

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

# **Appendix 4 Summary of Key Issues Arising from Representations**

**(listed by policy with officer response)**

**November 2019**

(Please note that changes to the wording of some of the policies were made at the Full Council meeting on 23 April 2020 which will not be reflected in this document)

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<b>DM1 Housing Quality Choice and Mix</b>			
<b>Total Number of Responses</b>		45	
<b>Number of Representations that Support</b>		35	
<b>Number of Representations that Object</b>		10	
<b>Number of Representations – Other</b>			
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Comments on housing mix</b>	<p>Re criterion a) it is important that City wide need does not stipulate a housing mix for all sites and instead encourages developers to respond to site specific circumstances in the interests of creating mixed and balanced communities.</p> <p>Criterion a) - recommend removal of the word “reflect” so that developments are instead required to “have regard to” identified housing need and not be bound by it.</p>	DP295 X-Leisure (Brighton II) Ltd and Lands	<p>Noted. The policy has been worded flexibly to allow for this.</p> <p>Noted. The proposed policy wording already allows for some flexibility and therefore the proposed amendment is not considered necessary. No change proposed.</p>

	<p>Support criterion (b) which supports other housing formats such as build to rent accommodation subject to the character, location and context of the site. This acknowledges that such formats are not appropriate on all sites and site-specific circumstances should be taken into account.</p>		<p>Support noted and welcomed.</p>
<p><b>Minimum space standards do not replicate national standards</b></p>	<p>The minimum space standards do not accurately replicate the national standards. The reformatting is confusing and unnecessary and the use of the term ‘studio’ does not accurately reflect the Government's standard or intention. The Government's reversion to a 1-bedroom, 1-person standard should not be considered synonymous with a ‘studio’. This table should be removed for consistency.</p> <p>The national technical housing standards are clear that the minimum standards should only apply to "new dwellings", whereas draft Policy DM1 seeks to apply them to all "residential accommodation". The standards should only be applied to residential dwelling houses, if this policy requirement is carried forward.</p>	<p>DP260 Lewis &amp; Co Planning</p>	<p>Noted. Table 2 has been amended in line with Table 1 in the MHCLG's Nationally Described Space Standards (published March 2015 with Notes added 19 May 2016).</p> <p>Noted. The Council considers it appropriate to apply the equivalent space and access standards to residential accommodation falling outside Use Class C3 such as extra care and HMOs. This is set out in paragraph 2.7. The standards would be applied to residential extensions where relevant (e.g in relation to bedroom sizes,</p>

	<p>Paragraphs 2.63 and 2.64 (Policy DM7) indicate that the minimum standards apply to HMO accommodation, so it would be useful for this to be made clear within Policy DM1.</p>		<p>storage and ceiling heights. The wording of Footnote 2 has been amended to provide greater clarification.</p> <p>Noted. It is considered unnecessary to include a specific cross-reference in the policy as it already states that minimum standards will apply to “residential accommodation falling outside Use Class C3”. However, Footnote 4 and Paragraph 2.7 (2<sup>nd</sup> sentence) have been amended to provide greater clarification by including specific references to HMOs.</p>
<p><b>No evidence for space &amp; access standards/ impact on development viability not considered</b></p>	<p>The policy imposes a number of minimum requirements on new housing which are not justified. There is no assessment of the impact of these standards on the viability of new housing delivery or on housing affordability.</p>	<p>DP260 Lewis &amp; Co Planning</p>	<p>Noted. Detailed evidence to justify the application of nationally described space standards and accessibility standards has been set out in a background paper</p>

	<p>The requirement for all residential units to meet Building Regulation M4(2) accessibility standards will likely constrain delivery and may prevent the conversion of some existing (and historic) buildings.</p> <p>No evidence to support the requirement for building targets (space standards, Building Regulation M4(2) and Regulation M4(3)). Proposed requirements need to be fully justified in a local context and need to be updated for the Plan to be justified and effective.</p> <p>The policy does not state the level or type of evidence expected to justify a deviation from the M4(2) and M4(3) policy requirements.</p>	<p>DP214 City of Brighton &amp; Hove Design and Build Company</p>	<p>published alongside the CPP2 Pre-Submission document.</p> <p>Noted. See Council response above.</p> <p>Noted. See Council response to representation above.</p> <p>Noted. A more detailed explanation of the proposed application of these policy requirements is provided in the council's background paper published alongside the CPP2 Pre-Submission document.</p>
<p><b>Comments on private outdoor amenity space</b></p>	<p>Private outdoor amenity space should be obligatory.</p>	<p>DP263 Brunswick Town Association</p>	<p>Noted. Criterion f) as worded would require the provision of private outdoor amenity space in all but exceptional</p>



	<p>The requirement for useable private outdoor amenity space does not show enough understanding of the need or the potential impact on development viability and deliverability.</p> <p>The requirement for useable private outdoor amenity space is not included in the exceptions caveat provided for criteria c) - e).</p>	<p>DP260 Lewis &amp; Co Planning; DP258 Brighton &amp; Hove Planning Agents Forum</p> <p>DP260 Lewis &amp; Co Planning</p>	<p>cases.</p> <p>Noted. The policy intention is to seek provision of useable private outdoor amenity space as a standard requirement for all new residential development, however the wording “appropriate to the scale and character of the development” would allow for some flexibility in exceptional cases.</p> <p>Noted. Criteria c) – e), criterion apply specific space and accessibility standards, so exceptions to these standards will require to be justified. Criterion f) allows does not define any specific standard but requires that provision of useable private outdoor amenity space is “appropriate to the scale and character of the development”.</p>
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	<p>Re paragraphs (2.11), 2.12, (2.13), the account of types and extent of private outdoor amenity space could pay more detailed attention to “gardens, balconies, patios, roof terraces and shared amenity spaces”.</p> <p>DM1 (f): in many parts of Brighton, private outdoor amenity space effectively means balconies; this is not always appropriate to tall buildings or conservation areas and may be covered by ‘appropriate’ but also might be considered as exceptions.</p>	<p>DP156 Kingscliffe Society</p> <p>DP258 Brighton &amp; Hove Planning Agents Forum</p>	<p>This will be assessed for individual developments at the planning application stage.</p> <p>Noted. The wording of the policy and paragraph 2.12 allows flexibility for private outdoor amenity space to be met through different types of provision appropriate to the type and density of development.</p> <p>Noted. The policy intention is to seek provision of useable private outdoor amenity space as a standard requirement for all new residential development, however the wording “appropriate to the scale and character of the development” would allow for some flexibility in exceptional cases.</p>
<p><b>Comments on accessibility</b></p>	<p>Do not support criterion e) as question whether requirement for 10% of all affordable units and 5% of all market units to be</p>	<p>DP281 Toads Hole Valley Landowners</p>	<p>Noted. Detailed evidence to justify the proposed</p>

<b>requirements</b>	wheelchair accessible is in line with actual need. The policy has been carried forward from the 2005 Local Plan and no updated assessment of need appears to have taken place since 2005. A reassessment of actual dependence on wheelchair use at home ought to be carried out in order to provide a more accurate and up to date assessment of the need for wheelchair accessible homes.		accessibility standards has been set out in a background paper published alongside the CPP2 Pre-Submission document.
<b>Need for flexibility to allow for innovative housing</b>	Re national space standards, consider there should be some reference to innovative new housing initiative such as 'Youth Living' or 'tiny home' especially as there is no assessment of the impact of these space standards on the viability of new housing delivery.	DP258 Brighton & Hove Planning Agents Forum	Noted. The policy allows flexibility to relax the space standards in exceptional cases where the applicant has provided a robust justification.
<b>Comments on monitoring</b>	Monitoring Procedure - the reviews should refer to the actual target, the planning approvals granted and the numbers of units built. Reviews should be carried out at six monthly intervals and the results posted on the Council website. The numbers of 'windfall' developments which were not specifically included in the official targets should be highlighted. There should be a procedure set out within the City Plan, by which actual planning approvals granted for the various types of housing can be monitored against the projected needs.	DP177 The Brighton Society	Noted. Detailed data on residential completions is already provided in the Council's Authority Monitoring Report which is published annually. Further monitoring indicators for this and other CPP2 policies are set out in the 'Proposed Implementation and Monitoring Indicators and Targets' document which was published alongside the Draft CPP2.

<p><b>Policy should be in City Plan Part 1</b></p>	<p>This is a core policy which should be considered in a re-opened City Plan Part 1 consultation process; to facilitate achieving full congruence with, and/or amendment to, City Plan Part 1 Policies already approved.</p>	<p>DP311</p>	<p>Disagree. City Plan Part 1 already includes a range of strategic policies (SA6, CP14, CP19 and CP20). Policy CP19 includes a specific commitment to develop further detailed policies in Part 2. This policy (and the other DM polices in CPP2) are intended to provide further detail to support the CPP1 policies and assist in the determination of planning applications.</p>
<p><b>Other general comments</b></p>	<p>Re criteria (c) to (e), support that exceptions can be made where a robust justification is provided.</p> <p>The policy needs to respond to changing housing needs as families grow. The lack of new homes (3 or 4-bed houses) being approved for new dwellings is the main problem which needs to be addressed for the C3 uses.</p>	<p>DP295 X-Leisure (Brighton II) Ltd and Lands</p> <p>DP177 The Brighton Society</p>	<p>Noted and welcomed.</p> <p>Noted. Proposals for residential development will be assessed against evidence on house mix/size requirements drawn from the Strategic Market Housing Assessment (SHMA) and subsequent housing need studies (see Policy</p>

	<p>At paragraph 2.11, add: “small scale horticultural uses”.</p> <p>At paragraph 2.13, add: "external storage for bicycles, garden tools and furniture etc”.</p> <p>There is no mention of the city's special heritage and how the new builds are supposed to be sympathetic to the environment around them.</p> <p>There is no detail on how build quality would be achieved/ enforced. The issue of buildings outliving their carbon footprint of construction and delivery of better value for money through longevity should be addressed.</p> <p>Change of use should be made easier to accommodate ever changing demand.</p>	<p>DP091</p>	<p>CP19 and supporting text in CPP1).</p> <p>Noted. Consider that such a reference would be over-prescriptive. No change proposed.</p> <p>Noted. Such requirements are unlikely to be practicable for most residential flats. No change proposed.</p> <p>Noted. Heritage issues are addressed in other City Plan policies (e.g Policy CP15 and draft policies DM26-DM31).</p> <p>Noted. These issues are addressed in other City Plan policies (e.g policies CP8 and CP12 and draft policies DM18 and DM44).</p> <p>Noted. It is unclear what change of use is being referred to.</p>
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	<p>Many of the new builds are unaffordable and are being sold to overseas investors or developers are allowed to buy their way out of their 40% affordable housing requirement.</p> <p>It is enforcement of good agency and good management which is needed and yearly council HMO inspections to ensure that compliance is maintained.</p>	DP091; DP202	<p>Noted. Many of the factors contributing to housing affordability cannot be controlled through planning policy.</p> <p>Noted. This falls outside the scope of planning policy.</p>
<b>Support</b>			
<b>Comments on housing mix</b>	<p>By supporting a range of dwelling types it prevents creation of a homogenous urban habitat.</p> <p>Requirement (a) cannot be applied to very small developments, such as a single dwelling on an infill site. The wording of this section and possibly also section (b) requires clarification.</p> <p>Support a mix of dwellings. Design is important.</p> <p>More diversity and range of housing accommodation is needed to provide for family living.</p>	<p>DP189 Natural England</p> <p>DP207 The Regency Society</p> <p>DP095</p> <p>DP135</p>	<p>Support noted and welcomed.</p> <p>Noted. This point is accepted, however criteria a) and b) have been worded flexibly to avoid setting over-prescriptive requirements regarding housing mix.</p> <p>Support noted and welcomed.</p> <p>Noted. The policy is intended to support and encourage a mix of</p>

	<p>Support the policy as it seeks the delivery of a wide choice of high quality homes which will contribute to the creation of mixed, balanced, inclusive and sustainable communities which complies with the NPPF objective of sustainable development, particularly the social objective.</p> <p>The emphasis on the need for a diverse range of housing types and sizes is consistent with national policy.</p> <p>Support the aims to provide a wide range of good quality homes to create mixed, balanced, inclusive communities.</p>	<p>DP296 St Williams Homes</p> <p>DP275 Moda Living Ltd; DP268 LaSalle Investment Management</p> <p>DP255</p>	<p>housing.</p> <p>Support noted and welcomed.</p> <p>Support noted and welcomed.</p> <p>Support noted and welcomed.</p>
<p><b>Comments on Build to Rent housing</b></p>	<p>Support the explicit reference to Build to Rent housing in policy.</p> <p>The policy for Build to Rent should allow greater flexibility on space standards given that occupiers utilise more of the building outside of their own 'unit'.</p>	<p>DP275 Moda Living Ltd; DP208 Brighton &amp; Hove Economic Partnership; DP271 Legal &amp; General Investment Management; DP268 LaSalle Investment Management</p> <p>DP208 Brighton &amp; Hove Economic Partnership</p>	<p>Support noted and welcomed.</p> <p>Noted. The Council sees no reason to adopt lower residential space standards for Build to Rent development and there is nothing in national planning</p>

	<p>Support the flexibility provided by the policy, but consider that criterion b) needs to go further as Build to Rent housing does not lend itself to incorporation of other formats such as self and custom build housing, community led housing and starter homes. Seek amendment to criterion b) to read:</p> <p>“make provision for a range and mix of housing / accommodation formats subject to the character, location and context of the site <u>and subject to the nature and viability of the proposed development</u>, for example, self and custom build housing, build for rent, community led housing, starter homes and other types of provision supported by national and local policy.”</p>	DP271 Legal & General Investment Management	<p>guidance that requires this. The policy allows flexibility to relax the space standards in exceptional cases where the applicant has provided a robust justification.</p> <p>Noted. The policy has been worded flexibly to avoid setting over-prescriptive requirements. It is accepted that it may not be appropriate or possible for all developments to offer a full range and mix of housing. However the principles set in criteria a) and b) are important in ensuring that new residential development contributes to integrated sustainable communities and addresses the range of different housing needs in the city. No change to policy is</p>
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			proposed.
<b>Comments on Community Led Housing</b>	<p>Support the explicit reference to Community Led Housing in policy.</p> <p>Re criterion (b), the wording “make provision” should read “must include... “</p> <p>In paragraphs 2.9 and 2.10, the council seems to be acknowledging the requirement for self-build plots but also resisting it except on the Urban Fringe.</p> <p>Welcome the policy support for self and custom build housing, which is appropriate considering the increase in the size of the self-build register and the incoming 'Homes for England' national grants, which many CSB groups may be applying for.</p>	<p>DP217 Brighton and Hove Community Land Trust; DP233 Brighton &amp; Hove Food Partnership</p> <p>DP217 Brighton and Hove Community Land Trust</p> <p>DP175 Nub Brighton</p>	<p>Support noted and welcomed.</p> <p>Noted. Consider that the proposed wording would make the policy too inflexible.</p> <p>Noted. Paragraph 2.10 has been redrafted to provide stronger support for the provision of self/custom-build plots.</p> <p>Support noted and welcomed.</p>
<b>Comments on space standards</b>	<p>Ensuring all residential units meet nationally described space standards gives people a decent standard of living despite the endeavours of developers to maximise financial returns.</p> <p>Support the inclusion of national space standards.</p>	<p>DP195 Kingsway and West Hove Residents</p> <p>DP157 Hove Civic Society; DP207 Regency Society; DP067; DP031 NLCA</p>	<p>Support noted and welcomed.</p> <p>Support noted and welcomed.</p>

	<p>Waivers of national space standards should only be granted where necessary to enable development of a difficult site which would otherwise be left empty.</p> <p>Space standards should also apply to student accommodation.</p> <p>The inclusion of the nationally described space standards will make the determination of planning applications more straightforward for officers and members alike.</p> <p>The inclusion of space standards for residential accommodation is positive and makes designing units easier and clearer.</p> <p>The space standards for residential accommodation do not allow</p>	<p>DP207 The Regency Society</p> <p>DP031 NLCA</p> <p>DP307 Green Group of Councillors</p> <p>DP217 Brighton and Hove Community Land Trust</p> <p>DP217 Brighton and</p>	<p>Noted. The policy enables the Council to apply the minimum space standards to all residential developments unless the applicant is able to demonstrate that exceptional circumstances apply.</p> <p>Noted. There is no national standard for student accommodation. Applying such standards is complicated due to the range of different formats used for student accommodation (e.g the extent of shared/ communal facilities).</p> <p>Support noted and welcomed.</p> <p>Support noted and welcomed.</p> <p>Noted. The policy allows</p>
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	for the innovative 'tiny home' type of housing.	Hove Community Land Trust	flexibility to relax the space standards in exceptional cases where the applicant has provided a robust justification.
<b>Comments on accessibility standards</b>	<p>The availability of accessible housing is grossly inadequate to meet existing and future demand.</p> <p>The lack of wheelchair housing is depriving people of the opportunity of independent living. People unnecessarily occupy beds in hospitals and nursing homes because their homes cannot accommodate wheelchair use.</p> <p>Accessible housing is needed because of the growing population of older people.</p> <p>Support the proposed policy requirements regarding accessibility and adaptability. Currently it is difficult for families to care for children with physical or learning disabilities because of lack of suitable housing. Many existing properties are not 'homes for life'</p>	<p>DP195 Kingsway and West Hove Residents</p> <p>DP195 Kingsway and West Hove Residents</p> <p>DP307 Green Group of Councillors</p> <p>DP303 Rottingdean Parish Council</p>	<p>Noted. The respondent has not provided any evidence to support this assertion. The policy aims to increase the provision the accessible/adaptable and wheelchair user housing.</p> <p>Noted. See response to the previous comment.</p> <p>Noted. The policy aims to increase the provision the accessible/adaptable and wheelchair user housing.</p> <p>Support noted and welcomed.</p>

	because not designed to changing needs as people age. Accessible homes benefit everyone, not just people with disabilities.		
<b>Comments on private outdoor amenity space</b>	<p>The requirement for all residential development to provide useable private outdoor amenity helps minimise the impacts of housing on biodiversity and could possibly provide net gains is in line with the NPPF and DEFRA 25 year plan.</p> <p>Private amenity space contributes to the existing biodiversity/ecological network is in line with the NPPF's recommendation to have polices to resist inappropriate development of residential gardens. Suggest amendment to paragraph 2.11:  “Private amenity space can make an important contribution in improving the health, well-being and general quality of life of the city’s residents and <del>has the potential to support and enhance local biodiversity</del> <u>should contribute to existing ecological and green infrastructure networks. ...”</u></p> <p>Access to open air is essential to daily healthy living.</p>	<p>DP189 Natural England</p> <p>DP195 Kingsway and</p>	<p>Support noted and welcomed.</p> <p>Noted. However the suggested wording reads like policy which is already covered in Policy CP10 and draft Policy DM37. Paragraph 2.11 has been amended to state:  “Private amenity space can make an important contribution in improving the health, well-being and general quality of life of the city’s residents. <del>and</del> <u>It also</u> has the potential to support and enhance local biodiversity <u>and can contribute to existing ecological and green infrastructure networks.”</u></p> <p>Support noted and</p>

	<p>There should be consideration of how outdoor amenity space placement and orientation can help to deliver green stepping stones for the City's biodiversity in accordance with Paragraph 174b in the revised NPPF. Suggest expanding criterion f) to say, "Consideration should be given to the opportunities for this space to contribute to the city's green infrastructure network through appropriate placement and orientation within a development."</p> <p>Re paragraph 2.11, it is important to ensure that usable outdoor space is not cut at the build stage and that there are opportunities for multi-functional landscaping (fruit trees / pollinator friendly planting).</p> <p>Support the requirement under criterion f) to provide useable private outdoor amenity space. The massive overdevelopment needs to give back to the host communities; therefore any space/amenities should be for all, not just people living in the developments.</p>	<p>West Hove Residents</p> <p>DP289 Sussex Wildlife Trust</p> <p>DP233 Brighton &amp; Hove Food Partnership</p> <p>DP280</p>	<p>welcomed.</p> <p>Agree. However, this issue is addressed in draft CPP2 Policy DM22 and the supporting Reasoned Justification.</p> <p>Noted. This is addressed elsewhere in CPP2 through draft Policy DM22.</p> <p>Support noted and welcomed.</p>
<p><b>Other general comments</b></p>	<p>Support the principal of retaining housing stock for families and restricting HMO conversion, but do not have confidence that this will be achieved. There are not enough checks on HMOs in the city and there seems to be little communication between HMO licensing and Planning.</p> <p>The wording from the draft London Plan regarding use of 'meanwhile sites' for housing should be included in City Plan Part 2 as an additional policy to in line with best practice guidance being produced in London.</p>	<p>DP202</p> <p>DP249 QED Sustainable Urban Development</p>	<p>Support noted and welcomed.</p> <p>Noted. The council is generally supportive of suitable proposals for the meanwhile use of</p>

<p>Improving the quality of housing is always a good thing, provided it is done in a proper way.</p>	<p>DP002 Brighton YIMBY</p>	<p>sites for housing, however It is considered unlikely that there will be sufficient opportunities in the city to justify the need for a specific policy in CPP2.</p>
<p>Support development that works toward Lifetime neighbourhood principles. Seek a more proactive approach to integrated inter-generational communities (based on approach used in Scandinavian countries).</p>	<p>DP307 Green Group of Councillors</p>	<p>Noted. Policy DM1 supports this, as do other City Plan policies such as SA6 and CP19.</p>
<p>Support the policy objectives in response to the level of demand for housing and affordability issues in the city. Also support the level of flexibility outlined in the text allowing for movement on the prescribed targets.</p>	<p>DP208 Brighton &amp; Hove Economic Partners</p>	<p>Support noted and welcomed.</p>
<p>Welcome the policy aspirations of developing sustainable places with a high quality of life, and the range of property and tenures being diverse to accommodate the city's needs.</p>	<p>DP266 Brighton Marina Neighbourhood Forum</p>	<p>Support noted and welcomed.</p>
<p>The feasibility assessments of 'affordable' types of tenure should give consideration to the service charge liabilities incurred by the residents of the development.</p>		<p>Noted. This issue lies outside the scope of this policy.</p>
<p>Paragraph 2.2 - support the need for affordable housing as</p>	<p>DP233 Brighton &amp; Hove</p>	<p>Support noted and</p>

	<p>housing costs are a key reason for food poverty in the city.</p> <p>Paragraphs 2.9 - 2.10 - Any development on the urban fringe including self-build should include food growing space.</p>	<p>Food Partnership</p> <p>DP233 Brighton &amp; Hove Food Partnership</p>	<p>welcomed.</p> <p>Noted. This is included as a requirement in Policy H2 c).</p>
<b>Wording changes sought</b>	<p>Footnote 7 should be removed. All development costs will vary on a site-by-site basis. It is inappropriate for CPP2 to seek to predetermine developer contributions. This should be included within a S106 SPD.</p>	<p>DP296 St Williams Homes</p>	<p>Disagree. The footnote provides guidance on the level of financial contributions to be sought as these are not set out in any current Council guidance. It is proposed to include such figures in updated council guidance on developer contributions following the adoption of the Community Infrastructure Levy (CIL). To clarify this, it is proposed to add a sentence to the footnote stating, "<u><i>The council will publish updated Technical Guidance on Developer Contributions following the introduction of CIL.</i></u>"</p>
<b>Support (no</b>		<p>DP114; DP077; DP028;</p>	<p>Support noted and</p>

<b>comments)</b>		DP017; DP272; DP314 DP313 Argyle & Campbell Road Residents; DP310 CKC Properties Ltd; DP282 Royal Mail; DP001 Pavilion Architecture	welcomed.
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<b>DM2 Retaining Housing and Residential Accommodation</b>			
<b>Total Number of Responses</b>		28	
<b>Number of Representations that Support</b>		21	
<b>Number of Representations that Object</b>		7	
<b>Number of Representations – Other</b>			
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Use of residential accommodation for Air BnB, party houses &amp; student houses</b>	The council does nothing to prevent the loss of existing residential accommodation to holiday flats, AirBnB, party houses or student houses.  Call for controls on AirBnB (e.g 90-day time limit) and tougher	DP042; DP028; DP266 Brighton Marina Neighbourhood Forum Steering Group  DP307 Green Group of	Noted. It is currently not possible to control this through the planning system. Short term holiday lets are classified by the Government as a residential use (C3 Use class), therefore planning permission is not required.  Noted. Such controls are

<p>licensing conditions for 'party houses' (Australian system example).</p> <p>The council does not consider the impact on communities of the loss of long term residents.</p> <p>Need to generate business rate revenue from owners letting residences as short term holiday lets.</p> <p>Paragraph 2.17 misses the opportunity to address the issues around party houses and their impact on housing provision and local neighbourhoods.</p> <p>To ensure that tourists are safe and there is minimal disruption to neighbours affected by these types of properties the council should implement a light registration scheme. This should ensure that any property offered for short term accommodation adheres as a minimum to basic safety standards and has permission to operate from the freeholders of the building. The mortgage company and/or any other owners should also be expected to confirm permission. The council needs to more effectively enforce the laws it already has at its disposal to stop practices which damage the tourism economy.</p>	<p>Councillors</p> <p>DP042; DP156 Kingscliffe Society</p> <p>DP028; DP266 Brighton Marina Neighbourhood Forum Steering Group; DP307 Green Group of Councillors</p> <p>DP156 Kingscliffe Society</p> <p>DP191 My Holiday Let Brighton</p>	<p>currently not possible through the planning system – see above.</p> <p>Noted. Controls are currently not possible through the planning system – see above.</p> <p>Noted. This falls outside the scope of the planning system therefore this is not an issue that the City Plan can address.</p> <p>Noted. Such controls are currently not possible through the planning system – see above.</p> <p>Noted. Such controls fall outside the scope of the planning system therefore this is not an issue that the City Plan can address.</p>
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	<p>Re paragraph 2.17, a licensing scheme should be examined to ensure that holiday rental properties are operating in a way that supports the tourism economy but also meets safety standards, has permission to operate, has adequate buildings, and holiday rental commercial liability insurance, and has undertaken reasonable measures to ensure neighbours aren't disturbed. Paragraph 2.17 should be removed and instead options should be explored for licensing properties on a five year basis.</p> <p>Paragraph 2.17 refers to changes of use from a residential use to a holiday let. This is not a material change of use from C3 and should be deleted.</p>	DP260 Lewis & Co Planning	<p>Noted. Planning case law (Moore v. SSCLG [2012] EWCA Civ 1202) has established that the use of a dwelling house for commercial letting as holiday accommodation may in some circumstances amount to a material change of use. The Court of Appeal held that whether there has been a change of use will be a question of fact and degree in each case, depending upon the particular characteristics of the use as holiday accommodation. However, it is accepted</p>
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			that the proposed wording could potentially be misinterpreted. For clarification the wording has been amended to say “(as may be the case for some holiday lets)”.
<b>Policy restricts provision of C4 accommodation</b>	The policy (in combination with DM7) constrains the delivery or provision of shared houses (C4 uses). This will reduce the range of housing available to residents and would affect specific groups of residents. which unfairly disadvantages specific residents and groups (e.g young professionals), increasing unaffordability among those on lower incomes and reliant on the private rental market. No justification or evidence has been provided. The policy may raise issues in relation to Article 14 of the Human Rights Act 1998 and is not recognised in the Council’s Health and Equalities Impact Assessment.	DP260 Lewis & Co Planning; DP258 Brighton & Hove Planning Agents Forum	Disagree. This policy seeks to protect the city’s existing C3 housing stock in light of the constrained housing supply and substantial identified needs. Policy DM7 supports HMO development, subject to some controls aimed at avoiding negative impacts due to over-concentration of HMOs in some parts of the city.
<b>Other comments</b>	Paragraph 2.16 is imprecise - should not expect a similar number of homes as this might allow a net loss contrary to the aims of the policy.	DP260 Lewis & Co Planning	Noted. For clarification the first sentence of paragraph has been amended to state: “... the Council will <u>generally expect proposals to provide an equivalent or greater</u>

	<p>Paragraph 2.17 refers to amenity impacts which are already covered by other policies and should not be referenced within DM2.</p> <p>Reference in paragraph 2.18 to “community service” should be changed to “community facility” to ensure consistency with City Plan Part One.</p>		<p><i>number of replacement homes.”</i></p> <p>Noted. The wording adds further explanation to the first sentence of the paragraph and therefore no change is proposed.</p> <p>Agree. The wording has been amended as suggested.</p>
<b>Support</b>			
<b>General support for retention of housing</b>	<p>There is a need to address the shortage of residential homes in the city.</p> <p>Resisting a net loss in existing residential accommodation decreases the demand for new residential accommodation on greenfield sites. Developing on brownfield sites helps protect greenfield sites and green belt land is a key concept of the NPPF found throughout section “13. Protecting Green Belt land”.</p> <p>The policy around retaining current provision reflects the need to provide 13,200 housing units within the plan lifetime. The exceptions seem prudent and support accessibility to housing.</p> <p>It’s important to keep residential accommodation (C3).</p>	<p>DP002 Brighton YIMBY</p> <p>DP189 Natural England</p> <p>DP208 Brighton &amp; Hove Economic Partnership</p> <p>DP255</p>	<p>Support noted and welcomed.</p> <p>Support noted and welcomed. However there is no officially designated ‘Green Belt’ in Brighton &amp; Hove.</p> <p>Support noted and welcomed.</p> <p>Support noted and welcomed.</p>
<b>Use of residential</b>	Wording should be added to achieve some control and regulation	DP266 Brighton Marina	Noted. Such controls fall

<p><b>accommodation for holiday lets/ air b&amp;b</b></p>	<p>of the prolonged use of properties as short-term lets (AirBnB) to avoid the loss of long-term residential accommodation.</p> <p>The wording of the first sentence of Paragraph 2.17 should be changed to say “will” rather than “may” be used for enforcement purposes.</p> <p>The short-term-let retail market, particularly AirBnB has a detrimental effect on hotels (paying business rates). The City Plan’s desire to attract more quality hotels to the city will be negatively affected by unregulated short-term letting.</p> <p>A significant change of use such as a holiday let or AirBnB should be made subject to a planning application or Article 4 direction.</p> <p>The council should be more pro-active in discouraging second homes and holiday lets in the city to bring as many housing units as possible into full time use by local people.</p>	<p>Neighbourhood Forum Steering Group</p> <p>DP177 The Brighton Society</p> <p>DP266 Brighton Marina Neighbourhood Forum Steering Group</p> <p>DP177 The Brighton Society</p>	<p>outside the scope of the planning system therefore this is not an issue that the City Plan can address.</p> <p>Noted. It would depend on the extent to which the policy was necessary to support the enforcement action. Therefore no change proposed.</p> <p>Noted. This falls outside the scope of the planning system therefore this is not an issue that the City Plan can address.</p> <p>Noted. Short term holiday lets are classified as a residential use (C3 Use class), therefore planning permission is not required.</p> <p>Noted. Such controls are currently not possible through the planning</p>
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			system – see above.
<b>Change of use to HMOs etc</b>	<p>The wording of this policy could include a cross reference to Policy DM7 which seeks to limit the number of HMOs in an area.</p> <p>The council is making student accommodation more of a priority and family accommodation is being eroded.</p> <p>Stricter control of HMO development is needed.</p>	<p>DP207 The Regency Society</p> <p>DP135</p> <p>DP067; DP202</p>	<p>Noted. The policy already refers to Policy DM7.</p> <p>Disagree. A key purpose of this policy together with Policy DM3 is to seek to retain existing family housing.</p> <p>Noted. This issue is addressed by Policy DM7.</p>
<b>Other comments</b>	<p>Suggested new wording:          “We seek to retain all historic and characterful buildings and will support all sensitive plans to convert them into housing and accommodation where possible, retaining as much historical integrity as possible. Where new builds are permitted/sites are available, we require attractive low impact Mansion Block arrangements providing a secure communal greenspace within and parking underneath. All buildings must be sympathetic to the historic style of Brighton and Hove, though New England style will be considered as it has a narrative to old Sussex style weather boarding. Self-builds will need to conform to the same standards as developer builds as these can be of very patchy quality and style.”</p> <p>Consideration should be given as to whether wording can provide</p>	<p>DP091</p> <p>DP208 Brighton &amp; Hove</p>	<p>Noted. The suggested wording relates more to design and heritage policies. Further guidance on these issues will be provided in the Council’s forthcoming Urban Design Framework.</p> <p>Noted. CPP1 Policies CP2</p>

<p>for extraordinary proposals that deliver significant employment benefits and for this to be weighted into a decision.</p>	<p>Economic Partnership</p>	<p>and CP3 already provide planning policy support for proposals that provide significant employment benefits and this would be given weight in planning decisions on any such applications. In addition, the suggested wording would require a clear and unambiguous definition of “significant employment benefits”.</p>
<p>No existing housing should be removed to build new homes.</p>	<p>DP077</p>	<p>Noted. Such an approach would be too inflexible.</p>
<p>Every effort should be made to retain family homes and resist developing such properties into flats. Adequate provisions should be in place within the City Plan Part Two to ensure this.</p>	<p>DP256 The Conservative Group</p>	<p>Noted. Policy DM3 sets criteria to control residential conversions and to ensure retention of existing family housing.</p>
<p>The council should lobby the government to change the policies on No Fault Evictions, Permitted Development Rights and Council Tax and Business Tax exemptions. The council is losing millions of pounds with these exemptions.</p>	<p>DP177 The Brighton Society</p>	<p>Noted. This is not a planning issue and lies outside the scope of the City Plan.</p>



	Information on how many properties in the city are second homes and/or vacant is needed. The council's Empty Property Service Plan needs to be explained.		Noted. This lies outside the scope of the City Plan.
<b>Support (no comments)</b>		DP114; DP095; DP031 NLCA; DP017; DP272; DP001 Pavilion Architecture; DP313 Argyle & Campbell Road Residents Association; DP263 Brunswick Town Association	Support noted and welcomed.

<b>DM3 Residential Conversions and the Retention of Smaller Dwellings</b>			
<b>Total Number of Responses</b>		21	
<b>Number of Representations that Support</b>		18	
<b>Number of Representations that Object</b>		3	
<b>Number of Representations – Other</b>			
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Policy too restrictive</b>	The policy is too restrictive. It will constrain the potential for housing from conversions and is not appropriate given the City Plan housing target and high level of housing need in the city. The policy has been carried forward from 2005 Local Plan (Policy HO9) which set a much lower housing target.	DP260 Lewis & Co Planning	Disagree. In addition to meeting the City Plan overall housing target it is also important to ensure that housing delivered addresses identified needs and demand in the city as set out in Policy CP19 and its supporting text. The demographic analysis shows

			significant demand for family housing, however there are relatively few development sites in the city where this need can be met.
<b>No justification for policy threshold</b>	No justification is given for the size threshold of 124 sq.m (which has increased from the previous threshold of 115 sq.m in the 2005 Local Plan).	DP260 Lewis & Co Planning	Noted. The minimum size threshold specified in criterion a. has been reduced to 115 sq.m or 4 or more bedrooms. This is consistent with the existing planning policy in the city (set out in the 2005 Local Plan) and will ensure that conversions involving sub-division of existing dwelling units are able to deliver at least one 2-bedroom family unit meeting the Nationally Described Space Standards (NDSS).
<b>Policy should be more flexible</b>	The policy needs to be flexible to respond to changing housing needs as families grow; regular 6 monthly monitoring is needed (detailed comments are provided in response to DM1).	DP177 The Brighton Society	Noted. Policy CP19 and draft Policy DM1 provide a flexible policy framework for delivering an appropriate housing mix

			based on up to date assessments of housing demand and need. Annual monitoring is undertaken and published in the AMR.
<b>Object (no comments)</b>		DP001 Pavilion Architecture	Objection noted.
Support			
<b>General support</b>	<p>The policy will give families more choice of living possibilities.</p> <p>Pleased to see recognition of the need for smaller homes and the need to retain and build smaller dwellings. Welcome the pragmatism of exceptions i) to iii).</p> <p>The policy will enable more choice and options.</p>	<p>DP135</p> <p>DP303 Rottingdean Parish Council</p> <p>DP091</p>	<p>Support noted and welcomed.</p> <p>Support noted and welcomed.</p> <p>Support noted and welcomed.</p>
<b>Policy could be more flexible</b>	<p>The wording in the policy justification could allow for flexibility in weighing the application of this policy against the city's housing needs at the time in question within the plan period.</p>	<p>DP208 Brighton &amp; Hove Economic Partnership</p>	<p>Noted. Some flexibility is allowed for in the wording of Policy CP19 and Policy DM1 (as proposed). However, the demand for both larger and smaller sized family housing is likely to continue given the limited supply of new development sites</p>

			suitable for this type of housing in the city.
<b>Other comments</b>	<p>The policy could have provision for compensating the loss of family homes to conversion by encouraging new development of family homes.</p> <p>Request that designs for new conversions are required to provide sufficient accommodation for storage of bikes, recycling and rubbish.</p>	<p>DP002 Brighton YIMBY</p> <p>DP076 Roundhill Society</p>	<p>Noted. It is not clear how such a compensation system could be implemented.</p> <p>Noted. The Council already sets such requirements through planning conditions attached to residential planning permissions. The requirements will be carried forward in policies proposed in CPP2 (requirements for cycle parking and storage provision in draft Policy DM33; and for recycling and rubbish in draft Policy DM20 in combination with Policy WM3e of the adopted 2013 Waste and Minerals Local Plan).</p>
<b>Support (no comments)</b>		<p>DP017; DP028; DP031; DP067; DP077; DP114; DP202; DP272; DP095 DP313 Argyle &amp;</p>	<p>Support noted and welcomed.</p>

		Campbell Road Residents Association; DP191 My Holiday Let Brighton; DP263 Brunswick Town Association	
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<b>DM4 Housing Accommodation for Older Persons</b>			
<b>Total Number of Responses</b>		25	
<b>Number of Representations that Support</b>		20	
<b>Number of Representations that Object</b>		5	
<b>Number of Representations – Other</b>			
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Additional wording/ requirements sought</b>	Add policy criterion: “The desirability of older people remaining within the same neighbourhood should they move to smaller or more specialised accommodation - (e.g. sheltered housing or care homes).”	DP177 The Brighton Society	Noted. This is already covered by criterion a) which requires that development “is targeted towards the needs of local residents”.
<b>Requirement for affordable housing</b>	Do not consider that the OAN Report 2015 provides sufficient evidence to justify affordable housing provision at a rate of 40% for older persons housing. A more robust assessment is required to determine actual needs for affordable housing for older persons based on actual local need and requirements undertaken on a site by site basis rather than applying an inappropriate blanket 40%	DP281 Toads Hole Valley Landowners, Toads Hole Valley Ltd, Pecla Investments Ltd	Noted. The updated evidence in the council’s Older People Housing Needs Assessment demonstrates substantial need/ demand for

	<p>requirement for all sites.</p> <p>Reference to an "appropriate amount" of affordable housing is vague and confusing.</p>	<p>and Robert Mark Simon</p> <p>DP260 Lewis &amp; Co Planning</p>	<p>affordable housing for older people. Criteria i. – v. in Policy CP20 allow for affordable housing requirements to be applied flexibly subject to the character, location, viability etc of any specific proposed scheme.</p> <p>Noted. The wording in the Reasoned Justification has been amended to clarify that, where older people's housing falls within Use Class C3, the Council will seek a proportion of affordable housing in accordance with Policy CP20 in CPP1.</p>
<p><b>Other comments</b></p>	<p>Older people need to be located at or near ground floor levels.</p>	<p>DP177 The Brighton Society</p>	<p>Noted. This is detailed design requirement which would be considered at the planning application stage. Note that policy criterion f) has been</p>



Re paragraph 2.29, there are probably not enough incentives within the City Plan to make it attractive to developers to provide housing for older persons.

Re paragraph 2.31, what would the age restriction referred to in this paragraph be? A communal meeting lounge needs to be a requirement for clusters over a certain size.

There is a need for regulation of the whole AirBnB and party house market.

DP042

reworded to include reference to “good practice design principles” with specific cross-reference to the recommendations of the Housing our Ageing Population: Panel for Innovation’ (HAPPI) reports.

Disagree. There is continuing developer interest in providing housing for older persons.

Age restrictions vary between developments. A specific requirement for a ‘communal meeting lounge’ would be too prescriptive. Criterion e) allows for flexibility in the provision of “appropriate” communal space.

Noted. Such regulation falls outside the scope of

	The policy should be split into two different policies; one for new development, one resisting the loss of existing accommodation.	DP260 Lewis & Co Planning	this policy and is currently not possible through the planning system  Disagree. This would add unnecessarily to the number of policies in the Plan.
<b>Object (no comments)</b>		DP001 Pavilion Architecture	Objection noted.
<b>Support</b>			
<b>General support</b>	<p>Older people need appropriate homes.</p> <p>Older people need to feel part of the community.</p> <p>The policy recognises the existing and growing future demand by the post-WWII baby boomers generation.</p> <p>The policy supports accommodation for older people to provide space to grow plants and food provides a valuable green infrastructure asset and is in line with the aims of the NPPF (171.) and the DEFRA 25 year plan (3.3.i).</p> <p>Re criterion b), supporting accessibility to natural spaces, such as local green spaces or the seafront, increases the value they</p>	<p>DP002 Brighton YIMBY</p> <p>DP135</p> <p>DP195 Kingsway and West Hove Residents' Association</p> <p>DP189 Natural England</p>	<p>Support noted and welcomed.</p> <p>Support noted and welcomed.</p> <p>Support noted and welcomed.</p> <p>Support noted and welcomed.</p>

	<p>provide as Green or Blue infrastructure which aligns with the aims of the NPPF (171.) and the DEFRA 25 year plan (3.3.i).</p> <p>The creation of accommodation for older or vulnerable people to live independently accords with Section 2.27.9 of the Brighton &amp; Hove Economic Strategy.</p> <p>The policy seeks to allow for a range of housing and other needs for older people which require a range of different housing (and care) products and providers.</p> <p>The emerging proposals for the Sackville Road site include an element of purpose-built care accommodation for older people, and this is an important component of the housing market which needs to be actively planned for.</p>	<p>DP208 Brighton &amp; Hove Economic Partnership</p> <p>DP268 LaSalle Investment Management Ltd, DP275 Moda LivingLtd, DP135</p> <p>DP268 LaSalle Investment Management Ltd</p>	<p>Support noted and welcomed.</p> <p>Support noted and welcomed.</p> <p>Support noted and welcomed.</p>
<p><b>Minor wording changes/ amendments sought</b></p>	<p>In the policy wording, the word “loss” should be replaced with “net loss”.</p> <p>Accommodation for older people should incorporate parking for visitors and carers.</p> <p>Accommodation for older people should be pet-friendly.</p>	<p>DP002 Brighton YIMBY</p> <p>DP091</p>	<p>Noted.</p> <p>Noted. Staff and visitor parking standards are already included in the Council’s Parking Standards SPD.</p> <p>Noted. This falls outside the scope of planning policy.</p>

B&H has a higher percentage of older people living alone than other parts of the UK and this proposal should take into account design to encourage older people that live alone to access shared community facilities / spaces to help prevent isolation.

Welcome the inclusion of food growing and community spaces in the list of criteria but this could be strengthened to reference community spaces for shared eating in line with the city's food poverty action plan/food strategy (adopted by Neighbourhood, Communities and Equalities Committee and the Health and Wellbeing Board) ambition to be a city that 'cooks and eats together' to prevent food poverty. The city lacks community facilities with suitable kitchen space available at low cost to groups.

The policy should encourage housing and accommodation for older people, particularly extra care accommodation, to be delivered on the identified Strategic Site Allocations and to ensure that new communities are mixed, inclusive, sustainable, and that

DP233 Brighton & Hove Food Partnership

Noted. Criterion e) already addresses this. Re design, policy criterion f) has been reworded to include reference to "good practice design principles" with specific cross-reference to the recommendations of the Housing our Ageing Population: Panel for Innovation' (HAPPI) reports.

Noted. This falls outside the scope of the policy which is focused on provision of accommodation for older persons.

DP275 Moda Living Ltd

Noted. The suggested approach is considered too prescriptive and not all strategic sites are well

	<p>new development meets a range of residential needs.</p> <p>Re paragraph 2.25, whilst it is statistically correct to state that Brighton &amp; Hove has a relatively small proportion of older age residents, it should be acknowledged that many wards &amp; peripheral communities have a far greater proportion than Brighton &amp; Hove as a whole (e.g. Rottingdean) and these variations need informed attention when development is being considered.</p>	<p>DP303 Rottingdean Parish Council</p>	<p>located/suited for older persons accommodation. However, suitable proposals would be supported by this policy and other City Plan policies (e.g policies SA6, CP18, CP19 and DM1).</p> <p>Noted. For clarification, a new sentence has been included in paragraph 2.25 stating: <i>“Within the city, there are higher concentrations of older people in the outer wards in the north and east of the city.”</i> This reflects the findings of the Older People’s Housing Needs Assessment.</p>
<p><b>Clarification sought</b></p>	<p>Re paragraph 2.30, request clarity on how local marketing would work in practice to ensure the policy is not excessively restrictive or unduly burdensome on developers. This would ensure the policy is ‘sound’ with regards to the NPPF (2018), which requires that plans contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals (NPPF paragraph 16d).</p>	<p>DP275 Moda Living Ltd</p>	<p>Noted. The requirement to undertake local marketing ties in with criterion a) of the policy in ensuring that proposed development contributes towards</p>

			meeting local needs. It is not considered excessively restrictive or unduly burdensome to require local marketing and restrict occupation to local residents for a limited period of 6 months.
<b>Support (no comments)</b>		DP017; DP028; DP067; DP077; DP095; DP114; DP202; DP272; DP313 Argyle & Campbell Road Residents Association; D157 Hove Civic Society	Support noted and welcomed.

<b>DM5 Supported Accommodation (Specialist and Vulnerable Needs)</b>			
<b>Total Number of Responses</b>		17	
<b>Number of Representations that Support</b>		15	
<b>Number of Representations that Object</b>		2	
<b>Number of Representations – Other</b>			
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Compliance with regulations and standards</b>	Non-planning regulations and market requirements will largely determine the relevant standards for accommodation of this type and therefore criterion (c) is of central importance to the function of this policy.	DP260 Lewis & Co Planning	Noted.
<b>Need to strengthen policy</b>	Welcome most of the policy but concerned that many vulnerable people can only be accommodated outside of the city boundaries. The policy should specifically state that the council seeks to respond to the problem of a lack of housing for vulnerable people in the city through building in the city, and criterion (a) needs to be strengthened. This would also ensure that people are not isolated from their friends and family as a result of needing accommodation for their needs.	DP307 Green Group of Councillors	Noted. The first line of the policy provides a clear commitment to ensure there is an appropriate range and supply of residential accommodation for vulnerable people. It is

			not clear what amendments to criterion a) are being sought.
<b>Wording changes/ amendments sought</b>	<p>The first paragraph of the policy could be deleted or moved to supporting text.</p> <p>Criterion (d) provides little planning benefit and could be removed from the policy - in some cases specialist accommodation cannot also be inclusive without an adverse impact on quality.</p> <p>Paragraph 2.36 of the supporting text is unnecessary and should be deleted.</p> <p>The final sentence of the policy is vague and not qualified (what happens where need no longer exists for a type of specialist housing). Specialist housing is not defined within the policy and</p>	DP260 Lewis & Co Planning	<p>Disagree. The first line of the policy is helpful in setting out the Council's strong commitment to support the provision of a range and supply of suitable accommodation for people with special needs.</p> <p>Disagree. This criterion is also included in Policy DM4.</p> <p>Noted. It is considered that the cross-reference is helpful given that Policy DM3 specifically allows for residential conversions for people with special housing needs. No change proposed.</p> <p>Noted. This section of the policy has been expanded to include</p>



	<p>this term could apply to a wide range of housing that would not need protecting - clearer wording is needed.</p> <p>Paragraph 2.37, and in particular the second sentence, should be policy wording as it has clear implications for decision-takers.</p>		<p>specific criteria which should be applied when considering any proposals involving the loss of residential accommodation for people with special needs (similar to the requirements proposed in Policy DM4).</p> <p>Agree that the intention of the wording is unclear. For clarification, the second sentence has been deleted and the first sentence of the paragraph amended to refer to taking account of potential impacts on transport, local amenity and the character of an area.</p>
Support			
<p><b>General support</b></p>	<p>It is important for vulnerable people to feel part of the community.</p> <p>The policy seems very sensible.</p>	<p>DP135</p> <p>DP091</p>	<p>Support noted and welcomed.</p> <p>Support noted and welcomed.</p>

	<p>The creation of accommodation for older or vulnerable people to live independently accords with Section 2.27.9 of the Brighton &amp; Hove Economic Strategy.</p> <p>Support the wording in paragraph 2.37 and consider this particularly important to any possible future concentration of hostels.</p>	<p>DP208 Brighton &amp; Hove Economic Partnership</p> <p>DP256 The Conservative Group</p>	<p>Support noted and welcomed.</p> <p>Support noted and welcomed.</p>
<b>Support (no comments)</b>		<p>DP028; DP067; DP077; DP114; DP202; DP272; DP095;</p> <p>DP002 Brighton YIMBY;</p> <p>DP031 NLCA;</p> <p>DP001 Pavilion Architecture;</p> <p>DP263 Brunswick Town Association</p>	<p>Support noted and welcomed.</p>

<b>DM6 Build to Rent Housing</b>			
<b>Total Number of Responses</b>		25	
<b>Number of Representations that Support</b>		18	
<b>Number of Representations that Object</b>		7	
<b>Number of Representations – Other</b>			
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Support policy in principle</b>	Support the policy in principle as it adds diversity to the housing mix.	DP295 X-Leisure (Brighton II) Ltd and Landsec; DP275 Moda Living Ltd; DP307 Green Group of Councillors	General support for policy noted and welcomed.
<b>Criterion 1.a) - housing choice and mix</b>	Reference to Policy CP19 in CPP1 at criterion 1.a) is unnecessary and can be removed.	DP260 Lewis & Co Planning	Noted. It is important that Build to Rent proposals are assessed in the context of overall demand and mix of housing provision in the city as set out in Policy

			CP19. No change proposed.
<b>Criterion 1.b) - over-concentration of Build to Rent</b>	Re criterion 1.b), it is unclear how 'over-concentration' of build to rent within Strategic Allocations would be defined or what evidence is used to justify this restriction. Flexibility should be incorporated into the policy to allow site specific circumstances to be reflected.	DP295 X-Leisure (Brighton II) Ltd and Landsec; DP275 Moda Living Ltd; DP260 Lewis & Co Planning	Noted. Criterion 1.b) has been deleted from the policy wording. It is considered that other policies such as CP19 can be applied to avoid over-concentration of housing types on one site/ location.
	Amend criterion 1.b) to say "the development should ensure that the proportion of build to rent within sites designated as Strategic Allocations in the City Plan takes account of site specific circumstances".	DP295 X-Leisure (Brighton II) Ltd and Landsec	Noted. Criterion 1.b) has been deleted from the policy wording. It is considered that other policies such as CP19 can be applied to avoid over-concentration of housing types on one site/ location.
	Unless a clearer definition and justification is provided, this requirement should be removed from the policy. If retained, a clear evidence base and explanation of how it will be measured and determined should be provided. It is unclear how this might be implemented in a predictable and consistent way, making this an unsound and ineffective component of policy. In practice, Build to rent housing represents a long-term investment by developers and/or operators and there are clear efficiencies and advantages	DP275 Moda Living Ltd	Noted. Criterion 1.b) has been deleted from the policy wording. It is considered that other policies such as CP19 can be applied to avoid over-concentration of housing types on one site/

	<p>to some degree of scale. The scale and quantity of build to rent on a specific site is commercially driven. Concerns about 'over-concentration' could easily reduce the potential for the build to rent sector to deliver such high-quality developments and regeneration.</p> <p>Criterion 1.b) could reference to the importance of viewing build to rent proposals in the context of wider housing and regeneration objectives, and against the need to deliver a diverse range of housing types and products which meets the needs of a range of groups within the City.</p>		<p>location.</p> <p>Noted. These issues are already covered under criterion 1.a).</p>
<b>Criterion 1.c) requirements</b>	The requirement for dwellings to be self-contained and separately let is not justified or explained within the policy.	DP260 Lewis & Co Planning	Noted. The wording duplicates wording included in the Build to Rent policy (Policy H13) in the Draft London Plan policy.
<b>Criterion 1.e) – ownership and management</b>	Criterion 1.e) is too restrictive. It is typical for individual buildings to be under common management but the ownership structure may vary. Different ownerships may be introduced during the delivery and management process. Greater flexibility is required within the policy wording as ownership should not be a concern of policy.	DP295 X-Leisure (Brighton II) Ltd and Landsec	The PPG states that “Build to rent schemes would normally, by definition, remain within the rental sector, under common ownership and management, for the long term”. The requirement for “unified ownership and management” reflects similar policy wording in the Draft London Plan.

	Amend criterion 1.e) to say “each build to rent building will be under common management”.		Noted. No change to policy is proposed for the reasons set out above.
<b>Criterion 1.f) – management requirements</b>	Criterion 1.f) requirement for on-site management is excessive and would likely make small schemes unviable or unaffordable. There is no viability work that shows this to be an appropriate requirement. In addition, the requirement for ‘professional’ management is vague and undefined.	DP260 Lewis & Co Planning	Noted. As stated in the draft London Plan, ‘on-site management’ does not necessarily require full-time dedicated on-site staff, but all schemes should have systems for prompt resolution of issues and some daily on-site presence.
<b>Criterion 1.g) – tenancy requirements</b>	<p>Criterion 1.g) is too restrictive in requiring that the development offers tenancies of at least 3 years available to all tenants with defined in-tenancy rent reviews. In practice, build to rent tenants demand greater flexibility and a minimum 3-year tenancy may not be suitable or desired by all tenants. Greater flexibility is required and criterion 1.g) should be deleted.</p> <p>Welcome the requirement for minimum tenancies which is due to be strengthened with primary legislation.</p>	<p>DP295 X-Leisure (Brighton II) Ltd and Landsec</p> <p>DP307 Green Group of Councillors</p>	<p>Disagree. The policy intention is to require that longer tenancies (3 or more years) are made available to all tenants – however, this would still enable shorter tenancies to be offered for tenants who want them.</p> <p>Support noted and welcomed.</p>
<b>Criterion 1.h) – compliance with Policy DM1</b>	Criterion 1.h) is unnecessary as it simply references other policies.	DP260 Lewis & Co Planning	Noted. The policy cross-reference highlights that build to rent developments will be

			subject to the general Policy DM1 requirements (e.g in respect of minimum space and accessibility standards). Equivalent criteria are included in other policies (e.g DM4 and DM5).
<b>Criterion 1.i) – provision of affordable housing</b>	Criterion 1.i) is unnecessary as it simply references other policies.	DP260 Lewis & Co Planning	Agree. The criterion has been deleted.
<b>Approach for seeking affordable housing</b>	<p>Support the approach to negotiating on affordable housing by the council for build to rent schemes, reflecting that the viability of build to rent schemes differs from traditional residential and must be considered on a site-by-site basis.</p> <p>Support the reference to the role that private rented accommodation can make in the delivery of 'affordable rent' housing as part of a diverse and balanced housing market.</p> <p>Concerned about how to keep build to rent housing genuinely affordable – in London, build to rent properties are more expensive than rental properties nearby. The policy should focus on affordability of the housing and linking affordability to incomes, not the market. Affordable rents should be based on Living Wage rents (or Living Rents) defined as a percentage of median rented household income and should not exceed the Local Housing Allowance (which is less than the 80% market rent figure). Should also include some social rents, even if this means fewer affordable</p>	<p>DP295 X-Leisure (Brighton II) Ltd and Landsec</p> <p>DP275 Moda Living Ltd</p> <p>DP307 Green Group of Councillors</p>	<p>Support noted and welcomed.</p> <p>Support noted and welcomed.</p> <p>Agree. This is a key conclusion of the Council's Build to Rent Study. As a result, policy criterion 2.b) has been amended to require that affordable units within BTR schemes should be provided at "genuinely</p>

	homes may be achieved.		affordable rents” to be agreed with the Council subject to scheme viability. A footnote to the policy indicates that this will generally mean rents set no higher than the Local Housing Allowance (LHA) Housing Benefit limit (including service charges).
<b>Monitoring requirements</b>	The Plan might refer to the importance of monitoring the delivery of new private rented homes to ensure that the council is able to understand the relative level of new build rented homes over the plan period.	DP275 Moda Living Ltd	Noted. Proposed Implementation and Monitoring Indicators and Targets for CPP2 were published alongside the draft Plan as part of the consultation. The suggested indicators included ‘Number of build to rent dwellings completed annually’ and ‘Number & percentage of affordable dwellings completed annually as part of build to rent developments’.
<b>Comments on proposed Council</b>	Request more details on the council’s intention to commission further evidence regarding build to rent, as would information	DP275 Moda Living Ltd	Noted. The views of the respondent and other



<b>Build to Rent study</b>	about any opportunities to engage in helping provide a market context for this evidence base.		Build to Rent providers have been sought as part of the Council's Build to Rent study.
<b>Other comments</b>	<p>The policy is not clear or justified and needs significant revision.</p> <p>The policy is contrary to Government moves to drive landlords out of the housing market.</p> <p>The policy is meaningless without protected rents in the UK (and housing trusts to prevent the buildings being sold off).</p> <p>Add wording to state that the council supports Community Land Trusts as an option for genuinely affordable housing by and for the community.</p> <p>Rented accommodation is too expensive in Brighton and should be better managed. Building more homes specifically for renting will only compound the problem.</p>	<p>DP260 Lewis &amp; Co Planning</p> <p>DP077</p> <p>DP091</p> <p>DP095</p>	<p>Noted. See responses to the respondent's detailed comments.</p> <p>Disagree. The PPG on Build to Rent (published Sept 2018) states that "If a need is identified, authorities should include a plan policy setting out their approach to promoting and accommodating build to rent."</p> <p>Noted. This falls outside the scope of planning policy.</p> <p>Noted. This comment does not really relate to a Build to Rent policy.</p> <p>Noted. Agree that rented accommodation is too expensive for many</p>

	<p>The policy should be extended to make sure homes are not purchased for renting but then not occupied.</p> <p>The universities should help the rented sector by providing more accommodation for their students, leaving more, cheaper homes for residents of the city.</p> <p>The policy must be interpreted in coordination with minimum space standards.</p> <p>Call for high quality design including robust materials that are designed for the marine environment, including a requirement</p>	<p>DP307 Green Group of Councillors</p>	<p>households, but consider that provision of good quality purpose-built rented accommodation will contribute towards meeting some housing needs, especially households unable (or not wishing) to purchase housing for sale.</p> <p>Noted. This cannot be achieved through planning policy.</p> <p>Noted. The City Plan supports this through Policy CP21 (supported by draft Policy DM8 in CPP2).</p> <p>Agree. However this is already addressed through criterion 1.h) which requires Build to Rent schemes to comply with Policy DM1.</p> <p>Noted. The City Plan already promotes high</p>
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	where possible for the use of environmentally sustainable materials where available at no more than 20% of the cost.		quality design and sustainable construction through a range of policies.
<b>Support</b>			
<b>Support policy in principle</b>	<p>Support the policy as the present shorthold system does not provide good quality property for rent.</p> <p>The policy will make renting more affordable with more choice.</p> <p>Welcome the introduction of policy.</p> <p>Support the policy as it will help to deliver a diverse range of housing.</p> <p>Welcome the inclusion of a specific policy for build to rent and the council view that it can help boost the supply of rental accommodation within the city by providing more choice of good quality rented accommodation and secure long term tenancies.</p> <p>Support the inclusion of policy as reflecting advice in the updated NPPF.</p> <p>Further measures are needed to ensure that the present provision of private renting is regulated by licensing and other measures to ensure suitable and good quality housing for tenants for longer occupancy (e.g as in Germany).</p>	<p>DP031 NLCA; DP177 The Brighton Society</p> <p>DP135</p> <p>DP157 Hove Civic Society</p> <p>DP268 LaSalle Investment Management Ltd</p> <p>DP271 Legal &amp; General Investment Management</p> <p>DP292 Rockwell Developments Ltd</p> <p>DP177 The Brighton Society</p>	<p>Support noted and welcomed.</p> <p>Support noted and welcomed.</p> <p>Support noted and welcomed.</p> <p>Support noted and welcomed.</p> <p>Support noted and welcomed.</p> <p>Support noted and welcomed.</p> <p>Support noted and welcomed.</p> <p>Support noted. The further regulation suggested falls outside the scope of planning</p>

			policy.
<b>Criterion 1.a) - housing choice and mix</b>	Policy CP19 was drafted in the context of more traditional approaches to housing mix, and may undermine the viability of build to rent schemes. Criterion 1.a) should allow sufficient flexibility to reflect the distinct nature of build to rent schemes which often provide a greater proportion of smaller unit sizes. (These comments also apply to criterion 1.h).	DP271 Legal & General Investment Management	Noted. It is considered that policies CP19 and DM1 (as proposed) allow sufficient flexibility to allow for the specific characteristics of Build to Rent development, whilst still contributing towards mixed and sustainable communities.
<b>Criterion 1.b) - over-concentration of Build to Rent</b>	<p>Criterion 1.b) should be deleted as it might have unintended and undesirable consequences, e.g if a major developer offers comprehensive build to rent on a large site - such contributions should be seen in the city wide context.</p> <p>Consider that criterion 1.b) should be removed from the policy unless there is a clearer definition and justification of what might constitute “over-concentration”. If retained, a clear evidence base and explanation of how it will be measured and determined would be needed. It is unclear how this might be implemented in a predictable and consistent way, making this an unsound and ineffective component of policy. This could deter investment and undermine the viability and deliverability of build to rent. Criterion</p>	<p>DP157 Hove Civic Society</p> <p>DP268 LaSalle Investment Management Ltd</p>	<p>Noted. Criterion 1.b) has been deleted from the policy wording. It is considered that other policies such as CP19 can be applied to avoid over-concentration of housing types on one site/ location.</p> <p>Noted. Criterion 1.b) has been deleted from the policy wording. It is considered that other policies such as CP19 can be applied to avoid over-concentration of housing types on one site/</p>

	<p>1.b) could be amended to refer to the importance of viewing build to rent proposals in the context of wider housing and regeneration objectives, and against the need to deliver a diverse range of housing types and products which meets the needs of a range of groups within the city.</p> <p>The current wording of criterion 1.b) has the potential to jeopardise the delivery of build to rent accommodation due to the interpretation of 'over-concentration'. The criterion should be removed so as not to deter build to rent developments and jeopardise the delivery of much needed housing. Any concerns with the quantum of build to rent accommodation within the City could be regulated through Policy CP19.</p>	DP271 Legal & General Investment Management	<p>location.</p> <p>Noted. Criterion 1.b) has been deleted from the policy wording. It is considered that other policies such as CP19 can be applied to avoid over-concentration of housing types on one site/ location.</p>
<b>Criterion 1.d) – covenant to retain as Build to Rent</b>	<p>The build to rent sector favours schemes with unrestricted planning usage given the speculative risk of the asset class. Provision for affordable clawback provision should be made to allow for the scheme to be sold (as in the Greater London Authority Aug 2017 SPG) within the restricted period. Other conditions that might allow for a sale during the restricted periods are for market failure and/or mortgagee in possession.</p> <p>A covenant of 15 years is the longest period that funders can adhere to due to fund life and long term market risk testing requirements. Any longer could frustrate the delivery of such accommodation within the city.</p>	<p>DP208 Brighton &amp; Hove Economic Partnership</p> <p>DP271 Legal &amp; General Investment Management</p>	<p>Noted. Criterion 2.e) already makes provision for 'clawback' in the event of the sale of affordable units.</p> <p>Noted.</p>
<b>Criterion 1.e) – ownership and</b>	This policy could be an opportunity for Brighton & Hove Community Land Trust to work with developers or the council to	DP217 Brighton & Hove Community Land Trust	Noted.

