efficiency and low and zero carbon energy technologies used including the size/capacity of the systems and the estimated CO2 savings that will be achieved.</u>	
MM77	Supporting text to Policy DM44 para. 2.345 Page 137	<p><b><i>DM44 Energy Efficiency and Renewables</i></b>  <i>Amend paragraph 2.345 of supporting text to read:</i></p> <p>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 <del>versions</del> <u>updates</u>). It is anticipated that on developments where carbon savings from certain technologies (e.g. gas-engine CHP and solar PV) do not <del>achieve the carbon savings set out in</del> <u>meet</u> City Plan Part One Policy CP8, <u>fabric energy efficiency measures and alternative or additional technologies will need to be utilised to meet the 19% improvement against part L 2013.</u></p>	To address representations requesting clarification and to future proof policy with respect to the Future Homes and Buildings standards
MM78	Supporting text to Supporting text to Policy DM44 page 137	<p><b><i>DM44 Energy Efficiency and Renewables</i></b>  <i>Add new paragraph after the supporting text in paragraph 2.345 to read:</i></p> <p><u><i>New paragraph: The government indicated in January 2021* its intention to introduce the Future Homes Standard and Future Buildings Standards in 2025 with interim uplifts to Part L anticipated to come into effect in June 2022. For new homes, the interim uplift in Part L will be expected to produce 31% less CO2 emissions compared to current standards. The 19% improvement against part L 2013 will continue to apply until superseded by 2025 standards or any interim uplifts in Part L brought into effect before 2025 if these are higher than the 19%. In order for the city to achieve greater reductions in CO2 emissions and to meet the council’s aspiration to become a carbon neutral city by 2030 the council will encourage developers to work towards the interim uplift in Part L before it comes into effect.</i></u></p> <p><u><i>*Add new footnote: The Future Homes Standard: 2019 Consultation on changes to Part L (conservation of fuel and power) and Part F (ventilation) of the Building Regulations for new dwellings, January 2021.</i></u></p>	To future proof policy with respect to the Future Homes and Buildings standards

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MM79	Supporting text to Policy DM44 paragraph 2.346 page 137	<p><b>DM44 Energy Efficiency and Renewables</b>  Amend first sentence of paragraph 2.346 of supporting text to read:</p> <p>2.346 If a developer can demonstrate that there is a technical or financial reason why <del>this</del> <u>the 19% improvement against Part L 2013 target</u> cannot be achieved they would be expected to deliver as close to this target as possible.</p>	For clarification
MM80	Supporting text to Policy DM44 paragraph 2.359 page 137	<p><b>DM44 Energy Efficiency and Renewables</b>  Amend last sentence of paragraph 2.359 of supporting text to read:</p> <p>The council will expect ‘as built’ reports for non-domestic developments to demonstrate compliance to Policy CP8 BREEAM standards, <del>ie:</del> <u>most developments should meet BREEAM UK New Construction assessment</u>; shell only developments should meet BREEAM UK New Construction ‘Shell only’ assessment; and refurbishment and fit-out should meet BREEAM UK Refurbishment and Fit- out Parts 2, 3 or 4 assessments as appropriate.</p>	For clarification
MM81	Policy SSA1, page 153	<p><b>SSA1 Brighton General Hospital Site, Elm Grove, Freshfield Road</b>  Amend Policy to read:</p> <ul style="list-style-type: none"> <li>• 10,000 – 12,000 sq m health and care facility (<del>D1E(e)</del>);</li> </ul>	To reflect changes to the Use Classes Order
MM82	Policy SSA2, page 156	<p><b>SSA2 Combined Engineering Depot, New England Road</b>  Amend policy at first paragraph second bullet point policy to read:</p> <ul style="list-style-type: none"> <li>• the provision/replacement of a minimum of 1,000 sq m <del>B1 E(g)</del> workspace and managed starter office units.</li> </ul>	To reflect changes to the Use Classes Order
MM83	Policy SSA3, page 158	<p><b>SSA3 Land at Lyon Close, Hove</b>  Amend policy to read:</p>	To reflect changes to the Use Classes Order

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		<p><i>(Second paragraph, first bullet point)</i></p> <ul style="list-style-type: none"> <li>the retention/ replacement of a minimum of 5,700 sq m net <del>B1a</del> <u>E(g)</u> office floorspace through the mixed use development of the following sites:</li> </ul> <p><i>(Second paragraph, third bullet point)</i></p> <ul style="list-style-type: none"> <li>expanded <del>D1</del> health facilities (GP surgery) and/or community uses subject to demonstration of need and deliverability; and</li> </ul> <p><i>(Third paragraph)</i></p> <p>Should the retail warehouse units<sup>134</sup> come forward for redevelopment during the Plan period then the council will seek a mix of <del>B1</del> <u>E(g)</u> business and residential uses.</p> <p><i>(Fourth paragraph, criterion b.)</i></p> <p>All proposals, including changes in existing business uses (<del>Use Class B1-B8</del>) (<u>Use Classes E(g), B2 and B8</u>), will be expected to contribute to the provision of a range of office and flexible workspaces including medium floor plate offices and start up business floorspace suitable for small business;</p>	
MM84	Supporting text to Policy SSA3, para 3.27, page 160.	<p><b>SSA3 Land at Lyon Close, Hove</b>  <i>Amend last sentence of supporting text at paragraph 3.27 to read:</i></p> <p>However, proposals for tall buildings will need to be tested for visual impact from key viewpoints as well as taking into account City Plan Part One policies and supplementary guidance on tall buildings (<del>to be reviewed in the forthcoming set out in SPD17 Urban Design Framework</del>).</p>	To reflect adoption of SPD17 Urban Design Framework in July 2021.
MM85	Policy SSA4, page 161	<p><b>SSA4 Sackville Trading Estate and Coal Yard</b>  <i>Amend policy first paragraph, second bullet point to read:</i></p> <ul style="list-style-type: none"> <li>A minimum of 6000m2 <u>E(g)</u><del>B1</del>-employment floorspace</li> </ul>	To reflect changes to the Use Classes Order

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MM86	Policy SSA4 Page 162	<p><b>SSA4 Sackville Trading Estate and Coal Yard</b> Add criterion (k) to policy to read:</p> <p>k) Development must ensure that groundwater sources are protected to the satisfaction of the <u>Environment Agency.</u></p>	In response to a representation from the Environment Agency to ensure consistency with Policy SSA7.
MM87	Supporting text to Policy SSA4, paragraph 3.37 Page 162	<p><b>Policy SSA4 – Sackville Trading Estate and Coal Yard</b> Amend paragraph 3.37 to read:</p> <p>The Hove Station area is identified in the <u>Tall Buildings Urban Design Framework SPD<sup>138</sup></u> as having opportunities for tall building development.</p>	To reflect adoption of the Urban Design Framework SPD
MM88	Supporting text to Policy SSA4 paragraph 3.39 Page 163	<p><b>Policy SSA4 – Sackville Trading Estate and Coal Yard</b> Amend paragraph 3.39 with additional sentence at end of paragraph:</p> <p><u>The Hove Station Area Supplementary Planning Document is due for adoption in September 2021 and will provide guidance on improving linkages in and from the Hove Station Area which is adjacent to this site.</u></p>	To reflect emerging Hove Station Area SPD.
MM89	Footnote 138 Page 162	<p><b>Policy SSA4 – Sackville Trading Estate and Coal Yard</b> Amend footnote 138 to read:</p> <p><a href="http://www.brighton-hove.gov.uk/sites/brightonhove.gov.uk/files/downloads/localplan2001/15_SPGBHTall_buildings.pdf">www.brighton-hove.gov.uk/sites/brightonhove.gov.uk/files/downloads/localplan2001/15_SPGBHTall_buildings.pdf</a> or <a href="http://www.brighton-hove.gov.uk/planning-and-building-regulations/spd17-urban-design-framework-supplementary-planning-document-udf">www.brighton-hove.gov.uk/planning-and-building-regulations/spd17-urban-design-framework-supplementary-planning-document-udf</a></p>	To reflect adoption of the Urban Design Framework SPD

Mod. Number	Proposed Submission City Plan Part 2 Reference	Modification Proposed	Reason for Modification
MM90	Supporting text to Policy SSA4 Page 162	<p><b>SSA4 Sackville Trading Estate</b>  Amend supporting text at paragraph 3.38 to read:  “An Air Quality Management Area extends along Sackville Road to the junction with Old Shoreham Road. The effect of the new development on <u>this the AQMA at the junction of Sackville Road and Old Shoreham Road</u> will require careful consideration in order to achieve compliance with the requirements of Policies CP9 Sustainable Transport and DM40 Protection of the Environment -Pollution and Nuisance.”</p>	Factual update to reflect 2020 revised AQMA
MM91	Policy SSA5, page 164	<p><b>SSA5 Madeira Terrace and Madeira Drive</b>  Amend Policy SSA5 to read:</p> <ul style="list-style-type: none"> <li>• Retail uses (Use Classes <del>A1, A3, A4, A5</del> <u>E (a), E (b), Public house, wine bar, or drinking establishment (Sui Generis) and hot food takeaway for the sale of hot food where consumption of that food is mostly undertaken off the premises (Sui Generis)</u>);</li> <li>• Commercial space (Use Class <del>B1-E</del> <u>(g)</u>);</li> <li>• Small <u>scale/ boutique hotel visitor accommodation</u> (Use Class C1);</li> <li>• Galleries/museum(s) (Use Classes <del>D1F1</del> <u>(b) and F1(c)</u>); and/or</li> <li>• Leisure uses (Use Classes <del>D2</del> <u>E (d) and F2</u>) appropriate to the character of the seafront.</li> </ul>	To reflect changes to the Use Classes Order and for clarification in respect to representation submitted by the Brighton Society and Regency Society
MM92	Policy SSA6 Page 164	<p><b>SSA5 Madeira Terrace and Madeira Drive</b>  Amend second paragraph of policy to read:</p> <p>Planning permission will be granted for proposals that accord with the Development Plan <u>and respect the significance of the Grade II* Madeira Terrace and other associated designated and undesignated heritage assets, prioritising their repair and restoration</u> and meet the following site specific requirements:</p>	To update listing status and to address the representation by Historic England.
MM93	Supporting text to Policy SSA6	<p><b>SSA5 Madeira Terrace and Madeira Drive</b></p>	To update listing status and to address

