



**Brighton & Hove
City Council**

**Proposed Submission City Plan Part 2
Brighton & Hove Development Plan April
2020**

Hearing Session: 5 November 2021 (AM)

**Statement in Response to Matter 9:
Opportunity site for business and
warehouse uses (E1)**

**BY
BRIGHTON & HOVE CITY COUNCIL**

List of Abbreviations

CPP1 - City Plan Part 1
CPP2 – City Plan Part 2
LWS – Local Wildlife Site
NPPF - National Planning Policy Framework
SA - Sustainability Appraisal
SDNP – South Downs National Park
WMSP – Waste and Minerals Sites Plan

Matter 9 Opportunity site for business and warehouse uses (E1)

Whether the proposed opportunity site for business and warehouse uses are soundly based

Issue 1 Land at Hangleton Bottom

The Council is requested to address the following questions responding to any particular issue(s) raised. In doing this any updated information regarding the planning and development status of the site should be included.

Q1. Is the allocation appropriate and justified in light of the potential constraints, infrastructure requirements and adverse impacts?

1. Yes, the allocation is appropriate and justified. It has been subject to Sustainability Appraisal;¹ a site assessment was carried out for this site against the SA Framework to identify constraints and adverse effects which was used to inform Policy E1.
2. The allocation is informed by OD78 Brighton & Hove Industrial Estates Audit December 2017 and provides the potential for the shortfall in industrial/ warehousing floorspace in the city to be further reduced alongside the delivery of a strategic waste facility on the site. The need for the industrial land and premises is addressed in the council's Matter Statement 4 and BHCC01 the council's response to the Inspector's Initial Questions (response to Q22. Appendix 4 and 5).
3. The suitability of the site for development for a waste management facility has been established through the WMSP Policy SP1 which was subject to scrutiny through the examination of CD10b East Sussex, South Downs and Brighton & Hove Waste and Minerals Site Plan (2017).

Q2. Is the site boundary appropriate? Is there any justification for amending it? Are there any significant factors that indicate that any parts of the site should not be allocated?

4. The site boundary is appropriate as it is consistent with the boundary of the existing site allocation (Policy SP1) in the adopted Waste and Minerals Site Plan and does not require amending.
5. The policy's supporting text at 3.87 recognises that following the 2017 LWS Review, the boundary of Benfield Valley LWS overlaps the north east

¹ SD50a Sustainability Appraisal, Appendix F5

boundary of the site. BHCC02 Proposed Modifications (MM115) clarify, that in accordance with 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.

Q3. Is the site viable and deliverable? Is there any risk that site conditions and constraints might prevent development or adversely affect viability and delivery?

6. Land at Hangleton bottom is a greenfield site with excellent access to the strategic road network. The site assessment² did not indicate any particular infrastructure requirements, site conditions/ constraints that would prevent development or adversely affect viability. There are no ownership constraints as the site is owned by the council.
7. A recent planning application to develop part of the site³, suggests there is potential for a development to come forward without prejudicing the use of the site for future waste uses.

Q4. How was the site capacity determined? What assumptions have been made? Are these justified? What is the expected timescale and rate of development and is it realistic?

8. This policy safeguards the potential opportunity for new business and warehouse floorspace to come forward over the plan period. The capacity of the site for accommodating a waste management facility was established through the WMSP. Given the allocation of the site for waste management use, development of the site would need to ensure that any future waste uses are not prejudiced by business/ warehouse development. This means retaining sufficient land for a strategic scale waste management facility including a suitable access and that alternative uses are compatible with a future waste operation and would not constrain its ability to effectively operate. It is considered that there is enough land (the site is 3.37ha) to achieve these requirements. As indicated in response to Q7. a (withdrawn) planning application relating to part of the site suggests the potential to develop part of the site without prejudicing proposals for future waste uses.

Q5. What benefits would the proposed development bring? What are the potential adverse impacts of developing the site and how might they be mitigated?

² The site profile has been included in the examination library as TP07a Appendix 8

³ BH2017/04231: erection of animal welfare facility on part of site. Withdrawn.

9. The principle of developing the site has been established through its allocation in the WMSP. The SA⁴ found the policy to have potential for significant positive impacts for the local economy as it may help to increase employment land supply in the city and thus contribute towards meeting the development needs of various employment sectors.
10. The policy was found to have the potential for adverse effects, including those related to biodiversity loss of open space, landscape due to proximity to SDNP, and climate change adaptation as it would result in development of a predominantly greenfield site. Accessing the site by public transport could be difficult and unsafe, and access by car is likely to be the preferred mode of travel. The site could be at risk of groundwater emergence although it is not within the two highest risk categories.
11. The SA concluded that the potential adverse impacts of developing the sites could be mitigated at the planning application stage through application of policies including CP10, SA5, CP15, CP9, CP8 and DM43.

Q6. Are the detailed policy requirements for the site, effective, justified and consistent with national policy? Do they adequately address all issues/concerns in relation to the site?

12. As an opportunity site for business and warehouse uses, the policy indicates that development should not prejudice the delivery of a strategic scale waste management facility. This is effective and justified in light of the allocation of the site in the WMSP. The policy indicates that proposals will be assessed against the Development Plan and SP1 of the WMSP and this is considered effective and consistent with national policy.

Q7. Would any Modifications proposed by the Council address any shortcomings?

13. As set out in BHCC01- Revised Schedule of Proposed Modifications to the Proposed Submission City Plan Part 2, August 2021, the Council has proposed modification MM114 to update use class references to reflect changes to the Use Class Order that came into effect 1st September 2020. As indicated in response to Q5 Proposed modification MM115 will strengthen the supporting text in respect to biodiversity.
14. For consistency with other policies, an amendment to the supporting text at paragraph 3.87 is proposed to refer to need for development to reflect the South Downs Integrated Landscape Character statement prepared by the South Downs National Park Authority:

⁴ SD50a Sustainability Appraisal, Appendix G, section 6.6

Matter 9: Opportunity site for business and warehouse uses (E1)
Statement by Brighton & Hove City Council
4th October 2021

MM ##	Supporting text to Policy E1, paragraph 3.87 page 188	<p><i>Policy E1 Landscape Design and Trees</i> <i>Add new sentence to the end of paragraph 3.87 to read:</i></p> <p><u>The design and materials used in development will be expected to reflect the setting and natural beauty of the National Park and should reflect the South Downs Integrated Landscape Character Assessment (SDILCA), specifically the Landscape Management and Development Considerations described in Appendix A, Landscape Type A: Open Downland and A2: Adur to Ouse Open Downs area[#]</u></p> <p><i>Add new footnote:</i> [#]<u>South Downs Landscape Character Assessment (LCA) 2020</u></p>	For consistency
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