<b>management</b>	help secure the homes being affordable in perpetuity as CLTs have experience to offer in this type of housing.		
<b>Criterion 1.f) – management requirements</b>	The NPPF definition of build to rent does not require on-site management. In practice, the level of management varies between schemes and is often linked to the scale of the development. For some developments, the provision of some management services off-site may be more cost effective with the tenant ultimately benefitting from the savings.	DP271 Legal & General Investment Management	Noted. As stated in the draft London Plan, ‘on-site management’ does not necessarily require full-time dedicated on-site staff, but all schemes should have systems for prompt resolution of issues and some daily on-site presence.
<b>Criterion 1.g) – tenancy requirements</b>	<p>The NPPF does not set prescriptive tenancy lengths for build to rent - the definition states that "Schemes will <u>usually</u> offer longer tenancy agreements of three years or more...". The current wording would exclude shorter tenancies and would reduce true tenant choice. Therefore suggest that the wording be amended to “the development will offer <u>long term</u> tenancies <del>of at least 3 years</del> available to all tenants with defined in tenancy rent reviews”.</p> <p>Appreciate the objective to secure longer term tenancies for local residents, but the current wording could be interpreted as requiring all tenancies for build to rent schemes to be at least 3 years. Flexibility should be provided for future tenants choose a tenancy length that suits their requirements, which may include shorter tenancy agreements. Recommend the criterion is amended to say “the development will offer variable tenancy periods to provide flexibility for tenants. This will include tenancy</p>	<p>DP271 Legal &amp; General Investment Management</p> <p>DP292 Rockwell Developments Ltd</p>	<p>Disagree. The policy intention is to require that longer tenancies (3 or more years) are made available to all tenants – however, this would still enable shorter tenancies to be offered for tenants who want them.</p> <p>Noted. The policy intention is to require that longer tenancies (3 or more years) are made available to all tenants – however, this would still enable shorter tenancies to be offered for tenants</p>

	<p>periods of at least 3 years available to all tenants with defined in-tenancy rent reviews.”</p> <p>Tenancy should be for “a minimum of 3 years”, not “at least 3 years”.</p>	<p>DP177 The Brighton Society</p>	<p>who want them.</p> <p>Noted. The suggested wording would have exactly the same meaning, therefore no change is proposed.</p>
<p><b>Criterion 1.i) – provision of affordable housing</b></p>	<p>Feedback from BHEP member Legal &amp; General is that the requirement for 40% affordable housing is unrealistic and may deter investors from developing BTR. Consider that affordable housing should be based on an agreed Viability Appraisal with no percentage set.</p> <p>Ensuring affordable homes is important; there may be a chance to insert a clause a cracking down on loopholes that stop larger developers providing them.</p>	<p>DP208 Brighton &amp; Hove Economic Partnership</p> <p>DP002 Brighton YIMBY</p>	<p>Noted. Following the conclusions of the Build to Rent Study, criterion 2.a) has been amended to require <i>“provision of up to 20% of the housing at genuinely affordable rents to be agreed with the council taking account of the overall viability of the proposed development and subject to consideration of criteria i. to v. in Policy CP20.”</i></p> <p>Noted. The Council’s policies for affordable housing (including draft Policy DM6) seek to maximise delivery of affordable housing but</p>

	<p>Acknowledge that build to rent development can play an important part in contributing towards meeting the city's need for affordable housing, but only when viable and when it does not prejudice the realisation of other planning objectives.</p>	<p>DP271 Legal &amp; General Investment Management</p>	<p>are subject to considerations of development viability as required by national planning policy.</p> <p>Noted. Following the conclusions of the Build to Rent Study, criterion 2.a) has been amended to require <i>“provision of up to 20% of the housing at genuinely affordable rents to be agreed with the council taking account of the overall viability of the proposed development and subject to consideration of criteria i. to v. in Policy CP20.”</i></p>
<p><b>Criterion 2.a) - proportion of affordable housing</b></p>	<p>Reference to the requirements of Policy CP20 with regard to the provision of affordable housing does not provide sufficient flexibility given the distinct economics of build to rent accommodation.</p>	<p>DP271 Legal &amp; General Investment Management</p>	<p>Noted. Following the conclusions of the Build to Rent Study, criterion 2.a) has been amended to require <i>“provision of up to 20% of the housing at genuinely affordable rents to be agreed with the council taking</i></p>



	<p>Part 1 of policy already includes reference to meeting the requirements of Policy CP20 and some build to rent proposals may provide less than 15 units. Therefore, specifying a requirement for 40% on sites of 15 or more (net) dwellings) is not necessary and should be deleted.</p> <p>Further clarity should be provided on the definition of affordable private rent, which should reflect the definition set out in the NPPF Annex 2 in particular the last sentence which specifically refers to build to rent schemes.</p>	<p>DP292 Rockwell Developments Ltd</p>	<p><i>account of the overall viability of the proposed development and subject to consideration of criteria i. to v. in Policy CP20.”</i></p> <p>Noted. Following the conclusions of the Build to Rent Study, criterion 2.a) has been amended to require <i>“provision of up to 20% of the housing at genuinely affordable rents to be agreed with the council taking account of the overall viability of the proposed development and subject to consideration of criteria i. to v. in Policy CP20.”</i></p> <p>Noted. Following the conclusions of the Build to Rent Study, criterion 2.a) has been amended to require <i>“provision of up to 20% of the housing at genuinely affordable</i></p>
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	<p>Agree that as much affordable housing as possible should be sought from developers. However, given that the Policy CP20 target of 40% has not been achieved in recently approved developments, consider that the process for securing affordable housing is flawed - developers are paying too much for land and then using viability arguments to justify a lower percentage of affordable housing.</p>	<p>DP177 The Brighton Society</p>	<p><i>rents to be agreed with the council taking account of the overall viability of the proposed development and subject to consideration of criteria i. to v. in Policy CP20."</i></p> <p>Noted. The Council's policies for affordable housing (including draft Policy DM6) seek to maximise delivery of affordable housing but are subject to considerations of development viability as required by national planning policy. Where planning applications do not meet the affordable housing policy, the Council requires applicants to submit evidence to justify this in the form of a detailed viability assessment which is then reviewed independently.</p>
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<p><b>Criterion 2.b) - affordable housing rent levels</b></p>	<p>Strongly support the policy in not specifying specific rent levels, but have serious concerns with statement in paragraph 2.45 that the council will seek to negotiate 55% of the affordable element provided at Local Housing Allowance (LHA) rent levels and the remaining affordable provided at a discount of at least 20% against local market rents. The high percentage of LHA rent levels risks undermining the viability of build to rent schemes – therefore request that the target percentage is lowered.</p>	<p>DP271 Legal &amp; General Investment Management</p>	<p>Noted. Following the conclusions of the Build to Rent Study, policy criterion 2.a) has been amended to require <i>“provision of up to 20% of the housing at genuinely affordable rents to be agreed with the council taking account of the overall viability of the proposed development and subject to consideration of criteria i. to v. in Policy CP20.”</i> The accompanying policy footnote has been amended to state that this will generally mean rents set no higher than the Local Housing Allowance (LHA) Housing Benefit limit (including service charges). Further guidance will be provided in the updated Affordable Housing Brief.</p>
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	<p>The criterion 2.b) requirement for affordable housing to be offered at discounted rent levels repeats criterion 2.a) and therefore should be deleted. In addition, the footnote refers to the guidance in the council’s Affordable Housing Brief, which was last updated in December 2016 and does not accurately reflect the revised NPPF (July 2018) regarding rent levels for affordable private rent or how build to rent schemes will be managed by landlords/management companies. The Affordable Housing Brief should be updated in line with the NPPF definitions and guidance on managing build to rent housing.</p>	<p>DP292 Rockwell Developments Ltd</p>	<p>Noted. Following the conclusions of the Build to Rent Study, policy criterion 2.a) has been amended to require “provision of up to 20% of the housing at genuinely affordable rents to be agreed with the council taking account of the overall viability of the proposed development and subject to consideration of criteria i. to v. in Policy CP20.” The accompanying policy footnote has been amended to state that this will generally mean rents set no higher than the Local Housing Allowance (LHA) Housing Benefit limit (including service charges). Further guidance will be provided in the updated Affordable Housing Brief.</p>
<p><b>Criterion 2.d) - size mix of</b></p>	<p>The preferred size mix specified in Policy CP20 does not reflect the distinct nature of build to rent schemes and the type of affordable</p>	<p>DP271 Legal &amp; General Investment Management</p>	<p>Noted. Policy CP20 already allows for</p>

<b>affordable housing</b>	housing that they offer which may undermine the viability of such schemes. Suggest that the wording of criterion 2.d) be amended to “the size mix of affordable housing units to be agreed with the council in accordance with Policy CP20 reflecting the distinct nature of build to rent schemes.”		flexibility to determine the preferred affordable housing mix (unit size and type of dwelling) on individual sites through negotiation and informed by up to date assessments of local housing needs and site/ neighbourhood characteristics. No amendment to criterion 2.d) is considered necessary.
<b>Criterion 2.c) – eligibility for affordable housing</b>	Further clarity and guidance should be provided regarding the eligibility criteria for occupants of affordable private rent units provided in build to rent schemes. We understand this is likely to be determined by aspects such as income and local house prices.	DP292 Rockwell Developments Ltd	Noted. Further guidance will be provided in the Council’s updated Affordable Housing Brief.
<b>Criterion 2.e) – ‘clawback’ arrangement</b>	Acknowledge the principle of a ‘clawback’ mechanism, but consider that it needs to be applied to allow sufficient flexibility to reflect the viability and delivery of individual schemes - otherwise could frustrate delivery of build to rent and its associated planning benefits.	DP271 Legal & General Investment Management	Noted. The council’s approach to development viability and ‘clawback’ is intended to reflect national Planning Practice Guidance (PPG).
<b>Monitoring requirements</b>	The Plan might refer to the importance of monitoring the delivery of new private rented homes to ensure that the council is able to understand the relative level of new build rented homes over the plan period.	DP268 LaSalle Investment Management Ltd	Noted. Proposed Implementation and Monitoring Indicators and Targets for CPP2 were published

			alongside the draft Plan as part of the consultation. The suggested indicators included 'Number of build to rent dwellings completed annually' and 'Number & percentage of affordable dwellings completed annually as part of build to rent developments'.
<b>Comments on proposed Council Build to Rent study</b>	Welcome the reference at paragraph 2.49 to the council's intention to commission further evidence regarding build to rent provision (deliverability and viability), and look forward to further details, and the chance to comment on this evidence in due course.	DP268 LaSalle Investment Management Ltd	Support noted. The views of Build to Rent providers have been sought as part of the Council's Build to Rent study.
<b>Additional policy for co-living Build to Rent</b>	Consider there should be an additional specific policy for the 'co-living' type of build to rent accommodation (which is characterised by non- self-contained ensuite rooms with a large provision of shared communal facilities) similar to that in the draft London Plan (ref: Policy H18 Large Scale Purpose Built Shared Living).	DP292 Rockwell Developments Ltd	Noted. There is currently limited developer interest in such schemes and it is considered that the proposed BTR policy would cover those applications that come forward.
<b>Other comments</b>	Tenants' rights are important and should be protected.	DP002 Brighton YIMBY	Noted. Criterion 1.g) would provide for this insofar as such rights can be supported through

	<p>Would support further measures to regulate the present provision of private housing by the means of licensing and other measures to ensure provision is made by suitable persons. At present private rented housing is very poor quality with tenants having practically no ability to improve matters due to shorthold tenancies.</p> <p>Support build to rent housing, but believe shared ownership should also be encouraged where possible.</p> <p>Re paragraph 2.44, the demands on public open space are growing, however funds for essential maintenance have been cut and the quality of the city parks is suffering as a result. More funding from Section 106 agreements and/or CIL funds is required and this should be recognised as an aim in the City Plan, beyond the basic requirements of Policy CP16.</p> <p>Where developers provide commuted payments in lieu of on-site affordable housing, details should be provided of how these funds are spent on affordable housing provision. The commuted payments should include the additional market value of the extra</p>	<p>DP031 NLCA</p> <p>DP256 The Conservative Group</p> <p>DP177 The Brighton Society</p>	<p>planning policy.</p> <p>Noted. This issue falls outside the scope of planning policy and the City Plan.</p> <p>Support noted.</p> <p>Noted. This issue falls outside the scope of this policy. In addition it should be noted that developer contributions can only be sought where they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind.</p> <p>Noted. The Council prepares an annual report for Committee which sets out financial</p>
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	<p>units released by the relaxation of the obligation.</p>		<p>contributions received through s106 planning obligations and how the contributions received have been spent. Commuted payments received in lieu of affordable housing will be spent as part of the Council's New Homes for Neighbourhoods programme. As set out in the Council's published Developer Contributions Technical Guidance, the commuted payment is based on a sum equal to the difference between an Open Market Value (OMV) and Affordable Housing Value (AHV).</p>
<p><b>Support (no comments)</b></p>		<p>DP028; DP067; DP114; DP202; DP272; DP001 Pavilion Architecture; DP263 Brunswick Town Association</p>	<p>Support noted and welcomed.</p>



<b>DM7 Houses in Multiple Occupation</b>			
<b>Total Number of Responses</b>		37	
<b>Number of Representations that Support</b>		22	
<b>Number of Representations that Object</b>		15	
<b>Number of Representations – Other</b>			
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Clarification on application of policy requested.</b>	Assurance sought that DM7 is applied as wide as legally and practically possible and not simply in the five wards within the Article 4 Directive.	Conservative Group DP256	The policy will be used in the determination of all relevant planning applications. Changes of use to small HMO do not require planning permission outside the current Article 4 Direction area, although the area is expected to be extended citywide in June 2020.
<b>Comment</b>	There are too many HMOs in Brighton already.	DP095	Planning policy cannot be

			applied retrospectively to areas which already have very high concentrations but will assist in maintaining balanced communities in other areas.
<b>Policy will restrict housing choice</b>	<p>More HMOs and fewer family homes are needed as people cannot afford to start families or buy family homes these days.</p> <p>Policy will reduce the range of housing available to residents and would disproportionately affect specific groups of residents (in particular non-student sharers).</p>	DP091 DP258 B&H Planning Agents Forum, DP260, DP217 Brighton and Hove Community Land Trust, DP002 Brighton YIMBY	HMOs are an important part of the housing supply, the policy is not intended to limit overall HMO development, rather to prevent negative impacts stemming from areas of high concentrations by encouraging a more even spread.
<b>Scope of policy should be widened to include short term holiday lets</b>	Policy should cover Airbnbs and 'party houses' as well as HMOs	DP314, DP042, DP031, DP177	Short term holiday lets are considered by the government as a residential use (C3 Use class) so planning permission is not required and the policy would be ineffective.
<b>Comment</b>	HMOs are historically bad and do not create a good community.	DP077	HMOs are an important part of the housing supply, however over-concentrations can have negative impacts on communities.
<b>Policy threshold is too low.</b>	The policy does not sufficiently protect the residential character of Brighton. A 20% threshold is far too high to maintain a balanced character in communities.	DP252	A 20% threshold over a wider area, when combined with the other criteria and CPP1 Policy CP21 which apply at a more localised level, is considered to

			be appropriate.
<b>Applicants should contribute towards costs of servicing the impact of HMOs</b>	Applicants should be required to contribute to the costs of servicing the impact such as noise pollution controls / patrols and street cleaning and the planning permissions should be time limited with the ability to rescind where landlords do not adequately protect the other residents in the street.	DP252	This is not considered to be justified through a development management planning policy.
<b>Clarification required.</b>	Has the council contacted the utility companies e.g. electricity, water sewage to see about plans to upgrade the local infrastructure in light of the increasing density of people within HMO properties?	DP181	Utilities companies have made representations on the City Plan Part Two and have expressed no concerns with regard to this policy.
<b>Policy not justified.</b>	The planning benefits of avoiding a continuous frontage of HMOs are unclear. The colocation of similar uses is likely preferable in amenity terms.	DP260 Lewis & Co Planning	This criterion seeks to avoid negative amenity impacts caused by concentrations of HMOs at very localised levels.
<b>Existing HMOs should be protected</b>	The policy does not protect the existing housing supply of HMOs for sharers who choose to live in shared accommodation or cannot afford to buy their own properties.	DP260 Lewis & Co Planning	Changes of use from C4 (small HMO) to C3 (dwellinghouses) are permitted development and cannot be restricted by planning policy.
<b>Space standards should be included in policy.</b>	A missed opportunity for the Council to set out clearly their planning standards for HMOs and the standard of accommodation expected. As a general rule, communal space provision of below 3m2 per person usually (but not always) results in a refusal of planning permission and this should be included within the Policy as a requirement going forward to provide clarity and certainty for applicants going forward.	DP260 Lewis & Co Planning	The national space standards set out in Policy DM1 apply to HMOs.  Change made to supporting text to clarify requirement for communal space.
<b>Policy criteria are too onerous and not justified.</b>	The system of assessing the wider neighbourhood area requires applicants to identify the active and lawful use of (according to the supporting text) 625 to 875 houses surrounding their property and	DP260 Lewis & Co Planning	Applicants are able to request pre-application advice from the Council which can provide an

	this cannot be considered to be an appropriate requirement for applicants.		indication of the HMO concentration at wider neighbourhood level.
<b>Policy criteria should be toughened</b>	The policy does not go far enough to limit or reduce HMOs	DP263, DP271, DP313 Argyle & Campbell Road Residents Association	HMOs are an important part of the housing supply, however over-concentrations can have negative impacts on communities. It is not considered that tougher criteria are justified and proportionate.
<b>Support</b>			
<b>Support with caveat</b>	Because of the higher levels of refuse and recycling created by HMOs, there should be a requirement to provide adequate storage facilities for these along with better shared facilities such as living rooms and bathrooms. There needs to be a minimum size for bedrooms.	DP076 Roundhill Society	Requirements for adequate space for refuse and recycling and covered by Waste & Minerals Plan Policy WMP3e  Space standards set out in Policy DM1 apply to HMOs.
<b>Comment</b>	General support expressed	DP001, DP017, DP135, DP031, DP067, DP006, DP114, DP028, DP137, DP177 Brighton Society, DP187, DP202, DP203, DP208 BHEP, DP220, DP255, DP266 Brighton Marina	Support welcomed.

		Neighbourhood Forum Steering Group, DP307 Green Group, DP176	
<b>Clarification requested – reversal to C3 housing</b>	Clarification requested about reversion to C3 housing from an HMO. For example if the owner of an existing HMO in an area already exceeding the permitted number of HMOs would the buyer have to revert to C3?	DP006	No, planning legislation does not allow for this.
<b>Comment</b>	Limiting HMOs will help sustain community facilities.	DP153	Comment noted.
	Place a limit on how many future students the universities can expect to be housed outside the universities' own provision.	DP158	The Council has no powers to enforce such a restriction.
<b>Support with caveat</b>	The Council should seek an undertaking from the universities that they will not exploit the loophole that allows headlease properties to be placed in areas where Article 4 Directions are in place.	DP158	This is outside the scope of the City Plan.
<b>Support with caveat</b>	HMO size standards should be set above the national minimum. Council should require that residential units with two or more bedspaces have at least one double (or twin) bedrooms to make them more suitable for families and key workers	DP158	Space standards set out in Policy DM1 apply to HMOs. These are considered to be appropriate.
<b>Comment</b>	We encourage the city council to develop a register of leasehold and other premises where HMOs are forbidden by covenants entered into by property owners	DP266	It is unclear how the Council could obtain this information.
<b>Comment – consider practice from other LPAs</b>	The Council should examine the results of the work from Southampton Council, which has placed a ban on HMOs with an Article 4 direction.	DP307 Green Group of Councillors	HMOs are a lawful use and cannot be banned. Southampton has a citywide Article 4 Direction relating to HMOs. A citywide Article 4 Direction is due to be introduced in Brighton & Hove June 2020, subject to

			confirmation by the council.
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<b>DM8 Purpose Built Student Accommodation</b>			
<b>Total Number of Responses</b>		30	
<b>Number of Representations that Support</b>		16	
<b>Number of Representations that Object</b>		14	
<b>Number of Representations – Other</b>			
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>General objection</b>	General objection	DP001, DP123, DP263 Brunswick Town Association	Objection noted.
<b>Need for robust management and security</b>	There is a need for substantive management service and accountability to support the staff/security and ensure that the neighbourhood is not overwhelmed by continual or cumulative non-criminal disruption.	DP156 Kingscliffe Society	It is not believed that PBSA developments are the cause of significant disruption, however the policy does require effective 24 hour security.
<b>PBSA should be</b>	PBSA should be more dispersed away from Lewes Road.	DP007	Noted, however few

<p><b>located away from Lewes Road</b></p>			<p>appropriate sites were put forward during the call for sites exercise. The policy framework set out in City Plan Part 1 Policy CP21 supports PBSA development in other areas where certain criteria can be met.</p>
<p><b>PBSA should be located away from the HMO Article 4 Direction area.</b></p>	<p>Developers should be encouraged to site blocks away from Article 4 wards, where the new 20% rule for HMOs should also apply to PBSA blocks.</p>	<p>DP007</p>	<p>It is not considered that the PBSA has the same impact on local communities as proliferation of HMOs so similar restrictions are not considered appropriate.</p>
<p><b>Too much PBSA in city centre.</b></p>	<p>Unregulated increase in numbers is having an impact on the quality of life of those living in the town centre</p>	<p>DP042</p>	<p>Comment noted, however it is assumed the comment relates more to overall student numbers rather than PBSA developments, of which there are few in the city centre. Policies CP21 and DM8 sets out the criteria that will need to be met by new PBSA.</p>
<p><b>PBSA</b></p>	<p>Most purpose built student accommodation blocks are completely</p>	<p>DP091</p>	<p>The requirement for</p>



<b>developments are unaffordable for most students.</b>	unaffordable for all but the top 5% of students.		predominantly cluster flats is intended to address affordability issues. Delivery of more PBSA will increase competition.
<b>No demand for further off-campus PBSA</b>	The market for student accommodation is not set to get larger, but smaller. Moreover both Sussex and Brighton are building more of their own on-site accommodation, therefore BHCC should not approve any further planning applications for PBSA off campus, unless in exceptional circumstances.	DP091	No evidence has been provided to support this statement. The Council's projections show a significant demand for PBSA.
<b>Should be located near sustainable transport links</b>	The sites need to be near transport that goes directly to university sites	DP095	Proximity to sustainable transport corridors is a requirement of City Plan Part One Policy CP21.
<b>Requirement for predominantly cluster flats is not justified.</b>	Requirement that all PBSA schemes include an element of cluster units is not justified. Studio units are part of the overall PBSA offer of the City and provide accommodation that is suited to and popular with particular groups (for example mature students). There is no evidence that residents of studios would not otherwise reside in HMOs. No evidence to suggest that cluster flats encourage greater social interaction than buildings with studio flats	DP310 CKC Properties Ltd, DP260 Lewis & Co Planning, DP297 Vita Group	Cluster flats are more equivalent in cost to HMOs. The policy does not preclude studios coming forward in addition. Numerous 100% studio developments have come forward in recent years and the policy is intended to provide a better balance.
<b>Criteria should be less prescriptive</b>	Communal living, particularly cooking facilities, will not be appropriate to all PBSA schemes and in particular smaller studio	DP310 CKC Properties Ltd	Policy wording has been amended. Communal

	schemes. The criterion should be less prescriptive.		cooking space is not a specific requirement of studio schemes.
<b>BRE guidance should not be applied rigidly</b>	The BRE's guidance is not policy and is just one consideration in the determination of planning applications. It should not be applied rigidly in this way and the Guidance itself acknowledges as much. Access to sunlight and daylight is determined by several factors, not least site context and rigid insistence on adherence to the Guidance could prevent otherwise acceptable schemes proceeding	DP310 CKC Properties Ltd	The use of the word 'should' allows for some flexibility if this can be justified.
<b>Requirement for 24 hour on-site security is not justified.</b>	The requirement for 24 hour on site security is excessive. Some schemes (smaller) may not require an on-site presence for a full 24 hours. The criterion should be reworded to require appropriate 24 hour security is provided.	DP310 CKC Properties Ltd, DP260 Lewis & Co. Planning	Comment noted, criterion will be amended.
<b>Whole academic year criterion is not justified.</b>	The whole academic year criterion, if translated into a planning consent condition it would, in theory, impede the lettings of voids or vacant units mid-way through an academic year. It is unclear what the criterion seeks to achieve and it is not supported by any explanatory text. It should be omitted from the policy	DP310 CKC Properties Ltd, DP177 Brighton Society	Comment noted.
<b>Policy does not address overall shortfall of PBSA</b>	The policy lacks detail on how to address overall shortfall of PBSA against total student numbers.	DP181	It is not expected that all students requiring accommodation would seek to reside in PBSA, or that sufficient PBSA could be developed in the city to meet the full predicted demand for accommodation.
<b>Further criteria requested</b>	Stronger tests must be complied with if the LPA is to consider the demolition of housing in favour of PBSA. This should include a	DP307 Green Group	Policy DM2 seeks to resist any net loss of

	clear clause that any genuinely affordable housing within the application site and proposed for demolition must be replaced by the applicant at their own cost.		existing residential accommodation (Use Class C3) in the city.
<b>Further criteria requested</b>	The policy should have stronger design criteria.	DP307 Green Group	Policy CP21 of the adopted City Plan Part 1 provides further criteria for PBSA that are relevant and city wide policies on design – CP12 and Policy DM18 ‘High quality design and places’ would apply.
<b>Developments should be required to incorporate community facilities.</b>	PBSA should include facilities open to the wider community, e.g. rooftop terraces; the provision of noticeboards; community use of facilities such as gyms and bars	DP307 Green Group	Noted, and many PBSA development already completed do host community facilities. However, it is not considered appropriate to require public access to these elements through policy.
<b>Criteria ineffective</b>	Requirement to ensure occupants do not keep cars in Brighton & Hove is unachievable and excessive.	DP260 Lewis & Co. Planning	It is considered that this can be achieved through the management plans for PBSA.
<b>Lack of supply causes studios to be more expensive</b>	Within the IQ Living at Sawmills on Lewes Road, privately operated cluster flats cost over £200 a week, while the studios cost around £250. This evidence demonstrates that the lack of supply drives up prices, whether a building provides cluster or studio flats.	DP297 Vita Group	It is recognised that these cluster flats are also fairly expensive, but noted that they remain 20% cheaper than

			studios.
<b>Criterion not justified.</b>	There is a lack of an evidence base to support the Council's claim that typical residents of studio units would not otherwise reside in HMOs.	DP297 Vita Group	The cost of a PBSA studio unit is more akin to the average cost of renting a one bedroom flat in the flat in the city.
<b>Benefits of studios understated</b>	Studio based developments can also facilitate social interaction through the provision of gyms, movie rooms, private dining and study spaces. Cluster schemes would only provide basic lounge and kitchen facilities.	DP297 Vita Group	This is noted, however it is considered that cluster flats are more effective in this regard by allowing friends to live more communally and facilitating more regular contact with the other students.
<b>Wording is difficult to apply to studio developments.</b>	Criteria A and C of Policy DM8 should include consideration for studio units. As studio units are self-contained it would not be necessary to include "communal living space; cooking and bathroom facilities to be commensurate in size to the number of occupants", although it is important that hub space is also provided in PBSA residences that generally comprise studio flats.	DP297 Vita Group	Comment noted
Support			
<b>Support with caveat</b>	Support PBSA with two provisos: 1) meets adequate space standards and 2) location which does not affect nearby residential areas	DP031 North Laine CA	The policy framework is intended to address these concerns
<b>Should signpost to biodiversity and amenity space policies.</b>	There is no specific mention of a requirement for PBSA developments to provide outdoor amenity space, as a result these developments will not have to contribute to the existing ecological network or the wider GI network. The lack of this requirement also reduces the numerous benefits of exposure to well-maintained GI	DP189 Natural England	This is covered by City Plan Part One Policy CP16 which would apply to all planning applications

	that students will receive. This requirement is important as minimising impacts on biodiversity and providing net gains are aims of both the NPPF (paragraphs 8, 170, 174, & 175) and the DEFRA 25 year plan (1.1.)		
<b>Minor changes requested</b>	Clarification of the word 'predominantly' and confirmation that bedrooms within such accommodation do not necessarily need to have en-suite bathrooms, which would allow the University to continue offering a range of accommodation options for students. In addition, no reference is made in the draft policy to the delivery of 'town house' type PBSA developments. The University has successfully delivered this type of accommodation on its campus and would not want to encounter restrictions on the development of further such accommodation, as an inadvertent consequence of this type of accommodation not being acknowledged within the policy or supporting text.	DP291 University of Sussex	'Predominantly' means at least 50%. There is no requirement for en-suite bathrooms  Townhouse style developments such as the Bighthelm campus development are a form of cluster unit.
<b>Minor changes requested</b>	Criterion (f) – 24 hour security requirement welcomed. It is important that a distinction is made between already established campus-wide security provision (that on-campus PBSA developments would benefit from) and the need for a suitable security presence to be delivered as part of off-campus PBSA development.	DP291 University of Sussex	Comment noted, and an amendment to the policy will be made.
<b>Full academic year requirement is too inflexible</b>	Flexibility needs to be added to part g) (length of tenancy agreements), to reflect the differing needs of students. As an illustration of this, the University offers three different lengths of tenancy agreements ranging from 39 weeks to 51 weeks, as well as offering specific tenancy agreements for part-year students (for visiting and exchange students etc).	DP291 University of Sussex	Comment noted, and an amendment to the policy will be made.
<b>Comment</b>	General support for policy	DP291 University of Sussex, DP002 Brighton YIMBY, DP017, DP028,	Support welcomed.

		DP067, DP135, DP077, DP202, DP272, DP114, DP255, DP208 BHEP, DP207	
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<b>DM9 Community Facilities</b>			
<b>Total Number of Responses</b>		22	
<b>Number of Representations that Support</b>		16	
<b>Number of Representations that Object</b>		6	
<b>Number of Representations – Other</b>			
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Policy supported but exception criteria should be toughened</b>	We support the intent behind the policy but consider that it should be strengthened by deleting the need to meet just one of the criteria.	DP111 Theatres Trust	It is considered that this would be unduly onerous and not justified.
<b>Clarification – marketing evidence</b>	We would contend that marketing evidence should underpin demonstration that the building or land is no longer required or no longer suitable. The only exception would be where replacement of equal or greater standard is being provided.	DP111 Theatres Trust	This requirement is already set out in paragraph 2.76.
<b>Test for partial loss of space should be</b>	We object to the current wording giving support for partial loss of floorspace through change of use where the use requires less floorspace or to sustain the existing use through cross-subsidy.	DP111 Theatres Trust	Noted. Agree that wording of this part of the policy should be

<b>toughened.</b>	While we appreciate and support the principle behind the policy, as currently drafted it is far too permissive and would be very easy to manipulate. Loss of space currently reads as a favoured option rather than a 'last resort'.		tightened.
<b>Refers to an issue covered by other policies.</b>	This part of the CPP2 should adhere to the National Planning Policy Framework (Jul 2018) Section 8: Promoting healthy & safe communities Existing open space, sports and recreational buildings and land,	DP280	Open space and sports facilities are covered by policies CP16 and CP17 in the City Plan Part One.
<b>General comment</b>	There are currently insufficient community facilities.	DP263	The policy supports the provision of new community facilities.
<b>Additional criteria requested – maintenance/repairs</b>	It must be demonstrated that decline in use of the facility is not due to poor maintenance or reduced maintenance budgets, and that use of the facility would not be increased if repairs were carried out	DP028	Comment noted. A similar requirement is contained with Policy DM10 (Public Houses). This is covered by criterion 2c of the policy.
<b>General comment</b>	The Council should encourage the provision of affordable and suitable rooms and facilities for hire for community meeting purposes	DP156	Comment noted.
<b>General comment</b>	Existing buildings suitable for community use should be retained, rather than building new ones, as this is cheaper and greener.	DP091	The policy supports the retention of existing community facilities.
Support			
<b>Appropriate to Local context</b>	The CCG is working more and more closely with the Council to integrate the commissioning and provision of health and social care. A key component of this is the provision of community based hubs that will support the delivery of multi-agency working across health and care and also integrate other Council services, such as Housing.	DP101 B&H CCG,	Comment noted. Multi-agency hubs are support by the policy.



<b>Support with caveat</b>	The landlords of Badgers Tennis Club have stated that they purchased the site for 'development.' The site is a thriving tennis club, providing a service to the community and no alternative site is possible.	DP036 Badgers Tennis Club	Noted. A planning application for the loss of a sporting facility would need to comply with existing policy requirements in City Plan Part One.
<b>Concern about loss of GP facilities</b>	We have continuing concern about the collapse in GPs in the city and the re-provision of such an important part of community infrastructure	DP307 Green Group of Councillors	Comment noted. The policy seeks to protect community facilities, including GP surgeries, from unjustified loss. Where a need has been identified this has been identified in the City Plan Part 1.
<b>Minor change requested</b>	Community facilities often contain historic fabric, with many having retained continuous use over long periods of time. As such they are important to the history of the community. If loss is to happen, and where appropriate, the LPA should consider recording its functions through photographic/ digital means if the built form cannot be retained	DP307 Green Group of Councillors	If the facility was within a Listed Building or locally listed or a building of noted importance and had approved for demolition then there would be the requirement for appropriate recording.
<b>Comment</b>	We fully expect any removal of community space through development to be replaced; it should be done with attention to the local area. For example if there is a reputable community organisation in a purpose-built facility next to a new-build, reasonable applicants would be expected to cooperate with the	DP307 Green Group of Councillors	Comment noted. As set out in Policy CP7 Infrastructure and Developer Contributions any contributions would

	facility to enhance the infrastructure for the entire community		need to meet the statutory tests.
<b>Minor changes requested – links to ecological and GI networks</b>	There is no specific mention of a requirement for new community facilities to connect with and contribute to the existing ecological and GI networks. This is important as minimising impacts on biodiversity and providing net gains are aims of both the NPPF (8.170. 174. & 175.) and the DEFRA 25 year plan (1.1.).	DP189 Natural England	Policy DM37 ‘Green Infrastructure and Nature Conservation applies to all development proposals including those for community facilities. No need to duplicate requirements in this policy.
<b>Minor change requested</b>	Minor improvements could be made by removing the wording "at least" from part 2 and the word "any" from criterion 2 (c).	DP260 Lewis & Co.	In criterion 2(c) “any” to be changed to “an”
<b>General Support</b>	General support	DP002 Brighton YIMBY, DP031 NLCA, DP067, DP77, DP095, DP001 Pavilion Architecture, DP135, DP202, DP208 BHEP, DP272, DP114	Support welcomed.
<b>General Support</b>	We must do everything we can to retain community facilities and as such we warmly welcome the policies.	DP307 Green Group of Councillors	Support welcomed.

<b>DM10 Public Houses</b>			
<b>Total Number of Responses</b>		23	
<b>Number of Representations that Support</b>		19	
<b>Number of Representations that Object</b>		4	
<b>Number of Representations – Other</b>		0	
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Criteria are unduly onerous</b>	The requirements of paragraph 2.84 are excessively onerous and unclear, with the pre-agreement of an asking price with the local planning authority not clearly explained (we are not clear what mechanism there is for this agreement to be made).	DP260 Lewis & Co.	Comment noted, policy amended.
<b>Policy should support new pubs</b>	Policy support should be added for new pubs and the diversification and improvement of existing public houses, where this provides opportunities to improve the viability of these businesses.	DP260 Lewis & Co, DP258 B&H Planning Agents Forum	Support for new pubs is provided through part (1) of Policy DM9.
<b>Pubs can have a negative effect on health</b>	There is an acknowledged health crisis due to excessive alcohol consumption. While this isn't wholly due to pubs, it does undermine the argument that pubs provide a social benefit.	DP028	It is not considered that a policy to protect the unnecessary loss of individual public houses would have a significant

			effect on public health.
<b>Pubs have can a negative effect on amenity</b>	It is disturbing that one of the envisaged ways of retaining pubs is to grant live music licences. These can be a menace, creating huge disturbance to neighbours. There needs to be recognition that a lot of pubs, including those in town centres, are in the midst of residential areas.	DP028	The potential effect on neighbours would be a consideration in the granting of a live music license, which is a separate legislative regime to the planning process.
<b>General objection</b>	General objection	DP042	Noted.
Support			
<b>Support with caveat – importance of community/ cooperative models</b>	While we welcome the many tests the policy proposed to help ailing public houses, we point to The Rose Hill Tavern which is still in community use, if not with an alcohol licence. We strongly believe that the model of community/ cooperative/ enthusiast ownership should be drawn into discussions as early as possible, facilitated through the LPA, if public houses report difficulties in retaining their premises.	DP307 Green Group of Councillors	Priority is given to the reuse of premises for community use where alternative use can be justified.
<b>General comment</b>	Pubs are architecturally rich and deserve special attention	DP307 Green Group of Councillors	Paragraph 2.87 of the supporting text recognises this point.
<b>Support with caveat</b>	Theatres and other such cultural venues can also be subject to complex challenges which would justify requirement for a longer marketing period to give decision-makers confidence they cannot reasonably be maintained.	DP111 Theatres Trust	Change made to Policy DM9 to reflect this point.
<b>General comment</b>	Public houses should be registered as community assets.	DP091, DP176	Applications for ACV status must be made by the local community.
<b>General comment</b>	Pubs should be converted to community use if no longer viable.	DP091	Priority is given to the reuse of premises for

			community use where alternative use can be justified.
<b>General comment</b>	Public houses are an important part of the local community providing a meeting and social place for local residents	DP135, DP077, DP176, DP303 Rottingdean PC, DP111 Theatres Trust	The importance of public houses is the reason for this specific policy.
<b>General comment</b>	Pubs face unique challenges compared to other commercial, community and cultural uses and this has been understood well and is reflected within the supporting justification, for example requiring evidence that the pub has been offered free of tie and restrictive covenant.	DP111 Theatres Trust	Support welcomed.
<b>General comment</b>	General support	DP002 Brighton YIMBY, DP003, DP031 NLCA, DP067, DP095, DP001 Pavilion Architecture, DP114, DP202, DP208 BHEP, DP233 B&H Food Partnership, DP272, DP280, DP303	Support welcomed.

DM11 New Business Floorspace			
<b>Total Number of Responses</b>		14	
<b>Number of Representations that Support</b>		12	
<b>Number of Representations that Object</b>		2	
<b>Number of Representations – Other</b>			
Summary of Comments			
Issue/ Site Allocation	Summary of Comments	Respondent Number and Name	Officer Response
Object			
<b>Purpose of policy is unclear</b>	Not clear what additional benefits this policy offers given adopted CPP1 Policy CP3 Employment Land.	DP260 Lewis & Co Planning, DP258 Brighton & Hove Planning Agents Forum	Comments noted. Policy builds on Policy CP3 in the City Plan Part One (which supports refurbishment and upgrade of existing floorspace) by setting out specific expectations for <i>new</i> employment floorspace where redevelopment proposals come forward

			of older/ lower quality or lower density premises to ensure the new business space is high quality, flexible and future proofed.
<b>Clarify wording at part 2 of policy</b>	The second part of the policy is unclear and needs clarity. Proposed wording changes suggested: <i>Development proposals that seek to upgrade lower quality premises on protected industrial estates, and/or seek to provide higher employment densities, will be supported where the proposed use/s remain within B1, B2 and B8 Use Classes.</i>	DP260 Lewis & Co Planning	Comments noted. Amendments have been made to clarify second part of policy.
Support			
<b>Appropriate Response</b>	Requirement to deliver a range of unit size and types, incorporating flexibility to meet a range of business needs, is appropriate in the context of Brighton and Hove.	DP268 La Salle Investment Ltd, DP275 Moda Living Ltd,	Support noted and welcomed
	Ensures provision of flexible B Class floorspace can be 'future proofed'/adapted to meet changing needs of business particular small business and start ups	DP065 Big Yellow Self Storage Co. Ltd DP261 Hargreaves	Support noted and welcomed
	Fits with Economic Strategy ('Growing City')	DP208 Brighton & Hove Economic Partnership	Support noted and welcomed
	Efficient use of existing business floorspace will reduce development on greenfield sites.	DP189 Natural England	Comment noted and support welcomed.

<p><b>Include reference to commercial premises</b></p>	<p>The policy intent should be carried over into supporting the upgrade, improvement, development and diversification of existing office, commercial and industrial properties given impact of changing work practices and effect this will have on marketability of traditional offices in short to medium term.</p>	<p>DP268 La Salle Investment Management Ltd.</p>	<p>Comments noted. Adopted City Plan Part 1 Policy SA1 Central Brighton encourages the refurbishment and upgrade of existing offices and this is further explained in the supporting text at paragraph 3.136 and the upgrade and refurbishment of industrial estates/ premises is also encourage at adopted City Plan Part 1 Policy CP3.4. DM11 provides further guidance on the nature of new business floorspace to ensure it is well designed, flexible and future proofed.</p>
<p><b>Support with caveats</b></p>	<p>Ensure existing commercial space is used first and where purpose built new business space is needed ensure architectural attractiveness, functionality and adequate parking provided.</p>	<p>DP091</p>	<p>Comments noted. Adopted City Plan Part 1 Policy CP3 Employment land sets out the approach to safeguarding existing employment space. However new floorspace</p>



			is also required over the plan period.
	Ensure better understanding of how mixed use schemes in suburban locations are being occupied and retained.	DP307 Green Group of Councillors	Comments noted. Policy promotes applicants to consider the design of business space to ensure it can respond to changing economic conditions and be attractive to occupiers.

<b>DM12 Change of use within Regional, Town, District and Local Shopping Centres</b>			
<b>Total Number of Responses</b>		15	
<b>Number of Representations that Support</b>		9	
<b>Number of Representations that Object</b>		6	
<b>Number of Representations – Other</b>		0	
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			

<p><b>Support small and independent retailers.</b></p>	<p>Key plank of the policy must be to support what way small and independent retailers are supported by policy. Cite various studies/ surveys on trading patterns.</p> <p>LPA should support the protection of local shopping areas with local traders, and focus on the enhanced local flavour and particular characteristics from the local area which are drawn into focus from the offer – consider use of Article 4 Direction to explicitly protect certain areas.</p> <p>Vacant units owned by the council – council should provide a creative response. In peak seasons and in the most prominent streets, such gaps should be filled by new retailers. Role of Post Office.</p> <p>Work with LEP, BHEP and Federation of Small businesses to create resilience for small local traders.</p>	<p>DP307 The Green Group of Councillors</p>	<p>It is difficult to make any restrictions in planning policy for independent retailers. The policy sets out that within the Lanes and North Laine areas where the change of use should not result in a group of three or more adjoining units being in non-A1 use Use of Article 4 direction will be looked at particularly in light of new government consultation</p> <p>The council supports the creation of ‘meanwhile’ uses where units become vacant.</p> <p>Comments noted</p>
<p><b>Better reflect changing nature of high street.</b></p>	<p>Policy should better reflect the changing nature of the high street and wider range of city centre uses that should be encouraged to maintain vibrancy, vitality and viability of primary and secondary frontages.</p>	<p>DP307 The Green Group of Councillors, Hargreaves DP261; DP260 Lewis &amp; Co Planning</p>	<p>The policy has been altered to refer to the change from A1 to non-A1 use, rather than a stipulated list of use</p>

			<p>classes to ensure that there is more flexibility for a change of use to a wider amount of use classes such as community and leisure uses. The policy has also been altered to be more flexible in the length of time units are marketed for in some centres.</p>
<p><b>Policy is not consistent with revised NPPF - frontages</b></p>	<p>Policy is not effective, justified, or consistent with national policy, and should be revised.</p> <p>Town centres should be destinations which offer a variety of shopping and leisure experiences that encourage increased activity outside of normal shopping hours. Non-A1 uses, particularly in the food and beverage sector, make a positive contribution by supporting town centres as a primary economic driver for the sub-region by increasing footfall and dwell time within centres.</p> <p>The diversification of centres also assists in attracting high quality tenants which furthers economic development and encourages continued investment in town centres.</p> <p>Restricting the amount of appropriate non-A1 town centre uses as drafted, limits its effectiveness in terms of securing the future vitality and viability of town centres.</p>	<p>DP218 JTC Fund Solutions (Jersey) Limited</p>	<p>Agreed that the policy should be more flexible and that non A1 uses can be complementary to the town centre in a measured way.</p> <p>The policy has been altered to refer to the change from A1 to non-A1 use, rather than a stipulated list of use classes to ensure that there is more flexibility for a change of use to a wider amount of use classes such as community and leisure uses. The policy has also been altered to be more</p>

	<p>The main focus of Council's Shopping Frontage Review (May 2018) appears to be to define the extent of the relevant Frontages rather than to justify why non-retail uses should be limited in these locations and is contradictory around the role of A uses in providing active street frontages and does not accord with revised NPPF.</p> <p>Question inclusion of frontage protection criteria given revised</p>		<p>flexible in the length of time units are marketed for in some centres. Policy wording does not preclude A3 and A4 uses just tries to ensure that there is not an over concentration of these uses particularly in primary shopping areas.</p> <p>The purpose of the Frontage Review paper was to identify areas of centres where frontages could either be removed to create more flexibility for changes of use or to include newly developed units within frontages where anomalies currently occur about whether they form part of an identified frontage. The paper also updates the mix of A1 to non-A1 in the newly defined frontages.</p> <p>Frontages are defined in</p>
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	<p>NPPF. Whilst revised NPPF seeks to define a "Primary Shopping Area (PSA), no longer defines frontages. And while the PSA is a location where retail uses are de-facto more prevalent, the revised NPPF does not stipulate that the amount of retail floorspace in these areas should be protected.</p>		<p>City Plan Part One and it is entirely appropriate to carry on with this approach in Part Twp. Para 85 a) of the NPPF states that local authorities should "define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters;" it does not preclude local authorities from designating primary and secondary frontages in their town centres.</p> <p>The Shopping Frontage Review Paper will be updated to bring the</p>
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			wording in line with the revised NPPF wording
<b>Shop Front issues and lighting</b>	<p>Historically important retail frontages which especially in the Conservation Areas in the city should be retained where possible. If all attempts to retain features fail, that such features are recorded and kept for local records.</p> <p>Should have a policy like in LP 2005 where bold and inappropriate fascias especially in terms of dimension and unsuitable materials are avoided and that where possible historic signs uncovered through renovation are carefully retained (and appropriately encased) or incorporated into updated signs)</p> <p>Concerned about what is happening to retail parades in Conservation Areas with regard to lighting. Believe a night time survey needs to be conducted at the earliest point to understand the condition of retail frontages in Conservation Areas with regard to harmful artificial light.</p>	<p>DP307 The Green Group of Councillors</p> <p>DP307 The Green Group of Councillors</p> <p>DP307 The Green Group of Councillors</p>	<p>Addressed in policy DM23</p> <p>Addressed in policy DM23</p> <p>This is not considered a matter for retail planning policy and is a matter concerning listed buildings/conservation area policy.</p>
<b>Query Policy appropriate given Permitted Development Rights and marketing requirements</b>	<p>PD rights have changed allowing permanent and temporary changes of use of A class units.</p> <p>The draft policy fails to provide the same level of support and flexibility, restricting changes of use and requiring vacant units to show 12 months of marketing.</p>	<p>DP261 Hargreaves , DP260 Lewis &amp; Co Planning , DP258 Brighton &amp; Hove Planning Agents Forum</p>	<p>PD rights have further changed as of May 2019 and the use class order is due to be consulted upon later in 2019. As it stands the policy has been altered to refer to</p>

			<p>A1 uses and non-A1 uses to try and future proof the policy. Whilst it is understood that PD rights do exist which allow certain changes of use it is understood that this does not apply in conservation areas (a fair amount of frontages within centres are also designated as being within conservation areas). It is also understood that as part of the PD process that Prior Approval is required, which allows consideration of the impact on adequate provision of services, sustainability of key shopping areas, noise, and transport. Some of the PD rights can also be temporary (3 year) change of use.</p> <p>The policy wording has been altered to be supportive of temporary</p>
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			and meanwhile uses where the resulting use would benefit the shopping frontage.
<b>Policy should be more supportive of complementary uses and dual/mixed uses</b>	<p>The policy should provide support for complementary uses such as food and beverage establishments, leisure uses and professional services that would positively contribute to the frontage. Improved flexibility will help support the role and function of the City Centre and encourage inward investment and the creation of new businesses within the city.</p> <p>The Policy should also be supportive of dual/mixed uses of premises that will allow businesses to make more efficient and dynamic use of their commercial spaces where appropriate and diversify their commercial offer within their existing premises. E.g. permitting change use class between A1, A2, A3, A4 and B1 without the need to return to planning for a change of use application.</p>	DP258 Brighton & Hove Planning Agents Forum DP261 Hargreaves ,	<p>Policy wording does not preclude complementary non-A1 uses but tries to ensure that there is not an over concentration of these uses particularly in primary shopping areas. The policy has also been amended to be supportive of meanwhile/temporary uses.</p> <p>This is a central government decision in consideration alterations to the use classes order and or the permitted development rights. The policy has however been amended to be supportive of meanwhile/temporary uses.</p>
<b>Lack of strategic and protective</b>	Planning Policies and licensing fails to meet the needs of St James's Street, its residential neighbourhood and general catchment. The	DP156 Kingscliffe Society	St James street is protected as a District

<b>policy for St James Street</b>	challenges to its unique character as a shopping area and the progressive imbalance in its commercial profile should be specifically addressed. The lack of a more strategic and protective focus on the street means that it is all the more difficult to preserve its special historic and architectural character.		Shopping Centre in the retail hierarchy. The centre benefits from nearly 60% of units being in retail use. Vacancy rates are relatively low.
<b>Support</b>			
<b>Brunswick Town Local Centre</b>	Whilst general concerns with retail - welcome that the Regional Centre has been amended to facilitate a new centre called Brunswick Town Local Centre. The Brunswick Town area has a series of historically important businesses and their retention and the 'feel' of Brunswick Town is enhanced through the presence of small and independent retailers.	DP307 Green Group of Councillors ,	Support welcomed
<b>General</b>	Note reference to The Lanes in paragraph 2.103 – Rottingdean's draft Neighbourhood Plan has similar restrictions	DP303 Rottingdean Parish Council	Noted
	Any control over use of existing shops is to be welcomed, especially in centre where cause problems	DP263 Brunswick Town Association	Noted
<b>Support but request further clarity</b>	Whilst the wording is thorough it remains unclear as to whether these provisions would indeed protect local shopping spaces. Some further clarity would be helpful such as is written in DM13 where it explicitly states that shopping parades are protected.	DP256 The Conservative Group	Shopping centres are protected in so far as they allow for some non-A1 changes of use to occur where they are not considered to over concentrate the area.
<b>Support – reflects Economic Strategy</b>	Supports the policies to protect and enhance the retail offer in the city via theme 5 of the Economic Strategy - An Open City	DP208 BHEP	Noted
<b>Support</b>	It seems sensible, except in protected areas which should be the Lanes and North Laine area.	DP091	Noted

<b>Support – no detailed comments</b>		DP067, DP031 NLCA, DP002 Brighton Yimby, DP001 Pavilion Architecture	Noted
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<b>DM13 Important Local Parades, Neighbourhood Parades and Individual Shop Units</b>			
<b>Total Number of Responses</b>		13	
<b>Number of Representations that Support</b>		10	
<b>Number of Representations that Object</b>		3	
<b>Number of Representations – Other</b>		0	
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Inclusion of additional Important Local Parades in the policy</b>	Rottingdean High Street, Longridge Ave and Lustrell's Vale should be included as an Important Local Parade.	DP317 Rottingdean Councillors	Rottingdean High Street, Longridge Avenue and Lustrell's Vale are all designated as Local Shopping Centres and included within the retail hierarchy. They will be covered by emerging policy DM12 Primary, Secondary and Local Centre Shopping Frontages

	<p>The Dip in Hollingdean and Moulsecoomb Way parade should be included as an Important Local Parade.</p>	<p>DP307 Green Group Of Councillors</p>	<p>“The Dip” in hollingdean is already designated as a Local Shopping Centre (Hollingbury Place) in the retail hierarchy and will be covered by emerging policy DM12 Primary, Secondary and Local Centre Shopping Frontages.</p> <p>The Mouslecoomb Way parade would not be big enough to designate as an Important Local Parade as this parade has just four units. It would be covered by part b) of draft policy DM13 as a Neighbourhood Parade where criteria would apply to any proposed change of use.</p>
<p><b>Policy should better reflect changing character of high streets and city centre</b></p>	<p>The current draft does not reflect the changing nature of high streets and the wider range of City Centre, or the permitted development rights allowing permanent or temporary changes of use of A-class units in order to reduce the barriers to new businesses moving into key retail areas and generating footfall.</p>	<p>DP258 B&amp;H Planning Agents Forum</p>	<p>The policy has been altered to refer to the change from A1 rather than stipulating A1 to A5 use classes to ensure that there is more</p>

	<p>The policy should provide support for complementary uses such as food and beverage establishments, leisure uses and professional services that would positively contribute to the frontage.</p> <p>The Policy should also be supportive of dual/mixed uses of premises</p>	<p>DP258 B&amp;H Planning Agents Forum</p> <p>DP258 B&amp;H Planning Agents Forum</p>	<p>flexibility for a change of use to a wider amount of use classes such as community and leisure uses. The policy now also refers to supporting the temporary, meanwhile uses of units where they support the viability of the retail centre</p>
<b>Object – no comments</b>		DP261Hargreaves	
Support			
<b>Support with caveats</b>	<p>Welcome Brunswick Town into a category (proposed local centre). Strict regulation of changes of use required.</p>	DP263 Brunswick Town Association	Comments noted
<b>Minor changes requested</b>	<p>The Lanes, North Laine and Rottingdean High Street should be given further protection to preserve their unique independent retailer offer.</p>	DP256 Conservative group	<p>Rottingdean High Street is designated as Local Shopping Centres and included within the retail hierarchy. They will be covered by emerging policy DM12 Primary, Secondary and Local Centre Shopping Frontages. The Lanes and the North Laine are included under policy DM12 Primary, Secondary and Local Centre Shopping</p>

			Frontages which prevents units amalgamating in these particular areas.
	As well as a local shopping function these parades provide specialist retailers such as bridal wear etc	DP233 B&H Food Partnership	Comments noted (none of the parades identified in the policy have particular specialist retailers but noted in supporting text)
<b>General Support</b>		DP208 BHEP, DP189 Natural England, DP031 NLCA, DP091, DP067, DP002, DP001	

<b>DM14 Commercial and Leisure Uses at Brighton Marina</b>			
<b>Total Number of Responses</b>		12	
<b>Number of Representations that Support</b>		8	
<b>Number of Representations that Object</b>		4	
<b>Number of Representations – Other</b>		0	
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Criterion D (D1 uses) should be removed</b>	Following policy text should be added: <i>“In addition to the identified uses, consideration will also be made for the change of use to other uses that support the vitality and viability of the Marina where justified where an active frontage is maintained.”</i>	DP295 X-Leisure (Brighton II) Ltd and Landsec	Broadening of uses at the marina will be reconsidered as an amendment to the policy text.
<b>Accessibility concerns</b>	Policy wishes to attract pedestrians to retail areas of Marina, however, questions remain over the accessibility and connectivity	DP307 Green Group of Councillors	Accessibility and connectivity issues



	<p>of the Marina for these visitors.</p>		<p>outline in CPP2 policy DA2 which is the overarching strategic policy for the DA2 Marina area. Local priority 4.) “Securing improved legibility, permeability and connectivity for pedestrians within and to the Marina and the surrounding areas through high quality building design, townscape and public realm (see CP12 and CP13).” Also see criteria in policy for Inner Harbour allocation.</p>
<p><b>Policy should not restrict ground floor residential uses</b></p>	<p>Diversification of retail centres to include mix of uses (including housing) is advocated in NPPF. Residential uses at ground floor level can provide active frontages and policy should not seek to restrict such use.</p>	<p>DP278 Outer Harbour Development Company Partnership LLP</p>	<p>Para 85 criteria “a) define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters;”</p>

			<p>Considered that residential uses are compatible with town centres but better suited to upper floors not ground floor where they are considered to not provide an active frontage. The text will be altered to state that residential will be permitted on upper floors.</p>
<p><b>Competition/Impact of policy on city centre</b></p>	<p>In line with NPPF, draft plan should provide clear guidance on what uses will be permitted in the Marina in order to serve its resident population. The site is not a designated retail area and should be treated as such.</p> <p>Criteria of policy should be extended to consider the impacts new retail development will have on the more established designated retail areas within the City.</p>	<p>DP218 JTC Fund Solutions (Jersey) Limited</p>	<p>The policy will be renamed to say “Commercial and Leisure Uses at Brighton Marina”</p> <p>Policy will be altered to state that Brighton Marina is no longer designated as 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</p>

			policy CP4 and the National Planning Policy Framework to ensure there are no adverse impacts on designated centres.
<b>Support</b>			
<b>General support</b>		DP317 Rottingdean Coastal Councillors, DP091, DP067, DP031 NLCA	
<b>Appropriate to Local context</b>	Policy protects and enhances the retail offer in the city via theme 5 of the Economic Strategy - An Open City.	DP208 BHEP	Support welcome
	Development within Brighton Marina reduces the demand for development on greenfield sites – protecting greenfield sites are a key component of the NPPF	DP189 Natural England	Support welcome
<b>Support with caveat</b>	Policy should not give greater status to low quality retail over high quality services. Equally, policy must be forward-thinking and not necessarily seek ‘outdated’ services such as bank branches. Research should be done to see what local residents need and want.	DP266 Brighton Marina Neighbourhood Forum Steering Group	Noted will remove reference to banks and post offices in supporting text
	There needs to be greater synergy between all elements at the Marina to improve on current blight. Retail already struggles, so needs to be supported with office space and improved place making.	DP266 Brighton Marina Neighbourhood Forum Steering Group	The wording of the policy has been broadened to welcome other uses such as offices provided the use could improve the vitality and viability of the – place making addressed in DA2.
<b>Minor changes</b>	Policy name 'special retail area' be changed to 'special	DP266 Brighton Marina	Agree title of policy

<b>requested</b>	commercial area' which gives equal status to all types of customer facing trading uses.  Removal of 'subjective' criteria A.	Neighbourhood Forum Steering Group	needs to change as this is not a centre in the retail hierarchy. The policy will be renamed to say "Commercial and Leisure Uses at Brighton Marina"  Criteria has been altered
	Amend 2.120 to specifically mention key, protected sites: <i>"The Marina is also in very close proximity two nationally protected sites: Beachy head West Marine Conservation Zone (MCZ) and the Brighton to Newhaven cliffs Site of Special Scientific Interest (SSSI)."</i> Between second and final sentence.	DP189 Natural England	Strategic Policy "DA2 Brighton Marina Gas Works and Black Rock Area" in the CPP1 sets out the need to ensure that protected sites are preserved.
	Needs a clause on the importance of improving public transit to the marina.	DP002 Brighton YIMBY	Covered by strategic policy DA2 in CPP1

<b>DM15 Commercial and Leisure Uses on the Seafront</b>			
<b>Total Number of Responses</b>		10	
<b>Number of Representations that Support</b>		2	
<b>Number of Representations that Object</b>		8	
<b>Number of Representations – Other</b>			
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Object – request wording changes</b>	No recognition of Hove Lawns section of seafront as a heritage asset that should be protected from development.	DP263 Brunswick Town Association	Comment noted. This is addressed in SA1 The Seafront in the adopted City Plan Part 1.
	2.123: “Seasonality should be enhanced, not reduced.” Policy should support innovative, yet practical, winter needs and uses.	DP156 Kingscliffe Society	Wording is meant to iterate that a reduction in seasonality would make the seafront more lively and approachable year-round.
Support			
<b>General support</b>		DP067, DP002 Brighton YIMBY, DP001 Pavilion	Support welcomed.

		Architecture	
<b>Developments need to be high quality, sustainable and attractive</b>	Concerned for state of the lower seafront to the east of Palace Pier. Hopes that DM15 will bring high quality, sustainable, innovative and attractive development to these areas which will in turn boost tourism	DP266 Brighton Marina Neighbourhood Forum Steering Group	Concern noted. The overarching priorities for the Seafront are set out in Policy SA1 The Seafront in the adopted City Plan Part 1 and also addressed through DM39 Development on the Seafront and Policies SSA5 and SSA6
	Supports protection and enhancement of the retail offer in the city via theme 5 of Economic Strategy - An Open City.	DP208 BHEP	Support welcomed
<b>Support with caveat</b>	Developments architecture should be worth visiting alone. Provision for new 'Regency style'	DP091	Comment noted.
	Concerned about the retention of the arches and structure if new developments obscured sea views or negatively impacted the amenities of locals.	DP031 NLCA	Comment noted the policy addresses uses within the arches and temporary uses.
<b>Additional criteria protecting cycle routes</b>	Add extra criteria so cycling/cyclists will not be impeded by activities on the seafront. "e) The use of the Seafront Cycle Route (NCN2) and other cycle routes will be preserved for cycling throughout the year."	DP316 Bricycles and Cycling UK	Comment noted the policy addresses uses within the arches on the lower promenade. The Seafront Cycle Route is addressed through the strategic seafront policy SA1 The Seafront in the adopted City Plan Part 1.

<b>DM16 Markets</b>			
<b>Total Number of Responses</b>		8	
<b>Number of Representations that Support</b>		8	
<b>Number of Representations that Object</b>		0	
<b>Number of Representations – Other</b>		0	
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
Support			
<b>General Support</b>		DP091, DP067, DP031, DP002, DP001	
<b>Support with caveat – cycle routes</b>	Support policy but concerned about impact on cycle routes. Suggests inserting this within the text of the policy.	Bricycles & Cycling UK (DP316)	Seems sensible to include cycle routes within the text of the policy.
	Support policy however consideration should be given to sustainable travel between different retail areas particularly the seafront in order to enhance and protect business viability.	Brighton & Hove Economic Partnership (DP208)	Comments noted. Sustainable transport covered by other policies

<p><b>Minor changes requested - reference to temporary markets on development sites and further guidance</b></p>	<p>Support policy but suggest that we include reference to use of box park style market spaces (shipping containers) in areas of the city waiting for development e.g. Black Rock, Marina, and North of St Peter's Church.</p> <p>Would welcome more detailed guidance about temporary and permanent markets and how and where they are permitted to support access to healthier food.</p>	<p>Brighton &amp; Hove Food Partnership (DP233)</p>	<p>in CPP1 and CPP2</p> <p>Unsure if shipping containers would be appropriate in some of these locations due to historic setting and the proposed long term use for the site (particularly if they do not currently include Retail uses). Draft policy addresses temporary market proposals.</p>
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<b>DM17 Opportunity Areas for New Hotels</b>			
<b>Total Number of Responses</b>		18	
<b>Number of Representations that Support</b>		7	
<b>Number of Representations that Object</b>		11	
<b>Number of Representations – Other</b>			
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Policy out of date – Brighton Waterfront proposals (which are not supported)</b>	<p>Policy seems out of date regarding Brighton Centre which council currently proposes to be relocated to Black Rock.</p> <p>Serious concerns with Waterfront Projects. Concerns about (and no explanation of feasibility) site size, transport links and impact on Grade 1 Listed Kemp Town and East Cliff CA (if development is level with/ rises above Marine Parade).</p> <p>The Black Rock site does not suit the function of a conference centre - potential for a major attractive hotel/ combination of high profile hotels.</p>	DP207 The Regency Society, DP156 Kingscliffe Society	Comments noted. Proposals for Brighton Centre and Black Rock strategic allocations will be assessed through DA1 and DA2 in the adopted City Plan Part 1 and amendments to DM17d) provide greater clarity.
<b>Brighton Gas</b>	Gasworks site has the potential to accommodate a hotel and CPP2	DP296 St William Homes	Comment noted. Policy

<p><b>Works site should be included in list of opportunity areas.</b></p>	<p>should not prejudice this.  Amend paragraph 2.133:  <i>DA2 Brighton Marina, Gas Works and Black Rock Area - to support the emerging Brighton Waterfront Proposals and the ongoing regeneration of the seafront the capacity for new hotel at the Black Rock <del>site</del> and <u>Gas Works sites</u> should be considered and the potential for a hotel as part of the mix of permitted uses for the Inner Harbour site at Brighton Marina.</i></p>		<p>DM17 needs to be read alongside adopted City Plan Part 1 Policy CP6 Visitor Accommodation which directs new hotel firstly to Central Brighton in accordance with the NPPF which reiterates the town centre first policy for main town centre uses.</p> <p>Policy DM17 seeks to widen the search area by identifying sequentially suitable opportunity search areas for new hotels. Hotels outside central Brighton and search areas identified in DM17 will be assessed against Policy CP6 Visitor Accommodation. The Black Rock site and Inner Harbour site were identified due to the emerging Waterfront Proposals and the established leisure destination of the</p>
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			Marina. No change made.
<b>Policy should address short term holiday rental accommodation/ Airbnb</b>	<p>There is nothing in this policy about examining ways of protecting high quality short term holiday rental accommodation and ensuring that this is of a high standard in the City. Brighton will always be foremost a leisure destination for visitors. The growth in the tourism market is now towards high quality short term holiday rental accommodation.</p> <p>Policy should include a clause that looks to maintain the short term holiday rental market but also looks towards a light licensing scheme to address rogue operators and Airbnb who operate without basic safety standards, permission from freeholders, property owners and/or mortgage companies; without adequate insurances or adequate security.</p> <p>In some areas Airbnb can cause problems; there are not safety regulations.</p>	<p>DP191 My Holiday Let Brighton</p> <p>DP263 Brunswick Town Association</p>	<p>Concerns noted. This issue this was considered through the Visitor Accommodation Update Study 2018. However short term holiday rental accommodation is classed by the government as C3 residential uses rather than a short term commercial visitor accommodation and this limits how the LPA can manage/ protect short term rental accommodation.</p> <p>Further there are no current powers for the council to introduce a licencing scheme for short term holiday rental accommodation.</p>
<b>Policy wording restricts the potential for new hotels outside</b>	The policy in its current form would restrict the potential for the development of new visitor accommodation. The Hotel Future Study Update describes the Development Area locations as "locations of opportunity", without the inference that other areas	DP261 Hargreaves	Policy needs to be read alongside adopted City Plan Part 1 Policy CP6 Visitor Accommodation

<p><b>opportunity areas</b></p>	<p>are unsuitable and unacceptable in principle.</p> <p>As no suitable sites have been identified to meet the clear need for additional visitor accommodation within the city, policy wording should be included that makes clear that some sites allocated or protected for other uses - particularly within these locations of opportunity - could be considered acceptable locations for new hotel development if a clear need for visitor accommodation can still be evidenced.</p> <p>More flexible wording to this effect could play a key role in securing the additional visitor accommodation needed to deliver the cities key events throughout the year and continue to support the significant primary and secondary economic benefits that the city's events and visitor economy generate every year. The impact of more flexible policies could be monitored annually through authority monitoring reports and Local Plan reviews when appropriate.</p> <p>Policy should be reworded to support new hotel development, identify specific allocations and strongly support appropriate proposals in these four DA areas of opportunity (DA1, DA2, DA4 and DA6). The Council should seriously consider the development potential of the Madeira Terraces area as a suitable site for a new midmarket or upscale hotel development and heritage restoration project. In its current form Policy DM17 would fail to support this kind of alternative proposal.</p> <p>Welcome policy support for new hotel development however the use of the term 'suitable' in the phrasing of the Policy implies that</p>	<p>DP260 Lewis &amp; Co Planning</p> <p>DP258 Planning Agents Forum</p>	<p>which directs new hotel firstly to Central Brighton in accordance with the NPPF which reiterates the town centre first policy for main town centre uses.</p> <p>Policy DM17 seeks to widen the search area by identifying sequentially suitable opportunity search areas for new hotels. Hotels outside central Brighton and search areas identified in DM17 will be assessed against Policy CP6 Visitor Accommodation.</p> <p>The Visitor Accommodation Update Study highlights the role of Policy DM17 is not to revisit the recently adopted CPP1 and allocated uses set out in strategic allocations. Rather, the Policy identifies the</p>
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	<p>other locations are not suitable, which we would question, and does not reflect the updated Visitor Accommodation Study which describes the Development Area locations as "locations of opportunity" and doesn't seek to distinguish specific areas within the Development Areas as the current wording of Policy DM17 suggests</p>		<p>opportunity for hotel uses alongside allocated uses where this would not compromise priorities and aspirations set out in those allocations.</p> <p>Regarding Madeira Terrace – SSA5 Madeira Terrace and Madeira Drive does include hotel use as a potential use.</p>
<p><b>Hove Station Area not suitable for budget hotel and should be removed from policy</b></p>	<p>Do not support Hove Station area as suitable for a budget hotel. Traffic movement and parking would be a significant problem.</p>	<p>DP256 The Conservative Group</p>	<p>Objection noted. The Visitor Accommodation Study Update 2018 considered that whilst not a significant hotel location there was potential for a budget hotel and there are does have sustainable transport links. Traffic issues would need to be addressed at the planning application stage against Policy CP9 Sustainable Transport</p>

<b>Churchill Square Area</b>	Regardless of the longer-term future of the Churchill Square area, there needs to be a considerable amount of work done on a much-improved public realm in the area which should include an improved bus area and better connections to the Lanes, the Clock Tower and Brighton train station.	DP307 Green Group of Councillors	Comments noted – public realm improvements are addressed in adopted City Plan Part 1 SA1 Central Brighton and policy CP13 Public Streets and Spaces.
<b>Protection of Smaller hotel</b>	Queried where the policy reference was to protecting change of use of smaller hotels in central Brighton.	DP207 The Regency Society	Adopted City Plan Part 1 Policy CP6 Visitor Accommodation sets out the policy position of change of use of hotels.
Support			
<b>Support approach to new hotel development</b>	<p>Welcome the recognition of the need for additional visitor accommodation in Brighton, and the allocation of several sites for new hotel development in particular the Churchill Square/Brighton Centre Development Area (DA1.B1) and Black Rock (DA2.C1).</p> <p>The policy is justified and also positively prepared in terms of considering a sufficient, yet realistic number of sites capable of meeting the need identified in the Visitor Accommodation Study Update. The policy is also in accordance with the NPPF which generally supports the visitor economy.</p>	DP218 JTC Fund Solutions (Jersey) Limited	Support welcomed.
<b>Support with concerns about effectiveness of policy in relation to safeguarding</b>	The current wording limits the effectiveness of this policy as it may serve to limit effective re-provision of conferencing on other sites and prevent redevelopment coming forward. The criteria-based approach to the "safeguarding of conference facilities" should include, as one of its criteria, the ability to secure a re-provision of	DP218 JTC Fund Solutions (Jersey) Limited	Comments noted – amendments to criterion d) have been made to address concerns.