Mod. Number	Proposed Submission City Plan Part 2 Reference	Modification Proposed	Reason for Modification
	paragraph 3.44 page 165	<p><i>Amend first sentence of supporting text at paragraph 3.44 and add new sentence to end of the paragraph to read:</i></p> <p>Madeira Terrace is a <del>Grade II listed</del> unique structure running half a mile along the seafront and includes 151 separate arches, a Victorian promenade with raised walkway, access stairs, associated buildings and lift towers. It is considered to be the longest cast iron structure in Britain, running from the Aquarium Colonnade to the Volk's Railway maintenance building. Since 2012 Madeira Terrace has been closed to the public as the structure has degraded and become unsafe. <u>Madeira Terrace, Lift and Shelter Hall have been re-graded to II* and have been added to the Historic England list of heritage assets at risk. The East Cliff Conservation Area, within which Madeira Terrace plays a key part, has also been identified as at risk.</u></p>	the representation by Historic England.
MM94	Policy SSA6 paragraph 3.45 page 165	<p><b><i>SSA5 Madeira Terrace and Madeira Drive</i></b>  <i>Amend first, third and fourth sentence of supporting text at paragraph 3.45 to read:</i></p> <p>The council is committed to the retaining, restoring and reactivating the Grade II* listed structure. The council has allocated £13.4million funding for Madeira Terraces restoration. The renovation of Madeira Terrace will need to be sensitive to the structure's unique <u>and intrinsic heritage value and informed by a Conservation Management Plan which will be a material planning consideration.</u> <del>and</del> <u>Proposals will need to be financially sustainable commercially viable in order to pay for its contribute to its restoration and long term maintenance. A potential option is to develop new uses and activities within</u> <del>It is likely that a variety of commercial uses will be placed in the arches of Madeira Terrace.</del></p>	Amendments to update the supporting text of the policy to refer to the Conservation Management Plan and updated listing status.
MM95	Supporting text to Policy SSA6 paragraph 3.46 page 165	<p><b><i>SSA5 Madeira Terrace and Madeira Drive</i></b>  <i>Amend paragraph 3.46 of supporting text to read:</i></p> <p>Uses should be complementary to the area and the vision for this part of the seafront and could include a wide variety of uses such as cafes, bars, restaurants, boutique retail, an arts centre/</p>	In response to representations submitted by The Brighton Society, Regency Society and

Mod. Number	Proposed Submission City Plan Part 2 Reference	Modification Proposed	Reason for Modification
		<p>Heritage Interpretation and Learning centre, an outdoor sports activity centre, museum space, a hub for creative industries with incubator/ workspace and small scale/ <u>boutique visitor accommodation (with limited service) boutique hotel</u>. However, residential use will not be permitted. Careful consideration needs to be given to the relationship and connection between <u>potential the businesses within the arches and Madeira Terrace’s historic use for walking and as a ‘grandstand’ and the wider area’s ongoing role as Brighton and Hove’s premier events space and the beach. An initial phase of repair or regeneration is likely to inform a holistic strategy for Madeira Terrace*.</u></p> <p><i>And add new footnote*:</i> <u>The Madeira Terrace 30 Project was commissioned in 2020 to consider the initial phase of repair and regeneration of part of the Madeira Terrace.</u></p>	to update supporting text in relation to the Madeira Terrace 30 project.
MM96	Supporting text to Policy SSA6 paragraph 3.47 page 165	<p><b>SSA5 Madeira Terrace and Madeira Drive</b>  <i>Amend the second sentence in paragraph 3.47 of the supporting text to read:</i></p> <p>A number of options will need to be considered <del>such as the feasibility</del> <u>including the reopening of the closed staircases between Marine Parade and Madeira Drive and the feasibility of improving lift access to include whether Madeira Lift could be opened all year round and/or the provision of additional lift access, as well as improved wayfinding and reducing the severance caused by the Volks railway whilst improving its visual setting.</u></p>	In response to representations submitted by The Brighton Society, Regency Society
MM97	Policy SSA6, page 167	<p><b>SSA6 Former Peter Pan leisure site (adjacent Yellow Wave), Madeira Drive</b>  <i>Amend the two bullet points under first paragraph of policy to read:</i></p> <ul style="list-style-type: none"> <li>• leisure uses (Use Classes <del>D2E</del> (d) and F2) or art and heritage uses (Use Classes <del>D1</del> <u>F1(b) and F1 (c)</u>) appropriate to the character of the seafront providing the main use of the site; and</li> <li>• ancillary supporting retail uses (Use Classes <del>A1, A3, A4 and A5</del> <u>E (a), E (b), Public house, wine bar, or drinking establishment (Sui Generis) and hot food takeaway for the sale of hot food where consumption of that food is mostly undertaken off the premises (Sui Generis).</u></li> </ul>	To reflect changes to the Use Classes Order

Mod. Number	Proposed Submission City Plan Part 2 Reference	Modification Proposed	Reason for Modification						
MM98	Policy SSA7, page 169	<p><b>SSA7 Land Adjacent to American Express Community Stadium, Village Way</b>  Amend bullet point under first paragraph of policy to read:</p> <ul style="list-style-type: none"> <li>• <del>B1a</del> <u>E(g)</u> (i) (offices), <del>D1</del> <u>E</u> (e) (health) F1 (a), (health/education) and/or other ancillary uses directly associated with the Stadium and/or Sussex and Brighton Universities.</li> </ul>	To reflect changes to the Use Classes Order						
MM99	Supporting text to SSA7, page 170	<p><b>SSA7 Land Adjacent to American Express Community Stadium, Village Way</b>  Amend final sentence in paragraph 3.54 to read:</p> <p>The site provides an opportunity to enhance the facilities of the Stadium by providing for example <del>B1a</del> offices or <del>D1</del> health/ education uses associated with the Stadium or the Universities.</p>	To reflect changes to the Use Classes Order						
MM100	Supporting text to Policy SSA7 paragraph 3.59 page 170	<p><b>SSA7 Land Adjacent to American Express Community Stadium, Village Way</b>  In paragraph 3.59 of supporting text amend first sentence to read:</p> <p>“The design and massing of any proposed development will need to consider <u>by way of a Heritage Impact Assessment</u> the visual impact of the Grade II registered historic Stanmer Park and Listed Buildings within the University of Sussex campus (see Policy DM29 The Setting of Heritage Assets).</p>	To clarify the means of carrying out the visual impact assessment and to respond to Historic England’s representation.						
MM101	Policy H1 page 172	<p><b>Amend policy wording to read:</b></p> <p>Planning permission will be granted for proposals that accord with the Development Plan and which provide the <del>minimum</del> indicative amounts of development shown in the tables.</p>	For coherence and in response to a representation						
MM102	Policy H1, Table 6 page 174	<p><b>Policy H1 Housing Sites and Mixed Use Sites</b>  Table 6 – Residential Site Allocations amend Table 6 to delete:</p> <table border="1" data-bbox="562 1246 1234 1358"> <thead> <tr> <th>Site Name</th> <th>Indicative number of Residential</th> <th>Permitted additional Uses</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Site Name	Indicative number of Residential	Permitted additional Uses				Deletion in response to a representation from the landowner confirming the site will not be made available for redevelopment during the plan period.
Site Name	Indicative number of Residential	Permitted additional Uses							



Mod. Number	Proposed Submission City Plan Part 2 Reference	Modification Proposed			Reason for Modification									
		2-16 Coombe Road	Units (Use Class C3) 33	B1 starter business units/affordable workspace at ground floor.										
MM103	Policy H1, Table 6 page 175	<p><b>Policy H1 Housing Sites and Mixed Use Sites</b>  <i>Table 6 – Residential Site Allocations amend the table to add the following rows to read:</i></p> <table border="1" data-bbox="562 775 1234 1214"> <thead> <tr> <th data-bbox="562 775 786 959">Site Name</th> <th data-bbox="786 775 1010 959">Indicative number of Residential Units (Use Class C3)</th> <th data-bbox="1010 775 1234 959">Permitted additional Uses</th> </tr> </thead> <tbody> <tr> <td data-bbox="562 959 786 1102"><u>Land at Preston Road / Campbell Road, Brighton</u></td> <td data-bbox="786 959 1010 1102"><u>24</u></td> <td data-bbox="1010 959 1234 1102"></td> </tr> <tr> <td data-bbox="562 1102 786 1214"><u>154 Old Shoreham Road, Hove</u></td> <td data-bbox="786 1102 1010 1214"><u>30</u></td> <td data-bbox="1010 1102 1234 1214"><u>E class uses on ground floor</u></td> </tr> </tbody> </table>			Site Name	Indicative number of Residential Units (Use Class C3)	Permitted additional Uses	<u>Land at Preston Road / Campbell Road, Brighton</u>	<u>24</u>		<u>154 Old Shoreham Road, Hove</u>	<u>30</u>	<u>E class uses on ground floor</u>	In response to consideration of omission sites put forward at Regulation 19 consultation stage which have been assessed to be suitable and available sites for housing development.
Site Name	Indicative number of Residential Units (Use Class C3)	Permitted additional Uses												
<u>Land at Preston Road / Campbell Road, Brighton</u>	<u>24</u>													
<u>154 Old Shoreham Road, Hove</u>	<u>30</u>	<u>E class uses on ground floor</u>												
MM104	Policy H1, Table 6	<p><b>Policy H1 Housing Sites and Mixed Use Sites</b>  <i>Table 6 – Residential Site Allocations amend Table 6 to delete:</i></p>			Deletions to reflect the substantial completion of									