<b>conference facilities</b>	conference facilities that are lost, by virtue of development, on an alternative site, that is either otherwise in accordance with planning policies elsewhere in the Plan, or allocated for development in relation to policy DM17.		
<b>Support with caveat – need for transport links/ strategy</b>	<p>Concern with transport to and from Black Rock with new conference centre and enlarged Churchill Square and between locations cited in policy.</p> <p>Issue needs to be adequately addressed through a credible, sustainable and consulted transport strategy related to policy.</p>	DP067, DP208 BHEP	Comments noted. Adopted City Plan part 1 Policies DA1 and DA2 and CP9 Sustainable Transport are relevant.
<b>Support (without additional supporting comments)</b>		DP002, DP031 NCLA, DP001 Pavilion Architects, DP266 Brighton Marina Neighbourhood Forum Steering Group	Support noted.

**DM18 High quality design and places**

<b>Total Number of Responses</b>	25
<b>Number of Representations that Support</b>	23
<b>Number of Representations that Object</b>	2
<b>Number of Representations – Other</b>	

**Summary of Comments**

<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Prioritisation of Heritage/ Landscape within criteria unclear</b>	<p>Wording used and criteria which govern design principles need to be more robust and prioritise impact upon heritage and landscape assets, In particular when it comes to the framework supporting assessment of proposals involving tall buildings.</p> <p>External sources of design advice need to rely on local knowledge and appreciation of the local context.</p> <p>Graffiti should be unacceptable in historic environment.</p>	DP 077 The Brighton Society	No change. The setting of heritage assets is a statutory consideration and this is clearly reflected in the NPPF. The policy would have to be taken into account alongside CP15 Heritage and other City Plan policies when proposals for new development are



			<p>considered.</p> <p>Tall buildings assessment criteria is set out in SPGBH 15 will be carried through to the UDF SPD expected to be adopted in 2019.</p> <p>The use of independent and impartial design advice as a tool to improve design quality is encouraged by the NPPF.</p> <p>BHCC is tackling the issue of graffiti via means other than planning policy (see <a href="https://www.brighton-hove.gov.uk/content/press-release/council-plans-reclaim-our-streets-graffiti-taggers">https://www.brighton-hove.gov.uk/content/press-release/council-plans-reclaim-our-streets-graffiti-taggers</a>)</p>
<p><b>Policy and/or supporting text is prescriptive</b></p>	<p>Policy needs to promote the idea that it may be appropriate for proposals exhibiting the highest standards of architectural design to depart from the prevailing height, scale and shape of its surroundings.</p>	<p>DP258 Brighton &amp; Hove Planning Agents Forum</p>	<p>City Plan Part One Policy CP12 Urban Design positively requires developments to raise the standard of architectural design in the city. But the supporting text will be amended to clarify how the diverse character and urban grain of the city's neighbourhoods enables</p>

			for a wide range of design responses and how consideration of local context issues should be proportionate to the scale and impact of the development.
Support			
<b>Appropriate Response</b>	Emphasis on high quality design and/or place making.	DP002 Brighton YIMBY DP157 Hove Civic Society DP175 Nub Brighton DP266 Brighton Marina Neighbourhood Forum Steering Group DP275 Moda LivingLtd DP296 St Williams Homes	Support noted and welcomed.
	Allows for contemporary design.	DP175 Nub Brighton	Support noted and welcomed.
	Seeks to enhance and conserve the distinctive, historic character of the city and its heritage assets.  Takes account of local context.	DP284 Historic England  DP195 Kingsway and West Hove	Support noted and welcomed.

		Residents' Association	
<b>Support with caveats: clarity on UDF</b>	Supporting text that informs the criteria set out in policy is useful however policy is, in parts, too prescriptive. Further clarity needed on what is meant by 'detailed area- and site-specific design principles will be identified via the Urban Design Framework' and its relationship with City Plan Part Two.	DP275 Moda LivingLtd	Support noted and welcomed. Paragraph 2.139 will be moved to the beginning of the supporting text to make this clearer link between this policy and the Urban Design Framework Supplementary Planning Document.
<b>Support with caveats: sustainability</b>	Ensure better understanding of the need to consider sustainability in building materials and architectural detailing; and opportunities to incorporate up-to-date technologies to reduce the city's carbon footprint.  Need to ensure continued maintenance and quality of building materials and architectural detailing at implementation stage.	DP307 Green Group of Councillors DP175 Nub Brighton  DP156 Kingscliffe Society	Support noted and welcomed. No change. These issues are already addressed via City Plan Policies CP8 Sustainable Buildings, CP12 Urban Design and CP13 Public Streets and Spaces and would have to be taken into account when proposals for new development are considered.
<b>Support with caveats: design advice</b>	External sources of design advice do not respect local context and/or represent the interests of local people.	DP031 NLCA	Support noted. No change. The use of independent and impartial design advice as a tool to improve design

			quality is encouraged by the NPPF. This addition would be too specific and would be problematic to apply in practice.
<b>Support with caveats: wording</b>	<p>Stronger wording needed.</p> <p>State that the council will decide the style and standard of architecture is acceptable following full and transparent public consultation.</p> <p>Use 'demanded' rather than 'expected'.</p>	<p>DP091</p> <p>DP263 Brunswick Town Association</p>	<p>Support noted and welcomed.</p> <p>The requested change is not considered appropriate. Policies should be positively worded. Public consultation is a statutory requirement of the planning process underpinning the assessment of planning applications.</p>
<b>Support with caveats: local context</b>	<p>Policy needs to account for the fact that appropriate design responses may range from repeating or reinterpreting local patterns/context through deliberate and considered contrast.</p> <p>Supporting text unacceptably prescriptive and/or inconsistent.</p>	<p>DP274</p> <p>LCE Architects</p>	<p>Support noted and welcomed.</p> <p>City Plan Part One Policy CP12 Urban Design positively requires developments to raise the standard of architectural design in the city. But the supporting text will be amended to clarify how the diverse character and urban grain of the city's neighbourhoods enables</p>

			for a wide range of design responses and how consideration of local context issues should be proportionate to the scale and impact of the development.
<b>Support with caveats: artistic element</b>	Extend requirement to incorporate artistic element to all development.	DP157 Hove Civic Society	Support noted and welcomed. No change. City Plan Policy CP13 Public Streets and Spaces encourages the incorporation of artistic element city-wide in larger developments. This approach takes into consideration scale and viability that are critical factors when it comes to site-specific delivery.
<b>Support with caveat – supporting text changes</b>	Amend supporting text 2.140: This is a major factor in determining the visual character of an area. The aim should be to create a sense of harmony and visual continuity between new and old. <u>In considering the height and mass of new buildings the proportions of existing building should not be used to justify the ever increasing height of new development. Elements of any building that are visible from the public realm are of particular importance.</u>	DP178 Montpelier & Clifton Hill Association	Support noted and welcomed. No change. This addition is considered too specific and would be problematic to apply in practice. The tests for assessing proposals for tall buildings and best practice examples are set in City Plan Part One Policy

			CP12 and existing guidance SPGBH15 Tall Buildings that will be replaced by the Urban Design Framework guidance in due time.
<b>Support with caveats: links with UDF</b>	<p>Draw attention to good and bad practice examples in guidance to reach developers at pre-application stage and influence decision makers.</p> <p>Refer to best practice in design that can help:</p> <ul style="list-style-type: none"> <li>▪ incorporation of building materials, architectural detailing and up-to-date technologies to reduce the city's carbon footprint and ensure continued maintenance over time;</li> <li>▪ multi-function public spaces that are well integrated into the city's fabric;</li> <li>▪ highlight opportunities for cooperation between developers and local communities to generate public art in the city;</li> <li>▪ maximise use of roof space and public realm for play/sport activities;</li> <li>▪ allow sufficient space for cooking, fresh food storage, edible planting and communal gardens;</li> <li>▪ account for the natural environment and opportunities to incorporate green infrastructure at an early stage to reduce impact upon/achieve net gains in biodiversity;</li> <li>▪ ensure external sources of design advice represent the interest of local people; and</li> <li>▪ action against graffiti in a historic environment.</li> </ul>	<p>DP207 The Regency Society</p> <p>DP307 Green Group of Councillors DP175 Nub Brighton DP156 Kingscliffe Society</p> <p>DP157 Hove Civic Society</p> <p>DP233 Brighton &amp; Hove Food PARTNERSHIP</p> <p>DP289 Sussex Wildlife Trust</p> <p>DP031 NLCA</p> <p>DP 077 The</p>	<p>Support noted and welcomed.</p> <p>Issues raised would be best addressed via guidance rather than policy. To streamline policy further, elements of the supporting text that read like guidance will be removed from policy. If and wherever appropriate, these will be duly addressed via the Urban Design Framework and other relevant guidance produced by the council.</p> <p>BHCC is tackling the issue of graffiti via means other than planning policy (see <a href="https://www.brighton-hove.gov.uk/content/press-release/council-plans-reclaim-our-streets-graffiti-taggers">https://www.brighton-hove.gov.uk/content/press-release/council-plans-reclaim-our-streets-graffiti-taggers</a>)</p>

		Brighton Society	
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<b>DM19 Maximising Development Potential</b>			
<b>Total Number of Responses</b>		18	
<b>Number of Representations that Support</b>		14	
<b>Number of Representations that Object</b>		4	
<b>Number of Representations – Other</b>			
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Redundant policy</b>	Sites are well used as proposals are generally reduced as part of the planning application process. Questions whether this policy is redundant.	DP157 Hove Civic Society	No change. The underdevelopment of sites can pose a significant threat to the ability of the City Plan to meet identified need for housing and other uses as other responses to this consultation indicate.
<b>Density levels quoted in policy</b>	Densities quoted are generally too low, including on fringe sites. Tall buildings are not needed for increasing density.	DP177 The Brighton Society	City Plan Part One Policies CP14 Housing



<p><b>are too low</b></p>			<p>Density and SA 4 Urban Fringe seek to encourage high densities on brownfield and greenfield sites, but this is subject to considerations of design and impacts on surrounding areas. These have been established following detailed assessment through the Strategic Housing Land Availability Assessment (SHLAA) and the 2014 and 2015 Urban Fringe Assessments in terms of their development capacity. These were also subject to further review following an independent Housing and Employment Land Study 2018 and the CPP2 Sustainability Appraisal of allocated sites. Housing numbers and/or densities on allocated sites are minima which</p>
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			<p>may be refined at the planning application stage subject to any further detailed evidence.</p> <p>However, change to the main text bullet 'b' will be made to provide clarity regarding the links between these policies and DM19. City Plan Part One Policy CP12 Urban Design encourages the delivery of higher densities where appropriate. Tall building assessment criteria is currently set out in guidance SPGBH15 Tall Buildings that will be replaced in due time by the Urban Design Framework.</p>
<p><b>Suggest wording changes as caveat to maximising development</b></p>	<p>Include statement: 'The council does not support the maximising of development at all costs, but the sensitive and sensible best use of sites. Heritage, stability and sustainability come first.'</p>	<p>DP091</p>	<p>City Plan Policies provide a robust framework for protecting sites from overdevelopment on the basis of impact upon heritage, sustainability, open space, landscape</p>

			<p>and design. This policy seeks to avoid underdevelopment which cumulatively could have a negative impact upon the ability of new development to meet City Plan identified needs, in particular housing. The main policy text and supporting text will be amended to clarify its objective.</p>
	<p>Amend policy to account for instances where higher office/commercial densities may be appropriate such as those arising from flexible-working schemes and hot-desking facilities.</p>	<p>DP261 Hargreaves</p>	<p>Comment noted. High density office layout such as flexible-working/ co-working are recognised and are attractive to certain sectors of the city's business economy however the city requires flexible floorspace to meet a range of needs including larger footprints for move on accommodation for businesses. See adopted CPP1 Policy CP2 and Policy DM11</p>

Support			
<b>General support</b>		DP001 Pavilion Architecture, DP028 and DP067	Support noted and welcomed.
<b>Appropriate Response given national policy</b>	Policy maximises efficient land use reduces the impact of increasing development pressure on other greenfield sites in line with section 13 Protecting Green Belt land of the NPPF.	DP189 Natural England	Support noted and welcomed.
	Policy reflects NPPF emphasis on importance of making effective use of development land, advocating a design led approach to density that responds to identified needs and balances these with the need to prevent over-crowding and negative impacts on amenity.	DP207 The Regency Society, DP295 X-Leisure (Brighton II) Ltd and Landsec	Support noted and welcomed.
<b>Support with caveats: links with UDF SPD</b>	City can accommodate densities that are higher than minimum in City Plan Part One Policy CP14 as evidenced in reports supporting recent proposals for the Sackville Road and Royal Mail, Goldstone Lane and Lyon Close sites.	DP268 LaSalle Investment Management Ltd, DP275 Moda Living Ltd, DP282 Royal Mail, DP295 X-Leisure (Brighton II) Ltd and Landsec	Support noted and welcomed. City Plan Part One Policies CP14 Housing Density and SA 4 Urban Fringe seek to encourage high densities on brownfield and greenfield sites, but this is subject to considerations of design and impacts on surrounding areas. These have been established following detailed assessment through the Strategic Housing Land Availability
	Urban Fringe densities are very low in the context of BHCC's housing needs. Housing number allocations are given too much weight following assessments. Council is not consistent in the suggested Urban Fringe densities which are very low in the context of BH housing needs.	DP258 B&H Planning Agents Forum	

			<p>Assessment (SHLAA) and the 2014 and 2015 Urban Fringe Assessments in terms of their development capacity. These were also subject to further review following an independent Housing and Employment Land Study 2018 and the CPP2 Sustainability Appraisal of allocated sites. Housing numbers and/or densities on allocated sites are minima which may be refined at the planning application stage subject to any further detailed evidence. However, change to the main text bullet 'b' will be made to provide clarity regarding the links between these policies and DM19.</p>
<p><b>Wording changes</b></p>	<p>'Efficient use of land' is too vague and policy need to promote increased mixed use developments, housing density and public space accessibility more clearly.</p>	<p>DP002 Brighton YIMBY</p>	<p>Support noted and welcomed. This policy seeks to avoid</p>

			underdevelopment which cumulatively could have a negative impact upon the ability of new development to meet City Plan identified needs, in particular housing. The main policy text and supporting text will be amended to clarify its objective.
	Amend policy text to identify buildings of up to six storeys as a preferred approach to deliver high-density development and taller buildings as the least.	DP178 Montpelier & Clifton Hill Association	Support noted and welcomed. No change. City Plan Part One Policy CP12 Urban Design encourages the delivery of higher densities where appropriate. Tall building assessment criteria is currently set out in guidance SPGBH15 Tall Buildings that will be replaced in due time by the Urban Design Framework.
	Add 'community facilities' to list of provisions set out in bullet 'd'.	DP207 The Regency Society	Support noted and welcomed. Community uses are part of a range of land uses to

			be considered in the assessment of proposals listed in the supporting text Paragraph 2.153. This paragraph will be amended to reflect this.
	Include cross-reference in the supporting text to City Plan Part 1 Policy SA5 The Setting of the SDNP.	DP221 SDNPA	Support noted and welcomed. City Plan Part One Policy SA5 The Setting of the SDNP ensures the impact of proposals is assessed via the planning process. The SDNP Authority is a consultee for applications for sites adjoining/adjacent to the City Council-Park boundary or affecting the setting of the National Park. City Plan Part One Policy SA4 Urban Fringe seeks to encourage high densities, but this is subject to a range of considerations of design and impacts on surrounding areas which includes, where

			<p>appropriate, the setting of the SDNP. As a result, the preferred approach has been to change the main text bullet 'b' to provide clarity regarding the links between this policy and Policy SA4.</p>
	<p>Amend policy to ensure the potential of sites in general and Urban Fringe sites in particular is optimised in terms of density. Provide more clarify regarding status of densities set out in Policy CP14 as minimum and Urban Fringe Assessment as indicative.</p>	<p>DP274 LCE Architects, DP295 X-Leisure (Brighton II) Ltd and Landsec</p>	<p>Support noted and welcomed. No change. City Plan Part One Policy CP14 Housing Density and SA4 Urban Fringe set out minimum densities. The Urban Fringe Assessment is a supporting document to these policies and sets out indicative housing numbers. But change to the main text bullet 'b' will be made to provide clarity regarding the links between DM19 and these two other policies.</p>



<b>DM20 Protection of Amenity</b>			
<b>Total Number of Responses</b>		14	
<b>Number of Representations that Support</b>		11	
<b>Number of Representations that Object</b>		3	
<b>Number of Representations – Other</b>			
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Seeking clarification through proposed wording alteration</b>	Provide examples of acceptable levels of protection of visual privacy suitable for dense city that can help facilitate housing delivery.	DP002 Brighton YIMBY	Wording of main policy text amended to account for instances when appropriate design and mitigation can succeed in keeping loss of amenity to acceptable levels. Good practice examples are best placed in guidance and will be addressed via the Urban Design Framework and/or other relevant

			guidance.
	"Planning permission for any development ... will be granted ..." Request removal of any.	DP177 The Brighton Society	Comment noted. Whilst the policy does apply to all development, the policy will be amended as requested.
	Rather than 'any loss of amenity', policy should read: <i>"only where loss of amenity to existing adjacent users, residents and occupiers is minimised and kept to an acceptable level."</i>	DP258 B&H Planning Agents Forum	Wording of main policy text amended to account for instances when appropriate design and mitigation can succeed in keeping loss of amenity to acceptable levels. Good practice examples are best placed in guidance and will be addressed via the Urban Design Framework and/or other relevant guidance.
<b>Consultation requirements with neighbours</b>	All planning applications should be required to be accompanied by confirmation and report of outcomes of consultation with neighbours, including on any subsequent amendments.	DP 177 The Brighton Society	No change. Public consultation is a statutory requirement of the planning process underpinning the assessment of planning applications.
Support			
<b>General support</b>	Adequate policy response.	DP001 Pavilion Architecture, DP028,	Support noted and welcomed.

		DP031 NLCA, DP067, DP091, DP178 Montpelier & Clifton Hill Association, DP268 Brunswick Town Association, DP280	
	Development of the badgers Tennis Club site would be 'detrimental to human health.'	DP036 Badgers Tennis Club	Support noted and welcomed. No change. Such a blanket approach to the future development of this site would make the policy non-compliant with the NPPF and therefore unsound.
<b>Support with caveats – clarify issues with amenity.</b>	Need to clarify what is meant by ' <i>Amenity will include visual privacy and overlooking, outlook and overshadowing, and sunlight and daylight.</i> '	DP195 Kingsway and West Hove Residents' Association	Comment noted and support welcomed. No change. These terms are clarified in the supporting text of the policy. Additional information and advice would be best addressed via guidance and will be addressed via the Urban Design Framework and/or other relevant guidance.
	There may be instances where a slight loss of amenity is unavoidable and/or level of amenity remains within acceptable	DP265 Mid Group	Support noted and welcomed.

	standards. Wording should be amended to ensure that acceptable proposals are not inadvertently caught by this policy. Wording should be amended to refer to ' <i>an unacceptable loss of amenity.</i> '		Wording of main policy text amended to account for instances when appropriate design and mitigation can succeed in keeping loss of amenity to acceptable levels.
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<b>DM21 Extensions and Alterations</b>			
<b>Total Number of Responses</b>		9	
<b>Number of Representations that Support</b>		8	
<b>Number of Representations that Object</b>		1	
<b>Number of Representations – Other</b>			
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>General</b>	Not specified.	DP028	Objection noted.
Support			
<b>General support</b>	Not specified.	DP001 Pavilion Architecture, DP067, DP091, DP263 Brunswick Town Association, DP284 Historic England	Support noted and welcomed.
	Seeks to enhance and conserve the distinctive, historic character of the city and its heritage assets.	DP284 Historic England	Support noted and welcomed.
	Some provision retained are similar to the prescriptive formula within SPD12 as this is more easily understood by anyone proposing development.	DP031 NLCA	Support noted. The policy provides overarching principles to

			achieve high quality extensions and alterations. Further, supplementary guidance will be set out in the revised SPD 12 due to be published later this year.
	Question why SPD12 is not specifically referred to.	DP178 Montpelier & Clifton Hill Association	Comment noted. Paragraph 2.166 has been amended to clarify the matter raised.
<b>Support with wording supportive of alterations</b>	Add wording actively encouraging extension of existing properties as long as these adhere to local design.	DP002 Brighton YIMBY	Amendment made to the final sentence of paragraph 2.162 of the supporting text in response to the comment.

<b>DM22 Landscape Design and Trees</b>			
<b>Total Number of Responses</b>		17	
<b>Number of Representations that Support</b>		15	
<b>Number of Representations that Object</b>		2	
<b>Number of Representations – Other</b>			
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Clarity needed with references to national importance and traditional species of trees</b>	<p>Query reference in policy to ‘national importance’.</p> <p>Amend paragraph 2.167 - first line should be: "is not "are".</p> <p>Paragraph 2.169 - Native trees need to be recognised as traditional species.</p>	DP177 The Brighton Society	‘National importance’ relates to infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of

			<p>habitat as stated in footnote 58 of the NPPF (2018).</p> <p>Re Paragraph 2.167, text amended in response to the comment.</p> <p>In relation to the matter relating to native or traditional trees, the emerging BHCC Tree Strategy prioritises 'native' tree species to maximise habitats for wildlife. No further amendments considered necessary.</p>
<b>Impact of temporary events should be considered</b>	Consideration should be given to overexploitation by temporary functions, events and structures that might damage the endurance, health and appeal of the grass.	DP177 The Brighton Society	New text added to Para 2.168 to reflect the comment.
<b>Inflexibility of policy regarding replacement of felled trees</b>	Policy is inflexible re replacement of fell trees. It should provide for exceptional cases in which an important tree is replaced by an individual of the same or similar large species, with compensation for protracted loss of volume diverted into commensurate multiple planting at a location or locations in reasonable proximity?	DP177 The Brighton Society;	Policy is considered to be sufficiently flexible. Para 2.175 covers issues around replacement of important fell trees with similar level of ecosystem services. Minor amendment to



			the paragraph made to strengthen this view. No further amendment necessary.
<b>Strengthen the policy - street tree planting</b>	Need strengthening in requiring street tree planting as part of design.	DP263 Brunswick Town Association	Para 2.169 requires new development to have landscape schemes in place that are attractive and distinctive and make a positive contribution to the site, its surrounding areas and biodiversity. This includes tree planting as part of design. No change necessary.
Support			
<b>Support without any qualifying comments</b>		DP001 Pavilion Architecture; DP028; DP067; DP091;	Support noted
<b>Minor changes requested – clause on encouraging additional trees</b>	Introduction of a clause to encourage the addition of trees in new developments would be welcome.	DP002 Brighton YIMBY	Para 2.169 requires new development to have landscape schemes in place which are attractive and distinctive and make a positive contribution to the site, its surroundings and biodiversity. This includes additional trees

			as part of design where relevant. No amendment necessary.
<b>Minor changes requested – retention of trees during construction</b>	The requirement to retain and protect existing trees during construction should be extended to include trees on adjoining properties/land.	DP076 Roundhill Society	Para 2.172 requires protective fencing in accordance with British Standard 5837 (Trees in Relation to Design, Demolition and Construction) to protect trees in the vicinity. No amendment necessary.
<b>Support with caveat - introduce a standard for new street tree planting</b>	<p>High density of tree planting is required. To secure a continuous tree cover regular replacement planting by introducing a simple standard for new street tree planting of 1 tree per new dwelling, to be planted adjacent or in the vicinity of new developments.</p> <p>Also set up a type of endowment fund from which resources can be drawn in future years for maintenance of trees in the public realm.</p>	DP157, Hove Civic Society	The council's emerging Tree Strategy will set out the council's general approach to tree planting and replacement. The 4 <sup>th</sup> bullet point in the policy requires new development to prioritise retention of existing trees, shrubs and landscape features and make appropriate replacement where trees cannot be retained. Where major new development is proposed the policy

			<p>states that: <i>the planting and maintenance of street trees of appropriate species and intervals should be provided where appropriate by major development proposals with significant street frontage.</i></p> <p>Re endowment fund, the policy is not restrictive to the idea.</p> <p>No amendment necessary.</p>
<b>Minor change requested</b>	Recognise that community-led housing development can be a good source of high quality landscape and trees given the non-profit nature of development	DP175 Nub Brighton	No change. This would make the policy unsound. Policy cannot favour certain types of applicant over others.
<b>Minor change requested to supporting text</b>	Amend Paragraph 2.172 to read: An appropriately detailed arboricultural report and plan will be required in all planning applications that affect trees.	DP178 Montpelier & Clifton Hill Association	Minor change made in Para 2.172 in response to the comment.
<b>Changes requested to strengthen the policy</b>	Appropriate framework for landscape design, trees and planting helping to protect landscape and setting of National Park with wider benefits in strengthening ecological networks and GI network. Aligned well with NPPF policies and DEFRA 25 Year Plan. For greater alignment, net gain principle should be featured and natural capital principle should be mentioned.	DP189 Natural England	Support noted. New text inserted to the first bullet point of the policy in response to the comment.

	Change requested in the first sentence and first bullet point of policy to reflect above principles.		
<b>Minor change requested to policy</b>	Reference to effectiveness of trees and hedges in reducing air pollution in areas of poor air quality in the first bullet point	DP195 Kingsway and West Hove Residents' Association	It is considered that the first bullet point of the policy is comprehensively written to cover the air quality matters. Footnote 2 specifically mentions ' <i>appropriate planting can help ameliorate air quality issues</i> '.
<b>SPD on food requested</b>	Support the inclusion of food growing, tree planting and pollinator friendly planting schemes in the criteria. An SPD on food / 'edible landscapes' is recommended.	DP233 Brighton & Hove Food Partnership	Support noted. The council has a successful Food Growing and Development Planning Advice Note and will consider in discussion with the BHFP whether further planning guidance is required when reviewing future work programmes.
<b>Policy should address – pollinator protection; wildlife protection measures</b>	Require all new developments and regeneration projects to include high pollinator value trees, shrubs and plants, avoiding invasive, non-native species, enhancing all green spaces with wildflowers/flower-rich grass (even areas which are mown regularly),  Vulnerable wildlife protection: include 'hedgehog highways' in	DP256 The Conservative Group	The 8 <sup>th</sup> criteria in the policy text makes reference to plant pollinators and avoiding invasive non-native species in general which would allow for the

<p><b>including retrofitting</b></p>	<p>garden designs (cutting corridors into fencing etc), install integral bat bricks and house martin cups in external eaves, as appropriate.</p> <p>Promote retro-fitting in older developments and regeneration projects.</p>		<p>inclusion of the habitats/ species mentioned in the representations.</p> <p>The matter is also covered by Policy DM 37, which requires new development to seek to minimise impact and give full consideration to achieving biodiversity net gains, in particular to species and habitats of particular importance (formerly know a BAP habitats) and the value of incorporating appropriate Green Infrastructure solutions into the design and this has been clarified in amendments to the wording of the policy. This would apply to regeneration projects.</p> <p>Matter of retrofitting is covered by the policy.</p> <p>Further changes are not</p>
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			considered necessary.
<p><b>Strengthen policy to contribute to net gains for biodiversity.</b></p> <p><b>Strengthen supporting text – tree felling</b></p>	<p>Criterion relating to biodiversity should go beyond ‘enhancing’ to ‘contribute to... providing net gains for biodiversity’ to better reflect the spirit of NPPF ( para 170).</p> <p>Rewording of para 2.175 suggested to reflect para 170b NPPF regarding qualities of replacement trees including inserting ‘same level of ecosystem services’.</p>	<p>DP289 Sussex Wildlife Trust</p>	<p>Last bullet point of the policy text and Para 2.175 amended in response to the comment.</p> <p>Supporting text has amended to: ‘similar level of ecosystem services’ in response.</p>
<p><b>Support but enforcement is the key</b></p>	<p>Support the framework for protecting trees on development sites; Enforcement is the key as unlawful removal is prevalent depriving neighbours of their privacy and ‘expose them to the building site next door’.</p>	<p>DP303 Rottingdean Parish Council</p>	<p>Support noted. Unauthorised works to trees are a matter for enforcement action.</p>

<b>DM23 Shop Fronts</b>			
<b>Total Number of Responses</b>		12	
<b>Number of Representations that Support</b>		11	
<b>Number of Representations that Object</b>		1	
<b>Number of Representations – Other</b>		0	
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
Policy is unnecessary.	Policy is convoluted and prescriptive. Shop front design can be managed under existing design, heritage and amenity policies, national and local.	DP261 Hargreaves	If the policy were deleted there would be no specific policy on shop fronts. SPD02 is policy guidance which must relate to primary policy. Many retail areas are within a conservation area and shop front design is important to the character of those areas.
Support			
Support with no comment		DP001 Pavilion Architecture DP002 Brighton Yimby	None

		DP028 DP067 DP091 DP178 Montpelier & Clifton Hill Association DP263 Brunswick Town Association	
Support as part of suite of policies	These policies, along with the relevant historic environment Policy CP15 and related policies of the City Plan Part 1, will provide a robust framework for underpinning the protection and enhancement of the heritage of the city.	DP284 Historic England	Welcome.
Support with caveat	Support policy but enforcement of these is particularly slack, so that inappropriate fascias and doorways proliferate throughout the most prominent and sensitive areas of the city.	DP156 Kingscliffe Society	Noted. This is not a policy matter.
Minor changes requested	The combining of two shop units into one unit should be resisted in North Laine to protect the historic character of the area.  Policy should clarify that decoration of boarded up shop fronts should not include graffiti.	DP031 NLCA  DP177 The Brighton Society	That is a matter for retail policy and covered in DM12. This policy requires fascias to retain or reinstate vertical breaks between buildings.  The policy wording on decorating boarded up shop fronts states that this should be done “to match the shop front or building” so this would exclude graffiti etc. but for clarity it will be stated that the painting should be in a single colour.



<b>DM24 Advertisements</b>			
<b>Total Number of Responses</b>		16	
<b>Number of Representations that Support</b>		13	
<b>Number of Representations that Object</b>		3	
<b>Number of Representations – Other</b>		0	
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
Policy does not include street furniture issues	<p>The policy does not cover banners on lamp posts.</p> <p>The policy does not recognise the impact that street furniture adverts have on pavement access, such as A boards.</p>	<p>DP157 Hove Civic Society</p> <p>DP252</p>	<p>This is covered in SPD07 on Advertisements.</p> <p>This is covered in SPD07 on Advertisements, but the supporting text will be amended for clarity.</p>
Policy is unnecessary.	Policy is convoluted and prescriptive. Advertisements can be managed under existing design, heritage and amenity policies, national and local.	DP261 Hargreaves	If the policy were deleted there would be no specific policy on advertisements in the local context. SPD07 is policy guidance which must

			relate to primary policy. Many commercial areas are within a conservation area and advertising has a significant impact on the character of those areas.
Support			
Support with no comment		DP001 Pavilion Architecture DP002 Brighton Yimby DP028 DP091 DP178 Montpelier & Clifton Hill Association DP263 Brunswick Town Association	None
Support as part of suite of policies	These policies, along with the relevant historic environment Policy CP15 and related policies of the City Plan Part 1, will provide a robust framework for underpinning the protection and enhancement of the heritage of the city.	DP284 Historic England	Welcome.
Support with reference to Rottingdean	Parish Council is conscious of a plethora of formal & informal signage across the Village, is endeavouring to rationalise signage and recognises the importance of working with local traders.	DP303 Rottingdean Parish Council	Noted.

<p>Support with caveat</p>	<p>A boards can harm public safety and should not be allowed on normal sized pavements as they cause obstruction.</p> <p>Clarity is needed in the text over whether graffiti can be regarded as an advertisement</p>	<p>DP067, DP252.</p> <p>DP177 The Brighton Society</p>	<p>This is covered in SPD07 on Advertisements and highways licensing but supporting text will be amended to clarify.</p> <p>Amend the supporting text to clarify the definition of an advertisement.</p>
<p>Minor changes requested</p>	<p>Delete the wholesale restriction on illuminated signage outside the built up area and instead require illumination that avoids light spillage/light pollution.</p> <p>Delete the specific reference in the supporting text to restricting signage above first floor window cill level.</p> <p>Include specific wording that where advertisements are viewable from the Strategic Road Network they must not distract roads users.</p> <p>Include policy wording that encourages advertising for healthy food options and discourages advertising for junk food etc.</p>	<p>DP004 British Sign &amp; Graphics Association</p> <p>DP004 British Sign &amp; Graphics Association</p> <p>DP112 Highways England</p> <p>DP233 Brighton &amp; Hove Food Partnership.</p>	<p>Amend. The wholesale restriction on illuminated signage outside the built up area will be removed.</p> <p>Amend. The specific reference in the supporting text to restricting signage above first floor window sill level will be deleted.</p> <p>Amend. Include specific policy wording that where advertisements are viewable from the Strategic Road Network they must not distract roads users.</p> <p>No change. Planning policy cannot legally control the content of advertising.</p>

<b>DM25 Communications Infrastructure</b>			
<b>Total Number of Responses</b>		12	
<b>Number of Representations that Support</b>		11	
<b>Number of Representations that Object</b>		1	
<b>Number of Representations – Other</b>			
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Purpose of policy is unclear</b>	Not clear what this policy provides that isn't available in more general local policies and national planning policies.	DP261 Hargreaves	Comments noted. Policy DM25 replaces a number of BHL P policies on communications infrastructure which will be superseded on adoption of the Draft CPP2. Following the SA Options appraisal the preferred approach was to include a local policy on this issue. Amendments to the policy wording have

			been made to avoid duplication.
<b>Support</b>			
<b>General support</b>		DP001 Pavilion Architecture, DP002 Brighton YIMBY, DP028, DP067, DP178 Montpelier & Clifton Hill Association	Support welcomed.
<b>Support with wording alteration</b>	Request the consideration and reference in policy to the issue of communication equipment (cabinets) being subject to art, advertisement, graffiti and visual abuse or tackle this issue in public art references.	DP177 The Brighton Society	Privately owned street furniture (such as the green electrical boxes, or cable boxes) are the responsibility of the property owner (usually either BT or Virgin Media) and damage and graffiti can be reported to them. BHCC is tackling the issue of graffiti via means other than planning policy (see <a href="https://www.brighton-hove.gov.uk/content/press-release/council-plans-reclaim-our-streets-graffiti-taggers">https://www.brighton-hove.gov.uk/content/press-release/council-plans-reclaim-our-streets-graffiti-taggers</a> )
<b>Lack of clarity in policy regarding maintenance</b>	With reservation - lack of clarity in policy about cabinet service/maintenance. Insert 'and maintenance' following 'provision' within document.	DP263 Brunswick Town Association	Privately owned street furniture (such as the green electrical boxes, or cable boxes) are the

			responsibility of the property owner (usually either BT or Virgin Media) and damage and graffiti can be reported to them.
<b>Policy requires reference to ancillary development and netter reflect wording of NPPF</b>	<p>Policy should further highlight that it is applicable to any ancillary development required to support any telecommunications development.</p> <p><i>'Planning applications for telecommunications and associated ancillary development will be permitted where all of the following criteria have been met:...'</i></p> <p>Section 2.191 amendment to better reflect para 175 of NPPF.</p> <p><i>~...including the setting of SDNP. Proposals will be required to <del>minimise</del> <u>avoid environmental harm, where this is not possible, it should be minimised and provide adequate mitigation measures delivered.</u></i></p>	DP289 Sussex Wildlife Trust	Comments noted – and reference to associated ancillary development has been incorporated into the policy and paragraph 2.191 amended.
<b>Appropriate Response</b>	Ensures the conservation of national park; in line with NPPF (172.), the DEFRA 25 year plan (Chapter 2.), and protection and enhancement of the heritage of the city.	DP189 Natural England, DP221 SDNPA, DP284 Historic England	Support welcomed.

<b>DM26 Conservation Areas</b>			
<b>Total Number of Responses</b>		19	
<b>Number of Representations that Support</b>		11	
<b>Number of Representations that Object</b>		8	
<b>Number of Representations – Other</b>		0	
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
The policy is unnecessary	Not sure whether this policy adds much over and above the City Plan. We would rather expect a statement on the review of conservation areas. Have long believed that there is a need for more areas, but at the same time an argument can be made for reducing some of the existing areas.	DP157 Hove Civic Society	CPP1 contains only strategic policy on heritage. There is no specific policy on conservation areas. The Conservation Strategy, which is referenced in policy CP15 in CPP1, sets out the council's approach to designating and reviewing conservation areas.
The policy is not strong enough	Wording to first paragraph of policy should be amended to say "will <u>only</u> be permitted". Policy should state that applications	DP177 The Brighton Society	No change. Such wording would make the policy

	<p>should not be allowed where they would cause harm.</p> <p>Poor condition should not be allowed to justify the demolition of a building which makes a positive contribution to a conservation area where the actions, or inaction of the current or previous owners are a contributory cause.</p>	DP207 The Regency Society	<p>non-compliant with the NPPF and therefore unsound. The NPPF allows for harm to heritage assets where the harm is outweighed by the public benefits.</p> <p>The policy and supporting text do not suggest this. The NPPF makes clear that where there is evidence of deliberate neglect or damage the deteriorated state of the heritage asset should not be taken into account.</p>
The policy is too strict	<p>Conservation areas are too large and some are of dubious quality. There should be far more leeway in what development is permitted in areas like Preston Park and Patcham, particularly the areas near public transit. Extensions in keeping with the design of the area should be explicitly allowed for up to 5 stories in all conservation areas.</p>	DP002 Brighton YIMBY	<p>No change. The policy makes clear that the specific character and appearance of an area should determine what is appropriate in each case.</p>
The policy priorities are wrong	<p>Should prioritise the preparation of up-to-date character statements where they do not exist, and not rely on applicants to make their own assessments. Should prioritise the preparation of management plans.</p>	DP207 The Regency Society	<p>This is covered by the Conservation Strategy, which is referenced in policy CP15 in CPP1. The NPPF requires applicants to assess heritage assets</p>



			that are affected.
The policy should be more detailed	<p>Item b - include the term "important architectural references" to the list of relevant criteria. Item j - things like paving, kerbing, landscape elements and lamp posts should be specifically referred to and included in this item.</p> <p>Demolition and roof extensions in North Laine should be resisted at all costs.</p> <p>Should be a specific insistence on the removal of UPVC windows and doors.</p> <p>Should be a reference to street clutter in the form of redundant street furniture and excessive signage.</p>	<p>DP177</p> <p>DP031 NLCA</p> <p>DP156 Kingscliffe Society</p> <p>DP156 Kingscliffe Society</p>	<p>No change. These additions would make the policy too detailed and prescriptive.</p> <p>Such a policy would be overly restrictive and likely to be unsound.</p> <p>The council's policy guidance on UPVC windows is set out in SPD09. Existing unauthorised windows are a matter for enforcement action.</p> <p>This is included in policy CP13 in CPP1.</p>
Supporting text should require Heritage Statements	<p>The supporting text at paragraph 2.195 should be consistent with paragraph 189 of the NPPF and require submission of Heritage Statement in all cases.</p> <p>Not clear what is meant in paragraph 2.195 by an "up to date" character statement. How should this be interpreted?</p>	<p>DP177 The Brighton Society</p>	<p>Delete paragraph 2.195. It is agreed that this paragraph, as worded, is confusing and open to misinterpretation. The requirement for Heritage Statements forms part of the council's validation requirements and does</p>

			not need to be repeated in the text.
Supporting text should be more detailed.	<p>Supporting text should include discussion of the relative weight to be given harm to conservation areas vs public benefits.</p> <p>Paragraph 2.199 - Is there a case for extending this to say “the removal or transformation of buildings”.</p> <p>The wording of the supporting text in paragraph 2.201 is open to misinterpretation – not clear if it only applies to existing buildings.</p>	<p>DP177 The Brighton Society</p> <p>DP177 The Brighton Society</p> <p>DP258 Brighton &amp; Hove Planning Agents Forum</p>	<p>No change. This is set out in the NPPF and NPPG and forms part of the decision-making process.</p> <p>The wording will be amended to reflect this suggestion.</p> <p>No change. The wording refers to “the retention of architectural features” and so applies to existing buildings.</p>
General comments	<p>Downgrading of conservation is obvious when dealing with Planning and the reduction in staffing in the area. Feel that this is getting to a danger level which together with the changes of consultation reduces the ability of residents to be able to discuss or influence design decisions.</p> <p>The Council pays lip service to Conservation. There is little enforcement so that inappropriate changes when made without permission are not stopped even after residents have informed Planning. With large scale developments Planning Committees simply ignore the Conservation argument. The Council does nothing to promote understanding of the historical environment. The reduction in the number of Conservation Area officers is indicative of the importance the Council gives to conservation and</p>	<p>DP031</p> <p>DP042</p>	<p>No change. This is not a policy issue.</p> <p>No change. These are not policy issues. Promotion of heritage is covered in the Conservation Strategy, which is referenced in policy CP15 in CPP1.</p>

	<p>heritage.</p> <p>There needs to be greater flexibility, an emphasis on design analysis and a qualitative appraisal of the context.</p>	DP258 Brighton & Hove Planning Agents Forum	The policy refers to the need to assess the specific character of the area and the supporting text refers to greater flexibility in respect of rear elevations.
Support			
Support with no comment		DP001 Pavilion Architecture DP028 DP067	
Support with general comment	<p>Supporting the retention of trees and gardens integral to conservation areas provides a greater level of protection to valuable GI assets.</p> <p>Conservation areas first. If people choose to live in a conservation area, they need to conform to the area, not expect the area to conform to them. It is the only way to keep areas special.</p> <p>These policies, along with the relevant historic environment Policy CP15 and related policies of the City Plan Part 1, will provide a robust framework for underpinning the protection and enhancement of the heritage of the city.</p> <p>Conservation areas and green space provide huge environmental, health and wellbeing capital for local areas and residents.</p>	<p>DP189 Natural England.</p> <p>DP091</p> <p>DP284 Historic England</p> <p>DP175 Nub Brighton</p>	<p>Noted and welcomed.</p> <p>Noted.</p> <p>Welcomed.</p> <p>Noted.</p>
Support with	All of the Conservation statements are too mild. For example, the	DP263	This is not a policy

caveat	<p>Hove Lawns are locally listed, but events and activities on them cause damage. Maintenance and repairs are insufficient.</p> <p>Regret that street furniture in conservation areas is not protected.</p>	DP178 Montpelier & Clifton Hill Association	<p>matter.</p> <p>The policy includes for retention of historic street furniture but its removal may not be subject to planning control</p>
Minor policy changes requested	<p>Wording to first paragraph of policy should be amended to say “will <u>only</u> be permitted”.</p> <p>Recognise that community-led housing developments are likely to be more respectful of conservation areas than private-led developments.</p>	<p>DP178 Montpelier &amp; Clifton Hill Association</p> <p>DP175 Nub Brighton</p>	<p>No change. Such wording would make the policy non-compliant with the NPPF and therefore unsound. The NPPF allows for harm to heritage assets where the harm is outweighed by the public benefits.</p> <p>No change. This would make the policy unsound. Policy cannot favour certain types of applicant over others.</p>
Minor changes to supporting text requested.	The supporting text at paragraph 2.195 should be consistent with paragraph 189 of the NPPF and require submission of Heritage Statement in all cases.	DP178 Montpelier & Clifton Hill Association	Delete paragraph 2.195. It is agreed that para. 2.195 as worded is open to misinterpretation. The requirement for Heritage Statements forms part of

	<p>The supporting text on backland development should also refer to gardens' contribution to the city's green infrastructure network.</p> <p>The wording of the supporting text in paragraph 2.201 is open to misinterpretation – not clear if it only applies to existing buildings.</p> <p>Suggest amendment to supporting text to encourage high quality contemporary design for new development in conservation areas.</p>	<p>DP289 Sussex Wildlife Trust</p> <p>DP274 LCE Architects</p> <p>DP274 LCE Architects</p>	<p>the council's validation requirements and does not need to be repeated in the text.</p> <p>No change. This is already covered by policy DM37.</p> <p>No change. The wording refers to "the retention of architectural features" and so applies to existing buildings.</p> <p>This is already covered in the supporting text to CPP1 policy CP15 but amendment to supporting text will include support for contemporary and innovative design approaches where appropriate.</p>
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<b>DM27 Listed Buildings</b>			
<b>Total Number of Responses</b>		13	
<b>Number of Representations that Support</b>		8	
<b>Number of Representations that Object</b>		5	
<b>Number of Representations – Other</b>		0	
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Policy is too permissive</b>	The phrasing of the policy seems to indicate a presumption in favour of permission. Policy should be amended to state that alterations etc. “will <u>only</u> be permitted where they . . .”	DP177 The Brighton Society	No change. Such wording would make the policy non-compliant with the NPPF and therefore unsound. The NPPF allows for harm to heritage assets where the harm is outweighed by the public benefits.
	Should be made explicit that a less interventive but still economically viable use is preferable to a more commercially profitable but highly interventive use.	DP207 The Regency Society	No change. This will be a matter for policy implementation having regard to the guidance

			on viability in the NPPG.
<b>Policy is too conservative</b>	<p>The policy is too conservative with regards to contemporary additions to listed buildings. The emphasis is wrong as it suggests all Listed Buildings and their surroundings, in their entirety and in part, are of equal quality.</p> <p>Some liberalisation, for example making it easier to change outdated windows, should be considered.</p>	<p>DP258 Brighton &amp; Hove Planning Agents Forum</p> <p>DP002 Brighton YIMBY</p>	<p>Add a new paragraph to the supporting text to clarify that the policy does not preclude sensitive and imaginative contemporary additions to a listed building where appropriate.</p> <p>The council's detailed policy guidance on replacement windows is set out in SPD09 and has been well supported at appeal.</p>
<b>Policy only deals with change</b>	Policy does not cover issues with the maintenance and repair of listed buildings which need to be more fully addressed.	DP303 Rottingdean Parish Council	This matter is covered in policy CP15 in City Plan Part 1 and in more detail in the council's Conservation Strategy, which is referenced in that policy.
<b>General comment</b>	The Council should also be prepared to exercise its powers for compulsory purchase	DP207 The Regency Society	The enforcement options for listed buildings in disrepair are set out in the Conservation Strategy, which is referenced in policy

			CP15 of City Plan Part 1.
<b>Support</b>			
<b>Support with no comment</b>		DP001 Pavilion Architecture DP028 DP067 DP263 Brunswick Town Association	
<b>Minor changes requested</b>	<p>Policy should be amended to state that alterations etc. “will <u>only</u> be permitted where they . . .”</p> <p>The policy is too conservative with regards to contemporary additions to listed buildings. Suggest addition to supporting text to cover this.</p> <p>Add that the council takes listing extremely seriously and will do all in its power to preserve the special nature of Brighton and Hove.</p>	<p>DP178 Montpelier &amp; Clifton Hill Association</p> <p>DP274 LCE architects</p> <p>DP091</p>	<p>No change. Such wording would make the policy non-compliant with the NPPF and therefore unsound. The NPPF allows for harm to heritage assets where the harm is outweighed by the public benefits.</p> <p>Add a new paragraph to the supporting text to clarify that the policy does not preclude sensitive and imaginative contemporary additions to a listed building where appropriate.</p> <p>The council has statutory duties in respect of listed buildings and the</p>



	<p>Emphasis should be on retention rather than allowing change. Should state that change will be (only) considered where it is essential to retain the building and its use.</p>	DP031 NLCA	<p>seriousness with which the council takes these duties is reflected in the policy.</p> <p>Such a preservationist approach would not accord with the NPPF and may make the policy unsound. Many listed buildings are adaptable to careful change.</p>
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<b>DM28 Locally Listed Heritage Assets</b>			
<b>Total Number of Responses</b>		12	
<b>Number of Representations that Support</b>		10	
<b>Number of Representations that Object</b>		2	
<b>Number of Representations – Other</b>		0	
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Policy is unnecessary</b>	If it is not listed then it should not be considered a heritage asset. If it is valuable, it should be listed.	DP002 Brighton YIMBY	The principle of non-designated heritage assets is enshrined in the NPPF and the concept of 'local listing' is referred to in the NPPG.
<b>Policy is too prescriptive</b>	The approach set out on in the draft policy appears overly prescriptive and at odds with the more balanced policy approach on non-designated heritage assets in the NPPF. It sets too high a threshold for the loss or substantial alteration of an asset. Protection for non-designated heritage assets is lower in the NPPF than for designated heritage assets. The first paragraph of the policy should therefore be reworded to be compliant with the	DP218 JTC Fund Solutions (Jersey) Ltd.	Amend. The NPPF requires that for <u>all</u> heritage assets LPAs should take account of the desirability of sustaining and enhancing the significance of

	NPPF.		heritage assets and putting them to viable uses consistent with their conservation. Nevertheless, the first paragraph of the policy will be reviewed and reworded to ensure that it is fully compliant with the NPPF. Further clarification will be provided in the supporting text.
Support			
<b>Support with no comment</b>		DP001 Pavilion Architecture DP028 DP031 NLCA DP067 DP178 Montpelier & Clifton Hill Society	Noted.
<b>Support with general comment</b>	<p>The walls of Badgers Tennis Club are locally listed - any development would be difficult.</p> <p>Currently heritage assets are at risk</p> <p>These policies, along with the relevant historic environment Policy CP15 and related policies of the City Plan Part 1, will provide a robust framework for underpinning the protection and</p>	<p>DP036 Badgers Tennis Club</p> <p>DP263 Brunswick Town Association</p> <p>DP284 Historic England</p>	<p>Noted. This is a matter for development management. Noted.</p> <p>Welcomed.</p>

	enhancement of the heritage of the city.		
<b>Support with caveat</b>	Support but it is too narrow in scope – should include public assets such as cast iron street furniture and historic paving.	DP076 Roundhill Society	What is included on the Local List itself is not a matter for the policy. The criteria for local listing are set out PAN07. The current list does include many street lights. It will be reviewed in 2020.
<b>Minor changes requested</b>	Should add that the council takes listing extremely seriously and will do all in its power to preserve the special nature of Brighton and Hove.	DP091	The NPPF and NPPG together set out national policy on ‘local listing’ and the seriousness with which the council takes this form of protection is reflected in the policy.

<b>DM29 The Setting of Heritage Assets</b>			
<b>Total Number of Responses</b>		12	
<b>Number of Representations that Support</b>		10	
<b>Number of Representations that Object</b>		2	
<b>Number of Representations – Other</b>		0	
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Policy is too restrictive</b>	The policy is at best wildly open to interpretation and at worst inherently prevents densification of the City Centre (where densification of the City Centre is the most desirable and sustainable due to proximity to amenities and availability of public transport) - as the city centre also contains the highest proportion of historic buildings. This wording means that close to a listed building in the city centre it can easily be argued that no new building taller than its existing surroundings will be permitted.	DP258 Brighton & Hove Planning Agents Forum	No change. The setting of heritage assets is a statutory consideration and this is clearly reflected in the NPPF. The policy is intended to provide policy on setting that is more specific to the local context. The policy would have to be taken into account alongside other City Plan

	<p>This city has a housing crisis, not a views crisis. The majority of people in this city will accept having their view of a non listed building slightly damaged in return for more homes built.</p>	<p>DP002 Brighton YIMBY</p>	<p>policies when proposals for higher density development are considered.</p> <p>No change. The setting of heritage assets is a statutory consideration and this is clearly reflected in the NPPF. The policy is intended to provide policy on setting that applies to <u>all</u> heritage assets and is more specific to the local context. Setting is not only about views. The policy would have to be taken into account alongside other City Plan policies when housing proposals are considered.</p>
<p>Support</p>			
<p><b>Support with no comment</b></p>		<p>DP001 Pavilion Architecture DP028 DP031 NLCA DP067</p>	<p>Noted.</p>

		DP178 Montpelier & Clifton Hill Society	
<b>Support with general comment</b>	These policies, along with the relevant historic environment Policy CP15 and related policies of the City Plan Part 1, will provide a robust framework for underpinning the protection and enhancement of the heritage of the city.	DP284 Historic England	Welcomed.
<b>Minor changes requested</b>	<p>Add after the first paragraph of the policy: “In exceptional circumstances, consideration will be given to proposals within the setting of a heritage asset which create deliberate but considered contrast to it in design, scale, massing and conditional on the following: i. Where justifiable in townscape terms. ii. Where it is demonstrated that the architectural design exhibits sensitivity and respect to the heritage asset. iii. Where the proposal achieves a standards of architectural design, commensurate with the significance of the heritage asset. iv. Sufficient detail is provided to demonstrate that the proposal achieves the required standard of architectural design from its overall massing, shape and design down to its smallest scale details”.</p> <p>Amend 'taken into consideration' to say 'will be required'.</p> <p>The wording should warn against a narrow approach; the focus should not only be on the visual connection between a heritage</p>	<p>DP274 LCE Architects</p> <p>DP263 Brunswick Town Association.</p> <p>DP207 The Regency Society</p>	<p>No change. This addition is too specific and would be problematic to apply in practice. It also overlaps with other policies (e.g. on design). But the supporting text will be amended to clarify that the policy does not preclude a bold or contrasting approach to design or scale where this would be of high design quality that conserves the way in which the building’s setting contributes to its significance.</p> <p>The stated wording is not part of the policy or text.</p> <p>Add wording to the supporting text to clarify</p>

	<p>asset and its setting, but also take account of historic, social and economic connections. A further consideration could be added to those listed (a) to (g), namely the potentially negative impact of new, tall buildings overshadowing heritage assets.</p> <p>Add that the council supports the sensitive restoration of heritage buildings to make them suitable for modern day use with minimal compromise to historic integrity and that all developers wishing to convert buildings are required to work closely with the Conservation Officer and English Heritage as appropriate.</p>	DP091	<p>that views and visual considerations will often only form part of what contributes to an asset's setting. Overshadowing is an amenity issue dealt with in draft policy DM20. But add wording to the supporting text to clarify that criteria (a) to (g) are not exhaustive but intended to reflect particular local considerations.</p> <p>These are not matters specific to the consideration of setting and the second one is a matter of development management not policy.</p>
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<b>DM30 Registered Parks and Gardens</b>			
<b>Total Number of Responses</b>		13	
<b>Number of Representations that Support</b>		10	
<b>Number of Representations that Object</b>		3	
<b>Number of Representations – Other</b>		0	
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Objection with no comment</b>		DP002 Brighton YIMBY	Noted.
<b>Policy should be more restrictive of temporary events</b>	Temporary events should be precisely that. Where they exceed 6 weeks they begin to have a detrimental effect on the Park or Garden. The word "temporary" should be qualified to mean a maximum period of 6. A statement setting out what investigations have been carried out on the feasibility of using alternative sites must be carried out and included as part of a planning application.	DP177 The Brighton Society	It would be arbitrary to limit events to 6 weeks and such a period may be too long in some cases. But the policy will be amended to refer to the need to demonstrate that alternative sites were considered before any proposals for temporary events in

			registered sites are submitted.
<b>Temporary events are too invasive</b>	Events are taking place too invasively, pervasively and for excessive periods in spaces such as the Pavilion Estate, Hove Lawns and Valley Gardens.	DP156 Kingscliffe Society	No change. The policy is intended to address such issues but Hove Lawns and Valley Gardens are not registered parks or gardens.
Support			
<b>Support with no comment</b>		DP001 Pavilion Architecture DP028 DP031 NLCA DP091	Noted.
<b>Support with general comment</b>	<p>These policies, along with the relevant historic environment Policy CP15 and related policies of the City Plan Part 1, will provide a robust framework for underpinning the protection and enhancement of the heritage of the city.</p> <p>Positively encouraging management plans and identified enhancement works for registered parks &amp; gardens will increase their worth as GI which in turn increases their value as natural capital assets. It could also potentially enhance their biodiversity.</p> <p>The revamped Valley gardens could do with a cafe in the middle. This would greatly encourage people to use the new gardens as a leisure destination.</p>	<p>DP284 Historic England</p> <p>DP189 Natural England</p> <p>DP067</p>	<p>Welcomed.</p> <p>Welcomed.</p> <p>No change. Valley Gardens is not a registered park or garden.</p>
<b>Support with</b>	Overuse for profit making activities means that public space is	DP263 Brunswick Town	The policy is intended to

<p><b>caveat</b></p>	<p>being eroded steadily at weekends, in particular. Need to ensure the public realm and rights of citizens are not lost Overuse of the Lawns in Hove, for example is ruining their condition and the pleasure of walking in open space beside the sea is frequently denied due to commercial activities</p> <p>The Council's encouragement of management and improvement plans is welcome, but is of little value without a strategy for funding the work required.</p>	<p>Association</p> <p>DP207 The Regency Society</p>	<p>address over-use of registered parks and gardens. Hove Lawns are not a registered park or garden.</p> <p>The council has already commissioned some management plans but future resources for implementation are not a matter for this policy.</p>
<p><b>Minor changes requested</b></p>	<p>Clarify how proposals for temporary uses will be assessed. This is of particular relevance to Rottingdean as there are several events throughout the year which take place on The Green, in Kipling Gardens, and on the Recreation Ground. The current system works well but some clarification as regards when an informal event becomes a formal event would be helpful.</p> <p>It would be helpful if this section identified the registered parks and gardens in the city. It would be welcome if the Council were to commit to a review to establish whether any other sites would merit registration for example Brunswick Square or Palmeira Square / Adelaide Crescent.</p>	<p>DP303 Rottingdean Parish Council</p> <p>DP207 The Regency Society</p>	<p>No change. Paragraph 2.227 sets out the matters that the council will consider in assessing temporary uses. There are currently no registered parks or gardens in Rottingdean.</p> <p>No change. Inclusion of this information in the supporting text would risk it becoming out of date if further parks or gardens are added to the register in the next 20 years. Historic England is the body responsible for</p>

			adding sites to the register.
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<b>DM31 Archaeological Interest</b>			
<b>Total Number of Responses</b>		10	
<b>Number of Representations that Support</b>		10	
<b>Number of Representations that Object</b>		0	
<b>Number of Representations – Other</b>		0	
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>None.</b>			
Support			
<b>Support with no comment</b>		DP001 Pavilion Architecture DP002 Brighton YIMBY DP028 DP031 NLCA DP067 DP091 DP263 Brunswick Town Association	Noted.
<b>Support with</b>	The key point from the Regency Society's perspective is the	DP207 The Regency	Noted and welcomed.

<p><b>general comment</b></p>	<p>recognition of the importance and role of above ground archaeology, which is well covered in the proposed wording for DM31.</p> <p>Support this policy, which offers a pragmatic solution to complicated sites, such as THV, where it is not always possible to carry out a full program of archaeological investigation prior to the grant of planning consent. Welcome the LPA taking a pragmatic approach and making full use of the opportunity to use planning conditions for such investigations.</p> <p>These policies, along with the relevant historic environment Policy CP15 and related policies of the City Plan Part 1, will provide a robust framework for underpinning the protection and enhancement of the heritage of the city.</p>	<p>Society</p> <p>DP281 Toads Hole Valley Landowners, Toads Hole Valley Ltd, Pecla Investments Ltd and Robert Mark Simon.</p> <p>DP284 Historic England</p>	<p>Noted and welcomed.</p> <p>Welcomed.</p>
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<b>DM32 The Royal Pavilion Estate</b>			
<b>Total Number of Responses</b>		14	
<b>Number of Representations that Support</b>		12	
<b>Number of Representations that Object</b>		2	
<b>Number of Representations – Other</b>		0	
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Policy is unnecessary</b>	Policy reflects the present consultations carried out by the estate. Apart from the visibility of the estate from New Road, which could be improved, most of the problems arise from a lack of management and supervision of the estate. The proposal to fence the estate is not a suitable solution. Plans regarding the estate must take into account the needs of the local population who use the gardens and café.	DP031 NLCA	No change. It is appropriate that the policy should be consistent with the Royal Pavilion, Museums and Galleries service's aspirations, which form the basis of HLF funding bids. The gardens are on the Historic England 'at risk' register and positive measures are needed to

			address the 'at risk' status. Any proposals will be fully informed by a Conservation Plan.
<b>Policy should be more restrictive of temporary events</b>	Temporary events should be precisely that. Where they exceed 6 weeks they begin to have a detrimental effect on the Park or Garden. The word "temporary" should be qualified to mean a maximum period of 6. A statement setting out what investigations have been carried out on the feasibility of using alternative sites must be carried out and included as part of a planning application.	DP091 The Brighton Society	No change. It would be arbitrary to limit events to 6 weeks and such a period may be too long in some cases. But paragraph 2.238 will be amended to refer to the need to demonstrate that alternative sites have been considered.
Support			
<b>Support with no comment</b>		DP001 Pavilion Architecture DP002 Brighton YIMBY DP028 DP067 DP091 DP263 Brunswick Town Association	Noted.
<b>Support with caveat</b>	Support a careful approach to temporary uses of the Gardens but would not wish to see any restriction of access or charging for entry to them during daylight hours.	DP207 The Regency Society	Details of any enclosure would be subject to future planning applications. Fee charging is not a matter for planning policy.



<p><b>Support with general comment</b></p>	<p>Support this policy, which seeks to reunify the estate and improve the visitor experience and setting of this historic asset which includes the Corn Exchange and Studio Theatres.</p> <p>Welcome this policy.</p> <p>Pavilion Gardens is one of Brighton &amp; Hove's most valuable GI assets and lucrative source of natural capital; as such seeking to enhance the quality, security, accessibility and appeal of the estate will further increase its value. Encouraging greater biodiversity within the gardens directly increases biodiversity, GI value and the role the pavilion gardens play within the wider biodiversity network of Brighton &amp; Hove.</p> <p>Strongly support the policy's intentions. Particularly encouraged by the plan to co-ordinate with other adjacent sites including Valley Gardens. Particularly welcome the intention to ensure a wider integrated conservation scheme for the estate as a whole including further development at the Dome.</p> <p>These policies, along with the relevant historic environment Policy CP15 and related policies of the City Plan Part 1, will provide a robust framework for underpinning the protection and enhancement of the heritage of the city.</p>	<p>DP111 The Theatres Trust</p> <p>DP157 Hove Civic Society</p> <p>DP189 Natural England</p> <p>DP207 The Regency Society</p> <p>DP284 Historic England</p>	<p>Welcomed.</p> <p>Noted.</p> <p>Noted.</p> <p>Welcomed.</p> <p>Welcomed.</p>
<p><b>Minor changes requested</b></p>	<p>Pavilion Gardens is one of Brighton &amp; Hove's most valuable GI assets and lucrative source of natural capital; as such seeking to enhance the quality, security, accessibility and appeal of the estate will further increase its value. Amend criterion i) of part one of the policy to say "Encourage conservation of heritage planning and</p>	<p>DP189 Natural England</p>	<p>Amend. Strengthen wording to part one of the policy in respect of encouraging biodiversity, to seek net gains.</p>

	<p>greater biodiversity deliver biodiversity net gains within the gardens”.</p> <p>Heartened to see this policy suggest that greater biodiversity will be encouraged within the Royal Pavilion gardens. But ask the council to be more ambitious for biodiversity within the wording and suggest that policy would benefit from an extra point under section 3 that includes biodiversity. Also query whether point i) of section one of the policy should read “planting” not “planning”.</p>	DP289 Sussex Wildlife Trust	Amend. Add an additional criterion to part 3 of the policy in respect of potential impacts from temporary uses on biodiversity. Correct wording to read “planting” not “planning” in criterion j) of part one of the policy.
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DM33 Safe, Sustainable and Active Travel			
<b>Total Number of Responses</b>		25	
<b>Number of Representations that Support</b>		19	
<b>Number of Representations that Object</b>		6	
<b>Number of Representations – Other</b>			
Summary of Comments			
Issue/ Site Allocation	Summary of Comments	Respondent Number and Name	Officer Response
Object			
<b>Policy predicates against shared surfaces</b>	Policy could predicate against shared surfaces by segregating requirements for pedestrians, cyclists and public transport. Particularly 4d), which although on the face of it quite logical, does counter much current research that shows where there is risk of conflict between modes of transport, then speeds are naturally reduced and shared surfaces become viable and exciting contributions to a town or cities public realm.	DP258 B&H Planning Agents Forum	Disagree, policy does not preclude shared <u>surfaces</u> , however it should be noted that the government’s Inclusive Transport Strategy recommended a pause on shared <u>spaces</u>
<b>Policy not effective in peripheral areas</b>	Policy is written for central urban areas and does not acknowledge enough that parts of Brighton & Hove may have different characteristics and demographics. Through traffic on the B2123,	DP303 Rottingdean PC	Generic policy, encouraging sustainable travel for shorter

<b>of the city</b>	Falmer Road, for instance, includes private cars travelling from or to places not well served by public transport to anywhere other than the City Centre and are beyond a normal person's ability to walk or cycle		journeys is a city wide issue
<b>Wording change requested</b>	Wording around cycling should be strengthened, in particular in relation to DM33 part 2b about the city's cycle network. Not sure how a development could 'provide' the network, but it should be expected to improve it and contribute to it as much of the network is poor quality.	DP298 Brighton & Hove Friends of the Earth	Comment noted, wording will be amended
<b>Should refer to national design standards</b>	It is essential that the Plan refers to design standards such as IAN 195/16 (part of the Design Manual for Roads and Bridges - DMRB) to ensure any new facilities are brought forward to a consistent standard.	DP298 Brighton & Hove Friends of the Earth	Comment noted, however these requirements are considered to be too specific for a development management policy document, and would be a matter for the Highway Authority.
<b>Should include more detailed requirements for bus shelters</b>	Part 3 relating to public transport is not strong or clear enough around the provision of high quality infrastructure in terms of bus shelters. Shelter provision needs to be linked to demand, rather than the usual under provision. More importantly, there is nothing in this policy about requiring developers (certainly of major developments) to site the bus stop immediately outside the main entrance linked to it by a sheltered walkway	DP298 Brighton & Hove Friends of the Earth	Comment noted, however these requirements are considered to be too specific for a development management policy document.
<b>Should include criteria relating to footway</b>	There is no mention of the need to improve the space for pedestrians and wheelchair users in the main thoroughfares. At present, businesses are given too much freedom to encroach on	DP028	This is covered by part 1a of the policy.

<b>obstructions</b>	pedestrian space with tables, chairs, A boards.		
<b>General comment</b>	Needs to be acknowledgement within the Council that whatever the policy is, people will still use cars.	DP095	This is considered to be an unnecessary addition.
<b>Minor change requested to protect bus services</b>	Sustainable transport services needs better protection and part (3) must be clear and stronger. Should include criteria “and must not degrade bus journey times or their reliability”	DP100	Comment noted, however it is considered that this issue is covered appropriately by clause 3d.
<b>Change requested – road safety implications</b>	It is important that the road safety implications are properly considered. Traffic impact (of a new development) can be quite remote from the development itself and can even be in a neighbouring or non-neighbouring highways authority's region. Should make clear in policy that “including road users remote from the development in places where additional traffic is known to cause problems” should be considered	DP100	The impact of more remote developments is noted in paragraph 2.255 as a factor in transport assessments and travel plans.
<b>General comment</b>	Though (4c) is helpful, the wording does not make these responsibilities clear enough.	DP100	Comment noted. Wording is considered sufficiently robust.
Support			
<b>General comment</b>	Large parking zones encourage short car journeys	DP006	Comment noted. Requirements of the Parking Standards SPD are transposed into Policy DM36.
<b>Minor change requested</b>	The policy should include recognition that community led housing development can encourage more sustainable and active transport as these kinds of developments can include share-cars and bikes, and community micro-travel plans	DP175 Nub Brighton	Comment noted, however this is considered to be too detailed for the City Plan.
<b>Minor change requested –</b>	The policy does not refer to any improvements or upgrading of legacy cycling facilities, many of which urgently need widening and	DP316 Bricycles	Part 2(b) is inclusive of existing cycle

<b>cycling infrastructure</b>	are clearly no longer fit for purpose.		infrastructure
<b>Minor change requested</b>	Desire lines are not mentioned in cycling section.	DP316 Bricycles	Covered in 2)a.
<b>Clarifications regarding S106 contributions requested</b>	Policy DM33 as currently worded does not provide sufficient clarification that the mitigation measures it identifies - that include contributions towards improvements to transport infrastructure - may not always be required. At present, the policy could be read as requiring a variety of public transport improvements irrespective of the impact of the development upon existing provision. Amendments should provide clarity that contributions towards transport and network improvements will only be sought where negative impacts can be demonstrated	DP291 University of Sussex; DP265 Mid Group; DP281 Toads Hole Valley landowners	Comment noted. Policy amended.
<b>Minor change requested</b>	The policy should not also be explicitly linked to the earlier policy on public realm improvements. (DM18)	DP157 Hove Civic Society	Both policies would apply in the determination of an application.
<b>General comment</b>	Support cycle routes and public transport	DP002 Brighton YIMBY	The policy supports sustainable transport.
<b>Minor change requested</b>	Include reference to supporting active travel to food shopping	DP233 Brighton & Hove Food Partnership	Encouraging physically active modes of transport is addressed in adopted City Plan Part 1 policy CP18 Healthy City.
<b>Minor change requested</b>	We need to see much more robust wording for cycle parking to ensure that it is accessible for children's cycles to encourage the next generation, and for all non-standard bikes whether trikes, tandems, trailers, hand cycles or specially adapted bikes.	DP316 Bricycles	Requirement for cycle parking to be universally accessible added to part 2 of the policy
<b>Policy should coordinate public</b>	We would suggest ensuring that the policy addresses the management and control by the council of investment in the	DP266 Brighton Marina NF Steering Group	Comment noted this is addressed in the

<b>realm management</b>	public realm in relation to large developments. Disjointed public realm has been a long-standing problem at the Marina and this should be acknowledged and learnt from, otherwise it will be repeated throughout future large-scale developments.		adopted City Plan Part 1 Policies CP9 Sustainable Transport and CP13 Public Streets and Spaces; through relevant Development Area policies (DA2) and SPDs
<b>Comment – seeking better alignment of new with pre-existing infrastructure</b>	Developments should align any cycling or transport infrastructure with other pre-existing infrastructure; to help create joined up routes, connect sections of 'stranded' routes and improve the cycling experience across road junctions. Increased cycle parking facilities are a city-wide need. Provision should also be made for more accessible forms of cycling to those with low mobility	DP307 Green Group of Councillors	The policy is intended to assist in achieving these objectives.
<b>Reference to SDNP desirable</b>	Policy should reiterate from the Local Transport Plan the importance of encouraging sustainable travel into the South Downs National Park and other natural areas; with Brighton & Hove being part of the Brighton and Lewes Downs biosphere it is vital to ensure that people and the natural environment are connected.	D189 Natural England	Cross boundary sustainable transport links are addressed in adopted City Plan Part 1 Policy CP9 Sustainable Transport
<b>General comment</b>	General support	DP067, DP077, DP085, DP001, DP263, DP272	Support welcomed.
<b>General comment</b>	The flexibility proposed is supported, and is vital to delivering appropriate types of development which can respond to the accessibility and locational characteristics of specific sites.	DP268 LaSalle	Support welcomed

DM34 Transport Interchanges			
<b>Total Number of Responses</b>		17	
<b>Number of Representations that Support</b>		11	
<b>Number of Representations that Object</b>		6	
<b>Number of Representations – Other</b>			
Summary of Comments			
Issue	Summary of Comments	Respondent Number and Name	Officer Response
Object			
<b>General comment</b>	General objection	DP100, DP085	Objection noted.
<b>Could encourage increased car usage</b>	A park and ride facility is likely to increase longer distance car travel (which will pass through the National Park) and could undermine longer distance public transport.	DP298 Brighton & Hove Friends of the Earth DP316 Bricycles and Cycling UK	Concern noted. Any potential increase in long-distance road travel would be balanced against local benefits through reduced congestion in the city centre. Criterion (d) of the policy relates to the effect on the strategic road network.



<b>Existing capacity underutilised</b>	Current interchanges (park and ride) are underutilised. Waste of land that may be useful for other purposes.	DP077	There are no purpose built park and ride facilities in the city.
<b>Public funds should not be used for park and ride</b>	Oppose the use of public funds for park and ride instead of investment in end – end public transport, or cycling/walking facilities.	DP316 Bricycles and Cycling UK	There is no indication in the policy that public funds would be used for such a development
	DM34 does not go far enough in tackling parking issues related to coaches and vans.	DP095	Further measures are likely to be outside of the scope of the City Plan.
<b>Request removal of park and ride unless related to reduction in parking</b>	Suggests removal of Park and Ride from DM34 unless town centre parking is reduced at an equivalent number to new P&R parking spaces.	DP316 Bricycles and Cycling UK	Comment noted. It would be outside the scope of planning to require such a compensatory proposal in the determination of a planning application. Other measures can be taken to reduce attractiveness of city centre parking – see (g)
<b>Support</b>			
<b>General comment</b>	General support	DP028, DP067, DP001 Pavilion Architecture, DP272	Support welcomed.
<b>Supports Economic Strategy</b>	DM34 supports through the Growing City's theme (particularly GC5) – the promotion of active travel and delivering health/wellbeing benefits to residents. DM34 also aligns with Coast to Capital SEP Priorities 2 and 8.	DP208 Brighton and Hove Economic Partnership	Support welcomed.
<b>Aims of policy</b>	Transport interchanges will reduce vehicular use which will help	DP189 Natural England	Comment noted.

<b>will support national policy</b>	Brighton and Hove reach key aims set out in NPPF (148. & 170)		
<b>Comment</b>	Support for freight consolidation areas to reduce traffic holdups and pollution.	DP263 Brunswick Town Association	Comment noted.
	Lorries should be restricted in certain areas	DP263 Brunswick Town Association	Outside the scope of the City Plan.
<b>Comment</b>	Draft Neighbourhood Plan supports the use of the Rottingdean Long Stay Car Park for Park and Ride.	DP303 Rottingdean Parish Council	Comment noted.
<b>Minor changes requested</b>	Wording change to provide clearer distinction between P&R and other options and their environmental contribution.	DP002 Brighton YIMBY	It is considered that the policy criteria are applicable to all types of transport interchange.
<b>Minor changes requested related to setting of SDNP</b>	Include a criterion in the policy equivalent to criterion c in Policy DM25. I.e. to be clear in the policy that there should be no adverse/unacceptable effect on the setting of the SDNP.	DP221 SDNPA	Comment noted however setting of the SDNP is addressed in adopted City Plan Part 1 Policy SA5 The Setting of the South Downs National Park
<b>Additional criteria related to local and strategic road networks</b>	Add "d) there is no unacceptable impact on local and strategic road networks and its capacity to safely and efficiently accommodate the movement generated or attracted by the development <u>(the tests set out in DfT C2/13 para 10 and DCLG NPPF para 32).</u> "	DP112 Highways England	Comment noted, amendment will be made as a footnote.

<b>DM35 Travel Plans and Transport Assessments</b>			
<b>Total Number of Responses</b>			
		20	
<b>Number of Representations that Support</b>			
		17	
<b>Number of Representations that Object</b>			
		3	
<b>Number of Representations – Other</b>			
		0	
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Requirements for TAs should be applied more flexibly in relation to proximity to AQMAs</b>	The protection afforded to our AQMAs to meet the council's legal requirements in respect of meeting UK and EU Air Quality targets is inadequate, being very open to misinterpretation. A development application refused on the grounds that its traffic will adversely impact an AQMA could be overturned on appeal, if it the developer claims it not "near, "adjacent or "close, as stipulated in DM35 and DM40. For example the 450 homes at Lower Hoddern Farm will put significant extra traffic through the A259 Rottingdean AQMA, though being 5km distant is hardly near, close or adjacent. Arguably other provisions (e.g. DM34 and DM40 2.297	DP100	Comment noted – appropriate change made to the policy to require Transport Statements or Transport Assessments for developments elsewhere to consider traffic impacts within AQMAs to inform decisions

	& 2.298 and its reference to NPPF Para 5) might be interpreted as giving this protection, but with developers ready to appeal interpretations, clarity is essential. It must be made unambiguously clear that a development which is not adjacent or even near is still subject to these rules if the traffic it generates passes through the AQMA. Arguably the criteria for needing an Air Quality Impact Assessment should also be made more explicit in the SSAX sections for the specific sites.		about whether an AQA is required.
<b>Requirements for TAs should be applied more flexibly in relation to proximity to AQMAs</b>	The LPA should take account of this the increasing number of sites that are likely to end up in close proximity to an AQMA by considering the need for air quality provision at all developments, irrespective of its proximity to an already established AQMA.	DP307 Green Group of Councillors	The Policy was intended to cover this issue already through criteria (2), however the wording has been amended to provide greater clarity. Reference to noise/air quality added to criteria (4).
<b>Parking spaces are more important than air quality.</b>	In principle [protecting air quality] is a good idea, however in reality houses need more parking spaces for cars.	DP095	Comment noted.
Support			
<b>Support for policy criteria as will minimise impact on natural environment</b>	Requiring proposals which could create significant disturbance/intrusion to submit a C&EMP will ensure impact on the natural environment is minimised early on in the development process. Requiring developments to ensure private vehicle use is minimised will reduce private vehicular emissions, air pollution and water pollution. Minimising negative impacts on biodiversity is a key focus of the NPPF (8. 170. 174. & 175.) and is mentioned throughout the DEFRA 25 year plan. Reducing vehicular emissions	DP189 Natural England	Support welcomed.

	and pollution is a key aim of the NPPF (148. & 170.) especially section 9.		
<b>Comment</b>	The use of smaller residential roads needs to be clearly limited in peak hours as it is becoming dangerous for residents.	DP077	Outside the scope of the City Plan.
<b>Support with caveat</b>	Support with reservation that new developments must include infrastructure.	DP263 Brunswick Town Association	Unclear what type of infrastructure is being referred to. Policy CP9 Sustainable Transport sets out the approach to the provision of transport infrastructure.
<b>Changes requested in relation to cumulative impact assessments</b>	Only 'committed developments' should be included in cumulative impact assessments. It is not for a current development proposal to consider aspirational development such, we consider that the wording should be amended to remove reference to 'or planned developments'.	DP281 Toads Hole Valley landowners	The policy wording includes a requirement for there to be a " <i>reasonable degree of certainty delivery will occur</i> ", which is a stronger test than 'aspirational'.
<b>Support with caveat</b>	Policy supported but criterion 2. Should be amended to make provision for traffic generated by new developments which passes through an AQMA.	DP303 Rottingdean PC	Criteria (2) has been amended to provide greater clarity.
<b>Minor changes requested</b>	Recognise that community self-build developments can be encouraged to develop community travel plans.	DP175 Nub Brighton	The requirements for travel plans apply to all residential development.
<b>Additional criterion requested related to AQMA</b>	Strong support for traffic reduction and improvements to air quality and the use of Travel Plans and Transport Assessments to achieve it. Suggest an additional point 5: Planning applications will be refused where the transport assessment demonstrates that it would increase vehicle emissions in any AQMA.	DP316 Bricycles and Cycling UK	Comment noted. Proposed criteria considered to be unduly inflexible.

			This issues is covered by Policy DM40
<b>Minor changes requested</b>	A change is required to the wording of criterion 2 to make it acceptable. Criterion 2 currently requires a Transport Assessment (as opposed to a Transport Statement) for all development, irrespective of size or impacts, within or adjacent to an AQMA. This is a disproportionate approach for smaller developments.	DP265 Mid Group	Criteria (2) has been amended to provide greater clarity.
<b>Support reflects Economic Strategy</b>	Supports this policy through the Growing City's theme, principally GC5 which states "Support investment in transport infrastructure across the City Region and local active travel & "Continue to work within the city to promote and encourage active travel, improving local connections and delivering health and wellbeing benefits to individuals. This also aligns with the Coast to Capital SEP Priorities 2 and 8.	DP208 BHEP	Support welcomed.
<b>Support with additional text relating to Strategic Route Network</b>	It is requested that the text in red is added as follows: "Any development that is likely to impact on the safe and efficient operation of the SRN or requires direct connection to the SRN will require consultation with Highways England, who may have their own requirements for a Transport Assessment/Statement	DP112 Highways England	Comment noted. Text has been added to the reasoned justification of the policy.
<b>Comment</b>	The junction at the end of New England Road, New England Street and Argyle Road is the most polluted area in Brighton and I welcome any plans to assess this area.	DP272	Comment noted
<b>Wording change requested</b>	Wording could be expanded to promote sustainable travel measures at Brighton Marina. CPP2 provides an opportunity for key strategic sites, in particular Brighton Marina, to be treated as a 'Central Area', like the rest of the town centre. There is an opportunity for Brighton Marina to be subject to lower maximum car parking requirements, and this should be encouraged through draft policy DM35.	DP278 Outer Harbour Development Company Partnership LLP	This point is covered by City Plan Part One Policies DA2 and CP9.
<b>General Support</b>	General support	DP002 Brighton YIMBY,	Support welcomed.

<b>no comments</b>		DP028, DP067, DP085, DP001 Pavilion Architecture	
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DM36 Parking and Servicing			
<b>Total Number of Responses</b>		18	
<b>Number of Representations that Support</b>		11	
<b>Number of Representations that Object</b>		7	
<b>Number of Representations – Other</b>		0	
Summary of Comments			
Issue/ Site Allocation	Summary of Comments	Respondent Number and Name	Officer Response
Object			
<b>Policy should be more ambitious in cutting car usage.</b>	It is disappointing that this is not clearer and stronger about the need to cut car use in the city and that building more car parking generally brings more traffic into the city onto its already over-saturated roads. It is not good enough just to ensure sufficient parking is provided if this is leading us in the wrong direction and clogging up streets which undermines the local economy. The policy needs to be much clearer and stronger about the need to reduce car parking in new developments as much as possible so that the cumulative impact of new development is a positive rather than a negative one which is the current trajectory.	DP298 Friends of the Earth	This issue is addressed in adopted City Plan Part 1 Policy CP9 Sustainable Transport. The policy reflects the parking standards which have already been adopted through a SPD. Permit free developments can be required which there



			is insufficient on-street parking capacity.
<b>General comment</b>	We need cheaper and free parking in the area for local people.	DP153	Outside the remit of the City Plan.
<b>Additional parking provision should be permitted at the periphery of the city</b>	No data provided regarding up to date parking needs in Brighton and Hove been set out. In the absence of this, we do not support policy DM36 without amendments. We suggest the following alterations to the first line of proposed policy DM36 to accommodate a different approach on a site by site basis (or a city wide basis), where up to date information justifies this: "In the absence of further evidence or mitigating circumstances provision of parking, including ..... Additionally, at paragraph 2.258, we consider that the supporting text should be amended to recognise that around the periphery of Brighton and Hove closer to the main road network there may be a need for additional parking, especially for the larger family properties. Where justification can be provided (or a need is demonstrated) the council should allow parking provision in excess of the standards.	DP281 Toads Hole Valley landowners	Proposed changes not justified. A case for an exception to policy can be made without an explicit invitation to do so within the policy. The parking standards already reflect the differing requirements of outer areas of the city.
<b>Parking provision should be required for all units.</b>	Any new development should provide parking provision for all likely flats/ owners/ tenants/ businesses rather than a token few, then over-spilling into already congested street parking. It is not fair to current residents. A Permit-free approach is totally unfeasible (and unlikely in the long term) as people just won't want to buy the properties.	DP280	The parking standards applied by the policy are considered to be appropriate and have already been adopted for use by the Council through an SPD. No evidence of lack of demand for permit free properties.
<b>Policy does not go far enough</b>	More must be done to discourage car transport and parking. The council should consider reducing the areas available for parking	DP002 Brighton YIMBY	The adopted City Plan Part 1 sets out at Policy

	and increasing charges.		CP9 Sustainable Transport the strategic approach to transport and travel in the city reflecting the council's Local Transport Plan. Parking charges are outside the scope of the City Plan
<b>More flexibility required – servicing and delivery vehicles</b>	Note 4 calls for all large scale delivery and service vehicles to be accommodated on site. Whilst it is obvious that such vehicles need to manoeuvre safely it is important to avoid these large spatial 'holes' impacting negatively on appropriate designs that complement the existing urban grain. Perhaps the wording should state that schemes must demonstrate how the safe provision of servicing and delivery vehicles can be accommodated either within the site boundary and/or through use of the existing highways.	DP258 B&H Planning Agents Forum	Not accepted. It is considered important to have to have a robust policy with regard to this issue.
<b>More parking provision required.</b>	Most housing on the outside of Brighton does not need provision for cycle parking - the cycle lanes do not extend past the centre and most people do not cycle. There is a REAL need for ordinary parking let alone cycles and electric cars. There is not much need for car share schemes; they do not operate in the fringe areas.	DP095	The parking standards applied by the policy are considered to be appropriate and have already been adopted for use by the Council through an SPD.
Support			
<b>Appropriate to Local context</b>	Requiring developments to include supporting infrastructure for low emission cars will encourage greater adoption of these vehicles which will reduce private vehicular emissions, air pollution and water pollution within Brighton & Hove.	DP189 Natural England	Comment noted.
<b>Support with</b>	Support car free developments in principle.	DP316 Bricycles and	Support welcomed

<b>caveat</b>		Cycling UK	
<b>Support with caveat</b>	Cyclists can also be disabled. Cycle parking must be accessible and easy to use.	DP316 Bricycles and Cycling UK	Comment noted – this point has also been raised in relation to Policy DM33 and will be addressed in that policy
<b>Comment</b>	It is vital that any plans look deeply into parking and dedicated spaces are required to avoid overloading the on-street parking.	DP077	Comment noted.
<b>Support with caveat</b>	Paragraphs 2.261 and 2.262 should be strengthened regarding electric vehicle charge points by amending the wording to be 'require' rather than 'support the provision of' and 'should be considered'.	DP256 Conservative Group	Requirements for electric vehicles are set out in SPD14 (Parking Standards) and are required by the policy text. It is not considered necessary to alter the supporting text.
<b>Comment</b>	Should recognise that community self-build developments can reduce parking capacity through the use of community share-cars and active travel resources such as share bikes.	DP175 Nub Brighton	Comment noted. These measures are supported through Policy DM33.
<b>Support – no detailed comments</b>	General support	DP028, DP067, DP085, DP001 Pavilion Architecture, DP208 BHEP, DP272	Support welcomed

<b>DM37 Green Infrastructure and Nature Conservation</b>			
<b>Total Number of Responses</b>		29	
<b>Number of Representations that Support</b>		20	
<b>Number of Representations that Object</b>		9	
<b>Number of Representations – Other</b>			
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Policy focused on designated sites and is not strong enough on Green Network/green linkages</b>	<p>The policy focuses primarily on designated species and habitats outside the city but is not strong enough on the Green Network within the city and habitats identified by the Council as being part of the green linkages. Suggests following insertions:</p> <p>Add the Green Network to the policy – bulleted list of protected areas and add to the list of designated and identified sites in policy. By virtue of having been identified in 2009</p> <p>Paragraph 2.269 - reference to the Green Network footnote 59. It refers, not to the Green Network in the city, but to the NIA. We suggest reference is made to the Council document 'A Green Network for</p>	DP217 Brighton and Hove Community Land Trust; DP205;	<p>Comments noted. The policy has been significantly amended, and the matter raised has been clarified.</p> <p>Green network constitutes wider network of open spaces and infrastructure, and the matter raised has been addressed through amendments.</p>

	Brighton and Hove 2009' and reference to Green Network elsewhere in policy and text. Linkages identified should be protected from development.		It should be noted that the 2009 Green Network Study informed the South Downs Way Ahead Nature Improvement Area (NIA). The NIA landscape scale designation was endorsed by the Government in 2012 and it went on to inform the City Plan Part 1 (adopted in 2016). It remains the overarching principle.
<b>Include reference to national and local documents in supporting text</b>	<p>Honour recommendations made by Natural England in the Nature Nearby report when considering planning applications.</p> <p>Mention in supporting text: Natural England in the Nature Nearby report as part of the justification. Mention the Green Network. Refer to BHCC's 'A Green Network for Brighton and Hove 2009'.</p>	<p>DP217 Brighton and Hove Community Land Trust;</p> <p>DP205</p>	<p>The principles of NE's Nature Nearby report have been incorporated in the amended policy and specific reference is not considered necessary.</p> <p>Reference to Green Network is included in the definition of the Nature Improvement Area as set out in the supporting text. The central thrust of BHCC's 'Green Network for Brighton and Hove 2009' is carried through by the South Downs Way Ahead NIA report, which has been referenced. The NIA landscape scale designation</p>

			was endorsed by the Government 2012 and it went on to inform the City Plan Part 1 (adopted in 2016)
<p><b>Soundness of 2017 LWS Review</b></p> <p><b>Omission of Local Wildlife Sites from Appendix 3 and policies map</b></p>	<p>Consider sites that are missing from the list of local wild life sites.</p> <p>Missing LWS is a soundness issue as CPP2 fails to protect specified sites and is therefore contrary to NPPF and national strategy. Concerned with 2017 LWS Review process.</p> <p>Pavilion Gardens, Valley Gardens, The Level and Park Crescent should be added to the BHCC LWS map (further details on sites, names and locations provided along with LNR and LGS)</p> <p>Ovingdean Copse should be added to LWS list.</p>	<p>DP089</p> <p>DP285 Eco21st 'Ecological thinking in the 21st Century'</p> <p>DP317 Rottingdean Coastal Councillors;</p>	<p>The policy has been informed by Wildlife Sites Review 2018, which was published in parallel with City Plan Part 2 consultation.</p> <p>The East Sussex Technical Panel considered the 2013 list of potential sites and whether they met the selection criteria for LWS designation and this is detailed in the Review document. The review process was robust.</p> <p>Due to a mapping error the southern part of Ovingdean Copse candidate Local Wildlife Site, although included and assessed as part of the Local Wildlife Study Review 2018, was not shown on the originally published map of sites in Appendix 6b (published June 2017) however the</p>

			policy map was updated in the November 2018 version.
<b>Policy not robust or ambitious enough to protect and enhance biodiversity.</b>	<p>The policy lacks sufficient protection for biodiversity and does not seek to enhance biodiversity. It refers to obsolete mechanisms, such as the NIA and BAP programmes. It is not ambitious enough.</p> <p>Proposals must seek to protect and enhance the following and to prevent damaging impacts: The South Downs Way Ahead Nature Improvement Area (NIA) does not form the backbone of the Green infrastructure programme as this project was completed two years ago. It was a finite project with a set of resources which have been spent.</p>	DP097	<p>Not agreed. It is considered pertinent to draw from the NIA and BAP Programmes, which went on to inform the City Plan Part 1 (adopted in 2016). The para 4.133 of the City plan Part 1 describes purpose and significance of the South Downs Way Ahead Nature Improvement Area (NIA). The NIA provides habitat enhancement, restoration and reconnection to develop a bigger, better, more joined up ecological network across the NIA with attention to the flora, fauna, soils, geology and hydrology of the chalk. The revised NPPF does not specifically mention the NIA but key principles remain.</p>
	The council should have an ecologist to keep up to date on changes within the SDNPA.	DP097	Comment noted. The council through its duty to cooperate requirements;

			Biosphere Programme and other project work (Eg Restoration of Stanmer Park) works closely with the South Downs National Park Authority and BHCC draws on ecological advice from the East Sussex County Council Ecologist.
	2.272 - Add house sparrow to the list of birds. Also add provision to increase the number of swift and bat boxes in new development.	DP097	Reference to house sparrow added in para 2.272.
<b>Inconsistent with national policies and strategies</b>	<p>Lacks reference to the national strategies. It is not sound for a Unitary Authority with full awareness of the National Biodiversity Strategy and designation of a 'Biosphere Reserve' to fail in including reference to this Strategy or Section 41 of the NERC Act 2006.</p> <p>The habitats and species are derived from Section 41 list of the Natural Environmental and Rural Communities (NERC) Act 2006 should be fully listed.</p>	DP285 Eco21st 'Ecological thinking in the 21 <sup>st</sup> Century'	Comments noted. The policy complements adopted City Plan Part 1 policy CP10: Biodiversity. The principles of national strategies have been incorporated in the amended text. Footnote 52, expands on the protected and notable species and habitats, provides all the reference to relevant national and international (such as Section 41 NERC Act 2006) and indeed regional /local declarations, designations and Acts. Listing all of the species is considered not necessary given that further detail is set out in



			the adopted Biodiversity SPD.
<b>Extend policy remit to include geodiversity</b>	<p>Extend the duty to protect geodiversity in line with the importance conferred by England Biodiversity 2020 and to accord with NPPF (Paragraphs 109 to 125).</p> <p>Need to refer to DEFRA's 25 Year Plan to improve the environment.</p>	DP285 Eco21st 'Ecological thinking in the 21 <sup>st</sup> Century'	<p>Comments noted. Whilst the draft policy did state that proposals must assess potential impacts on, nature conservation features (which was defined to include geodiversity) amendments to the policy had more specifically referred to geodiversity in the wording of the policy.</p> <p>Policy is considered to be well aligned with key principles of DEFRA 25 Year Plan (please see comments below from Natural England -DP189).</p>
	Protection afforded to the Designated Sites require revision if they are to be both positively prepared and effective.	DP218 JTC Fund Solutions (Jersey) Limited	The policy has been amended to reflect a positive approach and to make it more effective.
<b>Policy not effective as written</b>	Welcome distinction made between the levels of protection afforded to each type of designation, according to a hierarchy, which is in accordance with the approach recommended in the NPPF. However consider draft policy DM37, as worded, is not positively prepared or effective as only allows development in designated sites, according to criteria relevant to each type of site.	DP218 JTC Fund Solutions (Jersey) Limited	Support noted on the distinction made between the level of protection afforded to hierarchy of designations. The policy and supporting text have been amended to bring a

			greater level of clarity in accordance with the NPPF.
<b>Sequential approach undermines site allocations</b>	The de-facto sequential approach undermines the delivery of sites (such as the Black Rock Site) that might be allocated for development under other policies in this Draft Plan. Suggests re-wording: to explain that proposal within a designated site will be permitted where either the site is 'specifically allocated for development or where there are no alternative suitable sites'.	DP218 JTC Fund Solutions (Jersey) Limited	Safeguarding designated nature conservation sites is the key objective of the policy. The policy at part c. has been amended to clarify the requirements for locally protected sites.
<b>Policy should protect urban fringes</b>	Policy should be changed to ensure the urban fringes are not eroded by development.	DP095	Comment noted however the principle of some parts of the urban fringe as a potential source of housing sites has been established through the adopted City Plan Part 1 and reflected through site allocations in H2.
<b>Policy is too prescriptive</b>	Policy unnecessarily prescriptive. Some designated sites can be protected from other means (Ancient woodland by National Policy) aged/veteran trees could be covered under 'protected trees' category Policy lacks context to the 'City's National Elm Collection'.	DP258 Brighton & Hove Planning Agents Forum	Comments noted. It is not considered that the policy is unnecessarily prescriptive. The list shows priority nature conservation areas that are both nationally and locally important and City Plan seeks to ensure their protection. Para 2.270 provides justification for the City's National Elm Collection.
Support			
<b>Support without</b>		DP085; DP162 Environment	Support noted

<b>qualifying comments</b>		Agency; DP067; DP001; DP238; DP263 Brunswick Town Association; DP272; DP303 Rottingdean Parish Council	
<b>Support with caveat - policy lacks support for green energy</b>	Policy lacks support for multiple forms of green initiatives (solar panels, wind power, no zones for motor vehicles, hydroelectricity, biofuels geothermal energy).	DP134	Support noted. Adopted CPP1 Policy CP8 Sustainable Buildings complemented by Policies DM44 Energy Efficiency and DM45 Community Energy have been informed by two Energy Studies that have investigated the opportunities in the city for low and zero carbon technologies and the findings have been reflected in these policies.
<b>Encourage community-led development as these yield more green benefits</b>	Appropriate response to green spaces, wildlife and local ecology as they are huge resources spanning health, wellbeing, sustainability, air quality and quality of life. Plan should encourage community self-build development which will yield more benefits by virtue of not having a profit focus	DP175 Nub Brighton	Support noted. The role of community self-build as a specific type of housing format is acknowledged in the City Plan Part 2 (Policy DM1 and H2).
<b>Minor changes requested to extend the focus to development outside designated sites</b>	Policy aligns well with NPPF (171.) and the DEFRA 25 year plan (3.3.i) with respect to <ul style="list-style-type: none"> <li>a) Minimising impacts on biodiversity and providing net gains - NPPF (8. 170. 174. &amp; 175.) and the DEFRA 25 year plan's aims (1.1.).</li> <li>b) Preserving or enhancing ecological/ecological networks is in line with the NPPF (170. &amp; 174.).</li> </ul> Paragraph 2.272 ensures developments must consider impacts on	DP189 Natural England	Support noted. The policy has been significantly amended and the concern has been addressed.

	features of Brighton & Hove's biodiversity which otherwise may be overlooked.		
<b>New wording to ensure clarity on net gain</b>	New wording should be inserted to ensure GI/natural capital and biodiversity net gain is achieved from all developments, not just those affecting designated sites and to bring the policy in greater alignment with various national strategies (NPPF (8. 170. 174. & 175.), DEFRA 25 year plan (1.1.) on net gain, NPPF (171.) and the DEFRA 25 year plan (3.3.i) on GI maintenance; NPPF (180) on National Park and its landscape and scenic beauty).	DP189 Natural England	Policy amended in response to the comments made which includes incorporating the principle of biodiversity net gain.
<b>Areas of tranquillity should be identified</b>	Relevant areas of tranquillity should be identified and protected, such as Local Green Spaces and the South Downs National Park to make it aligned with NPPF (180.)	DP189 Natural England	Comments noted, but in relation to areas of tranquillity; there is no evidence base for designating tranquillity areas over and beyond those identified by the Government and therefore it is considered inappropriate to include this within the Plan.
<b>Suggest publishing a separate Green Infrastructure Strategy</b>	BHCC should go beyond the spatial framework formed by the South Downs Way Ahead NIA to commit to publishing and regularly updating its own Green Infrastructure Strategy which would a)enable more specific management of the city's GI and b)introduce strategies such as a community GI levy developers could pay into. The Strategy could be linked to ANGSt, Green Flag Award or an accessibility standard and will be in line with the level of commitment to preserving and enhancing the natural environment that is indicative of a biosphere designation.	DP189 Natural England	Comment noted. A Green Network for Brighton & Hove 2009 informed the City Plan Part policies. The need for its update will be assessed at the time of City Plan Part 1 review alongside other emerging initiatives such as Shoreham Harbour Green Infrastructure Action Plan and Sussex Natural Capital Strategy.

<b>Potential environmental value of Brownfield land</b>	Brownfield land should be mentioned within this policy for the potential environmental value that exists on these sites, often found in urban areas and former industrial land.	DP189 Natural England	Brownfield land reference added to para 2.268.
<b>Priority Habitats and species should be mentioned</b>	Priority habitats and species should be mentioned within this policy in line with the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006.	DP189 Natural England	Minor amendment to Para 2.272 done for clarity. Listing all of the species from the Section 41 of the NERC Act 2006 is not considered necessary. These are included in Annexe 1 of the adopted Nature Conservation SPD.
<b>Para 2.273 needs changing</b>	Paragraph 2.273 is not supported as it gives an impression that losses to designated sites and conservation features can be mitigated. The policy should state that impacts will be avoided. The emphasis on any losses to SSSIs or biodiversity assets would require compensation not mitigation is at odds to NPPF which requires planning applications to achieve net gain and for developments to adhere to the mitigation hierarchy and avoid, mitigate and as a last resort, compensate. We note the reference to this hierarchy in the policy, but the supporting text should be amended.	DP189 Natural England	Paragraph 2.273 amended in response to the comment highlighting the importance adhering to the mitigation hierarchy. Principle of net gain has been incorporated in the amended policy text.
<b>Support with some suggested changes to supporting text - conservation of swifts</b>	<p>Welcome recognition of need for protecting species that are vulnerable but not currently protected by law and support to Brighton &amp; Hove's local BAP habitats. Although policy acknowledges Swift as one of the species to be considered for enhancement opportunities, does not stress enough the urgent need for action to conserve this species and therefore may miss the opportunity to include those enhancements in upcoming developments.</p> <p>RSPB and volunteer surveys have found 76 nests in BHCC in the past two years.</p>	DP219 RSPB	Support noted. Para 2.272 amended to reflect stronger protection to vulnerable species including requiring new builds, refurbishments and renovations to incorporate swift bricks boxes where possible.

	Para 2.272: should be amended to provide a stronger protection and wording is suggested.		
<b>Support but more emphasis in policy on swift protection sought</b>	Swift protection in new residential and commercial dwellings should include integral swift bricks at a 1:1 ratio for houses and increased proportions for commercial premises. For residential properties, general guidance is an overall ratio of 1 per house, but in clusters of 2-4 per house e.g. on a 100-house development, install 4 on 25 houses.	DP256 The Conservative Group	The policy has been amended to provide stronger protection to priority species. Para 2.272 amended to provide enhanced protection with specific reference to swifts. There is no evidence available to impose more prescriptive guidelines.
<b>Support with suggestion to other typologies of open space as Green Infrastructure</b>	Include allotments, orchards and community food spaces as part of green infrastructure as habitats for wildlife, green corridors and providing shade / ground cover / flood prevention	DP233 Brighton and Hove Food partnership	Support noted. New text added to Para 2.268 in response to the comment. Policy CP16 Open Spaces and CP18 Healthy City address the issues of allotments and food growing opportunities.
<b>All new developments should include SUDs</b>	All new developments should design in SuDS, green roofs and walls, as appropriate to building design and retrofit same measures where feasible, particularly into problem areas with surface water flooding/drought issues.	DP256 The Conservative Group	Comment noted. This is addressed through policy DM43 Sustainable Urban Drainage which requires new development to incorporate appropriate SUDS system. No change necessary as the matters related to water resilience/climate change mitigation are covered

			elsewhere in the Plan.
<b>Support with suggested amendment showing caveats on mitigation</b>	<p>Include examples or caveats to indicate adequate mitigation and/or compensation measures that will be sought where proposal is liable to a demonstrable harm to such sites and/or features. Suggest amendment:</p> <p><i><u>'Proposals liable to cause demonstrable harm to such sites and/or features will not be permitted, unless adequate mitigation and/or compensation measures are included in the proposals'</u></i></p>	<p>DP281 Toads Hole Valley Landowners, Toads Hole Valley Ltd, Pecla Investments Ltd and Robert Mark Simon</p>	<p>Support noted. No change considered necessary as the policy and supporting text at para 2.273 provides a framework for mitigation and compensation to offset any detrimental impact arising from development on nature conservation features. The policy is in general positively worded. Specific examples would not be appropriate given each case will be individually assessed against the policy criteria and priorities.</p>
<b>Support with caveat - amend policy to emphasise net gain</b>	<p>The Sussex Wildlife Trust would like to see the requirement for up-to-date assessments to apply to all applications which may affect biodiversity to ensure that net gains are achievable. NPPF Paragraph 170 is clear that both planning policy and decisions should provide net gains to biodiversity. There is no longer the 'where possible' caveat – it is inconsistent with the principle of net gains and should be removed.</p>	<p>DP289 Sussex Wildlife Trust</p>	<p>The policy has been amended to highlight that the principle of net gain is applied to all developments (first bullet point under nature Conservation).</p>
<b>Criteria based policy based on hierarchy of designated sites no longer exists</b>	<p>The requirement to set criteria based policies based on the hierarchy of designated sites no longer exists within National Policy, therefore the suitability of the fourth paragraph of the policy is questioned.</p>	<p>DP289 Sussex Wildlife Trust</p>	<p>Paragraph 171 in NPPF requires Plans to distinguish between the hierarchy of international, national and locally designated sites. The policy text has been amended overall to bring greater</p>

			clarity to designated sites.
<b>Concerned with criteria base approach to designated sites</b>	<p>Local Wildlife sites need to be protected through the local plan. Reference in policy in relation to within a local site to 'City-wide importance' is not clear.</p> <p>LNR to be considered at regional level and question whether the exception of internationally designated sites is legally compliant with the Habitat Regulations</p> <p>Policy should clarify what is required when an application may have an impact on an internationally designated site, rather than to list possible exceptions.</p> <p>Recommend that policy is amended to ensure that the components of the City's ecological network are truly safeguarded. If the council are minded to pursue a criteria base approach to designated sites, than the Sussex Wildlife Trust would welcome a discussion to explore what requirements would be suitable to ensure robust protection of locally designated sites.</p>	DP289 Sussex Wildlife Trust	The policy has been significantly amended to address concerns raised.
<b>Suggested policy amendments for clarity</b>	<p>Minor changes for strengthening the policy: Inclusion of the word 'enhanced' in the final line of the first paragraph of policy DM37 ; Removal of 'seek to' and 'where possible' from the first sentence of the existing second paragraph.</p>	DP289 Sussex Wildlife Trust	The amendments to the policy address suggested changes. No further changes required.
<b>Minor amendment suggested for clarity</b>	<p>Add reference to the marine environment to the features listed in the second paragraph.</p> <p>Clarity is sought over bullet point (d) of the final paragraph. The supporting text does not expand on what the council might consider to be public appreciation. Inclusion of the wording 'long-term' in bullet point (e).</p>	DP289 Sussex Wildlife Trust	<p>Reference to marine and coastal biodiversity and geodiversity added.</p> <p>Bullet point d) has been removed from the policy. The text 'long-term' has been included in the amended policy.</p>



<b>Need to identify mechanisms to enable effective implementation of GI policies</b>	Council's approach to considering the assessment of Natural Capital as stated in section 2.271 is supported but this is not supported in policy wording. Request identifying mechanisms that could enable this to happen given the longevity of the plan and the recognition of natural capital in the Defra 25 year plan.	DP289 Sussex Wildlife Trust	Support noted. Policy text significantly amended which addresses the concern raised by the comment.
<b>LWS review</b>	Review of LWS is supported and request Council to make commitment within the CPP2 to regular reviews of existing and proposed LWSs, providing a robust evidence base for council decisions and future plans.	DP289 Sussex Wildlife Trust	The Council is a member of the Sussex Local Wildlife Sites Initiatives and with their support the Council is currently prioritising finalising the current Local Wildlife Site Review process. Through continued collaboration with the Sussex Local Wildlife Sites Initiative the council will consider how best to regularly review. LWSs.
<b>Minor editorial amendments to bring clarity</b>	A number of changes suggested to strengthen and bring clarity to the policy; supporting text and footnotes	DP289 Sussex Wildlife Trust	Support noted and changes incorporated.
<b>Support but recommend establishing Nature Recovery Network</b>	Welcome the broad range of policies aimed at promoting the viability of green infrastructure but consideration could be given to how developments can contribute to a process of 'nature recovery' in line with WWF. Suggest establishing a Nature Recovery network via 'Spaces for nature' in all new developments. Full 'Life Cycle' analyses of developments (including their construction, materials) could form a useful basis to understand impacts of development on nature conservation.	DP307 Green Group of Councillors	Support noted. It is recognised that the Nature Recovery Network is a new concept that is currently being considered in DEFRA 25 Year Environment Plan.  Amendments to Policy DM37 emphasize the need to conserve and enhance

		<p>biodiversity and geodiversity features and ensure a net gain in biodiversity.</p> <p>It is also worth noting that the South Downs Way Ahead Nature Improvement Area (NIA) referred to in the policy is identified as an inter-connected network of wildlife habitats with the intent to re-establish thriving wildlife populations.</p> <p>Re Nature Recovery Map – the need to produce it will be assessed during the review of City Plan Part 1 alongside the emergence of related outputs from the project that are currently underway at various levels such as the Natural Capital Strategy, Biosphere Map (Sussex Local Nature Partnership) and Natural England’s Nature Recovery Network.</p> <p>Amendments have been</p>
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			made in response to the comment around 'life cycle' analysis (Para 2.273). However, the issue is addressed by policy CP8: Sustainable Buildings in CPP1. The policy seeks to lower the ecological footprint of new development and the criterion k is relevant which seeks to minimise building waste and facilitates recycling, composting and re-use.
<b>Support</b>	Section 2.28.8 reaffirms the BHEPs commitment to delivering a robust green infrastructure for the city and wider region.	DP208 Brighton & Hove Economic Partnership	Support noted.



<b>DM38 Local Green Spaces</b>			
<b>Total Number of Responses</b>		53	
<b>Number of Representations that Support</b>		16	
<b>Number of Representations that Object</b>		37	
<b>Number of Representations – Other</b>			
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Policy inconsistent with the revised NPPF</b>	Policy not compliant with NPPF which states that policies for managing development in LGS should be consistent with those for Green Belt. Policy must be amended to ensure alignment with national policies (revised NPPF paragraphs 101) and suggest wording changes.	DP289 Sussex Wildlife Trust	New text has been added to the policy reflect the NPPF.
<b>St Aubyn's field should be included in the list</b>	Despite full Council recommendation in 2015, St Aubyn's Field in Rottingdean has not been included as a Local Green Space	DP326; DP325; DP324; DP323; DP346; DP327; DP303 Rottingdean Parish Council; DP321; DP008 A259 Action Group; DP320; DP337; DP342; DP343; DP341;	The petition was heard by the Council on 16 <sup>th</sup> July 2015 which directed Economic Development & Culture Committee for St Aubyn's Playing Field to be designated as a Local Green Space at the earliest opportunity.

		DP319; DP344; DP328; DP336; DP339; DP338; DP340; DP345; DP345; DP335; DP334; DP333; DP332; DP331; DP330; DP329;	The latter concluded that in planning terms a Local Green Space is a designation that could only be made through a development plan and identified two options for bringing such a designation forward a) Rottingdean Neighbourhood Plan; or b) Part 2 of the City Plan with the preferred route being the former. It is understood that the Rottingdean Neighbourhood Forum intends to allocate the playing field as a Local Green Space. A motion was passed to this effect on 15 March 2015 ( <a href="http://www.rottingdean-pc.gov.uk/noticeboard">http://www.rottingdean-pc.gov.uk/noticeboard</a> )
<b>Remove Benfield Valley from the list - does not meet NPPF criteria</b>	Local Green Space (LGS) designation for Benfield Valley is not consistent with national guidance (paragraph 100) as the site is an extensive tract of land and therefore lacks local character. DM38 should be amended to remove reference to Benfield Valley.	DP287 Fairfax Acquisitions Ltd	NPPF para 100 provides three broad criteria for LGS designation: a) in reasonably close proximity to the community it serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and c) local in

			<p>character and is not an extensive tract of land.</p> <p>Benfield Valley was assessed using the NPPF criteria by the 2014 Urban Fringe Assessment Study and judged to be suitable for designation. Its role as an important green wedge connecting the urban area to the South Downs National Park featured strongly in the assessment. This recommendation was supported through public consultation at the Scoping Stage of City Plan Part 2. The site was reviewed again through Local Green Space topic paper which confirms the decision made earlier. No amendment necessary.</p>
<b>Lacks focus on wider Green Network</b>	<p>Policy focuses mainly on the designated spaces and could do more with emphasis on the wider Green Network within the city. Request including a map of the Green Network in the appendices and the Green Network referred to in para 2.2283 including 'Green Network for Brighton and Hove 2009' referenced.</p>	<p>DP217 Brighton and Hove Community Land Trust; DP205;</p>	<p>Comment noted however, the policy focus is on the Local Green space. There are other policies in the Plan with emphasis on wider green network in the city (Policy DM22 Landscape Design and Trees; Policy DM37 Green Infrastructure and nature Conservation</p>
<b>Three</b>	<p>Apart from Three Cornered Copse, the designated sites do not</p>	<p>DP258 Brighton &amp;</p>	<p>Paragraph 100 in the NPPF</p>

<p><b>designated sites do not meet NPPF criteria</b></p>	<p>meet criteria for Local Green Space as defined by para 77 of the NPPF. Ladies' Mile and Benfield Valley could easily accommodate housing and still retain substantial open space.</p>	<p>Hove Planning Agents Forum</p>	<p>retains the three broad criteria for Local Green Space designation: a) in reasonably close proximity to the community it serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and c) local in character and is not an extensive tract of land.</p> <p>All four sites were assessed using the NPPF criteria by the 2014 Urban Fringe Assessment Study and judged to be suitable for designation through public consultation at the scoping stage of CPP2. The sites were reviewed again through Local Green Space Topic Paper which confirms the decision made earlier. No amendment necessary.</p>
<p><b>Housing number for Benfield Valley is arbitrary</b></p>	<p>Housing numbers for Benfield Valley were established at 30 dwellings through the Urban Fringe Assessment however this number has now increased to 100 dwellings without any further detailed evidence. Lack of rigour in formulating housing numbers indicated in the Urban Fringe Assessment</p>	<p>DP258 Brighton &amp; Hove Planning Agents Forum</p>	<p>Comment noted. The proposed increase in the indicative housing compared to the UFA figure follows a more detailed assessment of the site capacity by</p>



	undermines the weight that should be given to the UFA.		the Council supported by the County Landscape Architect and County Ecologist. The Council's detailed assessment of all the proposed housing allocations was set out in in the Housing and Mixed Use Site Allocations Topic Paper which was published alongside the Draft CPP2. The evidence and justification for Policy SA7 and the proposed housing allocation is set out in a background paper alongside the Pre-Submission version of CPP2
<b>Lacks sound analysis and the outcome of Open Space Study disputed</b>	Paragraph 2.282 makes this policy redundant. Any such protection must be based on sound analysis and must be based on a qualitative as well as a quantitative basis. Dispute the conclusion from 2008 Open Space Study that informs Urban Fringe Study. The failure of the Open Space Studies to acknowledge the sea, beach and seafront as a significant component of the City's open space offer is even contradicted by the wording of Policy DM39 which states "proposals should safeguard the importance of the seafront and beach as open space.	DP258 Brighton & Hove Planning Agents Forum	Paragraph 2.282 has been amended in response to the comment.  The 2008 Open Space Studies and 2014/15 Urban Fringe Studies have informed the City Plan Part 1 and have stood the City Plan EIP test. The City Plan Part 1 Inspector did not raise any concerns with either methodology or the outcome of these documents. In relation to Policy DM 39 text, it is considered that the safeguarding

			requirement strengthens Policy CP16 Open Space in the CPP1.
<b>Amend policy to ensure protection of urban fringe</b>	Policy should be amended to ensure the urban fringes are not eroded by development.	DP095	Comment noted however the principle of some parts of the urban fringe as a potential source of housing sites has been established through the adopted City Plan Part 1 and reflected through site allocations in H2.No change considered necessary.
<b>Incomplete list</b>	Local Green Space list is incomplete.	DP089	Please see response to DP258
<b>Support</b>			
<b>Support</b>	Policy is supported	DP329; DP085; DP134; DP199 Friends of vale park; DP233 Brighton & Hove Food Partnership; DP238; DP272; DP238; DP281 Toads Hole Valley Landowners, Toads Hole Valley Ltd, Pecla Investment Ltd; DP298 Friends of the Earth; DP307 Green Group of Councillors; DP001 Pavilion Architecture	Support noted.
<b>Support with minor change to emphasize accessibility</b>	Local green space designation protects valuable sources of GI and biodiversity, while also ensuring local communities are more empowered with nature conservation and that tranquillity is preserved. It complies with the basic thrust of	DP189 Natural England	Support noted and new text added to emphasize accessibility matter in para 2.82.

	NPPF and DEFRA 25 Year Plan's aims. Changes suggested in relation to increasing accessibility to/within Local Green Space where it does not conflict with biodiversity matters.		
<b>Recognise community self-build deliver more green benefits</b>	Recognise that not all developments are equal, and some would be able to create housing that would be of the right scale and environmental sensitivity to not threaten the unique qualities of our local green spaces - for example - small scale community self-build.	DP175 Nub Brighton	Comment noted – City Plan policies CP12 Urban Design and CPP2 policy DM18 High Quality Design and Places will ensure that new developments are of a high quality of design and make a positive contribution to a sense of place (including local context) and the visual quality of the environment. No change considered necessary.
<b>Building close to LGS should be resisted</b>	Building close to any designated green space needs to be deterred generally as this sets a precedent and in a short time the green space will be built on.	DP077	The policy has been strengthened to ensure that development affecting designated local green spaces are not permitted unless there are very special circumstances in line with the NPPF.
<b>Support with request for additional sites to be included as LGS</b>	Consider following sites for LGS designation: The park around Hove Museum, the land around St Leonard's Church, St Christopher's School playing field between Leicester Villas and Glebe Villas, Ovingdean Hall School, St Aubyn's Playing Fields, Roedean Pitch and Putt Course, the land in the front of the Lawn Memorial Cemetery in Woodingdean, Happy Valley the Plainfields Open Space in Patcham, Horsdean recreation ground embankment, Vale Avenue/Barrhill Avenue playing fields in Patcham, the area	DP256 The Conservative Group; DP263 Brunswick Town Association; DP036 Badgers Tennis Club;	The suggested sites for local green space were re-examined and it was considered that there was insufficient evidence to satisfy NPPF criteria. Some of the sites already enjoy protection through other policies in the Plan and that the LGS designation would not add much value to

	<p>known as Braeside Linar Woods, Patcham Place, and land including adjoining Carden Park and Woodbourne Meadows, Hove Lawns/Seafront, Badgers Tennis Court.</p> <p>Support policy CP16 Open Space in City Plan Part 1 which affords protection for many of the city's open spaces including village greens, sports pitches, and playing fields.</p>		<p>them. For some of the sites Neighbourhood Plan route is considered more appropriate due to their very localised significance. Detailed assessment is set out in the on Local Green Space Topic paper .</p> <p>Support to CP16 noted.</p>
<b>Green space audit requested</b>	<p>Green spaces not only provide valuable opportunities for leisure activities but also provide enormous health benefits for residents in what is one of the most densely populated urban areas in the country. Council should undertake an audit of green spaces with a view to further designating areas not currently afforded protection under CP16.</p>	DP256 The Conservative Group	<p>The leisure and health benefit from green spaces is acknowledged. In relation to the audit of green spaces, the Council undertook a comprehensive assessment through Open Space Study in 2008 which was followed with an update in 2011. These documents have informed the City Plan policies. Policy CP16 applies to all green and open spaces in the city as identified and shown on the policies map. No further audit is required for CPP2.</p>

DM39 Development on the Seafront			
<b>Total Number of Responses</b>		15	
<b>Number of Representations that Support</b>		13	
<b>Number of Representations that Object</b>		2	
<b>Number of Representations – Other</b>			
Summary of Comments			
Issue/ Site Allocation	Summary of Comments	Respondent Number and Name	Officer Response
Object			
<b>Do not support restriction against development extending onto shingle beach</b>	<p>Whilst support policy areas relating to sea defence and ensuring that development takes account of coastal conditions do not support blanket restriction against development extending onto the shingle beach – restricts effectiveness of plan and not positive. Such a restriction could undermine delivery of regeneration schemes such as the development at Black Rock (strategic allocation in CPP1 and referred to in DM17) which may need to extend onto the shingle beach. Suggest amend policy wording to include additional exception:</p> <p><i>'where the adjacent land has been allocated for development in the local plan'</i></p>	DP218 JTC Fund Solutions (Jersey) Ltd	<p>Comment noted. However the specific exception requested is not considered an appropriate amendment. The boundary of the Black Rock strategic allocation was established through the adopted City Plan Part 1 DA2.C.3.</p>

<b>Beachfront from Yellowwave to Marina should be protected from further development</b>	The City Plan should protect the beach-front east of the Yellowwave site as far as the Marina from further development, as it is relatively un-developed providing a valuable change of character which reveals the natural features of the beach.	DP207 The Regency Society	Comment noted. Policy DM39 clarifies approach for development onto the shingle beach.
Support			
<b>Appropriate and accords with NPPF</b>	Positives – ensures important biological and geological aspects of coast are not negatively impacted; ensures public amenities on the shingle beach are small scale reduces impact on important coastal habitats while reducing damage that will occur with climate change driven sea-level rise; limits negative impact on the marine environment. Minimising impacts on biodiversity and net gains and maintaining and enhancing GI accords with NPPF and DEFRA 25 year plan.	DP189 Natural England	Support welcomed.
	Aims to protect and enhance public access to the sea and build in climate change and adaptation.	DP238	Support welcomed and comment noted.
	Strongly support especially in relation to Hove Lawns and seafront to boundary – a valuable open space enhancing the shoreline with natural habitats	DP263	Support welcomed and comment noted.
<b>Support presumption against development extending onto the shingle beach</b>	However concerned that there is currently a gradual spread of piecemeal encroachment by commercial attractions on to areas of shingle in the Old Town and East Cliff Conservation Areas	DP156 Kingscliffe Society	Comment and concerns noted. Policy DM39 clarifies approach for development onto shingle beach.
<b>Refer to Marine Conservation</b>	Specific mention should be made to the protection from impacts of development on "beachy head west" marine conservation zone	DP189 Natural England	Comment noted. Reference to MCZ has

<b>Zone</b>	(MCZ). The designation of MCZ is a nationally important marine designation which encompasses Brighton marina.		been included in policy and amended reference in paragraph 2.293.
<b>Include statement discouraging litter on the beach</b>	With respect to sea water quality as an environmental and recreational asset - include in paragraph 2.311 or in topics covering waste management, refuse, litter, etc. to discourage litter strewn on the shingle and blown or washed into the sea.	DP156 Kingscliffe Society	Recognise the concerns regarding waste management and litter on the beach. The council has installed recycling bins on the beach and regularly carry out campaigns and clean ups to encourage people to dispose of their rubbish responsibly. Adopted City Plan Part Policy CP8 Sustainable Buildings requires all new development to minimise waste and facilitates recycling, composting and re-use would apply to new development on the seafront.
<b>Support with suggested wording amendment – access routes</b>	Recommend that Policy wording at part d) includes reference to ‘access’ as well as escape routes.	DP162 Environment Agency	Support welcomed and comments noted. Amendment made to DM39d) to include reference to access and escape routes.