Mod. Number	Proposed Submission City Plan Part 2 Reference	Modification Proposed			Reason for Modification			
		Site Name	Indicative number of Residential Units (Use Class C3)	Permitted additional Uses	development on these sites.			
87 Preston Road, Brighton, BN1 4QG	25							
George Cooper House, 20-22 Oxford Street, Brighton	20	Retail at ground floor level.						
Whitehawk Clinic, Whitehawk Road, Brighton#	38							
Buckley Close garages, Hangleton #	12							
189 Kingsway, Hove #	60							
Kings House, Grand Avenue, Hove #	169							
MM105	Policy H1, Table 6 page 175	<p><b>Policy H1 Housing Sites and Mixed Use Sites</b>  <i>Table 6 – Residential Site Allocations amend the Total row to read:</i></p> <table border="1" data-bbox="562 963 1675 1002"> <tr> <td data-bbox="562 963 936 1002"><b>TOTAL</b></td> <td data-bbox="936 963 1303 1002"><b>1,051- 758</b></td> <td data-bbox="1303 963 1675 1002"></td> </tr> </table>			<b>TOTAL</b>	<b>1,051- 758</b>		To reflect changes to site allocations detailed above.
<b>TOTAL</b>	<b>1,051- 758</b>							

Mod. Number	Proposed Submission City Plan Part 2 Reference	Modification Proposed	Reason for Modification									
MM106	Policy H1, Table 6 pages 173 - 175	<p><b>Policy H1 Housing Sites and Mixed Use Sites</b>  <i>Table 6 – Residential Site Allocations amend the following rows in Table 6 to read:</i></p> <table border="1" data-bbox="562 448 1568 946"> <thead> <tr> <th data-bbox="562 448 958 655">Site Name</th> <th data-bbox="958 448 1176 655">Indicative number of Residential Units (Use Class C3)</th> <th data-bbox="1176 448 1568 655">Permitted additional Uses</th> </tr> </thead> <tbody> <tr> <td data-bbox="562 655 958 820">Land between Manchester Street/Charles Street, Brighton, BN2 1TF#</td> <td data-bbox="958 655 1176 820">12</td> <td data-bbox="1176 655 1568 820"><del>B1-E class employment</del> floorspace or <del>D2</del> entertainment <u>and leisure</u> uses.</td> </tr> <tr> <td data-bbox="562 820 958 946">Saunders Glassworks, Sussex Place, Brighton, BN2 9QN#</td> <td data-bbox="958 820 1176 946">49</td> <td data-bbox="1176 820 1568 946"><u>E class uses</u></td> </tr> </tbody> </table>	Site Name	Indicative number of Residential Units (Use Class C3)	Permitted additional Uses	Land between Manchester Street/Charles Street, Brighton, BN2 1TF#	12	<del>B1-E class employment</del> floorspace or <del>D2</del> entertainment <u>and leisure</u> uses.	Saunders Glassworks, Sussex Place, Brighton, BN2 9QN#	49	<u>E class uses</u>	To reflect changes to the Use Classes Order and in response to a representation from the landowner of the Saunders Glassworks site
Site Name	Indicative number of Residential Units (Use Class C3)	Permitted additional Uses										
Land between Manchester Street/Charles Street, Brighton, BN2 1TF#	12	<del>B1-E class employment</del> floorspace or <del>D2</del> entertainment <u>and leisure</u> uses.										
Saunders Glassworks, Sussex Place, Brighton, BN2 9QN#	49	<u>E class uses</u>										
MM107	Policy H1, page 176	<p><b>Policy H1 Housing Sites and Mixed Use Sites</b>  <i>Amend the following rows in Table 7 Mixed Use Housing Site Allocations to read:</i></p> <table border="1" data-bbox="562 1139 1606 1319"> <thead> <tr> <th data-bbox="562 1139 974 1319">Site Name</th> <th data-bbox="974 1139 1198 1319">Indicative <u>number of</u> Residential Units (Use Class C3)</th> <th data-bbox="1198 1139 1606 1319">Minimum Requirements for Other Uses</th> </tr> </thead> <tbody> <tr> <td data-bbox="562 1319 974 1319"></td> <td data-bbox="974 1319 1198 1319"></td> <td data-bbox="1198 1319 1606 1319"></td> </tr> </tbody> </table>	Site Name	Indicative <u>number of</u> Residential Units (Use Class C3)	Minimum Requirements for Other Uses				For consistency with the heading in Table 6 and to reflect changes to the Use Classes Order			
Site Name	Indicative <u>number of</u> Residential Units (Use Class C3)	Minimum Requirements for Other Uses										

Mod. Number	Proposed Submission City Plan Part 2 Reference	Modification Proposed			Reason for Modification
		71 - 76 Church Street, Brighton	50	<del>B1 E(g)</del> Employment floorspace on the ground floor <del>which could include small scale workshop type units.</del>	
		Post Office site, 62 North Road, Brighton#	110	3000sqm <del>B1</del> <u>E(g)</u> employment floorspace.	
		27-31 Church Street (corner with Portland Street)#Ω	10	630sqm E(g) employment floorspace <del>B1</del> Offices.	
		Former Dairy Crest Site, 35-39 The Drove way, Hove, #	14	500sqm <del>B</del> <u>E</u> use class employment uses, ancillary retail.	
		Kingsway/Basin Road North (Site AB4 in Shoreham Harbour Joint Area Action Plan (JAAP) Policy CA2)#	90	Use classes <del>B1</del> <u>E(g)</u> and B2 at Basin Road North level, use classes <u>E</u> A2, <del>B1</del> and ancillary <del>A1</del> at Kingsway level, and use class C3 on upper storeys.	
		Prestwich House, North Street, Portslade (Site SP1 in JAAP Policy CA3)	15	Use class <del>B1</del> <u>E(g)</u> on lower storeys.	

Mod. Number	Proposed Submission City Plan Part 2 Reference	Modification Proposed			Reason for Modification
		Regency House, North Street, Portslade (Site SP4 in JAAP Policy CA3)	45	Use class <del>B1</del> <u>E(g)</u> on lower storeys	
		Former Flexer Sacks, Wellington Road, Portslade (Site SP5 in JAAP Policy CA3)	45	Use class <del>B1</del> <u>E(g)</u> on lower storeys and use class C3 on upper storeys. Associated leisure <del>and assembly (use class D)</del> uses may be permitted provided they are demonstrated to be compatible with residential and employment uses in the vicinity.	
		Church Road/ Wellington Road/ St Peter's Road (Site SP6 in JAAP Policy CA3)	25	The southern portion of the site is allocated for new employment development (use classes <del>B1</del> <u>E(g)</u> , B2 and B3).	
		Station Road site, Portslade (Site SP7 in JAAP Policy CA3)	15	Use classes A1, A2, A3 and <del>B1</del> <u>E</u> fronting Station Road.	
MM108	Policy H2 – Table 8 Urban Fringe Allocations, page 180	<p><b>Policy H2 Housing Sites – Urban Fringe</b></p> <p><i>Table 8 Urban Fringe Allocations amend table to delete 'Land at and Adjoining Horsdean Recreation Ground, Patcham' and associated detail:</i></p>			In response to further evidence relating to site developability and integrity of Patcham Court Field Local Wildlife Site (Urban

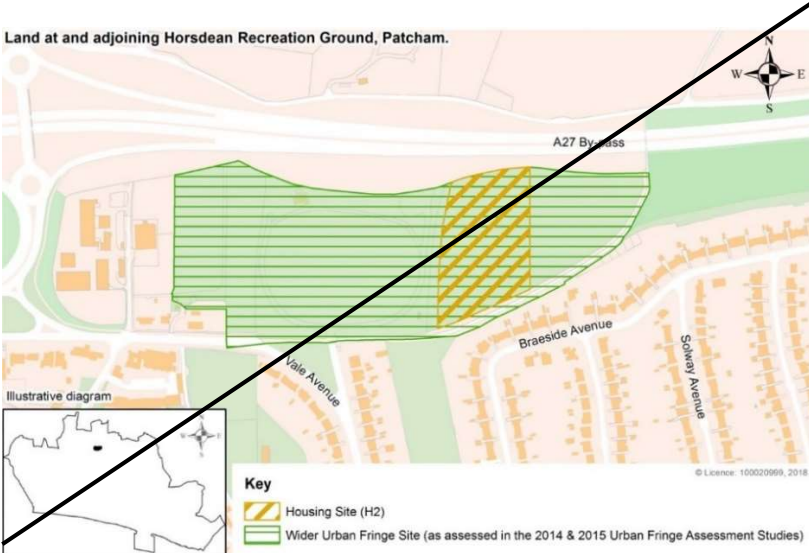
Mod. Number	Proposed Submission City Plan Part 2 Reference	Modification Proposed	Reason for Modification														
		<table border="1"> <thead> <tr> <th data-bbox="560 523 745 804">Site Name</th> <th data-bbox="745 523 893 804">UFA Reference</th> <th data-bbox="893 523 1005 804">Total Site Area (Hectares)</th> <th data-bbox="1005 523 1140 804">Area of Development Potential (Hectares)</th> <th data-bbox="1140 523 1247 804">Potential Number of Dwelling Units<sup>1</sup></th> <th data-bbox="1247 523 1364 804">Indicative Percentage of Family Sized Housing (3+ bedroom)</th> <th data-bbox="1364 523 1581 804">Key Site Considerations</th> </tr> </thead> <tbody> <tr> <td data-bbox="560 804 745 1123"><b>Land at and adjoining Horsdean Recreation Ground, Patcham</b></td> <td data-bbox="745 804 893 1123">Site 16 (2014 UFA); Study Area L4 (2015 UFA);</td> <td data-bbox="893 804 1005 1123">6.32</td> <td data-bbox="1005 804 1140 1123">1.17</td> <td data-bbox="1140 804 1247 1123">25</td> <td data-bbox="1247 804 1364 1123">50%</td> <td data-bbox="1364 804 1581 1123"> <ul style="list-style-type: none"> <li>•ecology</li> <li>•heritage</li> <li>•open space</li> <li>•landscape</li> <li>•Groundwater Source Protection Zone</li> <li>•archaeology</li> <li>•ground water flooding<sup>146</sup></li> </ul> </td> </tr> </tbody> </table>	Site Name	UFA Reference	Total Site Area (Hectares)	Area of Development Potential (Hectares)	Potential Number of Dwelling Units <sup>1</sup>	Indicative Percentage of Family Sized Housing (3+ bedroom)	Key Site Considerations	<b>Land at and adjoining Horsdean Recreation Ground, Patcham</b>	Site 16 (2014 UFA); Study Area L4 (2015 UFA);	6.32	1.17	25	50%	<ul style="list-style-type: none"> <li>•ecology</li> <li>•heritage</li> <li>•open space</li> <li>•landscape</li> <li>•Groundwater Source Protection Zone</li> <li>•archaeology</li> <li>•ground water flooding<sup>146</sup></li> </ul>	Fringe Assessment 2021 Update).
Site Name	UFA Reference	Total Site Area (Hectares)	Area of Development Potential (Hectares)	Potential Number of Dwelling Units <sup>1</sup>	Indicative Percentage of Family Sized Housing (3+ bedroom)	Key Site Considerations											
<b>Land at and adjoining Horsdean Recreation Ground, Patcham</b>	Site 16 (2014 UFA); Study Area L4 (2015 UFA);	6.32	1.17	25	50%	<ul style="list-style-type: none"> <li>•ecology</li> <li>•heritage</li> <li>•open space</li> <li>•landscape</li> <li>•Groundwater Source Protection Zone</li> <li>•archaeology</li> <li>•ground water flooding<sup>146</sup></li> </ul>											
MM109	Policy H2 – Table 8 Urban Fringe Allocations, page 182	<p><b>Policy H2 Housing Sites – Urban Fringe</b></p> <p><i>Table 8 Urban Fringe Allocations amend the following row to read:</i></p>	Total Site Area amended to reflect proposed change to site allocation boundary as shown on the Policies Map. Area of development														