<p><b>Support with caveat – seafront cycle routes should be protected</b></p>	<p>Proposals should safeguard the importance of the seafront and beach as an open space and maintain and enhance public access to and along the coast and to sea-based activities (see City Plan Part One policies CP9 Sustainable Transport CP16 Open Space and CP17 Sports Provision).</p>	<p>DP316 Bricycles and Cycling UK</p>	<p>Comments noted. It is considered this has been addressed in adopted City Plan Part 1 policy SA1 The Seafront as an overarching priority and in identified sections of the seafront in Part B.</p>
<p><b>Support ( with no supporting comments)</b></p>		<p>DP067; DP077; DP085; DP089; DP095; DP001 Pavilion Architecture; DP272</p>	<p>Support noted.</p>





<b>DM40 Protection of the Environment and Health – Pollution and Nuisance</b>			
<b>Total Number of Responses</b>		19	
<b>Number of Representations that Support</b>		14	
<b>Number of Representations that Object</b>		5	
<b>Number of Representations – Other</b>			
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Policy needs strengthening drawing on Environment Audit Committee's report</b>	Policy needs to be strengthened to ensure measures to tackle emissions from all sources and have a positive impact on air quality. Especially, given the Environment Audit Committee's view on the NPPF, suggesting that the NPPF policy allows trade off which undermines the importance of air quality and makes it more difficult to refuse planning applications on the grounds of air quality (such as the conversion of buildings from offices to residential use).	DP307 Green Group of Councillors	Comment noted. The City Plan is required to be consistent with NPPF to be sound. The policy reflects and responds to the local situation with regards to air quality in particular the Air Quality Management Area and Management Plan. The issue of air pollution and improving the quality of

			<p>air that people breathe is one of the city's principal challenges and is a strategic objective in the adopted CPP1.</p> <p>It should be noted that the council has brought in an Article 4 direction removing permitted development rights for change of use from offices to residential in certain areas of the city which allows local policies to be re-applied.</p>
<p><b>Policy needs an additional criterion</b></p>	<p>In view of the Council's recent track record of implementing a number of measures (low emission zones, retrofitting of buses and green space initiatives), include an additional criterion on spatial planning that reduce the need to travel by car, and encourage developments in locations where facilities are already accessible.</p>	<p>DP307 Green Group of Councillors</p>	<p>Comment noted. The matter is covered by various policies in the adopted City Plan Part 1 and 2. Various objectives in City Plan Part 1 (such as SO7 - reduction in the ecological footprint, SO9 - efficient use of previously developed land, SO11 - sustainable transport system) address the need to</p>

			reduce travel by cars. Further, policy DM33 Safe, Sustainable and Active Travel in CPP2 addresses the issue by setting out a range of ways to promote sustainable modes of transport. A separate criterion is not considered necessary.
<b>Widen scope to cover beyond existing AQMAs to include buildings and areas frequented by vulnerable population</b>	Extend the scope of the policy to cover planning developments in proximity not just to an existing AQMA but also to buildings or areas frequented by high-risk residents, such as the elderly or school children. These areas should be assessed on grounds of air quality impact.	DP307 Green Group of Councillors	The matter is covered by amendment in para 2.298.
<b>Building design's positive role not cited</b>	Policy should encourage building design that plays a role in providing effective dispersal of pollution, such as vegetation in a local area.	DP307 Green Group of Councillors	Comment noted but this matter is covered by adopted CPP1 Policy CP8 Sustainable Buildings and Policy DM22 Landscape Design and Trees.
<b>Align with BHCC Corporate KPIs</b>	Policy should be aligned to BHCC Corporate KPIs, November 2017.	DP307 Green Group of Councillors	Monitoring indicators and targets are included in Annex 1 of the City Plan Part 1 which will be

			updated at submission stage of CPP2. These targets reflect BHCC corporate KPI. This policy complements the AQAP by ensuring that new development in or near AQMAs assists in achieving its aim of improving air quality. No amendments required.
<b>Policy is city centrist and ignores outlying areas with air quality and infrastructure problems</b>	The overall thrust is supported but it does not adequately acknowledge different needs & characteristics of outlying parts of Brighton & Hove, particularly infrastructure needs and inadequate road capacity in the Rottingdean area. The volume of vehicle traffic using the B2123 and its junction with the A259 already creates serious problems, air pollution, congestion and delay in journey times which affect economic prosperity as well as health and environmental harm.	DP303 Rottingdean Parish Council	Support noted. The matter is covered by adopted CPP1 policy CP9 Sustainable Transport which sets out the overarching framework to maintain and improve travel and access into and within the city whilst providing a safe, clean and healthy environment.  Further, policy DM33 Safe, Sustainable and Active Travel addresses the issue by setting out a range of ways to promote sustainable

			modes of transport and policy DM35 Travel Plans and Transport Assessments provide mechanism to assess any impact.
<b>City Plan STA methodology cannot be relied on</b>	<p>The narrowness of Rottingdean’s historic High Street (B2123) already carries too much traffic most of which are commuters using the road as a rat run to go further east on the A259. The mitigations through travel plans etc. of developments will not have a significant impact on these levels despite various efforts.</p> <p>The City Plan STA’s reliance on additional journeys being absorbed by bus services have not been measured so it cannot be relied upon as an offset for the future. Developments which risk additional journeys by car in an area in which the AQMA is already above the legal limit must be addressed with adequate mitigating measures.</p>	DP303 Rottingdean Parish Council	<p>Re capacity issues see comment above (DP303 Rottingdean Parish Council).</p> <p>The STA was produced to support City Plan Part 1, which was examined and found sound by an independent inspector appointed by the Government.</p>
<b>Inadequate in addressing immediate AQMA issues and implications of development outside AQMA.</b>	<p>Policy does not go far enough to ensure health, safety and quality of life of residents are not undermined in AQMAs such as Rottingdean, some parts of which are already above the legal limit in the High Street despite move to low emission buses. Amend paragraph 2.298 to read <i>‘new development in or near or adding to traffic in an AQMA assists....’</i>.</p>	DP303 Rottingdean Parish Council	<p>The council is working on a number of initiatives which will help reduce emissions and improve air quality in the city and specifically in Rottingdean.</p> <p>Policy DM35 Travel Plans and Transport</p>

			Assessments addresses locations within or adjacent to AQMA.  Para 2.298 amended to reflect the comment.
<b>Policy is weak in view of dangers of air pollution even within limits</b>	The policy is weak in view of the increasing recognition of the dangers of air pollution even well below legal limits.	DP298 Friends of the Earth	Comment noted and addressed through amendments.
<b>Chimneys that support wood burning stoves should be banned</b>	Chimneys which support the use of wood-burning stoves should be discouraged or banned in densely populated areas. They create significant additional transport demands (bringing in the wood) and pollute the air, causing quite high localised pollution for neighbours, especially with so many attic conversions nowadays.	DP298 Friends of the Earth	Comment noted. This is addressed in DM40d) and paragraph 2.300 of the supporting text which states that wood fuel combustion and CHP systems using combustion in high density areas may not be acceptable. No changes required.
<b>New way of conducting air quality impact survey should be introduced</b>	The policy should be changed to ensure the urban fringes are not eroded by development. Due to ignoring the actual level of car usage in the outskirts of the city, any survey as to impact on surrounding areas is flawed. A new way of conducting these surveys needs to found where actual information is used not the supposed use of land.	DP095	Comment noted. The principle of housing on some parts of the urban fringe in order to meet the city's housing target is set out in the adopted City Plan Part 1.  The National Planning

			Policy Guidance (NPPG) sets out what air quality assessments should address (see paragraph 007) which covers the methodological issue raised. Transport Assessment requirements are set out in Policy DM35 and by the NPPG.
<b>Policy needs to be strengthened to give stronger protection for AQMAs</b>	<p>The policy fails to meet the council's legal requirements to meet UK and EU Air Quality targets.</p> <p>In conjunction with Policy DM35, DM40 provides inadequate protection to AQMAs due to lack of clarity around what is near, close or adjacent. Paragraph 2.298 to replace "or near" with "in or near or adding to the traffic in an AQMA" in line 2</p>	DP100	<p>Comment noted.</p> <p>A number of policies in the City Plan, including DM40 help the Council to meet UK and EU Air Quality targets. The Council works with a range of partners and stakeholders such as public transport operators to implement various initiatives, which also help to meet the targets.</p> <p>Criterion 2 in Policy DM35 Travel Plans and Transport Assessments and para 2.298 of policy</p>



			DM40 have been has been amended in response to the comment.
<b>Criteria for needing AQIA should be included in Site Specific policies</b>	Criteria for needing an Air Quality Impact Assessment should also be made more explicit in the Strategic Site Allocation sections for the specific sites.	DP100	<p>Where Development Areas/ strategic site allocations fall within the Air Quality Management area then specific reference to air quality is made within the policy criteria (see policies DA1, DA4, DA5, DA6, SA1, SA2 and SA3 in the adopted CPP1 and Policies SSA2; SSA4 and SSA7 in the CP2. Policy DM40 would apply and an air quality impact assessment would be required where appropriate.</p> <p>National Planning Policy Guidance (NPPG) also applies and states that: <i>Assessments should be proportionate to the nature and scale of</i></p>

			<p><i>development proposed and the level of concern about air quality, and because of this are likely to be locationally specific. The scope and content of supporting information is therefore best discussed and agreed between the local planning authority and applicant before it is commissioned.</i></p> <p>No change required.</p>
<b>Criterion c) needs strengthening</b>	Criterion c) to include (after when appropriate) “including where the development will add to the traffic in an AQMA in the City or a neighbouring district”,	DP100	The matter is covered by criterion 2 in policy DM35 Travel Plans and Transport Assessments.
Support			
<b>Appropriate reference to street lighting</b>	Policy makes appropriate reference to efficient street lighting, heating and in conjunction with the policy on heat networks will lead to improvements.	DP307 Green Group of Councillors	Support noted.
<b>Strong policy but monitoring is vital</b>	It is strong on air quality - but the Council should actively monitor impacts of development and refuse permission for developments that will worsen Air Quality.	DP238	Support noted. Implementation of the policy will be assisted by continuing to monitor the target. The

			Authority Monitoring Report (AMR) is the key evaluation tool to monitor performance and will be revised to take into account new policies contained within this plan when it has been adopted. It is published as a separate document. No change necessary.
<b>Policy ignores other green initiatives/measures</b>	There are far too many cars in Brighton and that the future should be a move towards green energy. Policy silent on introduction of electric tram or phasing out of diesel bus operations.	DP134	Comment noted. Car and van ownership is relatively low in the city according to the 2011 Census The adopted City Plan Part 1 Policy CP9 Sustainable Transport provides a framework for a range of sustainable transport options which includes electric vehicles, car clubs and emphasis on walking and cycling. This overarching policy provides a framework for a range of possibilities and low

			emission vehicles are supported in Policy DM36. No change necessary.
<b>Support but strengthening recommended</b>	<p>Appropriate Policy alignment with the aims of the NPPF (171) and the DEFRA 25 year plan (3.3.i) especially in maintenance of GI and biodiversity and minimising harmful impacts while also preventing damaging increases of air pollution, water pollution, light pollution and noise pollution/nuisance; NPPF (170) on biodiversity net gain; NPPF (180 &amp; 181) on avoiding/mitigating pollution and nuisance.</p> <p>This policy could be improved by mentioning the impacts pollution can have on the marine and water environments. Perhaps linking to DM42.</p>	DP189 Natural England	Support noted. Cross reference (Para 2.294) to Policies DM42 and DM43 in the Plan has been made.
<b>Support with minor change</b>	<p>Support subject to removing 'Where Practicable' from criterion d.</p> <p>Particular regard must be given to the impacts of emissions from transport, flues, fixed plant, and, heat and power systems</p>	DP316 Bicycles and Cycling UK	<p>Support noted. No changes required as NPPF (2018) requires plans to be sufficiently flexible to adapt to changes (para 11).</p> <p>Amendments have been made to the policy to bring clarity and strength to deal with wide-ranging sources of emission.</p>
<b>Support with caveat</b>	Support subject to inclusion of 'requires and ensures'	DP263 Brunswick Town Association	Support noted. The policy does require that

			the criteria set out in the policy are met. No further changes necessary.
<b>Support but strengthening needed with respect to biodiversity</b>	Support the inclusion of this policy and particularly the recognition of development needing to prevent unacceptable harm to biodiversity (paragraph 1). Suggest strengthening criterion e) to insert “biodiversity, in particular priority habitat and species”, to align with paragraph 180c of the revised NPPF.	DP289 Sussex Wildlife Trust	Amendment made in response to the comment.
<b>Support but references to chalk block aquifer needed</b>	Support and suggest amendment to Paragraph 2.302 to make references to the importance of the protection of the Brighton chalk block aquifer.	DP162 Environment Agency	Reference of Chalk Aquifer added.
<b>Support without qualifying comments</b>		DP067; DP085; DP089; DP001; DP272; DP281 Toads Hole Valley Landowners, Toads Hole Valley Ltd, Pecla Investments Ltd and Robert Mark Simon	Support noted.
<b>Financial contribution to be directed towards AQMP initiatives</b>	Support however measures to mitigate air pollution from development likely to increase pollution (ie all housing where people will own cars) should include a financial contribution to the AQMP which fund electric buses, charging places for cars, electric bike hire schemes etc.	DP097	Comment noted. Overarching adopted City Plan Part 1 policy CP7 Infrastructure and developer contributions identifies air quality management measures where s106 contributions or future

			CIL will be sought.
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<b>DM41 Polluted sites, hazardous substances &amp; land stability</b>			
<b>Total Number of Responses</b>		10	
<b>Number of Representations that Support</b>		9	
<b>Number of Representations that Object</b>		1	
<b>Number of Representations – Other</b>			
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Site surveys should be undertaken</b>	There should be site surveys on all proposed developments regardless of Council's resource issues.	DP095	The policy expressly imposes requirements for specific site surveys needing to be undertaken following a desktop survey where there is cause to suspect that land contamination/ stability or hazardous substances to be an issue. The supporting

			text clarifies this further. No change required.
<b>Support</b>			
<b>Appropriate reference to ecosystem services</b>	Support the reference to ecosystem services within this policy. For clarity include its reference in criterion d).	DP289 Sussex Wildlife Trust	Policy text amended to reflect the spirit of the comment. It is not considered necessary to replicate this in criterion d).
<b>Support without qualifying comments</b>		DP272; DP263 Brunswick Town Association; DP162 Environment Agency; DP089; DP085; DP067; DP001 Pavilion Architecture;	Support noted
<b>Support with a text insertion to strengthen the policy</b>	Appropriate Policy and good alignment with NPPF (paragraph 171, 8, 170, 174 & 175) and the DEFRA 25 year plan (1.1 and 3.3.i). Minor additional text suggested to include: 'natural capital stocks'.	DP189 Natural England	Support noted and suggested change incorporated.



<b>DM42 Protecting the Water Environment</b>			
<b>Total Number of Responses</b>		19	
<b>Number of Representations that Support</b>		18	
<b>Number of Representations that Object</b>		1	
<b>Number of Representations – Other</b>			
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Extent of policy is limited</b>	Policy does not acknowledge ‘issues with flooding and sewage’. Particular concern for flooding across Patcham Old Village.	DP095	Objection noted. Flood Risk is covered by Policy CP11 Flood Risk in the adopted City Plan Part 1 and Policy DM42 addresses sewerage infrastructure requirements of new development.
Support			
<b>General support</b>		DP067, DP077, DP085,	Support welcomed.

		DP089, DP001, DP238, DP263 Brunswick Town Association, DP272	
	Support connection to mains sewerage system	DP162 Environment Agency	Support welcomed.
<b>Support with wording alteration</b>	<p>Mention specifically that Nitrates are a major contributor for the poor quality of the aquifer Brighton Chalk Block Aquifer</p> <p>For reasoned justification 2.311 amend as:</p> <p><i>'Sea water quality is of equal importance in terms of environmental quality and its value as a key recreational asset, especially regarding the Beachy Head West MCZ (See also City Plan Part One Policy SA1 The Seafront and DM39 Development on the Seafront)..'</i></p> <p>Mention of Brighton CHaMP project would be welcomed.</p>	DP189 Natural England	Comment welcomed and amendment made to paragraph 2.311 as proposed. CHaMP and nitrates are mentioned as a new footnote in the supporting text.

<p><b>Policy should address plastic pollution of water</b></p>	<p>Policy should discuss plastic pollution of water and aims to reduce single use plastic.</p> <p>Concerned with beach rubbish and general cleanliness in the city – suggests improvements to size of bins, signposting collection points, more regular collection and better monitoring of disposal of waste at the beach.</p>	<p>DP097, DP134</p>	<p>Comment noted – recognise the concerns regarding plastic pollution and reduction in single use plastic. The council has installed recycling bins on the beach and regularly carry out campaigns and clean ups to encourage people to dispose of their rubbish responsibly. Adopted City Plan Part Policy CP8 Sustainable Buildings requires all new development to minimise waste and facilitates recycling, composting and re-use would apply to new development on the seafront.</p>
<p><b>New approach to water and wastewater connections should be reflected in policy wording</b></p>	<p>OFWAT's has implemented a new approach to water and wastewater connections charging. Any reinforcement required as a result of an identified lack of water or wastewater network capacity will now be provided through the New Infrastructure charge, but Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. This is not a constraint to development</p>	<p>DP201 Southern Water</p>	<p>Comment welcomed and amendments have been made to policy and paragraph 2.316.</p>

	<p>provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of wastewater infrastructure, in order to prevent an increased risk of flooding. Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure.</p> <p>As a result, recommendations for policy provisions have been altered. For 2.316 amend as:</p> <p><i>'Applicants should liaise with Southern Water in order to demonstrate that there is adequate water supply, surface water, foul drainage and sewerage treatment capacity to serve the development and that it would not lead to problems for existing users. In some circumstances, it may be necessary for applicants to carry out appropriate studies to ascertain whether the proposed development would lead to overloading of existing infrastructure. Where capacity assessments show there is a need, Southern Water will require <del>for occupation of development</del> <u>to be phased to align with the delivery of water or wastewater infrastructure.</u> <del>Connect to the sewerage/water network at the nearest point of adequate capacity.'</del></i></p>		
<p><b>Refer to water quantity in policy</b></p>	<p>Brighton &amp; Hove is an area under serious water stress. Amend text (paragraph 1) so that policy relates to water quantity as well as quality.</p>	<p>DP289 Sussex Wildlife Trust</p>	<p>Comment noted welcomed. Amendment has been made to the first sentence in the policy to include water quantity. Although note</p>

			that yield was mentioned in second paragraph of policy.
<b>Appropriate Response</b>	Supports policy; in particular ensuring developments connect to mains sewerage.	DP162 Environment Agency	Support noted.
	Welcome policy as RPC often consider there is a lack of acknowledgment by BHCC of cumulative impact of multiple applications on water supply and sewage disposal.	DP303 Rottingdean Parish Council	Support noted.
	Fits with the economic strategy 'Growing City' for a city region wide water and energy plan.	DP208 B&H Economic Partnership	Support noted.
	Access to safe, clean water is a priority.	DP233 B&H Food Partners	Support noted

<b>DM43 Sustainable Urban Drainage</b>			
<b>Total Number of Responses</b>		13	
<b>Number of Representations that Support</b>		12	
<b>Number of Representations that Object</b>		1	
<b>Number of Representations – Other</b>			
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Lack confidence that policy would be applied in practice.</b>	Standards are already being ignored in Patcham – example of proposed housing sites at London Road. Have no confidence in policy will be upheld. Stronger measures also to correct problems once they have occurred (without cost to council).	DP095	Comments noted. The council has recently adopted the SUDS SPD which will provide further guidance for developers in incorporating appropriate SUDs and long term management of them.

Support			
<b>Appropriate Response</b>	Fits with Economic Strategy ('Growing City' theme for the development of a city region wide water and energy plan)	DP208 BHEP	Support noted and welcomed
<b>Would accord with National policy</b>	<p>Prioritising sustainable urban drainage systems to reduce flood risk pollution is in line with the aims of the NPPF (163. &amp; 165.) Minimising water pollution is in line with the aims of the NPPF (170.) Maintaining &amp; enhancing G/BI is in line with the aims of the NPPF (171.) and the DEFRA 25 year plan (3.3.i)</p> <p>Minimising impacts on biodiversity and providing net gains is in line with the NPPF (8. 170. 174. &amp; 175.) and the DEFRA 25 year plan's aims (1.1.) Preserving or enhancing ecological networks is in line with the NPPF (170. &amp; 174.)</p>	DP189 Natural England	Support welcomed and comments noted.
<b>Would protect biodiversity, ecological networks, GI and natural capital and improve water quality</b>	<p>Reducing surface run off pollution by the effective implementation of SUDs will improve the water quality within the Brighton &amp; Hove aquifer. Encouraging the creation of more SUDs directly contributes to the GI network within Brighton &amp; Hove while also adding to natural capital stocks.</p> <p>Some SUDs if implemented and managed properly can also directly contribute to biodiversity and the existing ecological network, as such this policy could result in biodiversity net gain and greater connectivity of Brighton &amp; Hove's ecological network.</p>	DP189 Natural England	Support noted and comments welcomed – amendments have been made to the supporting text to reflect the comments.
<b>Support</b>	Stronger than national policy	DP238	Support noted and welcomed
	London Road has a history of flooding due to high water table, building larger premises here will increase the flood risk.	DP077	Comment noted. Policy DM43 requires proposals to address surface water flooding.

<p><b>Support (no qualifying comments)</b></p>		<p>DP272, DP233, DP089, DP085, DP067, DP001</p>	<p>Comment noted and support welcomed.</p>
<p><b>Support with amendments - Include reference to delivery of biodiversity and net gains</b></p>	<p>New development, car parking and hardstanding through good design can deliver opportunities for biodiversity and aspirations of net gains as per NPPF and suggest following wording changes:</p> <p><i>'...SUDS should be sensitively located and designed to ensure that the quality of local water is not adversely affected; and should <del>promote</del> <u>deliver</u> improved biodiversity <u>net gains</u>, an enhanced landscape/townscape and good quality spaces that improve public amenities in the area'.</i></p>	<p>DP289 Sussex Wildlife Trust</p>	<p>The multifunctional benefits of SUDs is recognised in the Policy but the need for net gains is considered better to be addressed through the requirement in adopted City Plan Part 1 policy CP10 and Policy DM37 however the word 'promote' has been replaced by 'provide where possible'.</p>
<p><b>Support with amendments - require larger development to modernise drainage system</b></p>	<p>Larger developments should be required to renovate harmful, antiquated drainage systems such as gully pots with more suitable SUDs. This is would enable Brighton &amp; Hove to start modernising its drainage system; currently Brighton &amp; Hove has over 5000 gully pots all of which contribute to introducing pollutants such as nitrates and heavy metals into the chalk aquifer without filtration. This policy could alternatively be incorporated in DM42.</p>	<p>DP189 Natural England</p>	<p>Comments noted. Given the city has over 20,000 gullies in city and the dense urban environment and underground services it would be difficult and costly to replace them all. However Policies DM42 and DM43 require development to incorporate appropriate suitable SUDs and</p>



			address water quality issues. Further guidance is set out in the SUDS SPD.
<b>Support with amendment – include in policy wording role of SUDS, and type of SUDS, in management of water quality</b>	<p>This policy and supporting text has an emphasis on the use of SUDS for the management of flood risk, however it does not seem to acknowledge the role that SUDS can play in the management of water quality. We would recommend some rewording to this effect.</p> <p>It should be noted that in some locations only specific types of SUDS will be appropriate so as not to have an adverse impact on groundwater quality. Whilst we note that there is some reference to this in the supporting text paragraph 2.322, we would recommend that this could be referred in the policy wording.</p>	DP162 Environment Agency	Comments noted – however the third paragraph of the policy does refer to the need for SUDS to be sensitively located and designed to ensure that the quality of local water is not adversely affected. Further text has been added to paragraph 2.322

<b>DM44 Energy Efficiency &amp; Renewables</b>			
<b>Total Number of Responses</b>		16	
<b>Number of Representations that Support</b>		11	
<b>Number of Representations that Object</b>		5	
<b>Number of Representations – Other</b>			
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>EPC requirement is too low</b>	<p>EPC requirement in policy should be amended to require: EPC A (new build) and EPC B (conversion/ change of use).</p> <p>There is a strong body of professionals and campaigners working to support the fledgling eco-homes industry in a city with strong eco-building practices. More constructive discussions should be happening with professionals and other LPAs about how we build above what is required by law, in order that we achieve wellbeing and social justice within ecologically-sound limits.</p> <p>EPC B is not high enough for new builds</p>	<p>DP307 Green Group of Councillors</p> <p>DP077</p>	<p>Current policy requirement is considered appropriate and consistent with national policy and local evidence: Brighton &amp; Hove City Plan Part 2 Energy Study (AECOM 2018)</p>

<b>Reliance on BREEAM targets.</b>	There should not be such a reliance on BREEAM accreditation. This should be replaced with One Planet Living criteria or other such relevant and appropriate benchmarking tools to be agreed by developers of sites with the local authority.	DP258 Brighton & Hove Planning Agents Forum	BREEAM requirements are set out in the adopted City Plan Part 1 Policy CP8. BREEAM covers a wide range of sustainability issues. Its use is appropriate given its status as industry standard. One Planet Living approaches are welcomed by the council and would strengthen an application when in addition to BREEAM.
<b>BREEAM 2018 standards</b>	Under the latest BREEAM 2018 requirements it is not achievable for BREEAM Excellent to be achieved for non-residential elements which are being delivered to shell and core standard. This is due to how BREEAM calculates the mandatory Energy credits based purely on the performance of the envelope. Accordingly we request that reference is made in CPP2 to BREEAM 2018, and an acknowledgement included that achieving 'Excellent' for shell and core non-residential units is not feasible under BREEAM 2018, and therefore 'Very Good' will be acceptable in these instances.	DP278 Outer Harbour Development Company Partnership LLP	Comments noted but relate to the requirements set out in adopted City Plan Policy CP8 Sustainable Buildings. The supporting text to Policy DM44 has been amended to provide clarity on this issue.
<b>Need for BHCC to</b>	In reference to paragraph 2.251 – there is little incentive for	DP157 Hove Civic Society	Comments noted. The

<b>lead on CO2 reduction measures</b>	developers to implement the type of CO2 reduction measures needed such as district heating nodes highlighted in the energy studies unless the Council gives a firm leadership.		City Plan Part 1 highlights priority areas for district heating within the particular Development Areas.
Support			
<b>Welcomes commitments and principle of policy as standard achievable</b>	No objection to principle of policy and welcomes the commitment to promoting opportunities for greater reductions in CO2 emissions. As a developer, University of Sussex already meet BREEAM Excellent and support the requirement for all development to do so	DP291 University of Sussex	Comment noted and support welcomed.
<b>Support general approach but suggest changes: to remove reference to conversions and change of use in part 1 of the policy:</b>	<p>Welcome allowance for technical feasibility and viability. However may not be possible to achieve a 19% carbon reduction target for conversions and changes of use and suggest the policy be amended:</p> <p><i>'1. All new build development <del>including conversions and change of uses of existing buildings</del> to achieve at least 19% improvement on the carbon emissions target set by Part L.'</i></p> <p>The council should ensure that sufficient flexibility is applied to the target to avoid unintended consequences (e.g. the use of potentially inappropriate technologies).</p>	DP281 Toads Hole Valley Landowners et al.	Current policy requirement is considered appropriate and consistent with national policy and local evidence: Brighton & Hove City Plan Part 2 Energy Study (AECOM 2018). Policy is clear that the standards will be required unless it can be demonstrated that doing so is not technically feasible and/or would make the scheme unviable.
<b>Support general approach but suggest removal</b>	Consider EPC is inappropriate as an assessment as the figures can change between application and construction due to different software used at design stage and at end of project and given that	DP281 Toads Hole Valley Landowners et al.	Comment noted but EPC are not similar to carbon reduction target, they

<p><b>of any reference to EPC and deletion of Part 2 of Policy</b></p>	<p>this software is updated on a regular basis</p> <p>Also question why an EPC target is required in addition to the 19 % carbon reduction target. Both are seeking to reduce carbon emissions and use of both may introduce confusion and not be consistent with 2015 Ministerial Statement.</p> <p>Suggest removal of any reference to EPCs as a planning target in this policy and recommend the complete removal of clause 2.</p>		<p>are concerned with the energy performance of buildings.</p> <p>Comment noted on software however EPC will be assessed on completed post construction. Where discrepancies exist a view can be taken on appropriateness of improvements to the energy performance of the completed building.</p> <p>It is important that developments are constructed and measured to most up to date building regulations in order to allow new residents to compare like for like.</p>
<p><b>Inclusion of reference to viability and feasibility considerations in</b></p>	<p>Support clause 3 it is clear that greater reductions will only be sought subject to clearly demonstrable viability and feasibility considerations and suggest following amendment:</p> <p><i>'3. Only where clearly viable and feasible will opportunities for new</i></p>	<p>DP281 Toads Hole Valley Landowners et al.</p>	<p>This issue is already addressed at the start of the policy .</p>

<b>part 3</b>	<i>development <u>be sought</u> to achieve greater reductions in CO2 emissions through the use of passive design, fabric standards, energy efficiency measures and low and zero carbon technologies will be encouraged in the following areas...'</i>		
<b>Amendment to requirement for Energy Statements</b>	<p>Support use of word 'may' in penultimate paragraph of policy as it introduces flexibility in relation to requirements for site mitigation since such a requirements would need to be considerate of viability.</p> <p>Whilst requirement for Energy Statement seems sensible it may not be necessary for all development therefore suggest: <i>'All development <del>will</del> <u>may</u> be expected to submit an energy statement to provide details of the low and zero carbon energy technologies used including the size/capacity of the systems and the estimated CO2 savings that will be achieved.'</i></p>		<p>Comment noted.</p> <p>The nature of the energy statement would be commensurate with the scale and nature of the development so it is not considered too onerous to request for all development as it enables the applicant to demonstrate compliance with policy.</p>
<b>Supportive of wider city ambition</b>	Supports wider energy and water plans for the city region	DP208 Brighton & Hove Economic Partnership	Support welcomed.
<b>Supportive of national policy</b>	Will assist in delivering additional low and zero carbon energy solutions to help mitigate the impact of climate change and energy efficiency improvements will also contribute to biodiversity and existing ecological networks such as green walls and walls should also be actively supported. Policy would be in line with NPPF (Sections 8, 14, 152, 170, 171, 174 and 175) and DEFRA 25 Year Plan aims(1.1).	DP189 Natural England	Support welcomed.
<b>Recognise role of</b>	Energy efficiency and the use of and encouragement of	DP175 Nub Brighton	Support welcomed

<b>Community Self build in innovative and sustainable energy use</b>	sustainable energy development at both an individual house-owner and community led energy company level is essential. Policy could recognise that community self-build developments are uniquely well placed to deliver innovative and sustainable energy use.		
<b>Support with no detailed comments</b>		DP272, DP095, DP089, DP085, DP067, DP001	Support welcomed

DM45 Community Energy			
<b>Total Number of Responses</b>		11	
<b>Number of Representations that Support</b>		7	
<b>Number of Representations that Object</b>		4	
<b>Number of Representations – Other</b>			
Summary of Comments			
Issue/ Site Allocation	Summary of Comments	Respondent Number and Name	Officer Response
Object			
<b>Policy should be strengthened.</b>	Policy should be strengthened to a requirement. Suggest: 'Developers of medium scale and major development schemes are encouraged to actively seek <u>must demonstrate that they have actively sought</u> out community energy developers...'	DP097	Comments noted. It is considered that the policy strikes the right balance.  The council recognises there are active community energy groups in city and policy raises the need to consider them as a solution provider.



<b>Policy is aspirational and take up will be limited.</b>	Policy is aspirational only and adds no value. Concerns raised around community energy vehicles. Whilst energy supply model may play an increased role in the future, take up in the near term is likely to be modest and probably restricted to owner-occupiers (or projects which are seeking a point of differentiation). Purchasers often value independence; full access to the energy market to ensure competition and; security of supply. Deviation can affect onward sale price (or rate of sales), which has an impact on viability.	DP0281 Toads Hole Valley Landowners	Comments noted. It is considered that the policy strikes the right balance.  The council recognises there are active community energy groups in city and policy raises the need to consider them as a solution provider.
<b>Council needs to take a leadership role</b>	Interaction is needed between the council and the developers (and in this case the community) to make these policies meaningful.	DP157 Hove Civic Society	Comments noted.  The council recognises there are active community energy groups in city and policy raises the need to consider them as a solution provider.
<b>Emphasis on existing provision</b>	The policy needs to look at existing provisions and keep them where it would be more 'green' to do so.	DP095	Policy is not requiring a change of energy solution.
Support			
<b>Supportive of</b>	Supports wider energy and water plans for the city region as set	DP208 BHEP	Support welcomed

<b>wider city ambition</b>	out in the Growing City theme of the Economic Strategy.		
<b>Supportive as addresses key issues set out in national policy</b>	Will assist in delivering additional low and zero carbon energy solutions to help mitigate the impact of climate change which are key issues in NPPF and DEFRA 25 year plan	DP189 Natural England	Support welcomed
<b>Support without detailed comments</b>		DP272; DP089; DP085; DP067; DP001	Support welcomed

DM46 Heating and Cooling Network			
<b>Total Number of Responses</b>		15	
<b>Number of Representations that Support</b>		13	
<b>Number of Representations that Object</b>		2	
<b>Number of Representations – Other</b>			
Summary of Comments			
Issue/ Site Allocation	Summary of Comments	Respondent Number and Name	Officer Response
Object			
<p><b>Policy should not be restrictive to one method of achieving reduction in carbon emissions in new development.</b></p> <p><b>Drawback to district heating.</b></p> <p><b>Consider policy</b></p>	<p>Policy does not consider that alternative means of achieving reducing carbon emissions are actually more effective than District Heating. As such, the policy should not be restricted to one means of meeting the objective.</p> <p>District Heating is not without its drawbacks: Infrastructure can be very expensive (£1,000 to £2,000 per metre) limiting the distance for which connection costs are viable; Distribution losses can be</p>	<p>DP281 Toads Hole Valley Landowners et al.</p>	<p>The UK Clean Growth Strategy recognises heat networks as form of low-carbon heating along with heat pumps and decarbonisation of the gas grid.</p> <p>The policy clearly states that the council will encourage development</p>

<p><b>does not add anything more to Policy DM44</b></p>	<p>significant (potentially 15% - 25% even on new networks; and more on older networks) meaning that on-site systems can be lower carbon; The national grid for electricity is decarbonising as the UK increases its use of renewable technologies. If the council is to encourage significant investment into District Heating, it should be considering how such networks will decarbonise over time; District Heating is best applied in high density development, it would therefore not be appropriate in more suburban locations; District Heating typically requires wet distribution within the buildings. Given that the design of the building envelope is continuing to focus on very high efficiency fabric, the introduction of an uncontrolled heat source into the building may increase the overheating risks.</p> <p>Therefore not supportive of policy and consider it does not add anything more given Policy DM44 suggest remove. Alternatively, the scope of this policy should be broadened to offer equal support to other options within the energy mix, encouraging alternative options where its environmental and economic advantages are clear.</p>		<p>proposals to consider the inclusion of integrated heat networks and/or communal heating systems in accordance with adopted Policy CP8.</p> <p>Policy DM46 applies to areas where district heating would be appropriate and clearly sets out what the council considers 'network readiness' to be. This allows for common heating systems to be installed, enabling future organic development of district heating and lower carbon emissions from heating to be achieved.</p>
<p><b>Object – no comments</b></p>		<p>DP293</p>	<p>Objection noted.</p>
<p>Support</p>			

<p><b>Supportive of wider city ambition</b></p>	<p>Supports wider energy and water plans for the city region as set out in the Growing Theme of the Economic Strategy.</p> <p>Supportive of policy and reasoned justification and in particular paragraph 2.279 - identification and prevention of future connection by identifying pipe run</p>	<p>DP208 BHEP</p> <p>DP157 Hove Civic Society</p>	<p>Support welcomed.</p>
<p><b>Supportive of national policy</b></p>	<p>Encouraging consideration of integrated heat networks will contribute to lowering energy consumption and CO2, which in turn will reduce the impacts of climate change which are key issues in the NPPF and DEFRA 25 year Plan</p>	<p>DP189 Natural England</p>	<p>Support welcomed.</p>
<p><b>Minor change requested: policy should prioritise less well-off and vulnerable</b></p>	<p>Support the inclusion of integrated heat networks / communal heating systems in development proposals and the associated inclusion of heat service customer protection. Consider it is reliable, cheap, locally sourced, low-carbon energy. Analysis indicates that half of the UK's existing heat demand could be met by heat networks - an approach that would save over £30bn (Brighton and Hove City Council Fuel Poverty and Affordable Warmth Strategy, 2016-2020.)</p> <p>Given the positive nature of these heat networks, consideration must be given to flexibility within the policy criteria, in order to enable proposals for heat networks to come forward. In the first instance it should be used to help heat homes of the least well-off and vulnerable. This should be taken in conjunction with the positive introduction or applications that introduce other renewable energy sources or sources of low carbon energy infrastructure, such as solar.</p>	<p>DP307 Green Group of Councillors</p>	<p>The policy is sufficiently flexible to allow heat networks appropriate for all types of development to be proposed.</p> <p>Economies of scale are important in development district heating and cooling and the requirement to prioritise certain areas of a development is considered unnecessary.</p>
<p><b>Minor change requested: should include customer</b></p>	<p>Brighton Marina residents connected to a District Heating System comment that they are ambivalent regarding the arrangement. The downside is reported as high fixed costs and lack of choice of</p>	<p>DP266 Brighton Marina Neighbourhood Forum Steering Group</p>	<p>Comments noted. This is covered by the following policy wording : “must</p>

<b>protection</b>	supplier and a lack of regulation in the market at present. Would welcome wording that requires suppliers to comply with industry voluntary regulation and best-practices.		demonstrate they offer heat service customer protection”
<b>Support – no detailed comments</b>		DP272, DP175 Nub Brighton; DP095; DP089, DP085, DP077, DP067, DP001	Support welcomed.

<b>H1 Housing and Mixed Use Sites</b>			
<b>Total Number of Responses</b>		197	
<b>Number of Representations that Support</b>		25	
<b>Number of Representations that Object</b>		169	
<b>Number of Representations – Other</b>		3	
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>General objection</b>	The Council should be deciding what is needed and inviting the community's input on what, when and where, not the developer's.	DP091	That is the purpose of this consultation.
<b>General objection</b>	Should not build on greenbelt or heritage assets. Brownfield sites should be developed first.	DP091, DP194, DP348, DP159	There is no designated Green Belt land in Brighton & Hove. Heritage assets are protected by planning policies. The Council has prioritised housing delivery on

			brownfield sites and has only identified greenfield sites as there is insufficient capacity on brownfield land to meet the housing target. The vast majority of the planned housing delivery is on brownfield sites.
<b>General objection</b>	Sites with capacity under 10 units should also be allocated to boost delivery	DP002 Brighton YIMBY	SA Options assessment considered and rejected this approach in order to allow more flexibility in smaller sites.
<b>General objection</b>	Housing target of 13,200 is too low	DP002 Brighton YIMBY,	The housing target was considered in detail during the public examination of City Plan Part One, and considered to be appropriate by the appointed Inspector.
<b>General comment</b>	The Plan only allocates sites to provide 3,611 dwellings, leaving a significant shortfall of dwellings against the target	DP131 Mid Sussex District Council	A significant quantum of housing is allocated in City Plan



			Part One, the plan allows for a windfall allowance from unallocated sites and there have been housing completions since the start of the CPP1 Plan period which all contribute towards the supply.
	Windfall allowance is too high (1,250 units, which represents almost 10% of the total supply)	DP131 Mid Sussex District Council	Disagree. This was considered in the examination of the CPP1 where the Inspector suggested during the examination that the evidence supported an increased windfall allowance.
<b>Further sites should be allocated</b>	Sites identified through the Estates Regeneration programme, which are not currently formally allocated, should be assessed through the SHLAA process, and suitable sites allocated for inclusion	DP131 Mid Sussex District Council	Sites identified through the Estates Regeneration programme have been allocated where there is a reasonable prospect of delivery.
<b>Further sites should be allocated</b>	An additional source of housing sites identified in the Council's Housing Provision paper is Council owned land; the paper notes that as these sites come forward, they will be identified in the	DP131 Mid Sussex District Council	This process has been undertaken.

	annual SHLAA updates. We would strongly encourage the Council to review the availability of these sites now, and assess them through the SHLAA process so that they can be allocated		
<b>Higher densities required</b>	Criteria for accepting densities lower than 50dph are not justified and do not comply with paragraph 123 of the NPPF.	DP131 Mid Sussex District Council	This comment relates to CP14 in adopted City Plan Part one, which is not subject to the current consultation.
<b>Tall Building guidance should be reviewed</b>	Updated Tall Buildings Guidance should provide a more flexible framework which encourages the development of higher buildings within the City, where appropriate, to deliver more homes in sustainable, accessible locations.	DP131 Mid Sussex District Council	The Tall Buildings SPG is guidance and does not preclude the development of taller buildings in areas of the city not specifically identified as a tall building node where this can be justified in design and landscape terms.
<b>Transport impacts must be considered to support major development</b>	Brownfield sites at Shoreham and Brighton Marina will not deliver required housing numbers without major transport improvements	DP002 Brighton YIMBY	Significant housing delivery is already coming forward at both locations. Transport issues are considered in the determination of applications and necessary improvements can be

			secured through Section 106 agreements.
<b>General comment</b>	BHCC should take every opportunity in CPP2 to deliver higher levels of much needed housing, where this is possible and where evidence is available to support such increases.	DP214 B&H Design/Build Co.	A comprehensive site selection exercise has been undertaken to identify as many suitable sites as possible. Housing requirements for allocated sites are expressed as a minimum.
<b>Policies are inconsistent</b>	The sites within H1 and H2 are entirely contradictory. H1 requires intense development with the resultant demolition of five large family homes, whilst H2 requires the developments to have 50% of 3+ bedroom large family homes because of the dire lack of such properties.	DP213 Patcham Ward Councillors	Sites in H1 remain subject to CPP1 Policy CP19 'Housing mix' and are required to have a mix of dwelling sizes that responds to local analysis of need.
<b>Extra criterion requested</b>	The majority of the sites listed in Table 5 and Table 6 are brownfield and therefore there is a big opportunity to achieve measurable net gains to biodiversity and green infrastructure provision through their development. We would like to see wording to this effect included.	DP289 Sussex Wildlife Trust	This issue is covered by Policy DM37.
<b>Further justification required</b>	It is not clear whether the OAN has been provided for as anticipated by Part 1 of the development plan. To ensure the soundness of the plan, we consider that further evidence is required to demonstrate exactly how the OAN is met.	DP281 Toads Hole Valley Landowners, Toads Hole Valley Ltd, Pecla Investments Ltd	The City Plan as a whole provides sufficient provision to meet the adopted

	Without further clarification we do not support the policies.		housing target as set out in City Plan Part One Policy CP1. Further detail is provided in the Housing Delivery Technical Background Paper.
<b>Clarification requested</b>	For clarity it should be stated that all mixed use sites must have a substantial housing element within them.	DP258 B&H Planning Agents	Mixed use sites have an indicative housing requirement indicated in the policy. Adjustment made to policy wording to include the word 'housing' in the title of Table 6.
<b>More flexibility requested</b>	Policies should not place restrictions, such as those set out within draft policy H1, which unduly limit the viability of improvement schemes to education facilities within the City, e.g. requirement for 300 PBSA bedspaces at Pelham Street.	DP257 MET College	Policy requirements are intended to the deliverable. The PBSA requirement at Pelham Street is in an adopted policy and cannot be changed through CPP2. Material considerations are considered during the determination of a planning application.

<b>Minor change requested</b>	Should be stated in policy that the identification of sites should continue given growing discrepancy between supply and demand	DP157 Hove Civic Society	There is policy support for housing development on appropriate windfall sites. Sites with housing potential can continue to be identified through the SHLAA but will not be allocated until a review of the City Plan occurs. Windfall housing development is an identified source of supply.
	General objection	DP116, DP061, DP026, DP034	Objection noted.
<b>46-54 Old London Road, Patcham</b>	Development of the site will affect residential amenity (light/views/privacy etc)	DP092, DP090, DP018, DP022, DP040, DP038, DP213 (Patcham Ward Councillors), DP129, DP139, DP347, DP147, DP155, DP171	Whilst the effect on residential amenity would be a consideration and Policy DM20 would apply, the council has removed the site from Policy H1 as the Council is not satisfied that the site is available for development.
<b>46-54 Old London Road, Patcham</b>	Development of the site will have a negative impact on biodiversity/trees/wildlife.	DP092, DP090, DP088, DP078, DP075, DP130, DP108, DP103,	Whilst the effect on green infrastructure

		DP023, DP022, DP016, DP012, DP020, DP033, DP041, DP040, DP039, DP243, DP226, DP225, DP252 (Conservative Group), DP204, DP139, DP216, DP347, DP288, DP276, DP147, DP151, DP164, DP192, DP155, DP190, DP180, DP144, DP171, DP185	and nature conservation would be a consideration an Policy DM37 would apply, the council has removed the site from Policy H1 as the Council is not satisfied that the site is available for development.
<b>46-54 Old London Road, Patcham</b>	The quantum of development proposed represents overdevelopment of the site and/or will affect the village feel of Patcham.	DP092, DP088, DP081, DP079, DP078, DP062, DP073, DP074, DP071, DP070, DP069, DP068, DP075, DP115, DP133, DP267, DP130, DP128, DP125, DP118, DP094, DP106, DP105, DP104, DP103, DP102, DP099, DP059, DP018, DP032, DP029, DP025, DP024, DP023, DP022, DP035, DP016, DP013, DP012, DP010, DP020, DP048, DP060, DP058, DP057, DP056, DP055, DP052, DP051, DP033, DP049, DP138, DP046, DP045, DP043, DP041, DP040, DP039, DP038, DP050, DP229, DP228, DP227, DP226, DP225, DP220, DP215, DP252 (Conservative Group), DP213 (Patcham Ward Councillors),	Objection noted. Whilst the scale, massing and design of any proposed development would be a key consideration in the determination of any planning application, the council has removed the site from Policy H1 as the Council is not satisfied that the site is available for development.

		<p>DP209, DP129, DP204, DP139, DP194, DP216, DP349, DP347, DP318, DP305, DP304, DP247, DP290, DP248, DP288, DP286, DP276, DP302, DP149, DP147, DP151, DP165, DP164, DP146, DP192, DP166, DP206, DP155, DP154, DP152, DP177 Brighton Society, DP190, DP141, DP142, DP143, DP145, DP144, DP171, DP168, DP196, DP245, DP030</p>	
<p><b>46-54 Old London Road, Patcham</b></p>	<p>Development of the site would add to congestion/parking problems in Patcham.</p>	<p>DP090, DP087, DP081, DP079, DP062, DP074, DP071, DP068, DP064, DP063, DP267, DP130, DP128, DP125, DP121, DP118, DP094, DP108, DP106, DP105, DP104, DP103, DP099, DP059, DP117, DP018, DP032, DP029, DP023, DP022, DP035, DP016, DP015, DP012, DP011, DP107, DP048, DP056, DP052, DP051, DP033, DP049, DP138, DP047, DP046, DP045, DP041, DP040, DP039, DP038, DP050, DP243, DP232, DP228, DP226, DP225, DP215, DP252 (Conservative Group), DP209, DP129, DP204, DP216, DP348, DP347, DP247, DP290, DP288, DP286, DP276, DP302, DP149, DP161, DP147,</p>	<p>Whilst transport impacts would be a consideration and relevant planning policies seek to avoid unacceptable impacts, the council has removed the site from Policy H1 as the Council is not satisfied that the site is available for development.</p>

		DP151, DP165, DP164, DP192, DP166, DP159, DP155, DP148, DP142, DP180, DP173, DP171, DP196, DP245, DP030	
<b>46-54 Old London Road, Patcham</b>	The site is at risk of flooding and should therefore not be allocated.	DP090, DP088, DP087, DP079, DP078, DP073, DP074, DP068, DP064, DP075, DP128, DP094, DP108, DP106, DP103, DP018, DP023, DP022, DP035, DP016, DP015, DP012, DP011, DP048, DP060, DP053, DP033, DP049, DP138, DP041, DP040, DP038, DP243, DP232, DP229, DP227, DP226, DP215, DP213 (Patcham Ward Councillors), DP209, DP129, DP204, DP139, DP200, DP194, DP216, DP348, DP347, DP318, DP307 Green Group, DP305, DP304, DP247, DP248, DP288, DP276, DP262, DP302, DP161, DP147, DP165, DP164, DP166, DP159, DP155, DP148, DP180, DP173, DP171, DP185, DP196, DP245	The planning inspector at the appeal on the previous scheme for the site did not consider flood risk to be a reason for refusal. However the council has removed the site from Policy H1 as the Council is not satisfied that the site is available for development.
<b>46-54 Old London Road, Patcham</b>	A planning application for the development of the site has recently been refused which demonstrates that the site is unsuitable for more intensive development.	DP087, DP084, DP081, DP062, DP072, DP069, DP267, DP130, DP118, DP108, DP102, DP117, DP029, DP025, DP024, DP019, DP014, DP020, DP039, DP037, DP232, DP227, DP193, DP216,	Neither the Local Planning Authority nor the appeal inspector considered the site unsuitable for development in



		DP349, DP304, DP247, DP248, DP302, DP151, DP165, DP146, DP206, DP148, DP190, DP141, DP145, DP144, DP174, DP173, DP171	principle. The previous planning application was refused on appeal due to scale, massing and design considerations. However the council has removed the site from Policy H1 as the Council is not satisfied that the site is available for development.
<b>46-54 Old London Road, Patcham</b>	Not all landowners may be prepared to sell.	DP232, DP213 (Patcham Ward Councillors), DP286, DP159	Noted. The Council is not satisfied that the site is available for development and the allocation has therefore been removed from the City Plan.
<b>46-54 Old London Road, Patcham</b>	Development would set a precedent for other large scale developments in the area	DP019	Whilst each planning application is considered on its merits the council has removed the site from Policy H1 as the Council is not satisfied that the site

			is available for development.
<b>46-54 Old London Road, Patcham</b>	No detailed information is provided which makes responding difficult.	DP005	Whilst detailed information would only be available once a developer brings forward to scheme and applies for planning permission the council has removed the site from Policy H1 as the Council is not satisfied that the site is available for development.
<b>46-54 Old London Road, Patcham</b>	The proposed development would have a negative effect on property values.	DP033, DP220	Whilst effect on property values is not a planning consideration and cannot be taken into account the council has removed the site from Policy H1 as the Council is not satisfied that the site is available for development.
<b>46-54 Old London Road, Patcham</b>	Development of the site would cause disruption during construction.	DP033, DP043	Comment noted. The council has removed

			the site from Policy H1 as the Council is not satisfied that the site is available for development.
<b>46-54 Old London Road, Patcham</b>	Development of the site would cause more pressure on local community facilities.	DP046, DP039, DP232, DP129, DP200, DP185, DP196, DP030	The council has removed the site from Policy H1 as the Council is not satisfied that the site is available for development.
<b>46-54 Old London Road, Patcham</b>	Design, height and density is unknown.	DP039, DP180	Whilst detailed information would only be available once a developer brings forward to scheme and applies for planning permission the council has removed the site from Policy H1 as the Council is not satisfied that the site is available for development.
<b>46-54 Old London Road, Patcham</b>	Loss of five family homes	DP252 (Conservative Group)	Comment noted. Whilst City Plan Part One Policy CP19 (Housing Mix) would

			apply the council has removed the site from Policy H1 as the Council is not satisfied that the site is available for development.
<b>46-54 Old London Road, Patcham</b>	There is no interest from developers except McCarthy & Stone	DP213 (Patcham Ward Councillors)	Comment noted. The council has removed the site from Policy H1 as the Council is not satisfied that the site is available for development.
<b>46-54 Old London Road, Patcham</b>	Proposed design not in keeping.	DP166	There are currently no detailed designs for the development of the site. The council has removed the site from Policy H1 as the Council is not satisfied that the site is available for development.
<b>46-54 Old London Road, Patcham</b>	General objection.	DP188	Noted. The council has removed the site from Policy H1 as the Council is not satisfied that the site is available for

			development.
<b>Land between Manchester Street/Charles Street, Brighton, BN2 1TF</b>	Concern over potential complaints from future residential occupiers regarding noise and general on-street activity from the existing lawful late-night premises adjacent (Charles Street Tap) – see NPPF para 182.	DP119 Stonegate Pub Company	Concern noted. These issues would need to be satisfactorily addressed at the planning application stage, however indicate quantum of development reduced to allow for easier mitigation of any issues.
<b>270 Old Shoreham Road</b>	Allocation for residential uses is not supported. Site is in an industrial area and landowner intends to redevelop for employment use (B1a/B8).	DP065 Big Yellow Storage Ltd	Objection noted. Site allocation deleted.
<b>Former Hollingbury Library</b>	Concerns regarding access, drainage surface and sewers, parking and traffic congestion and educational capacity.	DP029	Objection noted. These issues would need to be satisfactorily addressed at the planning application stage.
<b>Belgrave Centre and ICES, Clarendon Place, Portslade</b>	Proposed allocation of the Portslade site in policy H1 supported subject to the deliverable quantum of development being increased to reflect the proposals now being prepared (120 units). NPPF places great emphasis on the need for previously developed land (PDL) / brownfield sites, to be put to the most efficient use	DP214 B&H Design/Build Co.	Quantum of development reflects the policy in the adopted Shoreham Harbour Joint Area Action Plan, and is expressed as a minimum so allows

			for a more intensive development where appropriate.
<b>Kingsway/Basin Road North (site AB4 in Shoreham Harbour JAAP)</b>	There is nothing in the supporting text of City Plan Part Two, e.g. paragraph 3.50, to explain that the figures in table 6 may include permissions and completions. Our concern is that in the future the figure in Table 6 could be misinterpreted as being for development on the parts of site AB4 remaining after the completion of development on the Britannia House and Portzed sites.	DP195 KAWRA	Comment noted. The figures are expressed in the standard format used in planning policy documents in the city and elsewhere.
<b>Land between Marina Drive and rear of 2-18 The Cliff</b>	Site should not be allocated as it is designated in CPP2 as a Local Wildlife Site. If the council choose to pursue this allocation, then there must be acknowledgement of the designation and the presence of priority habitat and species within the policy wording, along with suggested measures to avoid adverse impacts.	DP289 Sussex Wildlife Trust	LWS designation is not necessarily incompatible with development on part of the site, however the indicative number of residential units has been reduced to 10 to reflect this constraint.
<b>Land between Marina Drive and rear of 2-18 The Cliff</b>	Object to site allocation.	DP317 Rottingdean Coastal Councillors	Objection noted. See above.
<b>Former St Aubyn's School, 76 High Street Rottingdean</b>	Allocation for 40 units supported to redevelop dilapidated brownfield site.	DP317 Rottingdean Coastal Councillors	Support welcomed. The allocation has been updated to reflect recent planning permission.

<p><b>27-31 Church Street, Brighton</b></p>	<p>The provision of additional retail space in this location is considered unlikely to attract tenants or contribute towards an active street frontage. The policy should allow for complementary uses including food and drink establishments, professional services and appropriate leisure uses that would make a positive contribution to the regional centre. We consider that the policy should not be overly restrictive and should not limit any one area of the site to a specific use. Any future proposals should be considered on their merits, accepting the general desire to retain an active ground floor frontage and deliver a balanced and sustainable development.</p>	<p>DP261 Hargreaves</p>	<p>Agree. Retail has been removed from column of other uses.</p>
<p><b>25 Ditchling Rise / rear of 57-63 Beaconsfield Road,</b></p>	<p>Landowner has undertaken viability analysis based on redevelopment for 15 units and found that it is not sufficiently viable. Increasing the number of units or reducing requirements such as affordable housing/CIL may make redevelopment more attractive.</p>	<p>DP186</p>	<p>Comment noted. The number of units is expressed as a minimum so a denser development could be considered in order to facilitate a viable development.</p>
<p><b>Various sites</b></p>	<p>Local wastewater infrastructure in closest proximity has limited capacity to accommodate the proposed development at these sites: <i>87 Preston Road, 251-253 Preston Road, Preston Park Hotel, Downsman Pub, Victoria Road Former Housing Office.</i> There is existing water and/or wastewater infrastructure under the following sites; <i>76-79 &amp; 80 Buckingham Road, Brighton Eastergate Road Garages, Moulsecoomb, Brighton Land between Manchester Street/Charles Street, Brighton Baptist Tabernacle, Montpelier Place, Brighton Old Ship Hotel (garage), 31-38 Kings Road Brighton Saunders</i></p>	<p>DP201 Southern Water</p>	<p>Comment noted, and policy amended.</p>

	<p><i>Glassworks, Sussex Place, Brighton Selsfield Drive Housing Office, Selsfield Drive, Brighton Tyre Co, 2-16 Coombe Road, Brighton Whitehawk Clinic, Whitehawk Road, Brighton Buckley Close garages, Hangleton 189 Kingsway, Hove Kings House, Grand Avenue, Hove Land at and surrounding Downsman Pub, Hangleton Way, Hove Victoria Road Former Housing Office, Victoria Road, Portslade Land at the corner of Fox Way and Foredown Road, Mile Oak Land south of Lincoln Street Cottages, 15-26 Lincoln Street, Brighton Belgrave Centre and ICES, Clarendon Place, Portslade City College, Pelham Tower (and car-park), Pelham Street The Astoria, 10-14 Gloucester Place, Brighton Post Office site, 62 North Road, Brighton Former Brewery site, South Street, Portslade 27-31 Church Street Former Dairy Crest Site, 35-39 The Droveaway, Hove Kingsway/Basin Road North Church Road/Wellington Road/ St Peter's Road.</i> This infrastructure needs to be taken into account when designing the proposed development. An easement would be required, which may affect the site layout. This easement should be clear of all proposed buildings and substantial tree planting. For the sites in the first list above, where wastewater capacity is limited, we recommend the following criterion be added; Occupation of development will be phased to align with the delivery of sewerage network reinforcement, in consultation with the service provider. For the sites in the second list above, where there is existing infrastructure under the site, we recommend the following criterion be added; Layout is planned to ensure future access to existing infrastructure for maintenance and upsizing purposes</p>		
Support			
<p><b>Former St. Aubyn's School</b></p>	<p>The indicative number of 40 residential units for the former St Aubyn's site is noted and RPC is pleased to see the St Aubyn's</p>	<p>DP303 Rottingdean PC</p>	<p>Support welcomed. The allocation has</p>



<b>76 High Street Rottingdean</b>	Planning Brief referenced as a guiding document.		been updated to reflect recent planning permission.
<b>St. Aubyns</b>	Important to maximise housing within the City by developing appropriate sites.	DP196, DP066, DP208 BHEP, DP251 Copsemill Properties	Comment noted.
<b>Support with caveat regarding traffic modelling</b>	Confirmation required that the cumulative impact of the development sites has been included within the strategic modelling and therefore included within the agreed junction mitigations. If not, further consideration of appropriate mitigation may be required.	DP112 Highways England	Comment noted. An updated transport technical note has been prepared in consultation with HE which demonstrates that the proposed allocations and development in CPP2 will not substantially alter the cumulative transport impacts that were previously modelled for CPP1 and were agreed by Highways England at that stage.
<b>General comment</b>	Key worker housing should be provided in the city	DP101 B&H Clinical Commission Group	Adopted City Plan Part One Policy CP20 sets out the requirements the affordable housing in new residential developments.
<b>Support with</b>	All sites should be assessed for heritage impacts and where	DP284 Historic England	This issue is covered

<b>caveat</b>	appropriate a heritage impact assessment required as part of the site allocation assessment.		by Policy DM29 The Setting of Heritage Assets. Detailed assessment not required at this stage.
<b>Minor changes requested</b>	The following sites are within 500m of LNRs and as such consideration could be made regarding specific mitigation: 46-54 Old London Road, Patcham BN1 8XQ; Eastergate Road Garages, Moulsecoomb, Brighton, BN2 4PB	DP189 Natural England	Comment noted. Policy DM37 would apply.
<b>Consider reference to protecting groundwater</b>	There is nothing in the policy acknowledging that development must ensure that groundwater sources are protected (consistency with the writing of SSA4 and SSA7 would be recommended).	DP162 Environment Agency	Comment noted. Additional supporting text has been added.
<b>Consider reference to contaminated land</b>	No references regarding specific sites that are likely to be subject to contamination.	DP162 Environment Agency	This issue is covered by Policy DM41.
	We note that the Shoreham Harbour Development Area (which we understand the Kingsway/Basin Road North) site allocation falls within was included in a Sequential and Exception Test completed in June 2014. For clarity and transparency purposes, we would recommend that this site is referenced in the Level 2 SFRA that is currently being undertaken (presumably as supporting evidence to this plan). This could outline any SFRA, Sequential and Exception Test work that has already taken place for this allocation for City Plan Part 1 and the Shoreham Harbour Regeneration Area Action Plan. It could also make reference to whether there has been any change with regard Climate Change Allowances that came into effect in February 2016 (i.e. since the 2014 work).	DP162 Environment Agency	Comments noted and these have been addressed in the 2018 SFRA Update and a Sequential and Exception Test Update technical paper that has been prepared.

	General support	DP122, DP001, DP067, DP082, DP095, DP245, DP160, DP277, DP030, DP167	Support welcomed.
<b>46-54 Old London Road</b>	Site is suitable for more intensive development, however a less dense scheme with houses would be more appropriate , with measures to prevent parking on street and mitigate other issues such as flood risk.	DP294	Comment noted.
<b>46-54 Old London Road</b>	Housing density is lower in Patcham so there is capacity for additional dwellings.	DP054	Comment noted. The council has removed the site from Policy H1 as the Council is not satisfied that the site is available for development.
<b>46-54 Old London Road</b>	Developer contributions could be used to improve flood defence mechanisms	DP054	Comment noted. The council has removed the site from Policy H1 as the Council is not satisfied that the site is available for development.
<b>46-54 Old London Road</b>	New housing supply needed to lessen price rises.	DP054	Comment noted. The council has removed the site from Policy H1 as the Council is not satisfied that the site is available for development.
<b>PO Site 62 North Road Brighton</b>	Allocation supported, however quantum of development represents underdevelopment. Council shouldn't impose arbitrary	DP282 Royal Mail	Quantums of development are

	caps on development. Indicative scheme has been submitted with representation.		expressed as minimums and do not represent a cap.
<b>PO Site 62 North Road Brighton</b>	Should not specifically reference the commercial use class. Flexibility may bring forward offices, leisure uses, or retail, or a mixture which would reduce risk of vacancy.	DP282 Royal Mail	Disagree. The city has an identified need for new employment floorspace over the plan period and there is market demand for offices particularly in central Brighton (Adopted Policy CP3 Employment Land and 2013 Employment Land Study).
<b>Land between Manchester Street/Charles Street, Brighton</b>	The freeholders do not wish for the potential future uses of the plot to be restricted or limited to residential led development. A more flexible allocation might include an allocation that allows a stand-alone hotel or other commercial, retail or leisure use in addition or as alternatives to residential led development.	DP224 NEK Holdings	Comment noted.
<b>Former St Aubyn's 76 High Street Rottingdean</b>	Allocation supported, however housing requirement should be increased to be consistent with the amount proposed as part of the current planning application.	DP279 Fairfax Acquisitions	Allocation amended to reflect planning permission.
<b>COMMENT</b>			
<b>General comment</b>	There doesn't seem to be anything new here (sites are already identified in SHLAA and BLR) and a number of these sites are either not available (yet) or are owned by the Council and will probably be developed by them or are already being developed.	DP217 B&H Community Land Trust	This process formally allocates for development sites that are identified as

			having potential for housing in the SHLAA.
<b>OMISSION SITES</b>			
<b>Dolphin House, Manchester Street, Brighton</b>	Site is suitable for housing development (20 units). Hargreaves - as freeholders of the property - consider it unlikely that there will be sufficient market interest in the site for office accommodation once the existing use cease.	DP261 Hargreaves	Site not considered suitable for allocation. See Site Allocations Topic Paper.
<b>Hove Sorting Office Site, 88 Denmark Villas</b>	Allocated in SHLAA and should be identified for housing if it becomes available to help achieve aims of Policy DA6 and Neighbourhood Plan	DP282 Royal Mail	Site will be allocated and added to the policy. See Site Allocations Topic Paper.
<b>12 Richmond Parade, Brighton</b>	Landowner intends to submit an application for 7 or 9 apartments above an existing single storey loading bay and so would like this allocation ( 9 units ) to be included in the local plan	DP251 Copsemill Properties	Only sites with a capacity of 10 or more units are allocated in the City Plan Part Two.
<b>RSCH Outpatients Department</b>	Site should be allocated for residential development under policy H1 for an indicative 80 residential units	DP265 Mid Group	Site will be allocated and added to the policy. See Site Allocations Topic Paper.
<b>Patcham Bowling Green &amp; tennis courts, Mackie Park and Horsedean Lane rec</b>	These sites are underused and could be used for much needed Housing	DP167	Sports facilities are protected under Policy CP17 of the City Plan Part One.

<b>H2 Housing Sites - Urban Fringe</b>			
<b>Total Number of Responses</b>		75	
<b>Number of Representations that Support</b>		18	
<b>Number of Representations that Object</b>		55	
<b>Number of Representations – Other</b>		2	
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>General comments on housing numbers</b>	Seek clarification that the housing allocations proposed in Policy H2 meet the housing requirements set out in City Plan Part One Policy CP1.	DP281 Toads Hole Valley Landowners	Noted. The Housing Provision Topic Paper published as part of the Draft CPP2 consultation (and updated for the CPP2 Proposed Submission consultation) demonstrates how the allocations in Policy H2 (and Policy H1) together with other sources of

			housing supply will meet the City Plan housing target.
<b>General concerns about development on urban fringe</b>	<p>Concerned that allocation of H2 sites will lead to further development on the urban fringe.</p> <p>Development of the urban fringe would considerably diminish the quality of life of local people in these areas.</p>	<p>DP213 Conservative Councillors for Patcham Ward</p> <p>DP096</p>	<p>Noted. The proposed allocations in Policy H2 have been identified following detailed analysis of all potential urban fringe sites set out in the 2014 and 2015 Urban Fringe Assessments. CPP1 Policy SA4 sets detailed policy requirements intended to protect the remainder of the urban fringe from further development.</p> <p>Noted. It was established through the CPP1 examination that some development on the urban fringe is required to help address the city's housing needs. However Policy H2 includes criteria to ensure that the new development will create net benefits for local people, both in</p>

	<p>Over-development with lack of infrastructure.</p>	<p>DP091</p>	<p>terms of housing provision and also open space, green infrastructure etc.</p> <p>Disagree. The scale and density of housing proposed in Policy H2 has been established following detailed studies of all sites carried out through the 2014 and 2015 Urban Fringe Assessments. Necessary infrastructure and developer funding will be identified through the planning application process in accordance with CPP1 Policy CP7 and the Infrastructure Delivery Plan (Annex 2 to CPP1).</p>
<p><b>Too little development proposed on urban fringe</b></p>	<p>The proposed housing allocations on the urban fringe have been reduced, which will result in more development pressure in the built up part of the city. Also consider that the proposed allocations are too small to support necessary community facilities and sustainable transport. The council should seek to identify a larger area in the eastern part of the city for a new city quarter where a proper infrastructure can be supported.</p>	<p>DP157 Hove Civic Society</p>	<p>Noted. The proposed development areas have been identified through detailed assessments of potential landscape, ecology etc impacts in the 2014 and 2015</p>



	<p>With the current housing situation in the city not enough of the urban fringe is being used. The entire area under the council's jurisdiction should be earmarked for some form of housing.</p>	<p>DP002 Brighton YIMBY</p>	<p>Urban Fringe Assessments. No opportunities for larger scale developments were identified. However, many of the proposed sites are large enough to provide community facilities and all will be expected to contribute towards community infrastructure and sustainable transport through developer contributions (including CIL when introduced).</p> <p>Disagree. Many sites on the urban fringe are subject to environmental designations or would have an unacceptable impact on the South Downs National Park. The suitability of sites for development was examined in detail through the 2014 and 2015 Urban Fringe Assessments.</p>
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	<p>Some of the sites identified in the 2015 Urban Fringe Assessment have been removed.</p>	<p>DP217 Brighton &amp; Hove Community Land Trust</p>	<p>Noted. A small number of the sites identified as having development potential in the Urban Fringe Assessments are not proposed for allocation in CPP2. This is for various reasons such as uncertain availability or where the potential site yield is likely to be under 10 dwellings. Further information on how individual urban fringe sites have been assessed is provided in Appendices 2 and 4 of the Housing and Mixed Use Site Allocations Topic Paper which was published as part of the Draft CPP2 consultation and has been updated to support the publication of the CPP2 Proposed Submission Draft.</p>
<p><b>Need to prioritise development of</b></p>	<p>Consider that there are numerous brownfield sites in the city and these should be developed ahead of urban fringe sites.</p>	<p>DP095; DP113; DP136; DP229; DP262; DP276;</p>	<p>Noted. The City Plan strategy already seeks to</p>

<p><b>brownfield sites</b></p>	<p>Concerned that greenfield urban fringe sites will be more attractive to developers and developed ahead of brownfield sites.</p> <p>Development could potentially be intensified on identified brownfield sites in the city (to relieve pressure on the urban fringe).</p>	<p>DP286; DP288; DP300; DP348</p> <p>DP213 Conservative Councillors for Patcham Ward</p> <p>DP307 Green Group of Councillors</p>	<p>maximise development on brownfield sites subject to physical, environmental and amenity constraints. However, the Plan housing targets cannot be achieved without allowing some (limited) development on the urban fringe. This was clearly established at the CPP1 examination.</p> <p>Noted. There is no evidence of this. There remains strong developer interest in the majority of brownfield sites in the city.</p> <p>Noted. The City Plan already seeks to encourage high densities on brownfield sites, but this is subject to considerations of design and impacts on surrounding areas including residential</p>
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			<p>amenity (see Policy CP14). All available brownfield sites have been subject to detailed assessment through the Strategic Housing Land Availability Assessment (SHLAA) in terms of their development capacity, and this has been subject to further review through an independent Housing and Employment Land Study and Sustainability Appraisal of allocated sites. It should also be noted that the housing numbers on allocated sites are minima which may be refined at the planning application stage subject to any further detailed evidence.</p>
<p><b>More flexibility needed in policy</b></p>	<p>The policy does not allow for site specific evidence to inform proposals or for viability to be considered. Flexibility must be incorporated into the policy to ensure the Plan is effective and ensure that housing is delivered on these sites. Recommend including a sentence in policy to allow site specific considerations</p>	<p>DP214 City of Brighton &amp; Hove Design &amp; Build Company</p>	<p>Disagree. The figures in Table 7 are potential housing numbers which may be refined at the planning application</p>

	and local housing needs evidence, to be taken into account in determining whether the stated criteria and requirements should be applied.		stage subject to any further detailed evidence.
<b>Site capacity / development densities</b>	<p>Planning applications on urban fringe sites should be required to demonstrate that maximum density is being achieved. Because of the sensitivity of the urban fringe each site needs to be individually assessed.</p> <p>Sites on the urban fringe could be built at an increased density, and this should be encouraged. Given the proximity of the National Park, the provision of open space (except for parks and public recreation) is unnecessary and wastes the limited land available.</p>	<p>DP207 The Regency Society</p> <p>DP002 Brighton YIMBY</p>	<p>Noted. The scale and density of housing proposed in Policy H2 has been established following detailed studies in the 2014 and 2015 Urban Fringe Assessments. Policy H2 indicates potential housing numbers which may be refined at the planning application stage subject to any further detailed evidence.</p> <p>Disagree. The location, scale and density of housing proposed in Policy H2 have been established following detailed studies in the 2014 and 2015 Urban Fringe Assessments. As set out in Policy SA4, the urban fringe forms an important part of the</p>

Three of the proposed sites have a higher number of dwellings than assessed in the Urban Fringe Assessment, however there is no explanation in the draft Plan or background papers to justify these changes.

DP289 Sussex Wildlife Trust

city's green network and serves as a 'gateway' to the South Downs National Park.

Noted. The Council's detailed assessment of all the proposed housing allocations was set out in in the Housing and Mixed Use Site Allocations Topic Paper which was published alongside the Draft CPP2. The higher housing numbers allocated at Falmer Avenue, Saltdean and Coombe Farm, Saltdean reflect planning permissions granted since the Urban Fringe Assessments. The increased figure for Benfield Valley follows detailed assessment undertaken by the Council with input from County Landscape and County Ecology officers.

	<p>The density identified for the Urban Fringe sites is well below the other proposed allocations in the draft Plan and contradictory to Policy DM19 above and the new NPPF. The suggested densities should be increased to match the surrounding grain of development in the areas where the sites are situated. The low densities do not recognise the desperate lack of affordable housing in these areas and will attract volume house builders who will build large 4/5 bed 'executive homes' which will be unaffordable for most of the city's residents.</p> <p>The proposed densities are well below what is recommended in the NPPF and in the Draft City Plan Part Two. The dwelling numbers are based on the Urban Fringe Assessment which is not based on detailed studies. More flexibility is required to ensure efficient use of land in the context of location and detailed ecological, visual, landscape and other assessments (e.g transport). At worst, the numbers should be stated as a minimum.</p> <p>The need for family homes is recognised and it is accepted that the urban fringe sites are good locations to provide them. However, the lower densities will attract major house builders that will provide 4/5 bed detached houses. More affordable options should</p>	<p>DP217 Brighton &amp; Hove Community Land Trust</p> <p>DP258 Brighton &amp; Hove Planning Agents Forum</p>	<p>Noted. The scale and density of housing proposed in Policy H2 has been established following detailed studies in the 2014 and 2015 Urban Fringe Assessments. Development will be required to fully meet affordable housing requirements in Policy CP20 and will provide a significant proportion of family housing to meet the city's identified needs.</p> <p>Noted. The scale and density of housing proposed in Policy H2 has been established following detailed studies in the 2014 and 2015 Urban Fringe Assessments. The figures in Table 7 are potential housing numbers which may be refined at the planning application</p>
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	<p>be considered, e.g 2.5 and 3 storey terraced houses.</p> <p>Given that the City Plan housing target only seeks to deliver a proportion of the city's housing needs (less than half) and even that target is not being met, there is a vital need for development management policies which positively and appropriately improve delivery.</p>		<p>stage subject to any further detailed evidence.</p>
<b>Affordable housing</b>	<p>The sites listed in Table 7 should be developed as 100% genuinely affordable housing. This should include providing housing at affordable rents, .e.g based on the 'living wage/rent' concept and 'Good Landlord' scheme rents.</p>	<p>DP307 Green Group of Councillors</p>	<p>Disagree as such a policy would not be deliverable. Many of the sites are not owned by the Council so will not come forward unless development is viable for landowners and developers. The NPPF requires that planning policies are deliverable and that site allocations and affordable housing policies take account of viability considerations.</p>
	<p>Development of the urban fringe sites should keep use of private vehicles to a minimum. Discussions should be undertaken with public transport providers in order that sustainable modes of transport are designed into development proposals.</p>	<p>DP307 Green Group of Councillors</p>	<p>Noted. When considering applications the Council will give strong emphasis to encouraging sustainable transport and minimising use of private vehicles in</p>



			accordance with CPP1 Policy CP9 and draft CPP2 Policy DM33.
<b>Wording of policy intro</b>	The wording “some housing development” is not clear or precise and does not indicate that the council is seeking to maximise the development potential of the proposed sites. The word “some” should be deleted as it contradicts the aims of national policy. Any restrictions on the opportunities at a site to deliver housing will become evident from site specific assessment and surveys.	DP214 City of Brighton & Hove Design & Build Company	Noted. Only parts of the urban fringe sites listed in Table 7 are proposed for housing, whilst other parts of these sites may have potential to contribute to other elements of Policy H2 (e.g publicly accessible open space, green infrastructure, food growing etc). For clarification, the first sentence of Policy SA7 has been amended to read: <i>“The <u>developable areas of the sites listed in Table 7 below (as <del>shown</del> identified on the Policies Map) are allocated for some housing development (Use Class C3).</u>”</i>
<b>Planning for wastewater infrastructure</b>	Assessment of existing capacity shows that local wastewater infrastructure in closest proximity to the following sites has limited capacity to accommodate the proposed development: Land at Mile Oak Road, Portslade; Land at and adjoining Brighton Race	DP201 Southern Water	Noted. Additional wording has been added to the policy stating: <i>“For sites marked with</i>

	<p>Course; Land at Ovingdean Hall.</p> <p>Planning policies and planning conditions will be needed to ensure that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment in accordance with the NPPF. For these sites, we recommend that the following criterion is added: "Occupation of development will be phased to align with the delivery of sewerage network reinforcement, in consultation with the service provider."</p> <p>Assessment undertaken shows that there is existing Southern Water infrastructure under the following sites: Land at Mile Oak Road, Portslade; Benfield Valley; Land at Ladies Mile, Carden Avenue; Land at South Downs Riding School &amp; Reservoir Site; Land north of Warren Road,(Ingleside Stables); Land at former nursery, Saltdean; Cluster at Coombe Farm and Saltdean Boarding Kennels.</p> <p>This infrastructure needs to be taken into account when designing the proposed development. An easement would be required, which may affect the site layout. This easement should be clear of all proposed buildings and substantial tree planting. For these sites, we recommend the following policy criterion be added: "Layout is planned to ensure future access to existing infrastructure for maintenance and upsizing purposes."</p>		<p><i>an omega (Ω), occupation of the development should be phased to align with the delivery of sewerage network reinforcement, in consultation with the service provider" and the relevant sites where this applies have been highlighted in Table 7.</i></p> <p>Noted. Additional wording has been added to the policy stating: <i>"For sites marked with a hash (#), the layout should be planned to ensure future access to existing water and/or wastewater infrastructure for maintenance and upsizing purposes."</i> and the relevant sites where this applies have been highlighted in Table 7.</p>
<p><b>Transport impacts</b></p>	<p>Require confirmation that the cumulative impact of the development sites has been included within the strategic modelling and therefore included within the agreed junction</p>	<p>DP112 Highways England</p>	<p>Noted. An updated transport technical note has been prepared in</p>

	<p>mitigations. If not, further consideration of appropriate mitigation may be required.</p>		<p>consultation with HE which demonstrates that the proposed allocations and development in CPP2 will not substantially alter the cumulative transport impacts that were previously modelled for CPP1 and were agreed by Highways England at that stage.</p>
<p><b>Impact on existing rights of way</b></p>	<p>Development on some of the urban fringe sites would cut across existing rights of way, including the Brighton and Hove Way, which would be contrary to policy in the NPPF (para 69) and DEFRA guidance (para 7.11).</p>	<p>DP307 Green Group of Councillors</p>	<p>Noted. A key objective of Policy H2 (criterion d) is to ensure that development contributes towards improving linkages and access to the National Park. This objective is also reflected in CPP1 policies SA4 (Urban Fringe) and CP9 (Sustainable Transport). In addition national planning policy (NPPF July 2018 paragraph 98) and the DEFRA Rights of Way Circular 1/09 Section 7) requires that development will not</p>

			have any adverse impact on existing rights of way. Therefore no change to policy is proposed.
<b>Ecology</b>	A renewed ecology study needs to be undertaken.	DP307 Green Group of Councillors	Disagree. The 2015 Urban Fringe Assessment included a detailed ecological assessment (including desktop review of biological records and Phase 1 habitat survey) for all sites where potential for adverse impacts on ecology had been identified in the 2014 Urban Fringe Assessment. In addition, paragraph 3.58 and further new text added to the Reasoned Justification make provision for a further Ecological Assessments including Species Surveys at the planning application stage.
<b>Biodiversity impacts</b>	Seven of the sites listed in Table 7 are designated for their biodiversity value, with a further allocation on a candidate Local Wildlife Site. Consider this is contrary to the NPPF and the	DP289 Sussex Wildlife Trust	Noted. Given the requirement already established in CPP1 to

	<p>objective for local plans to promote sustainable development. Local Wildlife Sites are a critical component of the city's ecological network and therefore must be safeguarded through the local plan. Consider these allocations conflict with the requirements of draft Policy DM37 and that the council has not demonstrated why the sites listed in Table 7 are justified.</p> <p>Consider that the following site allocations should be removed from Table 7 and the Policies Map – or the boundaries redrawn to remove land within a site designated for its biodiversity value: Land at Oakdene, Southwick Hill / Land West of Mile Oak Road; Land at Mile Oak Road, Portslade Benfield Valley; Land at and adjoining Brighton Race Course Land; Land North of Warren Road (Ingleside Stables); Land to north east of Coldean Lane / Land north of Varley Halls / Land south of Varley Halls; Land adjacent to Ovingdean; Falmer Road, Ovingdean; Land at and adjoining Horsdean Recreation Ground, Patcham (subject to progression of Local Wildlife Site designation).</p> <p>If the council chooses to pursue these allocations, there must be acknowledgement of the designation and the presence of priority habitat and species within the policy wording, along with suggested measures to avoid adverse impacts. However, even with</p>		<p>identify urban fringe land to accommodate c1,000 homes to help meet the city's housing needs, it is not possible to avoid some development within or close to locally designated sites. The suitability of sites for some development has been considered in detail through the 2014 and 2015 Urban Fringe Assessments. The 2015 UFA has included detailed ecological assessment (including desktop review of biological records and Phase 1 habitat survey) for all sites where potential for adverse impacts on ecology had been identified in the 2014 UFA.</p> <p>A new criterion has been inserted in the policy stating: <i>“Development will mitigate any adverse</i></p>
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	<p>the addition of more comprehensive policy wording, the Sussex Wildlife Trust will continue to object to these allocations.</p>		<p><i>impacts on designated sites and provide biodiversity net gains in accordance with Policies CP10 and DM37". In addition, a new paragraph has been added to the Reasoned Justification setting out that development proposals must be supported by detailed surveys (including species surveys) which will be used to inform specific mitigation requirements, and that 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.</i></p>
<p><b>Environmental standards and requirements</b></p>	<p>Development on the urban fringe sites should constitute environmentally visionary development, incorporating measures to help mitigate or adapt to climate change and reduce greenhouse gas emissions. Development should be BREEAM</p>	<p>DP307 Green Group of Councillors</p>	<p>Agree. CPP1 Policy CP8 and draft CPP2 Policy DM44 already set very high standards for</p>

	<p>Outstanding, carbon neutral and charged with opening up access to the National Park. The local planning authority should liaise with the South Downs National Park Authority and local amenity organisations to ensure that particular attention is paid to archaeological remains, protection of fauna and flora, and that important views and vistas are protected. The thoughts of Councillors through temporarily convened meetings of the Asset Management Board could be incorporated too for particularly difficult decisions.</p>		<p>sustainability and energy efficiency for urban fringe developments. To further reinforce this, a new criterion has been added to the policy requiring that <i>“Opportunities are considered to achieve high standards of energy efficiency and renewable energy provision in accordance with Policy DM44”</i>. Additional wording has also been added to the Reasoned Justification.</p>
<p><b>Criterion a) – provision for family-sized dwellings</b></p>	<p>The ability of the sites to deliver a specific quantum of family homes will be dependent upon site survey results and characteristics, which the council has not yet assessed. The Urban Fringe Assessment is a high level assessment only. The council should seek to ensure that a range of housing sizes, types and tenures are delivered to meet local needs. In some locations, it is possible that a higher demand may exist for smaller homes. The policy should therefore allow some flexibility.</p> <p>Providing a set requirement for housing types on the urban fringe sites also contradicts the aims of draft Policy DM1 which states that proposals should include a range of dwelling types, sizes and tenures that reflect and respond to the city's needs, and that is</p>	<p>DP214 City of Brighton &amp; Hove Design &amp; Build Company</p>	<p>Noted. Policy criterion a) has been amended to clarify that the figures set out in Table 7 are indicative and additional wording has been included in the supporting text at Paragraph 3.55 stating that the figures will be subject to further assessment at the detailed planning stage.</p>

	subject to the character, location and context of the site.		In addition, Paragraph 3.55 has been expanded to set out the Council's justification for seeking a higher proportion of the family housing on the urban fringe allocations.
<b>Criterion b) – open space</b>	The policy supports opportunities to secure additional and improved publically accessible open space yet some of proposed allocations are already designated as open space (e.g Urban Fringe Sites 16 and 17), so the policy will have the opposite effect.	DP213 Conservative Councillors for Patcham Ward	Noted. It was established through the CPP1 examination that some development on the urban fringe is required to help address the city's housing needs. Criterion b) of Policy H2 is intended to ensure that new development will create net benefits in terms of improved publically accessible open space.
<b>Criterion c) – green infrastructure</b>	Development of urban fringe sites will adversely impact on the Green Infrastructure network and is contrary to Policy SA4 Urban Fringe and draft Policy DM37 Green Infrastructure and Nature Conservation.	DP213 Conservative Councillors for Patcham Ward	Noted. It was established through the CPP1 examination that some development on the urban fringe is required and both Policy SA4 and draft Policy DM37 make provision for this. Criterion c) of Policy H2



			is intended to ensure that new development supports and enhances the Green Infrastructure Network.
<b>Criterion d) – linkages to the SDNP</b>	Policy H2 states that there must be improved linkage and access to the South Downs National Park yet developing Urban Fringe Sites 16 and 17 impedes this.	DP213 Conservative Councillors for Patcham Ward	Noted. It was established through the CPP1 examination that some development on the urban fringe is required. Criterion d) of Policy H2 is intended to ensure that development proposals facilitate opportunities for improved linkages and access to the South Downs National Park.
<b>Comments on Reasoned Justification</b>	Paragraph 3.55 should be worded more strongly to encourage community-led housing, i.e “Community-led housing will be encouraged on these sites.”	DP217 Brighton & Hove Community Land Trust	Agree. The final sentence of Paragraph 3.55 has been amended to state that “... <i>proposals for community-led housing will be strongly encouraged.</i> ”
<b>Benfield Valley (Sites 10,11 &amp; 12)</b>	Consider that Benfield Valley has potential for significantly more housing development than indicated in Table 7 (detailed comments are provided in response to Policy SA7).	DP274 LCE Architects; DP287 Fairfax Acquisitions	Noted. See council response to representations under Policy SA7.
<b>Land at/adj</b>	Insufficient detail is provided to guide development in terms of	DP286;	The allocation of the site

<p><b>Horsdean Recreation Ground (UF Site 16)</b></p>	<p>access, style, density, character, impact on adjacent properties, privacy, overlooking and amenity.</p>	<p>DP213 Conservative Councillors for Patcham Ward</p>	<p>in the City Plan would only establish the principle of its suitability for housing development. Specific issues relating to form, layout and design etc of development would be assessed at the planning application stage.</p>
	<p>The site is too small to accommodate 25 dwellings.</p>	<p>DP093</p>	<p>Disagree. The site's suitability and capacity for development has been considered through the 2014 and 2015 Urban Fringe Assessments. The 2014 UFA identified potential for 30 dwellings at a low density of 25 dwellings/ hectare and this has been reduced further to 25 dwellings following the 2015 UFA to allow for the retention of vegetated buffers and public access in order to reduce the potential for cumulative significant landscape impacts.</p>

	If the site is developed, it should be provided as affordable housing.	DP113	The City Plan cannot require this, but subject to viability the development would be expected to provide a minimum 40% affordable housing in accordance with Policy CP20.
	Development would damage the character of the local area/Patcham.	DP039; DP196; D243; D262	Disagree. The site's suitability for development and impact on the character of the local area has been considered in detail through the 2014 and 2015 Urban Fringe Assessments.
	The site provides open space for the local community – e.g for recreation, walking etc, which is well used and valued by local people.	DP027; DP098; DP113; DP123; DP160; DP196; DP229; DP243; DP262; DP276; DP286; DP288; DP318; DP213 Conservative Councillors for Patcham Ward	Noted. The value of the open space is accepted, but must be balanced against the requirement to identify urban fringe land for c1,000 homes to help meet the city's needs. Only a small proportion of the existing open space is proposed for development. The 2014 Urban Fringe Assessment

			acknowledges the site performs an important role as publically accessible open space, but also notes that there is currently an over provision of natural/ semi-natural urban greenspace in the area. Development could potentially have a positive effect, if provision is made to enhance the retained open space adjacent to the proposed development area.
	Development/access to the site would impact on the adjoining recreation ground and allotments.	DP136; DP027; DP229; DP262; DP277; DP318	Detailed design of access would be determined at the planning application stage, but it is not considered that it would adversely affect the existing neighbouring uses.
	Access to the site is very difficult as it would have to cross playing fields cutting across Horsdean Recreation Ground, Vale Park and Braeside Linear Woods. Access from Barrhill Avenue would require demolition of a house.	DP093; DP159; DP196; DP262; DP277; DP348; DP213 Conservative Councillors for Patcham Ward	Noted. Based on the detailed analysis undertaken in the 2014 and 2015 Urban Fringe Assessments, it is

			considered that access could be potentially provided from Vale Avenue. Detailed design of access would be determined at the planning application stage.
	Development would create traffic impacts/add to congestion/parking problems/cause noise and pollution.	DP027; DP039; DP093; DP123; DP136; DP229; DP232; DP276; DP286; DP288; DP318; DP213 Conservative Councillors for Patcham Ward	The scale of development proposed is considered unlikely to cause severe impacts. Any potential impacts would be assessed at the planning application stage. If needed, requirements for mitigation would be applied through planning conditions or obligations.
	Development would create severe traffic/parking impacts on Vale Avenue and its exit onto the A27/A23 roundabout junction.	DP027; DP093; DP123; DP136; DP196; DP232; DP276; DP288; DP213 Conservative Councillors for Patcham Ward	The scale of development proposed is considered unlikely to cause severe traffic/parking impacts. Any potential impacts would be assessed at the planning application stage. If needed, requirements for

			mitigation would be applied through planning conditions or obligations.
	Development (in combination with the other proposed housing sites in Patcham) will lead to more pressure on local facilities (e.g schools, doctors, dentists etc).	DP136; DP196; DP232; DP276; DP286; DP288; DP213 Conservative Councillors for Patcham Ward	The impact of development on local facilities would be assessed at the planning application stage and appropriate developer contributions sought in line with CPP1 Policy CP7 and other relevant City Plan policies and guidance.
	Development will have potential impacts on surface and foul water drainage on already over-capacity drains and sewers. The policy provides no detail on how these impacts would be mitigated.	DP136; DP159; DP229; DP243; DP276; DP288; DP318; DP213 Conservative Councillors for Patcham Ward	Southern Water has not highlighted any particular concerns about wastewater infrastructure in relation to development of this site. Detailed issues would be addressed at the planning application stage.
	Development will cause potential impacts/risks with regard to water supply collection and extraction zones, however this issue is not mentioned in the policy.	DP213 Conservative Councillors for Patcham Ward	Noted. Table 7 highlights that the site is in a Groundwater Source Protection Zone. In response to comments from the Environment

			Agency, additional wording has been added to the Reasoned Justification highlighting that development will need to protect groundwater resources from pollution and safeguard water supplies, with cross-references to draft CPP2 Policies CP8 and DM42.
	Development would cause potential noise/air pollution impacts due to the site's proximity to the A27 Bypass.	DP213 Conservative Councillors for Patcham Ward	Noted. Detailed assessment of noise/air pollution impacts would need to be undertaken at the planning application stage in accordance with draft CPP2 Policy DM40, with appropriate mitigation provided if necessary.
	Object to allocation/ the site is unsuitable for housing (no reasons given).	DP087; DP256 The Conservative Group	Objection noted.
<b>Land at Ladies Mile (UF Site 17)</b>	Insufficient detail is provided to guide development in terms of access, style, density, character, impact on adjacent properties, privacy, overlooking and amenity.	DP286; DP300; DP213 Conservative Councillors for Patcham Ward	The allocation of the site in the City Plan will only establish the principle of its suitability for housing development. Specific issues relating to form,

			layout and design etc of development will be assessed at the planning application stage.
	The proposed housing density would be higher than that of the surrounding residential development.	DP095; DP163	Noted. Following the conclusions of the 2014 and 2015 Urban Fringe Assessments, the site is allocated for an indicative figure of 35 dwellings. This would equate to a relatively low density of 28 dph and would be a similar density to the existing adjacent residential development. However, the potential number of dwellings shown in Table 7 is indicative and would be subject to more detailed assessment at the planning application stage.
	Development would damage the character of the local area/Patcham.	DP039; DP082	Disagree. The site's suitability for development and impact on the character of the local area has been considered in detail



			through the 2014 and 2015 Urban Fringe Assessments.
	The site is provides open space for the local community – e.g for recreation, walking etc.	DP082; DP116; DP229; DP276; DP286; DP288; DP306; DP213 Conservative Councillors for Patcham Ward	Noted. The value of the open space is accepted, but must be balanced against the requirement to identify urban fringe land for c1,000 homes to help meet the city’s needs. Only a small proportion of the existing open space is proposed for development. The 2014 Urban Fringe Assessment acknowledges the site performs an important role as publically accessible open space, but also notes that there is currently an over provision of natural/ semi-natural urban greenspace in the area. Development could potentially have a positive effect, if provision is made to enhance the retained

			open space adjacent to the proposed development area.
	The site is currently designated as open space – School Playing Fields.	DP213 Conservative Councillors for Patcham Ward	Noted. The site is designated as Open Space, but comprises disused playing fields and is identified as ‘Amenity green space’ on the City Plan Policies Map. There is currently an over provision of natural/ semi-natural urban greenspace in the area and development of the site could provide opportunities to provide enhancements to the open space on the remaining undeveloped area.
	Development would create a threat to the Local Nature Reserve.	DP163; DP229; DP232	The site allocated for development lies well outside the boundary of the LNR. The ecology impacts were considered in the 2014 Urban Fringe Assessment and then further in the 2015 Urban Fringe

			Assessment, which included a detailed ecological assessment (including desktop review of biological records and Phase 1 habitat survey). The 2015 UFA concluded that development is achievable without significant impacts on ecology, subject to specified mitigation measures.
	Development would create traffic impacts/add to congestion/cause parking problems/cause noise and pollution.	DP039; DP082; DP095; DP116; DP276; DP286; DP288; DP213 Conservative Councillors for Patcham Ward	The scale of development proposed is considered unlikely to cause severe impacts. Any potential impacts would be assessed at the planning application stage. If needed, requirements for mitigation would be applied through planning conditions or obligations.
	Development would cause potential severe traffic impacts on Ladies Mile Road.	DP095; DP348; DP213 Conservative Councillors for Patcham Ward	The scale of development proposed is considered unlikely to cause severe traffic

			impacts. Any potential impacts will be assessed at the planning application stage. If needed, requirements for traffic mitigation would be applied through planning conditions or obligations.
	Access to the site is extremely difficult.	DP095; DP277	Noted. It is not considered that access issues would preclude development of the site. Details relating to access would be determined at the planning application stage.
	Access should be from Carden Avenue not Ladies Mile Road.	DP160; DP277	Noted. The policy does not specify a particular access point. The most appropriate access would be determined at the planning application stage.
	The site poorly located for sustainable transport due to a lack of nearby public transport connections.	DP213 Conservative Councillors for Patcham Ward	Disagree. There is a regular bus service (Route 5B) which runs along Carden Avenue every 10 minutes in daytime.

	Development (in combination with the other proposed housing sites in Patcham) will lead to more pressure on local facilities (e.g schools, doctors, dentists etc).	DP116; DP163; DP232; DP276; DP286; DP288; DP213 Conservative Councillors for Patcham Ward	The impact of development on local facilities would be assessed at the planning application stage and appropriate developer contributions sought in line with CPP1 Policy CP7 and other relevant City Plan policies and guidance.
	The policy includes no detail regarding the impact of development on surface and foul water drainage, or consideration of mitigation and how it will affect already over-capacity drains and sewers.	DP232; DP276; DP288; DP213 Conservative Councillors for Patcham Ward	Southern Water has not highlighted any particular concerns about wastewater infrastructure for the site, except that development would need to be planned to ensure future access to existing water/ wastewater infrastructure for maintenance and upsizing purpose. Any detailed issues would be addressed at the planning application stage.
	Development will cause potential impacts/risks on water supply	DP213 Conservative	Noted. Table 7 highlights

	collection and extraction zones, however this issue is not mentioned in the policy.	Councillors for Patcham Ward	that the site is in a Groundwater Source Protection Zone. In response to comments from the Environment Agency, additional wording has been added to the Reasoned Justification highlighting that development will need to protect groundwater resources from pollution and safeguard water supplies, with cross-references to draft CPP2 Policies CP8 and DM42.
	Object to allocation/ the site is unsuitable for housing (no reasons given).	DP256 The Conservative Group	Objection noted.
<b>Land at Coldean Lane / Land north of Varley Halls (Sites 21 &amp; 21a)</b>	<p>Consider that Site 21 has potential for up to 250 homes based on site specific surveys and assessments being undertaken, which go beyond those undertaken to inform the Urban Fringe Assessment and draft CPP2. Table 7 should be updated to show a potential housing figure of c250 homes. Failing this, the housing numbers should be shown as a minimum requirement.</p> <p>The suggested site capacity of 100 homes does not reflect the</p>	DP214 City of Brighton & Hove Design & Build Company	Noted. Table 7 has been amended to increase the Potential Number of Dwelling Units to 242 units following the Council Planning Committee decision in July 2019 to grant permission (subject to s106 agreement).

	<p>Urban Fringe Assessment which suggested that 130 homes could be achieved.</p> <p>Provision of 35% 3+ bedroom houses is not appropriate given the site specific characteristics, topography and housing needs in the area, especially given the prospective developer's focus on maximising affordable housing on the site and the lack of requirement for 3+ bed flatted units. Development of flats on this site would maximise the development opportunity, utilise land efficiently and reflect the character of the site's immediate setting. However, flats containing 3 or more bedrooms may not necessarily be required by the community.</p>		<p>The percentages of family sized (3+ bedroom) dwellings shown in Table 7 are indicative, and reflect that the urban fringe sites are generally suitable locations for larger dwellings for which there is a substantial unmet need in the city. However, the precise housing mix may be varied at the planning application stage.</p>
	<p>Land north of Varley Halls should be allocated for Purpose Built Student Accommodation (PBSA), rather than residential units, due to its proximity to the university - it is likely to become HMOs in the long term anyway.</p>	<p>DP317 Rottingdean Coastal Councillors</p>	<p>Disagree. The 2014 and 2015 Urban Fringe Assessments identified the site as having potential for a small housing development (c12 dwellings). This would contribute towards the requirement to identify land for c1,000 dwellings on urban fringe sites.</p>

<p><b>Land at and adj Brighton Race Course (Site 30)</b></p>	<p>Consider that the site has potential for up to 220 homes in the form of flatted development reflecting the development immediately adjacent to the site. Table 7 should be updated to show a potential housing figure of c220 homes. Failing this, the housing numbers should be shown as a minimum requirement.</p> <p>Provision of 35% 3+ bedroom houses is not appropriate given the site specific characteristics, topography and housing needs in the area, especially given the prospective developer's focus on maximising affordable housing on the site and the lack of requirement for 3+ bed flatted units. Development of flats on this site would maximise the development opportunity, utilise land efficiently and reflect the character of the site's immediate setting. However, flats containing 3 or more bedrooms may not necessarily be required by the community.</p>	<p>DP214 City of Brighton &amp; Hove Design &amp; Build Company</p>	<p>Disagree. The Potential Number of Dwelling Units in Table 7 has been reduced to 30 units. This follows the decision of Homes for Brighton &amp; Hove not to pursue proposals for a larger scheme on the site, due to access and technical difficulties, affecting viability. The Council considers that a smaller development is more likely to have a more realistic prospect of delivery.</p> <p>The percentage of family sized (3+ bedroom) dwellings has been increased from 35% to 50% to reflect the proposed reduction in dwellings/site density.</p>
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			locations for larger dwellings for which there is a substantial unmet need in the city. However, the precise housing mix may be varied at the planning application stage.
<b>Land at South Downs Riding School &amp; Reservoir Site (UF Sites 32 &amp; 32a)</b>	Development at Site 32a could not be undertaken whilst the reservoir is in use as it would damage the existing structures within the flint wall boundary.	DP120; DP169	Noted. This issue would be considered at the detailed planning stage, but is not considered likely to preclude any development on Site 32a.
	Development would have an unacceptable visual impact which would be much greater than concluded in the 2015 Urban Fringe Assessment.	DP120; DP140; DP169; DP240	Disagree. The site has been subject to detailed landscape assessment through the 2014 and 2015 Urban Fringe Assessments. The 2015 UFA acknowledged that the site has visual prominence, but considered that the presence of existing buildings within and adjacent to the site would reduce the landscape impacts and

			that some low density development could be accommodated with appropriate design and mitigation.
	Development would have an unacceptable impact on the amenity of 6 to 11 Belle Vue Cottages causing issues of visual privacy and overlooking, outlook and overshadowing, and sunlight and daylight.	DP120; DP140; DP169	Noted. This issue would be assessed at the detailed planning stage, but is not considered likely to significantly restrict development on the site.
	Development would alter the character of the area making it more suburban and adversely impact on the 19 <sup>th</sup> century Belle Vue Cottages and the surrounding flint walls which have historic significance.	DP120; DP140; DP293; DP299	Noted. This issue would be assessed at the detailed planning stage, but is not considered likely to significantly restrict development on the site. The potential impacts of development were considered in the 2014 and 2015 Urban Fringe Assessments. The conclusions of the 2015 UFA highlight the need to ensure that development is in keeping with local character, avoiding any suburbanising influence.

	Development would lead to the loss of the South Downs Riding School which is an existing employment use and important community/ recreational asset.	DP120; DP140; DP169; DP240; DP299	Noted. The value of the Riding School as a community/recreational asset is accepted, but must be balanced against the requirement to identify urban fringe land for c1,000 homes to help meet the city's needs.
	The site is not close to local facilities (e.g shops, schools, doctors' surgeries etc) and is poorly served by public transport. Development would be car dependent which would create parking issues.	DP120; DP140; DP169; DP240; DP299	The distance to local facilities is acknowledged, although this is shared with several of the other CPP2 urban fringe allocations. However, there is relatively good public transport, with frequent bus services (every 10 minutes) from the top of Bear Road.
	The site has significant ecological value which is greater than identified in the 2015 Urban Fringe Assessment (citing local evidence with regard to species onsite and in the local area, e.g badgers, bats etc).	DP120; DP140; DP169; DP240; DP293; DP299	Noted. The 2015 Urban Fringe Assessment included a detailed ecological assessment (including desktop review of biological records and Phase 1 habitat survey) for all sites where potential for

			adverse impacts on ecology had been identified in the 2014 Urban Fringe Assessment. Further Ecological Assessments including Species Surveys would be sought at the planning application stage.
	The site has archaeological value.	DP120; DP140	The 2015 Urban Fringe Assessment included an archaeological desk-based assessment, which concluded that there is no indication at this stage that the potential development area contains archaeological remains which would constitute an insurmountable constraint for development, and that there are no anticipated significant impacts on designated heritage assets. Further Archaeological Assessments would be

			required at the planning application stage.
	Development would have an adverse impact on water supply and quality.	DP169	Southern Water has not highlighted any particular concerns about water infrastructure for the site, except that development would need to be planned to ensure future access to existing water/ wastewater infrastructure for maintenance and upsizing purpose. Any detailed issues would be addressed at the planning application stage.
	Development adjacent to the existing reservoir would create a potential flood risk.	DP120; DP140; DP240	There is no evidence that potential drainage/flood risk issues could not be satisfactorily addressed. There is already existing development adjacent to the reservoir at Bellevue Cottages. Any detailed issues would be considered at the

			planning application stage.
	Development would cause noise and light pollution, including adversely affecting the South Downs International Dark Sky Reserve.	DP120; DP140; DP240; DP293; DP299	These issues would be considered in detail at the planning application stage. Any development proposals would be assessed against relevant City Plan policies, including CPP1 Policies SA4 and SA5 and draft CPP2 Policy DM40.
	Object to the allocation of UF Site 32 as the site is surrounded on both sides of the hill by land that is within the National Park. The non-designated land has high landscape significance and was only not included in the National Park because of the desire not to have Woodingdean as an outlier, or sitting like a polo in the National Park. Building here would have an unacceptable impact on the National Park.	DP298 Friends of the Earth	Noted. The site has been subject to detailed landscape assessment through the 2014 and 2015 Urban Fringe Assessments. The 2015 UFA acknowledged that the site has visual prominence, but considered that the presence of existing buildings within and adjacent to the site would reduce the landscape impacts. It concluded that some low density development could be accommodated

			with appropriate design and mitigation. Potential impacts on the setting of the SDNP would be addressed in accordance with CPP1 Policy SA5.
<b>Land north of Warren Road (Ingleside Stables) (UF Site 33)</b>	This is not a suitable site for any housing development. The site entrance sits on a blind corner of a very busy road that is highly susceptible to low cloud and fog. The site entrance of any housing development would also be shared with horses, walkers and cyclists who use Drove Road to access the South Downs and cycle trail to Lewes.	DP122	Noted. It is not considered that access issues would preclude development of the site. Details relating to access would be determined at the planning application stage.
	Object to the allocation of UF Site 33 as the site is surrounded on both sides of the hill by land that is within the National Park. The non-designated land has high landscape significance and was only not included in the National Park because of the desire not to have Woodingdean as an outlier, or sitting like a polo in the National Park. Building here would have an unacceptable impact on the National Park.	DP298 Friends of the Earth	Noted. The site has been subject to detailed landscape assessment through the 2014 and 2015 Urban Fringe Assessments. The 2015 UFA acknowledged that the site is fairly prominent, but considered that if a farmstead character can be preserved, and suburbanising influences avoided, then significant adverse effects on landscape character are

			unlikely. It concluded that some low density development could be accommodated with appropriate design and mitigation. Potential impacts on the setting of the SDNP would be addressed in accordance with CPP1 Policy SA5.
<b>Land at Ovingdean Hall Farm (UF Sites 38, 38a &amp; 39)</b>	Object to development on this site (no reason given).	DP317 Rottingdean Coastal Councillors	Objection noted.
<b>Land adj to Ovingdean and Falmer Road (UF Site 42)</b>	Object to development on this site (no reason given).	DP317 Rottingdean Coastal Councillors	Objection noted. This site already has planning permission for 45 dwellings following a planning appeal decision.
<b>Former nursery, Saltdean (UF Site 46a)</b>	Object to development on this site (no reason given).	DP317 Rottingdean Coastal Councillors	Objection noted.
<b>Cluster at Coombe Farm and Saltdean Boarding Kennels (UF Sites 48, 48a, 48b &amp; 48c)</b>	Object to development on this site (no reason given).	DP317 Rottingdean Coastal Councillors	Objection noted. UF Sites 48, 48a and 48b are already subject to an outline planning permission for 60 dwellings.
<b>Object (no comments)</b>		DP150; DP200;	Objection noted.



Support			
<p><b>General support for Urban Fringe allocations</b></p>	<p>Support the need to provide more dwellings on urban fringe sites, but have reservations about some sites and the impact that increased numbers of people, and in particular traffic, will have on some areas.</p> <p>The policy takes account of the existing use of the land and seeks to maintain some balance.</p> <p>We need more housing.</p> <p>We have a housing crisis in the city so need to identify and use sites that would be improved and made useful through sensitive and appropriate housing developments such as brownfield and urban fringe sites.</p> <p>The Brighton &amp; Hove Economic Strategy supports the allocation of these sites through its strategic themes 'A growing city' and 'an open city'.</p>	<p>DP066</p> <p>DP032</p> <p>DP167</p> <p>DP175 Nub Brighton</p> <p>DP208 Brighton &amp; Hove Economic Partnership</p>	<p>Support noted and welcomed.</p> <p>Support noted and welcomed.</p> <p>Support noted and welcomed.</p> <p>Support noted and welcomed.</p> <p>Support noted and welcomed.</p>
<p><b>Too little development proposed on urban fringe</b></p>	<p>The overall numbers in Table 7 should be increased in view of the recently revised NPPF.</p>	<p>DP086</p>	<p>Noted. The overall City Plan housing target set out in CPP1 Policy CP1 has already been established through the CPP1 examination. CPP2 is intended to support the implementation of CPP1 and the Policy H2 allocations aim to help</p>

			deliver the CPP1 housing target, not to increase or amend it.
<b>Self/custom build housing</b>	The policy should recognise that community self-build is particularly well placed to build on awkward/smaller sites that may not be attractive for larger scale housing, and also provide sustainable and innovative additions to mixed-use larger developments.	DP175 Nub Brighton	Support noted. The policy wording provides explicit support for community self-build housing. The supporting text at paragraph 3.55 has also been strengthened.
<b>Impact on South Downs National Park</b>	<p>Many of the allocations are in close proximity to the South Downs National Park. As such these allocations should not impact the park's landscape, scenic beauty or sense of tranquillity. Conserving and enhancing national parks is an aim of the NPPF and is mentioned throughout the DEFRA 25 year plan. Since these sites are on the urban fringe there should be a strong biodiversity net gain policy in place to ensure that the National Park may actually benefit from these allocations. Providing biodiversity net gains are aims of both the NPPF and DEFRA 25 year plan. Developments at these sites should have a very high standard.</p> <p>Suggest adding to the policy wording a cross-reference to Policy SA5, and the setting of each site in relation to the South Downs National Park. It is important to strongly reiterate the policy context for any development on these sites as they will have an</p>	<p>DP189 Natural England</p> <p>DP221 South Downs National Park Authority</p>	<p>Noted. A new criterion has been inserted in the policy stating:  <i>“Development will mitigate any adverse impacts on designated sites and provide biodiversity net gains in accordance with Policies CP10 and DM37”.</i>  Reference to ‘biodiversity net gains’ has also been included in Paragraph 3.56.</p> <p>Agree. The second sentence of the policy has been amended to state <i>“Planning</i></p>

impact on the setting of the National Park. Suggest adding to the policy the need to provide visual connectivity to the National Park, and therefore consideration of the setting in proximity to the National Park, in terms of the design of any proposed development.

In the justification suggest adding the need to use materials and design reflecting the setting of the National Park and referencing 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. This would help ensure the setting of the National Park is respected, brought into the design and results in a development that visually reflects the setting and natural beauty of the National Park.

*permission will be granted for proposals that accord with the Development Plan (having particular regard to Policies SA4 and SA5)"*

Agree. Additional wording has been added to the Reasoned Justification at Paragraph 3.60 stating: *"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."*

	<p>In para 3.58, suggest making it a requirement rather than an option for developers to provide a Landscape Visual Impact Assessment at the planning application stage because of the proximity to the National Park.</p>		<p>Agree. The Paragraph 3.58 wording referring to detailed information/ assessments at the planning application stage has been amended to state: <i>“This will be expected to include a Landscape Visual Impact Assessment together with other relevant information/studies such as:....”</i></p>
<p><b>Impact on Local Nature Reserves</b></p>	<p>The following allocations are in close proximity to Local Nature Reserves and as such careful consideration must be made regarding following the mitigation hierarchy and ensuring net gains are delivered: Land at Ladies Mile, Carden Avenue (UF Site 17); Land to north east of Coldean Lane / Land north of Varley Halls / Land south of Varley Halls (UF Sites 21, 21a &amp; 21c); Land at South Downs Riding School &amp; Reservoir Site (UF Sites 32 &amp; 32a); Land north of Warren Road (Ingleside stables) (UF Site 33).</p>	<p>DP189 Natural England</p>	<p>Noted. A new criterion has been inserted in the policy stating: <i>“Development will mitigate any adverse impacts on designated sites and provide biodiversity net gains in accordance with Policies CP10 and DM37”</i>. In addition, a new paragraph has been added to the Reasoned Justification setting out that development proposals must be supported by detailed</p>

			surveys (including species surveys) which will be used to inform specific mitigation requirements, and that 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.
<b>Impact on historic environment</b>	The sites in Table 7 that are noted to have historic environment (i.e. archaeology, heritage) or related (i.e. landscape) considerations should be required to have a heritage impact assessment undertaken to help inform the appropriate form and quantum of development in each case.	DP284 Historic England	Noted. The archaeology, heritage and landscape constraints of each urban fringe site were considered as part of the 2014 and 2015 Urban Fringe Assessments. Paragraph 3.58 makes provision for development proposals to be supported by Heritage Statements where required in accordance with draft Policies DM26-28 and DM31.

<p><b>Impact on water sources/drainage</b></p>	<p>The following sites have environmental constraints (relating to Groundwater Source Protection Zones):  Land at Mile Oak Road, Portslade (SPZ 1, 2 and 3); Land at and adjoining Horsdean Recreation Ground, Patcham (SPZ 2 and 3); Land at Ladies Mile, Carden Avenue (SPZ 3); Land to north east of Coldean Lane/ Land north of Varley Halls/ Land south of Varley Halls (SPZ 1,2 and 3); Land adjacent to Ovingdean and Falmer Road, Ovingdean (SPZ 3); Land at former nursery, Saltdean (SPZ 1, 2 and 3); Cluster at Coombe Farm and Saltdean Boarding Kennels, Westfield Avenue, North Saltdean (SPZ 3); Land west of Falmer Avenue, Saltdean (SPZ 2 and 3).</p> <p>Welcome the references to aquifers in the 'Key Site Considerations' column of Table 7, however the policy does not state how this will be addressed.</p>	<p>DP162 Environment Agency</p>	<p>Noted. An additional paragraph has been added to the Reasoned Justification stating: <i>“A number of the allocated sites are located in areas with underground chalk aquifers identified as Groundwater Source Protection Zones by the Environment Agency. Development in these locations will need to ensure that groundwater resources are protected from pollution and safeguard water supplies (see Policies CP8 and DM42).”</i> For clarification, the references in Table 7 under 'Key Site Considerations' have been altered from “aquifer” to “Groundwater Source Protection Zone”.</p>
<p><b>Potential contamination</b></p>	<p>Under 'Key Site Considerations' in Table 7 it may be useful to include reference to where sites are likely to be subject to contamination.</p>	<p>DP162 Environment Agency</p>	<p>Noted. All of the proposed Policy H2 allocations are wholly or</p>

			predominantly greenfield sites, although some have been subject to agricultural or other uses which may create potential for land contamination. A new paragraph has been added to the Reasoned Justification stating that development proposals will need to be supported by appropriate surveys and evidence meeting the requirements of Policies DM40 and DM41.
<b>Criterion c) – green infrastructure</b>	<p>Support incorporating green infrastructure and local food growing opportunities into proposed schemes which will provide and increase in the value of green infrastructure assets, therefore increasing total natural capital. This could also lead to an increase in biodiversity and benefit the wider ecological network.</p> <p>Maintaining and enhancing green/blue infrastructure and increasing its value aligns with the aims of the NPPF and the DEFRA 25 year plan. A minimum requirement for green infrastructure development could be stated to ensure net gains can be achieved, this could be added to Table 7.</p>	DP189 Natural England	Support noted and welcomed. A new criterion has been inserted in the policy setting a specific requirement for development to provide biodiversity net gains. This requirement is also set out in CPP1 Policy CP10 and draft CPP2 Policy DM37.
<b>Criterion d) –</b>	Improving linkages and access to the National Park will increase	DP189 Natural England	Support noted and

<b>linkages to the SDNP</b>	the value of the South Downs as a green infrastructure asset by allowing more people to benefit from its ecosystem services.		welcomed.
<b>Criterion e) – renewable energy provision</b>	Giving appropriate regard to renewable energy provision will help reduce carbon usage and contribute to meeting climate change. Supporting community led initiatives for renewable/low carbon energy is an aim of the NPPF. Having specific key site considerations ensures the aspects which are important to the areas surrounding the allocations will be mitigated (using the mitigation hierarchy).	DP189 Natural England	Support noted and welcomed.
<b>Other general comments</b>	<p>For any significant planned housing schemes, expect to be consulted on the impact of on NHS services, particularly primary care. Plans should take account of this in any allocation of S106/CIL contributions.</p> <p>Seek amended wording in the second sentence of policy:  “...which <del>address</del> <u>positively contribute</u> to all of the site considerations <u>wherever feasible</u> and indicative ... “</p>	<p>DP101 Clinical Commissioning Group</p> <p>DP189 Natural England</p>	<p>Noted. The CCG will be consulted on all housing proposals at the planning application stage.</p> <p>Noted. However it is considered that the proposed wording would potentially weaken the policy. The existing wording requires all proposals to “address” all of the specified criteria, whereas the proposed wording would require that proposals “positively contribute ... wherever feasible” which is a lesser requirement.</p>
<b>Land at Mile Oak Road (Sites 4 &amp;</b>	The respondent acts as agent for the landowner of Sites 4 and 4a and welcomes the allocation. Has prepared a draft proposal as a	DP080	Support noted and welcomed. However, the



<p><b>4a only)</b></p>	<p>sketch scheme for residential development (submitted with the representation as a Feasibility Masterplan together with details of house types). The proposed scheme would also provide a doctors and dentist surgery / community hall (500 sq.m), convenience shops (180 sq.m), and nursery/creche. Consider that the site could provide 240-260 residential units and should have the suggested complementary uses.</p>		<p>scale/density of residential development proposed by the respondent would be unacceptable for this urban fringe location. The indicative housing potential identified in Table 7 (70 dwellings) is considered realistic for Sites 4 &amp; 4a, having regard to the character of the adjacent built development and potential landscape, ecology and archaeology considerations identified in the 2014 and 2015 Urban Fringe Assessments. No change proposed.</p>
<p><b>Land at/adj Horsdean Recreation Ground (UF Site 16)</b></p>	<p>In principle consider that housing could be built on this site, but consider that providing vehicular access would be potentially difficult. Careful consideration would be needed for providing access from Vale Road which is a busy road.</p>	<p>DP066</p>	<p>Support noted and welcomed. Detailed consideration of access provision and traffic impacts would be undertaken at the planning application stage.</p>
	<p>Consider the site is generally suitable for development, but careful</p>	<p>DP294</p>	<p>Support noted and</p>

	planning will be needed in terms of access to site, minimising loss of green space, noise and pollution impacts for new residents from the A27, impact on surrounding uses, and ensuring adequate sewer and groundwater capacity.		welcomed. Detailed consideration of access, open space, environmental and amenity impacts would be undertaken at the planning application stage.
<b>Land at Ladies Mile (UF Site 17)</b>	In principle consider that housing could be built on this site, however the key issue would be providing vehicular access without increasing traffic in Ladies Mile Road which is already congested due to on-street parking. Consider that access should be provided from Carden Avenue as far up the hill as possible, away from the current junctions to retail outlets which would provide quicker and safer access to the surrounding area and A27.	DP066	Support noted and welcomed. Detailed consideration of access provision and traffic impacts would be undertaken at the planning application stage.
	Consider the site is generally suitable for development, but careful planning will be needed in terms of access to the site, minimising loss of green space, avoiding adverse impact on adjoining nature reserve, and avoiding landscape and amenity impacts on adjacent properties.	DP294	Support noted and welcomed. Detailed consideration of access, environmental and amenity impacts would be undertaken at the planning application stage.
	Consider this site is the best of the three proposed development options in Patcham, being close to existing housing and providing adequate space for the 35 homes proposed.	DP053	Support noted and welcomed.
<b>Land at Ovingdean Hall Farm (UF Sites 38,</b>	The respondent's clients own land at this site and support comprehensive development.	DP086	Support noted and welcomed.

<b>38a &amp; 39)</b>			
<b>Land at former nursery, Saltdean (UF Site 46a)</b>	<p>Representation submitted on behalf of the landowner who is the freeholder of the site. Consider the site provides an appropriate location for new residential development and support its inclusion as a site allocation in Policy H2 of the draft CPP2.</p> <p>However, consider that a denser form of development is appropriate given the site's location to the north of existing medium density suburban development, and its location close to public transport links (buses 27, 27C and 47). As a minimum, the site should be developed at a density of 40 dwellings per hectare which would yield c36 units. It is anticipated that the full policy requirement for affordable housing and mix of unit type/size would be achievable, leaving room for public open space, parking and landscaping. Developing the site at a higher density would align with the NPPF aims to make efficient use of brownfield land and to seek to maximise the provision of housing on identified sites. Therefore seek amendment to the policy to require the site to be developed at a density of 40 dph.</p>	DP222	<p>Noted. The indicative figure of 18 units was taken from the 2014 Urban Fringe Assessment which considered the site suitable for low density development (25 dph). However, the UFA 2014 and 2015 also concluded that the site has little ecological value and is somewhat buffered from the SDNP due to the surrounding open space. The Council therefore considers there is scope to increase the density to 27 dwellings/hectare, reflecting the existing housing in the immediate adjacent area. This would increase the potential number of units to 24 dwellings. Table 7 has been amended accordingly.</p>
<b>Support (no comments)</b>		DP030; DP067; DP001 Pavilion Architecture	Support noted and welcomed.

Not Specified			
<b>Consideration of food production</b>	It is important that the value of undeveloped land for food production is considered. Previous work has been done to assess urban fringe sites for food production could be revisited to assess if any of the urban fringe sites should specifically have a small farm / horticulture element included.	DP233 Brighton & Hove Food Partnership	Noted. Policy criterion c) already covers this and there is also reference in Paragraph 3.56 to potential future Council planning guidance on provision for food growing.
<b>Land adj to Ovingdean and Falmer Road (UF Site 42)</b>	<p>Note the inclusion of this site but it is not correctly recorded as in Rottingdean Parish.</p> <p>Concerned at the comment that planning applications could still be still be submitted which Rottingdean Parish Council deems wholly unsuitable for development. The map on Page 211 appears to rightly demonstrate that only a very limited space is suitable for building on.</p>	DP303 Rottingdean Parish Council	<p>Table 7 doesn't reference whether locations are within or outside Rottingdean Parish, so it is unclear what change is being sought.</p> <p>Proposals for development on allocated urban fringe sites will be assessed against Policy H2 and other relevant City Plan policies. The proposed housing allocations are based on the indicative 'developable areas' identified in the 2014 and 2015 Urban Fringe Assessments.</p>

<p><b>Land west of Falmer Avenue (UF Site 50)</b></p>	<p>Note the inclusion of this site but it is not correctly recorded as in Rottingdean Parish.</p> <p>Concerned at the comment that planning applications could still be still be submitted which Rottingdean Parish Council deems wholly unsuitable for development. The map on Page 211 appears to rightly demonstrate that only a very limited space is suitable for building on.</p>	<p>DP303 Rottingdean Parish Council</p>	<p>Table 7 doesn't reference whether locations are within or outside Rottingdean Parish, so it is unclear what change is being sought.</p> <p>Proposals for development on allocated urban fringe sites will be assessed against Policy H2 and other relevant City Plan policies. The proposed housing allocations are based on the indicative 'developable areas' identified in the 2014 and 2015 Urban Fringe Assessments.</p>
<p><b>Urban Fringe sites not allocated</b></p>	<p>Pleased to see the omission of the three other potential sites previously identified (in the parish).</p>	<p>DP303 Rottingdean Parish Council</p>	<p>Noted.</p>

<b>H3 Student Housing Sites</b>			
<b>Total Number of Responses</b>		28	
<b>Number of Representations that Support</b>		18	
<b>Number of Representations that Object</b>		10	
<b>Number of Representations – Other</b>		0	
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Local Waste Water infrastructure</b>	Local wastewater infrastructure in closest proximity to Lewes Road Bus Garage has limited capacity to accommodate the proposed development. Limited capacity is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of wastewater infrastructure	DP201 Southern Water	Criteria to this effect added to policy.
<b>Higher densities requested</b>	Sites should be higher densities and more emphasis on encouraging local universities to build more on-campus housing	DP002 Brighton YIMBY	Both universities have made significant investments on on-campus PBSA in recent years. The number of

			bedspaces proposed for the site allocations are considered to be appropriate.
<b>Further site allocation proposed</b>	Enterprise Point site should be allocated for 350 bedspaces (mixed use with employment) as it is a more suitable and deliverable site for PBSA than Lewes Road Bus Garage, whilst sharing many of the same locational characteristics that are identified as positives.	DP297 Vita Group	The Enterprise Point site is already allocated for employment/residential mixed use development through Policy CP3 of City Plan Part One.
<b>Lack of evidence for delivery of Lewes Road Bus Garage site</b>	There is no evidence to suggest that there is a viable solution to re-providing the bus garage on the Lewes Road site.	DP297 Vita Group	Comment noted. No detailed viability assessment has been undertaken by the Council, however the site was put forward during the scoping consultation as a potential site for PBSA.
<b>Lewes Road Bus Garage Site</b>	The Lewes Road bus depot is part of our business infrastructure and is absolutely essential to the delivery of the city's bus services. It is a pre-requisite that the operational requirements of bus depot are to be maintained. If student accommodated is found to be appropriate, this should be accompanied by enhancements to the bus depot and its operations by way of enhanced footprint and more secure tenure.	DP259 Go-ahead Group	Comment noted. The site allocation requires the operational requirements of the bus depot to be maintained.
<b>Site areas for PBSA suggested</b>	Areas near Falmer and the university campus should be explored. Particularly areas near the AMEX stadium and station.	DP002 Brighton Yimby	There is already significantly PBSA in this area on the university campuses with more

			being delivered in forthcoming years. The undeveloped Falmer Retained Land is identified in City Plan Part One as having potential for PBSA development.
<b>Insufficient sites allocated to meet the need for PBSA</b>	The draft City Plan - Part Two estimates that there are just 12,445 purpose-built student housing bedspaces within the city. With 39,000 students attending courses at the University of Sussex and University of Brighton, as well as other higher education providers across the city with accommodation requirements of their own (only 1,132 of those bedspaces are not managed by either of the two Universities) - there is a clear need for additional purpose-built student housing bedspaces in appropriate locations within the city.	DP261 Hargreaves	The demand for extra PBSA bedspaces is recognised and additional site allocations are proposed. It should be noted that not all registered students require term time accommodation.
<b>Further PBSA site allocation proposed</b>	27 - 31 Church Street, Brighton should be allocated for PBSA (minimum 70 bedspaces) as it provides an appropriate location given sustainable location within city centre whilst remaining connected to Falmer and Moulsecoomb campuses. There have been a number of schemes proposed for this site and two planning permissions remain extant. However, for a wide range of reasons these developments are unlikely to come forward. There is the potential with city centre sites to improve the quality of life of both student residents and non-student residents within areas where high concentrations of student tenants is considered to cause a significant amenity impact to surrounding neighbours.	DP261 Hargreaves	Proposed allocation noted. This site is allocated in Policy H1 for residential-led mixed use redevelopment
<b>Further PBSA site allocation</b>	45 & 47 Hollingdean Road should be an allocation as the Council indicated in pre-app advice that has confirmed that 'in principle'	DP310 CKC Properties Ltd	Comment noted, site will be allocated for PBSA.



<b>proposed</b>	PBSA is acceptable.		
<b>Minor change requested</b>	Should be an indication that windfall sites will also be considered for PBSA.	DP258 B&H Planning Agents Forum	Criteria re set out in City Plan Part One Policy CP21 to
<b>General comment</b>	There is already too much PBSA, few students can afford it and demand is dropping.	DP091	There is no evidence to support these points.
<b>General comment</b>	General objection	DP001	Objection noted.
<b>Additional criterion requested</b>	There should be an additional aim for the design of the development to be sympathetic to the surrounding area and where they are adjacent to locally listed heritage assets.	DP177 Brighton Society	This is covered by other policies in the City Plan, for example CP12 and DM18.
<b>Support</b>			
<b>Support with caveat</b>	The Lewes Road Bus Garage site is in SPZ 1, 2 and 3. There is no mention in the policy wording regarding what this means and how this will be dealt with. No references regarding specific sites that are likely to be subject to contamination.	DP162 Environment Agency	This issue is covered by Policy DM42
<b>Support with caveat</b>	General support but suggests provisos should be put in place that students remain in PBSA for their time at university.	DP031 North Laine CA	It is not possible to control the accommodation of students in this way, nor is there sufficient PBSA to accommodate all university students.
<b>Concern with London Road site</b>	Concern about proposed allocation of 118-132 London Road site which we consider unacceptable given the high density with the adjoining building, the existing student (Co-op) development, and the Circus Street development. Within a half mile radius there are more students than residents. This has had an effect on St Barts Primary School where only 20 pupils have enrolled for September.	DP031 North Laine CA	Concern noted, however the site now has planning consent.
<b>Support with</b>	Support, however we expect to be consulted on the impact of this	DP101 Clinical	Comment noted. The

<b>caveat</b>	on NHS services, particularly primary care, and would see the new developments as a further opportunity for integration across health, social care and education. Plans should take account of this in any allocation of S106/CIL.	Commissioning Group	CCG would be consulted on any planning applications in the normal way.
<b>General comment – net gains in GI development</b>	Both sites are on previously developed brownfield sites and as such do not impact greenfield sites. Protecting greenfield sites and greenbelt land is a key concept of the NPPF found throughout section 13.  A minimum requirement of GI development could be stated to ensure net gains can be achieved.	DP189 Natural England	This issued is covered in Policy DM37.
<b>General comment</b>	Support the opportunity to free up HMOs through the provision of purpose built student accommodation	DP208 BHEP	Comment noted.
<b>General comment</b>	The Regency Society supports the decision not to set a target for the amount of student housing. We welcome the new on-site student housing being constructed at Moulescomb and hope that similar further on-site development will be possible at Falmer to free up more properties elsewhere for non-student use. There does not seem to be any reference to this in Part 2 of the Plan.	DP207 Regency Society,	Significant additional PBSA development on the University of Sussex campus at Falmer has received planning permission and is being brought forward.
<b>General comment</b>	More on campus out of town near the Amex/Falmer, plenty of room to build hundreds more and free up family housing	DP067	Significant PBSA development is proposed on the University of Sussex Falmer campus
<b>General comment</b>	General support for policy	DP095, DP082, DP096, DP066, DP030, DP122, DP160, DP167, DP255, DP277	Support welcomed.

<b>E1 Opportunity Site for Business Warehouse Uses</b>			
<b>Total Number of Responses</b>		12	
<b>Number of Representations that Support</b>		9	
<b>Number of Representations that Object</b>		3	
<b>Number of Representations – Other</b>			
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Site boundary overlaps with Benfield Valley LWS.</b>	A small section of the allocation overlaps with Benfield Valley LWS. LWS should not be allocated for development. Boundary of allocation should be amended to exclude designation. Refer in supporting text to Benfield Valley and Foredown Allotments LWSs which are adjacent the site and should be taken into consideration.	DP289 Sussex Wildlife Trust	The allocation of the site for development pre-dates the B&H LWS Review 2017. The site boundary replicates the boundary of the site which has been allocated for strategic waste facility in the recently adopted Minerals and Waste Site Plan (adopted February

			2017) and which pre-dates the change to the boundary proposed in the 2017 LWS Review and being taken through the CPP2. It would therefore not be appropriate to amend the boundary. However reference and regard to the Benfield Valley LWS and Foredown Allotments LWS can be made in the supporting text.
<b>Object to allocation of the site for a waste management facility.</b>	Remove mention of a strategic scale waste management facility both in section E1 and elsewhere within the City Plan Part Two proposals - any such facility proposals are yet to be finalised and could negatively impact on other future proposals for use of the land.	DP254 Councillor Tony Janio, DP256 The Conservative Group	Objection noted. Policy E1 needs to be consistent with the sites allocation for strategic waste facility in the recently adopted Minerals and Waste Site Plan (February 2017).
Support			
<b>Appropriate Response – employment land requirements/ job creation</b>	The recent Industrial Estates research by SHW highlighted the need to save light industrial sites within the city boundary.  Support policies that enhance employment opportunities and wider economic regeneration as a whole.	DP208 BHEP, DP101 BH Clinical Commissioning Group, DP065 Big Yellow Self Storage Co. Ltd	Support noted and welcomed

	Recognises the demand for employment floorspace in the city over the plan period		
<b>Support with suggested amendments – net gains in Green Infrastructure</b>	Sites on previously developed brownfield sites would help protect greenfield sites. A minimum requirement of GI development could be stated to ensure net gains can be achieved in line with the aims of the NPPF (171.) and the DEFRA 25 year plan (3.3.i)	DP189 Natural England	Support welcomed. Note whilst there is an element of hardstanding on the site the majority of the site is greenfield. Cross reference is included to Policy CP10 and DM37 in supporting text.  Net gain is addressed through adopted City Plan Part 1 Policy CP10 Biodiversity and DM37 Green Infrastructure and Nature Conservation.
<b>Reference if appropriate to contamination</b>	May be useful to make reference in site allocations to contamination where any sites are likely to be subject to contamination.	DP162 Environment Agency	Support and comment noted
	If attractive and unobtrusive development	DP091	Support welcomed. City wide policies CP12 DM18 and SA5 would apply and address design quality and the setting of the National Park.

<b>Support (no specified comments)</b>		DP085, DP067, DP001	Support welcomed.
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SA7 Benfield Valley			
<b>Total Number of Responses</b>		18	
<b>Number of Representations that Support</b>		12	
<b>Number of Representations that Object</b>		6	
<b>Number of Representations – Other</b>			
Summary of Comments			
Issue/ Site Allocation	Summary of Comments	Respondent Number and Name	Proposed Officer Response
Object			
<b>Object to allocation for 100 houses given contrary to findings of the 2015 UFA and potential impacts of increased housing as well as compatibility with LGS designation</b>	Question the number of dwellings suggested for this site, which is well above that considered in the 2015 Urban Fringe Assessment (UFA). The Reasoned Justification does not include any explanation of why an increase of 70 dwellings over the 2015 UFA figure is considered acceptable, particularly given the UFA conclusion that even a lower figure of 30 dwellings would have a high likelihood of significant impacts on landscape until new screening planting reaches maturity. The site is also listed for only 30 dwellings in the most recent SHLAA (Ref 690 and 691). The UFA also states that development of this site could have impacts on the LWS in terms of increased recreational disturbance; however this risk is reduced by the low number of dwellings being considered in the	DP289 Sussex Wildlife Trust	Noted. The proposed increase in the indicative housing compared to the UFA figure follows a more detailed assessment of the site capacity by the Council supported by the County Landscape Architect and County Ecologist. The Council's detailed assessment of all the

	<p>assessment. Whilst supporting the prospect of Benfield Valley as a gateway to the SDNP, there needs to be assessment of the potential impacts of increased access and recreation on the site.</p> <p>Also question the suitability of allocating housing on a site designated as Local Green Space (LGS). This is not consistent with the NPPF which indicates that policies for managing development within a LGS should be consistent with those for Green Belts, where the NPPF indicates that the construction of new buildings is generally inappropriate. Therefore cannot see how the residential element of this policy can be delivered alongside the LGS designation.</p> <p>Therefore request that this housing allocation is removed from the Plan. Seek deletion from the policy of the whole paragraph starting “Residential development in accordance with the identified development areas...”</p>		<p>proposed housing allocations was set out in in the Housing and Mixed Use Site Allocations Topic Paper which was published alongside the Draft CPP2. The evidence and justification for Policy SA7 and the proposed housing allocation is set out in a background paper alongside the Pre-Submission version of CPP2.</p> <p>The boundary of the Local Green Space has been amended to exclude the allocated housing land at Benfield Valley. The policy wording covering biodiversity conservation and enhancements has also been strengthened by adding the requirement for “<i>wildlife connectivity and buffer zones</i>”.</p>
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			No change is proposed to the policy wording referring to residential development.
<b>Consider Benfield Valley can deliver a larger number of houses at a higher density</b>	<p>The respondent has a significant interest in land at Benfield Valley and has undertaken work to inform preparation of an initial concept plan (submitted with this representation). The concept plan sets out the areas of the site considered capable of accommodating new development following analysis of ecology, landscape, open space and access. The concept plan identifies a potential developable area of 6.25 hectares with potential to deliver up to 375 new homes (based on a density of 60 dwellings per hectare as used within CPP2 Policy H2).</p> <p>The detailed site specific assessment work undertaken by the previous promoter and contained in these representations concludes that a greater proportion of the site could be developed for housing. The council should seek to optimise housing delivery given that the City Plan housing requirement meets approximately only half of the identified need. Based on the work undertaken, consider that the site capacity set out within Policies SA7 and H2 should be increased from 100 to 375 homes.</p>	D287 Fairfax Acquisitions Ltd	Disagree. Having reviewed the evidence and arguments put forward in the representations, the Council is not persuaded that a greater proportion of the site could be developed or that significantly higher housing numbers could be delivered without causing unacceptable impacts to Benfield Valley in terms of landscape, ecology, historic environment and open space. The evidence and justification for Policy SA7 is set out in a background paper alongside the Pre-Submission version of CPP2.