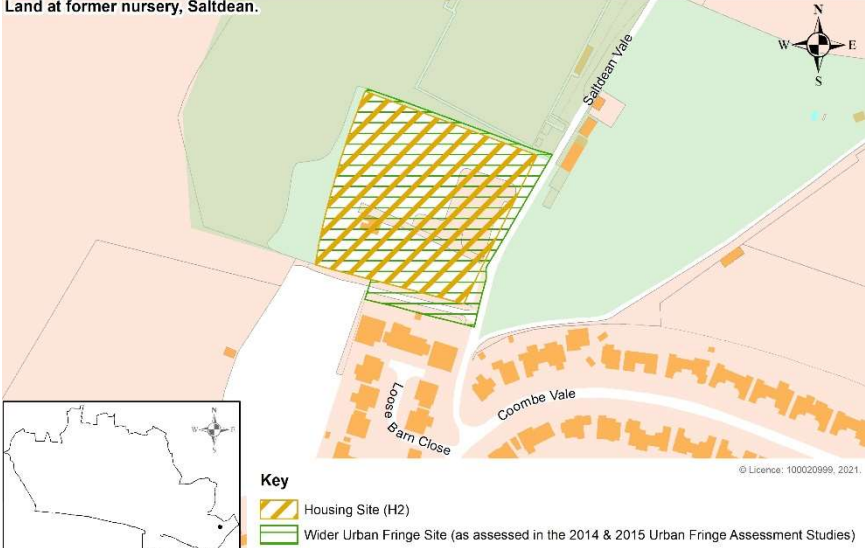


Mod. Number	Proposed Submission City Plan Part 2 Reference	Modification Proposed						Reason for Modification														
		<table border="1"> <thead> <tr> <th data-bbox="560 525 719 740">Site Name</th> <th data-bbox="719 525 860 740">UFA Reference</th> <th data-bbox="860 525 1003 740">Total Site Area (Hectares)</th> <th data-bbox="1003 525 1182 740">Area of Development Potential (Hectares)</th> <th data-bbox="1182 525 1312 740">Potential Number of Dwelling Units<sup>1</sup></th> <th data-bbox="1312 525 1471 740">Indicative Percentage of Family Sized Housing (3+ bedroom)</th> <th data-bbox="1471 525 1673 740">Key Site Considerations</th> </tr> </thead> <tbody> <tr> <td data-bbox="560 740 719 1054">Land at former nursery, Saltdean #</td> <td data-bbox="719 740 860 1054">Site 46a (2014 UFA); Study Area E14 (2015 UFA);</td> <td data-bbox="860 740 1003 1054">0.96 0.83</td> <td data-bbox="1003 740 1182 1054">0.96 0.75</td> <td data-bbox="1182 740 1312 1054">24 18</td> <td data-bbox="1312 740 1471 1054">50%</td> <td data-bbox="1471 740 1673 1054"> <ul style="list-style-type: none"> <li>• surface and ground water flooding<sup>139</sup></li> <li>• landscape</li> <li>• Groundwater Source Protection Zone</li> <li>• wastewater infrastructure</li> </ul> </td> </tr> </tbody> </table>						Site Name	UFA Reference	Total Site Area (Hectares)	Area of Development Potential (Hectares)	Potential Number of Dwelling Units <sup>1</sup>	Indicative Percentage of Family Sized Housing (3+ bedroom)	Key Site Considerations	Land at former nursery, Saltdean #	Site 46a (2014 UFA); Study Area E14 (2015 UFA);	0.96 0.83	0.96 0.75	24 18	50%	<ul style="list-style-type: none"> <li>• surface and ground water flooding<sup>139</sup></li> <li>• landscape</li> <li>• Groundwater Source Protection Zone</li> <li>• wastewater infrastructure</li> </ul>	Potential and Potential Number of Dwelling Units amended to reflect recommendations of the Urban Fringe Assessment 2021 Update.
Site Name	UFA Reference	Total Site Area (Hectares)	Area of Development Potential (Hectares)	Potential Number of Dwelling Units <sup>1</sup>	Indicative Percentage of Family Sized Housing (3+ bedroom)	Key Site Considerations																
Land at former nursery, Saltdean #	Site 46a (2014 UFA); Study Area E14 (2015 UFA);	0.96 0.83	0.96 0.75	24 18	50%	<ul style="list-style-type: none"> <li>• surface and ground water flooding<sup>139</sup></li> <li>• landscape</li> <li>• Groundwater Source Protection Zone</li> <li>• wastewater infrastructure</li> </ul>																
MM110	Policy H3, Table 9 page 186	<p><b>Policy H3 Purpose Built Student Accommodation</b> Amend policy at Table 9 Purpose Built Student Accommodation Sites - delete row:</p> <table border="1"> <thead> <tr> <th data-bbox="560 1166 904 1254">Site Name</th> <th data-bbox="904 1166 1243 1254">Indicative number of bedspaces</th> <th data-bbox="1243 1166 1583 1254">Other Required Uses</th> </tr> </thead> <tbody> <tr> <td data-bbox="560 1254 904 1353"><del>118-132 London Road, Brighton</del></td> <td data-bbox="904 1254 1243 1353"><del>232</del></td> <td data-bbox="1243 1254 1583 1353"><del>Ground floor uses must comply with Policy DM12</del></td> </tr> </tbody> </table>						Site Name	Indicative number of bedspaces	Other Required Uses	<del>118-132 London Road, Brighton</del>	<del>232</del>	<del>Ground floor uses must comply with Policy DM12</del>	Development of this site for PBSA is substantially complete.								
Site Name	Indicative number of bedspaces	Other Required Uses																				
<del>118-132 London Road, Brighton</del>	<del>232</del>	<del>Ground floor uses must comply with Policy DM12</del>																				

Mod. Number	Proposed Submission City Plan Part 2 Reference	Modification Proposed	Reason for Modification
MM111	Supporting text to Policy H2 Paragraph 3.73 page 184	<p><b>Policy H2 Housing Sites – Urban Fringe</b>  <i>Amend part of final sentence in the supporting text at paragraph 3.73 to read:</i></p> <p><del>Ecological Assessment including Protected Species Survey</del> <u>Ecological Impact Assessment</u></p>	In response to a representation by the ESCC County Ecologist, as the submission of a single Ecological Impact Assessment (rather than multiple reports) reflects good practice.
MM112	Supporting Text to Policy H2 Paragraph 3.76 page 185	<p><b>Policy H2 Housing Sites – Urban Fringe</b>  <i>Amend second sentence of supporting text at paragraph 3.76 to read:</i></p> <p>“However, <del>detailed</del> surveys (including species surveys) will be required to support development proposals, and these must be used to inform the development of specific mitigation requirements.”</p>	For accuracy in response to a representation from the ESCC County Ecologist.
MM113	Supporting text to Policy H3 page 186	<p><b>Policy H3 Purpose Built Student Accommodation</b>  <i>Add new paragraph after paragraph 3.81 to read:</i></p> <p><u>“Where a site is located in an area with underground chalk aquifers identified as Groundwater Source Protection Zones by the Environment Agency, development will need to ensure that groundwater resources are protected from pollution and safeguard water supplies, in line with the requirements of Policy DM42.”</u></p>	For consistency with other policies in response to a representation from the Environment Agency
MM114	Policy E1, page 187	<p><b>Policy E1 Opportunity site for business and warehouse uses</b>  <i>Amend bullet point after first paragraph of policy to read:</i></p> <ul style="list-style-type: none"> <li>• Business and warehouse premises (Use Classes <del>B1</del> <u>E(g)</u> and B8).</li> </ul>	To reflect changes to the Use Classes Order



Mod. Number	Proposed Submission City Plan Part 2 Reference	Modification Proposed	Reason for Modification
MM115	Supporting text to Policy E1, paragraph 3.87, page 188	<p><b><i>E1 Opportunity site for business and warehouse uses</i></b></p> <p><i>Amend last sentence of supporting text at paragraph 3.87 to read:</i></p> <p><del>Regard should be given to the need to conserve and enhance biodiversity in accordance with CP10 Biodiversity and DM37 Green Infrastructure and Nature Conservation. In accordance with Policy DM37, development proposals must demonstrate that any adverse effects would not undermine the objectives of the designation, features of interest/importance and/or integrity of the area and that impacts can be mitigated and biodiversity net gains achieved.</del></p>	For consistency and to better accord with NPPF.
MM116	Appendix 2, page 198	<p><b><i>Appendix 2 Parking Standards</i></b></p> <p><i>Add wording before table in Appendix 2:</i></p> <p><u>Where the parking standards set out below refer to a revoked use class the relevant standard should be applied as if they refer to the corresponding use in the new Use Class Order which came into effect in September 2020. For example, use class A1 has been revoked and is replaced by use class E(a).</u></p>	For clarity given changes to Use Class Order.

Mod. Number	Proposed Submission City Plan Part 2 Reference	Modification Proposed	Reason for Modification
MM117	Appendix 4 - Policy H2 Urban Fringe Housing Site Maps, page 211	<p><b>Appendix 4 Policy H2 Urban Fringe Housing Site Maps</b>  Delete indicative map titled 'Land at and adjoining Horsdean Recreation Ground':</p> 	As consequence of proposed deletion of site allocation in response to further evidence relating to site developability (Urban Fringe Assessment 2021 Update).
MM118	Appendix 4 - Policy H2 Urban Fringe Housing Site Maps, page 215	<p><b>Appendix 4 Policy H2 Urban Fringe Housing Site Maps</b>  Amend the site boundary of the indicative map titled 'Land at former nursery, Saltdean' (see also proposed changes to the Policy Map). New map is shown below:</p>	Amendment to boundary of Policy H2 Site 46a to remove land in the ownership of a neighbouring landowner.

Mod. Number	Proposed Submission City Plan Part 2 Reference	Modification Proposed	Reason for Modification
		<p>Land at former nursery, Saltdean.</p>  <p>Key</p> <ul style="list-style-type: none"> <li> Housing Site (H2)</li> <li> Wider Urban Fringe Site (as assessed in the 2014 &amp; 2015 Urban Fringe Assessment Studies)</li> </ul>	

**Table 2 - Additional Modifications (factual, grammatical or typographical changes)**

Mod. Number	Proposed Submission City Plan Part 2 Reference	Modification Proposed	Reason for Modification
AM01	Introduction paragraph 1.8 page 8	<p><b><i>Relationship with other DPDs</i></b>  <i>Move the following text from paragraph 1.9 to paragraph 1.8 and amend as follows:</i></p> <p><b>“Shoreham Harbour Joint Area Action Plan (JAAP)<sup>2</sup> – provides a comprehensive, deliverable plan for the <u>regeneration future revitalization</u> of Shoreham Harbour. The JAAP was prepared jointly with Adur District Council and West Sussex County Council.”</b></p>	Factual update to reflect adoption of JAAP.
AM02	Introduction paragraph 1.9 page 8	<p>Add the following text to paragraph 1.9</p> <p><b><u>“Review of the Waste and Minerals Local Plan – a focussed review of certain policies in the Waste &amp; Minerals Local Plan”</u></b>.</p> <p>And amend the following text at paragraph 1.9 and delete associated footnote:</p> <p><b><u>Community Infrastructure Levy (CIL) – once adopted CIL came into effect on the 5 October 2020 and allows local authorities to raise funds from development for the provision of infrastructure in and around their areas.</u></b></p> <p><del>1. Following an examination in public and consultation on proposed modifications CIL is expected to be adopted in June and introduced in October 2020.</del></p>	Factual updates.
AM03	Introduction, paragraph 1.10 page 9	<p><b><i>Duty to Cooperate</i></b>  <i>Amend the last sentence at the end of the paragraph to read:</i></p> <p><b><u>“A duty to Cooperate Update Paper is published alongside the Proposed Submission City Plan Part 2 and will include an updated Statement of Common Ground prepared by the West Sussex and Greater Brighton Local Planning Authorities. ”</u></b></p>	Factual update.

Mod. Number	Proposed Submission City Plan Part 2 Reference	Modification Proposed	Reason for Modification														
AM04	Table 1 page 10	<p><b><i>Table 1 Timetable for the Preparation of City Plan Part Two</i></b>  Delete table and associated footnote:</p> <p><b>Table 1 Timetable for the Preparation of City Plan Part Two</b></p> <table border="1" data-bbox="557 520 1718 1203"> <thead> <tr> <th data-bbox="557 520 1283 603">City Plan Part Two stage of plan preparation</th> <th data-bbox="1283 520 1718 603">Date</th> </tr> </thead> <tbody> <tr> <td data-bbox="557 603 1283 659">Scoping Document (Regulation 18)</td> <td data-bbox="1283 603 1718 659">June 2016</td> </tr> <tr> <td data-bbox="557 659 1283 715">Draft Plan and SA (Regulation 18)</td> <td data-bbox="1283 659 1718 715">Summer 2018</td> </tr> <tr> <td data-bbox="557 715 1283 807"><b>Publication of Proposed Submission City Plan Part 2</b></td> <td data-bbox="1283 715 1718 807"><b>Approved by Council 23 April 2020</b></td> </tr> <tr> <td data-bbox="557 807 1283 943">Regulation 19 Consultation</td> <td data-bbox="1283 807 1718 943">Dates to be confirmed after Coronavirus (Covid-19) restrictions are lifted.</td> </tr> <tr> <td data-bbox="557 943 1283 999">Submission to the Secretary of State</td> <td data-bbox="1283 943 1718 1203" rowspan="3">The timetable for next stages of the City Plan Part 2 will be published on the council's City Plan Part 2 webpage once a start date for the consultation has been set1.</td> </tr> <tr> <td data-bbox="557 999 1283 1054">Examination in Public</td> </tr> <tr> <td data-bbox="557 1054 1283 1203">Adoption of City Plan Part Two</td> </tr> </tbody> </table>	City Plan Part Two stage of plan preparation	Date	Scoping Document (Regulation 18)	June 2016	Draft Plan and SA (Regulation 18)	Summer 2018	<b>Publication of Proposed Submission City Plan Part 2</b>	<b>Approved by Council 23 April 2020</b>	Regulation 19 Consultation	Dates to be confirmed after Coronavirus (Covid-19) restrictions are lifted.	Submission to the Secretary of State	The timetable for next stages of the City Plan Part 2 will be published on the council's City Plan Part 2 webpage once a start date for the consultation has been set1.	Examination in Public	Adoption of City Plan Part Two	Editorial – not required for final version of plan.
City Plan Part Two stage of plan preparation	Date																
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Draft Plan and SA (Regulation 18)	Summer 2018																
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Submission to the Secretary of State	The timetable for next stages of the City Plan Part 2 will be published on the council's City Plan Part 2 webpage once a start date for the consultation has been set1.																
Examination in Public																	
Adoption of City Plan Part Two																	
AM05	Introduction paragraph 1.14 -1.18, page 11	<p><b><i>How to Comment on the Proposed Submission City Plan Part Two</i></b>  Delete paragraphs 1.14-1.18 and associated footnote as follows:</p> <p><del>How to Comment on the Proposed Submission City Plan Part Two</del></p>	Editorial - no longer required as consultation has occurred.														

Mod. Number	Proposed Submission City Plan Part 2 Reference	Modification Proposed	Reason for Modification
		<p>1.14 The public consultation is delayed due to the Coronavirus (Covid-19) restrictions. The timetable for next stages of the City Plan Part 2 will be published on the council's City Plan Part Two webpage once a start date for the consultation has been set. Paragraphs 1.15 – 1.17 apply once the consultation has commenced.</p> <p>1.15 The City Council would like your views on the Proposed Submission City Plan Part Two and whether you think it meets the government's tests of soundness and legally compliant 5. You do not have to comment on everything in the Proposed Submission City Plan Part Two. We want to hear your views on those aspects that are of most interest to you.</p> <p>1.16 We recommend you make your comments using the council's online consultation portal: <a href="http://consult.brighton-hove.gov.uk/portal">http://consult.brighton-hove.gov.uk/portal</a>. This will help us handle your comments quickly and efficiently.</p> <p>1.17 The Proposed Submission City Plan Part Two and supporting documents including the proposed changes to the Policies Map and the Sustainability Appraisal (SA) are available on the Council's website (<a href="https://www.brightonhove.gov.uk/content/planning/planning-policy/city-plan-part-two-proposedsubmission-stage-2020">https://www.brightonhove.gov.uk/content/planning/planning-policy/city-plan-part-two-proposedsubmission-stage-2020</a>) and once Coronavirus (Covid-19) restrictions are lifted, the council will make them available to be viewed at the customer service centres at Hove Town Hall and Bartholomew House Brighton and the main city Libraries (Jubilee, Hove and Portslade) during normal opening hours. The Proposed Submission CPP2 including the policies map and non-technical SA summary will be available to view at all other libraries during normal opening hours once Coronavirus (Covid-19) restrictions are lifted. Word versions of the Response Form are available on request to <a href="mailto:planningpolicy@brighton-hove.gov.uk">planningpolicy@brighton-hove.gov.uk</a></p> <p>1.18 The consultation period for the Proposed Submission City Plan Part Two will be set out in a Statement of Representations Procedure published on the council's City Plan Part Two webpage</p>	

Mod. Number	Proposed Submission City Plan Part 2 Reference	Modification Proposed	Reason for Modification
		once a start date has been set. Council's Consultation Portal: <a href="http://consult.brighton-hove.gov.uk/portal">http://consult.brighton-hove.gov.uk/portal</a> Email: <a href="mailto:planningpolicy@brighton-hove.gov.uk">planningpolicy@brighton-hove.gov.uk</a> (please respond using the Response Form) Post: Proposed Submission CPP2, Policy Projects and Heritage Team, Brighton & Hove City Council, First Floor Hove Town Hall, Norton Road, BN3 3BQ	
AM06	footnote 11 Page 15	<b>Policy DM1 Housing Quality, Choice and Mix</b> Amend footnote 11 to read: National Planning Policy Framework (NPPF) <del>(2019)</del> (2021) paragraph <del>61</del> 62	Factual update to paragraph number following updated NPPF 2021
AM07	Policy DM4 page 22	<b>DM4 Housing and Accommodation for Older Persons</b> <i>Add the following numbering to the second paragraph of policy to read:</i>  ' <u>1.</u> Development proposals....'	For clarity to avoid confusion between the two sets of policy criteria.
AM08	Policy DM4 page 22	<b>DM4 Housing and Accommodation for Older Persons</b> <i>Add the following numbering to the fourth paragraph of policy to read:</i>  ' <u>2.</u> Proposals that....'	For clarity to avoid confusion between the two sets of policy criteria.
AM09	Policy DM5 page 27	<b>DM5 Supported Accommodation (Specialist and Vulnerable Needs)</b> <i>Add the following numbering to the second paragraph of policy to read:</i>  ' <u>1.</u> Proposals for development ....'	For clarity to avoid confusion between the two sets of policy criteria.
AM10	Policy DM5 page 27	<b>DM5 Supported Accommodation (Specialist and Vulnerable Needs)</b> <i>Add the following numbering to the third paragraph of policy to read:</i>  ' <u>2.</u> Proposals that....'	For clarity to avoid confusion between the two sets of policy criteria.