<p><b>Considers the housing allocation figure to be unjustified and unsubstantiated and a higher density can be achieved</b></p>	<p>The respondent has undertaken work for two different clients to investigate the potential of Benfield Valley and has formulated and tested a number of options for the site, including working with visual landscape assessors, ecologists and transport specialist on preliminary detailed assessments of the site.</p> <p>On this basis object to the current wording of SA7 and its supporting text and the supporting text to the Policy H2 housing allocation contained within Table 7. Consider that Benfield Valley is in a sustainable location within walking distance of a mainline railway station, numerous bus routes, a school, a supermarket and all local amenities. Given the City Plan shortfall against objectively assessed housing need, a larger proportion of the site should be used for housing. The ambitions for higher quality green space are also more likely to be deliverable if substantially more housing is allowed for.</p> <p>The allocation of 100 dwellings is not substantiated or justified. The Urban Fringe Assessment suggests that the site is suitable for 30 new houses either side of Hangleton Lane, close to the roundabout, but provides no reasoning or justification. It states that its findings are based on the 2008 Open Space Study and subsequent updates, but these are disputed for the reasons given (elsewhere in the representation). Without any new evidence or justification, CPP2 identifies the potential for Benfield Valley as being approximately 100 dwellings, but this is also not substantiated in any way. Subsequent studies carried out by the respondent, including preliminary ecology and landscape visual assessment (testing specific proposals with basic massing modelled for the site) indicates that larger numbers can be</p>	<p>DP274 LCE Architects</p>	<p>Disagree. Having reviewed the evidence and arguments put forward in the representations, the Council is not persuaded that a greater proportion of the site could be developed or that significantly higher housing numbers could be delivered without causing unacceptable impacts to Benfield Valley in terms of landscape, ecology, historic environment and open space.</p> <p>The proposed increase in the indicative housing compared to the UFA figure follows a more detailed assessment of the site capacity by the Council supported by the County Landscape Architect and County Ecologist. The Council's detailed assessment of</p>
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	<p>accommodated.</p> <p>Specifying 100 dwellings for the site is likely to result in developers seeking to maximise the value by providing 4-5 bed homes, whereas public consultation on the site has confirmed that the demand is for smaller homes, which would be more appropriate in such a sustainable location.</p>		<p>all the proposed housing allocations was set out in in the Housing and Mixed Use Site Allocations Topic Paper which was published alongside the Draft CPP2. The evidence and justification for Policy SA7 is set out in a background paper alongside the Pre-Submission version of CPP2.</p>
<p><b>Object to allocation of housing development area within the SA7 Policy due to sites biodiversity value.</b></p>	<p>Strongly support the policy objective to protect and enhance this Local Wildlife Site as an important 'green wedge' and the commitment to the protection and enhancement of biodiversity in the policy wording. However, strongly object to the allocation of development areas within the policy. Based on the NPPF, all LWS should be safeguarded against development to ensure that they are able to contribute to a robust ecological network within Brighton &amp; Hove. Sites designated for their biodiversity value are a precious resource that must be protected for the public benefit.</p>	<p>DP289 Sussex Wildlife Trust</p>	<p>Noted. Given the requirement already established in CPP1 to identify urban fringe land to accommodate some housing to help meet the city's housing needs, it is not possible to avoid some development within or close to Local Wildlife Sites. The suitability of Benfield Valley to accommodate some development has been considered in detail</p>

			through the 2014 and 2015 Urban Fringe Assessments. The 2015 UFA included detailed ecological assessment (including desktop review of biological records and Phase 1 habitat survey) for the site. Only a very limited amount of housing is proposed restricted to a small area with provision for protecting and enhancing biodiversity and ongoing conservation management of the remainder of Benfield Valley.
<b>Suggest areas with potential for development as consider they have lower ecological value.</b>	The respondent has undertaken an Extended Phase 1 Habitat Survey (submitted with this representation). This has identified areas of the site (shown on a plan submitted with the representation) which have lower ecological value and would be best for development subject to the replacement of habitat elsewhere on the site or the retention of portions where habitat can be enhanced; and areas that have higher ecological value which it is proposed to retain and enhance as part of the development.	D287 Fairfax Acquisitions Ltd	Noted. The Council has reviewed the Ecology Survey provided as part of the representation and is not persuaded that it provides evidence or justification for extending the boundaries of the

	<p>The respondent's Habitat Survey report indicates that it would be beneficial to limit the development areas to amenity grassland, disturbed ground, hard standing and poor semi-improved grassland and to retain as much as possible the semi-improved calcareous grassland and broadleaved woodland parcels as these are of higher ecological value. The assessment provides recommendations on a series of potential mitigation measures, to be delivered as part of new development. The northern part of Benfield Valley contains poor semi-improved grassland and semi-improved calcareous grassland where habitat could be enhanced to improve biodiversity.</p>		<p>developable area or increasing housing development as proposed by the objector. The Council sets out the ecology evidence in more detail in its background paper supporting Policy SA7 which is published alongside the Pre-Submission version of CPP2.</p>
<p><b>Assessment of landscape and visual impact opportunities and constraints provided.</b></p>	<p>A landscape and visual appraisal prepared by Enplan was submitted as part of representations made by the previous site promoter to the CPP2 Scoping Document. Do not consider that there has been any material change in the landscape character of the site and therefore that document's conclusions remain relevant.</p> <p>The Enplan assessment included a constraints and opportunities plan which concluded that:</p> <ul style="list-style-type: none"> <li>- development north of Hangleton Lane should be restricted to areas at the valley sides away from the existing ridgeline and should avoid impact to the setting of the Benfield Barn Conservation Area.</li> <li>- the setting of the Conservation Area should be protected by the creation of a semi-natural public open space to its west.</li> <li>- development should respect and reinforce the original field boundary that runs north-south through the area on the line of</li> </ul>	<p>D287 Fairfax Acquisitions Ltd</p>	<p>Noted. The Council has previously reviewed the Enplan landscape appraisal as part of the work informing the drafting of Policy SA7, which included specialist advice and input from the County Landscape Officer. The Council remains unconvinced that Enplan's evidence on landscape/visual appraisal provides evidence or justification for extending the boundaries of the</p>

	<p>the footpath</p> <ul style="list-style-type: none"> <li>- opportunities should be taken to improve pedestrian and cycling linkages across Hangleton Lane.</li> </ul> <p>For development south of Hangleton Lane, the assessment concluded that:</p> <ul style="list-style-type: none"> <li>- new development could be accommodated as long as the existing tree belts are retained and the open, vegetated setting of the north-south public right of way is maintained.</li> <li>- opportunities should be taken to improve east-west linkages.</li> <li>- smaller areas of open space should be created at key public right of way junctions.</li> </ul> <p>Therefore support a more balanced approach which takes into account these factors, along with the amenity considerations of future residents.</p> <p>The respondent wishes to confirm that the existing golf course use would cease once the site is developed which would enable the retention of open grassland over a large area. The council's own assessment notes that this would offer greater potential for enhancement and would be more in keeping with the existing character of the landscape.</p>		<p>developable area or increasing housing development as proposed by the objector. The landscape evidence is set out in more detail in the Council's background paper supporting Policy SA7 which is published alongside the Pre-Submission version of CPP2.</p> <p>Noted. See Council comments in response to the representation below.</p>
<p><b>Considers Benfield Valley to have limited public access and therefore makes limited contribution</b></p>	<p>Although Benfield Valley is mostly undeveloped, a significant part of land to the north of Hangleton Lane (and the A27) consists of private space with very limited public access and therefore it makes a relatively limited contribution towards general open space provision in the city. New development on the site has the potential to make a significant contribution towards the provision of open space. Whilst development south of Hangleton Lane</p>	<p>D287 Fairfax Acquisitions Ltd</p>	<p>Noted. Cessation of the golf course use would enable increased public access and improved management of the open space in the northern part of Benfield</p>

<p><b>towards general open space provision in the city.</b></p>	<p>would result in the loss of some natural/semi-natural open space, this could be mitigated through the provision of such space to the north of the A27 which currently forms part of the existing golf course. In addition, much of the existing golf course north of Hangleton Lane is proposed to remain open land opened up to general public access further increasing the supply of natural/semi-natural open space. New areas of open space provided within the development could include new types of open space that do not currently exist at the site (e.g. amenity green space and children's play areas). Consider that new development at the site would result in the provision of new, fully publicly accessible, open space that meets the needs of both existing and future residents.</p>		<p>Valley which would accord with the objectives of Policy SA7. However, the Council considers that improvements to open space, recreation and natural greenspace can be achieved without a substantial increase in housing development as proposed by the objector.</p>
<p><b>Disagree with the findings of the 2008 Open Space Study that suggests Benfield Valley is need to address shortage of open space in the city.</b></p>	<p>Consider that the proposed allocation of 100 residential units is extremely low and unsubstantiated, but stems from an even lower figure of 30 units in the Urban Fringe Assessment. Consider that the low figure stems principally from the conclusions of the 2008 Open Space Study that Benfield Valley is needed to address a chronic shortage of open space in the city. However strongly disagree with the findings of the 2008 Open Space Study which are at odds with everyday experience and common sense.</p> <p>Benfield Valley is located in an area well provided for by other open spaces (e.g Greenleas Rec, St Helen's Park and the South Downs National Park) which have catchment areas overlapping with the Valley. Therefore large areas of Benfield Valley are surplus to requirements as evidenced by the apparent infrequent use of large tracts of the land.</p>	<p>DP274 LCE Architects</p>	<p>Disagree. The Council does not accept the criticisms of the 2008 Open Space Study put forward. It does not agree that large areas of Benfield Valley are surplus to open space requirements or that that Benfield Valley is not needed or suitably located to address under-provision of open space in neighbouring wards.</p>

	<p>Consider that Benfield Valley is not needed or suitably located to address perceived open space shortages in neighbouring wards, as these already have access to very large open spaces and/or are a lengthy walking distance from Benfield Valley.</p> <p>Benfield Valley is not an isolated open space as it appears to be portrayed in diagrams and plans put forward by the Council (e.g in the Open Space Studies and now in CPP2).</p>		<p>The objector's arguments regarding open space provision are addressed in more detail in the Council's background paper supporting Policy SA7 which is published alongside the Pre-Submission version of CPP2.</p>
<p><b>Objection to proposed Local Green Space designation</b></p>	<p>Benfield Valley does not meet the criteria for Local Green Space as defined in the NPPF (para 77) as it is an extensive tract of land and cannot be claimed to be demonstrably special to the local community or have historic significance. CPP2 paragraph 2.280 indicates that the Local Green Space designation rules out development other than in very special circumstances and that it is not appropriate to designate sites as Local Green Space purely to resist development. Therefore object to its designation as Local Green Space before serious consideration being given to substantially more than 100 housing units for the site.</p> <p>The other proposed 'Green Corridors' providing access to the South Downs National Park are significantly smaller and narrower. This indicates that it would be possible to retain a considerable green corridor of enhanced ecology and open space quality at Benfield Valley whilst still allowing additional housing on either side.</p>	<p>DP274 LCE Architects</p>	<p>Disagree. The NPPF (paragraph 100) provides three broad criteria for defining Local Green Space: a) in reasonably close proximity to the community it serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and c) local in character</p>



			<p>and is not an extensive tract of land.</p> <p>Benfield Valley was assessed using the NPPF criteria by the 2014 Urban Fringe Assessment Study and judged to be suitable for designation. Its role as an important green wedge connecting the urban area to the South Downs National Park featured strongly in the assessment. This recommendation was supported through public consultation at the Scoping Stage of CPP2.</p>
<p><b>Comments on accessibility of the site.</b></p>	<p>The respondent has explored potential options for providing safe vehicular access to the new development (full copies of the access plans are submitted with this representation). In general terms, it is considered that Benfield Valley is a sustainable location close to a range of facilities and services, all easily accessible by walking/cycling, therefore the site represents a sustainable location for additional residential development.</p>	<p>D287 Fairfax Acquisitions Ltd</p>	<p>Noted. The Council agrees that the site is a sustainable location for development with regard to accessibility and access to services and facilities.</p>
<p><b>Concerns with potential traffic impacts</b></p>	<p>The proposed allocation would create extra traffic on surrounding roads which are already extremely busy especially at peak times of the day. The proposed development looks to be extremely close to the busy roundabout which often has queues of traffic from Fox</p>	<p>DP126</p>	<p>Noted. Detailed traffic and access considerations will be considered at the</p>

	Way and Hangleton Lane going right back to Towns Corner.		planning application stage.
<b>Concerns with impact on local services</b>	The proposed development will put additional pressure on local schools, doctors' surgeries and dentists.	DP126	Noted. This will be addressed through planning obligations (primarily CIL).
<b>Relationship of CPP2 and proposed policies and allocations to the City Plan Part 1.</b>	Consider that proposed allocations including Policy SA7 should not be considered until after consideration of Policies DM1-DM6, Policy H2 and proposed changes to the Proposals Map as part of a re-opened City Plan Part One.	DP311	Noted. The CPP2 policies are intended to support and implement the broad strategy and policy framework already established in CPP1 which has been formally adopted following independent examination.
<b>Other comments</b>	The proposed allocation would involve development of 100 houses close to the respondent's back garden which would ruin the outlook.	DP126	Noted. Any potential neighbour amenity issues properties will be considered at the planning application stage, however the proposed housing allocation is not close to existing housing.
	Support the assessment requirements listed in paragraph 3.8, but question why these are not included in the policy wording.	DP289 Sussex Wildlife Trust	Noted. The list of studies/assessments in paragraph 3.8 is intended to indicate

			<p>evidence requirements that will be needed to support future planning applications to ensure that they comply with Policy SA7 and other relevant policies. It is not considered appropriate or necessary to list these studies as part of the policy wording. This is consistent with the Council's approach elsewhere in CPP2 (e.g Policy H2).</p>
	<p>Request confirmation that the Special Area does not encroach upon the highway boundary as this could impede essential highway works including safety maintenance works.</p>	<p>DP112 Highways England</p>	<p>Noted. The Special Area (and proposed Local Green Space) boundary on the Policies Map has been adjusted to exclude land within the highway boundary of the A27. It should also be noted that no development is proposed on land close to the northern boundary of the Policy SA7 allocation.</p>
<p>Support</p>			

<b>General support</b>	<p>Our green lungs and belts are vital.</p> <p>Welcome the policy.</p>	<p>DP091</p> <p>DP307 Green Group of Councillors</p>	<p>Support noted and welcomed.</p> <p>Support noted and welcomed.</p>
<b>Support but suggest greater development potential of site</b>	<p>It is arguable that higher proportions of housing density within a site of this size are still achievable. With principles such as those of Policy DM19 in mind; additional flexibility on housing numbers for special areas such as SA7 may bridge gaps in provision if windfall sites do not produce the numbers envisaged.</p>	<p>DP208 Brighton &amp; Hove Economic Partnership</p>	<p>Noted. The site has been subject to detailed assessment through the 2014 and 2015 Urban Fringe Assessments which identified potential for a small amount of development (30 dwellings) to the north and south of Hangleton Lane. Subsequent detailed assessment by the Council (informed by the County Ecologist and County Landscape Architect) resulted in the indicative housing figure being increased to 100 dwellings.</p>
<b>Role and value of Benfield Valley - ecology and green infrastructure</b>	<p>Protecting and enhancing Benfield Valley as a valued local wildlife site and local green space greatly contributes to its value as a natural capital stock and green infrastructure asset. Applying these designations also helps protect the biodiversity, ecological network, tranquillity, and GI assets from inappropriate</p>	<p>DP189 Natural England</p>	<p>Support noted and welcomed.</p>

<p><b>and support the need for its protection and enhancement</b></p>	<p>developments. Securing biodiversity and conservation enhancements as well as long term funding will ensure net gains for biodiversity and the wider ecological network at a landscape scale. A conservation site such as this is inherently a valuable source of overall biodiversity net gain in Brighton &amp; Hove. Improving access both to the site and through it to the South Downs National Park will ensure more people can be connected to nature and therefore increases the value of the site and the South Downs as green infrastructure aspects.</p> <p>Maintaining and enhancing Green/Blue Infrastructure, planning for biodiversity at a landscape scale, and minimising impacts on biodiversity and providing net gains all accord with the aims of the NPPF and the DEFRA 25 year plan. Preserving or enhancing ecological networks, and identifying and protecting tranquil areas also accord with the NPPF.</p> <p>The policy accords with section 2.27.8 of the Brighton &amp; Hove Economic Strategy which states that we will protect and grow natural capital/green infrastructure in terms of green spaces.</p>	<p>DP208 Brighton &amp; Hove Economic Partnership</p>	<p>Support noted and welcomed.</p>
<p><b>Support requirement for landscape and visual impact</b></p>	<p>Strongly support the requirement in the policy justification for detailed proposals to provide Landscape and Visual Character Assessment.</p>	<p>DP221 South Downs National Park Authority</p>	<p>Support noted and welcomed.</p>
<p><b>Support reference to access to South Downs National</b></p>	<p>Welcome the wording in bullet points 1 and 3 of the policy regarding connectivity through the site from the urban area to the South Downs National Park and the creation of gateway facilities. Support the wording regarding pedestrian and cycling links, the</p>	<p>DP221 South Downs National Park Authority</p>	<p>Support noted and welcomed.</p>

<b>Park</b>	need to deliver an effective and visually attractive gateway to the National Park and the creation of a visitor centre as part of the gateway location.		
<b>Support positive proposals for Benfield Barn but need to ensure no detrimental impacts on Barn and association Conservation Area through housing allocation.</b>	The Special Area and housing allocation should be adequately assessed in relation to their potential impact on the significance of heritage assets or their settings. Note the positive proposal for the use of the Grade II listed Benfield Barn and its associated Conservation Area (which is on the Heritage at Risk Register), but have some concern that the housing allocation areas may have some detrimental effects on the setting of these assets. The siting, form and scale of the housing would have to be very carefully planned to ensure no harmful impacts arise and the positive benefits sought by the policy are realised.	DP284 Historic England	Noted. The requirement for development proposals to preserve the settings of the Benfield Barn and Hangleton Conservation Area is already included in the policy. In addition, the reasoned justification sets a requirement for any development proposals to be accompanied by a Heritage Statement and Archaeological Assessment. New wording has been added to the reasoned justification highlighting the Archaeological Notification Area (ANA) designation north of Hangleton Lane.
<b>Ensure consideration given to health</b>	Hope that the impact of this scheme on the NHS locally (especially on General Practice) will be reflected in the allocation of Section 106 and/or Community Infrastructure Levy funding.	DP101 Brighton & Hove Clinical Commissioning Group;	Noted. Provision for this will be made through planning obligations

<b>infrastructure requirements; public rights of way</b>	<p>Draw particular attention to public rights of way - any application which cuts across a right of way directly contradicts the NPPF (paragraph 69) and the DEFRA guidance on rights of way (paragraph 7.11).</p>	<p>DP307 Green Group of Councillors</p>	<p>(primarily CIL).  Noted. The policy seeks improved public access through the site including existing rights of way.</p>
<b>Reference to contamination in site allocations if required.</b>	<p>As a general point re the allocated sites, could not see any references regarding specific sites that are likely to be subject to contamination. It may be useful to make reference to this for sites where this is appropriate.</p>	<p>DP162 Environment Agency</p>	<p>Noted. Contamination issues are unlikely in this case as the site is greenfield land.</p>
<b>Support (no comments)</b>		<p>DP067; DP089; DP001 Pavilion Architecture</p>	<p>Support noted and welcomed.</p>

<b>SSA1 Brighton General Hospital, Elm Grove, Freshfield Road</b>			
<b>Total Number of Responses</b>		16	
<b>Number of Representations that Support</b>		9	
<b>Number of Representations that Object</b>		7	
<b>Number of Representations – Other</b>			
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Use building to support homeless</b>	Suggest building could be used to combat homelessness and poverty	DP091	Comment noted. The site and the buildings are not under Council ownership. It is outside the role of the CPP2 to exercise the control suggested in the full comment.
<b>Site capacity is low and affordable</b>	A minimum of 300 (not 200) homes with 100% affordability is needed in line with the motion passed at July 2018 full council.	DP198; DP307 Green Group of Councillors; DP256 The Conservative	The proposed indicative site capacity is a minimum figure. Having



<p><b>housing yield should be 100% on a publicly owned site</b></p>	<p>To accommodate more housing, health care facility can be moved to the Hangleton Village.</p> <p>A policy of only approving 80-100% affordable housing schemes on development of publically owned sites in recognition of the site being for public benefit and also being necessary to tackle the demonstrable shortage of affordable housing.</p>	<p>Group;</p> <p>DP256 The Conservative Group;</p> <p>DP307 Green Group of Councillors;</p>	<p>reviewed the evidence and arguments put forward in the representations, the Council is not persuaded that a higher housing number should be indicated without making detailed investigations in terms of impact on landscape, historic environment and open space. The indicative site capacity in the Plan takes account of the number of buildings with heritage significance on the site which the policy seeks to retain; their conversion potential, and space requirement for up to 12,000 sq m of health and care facility on site.</p> <p>The council approach to affordable housing provision is set out in the adopted City Plan Part 1 Policy CP20 which</p>
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			requires up to 40% affordable homes from the site. There is no evidence at the moment to suggest that 80-100 % affordability requirement would be feasible and viable. No change necessary.
<b>Health Hub cannot be viably delivered with 200 homes</b>	<p>Considers allocation is a 'roll over' of BHP allocation and has not increased since the provision of new secondary school was removed from the policy.</p> <p>Delivering a mixed-use scheme to meet the requirements of Policy SSA1 in City Plan Part 2 without any central funding presents significant challenges.</p> <p>Abnormal costs associated with demolition, converting historic buildings and site levelling will jeopardise deliverability further.</p> <p>Current allocation does not take account of the funding gap. Up to 700 home will be needed to make the scheme viable and deliverable.</p>	DP273 Sussex Community NHS Foundation Trust	<p>The current figure is a minimum figure (also see above comment). It is considered that by setting the minimum figure the policy is both positive and flexible to allow developers to explore increase housing numbers to address any funding gaps or viability issues.</p> <p>In relation to the comment about 700 homes needed to make the scheme viable - the Council is not persuaded that a higher housing number should be</p>

			<p>indicated without making detailed investigations in terms of impact on landscape, historic environment and open space. Moreover the underlying principle of the National Planning Policy Framework 2018 is to support and encourage sustainable development. Setting a policy prescription on number of dwellings which may not be delivered contradicts the key tenet of the NPPF by encouraging unsustainable development, and reinforces concern over actual delivery of units.</p>
<p><b>Higher floorspace allowance for healthcare component (D1 floorspace)</b></p>	<p>Higher floorspace limit (circa 16, 000 sq m) should be set to allow for flexibility in health needs/ healthcare provision over the plan period.</p>	<p>DP273 Sussex Community NHS Foundation Trust</p>	<p>The proposed D1 floorspace figure range 10,000 to 12,000 sq m reflects the land use optimisation which balances residential, heritage and landscape considerations to deliver</p>

<p><b>Non-compliance with CPP1 density policies</b></p>	<p>Current allocation indicates a density of 35 dph which is inconsistent with CP1 &amp; CP14 in CPP1.</p>	<p>DP273 Sussex Community NHS Foundation Trust</p>	<p>a high quality scheme.</p> <p>CP14 policy in City Plan Part 1 sets out that residential development should be of a density that is appropriate to the identified positive character of the neighbourhood and be determined on a case by case basis. Density is further informed by how the proposal is set against the six criteria that take account of a range of site and locational factors. This approach is consistent with the (revised) NPPF requiring local market conditions and viability factors to be considered along with the availability and capacity of infrastructure and services.</p> <p>The proposed minimum figure recognises the both physical and planning constraints on</p>
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			<p>the site which also means the policy remains supportive of any increase in density as long as they are justified.</p> <p>Policy amendments not considered necessary.</p>
<p><b>Requiring the preservation of the listed building setting and non-designated heritage assets is unnecessarily onerous</b></p>	<p>Criterion a) is unnecessarily onerous given the poor state of many of the hospital buildings and their limited architectural quality. Conversion of existing buildings will not yield sufficient numbers causing viability issues</p>	<p>DP273 Sussex Community NHS Foundation Trust</p>	<p>It is considered that a number of structures on site either have high heritage value or have group value contributing to the setting of the listed building. Policy CP15 in City Plan Part 1 is clear about the conservation of the city's historic environment in accordance with its identified significance. Criterion a) is therefore consistent with the City Plan Part 1 policy CP15, which carries forward the advice set out in the NPPF. Any harm to, or loss of, the structures considered to have heritage value (from its</p>

			alteration or destruction, or from development within its setting), will require clear and convincing justification.
<b>Criterion b) active frontage requires amending</b>	The policy requirement for active frontages cannot be achieved without demolishing flint boundary wall which is a key heritage component. Suggest amending criteria.	DP273 Sussex Community NHS Foundation Trust	Criterion amended to provide clarity to the nature of active frontages desired on site.
<b>Criterion c) on open/ green space provision needs amending</b>	Some existing green space is poor quality. Amend the criterion to allow flexibility through a combination existing and new spaces.	DP273 Sussex Community NHS Foundation Trust	Amendment not necessary. The purpose of the policy is two-fold: retaining and enhancing existing green spaces – in line with the City Plan Part 1 Policy CP16. The criterion allows a landscape-led scheme that would be consistent with policy DM22 in CPP2. The criterion is also in line with policy CP17 in City Plan Part 1 which requires new development to contribute to the provision and improvement of the quality, quantity and accessibility of sports

			services, facilities and spaces to meet the needs it generates in accordance with the local standards set out in the Plan.
<b>Criterion e) needs to be deleted</b>	Delete the criterion as this should not be an absolute development plan stipulation.	DP273 Sussex Community NHS Foundation Trust	The criterion is consistent with the City Plan Part 1 policy CP2 criterion 7 in which the Council expects developers from major development schemes to contribute towards training local people.
<b>New criteria indicating alignment with Southern Water's reinforcement and maintenance works required</b>	Proposals for 200 dwellings at Brighton General Hospital site will generate a need for reinforcement of the water and wastewater networks in order to provide additional capacity to serve the development. The development should be phased to align with the delivery of network reinforcement plans and layout is planned to ensure future access for maintenance and upsizing. Criteria need to be introduced to reflect this in line with paragraph 170(e) and 28 of the revised National Planning Policy Framework (NPPF) (2018).	DP201 Southern Water	A new criterion (f) has been added in response to the comment.
<b>Traffic impact Assessment required.</b>	In conjunction with SSA7, development on this site will lead to potential increase in traffic on the A259 and B2123. Requires comprehensive Transport Impact Assessments.	DP303 Rottingdean Parish Council	The policy already requires developers to submit traffic impact assessment as part of the planning application.

			No amendments necessary.
<b>Support</b>			
<b>Policy needs updating to reflect council motion on 100% Affordable Housing</b>	The policy wording does not include the Council's request for the land to be developed for "truly affordable housing, including options for development by the Joint Venture, B&H Community Land Trust, directly by the Council, or a combination" (Council 19 July 2018).	DP217 Brighton and Hove Community Land Trust;	The council approach to affordable housing provision is set out in the adopted City Plan Part 1 Policy CP20 which requires up to 40%.  100% 'truly affordable housing yield' is a consideration for the applicants. In terms of options for the developer, the policy does not restrict options for development by either private sector, Joint Venture, B&H Community Land Trust, or directly by the Council, or a combination any number of above schemes.
<b>Comprehensive HIA requirement</b>	Support but request reference to comprehensive Heritage Impact Assessment in policy wording in SSA1.	DP284 Historic England	Support noted. Amendment made to Criterion a) in response to the comment.
<b>Support with</b>	The BGH development is supported in principle and, as planning	DP101	Support noted.



<p><b>caveats on number of housing units and key workers' housing being identified as affordable housing</b></p>	<p>on the scheme develops, support subject to the provision of certain assurances in the Final Business Case that SCFT are working on.</p> <p>Believe that a far greater use of housing could be provided from the part of the site surplus to healthcare use</p> <p>Subject to viability Key workers housing should be identified as affordable housing to help in the recruitment of health and social care staff in a high cost of living city.</p> <p>Make reference to community health infrastructure needs.</p>	<p>BH Clinical Commissioning Group</p>	<p>The policy is not restrictive to any proposal that would provide key workers housing.</p>
<p><b>Additional Criteria requested to safeguard swift nests</b></p>	<p>Redevelopment of Brighton General Hospital site is welcomed. However, this site holds around 15 swift nests and is considered to be the oldest breeding colony in Brighton and Hove. Suggest including a new criterion to safeguard Swift nests</p>	<p>DP219 RSPB</p>	<p>Support noted. New Criterion (h) added to reflect the comment made.</p>
<p><b>Appropriate response to GI needs in urban context</b></p>	<p>Improving existing amenity green space will increase its value as GI; biodiversity and the existing ecological network. Delivering sustainable transport infrastructure will help decrease vehicular emissions and air pollution</p>	<p>DP189 Natural England</p>	<p>Support noted and an additional criterion has been added to the policy to seek net gains and to safeguard the identified swift colony.</p>
<p><b>If required refer to contamination in site allocations</b></p>	<p>Make reference to contamination in site allocations where this is appropriate.</p>	<p>DP162 Environment Agency</p>	<p>Support noted. New text added (Para 3.18) to reflect the comment made.</p>
<p><b>Ensure accessibility and</b></p>	<p>The BHEP supports the strategic allocations as set out above and at the recent BHEP meeting on 4.9.18 received assurances that any</p>	<p>DP208 BHEP</p>	<p>Support noted. The policy at criterion c)</p>

<b>links to adjacent neighbourhoods</b>	development will be readily accessible and will link with adjacent neighbourhoods (including business and retail areas).		addresses improving permeability of the site by creating frontages and linkages and criterion d) addresses need to improve access and addressing severance issues.
<b>Support – no comments</b>		DP067, DP001	Support Noted.

<b>SSA2 Combined Engineering Depot, Hove</b>			
<b>Total Number of Responses</b>		9	
<b>Number of Representations that Support</b>		8	
<b>Number of Representations that Object</b>		1	
<b>Number of Representations – Other</b>		0	
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Wastewater infrastructure currently insufficient</b>	Local wastewater infrastructure in closest proximity to the site has limited capacity to accommodate the proposed development. Southern Water proposes the following criterion be added to Policy SSA2: i. Occupation of development will be phased to align with the delivery of sewerage network reinforcement, in consultation with the service provider.	DP201 Southern Water	Noted, amended will be made to the policy.
Support			
<b>Appropriate to Local context</b>	This area needs regeneration and redevelopment	DP269 London Road LAT	Support welcomed.
<b>Support with further reference</b>	Development should seek to enhance the setting of nearby heritage assets and contribute to the 'sense of arrival' into the city.	DP284 Historic England	Comments noted – 'enhance' has been

<b>to heritage assets/ heritage impact statement</b>	A heritage impact statement should be prepared to identify the potential impacts of development on the assets.		added to g). The supporting text notes the importance of the setting of nearby heritage assets and these have informed site assessments. A cross reference to Policy DM29 The Setting of Heritage Assets is included in the supporting text.
<b>Support with caveat</b>	Support as long as built in New England style.	DP091	The policy will not specify a particular architectural style.
<b>If appropriate refer to contamination.</b>	It may be useful to make reference to the potential for contamination	DP162 Environment Agency	This issue is covered by Policy DM40
<b>Support with caveat</b>	A minimum required amount of GI should be stated to ensure net gains can be achieved	DP189 Natural England	The need to strengthen green infrastructure and secure enhancements to open space and biodiversity is set out as a local priority in DA4.10 which applies to this strategic site allocation.
<b>General comment</b>	Improving sustainable transport infrastructure will help decrease emissions and air pollution caused by private vehicle use.  Support for criteria relating to improvements to air quality and green infrastructure.	DP189 Natural England	Support welcomed.
<b>General comment</b>	General support	DP208 BHEP, DP067,	Support welcomed.

		DP001 Pavilion Architecture	
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SSA3 Land at Lyon Close			
<b>Total Number of Responses</b>		10	
<b>Number of Representations that Support</b>		9	
<b>Number of Representations that Object</b>		1	
<b>Number of Representations – Other</b>			
Summary of Comments			
Issue/ Site Allocation	Summary of Comments	Respondent Number and Name	Officer Response
Object			
<b>Comments on planning for wastewater infrastructure</b>	Local wastewater infrastructure in closest proximity to the site has limited capacity to accommodate the proposed development. The proposals will generate a need for reinforcement of the water and wastewater networks in order to provide additional capacity to serve the development. Planning policies and planning conditions will be needed to ensure that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment in accordance with the NPPF. Therefore seek additional policy criterion: “h) Occupation of development will be phased to align with the delivery of sewerage network reinforcement, in consultation with	DP201 Southern Water	Noted. The proposed wording has been added to the policy as additional criterion h).

	<p>the service provider.”</p> <p>There is existing Southern Water infrastructure under the site. This infrastructure needs to be taken into account when designing the proposed development. An easement would be required, which may affect the site layout. This easement should be clear of all proposed buildings and substantial tree planting. Therefore seek additional policy criterion:  “i) Layout is planned to ensure future access to existing infrastructure for maintenance and upsizing purposes.”</p>		<p>Noted. The proposed wording has been added to the policy as additional criterion i).</p>
<b>Support</b>			
<b>General support</b>	<p>Support the strategic allocations as set out - the Brighton &amp; Hove Economic Partnership meeting on 04.09.18 received assurances that any development will be readily accessible and will link with adjacent neighbourhoods (including business and retail areas).</p>	<p>DP208 Brighton &amp; Hove Economic Partnership</p>	<p>Support noted and welcomed.</p>
<b>Proximity to Conservation Area</b>	<p>The proximity of the site to the Willett Estate conservation area should be noted in the policy and/or justification.</p>	<p>DP284 Historic England</p>	<p>Noted. To address this issue a new paragraph has been added to the Reasoned Justification stating:  <i>“The site at its western end is in close proximity to the boundary of the Willett Estate conservation area and any development on this site must give careful consideration, in terms of scale, massing and layout, to its impact on</i></p>

			<i>the setting of the conservation area. Any application will be expected to demonstrate that these considerations have informed the proposed development.”</i>
<b>Comments on employment floorspace requirements</b>	Request that the policy wording be altered to require provision of 700 sq.m of B1a floorspace at Peacock Industrial Estate rather than 1,000 sqm as drafted. This figure is based on the most recent viability assessment undertaken to support a current planning application (BH2018/01738) for development on that site.	DP283 Crest Nicholson South	Noted. The planning application referred to has now been approved by Planning Committee, including provision for 697 sq.m B1a floorspace. However it is proposed to retain the figure of 1,000 sq.m pending commencement of the planning permission.
<b>Comments on residential development requirements</b>	Consider that the strategic allocation is capable of supporting a significantly higher quantum of housing than a minimum of 300 units. Existing planning consents together with the current application at the Peacock Industrial Estate for 163 residential units would in total exceed 300 units, and this excludes several parts of the site for which applications are yet to be made. It is recommended that the housing figure is increased to more accurately reflect the quantum that could be delivered, thereby making optimal use of the potential of the site. This would accord with the NPPF and the conclusions of the inspector examining City Plan Part 1.	DP283 Crest Nicholson South	Disagree. The current committed and potential residential development across the allocated site totals 322 units, which aligns closely with the proposed minimum figure.
<b>Other comments</b>	Improved sustainable transport infrastructure will help decrease	DP189 Natural England	Support noted and



	<p>emissions and air pollution caused by private vehicle use which is a key aim of the NPPF.</p> <p>Development should contribute to the existing ecological network, provide biodiversity improvements and make use of green infrastructure in line with the aims of the NPPF and DEFRA 25 year plan. A minimum amount of green infrastructure should be stated to ensure net gains can be achieved.</p> <p>Developing on brownfield sites helps protect green belt land and greenfield sites, which is a key aim of the NPPF.</p> <p>No references are included regarding specific sites that are likely to be subject to contamination. It may be useful to make reference to this for sites where this is appropriate.</p>	<p>DP162 Environment Agency</p>	<p>welcomed.</p> <p>Noted. Additional wording has been added to policy criterion d) requiring that development should contribute to:  <i>"... Biodiversity Action Plan objectives, green infrastructure and wider landscaping enhancements through creative landscaping solutions"</i>.</p> <p>Support noted and welcomed.</p> <p>Noted. Additional text has been added to the Reasoned Justification stating: <i>"The industrial history of the site means there is the potential for land contamination. Development proposals should undertake and submit to the Local</i></p>
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	<p>Development must be attractive. Add wording stating that the Council is committed to building in Mansion block formation for attractiveness, longevity and sensitivity to Hove.</p>	<p>DP091</p>	<p><i>Planning Authority evidence to support uses where possible land contamination and remediation may prohibit the delivery of the above uses and amounts, in line with the requirements of Policies DM40 and DM41."</i></p> <p>Noted. This would be too prescriptive to include in policy. Further design guidance will be provided in the Council's forthcoming Urban Design Framework SDP.</p>
<p><b>Support (no comments)</b></p>		<p>DP067; DP157 Hove Civic Society; DP001 Pavilion Architecture</p>	<p>Support noted and welcomed.</p>

<b>SSA4 Sackville Trading Estate &amp; Coal Yard</b>			
<b>Total Number of Responses</b>		11	
<b>Number of Representations that Support</b>		10	
<b>Number of Representations that Object</b>		1	
<b>Number of Representations – Other</b>			
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Wastewater infrastructure capacity issues</b>	Local wastewater infrastructure in closest proximity to the site has limited capacity to accommodate the proposed development. Southern Water proposes the following criteria be added to Policy SSA4: h.) Occupation of development will be phased to align with the delivery of sewerage network reinforcement, in consultation with the service provider	DP201 Southern Water	Additional criterion added to policy
<b>Southern Water Infrastructure needs to be reflected in policy criterion h)</b>	There is existing Southern Water infrastructure under the site. This infrastructure needs to be taken into account when designing the proposed development. An easement would be required, which may affect the site layout. This easement should be clear of all proposed buildings and substantial tree planting.. i.) Layout is planned to ensure future access to existing infrastructure for maintenance and upsizing purposes	DP201 Southern Water	Additional criterion added to policy
<b>Issue/ Site</b>	<b>Summary of Comments</b>	<b>Respondent Number</b>	

Allocation		and Name	
Support			
<b>Appropriate to Local context</b>	Support for the proposed allocation of the Site for comprehensive mixed-use development.	DP275 Moda Living Ltd, DP268 LaSalle, DP208 BHEP, DP067, DP001	Support welcomed
<b>Support with caveat – more flexible and qualitative approach to employment uses</b>	The current draft allocation identifies a requirement for the development of 6,000sqm of B1 employment floorspace as part of any redevelopment of the Site. There is no clear justification for this uplift in the supporting evidence base, with the City Plan Part One seeking provision of 5,000sqm of employment floorspace across the DA6 area as a whole (of which this site is just a part). The supporting text within paragraph 3.26 sets out that the 6,000sqm requirement makes an allowance for the current level on the Trading Estate to be increased by a minimum of 20%. It is considered that the Council has weighted this requirement too heavily in favour of 'like for like' re-provision in terms of quantum of floorspace, rather than adopting a more flexible and qualitative approach to diversification of employment uses and their socio-economic benefits	DP275 Moda Living Ltd, DP268 LaSalle	Comment noted. The policy requirement for an overall increase of 1,000m2 employment floorspace in the DA6 area outside the Conway Street allocation is stated as a minimum, and in the context of the overall requirement for an area focussed on employment. The increased floorspace requirement reflects the extra land available for development on the coal yard site which also hosts employment generating uses at present. It also reflects the requirement for City Plan Part Two to provide additional employment allocations in seeking to address the employment

			<p>floorspace shortfall in Part One, with the evidence indicating that the constrained nature central Brighton means that significant employment floorspace should be directed to Development Area locations particularly those near transport hubs.</p>
<p><b>Indicative employment floorspace figure</b></p>	<p>An indicative figure of around 4650 sq.m. (50,000 sq.ft of B1 employment space) has been used to define the approximate amount of employment floorspace considered appropriate. We remain of the view that this is an appropriate level as part of a mixed-use scheme</p>	<p>DP268 LaSalle</p>	<p>Comment noted</p>
<p><b>Significant office employment would not be relevant, deliverable/ consistent</b></p>	<p>A requirement for significant B1 office employment as indicated in the Draft Plan would imply aspirations for a 'business park' element which is not considered relevant or deliverable, or consistent with DA6</p>	<p>DP268 LaSalle</p>	<p>Comment noted. See response above</p>
<p><b>Minor changes requested</b></p>	<p>Given the need for 3<sup>rd</sup> party land and for the agreement of Network Rail for any new bridge the delivery of such a new link is not solely under the control of LaSalle (or Moda). Therefore, while this aspiration is shared between BHCC and LaSalle/Moda, the wording of this requirement should be modified to ensure that an inability to secure the agreement of relevant 3rd parties does not result in us being unable to comply with the Policy</p>	<p>DP268 LaSalle</p>	<p>Comment noted, policy wording will be amended.</p>

	and bring the site forward.		
<b>Clarification Source Protection Zone</b>	The supporting text on Page 156 para 3.31 refers to the site being in SPZ 1 and 2. This site is in fact in SPZ 1, 2 and 3. We would recommend that reference to this is included in the policy wording especially as this site is likely to be subject to contamination.	DP162 Environment Agency	Comment noted, amendment in supporting text but note that this is a local priority identified in DA6.8 and therefore a cross reference back to the policy is sufficient.
<b>Support reference to Neighbourhood Plan</b>	Recognition that the development must meet the requirements of a future Hove Station Neighbourhood Plan is positive.	DP217 B&H Community Land Trust	Support welcomed.
<b>Support – reference to sustainable transport infrastructure</b>	Support for criteria relating to sustainable transport infrastructure as this will help decrease emissions and air pollution caused by private vehicle use. Providing Improvements/ mitigation for potential air quality impacts will be beneficial for: GI, biodiversity, existing ecological network and public health/wellbeing.	DP189 Natural England	Support welcomed.
<b>Seek Biodiversity Improvements</b>	Development should contribute to the existing ecological network, provide biodiversity improvements and make use of GI. A minimum amount of GI development should be stated to ensure net gains can be achieved	DP189 Natural England	Comment noted. This is a local priority identified in DA6.9 – a cross reference back to the policy is included in supporting text.
<b>Support – caveat more flexibility</b>	Support for the principle of the policy, however policy needs more flexibility. In particular the employment floorspace requirement may be too high.	DP157 Hove Civic Society	Comment noted
<b>Support – caveat mansion block style buildings</b>	Support but should require commitment to building in Mansion block formation	DP091	Not accepted. The policy should be flexible to allow for innovative

			architecture.
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SSA5 Madeira Terrace and Madeira Drive			
<b>Total Number of Responses</b>		36	
<b>Number of Representations that Support</b>		9	
<b>Number of Representations that Object</b>		27	
<b>Number of Representations – Other</b>			
Summary of Comments			
Issue/ Site Allocation	Summary of Comments	Respondent Number and Name	Officer Response
Object			
<b>Object to hotel (&amp; hostel) being included in range of permitted uses</b>	<p>A lot of crowdfunding money was raised with the thought that it was going to be independent shops and galleries not a hotel.</p> <p>Concerned about any potential hotel development which obscures views from the main road</p> <p>Area unsuitable for hotel and youth hostel (or any other form of accommodation temporary or permanent including residential). There are numerous accommodation providers in the area and policy would have a detrimental effect on existing businesses, transport and infrastructure. Central Brighton is more suitable location with better transport links.</p>	<p>DP234</p> <p>DP031 NCLA</p> <p>DP182, DP183, DP184, DP197, DP210, DP211, DP231, DP253, DP237, DP239, DP309, DP241, DP242, DP244, DP246, DP308, DP236, DP230</p>	<p>Comments noted.</p> <p>Inclusion of hotel as potential use is guided by Madeira Drive Regeneration Framework and findings of Visitor Accommodation Update Study on further need for hotels over plan period.</p> <p>Any potential hotel use</p>



		Madeira Terraces & Black Rock Past Present & Future, DP253	would be small scale and this has been clarified in changes to policy wording. Policy does not include residential (C3) in range of permitted use. Youth hostel has been removed from supporting text.
<b>Retain and restore Terraces, retain green wall and original function of terrace</b>	<p>Emphasis should be on historical importance which should be retained, restored suitably and sympathetically maintained. Restore with support of Victorian Society</p> <p>Retain Green Wall</p> <p>The arches and terraces should remain an open space for promenading as its main function.</p> <p>Brighton is losing too much of its heritage, so the Terraces need to be protected.</p> <p>There is a need to see an explicit commitment to a conservation driven approach to the fabric repair; this cannot just be taken as implicit. Restoration should be functional as well as physical with full access to actual terrace</p> <p>Any development should respect and retain original ironwork</p>	<p>DP182, DP183, DP241, DP242, DP236, DP230 Madeira Terraces &amp; Black Rock Past Present &amp; Future, DP239 DP197, DP091</p> <p>DP184</p> <p>DP207 The Regency Society</p> <p>DP246</p>	<p>Comments and concerns noted. Amendments to the Policy have been made to emphasis the need for the refurbishment, restoration and revitalisation of Madeira Drive as a key priority.</p> <p>Reference to conserving and enhancing Green Wall has been made through amendments to criterion g).</p>
<b>Concerned with impact of</b>	Any changes should not affect regular annual events e.g. Speed Trials.	DP183, DP197, DP239, DP182, DP241, DP308,	Concerns note – adopted CPP1 Policy SA1 The

<p><b>proposals on Event Space</b></p>	<p>Must be able to host national and historic events</p> <p>No consideration appears to have been given to how the uses within the terraces would be affected by the closing off of the Drive for special events.</p>	<p>DP236, DP230 Madeira Terraces &amp; Black Rock Past Present &amp; Future</p> <p>DP207 The Regency Society</p>	<p>Seafront includes as a priority for this section of the seafront: ‘safeguard the vibrant and important event space at Madeira Drive’</p> <p>Paragraph 3.35 and 3.37 of the supporting text acknowledges the need for a multifunctional/ shared approach to Madeira Drive/ public realm but reference to event space and shared spaces have been included in amendments to criterion e).</p>
<p><b>Proposed uses should be small scale, independent uses</b></p>	<p>Commercial uses should be restricted to small business units in the arches for artists, start-ups, artisans or independent cafes/ bars ice cream parlours etc. art studios, independent shops – ‘North Laine’/ Lanes/ Kemp Town feel.</p> <p>Uses such as art gallery, running track and sports facilities plus beach huts/chalets for day more suitable.</p> <p>Commercial uses should on lower level to enable upper and middle levels to be retained as viewing areas for events held at ground level</p> <p>Any development should be within footprint of existing arches and</p>	<p>DP183, DP308, DP197, DP242, DP236, DP230</p> <p>DP246</p> <p>DP235</p>	<p>Comments noted – supporting text 3.35 and DM15 Special Retail Area - the Seafront reflect these concerns.</p> <p>Given Listed Building status development will need to be sympathetic in character.</p>

	<p>of sympathetic character. Commercial development should supply and not impede public amenity</p> <p>Involving commercial partners is a popular option in financially stretched times, but you can only lose these precious spaces once and then they are gone for good.</p>	DP308	
<p><b>Proposals should involve or be led by community</b></p>	<p>Project should be council led in conjunction with the people of Brighton and Hove.</p> <p>Speculators are being invited to work against the community interest. Broken promises at the Terraces (all but Harvester now boarded up). Council allowed building above road level obscuring sea views.</p> <p>More enlightened and community faced proposals would benefit city more.</p> <p>First occasion when the local people have been allowed to have a say and be a part - this should be expanded upon.</p>	<p>DP183, DP212, DP236</p> <p>DP235</p> <p>DP308</p> <p>DP230 Madeira Terraces &amp; Black Rock Past, Present and Future</p>	<p>Comments noted – Residents and businesses as well as the wider public will be involved in the future vision of Madeira Terrace. Plans led by the council in partnership with the community will involve the complete retention of the Terrace and its restoration in a phased programme of works. The council aims to renovate the whole of Madeira Terrace and is working with Historic England and the Victorian Society as well as the local community on the long-term plans for the historic structures.</p>

<p><b>Concerns with how proposals will affect structure and fund maintenance of structure.</b></p>	<p>Madeira Drive was not intended for use proposed but to be an attractive sheltered promenade. A few artisan stalls fine but structure needs proper restoration to form perfect backdrop to vintage car rallies and other events – whose income could help support the Arches.</p> <p>No evidence that there are businesses who have the discernment, skills and resources to invest in units.</p> <p>Regret the loss of the interior of Walk and Terrace as an arcade experience; infilling of stone paving/ grass verges will reduce valuable sheltered marginal room for participants of annual Madeira Events (and reduce instance and viability of these events).</p> <p>Question the practicality of commercial users indefinitely subsidising the maintenance and management of structures raise broader issues as to how the funding model can be applied to rest of the features (top railings, step railings lamp shelter and benches etc. to the west of Palace Pier).</p> <p>Amendments - commercial development should not impede public amenity in any way and any development to be within footprint of existing arches and of sympathetic character.</p>	<p>DP081</p> <p>DP156 Kingscliffe Society</p> <p>DP235</p>	<p>Concerns noted. The council will continue to work closely with Heritage England and the Victorian Society along with residents, businesses and wider public in developing a vision for the restoration and reactivation of the Terraces.</p> <p>The crowdfunding campaign to restore 3 arches was the first step in a £24 m plan to save the arches. The council has also submitted a second bid to the Heritage Lottery Fund for the first 60 arches and is committed to finding alternative sources of funding for the project. There will also be a need to attract private businesses and investment in order to provide revenue for the Terraces future</p>
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			<p>criterion d) seeks improved access to the beach for visitors of limited mobility.</p>
<p><b>Amend supporting text – to include reference to Madeira Lift and Shelter Hall and direct connections</b></p>	<p>Amend 3.36 to mention Madeira Lift and Shelter Hall and further explanation/ exploration of the direct connection in terms of wider transport policy.</p> <p>There should be a long-term commitment to maintain the lift and provide a convenient and quick connection for pedestrians. Currently the signage and lighting is poor so an improvement for these facilities should also be included.</p>	<p>DP156 Kingscliffe Society,</p> <p>DP177 The Brighton Society,</p>	<p>Comments noted the supporting text at 3.36 has been amended to refer to potential options to improve access to Madeira Drive.</p> <p>Criterion e) seeks improved lighting, signage and wayfinding.</p>
<p><b>Remove reference to small hard standings on ‘back of the beach’ parallel to Madeira Drive</b></p>	<p>Policy should be clarified and restricted to comments on Madeira Drive alone and SSA6 should be retitled to include all the beach areas south of Madeira Drive and include implications of lease agreed with Sea Lanes.</p> <p>It should be specified that any further developments on the beach should be categorised as temporary - there should be an aim to ensure that the south side of Madeira Terrace does not become a continuous built up area of the seafront which would remove any views of the sea.</p> <p>Basic visitor amenities such as toilets, shelter and kiosks should preferably be housed within the terraces rather than by increasing development on the actual beach. Proposed uses of arches will require wider footpath in front of arches.</p>	<p>DP177 The Brighton Society</p> <p>DP207 The Regency Society</p>	<p>Comments noted – a comprehensive approach to this section of the seafront is required to improve connections from Madeira Drive and Terraces and to provide facilities for visitors this is clarified in criterion f) and in Policy DM39 Development on Seafront which has a presumption against development on beach.</p>

<b>Amendments to supporting text</b>	<p>Amend reasoned justification to add: <i>High quality and sustainable development will be expected in accordance with the priorities set out in SA1 The Seafront; Policy CP5 in the City Plan Part 1 and DM39 Development on the Seafront Policy.'</i></p> <p>Amend wording: <i>The council are committed to restoring and preserving the unique character of this Grade II listed asset and refusing any planning Application which would compromise it.</i></p>	<p>DP197</p> <p>DP091</p>	<p>Amendments made to 3.38.</p> <p>Comments noted. The council considers this amendment would not be positively worded policy.</p>
<b>Inadequate Reference to cycling and cycle routes</b>	<p>Criterion C does not specifically mention cycling but only "sustainable transport and pedestrian facilities".</p> <p>Reasoned Justification paragraph 3.37 only refers to pedestrian access. The seafront cycle route (NCN2, the South Coast Cycle Route) goes along here.</p>	<p>DP316 Bricycles and Cycling UK</p>	<p>Comments noted – criterion c) has been amended to refer to providing improved cycling infrastructure.</p> <p>Paragraph 3.37 amended to refer to improving South Coast Cycle Route</p>
<b>Object (no detailed comments)</b>		<p>DP270</p>	<p>Objection noted.</p>
Support			
<b>Broadly supports current wording</b>	<p>Madeira Drive Regeneration Framework and Seafront Improvement Programme and others are key published documents. Regeneration Framework is not intended to be over-prescriptive, sets out options and future vision. It is critical that emergent development plan policy supports, reflects and is fully consistent with the Framework.</p>	<p>DP301 Boxpark</p>	<p>Support welcomed.</p>

	<p>Urgent need for a strategic approach to the area which can offer a joined up approach to restoration of the terraces, improvement of the public realm and greater overall accessibility.</p> <p>There remains a significant shortfall in funding and BHCC fully recognise that private investment partners will be needed to make a success of the area with much needed financial contributions within a commercial scheme that works yet remains sensitive to the site constraints.</p> <p>Boxpark fully support the Regeneration Framework and its objectives and has put forward a commercial scheme to help move forward the prospects of full regeneration of this area.</p> <p>Sensible to include hotel accommodation as part of any Madeira Terrace proposals given proximity and relationship between site and Black Rock.</p> <p>Policy balances the heritage and conservation issues with the pragmatic realisation that, to bring about successful regeneration, private funds will be necessary as part of a joint venture.</p>		
<p><b>Support – caveat on transport/ access links/ improvements</b></p>	<p>Any development needs to be readily accessible and link with adjacent neighbourhoods (including business and retail areas).</p> <p>Access improvements along to the East end of Madeira Drive, to Black Rock and the Marina are needed. Does not feel safe after dark ( no street lights, coherent pavements or cycle paths)</p> <p>Consideration should be given to the extension of Volks Railway</p>	<p>DP208 BHEP</p> <p>DP266 Brighton Marina Neighbourhood Forum Steering Group</p>	<p>Comments noted the policy at criterion c) addresses improving access and addressing severance and criterion e) addresses the need to improve lighting, signs.</p>



	to the Marina in any Black Rock/Madeira Drive Scheme		Options to improve public transport along Madeira Drive will need to be developed in the context of the Coastal Transport System (CTS)
<b>Support</b>	The site includes numerous heritage assets that contribute to its uniqueness and special character (i.e. the Terrace itself, street lamps, shelters, etc.), and it is located within the East Cliff conservation area which is registered as a Heritage at Risk asset.	DP284 Historic England	Support welcomed
<b>Support – benefits which would accord with NPPF and DEFRA 25 year Plan</b>	Benefit of proposals recognised with regard to decreasing emissions and air pollution (through sustainable transport improvements); increased natural capital value of beach and ocean as green and biodiversity infrastructure (through improved access); biodiversity net gain and positive impact on existing ecological network (through conserving and enhancing biodiversity); use of brownfield site which would support relevant sections of NPPF and DEFRA 25 year plan.	DP189 Natural England	Support welcomed
<b>Suggested Amendment – Green infrastructure net gains</b>	A minimum requirement of GI development should be stated to ensure net gains can be achieved. Maintaining and enhancing G/BI is in line with the aims of the NPPF (171.) and the DEFRA 25 year plan (3.3.i)	DP189 Natural England	Requirement for net gain is addressed in adopted City Plan Policy CP10 and CPP2 Policy DM37. Amendments to criterion g) provide more detailed reference to Green Wall LWS.
<b>Suggestions additions to policy – employment</b>	The employment space needs to be added to the policy to create activity all week and all year and not be seasonal.  Temporary, or indeed any, use for Black Rock should be included	DP266 Brighton Marina Neighbourhood Forum Steering Group	Comment noted the range of potential uses includes B1 employment space.

<b>space and reference to Block Rock</b>	in the policy.		Black Rock is a strategic allocation in the adopted City Plan Part 1 – within Policy DA2.
<b>Amend policy – reference to complement Former Peter Pan Leisure site</b>	Include similar wording as outlined in SSA6: <i>Compliment the regeneration of the Former Peter Pan leisure site (SSA6) and contribute to a coordinated approach to enhance the public realm.</i>	DP249 QED Sustainable Urban Developments	Comments noted the need for a coordinated approach to the public realm is addressed in criterion e). Reference to SSA6 site included in supporting text paragraph 3.32
	As a general point with the allocated sites - could not see any references regarding specific sites that are likely to be subject to contamination. It may be useful to make reference to contamination if this is appropriate.	DP162 Environment Agency	Comment noted reference is not appropriate in this instance.
<b>Support (no supporting comments)</b>		DP067, DP001	Support noted.

<b>SSA6 Former Peter Pan Leisure Site</b>			
<b>Total Number of Responses</b>		18	
<b>Number of Representations that Support</b>		11	
<b>Number of Representations that Object</b>		7	
<b>Number of Representations – Other</b>			
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Object to development/ further development on the shingle beach</b>	<p>No permanent buildings or structures should be permitted – inappropriate as public beach, supposed to be able to see the sea.</p> <p>We would welcome a stated confirmation that there will be no further development expanding beyond the delineated present and historical site, and that the length and integrity of the Volk's Railway Line will not be threatened.</p>	<p>DP091</p> <p>DP156 Kingscliffe Society</p>	<p>Comments noted. The site allocation does not include the beach south of the railway line. However Policy DM39 Development on the Seafront and SSA5 Madeira Drive and Terrace do set out the circumstances/ considerations for</p>

			<p>development on the shingle beach along with CPP1 SA1 The Seafront. Any proposals that come forward would have to address those policy requirements and any departure applications will have to provide adequate and appropriate justification.</p>
<p><b>Amendments sought – to preserve beach as a public facility, ensure sea views retained and restrict height of development</b></p>	<p>Amend Policy:  <i>The Council are committed to preserving the beach as a public facility with good sea views and preserving the special nature of Brighton and Hove. Attractive temporary structures for entertainment will be considered but not permanent structures.</i></p> <p><i>Commercial development only permitted where supplies public amenity. No residential, hotel or permanent event venues. No commercial development to impede public amenity in any way and any development to be small footprint, less than 10 foot high, not impeding seaviews and of sympathetic character</i></p> <p>Paragraph 3.41 - <i>development at beach level <del>should</del> <u>must</u> be primarily single storey and <del>should</del> <u>must</u> not exceed the height of the middle promenade</i></p>	<p>DP091</p> <p>DP235</p> <p>DP156 Kingscliffe Society</p>	<p>Comments noted regarding temporary structures for entertainment on the beach. Policy SSA5 sets out the policy requirements for the Peter Pan Site as defined on the Policies Map.</p> <p>Residential or hotel uses are not included in the range of uses set out in the policy.</p> <p>Criteria b) and a new criterion (c ) as well as supporting text at 3.42</p>

			provides guidance on scale and massing.
<b>Concerns policy criteria will be ignored</b>	Concerns with council breaking promises – for example at the Terraces - valuable community facilities been “given” to speculators and council have allowed developers to build above the level of the seafront road obscuring sea views. Concern this will happen again despite restrictions of policy wording on height of development on the Peter Pan site.	DP235	Comments and concerns noted. Planning Applications are assessed against the National Planning Policy Framework and city plan policies.
<b>Object – hotel use</b>	Area of Maderia Drive and Maderia Terrace is an area entirely unsuitable for a hotel and Youth Hostel, far more suitable place with better transport links. Area should be restored and maintained in a suitable and sympathetic fashion – use would impact on events.	DP182	Objection noted. The proposed policy wording for the Former Peter Pan leisure site does not include Hotel in the range of permitted uses.
<b>Object (no supporting comments)</b>		DP270, DP234,	Objection noted.
Support			
<b>Support but seeks range of permitted uses to be widened</b>	Seeks retail uses (Use Classes A1, A3, A4 & A5) Commercial space (Use Class B1) Hotel (Use Class C1) Galleries/museum(s) (Use Class D1) and or Leisure uses (Use Class D2) appropriate to the character of the seafront to provide a year round leisure attraction such as an open air swimming pool so as to provide necessary flexibility for Madeira Drive to adapt and to complement proposals for Black Rock  3.40 – include <i>open air swimming pool</i>	DP249 QED Sustainable Urban Developments, DP250 Sealanes Brighton Ltd, DP251 Copsemill Properties Ltd.	Comment noted but proposed additional uses are not considered to accord with the council’s priorities for leisure/ cultural uses as set out in the adopted CPP1 SA1 The Seafront and the draft Seafront Strategy. Policy specifies retail (A1 and A3) uses are

			permitted where they are ancillary and part of a mixed use scheme.
<b>Additional criterion on temporary uses sought</b>	<p>Additional criterion:</p> <p><i>g) Encourage a variety of temporary / pop up uses consistent with the area's role as a centre for cultural, sports and family based activities.</i></p> <p>So the site provides a flexible built environment as required.</p>	DP249 QED Sustainable Urban Developments, DP250 Sealanes Brighton Ltd, DP251 Copsemill Properties Ltd.	Comments noted – the council is seeking a permanent use for the site. Temporary uses at the seafront are addressed in policy DM15 Special Retail Area – The Seafront.
<b>Remove reference to 'open character' in supporting text</b>	3.41 – remove reference to 'open character' – consider historically/ photographic evidence shows the site has always supported a dense built environment and current wording will prevent any form of development of the site that blocks views of the sea event single storey development	DP249 QED Sustainable Urban Developments, DP250 Sealanes Brighton Ltd, DP251 Copsemill Properties Ltd.	Comments noted reference to open character is consistent with the East Cliff Conservation Area Study and Enhancement Plan (2002) which states at 3.3.4: <i>The expanse of open beaches is an integral element of the setting of the buildings and the seafront amusements at Peter Pan's Playground partly detract from it. This clutter of structures is also a discordant element when viewed from above but the Volks Railway line at least provides a logical, and</i>

			<i>historic, southern boundary.</i> This has further been addressed in additional wording in criterion (c )
<b>Amendments - cross reference to DM18 and guidance on minimum gap sizes</b>	Concern with who decides what counts as high quality (eg zip wire) A cross reference to DM18 High Quality Design and Places may be useful here. Suggestion that there should be views of sea through developed sites is welcomed - Some guidance on minimum gap sizes would be useful	DP207 The Regency Society	Cross reference to DM18 is not considered necessary. Additional wording in criterion (c) addresses concerns with maintaining open character and sea views.
<b>Support with caveat</b>	Development should be readily accessible and will link with adjacent neighbourhoods (including business and retail areas).	DP208 BHEP	Comment noted - this is addressed in criterion d)
<b>Support with caveat</b>	General point with allocated sites – where sites are likely to be subject to contamination this should be referenced.	DP162 Environment Agency.	Comment noted – contamination is not considered an issue with this site. Policy DM41 provides guidance on polluted sites.
<b>Support criterion c) with caveat</b>	Shared space is not an adequate alternative to a cycle path. Concerned with neglect of seafront cycling by the council. There needs to be a cycling highway east-west along the seafront – the seafront cycle route (NCN2, the South Coast Cycle Route) needs to be wide to accommodate the increasing numbers of riders. Often cycle path is obstructed by events and alternative routes not provided/ problematic	DP316 Bicycles and Cycling UK	Comment noted – issues regarding shared surfaces and seafront cycle route along Madeira Drive have been addressed in amendments to Policy SSA5.
<b>Support</b>	Note criterion b)	DP287 Historic England	Support welcomed
<b>Support –</b>	Benefit of proposals recognised with regard to decreasing	DP189 Natural England	Support welcomed

<b>benefits which would accord with NPPF and DEFRA 25 year Plan</b>	emissions and air pollution (through sustainable transport improvements); increased natural capital value of beach and ocean as green and biodiversity infrastructure (through improved access); biodiversity net gain and positive impact on existing ecological network (through conserving and enhancing biodiversity); use of brownfield site which would support relevant sections of NPPF and DEFRA 25 year plan.		
<b>Suggested Amendment – Green infrastructure net gains</b>	A minimum requirement of GI development should be stated to ensure net gains can be achieved. Maintaining and enhancing G/BI is in line with the aims of the NPPF (171.) and the DEFRA 25 year plan (3.3.i)	DP189 Natural England	Comment noted. Wording has been included to criteria f) related to the Volks Railway LWS.
<b>Support (No supporting comments)</b>		DP067, DP001 Pavilion Architecture	Support welcomed



<b>SSA7 Land Adjacent to American Express Community Stadium, Village Way</b>			
<b>Total Number of Responses</b>		12	
<b>Number of Representations that Support</b>		8	
<b>Number of Representations that Object</b>		4	
<b>Number of Representations – Other</b>		0	
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>General objection</b>		DP274 LCE Architects	
	Concerned for potential increases in traffic on the A259 and B2123 generated by future developments.	DP303 Rottingdean Parish Council	Comment noted but the policy states at d) sustainable transport will need to be a key consideration
	The area is already saturated with development.	DP091	Comments noted
<b>Object, add word changes</b>	Amend policy to include:  A1 retail directly associated with the stadium to be included as part of the range of acceptable uses. This would provide flexibility	DP264 The Community Stadium Limited	It would not be appropriate to include retail in this out of centre location, the stadium is

<p><b>Detailed Analysis of Representations by Policy</b></p>	<p>and allow Stadium’s retail store to be reconfigured to allow effective use of the Stadium and proposed East Stand building.</p> <p>Criteria d) unnecessary for any significant additional sustainable transport infrastructure given location and proposed uses. Remove reference to new sustainable transport infrastructure.</p> <p>Criteria e) Object to reference to green walls and roofs – may not be best/ achievable solution and is too prescriptive and should be removed.</p>		<p>considered to already have sufficient retail provision to support its use.</p> <p>The removal of this requirement would not be appropriate</p> <p>The prescription of green walls and roofs will be amended</p>
Support			
<p><b>General support</b></p>		<p>DP067, DP001 Pavilion Architecture</p>	
<p><b>Impact on Strategic Route Network</b></p>	<p>Notes that proposal could impact on the Strategic Route Network (SRN) and will need consideration by Highways England (HE). Due to close proximity of site to the SRN, HE must be consulted on any submitted applications.</p>	<p>DP112 Highways England</p>	<p>Comments noted. This has been addressed in changes to the supporting text of DM35 and within the supporting text of SSA7</p>
<p><b>Support with wording alterations – visual connectivity to South Downs National Park</b></p>	<p>Very supportive, particularly justification para 3.45. Suggests referencing DM40 in a separate paragraph as independent issue.</p> <p>Suggest adding requirements to provide ‘visual connectivity’ to SDNP.</p>	<p>DP221 SDNPA</p>	<p>Suggested changes will be made to the policy and supporting text.</p> <p>Suggestion added to text of policy</p>