Mod. Number	Proposed Submission City Plan Part 2 Reference	Modification Proposed	Reason for Modification
AM11	Policy DM6 Page 30, footnote 30	<p><b>Policy DM6 Build to Rent Housing</b> Amend footnote 30 to read:</p> <p>MHCLG National Planning Policy Framework, February <del>2019</del> <u>2021</u></p>	Factual update to paragraph number following updated NPPF 2021
AM12	Supporting text to Policy DM8, paragraph 2.72 page 37	<p><b>DM8 Purpose Built Student Accommodation</b> <i>Amend the first sentence of the supporting text at paragraph 2.72 to read:</i></p> <p>“However, the number of permitted PBSA bedspaces, <del>currently assessed to be 12,699,</del> remains below the number of students in the city requiring accommodation, particularly for students at the University of Brighton.”</p> <p><i>Delete associated footnote 36:</i></p> <p><del>36 3,146 bedspaces managed by University of Brighton, 8,167 managed by University of Sussex, and 1,386 privately managed.</del></p>	This figure is out-of-date as several large PBSA developments are currently being delivered. The number of bedspaces is changing and any figure in the Plan would rapidly become out-of-date. Stating it remains below the number of students will remain factually correct.
AM13	Supporting text to Policy DM8, paragraph 2.73	<p><b>DM8 Purpose Built Student Accommodation</b> <i>Amend the first sentence of the supporting text paragraph 2.73 to read:</i></p> <p>“The council welcomes the development of new PBSA on appropriate sites. In addition to setting out criteria to guide the suitable location of PBSA, City Plan Part One Policy CP21 allocated five sites for new development, <del>of which Pelham Street remains undeveloped and without an extant permission.</del>”</p>	Factual update.



Mod. Number	Proposed Submission City Plan Part 2 Reference	Modification Proposed	Reason for Modification
AM14	Footnote 43 Page 56	<p><b>Policy DM14 Commercial and Leisure Uses at Brighton Marina</b> Amend footnote to read:</p> <p>National Planning Policy Framework (NPPF) <del>(2019)</del> (2021) paragraphs <del>89-90-90-91</del></p>	update to paragraph number following updated NPPF 2021
AM15	Supporting text to Policy DM16 Paras 2.137 and 2.138	<p><b>DM16 Street Markets</b> <i>Amend supporting text at the first sentence of paragraph 2.137 and the first sentence of paragraph 2.138 to read:</i></p> <p>Street markets <u>and stalls</u> are also important for the establishment of new entrepreneurial business by Brighton &amp; Hove residents.</p> <p>The council will use conditions and/or obligations to ensure that the operation of markets <u>and stalls</u> do not have harmful impacts, and will require detailed layout plans as part of an application to allow consideration as to whether these matters have been properly addressed.</p>	For clarity
AM16	Policy DM22, Footnote 60 Page 82	<p><b>DM25 Communications Infrastructure</b> Amend footnote 60 to read: National Planning Policy Framework (NPPF), <del>(2021)</del> paragraph <del>116-118</del>.</p>	Factual update to paragraph number following updated NPPF 2021
AM17	Policy DM33, para 2.250 page 100	<p><b>Policy DM33 Safe, Sustainable and Active Travel</b> <i>Amend paragraph 2.250 to read:</i></p> <p>Brighton &amp; Hove is already one of the country's least car-dependent cities outside London, with 38.2% of households not owning a car. A number of high-quality improvements to the public realm have been implemented in recent years. These have taken different forms, for example the award-winning shared space scheme on New Road, <del>and the addition of wayfinding boards and fingerposts throughout the city centre, and with further improvements in the pipeline, notably the redesign of Valley Gardens.</del></p>	Factual update

Mod. Number	Proposed Submission City Plan Part 2 Reference	Modification Proposed	Reason for Modification
AM18	Policy DM37 page 111	<p><b>Policy DM37 Green Infrastructure and Nature Conservation</b>  <i>Add new section heading at start of section on protected sites to read:</i></p> <p><u>Designated Sites</u></p>	For clarity
AM19	Supporting text to Policy DM37 paragraph 2.275 page 113	<p><b>Policy DM37 Green Infrastructure and Nature Conservation</b>  <i>Amend the third sentence in paragraph 2.275 to read:</i></p> <p>Applicants must properly assess the harmful effects of their proposals on the natural environment/natural capital<sup>73</sup>, seek to minimise the impact and give full consideration to achieving biodiversity net gains, in particular to species and habitats of particular <u>principal</u> importance (formerly known <u>a</u>s BAP habitats)...</p>	Editorial and typographic corrections
AM20	Supporting text to Policy DM37 paragraph 2.275 page 113	<p><b>Policy DM37 Green Infrastructure and Nature Conservation</b>  <i>Amend the last sentence of paragraph 2.275 of supporting text to read:</i></p> <p>A Natural Capital Investment Strategy for Sussex <u>2019</u> <sup>74</sup> is being prepared which when adopted will guide the implementation of this policy.</p>	Factual update.
AM21	Supporting text to Policy DM37 paragraph 2.277	<p><b>Policy DM37 Green Infrastructure and Nature Conservation</b>  <i>Amend the second and third sentences of paragraph 2.277 of supporting text to read:</i></p> <p>However, the City's green infrastructure encompasses more than this 'spatial backbone' and includes; street trees, residential gardens, green roofs/walls and landscaped/flood management areas including sustainable drainage systems (SuDS). Cycling/walking routes and manmade features designed to enhance biodiversity/recreation (e.g. bird/bat boxes and bee bricks) are also important to the overarching concept in the City.</p>	Typographical correction


Mod. Number	Proposed Submission City Plan Part 2 Reference	Modification Proposed	Reason for Modification
AM22	Policy DM37 Footnote 75 page 113	<p><b>Policy DM37 Green Infrastructure and Nature Conservation</b>  Delete repeated text from footnote 75 as follows:</p> <p>The South Downs Way Ahead Nature Improvement Area (NIA) is one of 12 NIAs that were announced by Government in February 2012. It sets a landscape scale approach to biodiversity and focuses on safeguarding endangered chalk grassland, vital for rare and endangered wildlife and the provision of clean drinking water and green space</p>	Editorial correction.
AM23	Supporting text to Policy DM37 paragraph 2.280 page 114	<p><b>Policy DM37 Green Infrastructure and Nature Conservation</b>  Amend first sentence of paragraph 2.280 to read:</p> <p>Proposals must assess potential impacts on, nature conservation features (which includes geodiversity) <u>(see paragraph 2.282)</u>.</p>	For clarity.
AM24	Policy DM37 footnote 76 page 114	<p><b>Policy DM37 Green Infrastructure and Nature Conservation</b>  Amend footnote to read:</p> <p>The Sussex Biodiversity Record Centre (Woods Mill, Henfield) is the principal source of up-to -date desktop biodiversity information. The Booth Museum (Dyke Road, Brighton) <u>may also</u> holds <u>additional</u> data, <u>specifically regarding geodiversity that may be relevant for nature conservation surveys.</u></p>	Factual correction
AM25	Supporting text to Policy DM37 paragraph 2.282 page 115	<p><b>Policy DM37 Green Infrastructure and Nature Conservation</b>  Amend second sentence to supporting text at paragraph 2.282 to read:</p> <p>Ecological reports should be produced in line with the British Standard on biodiversity <del>management</del> <u>in planning and development</u> BS42020:2013 and CIEEM Technical Guidance (and subsequent revisions).</p>	Editorial correction

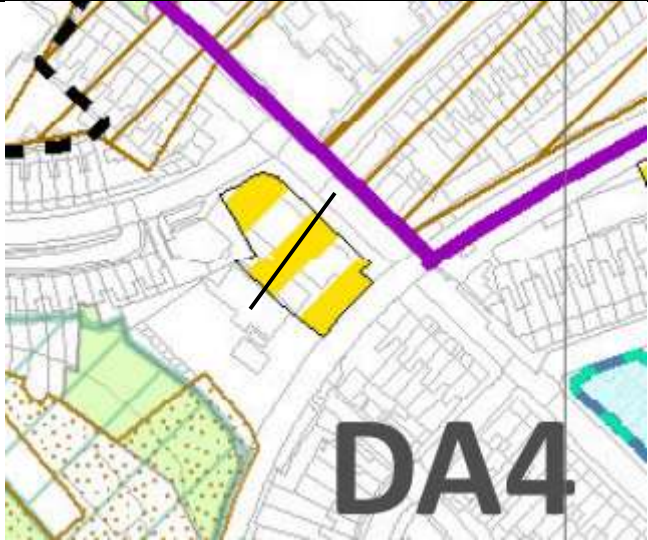

Mod. Number	Proposed Submission City Plan Part 2 Reference	Modification Proposed	Reason for Modification
AM26	Supporting text to Policy DM37 paragraph 2.282 page 115	<b>Policy DM37 Green Infrastructure and Nature Conservation</b> <i>Amend final sentence to supporting text at paragraph 2.282 to read:</i> Opportunities to deliver higher carbon dioxide savings through greater passive design, fabric and energy efficiency measures and low and zero carbon technologies will also be required (see CP8 Sustainable Buildings and DM443 Energy Efficiency and Renewables)	Editorial correction
AM27	Supporting text to Policy DM37 paragraph 2.285 page 116	<b>Policy DM37 Green Infrastructure and Nature Conservation</b> <i>Amend first sentence of paragraph 2.285 to read:</i>  Locally important sites include locally designated wildlife or geological sites; <del>{local geological sites (LGeoS)}</del> - (formerly called Regionally Important Geological and Geomorphological Sites (RIGGS)) of regional significance), local wildlife sites (LWS) and local nature reserve (LNRs).	Editorial correction
AM28	Policy DM38, Footnote 81 Page 117	<b>Policy DM38 Local Green Spaces</b> Amend footnote 81 to read: National Planning Policy Framework (NPPF) <del>(2018)</del> paragraphs <del>101 103</del> and <del>143-147 147-151</del> .	Factual update to paragraph number following updated NPPF 2021
AM29	Supporting text to DM40, Paragraph 2.308 Page 124	<b>Policy DM40 Protection of the Environment and Health – Pollution and Nuisance</b> This policy complements the AQAP by ensuring that all new developments adhere to the NPPF guidance that developments should contribute towards national objectives for pollutants (paragraph <del>181 186</del> of the NPPF <u>2021</u> )	Factual update to paragraph number following updated NPPF 2021
AM30	Policy DM40 Footnote 91 Page 125	<b>DM40 Protection of the Environment and Health – Pollution and Nuisance</b> Amend footnote 91 to read: National Planning Policy Framework (NPPF) (2021), Paragraph <del>182-186</del> .	Factual update to paragraph number following updated NPPF 2021
AM31	Policy DM44, footnote 103 Page 135	<b>DM44 Energy Efficiencies and Renewables</b> <i>Clarify Footnote 103:</i>	For clarification.

Mod. Number	Proposed Submission City Plan Part 2 Reference	Modification Proposed	Reason for Modification
		103: Carbon neutral recognises that it may not be possible to eliminate all emissions by this date, but that residual emissions can be off-set against carbon-positive measures such as tree planting. <u>The council will consider setting up a carbon offset scheme in the future.</u>	
AM32	Supporting text to Policy SSA4 Page 162	<p><b>SSA4 Sackville Trading Estate</b>  <i>Amend supporting text at paragraph 3.34 to read:</i></p> <p>3.34 The site also falls within the Hove Station Neighbourhood Forum area. A draft Neighbourhood Plan has been produced and was <u>formally</u> consulted on in <del>summer 2018</del> <u>Spring 2019</u>. The draft Plan sets out aspirations and priorities for the site and wider area (<u>identified in the draft Neighbourhood Plan as the Hove Station Quarter</u>). <u>Once adopted the Neighbourhood Plan, will form part of the Development Plan for the city.</u></p>	Factual update and to address representation by Hove Station Neighbourhood Forum
AM33	Footnote to SSA7, page 170	<p><b>SSA7 Land Adjacent to American Express Community Stadium, Village Way</b>  Amend footnote text and weblink to:  <sup>154</sup> <a href="https://www.southdowns.gov.uk/planning/planning-advice/landscape/">https://www.southdowns.gov.uk/planning/planning-advice/landscape/</a> <u>South Downs Landscape Character Assessment (LCA) 2020</u></p>	Factual update
AM34	Footnote 152, page 184	<p><b>Policy H2 Housing Sites – Urban Fringe</b>  <i>Amend Footnote 152 to read:</i></p> <p><sup>152</sup> Brighton &amp; Hove City Council Planning Advice Note 06 Food Growing and Development <del>September 2011</del>  <u>Updated September 2020</u></p>	Factual update
AM35	Footnote 154 page 185	<p><b>Policy H2 Housing Sites – Urban Fringe</b>  Amend footnote text and weblink to:  <sup>154</sup> <a href="https://www.southdowns.gov.uk/planning/planning-advice/landscape/">https://www.southdowns.gov.uk/planning/planning-advice/landscape/</a> <u>South Downs Landscape Character Assessment (LCA) 2020</u></p>	Factual update

Mod. Number	Proposed Submission City Plan Part 2 Reference	Modification Proposed	Reason for Modification
AM36	Appendix 6 pages 221-223	<b>Appendix 6 Proposed Changes to Policies Map – Tables 1 and 2</b> <i>Delete Appendix 6</i>	Editorial -description of changes not required for final adopted version of plan.

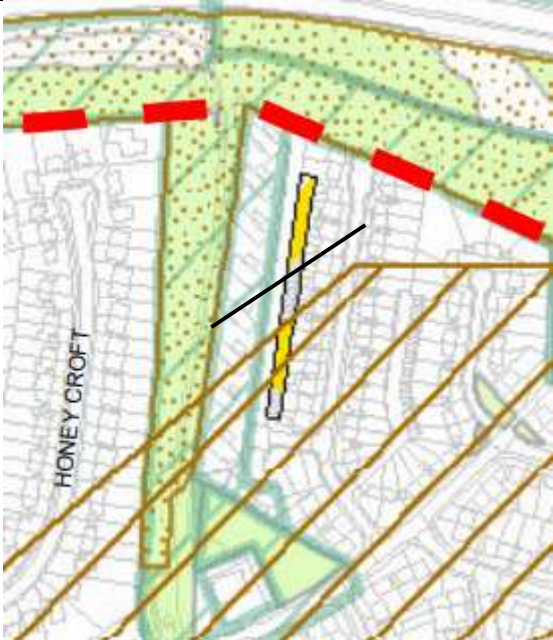
**Table 3 - Proposed Modifications to the Proposed Submission Policy Map**


Proposed Policy Map Change	Policy Reference	Modification Proposed	Reason for Modification
Map1	Policy H1	<p><b>Modification Proposed</b></p> <ul style="list-style-type: none"> <li>- diagonal line shows strike through of site allocation as shown on the Proposed Changes to the Policy Map</li> <li>- proposed amendments to site boundaries shown as dashed line overlain on the existing site boundary for ease of reading against the Proposed Changes to the Policy Map site boundary line</li> </ul> <p><b>Policy H1 Housing Sites and Mixed Use Sites</b>  Delete the following housing site allocation from the H1 layer as shown on the proposed changes to the policy map:  <b>2-16 Coombe Road</b></p> 	To align with proposed changes to Policy H1
Map2		<p><b>Policy H1 Housing Sites and Mixed Use Sites</b>  Delete the following housing site allocation from the H1 layer as shown on the proposed changes to the policy map:  <b>87 Preston Road, Brighton, BN1 4QG</b></p>	

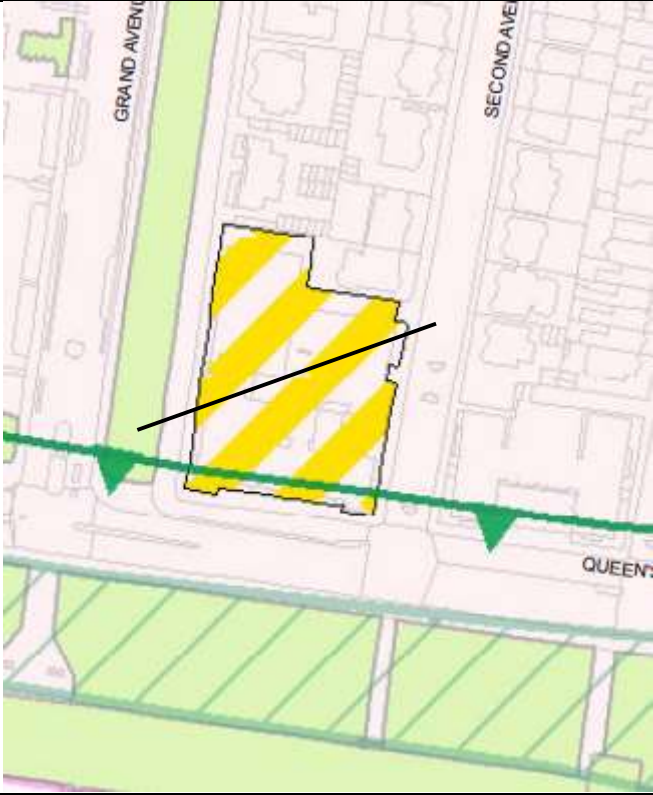
			
Map3	Policy H1	<p><b>Policy H1 Housing Sites and Mixed Use Sites</b>  Delete the following housing site allocation from the H1 layer as shown on the proposed changes to the policy map:  <b>George Cooper House, 20-22 Oxford Street, Brighton</b></p> 	To align with proposed changes to Policy H1
Map4	Policy H1	<p><b>Policy H1 Housing Sites and Mixed Use Sites</b>  Delete the following housing site allocation from the H1 layer as shown on the proposed changes to the policy map</p>	To align with proposed changes to Policy H1





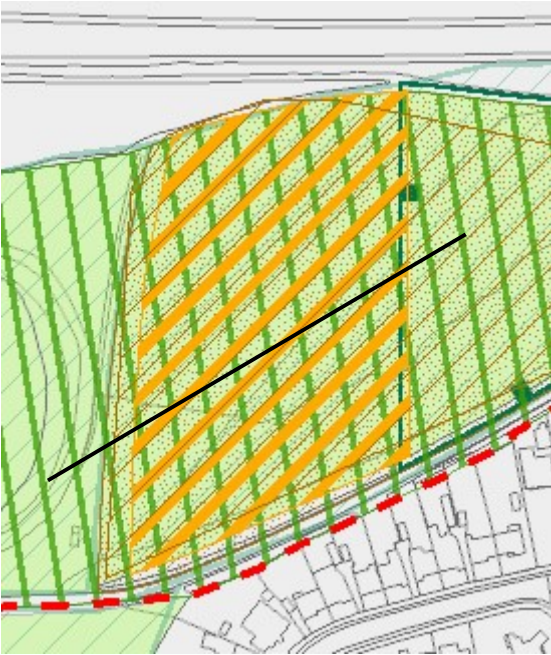
		<p><b>Whitehawk Clinic, Whitehawk Road, Brighton#</b></p> 	
Map5	Policy H1	<p><b>Policy H1 Housing Sites and Mixed Use Sites</b>  Delete the following housing site allocation from the H1 layer as shown on the proposed changes to the policy map  <b>Buckley Close garages, Hangleton</b></p>	To align with proposed changes to Policy H1

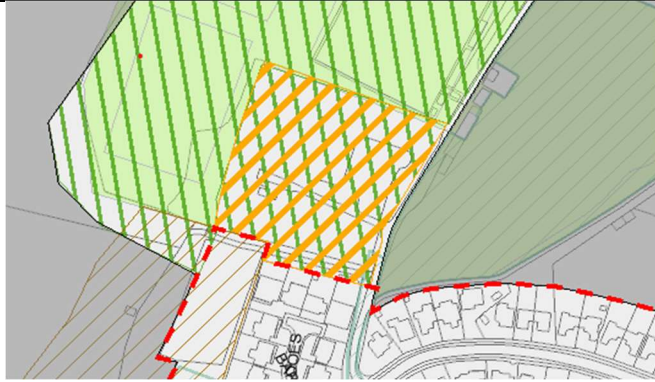
				
Map6	Policy H1	<p><b>Policy H1 Housing Sites and Mixed Use Sites</b>  Delete the following housing site allocation from the H1 layer as shown on the proposed changes to the policy map:  <b>189 Kingsway, Hove #</b></p>		To align with proposed changes to Policy H1

			
Map7	Policy H1	<p><b>Policy H1 Housing Sites and Mixed Use Sites</b>  Delete the following housing site allocation from the H1 layer as shown on the proposed changes to the policy map:  <b>Kings House, Grand Avenue, Hove #</b></p>	To align with proposed changes to Policy H1

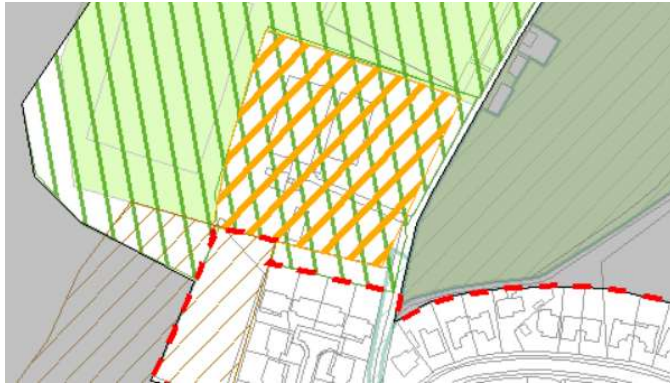
			
Map8	Policy H1	<p><b>Policy H1 Housing Sites and Mixed Use Sites</b>  <i>Add the following site allocation to the H1 layer as shown on the proposed changes to the policy map:</i></p> <p><b>Land at Preston Road / Campbell Road, Brighton</b></p>	To align with proposed changes to Policy H1

			
Map9	Policy H1	<p><b>Policy H1 Housing Sites and Mixed Use Sites</b>  <i>Add the following site allocation to the H1 layer as shown on the proposed changes to the policy map:</i></p> <p><b>154 Old Shoreham Road, Hove (Furniture Village site and car park, corner of Old Shoreham Road and Sackville Road)</b></p> 	To align with proposed changes to Policy H1

Map10	Policy H2	<p><b>Policy H2 Urban Fringe Housing</b>  Delete the following housing site allocation from the H2 layer as shown on the proposed changes to the policy map:  <b>Land at and Adjoining Horsdean Recreation Ground, Patcham</b></p> 	To align with proposed changes to Policy H2
Map11	H2	<p><b>Policy H2 Urban Fringe Housing</b>  Amend the southern and eastern boundaries of the following housing site allocation from the H2 layer as shown on the proposed changes to the policy map  <b>Land at former nursery, Saltdean</b>  Site allocation before boundary amendment</p>	To align with proposed changes to Policy H2



Site allocation following boundary amendment



Map12

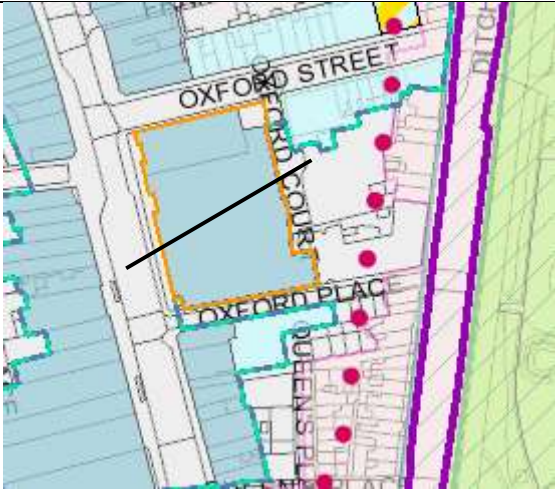
Policy H3

**Policy H3 Purposed Built Student Accommodation**

*Delete the following purpose built student accommodation site allocation from the H3 layer as shown on the proposed changes to the policy map:*

118–132 London Road, Brighton

To align with proposed change to Policy H3

			
Map13	Proposed Changes to the Policy Map legend	<p><b><i>Proposed Changes to the Policy Map legend</i></b>  Amend the legend to read:  Waste &amp; Minerals Sites – SP1 &amp; SP2 (WMSP)  Amend to <u>“Waste site allocations and areas of opportunity”</u></p>	For clarity in response to representation by St William Homes
Map14	ANA layer on Policy Map	<p><b><i>Archaeological Notification Layer update</i></b>  Prior to adoption to update the ANA to reflect the most recent layer as provided by the County Archaeologist.</p>	Update in response to representation from ESCC County Archaeologist



**Table 4 - Modifications to City Plan Part 2 Supporting Documents**

Modification Number	Supporting Document Name	Section, paragraph and page number	Modification Proposed	Reason for Modification
IMP1	CPP2 Implementation and Monitoring Targets	DM12 Regional, Town, District & Local Centres, page 8	<p><i>Amend indicator, targets and trigger for Policy DM12 to read:</i></p> <p><del>LOI Number and percentage of units in Class A1 use</del>  <u>LOI Increase in the number of active commercial units in defined centres</u></p> <p><del>Targets: Regional, Town and District Shopping Centres Percentage of Class A1 retail units</del>  <ul style="list-style-type: none"> <li>• <del>Primary frontages 75%</del></li> <li>• <del>Secondary frontages – Regional centre 35% – Town &amp; District centres 30%</del></li> </ul>           Local Shopping Centres 50% of Class A1 units  <u>Target: Net gain in number of commercial units</u></p> <p><del>Timescale: Ongoing monitoring through retail health checks</del>  <u>Timescale: Ongoing monitoring through health checks</u></p> <p><del>Trigger: Percentage of Class A1 units falls below target levels</del>  <u>Trigger: increase in vacancies in two successive health checks</u></p> <p>Action: Review policy approach and Development Management practice</p>	Updated to reflect Use Class Order Changes and proposed changes to policy.
IMP2	CPP2 Implementation and Monitoring Targets	DM13 Important Local Parades, Neighbourhood Parades and Individual shop units, page 9.	<p><i>Amend indicator, targets and trigger for Policy DM13 to read:</i></p> <p><del>LOI Number and percentage of units in Class A1 use in Important Local Parades</del>  <u>LOI Increase in the number of active commercial units in Important Local Parades</u></p>	Updated to reflect Use Class Order Changes and proposed changes to policy.

			<p><del>Target: At least 50% units in Important Local Parades to remain in Class A1 use</del></p> <p><u>Target: Net gain in number of commercial units</u></p> <p><del>Timescale: Ongoing monitoring through retail health checks</del></p> <p><u>Timescale: Ongoing monitoring through health checks</u></p> <p><del>Trigger: Percentage of Class A1 use units falls below target levels</del></p> <p><u>Trigger: Percentage of vacant units increases</u></p> <p>Action: Review policy approach and Development Management practice</p>	
IMP3	CPP2 Implementation and Monitoring Targets	DM44 Energy Efficiencies and Renewables, page 27	<p><i>Amend target for Policy DM44 to read:</i></p> <p>Target: All developments including conversions and changes of use to achieve at least 19% improvement on carbon emission targets set by Part L of Building Regulations <u>until superseded by Future Homes Standards and Future Building Standards or interim uplift in Part L if greater than 19%.</u></p>	To reflect proposed changes to policy and government announcements.
IMP4	CPP2 Implementation and Monitoring Targets	SSA1 – Brighton General Hospital Site, Elm Grove	<p><i>Amend target for Policy SSA1 to read:</i></p> <ul style="list-style-type: none"> <li>• 10,000 – 12,000 sq m health and care facility (<del>D1</del><u>E(e)</u>);</li> </ul>	To reflect Use Class Order Change
IMP5	CPP2 Implementation and Monitoring Targets	SSA2 – Combined engineering Depot, New England Road, page 30	<p><i>Amend target for Policy SSA2 to read:</i></p> <ul style="list-style-type: none"> <li>• 1,000 sq m <del>B1</del> <u>E(g)</u> workspace and managed starter office units.</li> </ul>	To reflect Use Class Order Change
IMP6	CPP2 Implementation	SSA3 Land at Lyon Close, page 31	<p><i>Amend target for Policy SSA3 to read:</i></p> <ul style="list-style-type: none"> <li>• 5,700 sq m net <del>B1a</del> <u>E(g)</u> office</li> </ul>	To reflect Use Class Order Change

	and Monitoring Targets		<ul style="list-style-type: none"> <li>• <del>1</del> health facilities (GP surgery) and/or</li> </ul>	
IMP7	CPP2 Implementation and Monitoring Targets	SSA4 Sackville Trading Estate and Coal Yard, page 32	<p><i>Amend target for Policy SSA4 to read:</i></p> <ul style="list-style-type: none"> <li>• 6000m2 <u>E(g)</u><del>B1</del>-employment floorspace</li> </ul>	To reflect Use Class Order Change