	<p>In justification reference the proposal site as a gateway to the SDNP when exiting the city along a key transport route.</p> <p>Add reference to South Downs Integrated Landscape Character Assessment (in appendix a) when referencing the choice of materials and design approach of proposed developments.</p>		<p>Suggestion added to supporting text of policy</p> <p>Suggestion added to supporting text of policy</p>
<b>Include reference to groundwater source and contamination (if appropriate)</b>	<p>Text should state the site is in SPZ1, 2 and 3.</p> <p>Consistency in text between SSA4 and 7. Specific requirement f:</p> <p><i>'Development must ensure that groundwater sources are protected, to the satisfaction of the Environment Agency; Section 3 Special Area Policy, Strategic Site Allocations, Housing and Mixed Use Sites and other Site Allocations.'</i></p> <p>Reference specific sites that are likely to be subject to contamination.</p>	DP162 Environment Agency	Suggested changes will be made to the supporting text.
<b>Appropriate Response – require heritage impact assessment</b>	<p>Policy identifies potential for impact on surrounding heritage areas; should be reinforced by requiring heritage impact assessment.</p>	DP284 Historic England	The need for heritage impact assessments are addressed in Policy DM29 The Setting of Heritage Assets, a cross reference to the policy is included in the supporting text.
<b>Accessibility</b>	<p>Support strategic allocations on assurance that developments will be accessible and link to adjacent neighbourhoods.</p>	DP208 B&H Economic Partnership	Adopted City Plan Part 1 Policy CP9 Sustainable Transport would apply.
<b>Reference to net gains of green infrastructure</b>	<p>Notes that sustainable infrastructure provision, development requirements referring to biodiversity, wider landscaping - features such as green walls and requiring protection of ground</p>	DP189 Natural England	Reference to green walls has been removed from the main policy text and

	<p>water sources are methods which contribute to achieving many aims (reducing vehicular emissions, preserving ecological networks, etc) set out in the NPPF.</p> <p>A minimum requirement of GI development should be stated to ensure net gains can be achieved.</p>		<p>kept in the supporting text as an example of mitigation measures</p>
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<b>Omission Sites</b>			
<b>Total Number of Responses</b>		3	
<b>Number of Representations that Support</b>			
<b>Number of Representations that Object</b>		2	
<b>Number of Representations – Other</b>		1	
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Comments			
<b>No further strategic site allocations required use empty buildings and second homes and holiday lets</b>	Object - Focus on utilising and filling empty buildings rather than building new – clamp down on holiday lets and second homes e.g. Brighton Marina is ghost town most of year. Oversupplied with shops, restaurants and hotel. City needs to audit its assets and what is missing before approving new development.	DP091	Comments noted. Returning long term, privately owned empty properties to use is a priority for the council (see Housing Strategy 2015). The Empty Property team is well established and successful with over 150

		<p>long term empty homes brought back into use annually.</p> <p>Local authorities currently have limited powers to regulate short term holiday lettings. Short term lets are viewed by the government's planning use class order as a 'C3 residential dwelling' so in most cases a change of use application is not required.</p> <p>An identified source of housing supply includes opportunities identified through the council's Estate Regeneration Programme ('New Homes for Neighbourhood').</p> <p>These sources of supply would not be sufficient to meet the adopted City Plan Part 1 Housing</p>
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			target of 13,200 new homes by 2030.
<b>Propose inclusion of Brighton Racecourse and Adjacent Land in the CPP2 as strategic site Allocation</b>	<p>Object - Brighton Racecourse and adjacent Land should be added to the list of Strategic Site Allocations. It is already designated as a major sporting venue and recognised as an important tourist attraction supporting the economy. Arena Racing is seeking to pursue a masterplan for the racecourse and adjacent land in its control that will enhance the racecourse; provide additional tourism and leisure development as well as considering the potential for other forms of development as part of a masterplan approach. This comprehensive approach is best dealt with through a specific policy which could allocate the racecourse for a range of uses as part of an overall redevelopment. Such uses could include leisure and tourism uses; a new hotel; commercial uses; car parking and the retention of the racecourse itself.</p> <p>Planning permission could be stated to be granted for proposals that reflect the existing constraints of the site; existing development plan policies and with the principles of an approved concept plan for the site that will designate areas for certain uses and consider the redevelopment of land surplus to racecourse requirements for other uses such as housing and commercial.</p>	DP091	<p>The site has been assessed through the Site Assessment process (see the Site Allocation Topic Paper Update).</p> <p>Whilst recognising the potential for re-configuration and upgrade of the race course facilities the redevelopment of the site for the range of mixed uses proposed would be a departure from the development plan.</p> <p>The Scheduled Monument is considered to be a significant constraint to development on the southern part of the site.</p> <p>Due to the identified sensitivities of the site and lack of information on the scale and location</p>

			of the development the site is not considered appropriate for allocation as a strategic site allocation and the site is not considered suitable for residential.
<b>Extension of SSA7 to create a strategic site zone to facilitate a multi-sector community infrastructure proposal</b>	We would be supportive of extending the SSA7 (land adjacent to the Amex stadium) to effectively become a strategic site zone that incorporates the existing leisure centre, community centre, children's services and miscellaneous other sites in order to facilitate a multi-sector community infrastructure proposal that is developed in the most coherent way possible.	DP101 Brighton & Hove Clinical Commissioning Group	<p>Comments noted and welcomed. In accordance with CPP1 (CP18.7) the need for a new health hub at Brighton General Hospital is reflected in the strategic site allocation SSA1.</p> <p>The council is working closely with CCG to integrate the commissioning and provision of health and social care and the council will continue to work with the CCG to address community health infrastructure requirements as opportunities arise through the One Public</p>



			<p>Estate programme.</p> <p>Comment noted regarding the suggested opportunity to expand SSA7 land adjacent to the American Express Stadium to include adjacent sites to enable a multi-sector community infrastructure proposal. Whilst the consolidation of services or creation of a new neighbourhood hub could be explored through the One Public Estate programme and would accord with the Development Area priorities for the Lewes Road Area (DA3.3 in the adopted City Plan Part 1) it is not considered appropriate to expand SSA7 to include adjacent sites.</p>
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<b>Any Other Comments responses</b>			
<b>Total Number of Responses</b>		50	
<b>Number of Representations that Support</b>		n/a – see summary below	
<b>Number of Representations that Object</b>		n/a – see summary below	
<b>Number of Representations – Other</b>		n/a – see summary below	
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
<b>General Comments on Structure/ layout and content of Plan</b>			
<b>Consider CPP2 does not address challenges facing city</b>	<ul style="list-style-type: none"> <li>This early stage of the Plan's preparation offers an appropriate opportunity to engage with the Council and express reservations with the draft document in its current form and to develop and constructive dialogue through which the challenges of the coming years can be effectively addressed through forward thinking and ambitious planning policy approaches. In its current form the Plan lacks sufficient foresight around a number of issues including the function and diversity of city centres and the changing ways in which companies and</li> </ul>	DP261 Hargreaves	Comments Noted. The council is aware of the challenges surrounding the function and diversity of city centres and these have been considered in City Plan Part 1 Policy SA2 Central Brighton in terms of the shopping, leisure, tourism, cultural office and commercial role. CPP2 policies on retail seek to complement the approach set out in the adopted

	<p>their employees work and the impact these changes are having and will continue to have on the city's existing commercial premises and future development needs.</p> <ul style="list-style-type: none"> <li>• Regretfully document is a missed opportunity to positively and creatively shape the future of the city and appears to be a re-write of 2005 BHLP policies in a simpler format without seriously grappling with the major challenges and issues the city faces.</li> </ul> <ul style="list-style-type: none"> <li>• The city has objectively assessed housing need of 30,000 new homes by 2030 and constrained land opportunities. However these challenges are experienced in London and other great cities and are tackled with creativity and boldness and in particular a willingness to accept greater density and greater</li> </ul>	<p>DP258 Brighton &amp; Hove Planning Agents Forum; DP260 Lewis &amp; Co Planning ; DP261 Hargreaves; DP217 Brighton &amp; Hove Community Land Trust</p> <p>DP258 Brighton &amp; Hove Planning Agents Forum; DP217 Brighton &amp; Hove Community Land Trust; DP274 LCE</p>	<p>CPP1 and changes have been made to these policies to reflect representations.</p> <p>The adopted City Plan Part 1 set out a positive vision and strategy for the city to 2030 addressing the major challenges and issues identified through a framework of strategic objectives, spatial strategy and a suite of strategic city wide policies and strategic allocations. The role of the CPP2 is support the implementation and delivery of CPP1 through detailed development management policies and additional development sites.</p> <p>The adopted City Plan Part 1 sets the agreed housing delivery target for the city of 13,200 by 2030 reflecting the constrained land supply in the city. The adopted City Plan Part 1 policies CP12, CP14 and DM 18, and DM19 encourage a higher quality of design and spaces and higher densities and tall buildings where appropriate as well as effective use of development sites. Clarification to the supporting text in Policies DM18, DM26 and DM27 recognise role that innovative</p>
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	<p>contrast in mass, scale and use between existing and proposed, old and new, small and large – this needs to be encouraged in Brighton &amp; Hove.</p> <ul style="list-style-type: none"> <li>• Key to this is the architectural quality of the new buildings: high quality, sensitively conceived, appropriate, and where possible bold. We would therefore encourage greater involvement of those with the knowledge and ability to judge what is high quality, sensitively conceived and appropriate architecture, to advise on all planning applications such as Design South East (DSE) that currently only advises on larger schemes.</li> <li>• The recently published NPPF specifically mentions upward extensions as a way of providing much needed housing, see paragraph 118e of the NPPF. This opportunity and other innovative solutions should be encouraged and included in the City Plan Part 2 for Brighton and Hove.</li> <li>• Development management policies within the City Plan - Part Two need to positively and appropriately drive improvements in future delivery against a wide-range of recognised and established needs. Whilst the need for additional housing remains the most pressing, there are a range of other needs that also need careful consideration (including employment floorspace requirements, improvements to the quality and offer of the city as a regional employment centre, retail and leisure provision and identified visitor accommodation requirements). In particular, the need for planning</li> </ul>	<p>Architects</p> <p>DP274 LCE Architects</p> <p>DP217 Brighton &amp; Hove Community Land Trust</p> <p>DP260 Lewis &amp; Co Planning</p>	<p>solutions/ contemporary design can play in delivery new housing.</p> <p>The council is working closely with PAF and through the Design Review Panel to ensure high quality of architectural quality across planning applications.</p> <p>Upward extensions do come forward as a source of windfall supply in the City and the potential to give further guidance would be best dealt with in the emerging Urban Design Framework SPD.</p> <p>The council through the CPP2 has allocated a range of housing sites to meet the adopted CPP1 housing target, which is expressed as a minimum and housing targets in the CPP2 are expressed as indicative.</p>
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	<p>policies which further support and drive the delivery of new homes across the city is clearly highlighted in the conclusions of the City Plan Part One Inspector and should serve as a basis for the overall ambition and intention of the City Plan - Part Two: "...The target of 13,200 new homes is expressed as a minimum, which offers scope for that number to be increased when more detailed consideration of individual sites is undertaken for the preparation of the City Plan Part Two.</p> <ul style="list-style-type: none"> <li>Plan needs to address real issues not ideal situation (eg idealistic views on car usage, transport provision, drainage and sewage provision)</li> </ul>	DP095	The CPP2 is supported and informed by robust background evidence, including a Strategic Flood Risk Assessment Update.
<b>Reasoned Justification and language</b>	<ul style="list-style-type: none"> <li>Welcome how easy document is to navigate – divided into simple topics, welcome shortening of many of the policies but do not think CPP2 goes far enough – too much unnecessary detail and repetition.</li> <li>Question the need for lengthy ‘reasoned justification’ makes document repetitive and overly long. Unless provides useful detail to actual policy requirements text should be removed. Seek clarification on status of reasoned justification and whether it should be Supporting Text like CPP1. Policy should not be in Reasoned Justification eg SA7 where housing number is in paragraph 3.5.</li> <li>Despite the title ‘reasoned justification’ many of the policies are not supported by evidence and Plan will not meet the tests of soundness in some instances.</li> </ul>	<p>DP258 Brighton &amp; Hove Planning Agents Forum;  DP217 Brighton &amp; Hove Community Land Trust; DP217 Brighton &amp; Hove Community Land Trust</p> <p>DP217 Brighton &amp; Hove Community</p>	<p>Comments noted and opportunities to simplify supporting text and remove repetition have been taken. For consistency with CPP1 ‘reasoned justification’ will be replaced with ‘supporting text’.</p> <p>The CPP2 is supported by evidence studies and background topic paper.</p>

	<ul style="list-style-type: none"> <li>• Policies regularly cross-reference other policies (and some policy references used are wrong) even though there is no need for them to do so.</li> <li>• Jargon is difficult to follow for ordinary people</li> </ul>	Land Trust  DP095	<p>To aid implementation and users, cross-reference to other City Plan policies are included.</p> <p>Comment noted on jargon. A quick guide to the CPP2 was prepared and when technical terms are use these have been explained and a glossary is included in the supporting text.</p>
<b>Objects to CPP2 in its entirety – draft CPP2 policies should be incorporated into a re-opened CPP1 consultation.</b>	<ul style="list-style-type: none"> <li>• Representations made at DM1 d) &amp; DM1 e) (about the proposed core Policies needing to firstly be considered under a re-opened City Plan Part 1 process); and with regard to Allocations Policies as stated in my representation at SA7. Hence formal objection to every proposal in this present consultation. It is not possible for respondents to rationally consider all of the Policies proposed in the consultation until or unless the newly-proposed core Policies have been incorporated under a re-opened City Plan Part 1 consultation and re-adoption process. The proposed Allocations Policies could also be considered under such a process (whereby a single City Plan could simply be achieved - being one where all Policies are fully congruent with each other, and where the already adopted Policies can be improved and updated to achieve a single homogenous and modernised City Plan).</li> </ul>	DP311	<p>Disagree. The adopted City Plan Part 1 includes a range of strategic policies on overall housing numbers, locations, types, tenures and sizes (CP1, CP14, CP19 and CP20) which have been tested and examination and found sound.</p> <p>The scope of the CPP2 is clearly set out in paragraph 1.3. The CPP2 policies are intended to complement and support the implementation and delivery of CPP1 through remaining detailed development management policies and site allocations.</p>
<b>CPP2 could go further to address well-being, social</b>	<ul style="list-style-type: none"> <li>• Acknowledge the central importance of the City Plan Part Two (CPP2) and appreciate the efforts that have gone into developing it, in particular the substantial number of technical and background studies that have</li> </ul>	DP307 Green Group of Councillors	<p>Comments noted and welcomed. The adopted City Plan Part 1 sets out a positive vision and strategy for the city to 2030 addressing the major</p>

<p><b>justice and quality of life</b></p>	<p>informed it.</p> <ul style="list-style-type: none"> <li>• Recognise that a well-designed and well-planned built environment creates benefits which go far beyond mere bricks and mortar, such as protecting our fragile environment, boosting other areas of the economy such as tourism, retail and leisure.</li> <li>• Require a strong plan led approach to rise to the many complex challenges the city face: constrained city; re-use of land; large number of heritage assets and conservation areas; housing and environmental crises; population growth, disproportionate share of health problems and yawning gap between rich and poor.</li> <li>• We commend the efforts made in the document to build on the success of Part 1 with a holistic approach. We welcome several of the initiatives in the draft plan. However we also note some significant omissions and have some concerns about the overall direction of the document. Although we note the precedence of the National Planning Policy Framework and the need for our plan to accord with the principles in the framework, we feel as if the plan could go much further in seeing the primary challenge as achieving wellbeing and social justice within ecologically-sound limits. There is little reference to promotion of wellbeing and quality of life which should inform the entire approach of the plan.</li> </ul>		<p>challenges and issues identified through a framework of strategic objectives, spatial strategy and a suite of strategic city wide policies and strategic allocations. One of the themes that ran through the CPP1 was that of ‘healthy and balanced communities’ and it is considered that through this the adopted CPP1 considered issues associated with wellbeing and quality of life: through a range of policies including: sustainable communities; sustainable buildings healthy city; and housing mix.</p> <p>Through CPP2 this has been complemented by development management policies such as housing quality, choice and mix; protection of amenity and high quality design and places as well as energy efficiency and renewable energy.</p>
<p><b>General</b></p>	<ul style="list-style-type: none"> <li>• Support the rationale behind the CPP2 and consider that it will achieve its stated role of supporting the delivery and implementation of the CPP1.</li> </ul>	<p>DP296 St William Homes</p>	<p>Support noted and welcomed.</p>





	<p>development of the local economy; improving the efficiency of transport networks by enhancing the proportion of travel by sustainable modes and promoting policies which reduce the need to travel.</p> <ul style="list-style-type: none"> <li>• Considering the draft Plan and the available background documents, it is not clear if there would be any impacts on West Sussex from the proposed additional allocations. We would welcome a discussion, if through continued work to support the preparation of the plan, any cross boundary mitigation is required.</li> </ul>	<p>DP132 West Sussex CC</p>	<p>Traveller and Travelling show people and this is set out in Duty to Cooperate Topic Paper.</p> <p>Comments noted.</p>
<p><b>Housing Topic General Comments</b></p>			
<p><b>Housing Numbers/ Housing Delivery – too low</b></p>	<ul style="list-style-type: none"> <li>• CPP2 inadequate- planning for far too few homes – need to plan for a more realistic projected population growth – 2/3 times the number of homes in the city plan.</li> <li>• A comprehensive approach to transit is necessary – access to brownfield sites and to other areas of the region unlocking new areas of housing and improve transit between Brighton – Shoreham and Eastbourne.</li> <li>• Use land from other regional authorities – look into potential of outer golf courses and start discussing development proposal with National Park. It is not right that so much land is used for so little value while people lived in cramped and unsanitary accommodation in the city.</li> <li>• Allow greater density near train stations and bus stops.</li> </ul>	<p>DP003 Brighton YIMBY</p>	<p>The adopted City Plan Part 1 sets the agreed housing delivery target for the city of 13,200 by 2030 reflecting the constrained land supply in the city and sets out the strategy for accommodating growth in the city. The adopted City Plan Part 1 policies CP12, CP14 and DM 18, and DM19 encourage a higher quality of design and spaces and higher densities and tall buildings where appropriate as well as effective use of development sites. Clarification to the supporting text in CPP2 Policies DM18, DM26 and DM27 recognise role that contemporary design can play in</p>

	<ul style="list-style-type: none"> <li>• Use design codes to address opposition (particularly in Conservation Areas) and in order to densify existing residential areas whilst maintaining existing character of the city.</li> <li>• Offices should be built at high density and certain areas – Churchill Square and surround area and New England Road should be higher density and include office space.</li> <li>• Work with community projects and small sites and local organisations like B&amp;H Community Land Trust - this would help increase supply of affordable homes and unlock sites.</li> <li>• Far more should be done to support small and medium sized builders in the city – finding them appropriate sites.</li> </ul>		<p>delivery new housing.</p> <p>Further guidance on design and place making will be set out in the emerging Urban Design Framework SPD.</p> <p>Comments noted. Brighton &amp; Hove has a long history of self-build schemes. The Housing Strategy expressly recognises and supports the work of housing coops and networks in the city.</p> <p>The role of community self-build as a specific type of housing format is acknowledged in the City Plan Part 2 9 Policy DM1 and H2).</p>
<b>Gas Work Site</b>	<ul style="list-style-type: none"> <li>• The former Gas Work Site, located off Boundary Road, Brighton – presents unique brownfield opportunity evidence by its inclusion in the CPP1 as part of the DA2</li> </ul>	DP296 St William Homes	Noted. The Gas Works site is already allocated in the adopted CPP1 (Policy DA2). Policy DA2 sets 85 homes as a

	development area. It is however considered that the site can accommodate more than 85 homes.		minimum so would not prevent a future planning permission being granted for a larger number of homes.
<b>Housing Numbers/ Housing Delivery – concerns with government targets</b>	<ul style="list-style-type: none"> <li>• Prioritise brownfield sites first; be wary of government targets – people who live in city already consider it a fantastic place to live with a great balance of green and open space. Don't dress up urban sprawl policies as if there was some sense in the choice of sites.</li> </ul>	DP096	Noted. The City Plan strategy already seeks to maximise development on brownfield sites subject to physical, environmental and amenity constraints. However, the Plan housing targets cannot be achieved without allowing some (limited) development on the urban fringe – as was clearly established at the CPP1 examination.
	<ul style="list-style-type: none"> <li>• Brownfield sites first before more pollution and encroaching on green spaces.</li> </ul>	DP136	Noted. See Council response to previous comment.
	<ul style="list-style-type: none"> <li>• Resent the amount of housing/ general development in the city – becoming uncomfortably crowded for residents.</li> </ul>	DP127	Noted. The amount of housing/development is already established in the adopted CPP1 and is required to address the city's identified needs.
	<ul style="list-style-type: none"> <li>• Concerned that many of the positive arguments for housing development never materialise. Concerned about the impact of increasing building costs, for example in steel and cement, in fulfilling the proposals contained within the City Plan Part Two. The Group would hope that such factors have been fully costed and</li> </ul>	DP256 The Conservative Group	Concerns noted. Where building costs impact on development viability these will be taken into consideration.

<p><b>Opportunities to increase housing allocation through relocation of allotments</b></p>	<p>considered in any future plans.</p> <ul style="list-style-type: none"> <li>• Transfer all allotments to the council owned agricultural land around the city and free up existing allotments for housing. The developer should cover the cost of setting new allotments and the number of allotments could be greatly increased, increasing revenue to the council.</li> </ul>	<p>DP067</p>	<p>Comments noted. Allotments are well used and valued in the city and there is significant waiting list. The feasibility of re-providing allotments in suitable locations and obtaining consent from the Secretary of State are outside the remit of the CPP2. Respondents to the Scoping Consultation exercise for the City Plan Part 2 (2016) also expressed strong objection to the loss of allotment sites, pointing to the ongoing demand for allotments together with a range of health and community benefits.</p>
<p><b>No more new sites are required – use existing opportunities</b></p>	<p>Brighton and Hove need to focus on utilising and filling all its empty buildings and clamping down on holiday lets and second homes rather than new development ruining the city. The Marina in particular is a ghost town for a greater part of the year. The city is vastly oversupplied with shops, restaurants and hotels and many are failing on a continual basis or not paying their business rates (usually a sign of impending failure).</p> <p>The city needs to do an audit of its assets and what is missing and what it can do to rectify before passing another planning application for new premises.</p>	<p>DP091</p>	<p>Comments noted. Returning long term, privately owned empty properties to use is a priority for the council (see Housing Strategy 2015). The Empty Property team is well established and successful with over 150 long term empty homes brought back into use annually.</p> <p>Local authorities currently have limited powers to regulate short term holiday lettings. Short term lets are viewed by the government’s planning use class order as a ‘C3 residential dwelling’ so in most cases a change of</p>

			<p>use application is not required.</p> <p>An identified source of housing supply includes opportunities identified through the council's Estate Regeneration Programme ('New Homes for Neighbourhood').</p> <p>These sources of supply would not be sufficient to meet the adopted City Plan Part 1 Housing target of 13,200 new homes by 2030.</p>
<b>Urban Fringe General Comments</b>	<ul style="list-style-type: none"> <li>The speculative development of some greenfield sites on the Urban Fringe such as Ovingdean, and Saltdean: Falmer Avenue and Coombe Farm are undemocratic and should not be in the City Plan. They are opposed by local elected Councillors and local residents. Urban green space must be protected and development restricted to Brownfield sites.</li> </ul>	DP170 Brighton & Hove Local Access Forum	<p>Disagree. The principle of development on some suitable urban fringe sites is set out in the adopted CPP1 (Policy CP1 and SA4) and was established at the CPP1 examination. The urban fringe sites proposed for development in Policy H2 have been subject to detailed Urban Fringe Assessment studies in 2014 and 2015 which informed the planning decisions on the sites mentioned.</p>
<b>More explicit support and detail should be included in CPP2 on Community Self Build (CSB)</b>	<ul style="list-style-type: none"> <li>More explicit support and detail should be included in Plan for community self-build and the council should make a commitment to put CSB above private developers in terms of access to land of all types. CSB has the following benefits/ opportunities: 1) create communities from people already resident and committed to the city; 2) helps key-workers/ those on</li> </ul>	DP217 Brighton & Hove Community Land Trust	<p>Comments noted. Brighton &amp; Hove has a long history of self-build schemes. The Housing Strategy expressly recognises and supports the work of housing coops and networks in the city.</p>

	<p>low incomes to stay in the city; 3) Do create sustainable affordable housing that can be kept out of general private housing market and allow families to stay in city/ cool inflation of housing prices; 4) not driven by private profit but rather building sustainable communities that help people thrive; 5) Providing life-long affordable housing and reducing living costs has protective effect on health and well-being freeing up money to be spent in local economy and reducing demands on acute and social care services.</p>		<p>The role of community self-build as a specific type of housing format is acknowledged in the City Plan Part 2 ( Policy DM1 and H2). The wording in the Reasoned Justification for both policies has been strengthened to provide greater support for community led self-build schemes. However, it is not considered appropriate or viable for the City Plan Part 2 to prioritise Community Self Build above other private developers.</p>
<p><b>HMO – concern about implementation of policies</b></p>	<ul style="list-style-type: none"> <li>Do not have a lot of confidence in the council to manage the number and quality of HMOs or check on illegal HMOs. Many permanent residents in the Lewes Road corridor are unhappy with the level of noise, rubbish and fly tipping that comes with the high level of student HMOs in this area.</li> </ul>	<p>DP202</p>	<p>HMO policies are actively enforced and the Council has been effective in taking enforcement action against unauthorised development.</p>
<p><b>Housing Policy</b></p>	<ul style="list-style-type: none"> <li>Pleased to see that the Council's policy for Housing for homeless people is under review and would like to be part of the revision of the policy, along with the specialist homeless service providers across the city.</li> </ul>	<p>DP101 BH Clinical Commissioning</p>	<p>Comments noted.</p>
<p><b>Transport Related General Comments</b></p>			
<p><b>Transport general</b></p>	<ul style="list-style-type: none"> <li>The City faces long term transport problems and the Society believes that a substantial uplift in public transport is going to be needed in the years to come – coastal road. Should start examining metro-systems in</li> </ul>	<p>DP157 Hove Civic Society</p>	<p>Comments noted. The Council Local Transport Plan sets out the long-term strategy for delivering transport improvements and this has been</p>

	<p>earnest (as done in Bilbao and Bresica).</p> <ul style="list-style-type: none"> <li>• CPP2 should take forward the Gehl Public Space, Public Life Study through public realm policies. Study highlights areas that would substantially benefit from improvements. Also entry points to Conservation Areas. Show diagram 'Polishing the Pearls' to act as guidance and inspiration to developers and provide a ready menu of improvements for developer contributions along with listing major schemes listed in LTP (e.g. Church Road).</li> <li>• Radical measures must be taken to reduce traffic pollution rather than just tinkering with the redesign of existing roads etc. Improvements to Public Transport, walking and cycling must be given the high priority.</li> </ul> <ul style="list-style-type: none"> <li>• The plan has many useful updates including cumulative impacts on traffic by other developments.</li> <li>• The urban fringe areas of the Deans are different to the rest of the City and should be studied separately with policies to help and protect the shops, countryside and residents. The Deans are badly served by Public Transport.</li> </ul>	<p>DP170 Brighton &amp; Hove Local Access Forum</p> <p>DP315 Saltdean Residents Association</p>	<p>reflected in the CPP1 and CPP2.</p> <p>The need for public realm improvements is addressed in adopted City Plan Part 1 policy CP13 Public Streets and Spaces and relevant Development Areas/ Strategic site allocations. The Urban Design Framework SPD which is under preparation will reflect further the findings of the Gehl study.</p> <p>The Local Transport Plan 2015 sets out schemes and initiative to tackle pollution on strategic road corridors and the council is preparing a Local Cycling and Walking Infrastructure Plan.</p> <p>Comments noted. Policy DM13 apply to shops; CPP1 Policies SA4, CP10, CP16 and CPP2 Policy DM36 apply to open space and urban fringe and CPP1 policy CP9 Sustainable Transport is also relevant.</p>
<p><b>Considers CPP2 has not addressed the</b></p>	<ul style="list-style-type: none"> <li>• Building new homes as scheduled in the adopted CPP1 would almost certainly be unlawful (at least eastern section of the Urban Fringe) yet CPP2 proposes no</li> </ul>	<p>DP100</p>	<p>The CPP1 was examined and found sound by an independent planning inspector and adopted by the Council</p>

<p><b>impact of planned development on eastern urban fringe on traffic congestion and air quality targets and would therefore be found unlawful</b></p>	<p>actions to address this obstacle to the successful execution of CPP1.</p> <ul style="list-style-type: none"> <li>• NPPF and CPP1 requires the City to comply with EU and UK legal limits and targets on pollution levels (paragraph 180/1) and ensure transport infrastructure is in place to support planned developments (paragraph 20b).</li> <li>• With the recent increase in pollution in Rottingdean AQMA and the increase in local peak time road congestion to above that predicted for 2030, it is clear that the 2016 Adopted City Plan Part 1 needs to be brought up to date if the Part 1 plans are to be realised, as sustaining the Outer Fringe schedule requires the infrastructure needs to be addressed and, at least in respect of the environment, it would be unlawful to proceed without addressing these issues</li> <li>• Disagrees with the conclusions of the CPP1 Strategic Transport Assessment which says traffic congestion will stay within given limits up to 2030 and growth in commuter peak journeys will be mostly absorbed by improved bus services, removing the need for increased road capacities.</li> <li>• Considers by 2017 NO2 levels in Rottingdean’s AQMA have risen above the legal limit and road congestion on B2123 and A259 have exceeded the 2030 upper limit.</li> </ul>		<p>in 2016.</p> <p>Policy CP9 Sustainable Transport sets out the strategic approach to ensure transport infrastructure supports new development and more detail is provided in DM35.</p> <p>The traffic and air quality implications of proposed developments will be assessed in line with national and local policy and guidance and the legal implications of doing so will be taken into account and reported.</p> <p>Comment noted but not relevant to consideration of CPP2. CPP1 will need to be reviewed 5 years after its adoption.</p> <p>Comments noted. Current pollution levels and trends in Rottingdean High Street are set out in the council’s Annual Status Report for Air Quality. This was published in Summer 2019 and can be found here:-  <a href="https://www.brighton-hove.gov.uk/content/environment/noise-">https://www.brighton-hove.gov.uk/content/environment/noise-</a></p>
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	<ul style="list-style-type: none"> <li>• Sanctioning extra traffic that aggravates AQMA pollution will not help the city meet its targets and be unlawful and may well incur substantial fines – potentially on responsible individuals.</li> <li>• The traffic from an extra 1000 homes (even without 1000 more 'A259' homes from across the adjacent Lewes District boundary) cannot be sustained without addressing the transport infrastructure. CPP2 must put in place actions to reduce current overload on these roads and must identify and address the problem preventing bus services absorbing growth in the Urban Fringe (East) commuter journeys for CPP1 to succeed.</li> <li>• Respondent provides background information to points above – 2018 Air quality Annual Status Report – rising NO2 levels for Rottingdean AQMA over past two years; conclusions of CPP1 STA around estimates on loading</li> </ul>		<p><a href="#">pollution-and-air-quality/air-quality-management-city</a></p> <p>The council has no measurement of congestion in 2017 to compare with the forecast 2030 levels in the STA. Any further comparisons will be able to be considered when CPP1 is reviewed.</p> <p>Comments noted. The traffic and air quality implications of proposed developments will be assessed in line with national and local policy and guidance and the legal implications of doing so will be taken into account and reported.</p> <p>CPP2 is not responsible for addressing/mitigating existing problems/impacts on the transport network. However, policies and identified mitigation measures within CPP1 are being applied and sought via the planning application process. The 2014 STA Addendum for CPP1 took account of the Urban Fringe Study and concluded that the proposed mitigation measures remained valid and necessary.</p> <p>See comments above.</p>
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	<p>and peak traffic growth and no planned road capacity increases identified before 2030 and provides relevant extracts to support response.</p> <ul style="list-style-type: none"> <li>• Quotes relevant sections of the NPPF – the effects (including cumulative effects) of pollution on health and the potential sensitivity of the area or proposed development to adverse effects from pollution should be taken into account.</li> <li>• Planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants. Taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas.</li> <li>• Cites requirements of BHLPP policy SU9 not to permit development which may liable to cause pollution/ reduce authorities’ ability to meet government air quality and sustainability targets.</li> <li>• The City Plan is not just a schedule for developing new homes; it has responsibility to address needs in respect of infrastructure and safeguarding the environment. City Plan Part 2 is not fit for purpose if does not reflect and respond to the changing infrastructure needs and environmental concerns, having not been kept up to date as required by National Planning Policy.</li> <li>• Respondent quotes relevant sections of the NPPG – role of local plan, what it should contain and how often it should be reviewed; whether the LPA have to monitor the significant effects of implementing the adopted Local Plan and the role of the Local Plan with regards to</li> </ul>		<p>Comments noted. Cumulative impacts is included in DM40 part iv).</p> <p>Policy DM40 supports the implementation of local Air Quality Action Plans and helps support the local authority meet the Government’s air quality and other sustainability targets</p> <p>Comment noted.</p> <p>The City Plan contains appropriate policies to safeguard the environment and supports the development of new infrastructure.</p> <p>Comment noted.</p>
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	<p>air quality (including the need to consider the potential cumulative impact of a number of smaller developments on air quality as well as the effect of more substantial developments).</p>		
<p><b>Cycle network requires improvements and upgrade</b></p>	<ul style="list-style-type: none"> <li>• CPP1 Policy CP9 talks of an integrated cycle network being implemented by 2030, on plan of the cycle network nowhere near a complete “cycle network”. The council is behind East and West Sussex in producing Local Cycling and Walking Infrastructure Plan (DfT Guidance) and an up to date Cycling Strategy – will have an implication on government funding.</li> <li>• Seafront Cycle Route (NCN2) is constantly obstructed – pedestrians and cyclist poorly accommodated during ongoing Shelter Hall renovations – hazardous bottleneck at the bottom of West Street.</li> <li>• Seafront route needs urgent upgrade – more space for cycle highway and separation for waling and cycling.</li> <li>• London Road and many other areas and junctions are forbidding for cyclists. North Laine Roads are regularly made impassable for cyclists.</li> <li>• Much more respect needs to be shown for maintaining cycling routes in the city rather than road encroachment and providing a realistic alternative if obstruction is absolutely unavoidable e.g. temporary arrangements during roadworks etc.</li> <li>• Cycle routes and facilities will need upgrade – forecast increase in number of cyclists, population growth. Government’s Cycling and Walking Investment Strategy – double cycle activity by 2025 – e bikes are faster and heavier and will increase the pool of people cycling and</li> </ul>	<p>DP316 Bricycles and Cycling</p>	<p>Comments noted. The council is preparing a Local Cycling and Walking Infrastructure Plan. This along with the Local Transport Plan will address a number of issues raised in your representation. Further Policy DM33 Safe, Sustainable and Active Travel sets out that where appropriate development should improve or contribute towards the city’s network of high quality, convenient and safe cycle routes; and protect existing and proposed cycle routes.</p>

	<p>range. BTN bikeshare enormously successful with c.500,000 miles cycled over the last year – need for upgrade in seafront path and other facilities.</p> <ul style="list-style-type: none"> <li>Concerns at a regional level that less enlightened transport schemes are being pursued by neighbouring authorities.</li> </ul>		
<b>Parking Provision</b>	<ul style="list-style-type: none"> <li>Hope adequate parking facilities for patients (especially those with disability or frailty challenges) and staff are reflected in the parking standards – would happy to contribute to discussions.</li> <li>Appendix 2 – Parking Standards – Hove Station Quarter should have the same car parking standards as the central area.</li> </ul>	<p>DP101 BH Clinical Commissioning</p> <p>DP157 Hove Civic Society</p>	<p>The adopted Parking Standards SPD is reproduced in Appendix 2 of CPP2. This sets the standards for new hospitals which include a standard for disabled user parking as well as staff and visitor spaces.</p> <p>Comment noted. This needs to be addressed through the Neighbourhood Plan.</p>
	<ul style="list-style-type: none"> <li>Welcome commitment to developing approaches to Environment, Health (DM40) and Active Travel (DM33) and, would be pleased to contribute further to this work as it progresses.</li> </ul>	DP101 BH Clinical Commissioning	Comment noted.
<b>Retail and Employment related general comments</b>			
<b>Retail related concerns- omission of Special Retail Area</b>	<ul style="list-style-type: none"> <li>Area of St James' Street and the areas south from Edward Street and the seafront should be designated as a 'special retail area'. Area is within prime retail frontage, hotel core zone and alcohol 'cumulative impact zone'; Air Quality Management Area and also a commercial zone with considerable employment. Edward Street proposals and Valley Gardens Project</li> </ul>	DP109	<p>Comments noted. St James Street is identified in the adopted City Plan Part 1 under Policy CP4 Retail Provision as a District Shopping Centre as part of a defined hierarchy of shopping centres across the city. This is a historical designation that</p>

	Phase 2 and draft CPP2 proposals for seafront and Madeira Drive and ongoing residential development in recent years and the proposed site allocation at Manchester Street and Charles Street. Area needs more significant attention and vision in the Plan through making it a special retail area.		has been in place for a number of years recognising the importance of the area providing shopping facilities for local people. Detailed policy around changes of uses within the St James Street District Centre further set out in Policy DM12 and complements Policy CP4. The Seafront and the Marina, although containing a range of commercial uses are outside that hierarchy and were not covered by detailed policies around change of use. Further some of the areas to the south of Edward Street are covered by adopted Development Area Policy DA5 Eastern Road and Edward Street and the relationship to St James Street is recognised also in adopted Policy SA3 valley Gardens.
<b>Employment Related</b>	<ul style="list-style-type: none"> <li>There is a strong need for live/ work units in the city due to high levels of self-employed residents.</li> </ul>	DP001 Pavilion Architects	Comments noted. The need for an updated policy in the CPP2 on live/work units was considered as part of the CPP2 Scoping Consultation (see question E6). There was limited support for such a policy.
<b>Design and Heritage General Comments</b>			
<b>Design and Heritage issues</b>	<ul style="list-style-type: none"> <li>Hove Civic Society has recently inaugurated the Hove Plinth and the first sculpture. The second sculpture has</li> </ul>	DP157 Hove Civic Society	Comments noted. A number of these design related issues would be best



	<ul style="list-style-type: none"> <li>• Make spaces age friendly – drop pavements, benches etc. – for all ages; neighbourhoods with communal spaces and greening areas are well valued and improves perception of community safety.</li> <li>• Consider responsible landlord schemes to demonstrate engagement with local health and wellbeing services.</li> <li>• Consider food deserts, role of corner shops in providing fresh/ healthy food.</li> <li>• Consideration of street furniture and A boards limits older residents feeling of safe footed walking</li> <li>• Mental health benefits of sea views/ green spaces – don't block views with tall buildings along seafront and ensure views of Downs.</li> <li>• Ensure all developments around parks have views over Parks. Take advice from FCL/community safety regarding children's play areas – balance of surveillance/ safeguarding.</li> <li>• Greening urban environment – benefits for mental health and anti-pollution benefits; consider less allergenic types. Promote urban gardens.</li> <li>• Stairs at entrance of buildings not lifts to make stairs default and green cycle/ walkways between places/ buildings will need good lighting for safety.</li> </ul>	DP179 Public Health Team	<p>Comments noted and welcomed. Adopted CPP1 Policies SA6 Sustainable Communities, CP12 Urban Design, CP13 Public Streets and Spaces and CP18 Healthy City address a number of these health and wellbeing issues raised in the representation.</p> <p>A number of these issues will be addressed in the emerging Urban Design Framework SPD or other planning guidance.</p>
<b>Implementation Comments and Developer contributions/CIL comments</b>			
<b>Implementation Issues</b>	<ul style="list-style-type: none"> <li>• Council does not have resources to police the policies – worrying given the damage that could be done to the environment/ local community by mistakes – should</li> </ul>	DP095	Comments noted. A set of monitoring indicators and targets are published alongside the CPP2 to assess the

	<p>be restitution where damage is done.</p> <ul style="list-style-type: none"> <li>• The aspirations and interaction between public and private sector activities should be highlighted in the CPP2. For example for heat networks to work and developers to be encouraged to join there is a need for a plan, however rudimentary, produced by the local authority - setting technical standards to allow networks to grow together over time and trading mechanisms for heat.</li> <li>• Concerned with flaws in the system that large scale planning applications result in little or no affordable spaces and / or containing office space are being allowed to avoid proper scrutiny (particularly hearings) due to BHCC officers use of NPPF (para 14) as a trump card against refusing development. BH2018/00340 cited as an example. This flaw needs addressing.</li> <li>• Unless all proposals made in policy and council departments work in a co-ordinated way the Plan will fail to deliver what it sets out to do in terms of sense of place and lively townscape. There needs to be a firm enforcement policy and system of fines to deal with issues e.g current policies for Rubbish are detrimental to heritage areas and commercial activities conflict with green spaces policies.</li> </ul>	<p>DP157 Hove Civic Society</p> <p>DP198</p> <p>DP263 Brunswick Town Association</p>	<p>implementation of plan policies and these will be reported in the Authority Annual Monitoring Report. The role of DM46 is to complement the adopted policies on Heat Networks set out in the adopted City Plan Part 1. The council is involved in the preparation of a Greater Brighton Energy and Water Plan which will identify investment opportunities for Greater Brighton Members, business and communities.</p> <p>All Planning Applications are assessed positively against the policies in the Development Plan to ensure decisions are taken in line with the presumption in favour of sustainable development as set out in the NPPF (paragraph 11 and also see Policy SS1 in the adopted City Plan Part 1).</p> <p>Breaches of planning control are covered by planning legislation and are investigated by enforcement officers. Decisions are based on the merits of each individual case, and enforcement action is taken only when it is considered fair, reasonable, proportionate and expedient. Further</p>
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			detail is set out in the council's Planning Enforcement Policy 2018.
<b>Developer Contributions/ S106 related comments/ CIL</b>	<ul style="list-style-type: none"> <li>S106 should be used to ensure purchasers of new homes demonstrate local connection.</li> <li>More transparency is needed regarding developer contributions. The council's schedule and calculations of allocating developer contributions to open space / recreation, education etc. are largely unknown to the public. CPP2 should show how such funds are to be allocated as an annex in Part II or clearly referenced. There should be a statement on how local communities can get involved in commenting on and putting forward proposals for developer contributions for local improvements.</li> <li>The BHEP would like more business involvement when dealing with distribution of CIL contributions and would welcome being part of discussions to facilitate that. Particularly around enhancement of retail areas in the city – more involvement would provide business with more say on how their district develops.</li> </ul>	<p>DP001 Pavilion Architects</p> <p>DP157 Hove Civic Society</p> <p>DP208 BHEP</p>	<p>Developer contributions/ Planning obligations are sought in accordance with policy objectives set out in the adopted City Plan Part 1 (see Policy CP7 Infrastructure and Developer Contributions) and are used to reduce the impact of a new development and to make sure it does not place additional pressure on existing infrastructure. The contributions need to meet specific tests set out in Section 106 of the Town and Country Planning Act 1990 and further information is set out in Technical Guidance. It would not be appropriate to secure local connections to new homes through developer contributions.</p> <p>Comments noted and welcomed regarding involvement of local communities and BHEP with the distribution of CIL monies. Governance procedures for CIL spending including the neighbourhood portion will be taken to committee at the same as council</p>

			approval is sought for the Charging Schedule.
<b>Utilities Infrastructure</b>	<ul style="list-style-type: none"> <li>National Grid has no comments to make in response to this consultation. To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect our assets.</li> </ul>	DP021 National Grid	Noted.
<b>Nature Conservation General Comments</b>			
<b>Failure to fulfil formal duty to consider Biodiversity</b>	<ul style="list-style-type: none"> <li>Council has a formal duty to consider biodiversity and geodiversity in carrying out its functions. National guidance also states that the planning process is a key mechanism for implementing this biodiversity duty – through planning policy and site management (site selection, identification and management).</li> <li>CPP2 fails to deliver those duties to an adequate level. Land to the south of the National Park needs to be fully covered by biodiversity and geodiversity policies.</li> <li>CPP2 does not clearly select site, assign clear reference name to each and mark its boundary clearly on a map using current information sources.</li> <li>Considers the CPP2 has ignored the lengthy 2013 stakeholder consultations on choosing the best wildlife sites for Brighton and Hove. The stakeholders had detailed specific knowledge of the biodiversity features for each site and it is recommended that these agreed sites are included in the City Plan</li> <li>Sussex Geological Partnership recommended that 4</li> </ul>	DP285 Eco21st Ecologically	<p>The council through the adopted City Plan Part 1 Policy CP10 Biodiversity and DM37 Green Infrastructure and Nature Conservation sets out the approach to ensuring biodiversity conservation is an integral part of policy and decision making in accordance with the Natural Environment and Rural Communities Act 2006.</p> <p>Clarifications and amendments have been made to Policy DM37 in response to representations.</p> <p>Sites have been mapped on the Policies Map using shape file data from Natural England for international and national</p>

	<p>Local Geological Sites (LGSs) be included in the Local Plan - council has failed to keep an accurate of list of sites of sites and is working instead on incorrect data. It can't simply lose information through lack of administrative or archiving competence.</p> <ul style="list-style-type: none"><li>• Unsound – fails to work with latest data sources (NPPF plan-making paragraph 165).</li><li>• Lack of engagement with wildlife specialists has resulted in many wildlife and geodiversity sites simply not been included in the Plan.</li></ul>		<p>designations and declared Brighton &amp; Hove's LNR boundaries.</p> <p>The list of 2013 sites referred to was reviewed in 2017 to inform the CPP2 for those sites within Brighton &amp; Hove that lie outside the National Park, and for the South Downs National Park (SDNP) Local Plan for those sites that lie within the Park boundary.</p> <p>The 2018 LWS Report for the BHCC CPP2 and associated appendices, includes the 2013 selection panel decisions and an audit of how each site was considered against the B&amp;H LWS selection criteria and the Sussex LWS selection was published alongside the CPP2 consultation and the parallel report for the SDNP Local Plan is available on the south downs website.</p> <p>The 2017 review was carried out by the Sussex Local Wildlife Sites Technical Panel at the request of BHCC and the SDNPA, to ensure the list of sites selected in 2013 met Defra guidelines and to formally endorse the list so it could be included within</p>
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		<p>the CPP2 and the National Park Local Plan. As the 2013 review did not take account of any existing SNCIs within B&amp;H, another aim of the 2017 was to align the 2013 surveys with existing sites where they overlapped. Appendix 5 of the BHCC and SDNP reports uses the existing SNCI codes and names, and cross references them to the 2013 surveys. Where new sites were recommended for designation, these have been assigned new codes to bring them into line with the existing suite of sites within B&amp;H and more widely across Sussex. These codes were assigned by the Sussex Biodiversity Record Centre. Again, these are cross referenced within the reports and appendices</p> <p>The CPP2 policy DM37 lists at paragraph 2.278 the 3 RIGs sites (also called Local Geological Sites) that lie within the City Plan area (i.e. not covered by South Downs Local Plan). A footnote has been added to explain that the fourth LGS (Stanmer Villag)e is within the SDNPK and is covered by the adopted South Downs Local Plan.</p>
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			The Goldstone and Stanmer Park LGS have added to the policies map although they will be difficult to read on the paper version.
<b>Need additional Policy - swift conservation</b>	<ul style="list-style-type: none"> <li>In line with comments made at Scoping Stage strongly believe a specific policy should be included in CPP2 that would include – the installation of swift boxes as a standard procedure in urban development. All new builds, refurbishments and renovations to benefit swifts. SPD11 (Nature Conservation and Developments) and Annexes needs urgent update to inform applicants and developers about the swift brick and the rationale for including it. This policy if implemented will help deliver a net gain in biodiversity consistent with NPPF 117 and 118.</li> </ul>	DP219 RSPB	A standalone policy is not considered necessary. Policy DM37 – Green Infrastructure and Nature Conservation builds upon the adopted policies of City Plan Part One in particular CP10 Biodiversity which already seeks a net gain in biodiversity from all development, wherever possible. DM37 specifically requires proposals for new development to protect and seek to enhance protected and notable species and habitats. Complementing CP10 the CPP2 policy looks for a net gain from all development proposals. The policy explains that enhancement opportunities should focus on Brighton & Hove’s local Biodiversity Action Plan (BAP) habitats and species which include swifts (together with house martins and swallows) all of which are identified as BAP species for the city.
<b>Need additional Policies for</b>	<ul style="list-style-type: none"> <li>Biodiversity net gain policy should be interwoven throughout local plan but also an individual net gain</li> </ul>	DP189 Natural England	Adopted City Plan Part One Policy CP10 Biodiversity seeks a net gain in

<p><b>Biodiversity and GI/ Natural Capital and Soils</b></p>	<p>policy covering the concept of biodiversity and GI/ natural capital net gain. Would demonstrate commitment to nature conservation; exemplify membership of Biosphere and ensure development would be beneficial for residents and visitors. Specific biodiversity metrics should be adopted to allow the amounts of net gain to be quantified and compared. Specific metrics for GI/ natural capital are being developed by Natural England. Sites NPPF 170, 174 and 175 as being ubiquitous mentions of securing net gain and DEFRA 25 Year Plan as having embedding an environment net gain principle for development.</p> <ul style="list-style-type: none"> <li>• Specific soils policy – would be in line with NPPF (paragraph 170) and DEFRA 25 Year Plan – Chapter 1 section 3.</li> </ul>		<p>biodiversity from all development, wherever possible. Nature Conservation SPD sets out how this will apply in practice. Should a national metric be introduced this will need to be addressed through a review of the SPD and/or CPP1 policy. CPP2 Policy DM37 complements CP10 and address green infrastructure and biodiversity net gain.</p> <p>Comment noted on specific soils policy however it should be noted that Policy SD2(Ig) in the submission South Downs Local Plan which is subject to main modifications would adequately address this issues for Brighton &amp; Hove given the vast majority of agricultural land within the City’s administrative area is within the South Downs National Park</p>
<p><b>Need for a Food SPD</b></p>	<ul style="list-style-type: none"> <li>• Welcome that food growing / access to shops selling food and the role of food growing in place making is included in City Plan Part 2</li> <li>• Reference should be made to the production of the SPD in the CPP2.</li> <li>• Revised NPPF confirms that food is a planning issue.</li> <li>• Policies that recognise the value of agricultural land owned by the city to the city for food production as well as water supply could be strengthened. Food security</li> </ul>	<p>DP233 Brighton &amp; Hove Food Partnership</p>	<p>Comment and support noted.</p> <p>Adopted City Plan Part 1 through policies CP12 Urban Design, CP13 Public Streets and Spaces and CP18 Healthy City sets the strategic policy framework for high quality buildings and spaces and this is complemented by the food growing and</p>

	<p>post Brexit, and longer term food security as an issue related to climate change are becoming a concern for the city.</p> <ul style="list-style-type: none"> <li>• Welcome the new NPPF's support for the development and diversification of agricultural and other land-based rural businesses and would recommend working closely with the SDNP on this issue.</li> <li>• The new NPPF confirms the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. In light of the expectation that councils will enhance existing, and create new, markets in town centres in an effort to improve access to healthier food we would like stronger guidance on this.</li> <li>• In response to the drive to create high quality buildings and places we would like more guidance for developers to ensure new housing has sufficient space for families to cook and store fresh food and to eat together in homes on streets with edible planting and communal gardens</li> <li>• An SPD on access to health food and prevention of an obesogenic environment could draw together in one easily accessible policy the elements of food and planning spread across the NPPF and our main recommendation is that BHFP and BHCC work together to scope the idea of a 'food SPD' and if viable commit to having this adopted by 2020. This would continue the city's trailblazing work on food and the planning system.</li> </ul>		<p>Development PAN and CPP2 policies DM1 (that sets residential space standards in new dwellings and requirements for private amenity space) DM18 High Quality Design and Places and DM16 Markets.</p> <p>Comments are noted on stronger guidance on food growing and new housing and consideration will be given to how best to incorporate this into planning guidance.</p> <p>Comment noted regarding the value and role of agriculture land owned by the city for food production and water supply - the majority of such land is within the South Downs National Park and will be covered by the adopted South Downs Local Plan.</p>
<p><b>Health hub strategy and</b></p>	<ul style="list-style-type: none"> <li>• The city wide health estates strategy continues to evolve to support new models of care wrapped around</li> </ul>	<p>DP101 Clinical Commissioning Group</p>	<p>Comments noted and welcomed. In accordance with CPP1 (CP18.7) the</p>

<p><b>potential for multi-sector community infrastructure proposals at SSA7.</b></p>	<p>place based communities of practice. Envisage 3 main hub locations for community based health services (incorporating primary care, community services, mental health and social care). 2 established hub with BHGH as a new health hub.</p> <ul style="list-style-type: none"> <li>• Community health infrastructure within central and north Brighton would need to be enhanced but do not envisage a unified hub because of the lack of sites and very different requirements for specific areas within central area.</li> <li>• In the city centre where the priorities are to provide homelessness services, drug and alcohol and sexual health services, and it should be noted that the assessed deficit in total primary care capacity is greatest overall (cluster one).</li> <li>• The northern suburbs (Preston Park and Patcham) might only require minor investment, with potential development of the 175 and 177 Preston Road sites and minor expansion of primary care in Patcham and a potential neighbourhood centre in Westdene (an affluent suburb that does not have any primary care provision within). There are specific needs within the Lewes Road corridor related to the larger student population and particularly Moulsecoomb.</li> <li>• We are engaged with the council on plans for the Moulsecoomb neighbourhood hub and see the opportunity to consolidate and develop primary care and community health infrastructure.</li> <li>• We would be supportive of extending the SSA7 (land</li> </ul>		<p>need for a new health hub at Brighton General Hospital is reflected in the strategic site allocation SSA1.</p> <p>The council is working closely with CCG to integrate the commissioning and provision of health and social care and the council will continue to work with the CCG to address community health infrastructure requirements as opportunities arise through the One Public Estate programme.</p> <p>Comment noted regarding the suggested opportunity to expand SSA7 land adjacent to the American Express Stadium to include adjacent sites to enable a multi-sector community infrastructure proposal. Whilst the consolidation of services or creation of a new neighbourhood hub could be explored through the One Public Estate programme and would accord with the Development Area priorities for the Lewes Road Area (DA3.3 in the adopted City Plan Part 1) it is not considered appropriate to expand SSA7 to include adjacent sites.</p>
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	adjacent to the Amex stadium) to effectively become a strategic site zone that incorporates the existing leisure centre, community centre, children’s services and miscellaneous other sites in order to facilitate a multi-sector community infrastructure proposal that is developed in the most coherent way possible.		
<b>Other General Comments</b>			
<b>Sustainability</b>	<ul style="list-style-type: none"> <li>Higher standards of Sustainability such as the use of solar power should be a requirement in all new buildings.</li> </ul>	DP170 Brighton & Hove Local Access Forum	The standards for sustainability for new buildings is set out in the adopted CPP1 Policy CP8 and complemented by DM44. These standards are expressed as minimum.
<b>Community Space</b>	<ul style="list-style-type: none"> <li>Loss of community space in Hove is severe – with impending King Alfred redevelopment it will be hard to book venues for meetings/ events – this should be addressed in new developments.</li> </ul>	DP312 Save Hove	Policy DM9 Community Facility sets out the policy approach to safeguarding existing community facilities. Strategic Site Allocations have included provision of community facilities in policy wording including those in Hove.
<b>Comments on Consultation on draft CPP2 and timetable</b>			
<b>Comments on the Consultation undertaken for the draft CPP2</b>	<ul style="list-style-type: none"> <li>The need for community involvement in improving the City. Welcome this reference several times in City Plan Part II. However fail to see a mechanism where communities can be involved and be listened to.</li> </ul>	DP157 Hove Civic Society	Thank you for your comment. There are a variety of ways that the communities can be involved in improving the city; whether it is through emerging Neighbourhood

<p><b>and the timetable</b></p>	<ul style="list-style-type: none"> <li>• Found format of consultation not helpful</li> </ul>	<p>DP170 B&amp;H Local Access Forum</p>	<p>Plans; supplementary planning documents and through the CPP2. Preparing the City Plan Part 2 involved consultation over 2 stages including the issues and options stage where views were sought on what the Plan should address. Our approach to consultation is set out in the adopted Statement of Community Involvement however we will consider how we can better engage with communities in preparing planning documents.</p> <p>Thank you for your comment. At the draft stage of plan preparation we do seek views on the draft policies and so the format of the consultation portal questions and response forms were designed to allow us to understand if policies were supported or not; the reasons for this and whether wording changes were sought. We recognize it is a large document and so a quick guide was prepared to help with identifying which policies were of most interest to consultees. We also accepted representations sent by email or letter rather than portal/ response</p>
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	<ul style="list-style-type: none"> <li>• Real opportunity missed not to have involved the Planning Agents Forum over wording of the policies pre-publication of the draft as ‘future users’ of the policies we could have made a major contribution.</li> <li>• Always surprising how long the plan takes from start to completion and how short the consultation periods area. Running consultation over summer and concurrently with the SPD consultation suggests the</li> </ul>	<p>DP258 Planning Agents Forum;</p> <p>DP258 Planning Agents Forum; DP217 Brighton &amp; Hove Community Land</p>	<p>form.</p> <p>The Regulation 18 consultation allowed all stakeholders to input into firstly the scope of the CPP2 (issues and options) and to comment on the draft policy wording. A bespoke consultation workshop was held with PAF during the draft CPP2 consultation following an earlier presentation.</p> <p>The council extended its consultation from the usual 6 weeks for a draft plan document to 10 weeks in recognition of summer holidays.</p> <p>The council is committed to bringing forward the City Plan Part 2 as quickly as possible and considers the broad timetable (set out on the council’s website) to be realistic and achievable.</p> <p>The published Local Development Scheme sets out the timetable for preparing CPP2. The work program is governed by the council’s committee schedule and informed by experience in preparing the City Plan Part 1.</p>
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	<p>intention to limit a meaningful response from stakeholders whose time is inevitably limited. Consultation would have been better delayed until autumn so that Policy wordings could have taken into account revised NPPF.</p> <ul style="list-style-type: none"> <li>• Timetable for publication and submission appears unnecessarily drawn out and unjustified and will provide uncertainty and risks policies becoming outdated/ or ineffective before even adopted. Timetable should be achievable but more ambitious.</li> <li>• Welcome opportunity to engage further in a positive and constructive dialogue with the council to explore these issues and the process.</li> <li>• Found the word version of the consultation response form impossible to use on Microsoft Word (Windows 7). The online consultation system is not user friendly and impeded detailed comments. There is no way to keep a record of the representation submitted and the consultation portal is design more to assist the council than assist stakeholders. This representation should be given the same weight to comments submitted online.</li> </ul>	<p>Trust</p> <p>DP258 Planning Agents Forum; DP260 Lewis and Co Planning ; DP261 Hargreaves;</p> <p>DP258 Planning Agents Forum;</p> <p>DP285 Eco 21<sup>st</sup> Ecologically</p>	<p>A realistic timetable for the preparation of the City Plan Part 2 must also necessarily reflect the wider work program of the Policy Team who are involved with the Shoreham Harbour JAAP, a number of SPDs as well as bringing in a CIL Charging Schedule– all these documents being at differing stages of preparation as well as supporting Neighbourhood Forums as they prepare Neighbourhood Plans.</p> <p>Welcome the offer from the Forum to engage further in positive and constructive dialogue with the Council on the City Plan Part 2</p> <p>The council has invested in new consultation database which is being trialled for a year this will hopefully be more user friendly. Representations received by email/ letter/ online form or word form are given the same weight.</p>
<p><b>Additional information provided by Representations</b></p>			



	<p>CPP1 and indicates that CPP2 comments submitted on behalf of the landowners are made in relation to potentially relevant draft policies to the THV site.</p>	<p>Valley Landowners</p>	
<p><b>Representations to supporting documents in relation to 3 sites.</b></p>	<p>The <u>Urban Fringe Assessments</u> should be updated to ensure that the most relevant, accurate and up to date information is utilised by BHCC to support the progression of the CPP2 - considering age of documents and that they were prepared to support CPP1. High level basis and does not include site specific assessment.</p> <p><u>SHLAA 2017 (Feb 2018)</u> – should be updated to review the opportunity to deliver a higher quantum of development at the three sites: Belgrave Centre, Portslade and the Urban Fringe Sites at Coldean and Whitehawk – considers that while council undertook some high level - prepared and presented as the Urban Fringe Assessment - this did not explore all planning matters affecting the development opportunities at the sites in Whitehawk and Coldean. All three sites are suitable, available, achievable and ultimately deliverable over the Plan period. Subject to planning permission being granted, it is considered that the sites could be delivered within a 0-10 year period, and a timetable for delivery can be provided.</p> <p><u>Site Allocations Topic Paper June 2018</u> – appendix 3 site assessments. Reassess the sites within the Topic Paper and refer to the higher quantum of homes that can be delivered having regard to the site specific surveys and assessments undertaken by respondent to ensure that the sites can be delivered over the Plan period, and ensure that the CPP2 is effective and positively prepared:</p> <p>Portslade Site - notes reference in recommendations for</p>	<p>DP214 City of Brighton Design &amp; Build Co.</p>	<p>Urban Fringe Assessments - disagree. The 2015 Urban Fringe Assessment included a detailed ecological assessment (including desktop review of biological records and Phase 1 habitat survey) for all sites where potential for adverse impacts on ecology had been identified in the 2014 Urban Fringe Assessment. In addition, paragraph 3.58 makes provision for a further Ecological Assessments including Protected Species Surveys at the planning application stage.</p> <p>SHLAA – the SHLAA is updated annually. The housing figures in Policy H1 are indicative minima based on site assessments undertaken; whilst those in Policy H2 are also indicative figures based on the 2014 and 2015 Urban Fringe Assessments. The policies do not rule out higher housing numbers, but development proposals would be assessed in detail at the planning application stage.</p>

	<p>site the accessibility of the site and ability of site do deliver 6 storeys (reference to submitted JAAP) quantum of development should be increased. The site should be put to the most efficient use possible, in line with the NPPF and objective of optimising vacant PDL</p> <p>Coldean site – notes assessment refers to landscape, heritage and biodiversity constraints but through their extensive survey work - which should be taken into consideration – suggests a scheme of c.300 homes can be delivered which would include appropriate mitigation.</p> <p>Whitehawk Site – site investigation, surveys and assessments suggest the CPP2 proposed developable area is not the most suitable area of land to accommodate development - it is recommended that the Plan showing the potential development area at Coldean is amended to reflect that outlined in their submission (Appendix A) - a reduced site area compared to that identified by BHCC, yet overall a large amount of development can be achieved. Statement in assessment as site having a ‘high value as designated open space...’ should be amended as the areas is in part overgrown, and therefore offers no amenity or physical recreational value to the local community.</p> <p><u>Housing Provision Topic Paper 2018</u> - this report advises that BHCC expects to deliver 13,440 homes by 2030, resulting in 230 more homes than required by the CPP1 target. Although BHCC state that this is a "conservative assessment of potential housing supply , it is highlighted that if the 3 sites were optimised, the delivery against the CPP1 target would be considerably greater, going some way to address the shortfall against OAN which was</p>		<p>Site Allocations Topic Paper – the Topic Paper has been updated where appropriate.</p> <p>Housing Provision Topic Paper –The housing figures shown in the Housing Provision Topic Paper (and SHLAA) are based on a realistic assessment of each site’s potential based on the council’s own evidence and site appraisals (set out in the Housing Site Allocations Topic Paper). It is acknowledged that higher housing numbers may be achievable on some sites, but this would be subject to the assessment of development proposals at the planning application stage.</p>
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	ultimately accepted at examination. Table 3 of the topic paper advises that against policy CP1 provision of 5,190 homes in "the rest of the city" (excludes the DA8 Portslade site but includes the two Urban Fringe sites). Against this requirement, the total potential supply is only 4,916, a shortfall against CP1 of 274 homes. The two urban fringe sites at Whitehawk and Coldean could readily assist in making up this shortfall.		
<b>Comment related to current applications</b>	<ul style="list-style-type: none"> <li>Concern with development of KAP garage site on Newton Road and potential development to the north. High rise development is not in keeping with the area – where there are no tall structures on this side of the railway. Keep the new development within the character of the existing area as a generally low rise area not a high rise canyon.</li> <li>Representation sets out the background and objectives to the proposals for the Greater Brighton Metropolitan College</li> </ul>	<p>DP009</p> <p>DP257 GBMET</p>	<p>Comments noted but they do not appear to relate to CPP2 site allocations. The site is part of an allocated site in the adopted CPP1 and any proposals coming forward will be assessed against City Plan Policy CP12 Urban Design.</p> <p>Wider background and objective for GBMET are noted.</p>
<b>General Comments on CPP2 Supporting Documents or Evidence Base</b>			
<b>Local Wildlife Sites Review</b>	Additional comments submitted related to Appendix 3 Local Wildlife Sites – 3 sites constitute land owned by Southern Water and containing operation water supply infrastructure and are managed in accordance with Southern Water’s duty to protect drinking water quality: <u>Local Wildlife Site BH71 Hove Park Reservoir</u> - consider that LWS designation is not compactable with the sites primary function. Amendment of boundary is required to exclude Water supply reservoir. With regard to the	DP201 Southern Water	These comments have been assessed as part of the Local Wildlife Site Review process and considered by the Panel and site visits/surveys undertaken. The Panel has recommended the deletion of the site as LWS and not to designate cLWS The Engineerium and cLWS Beaufort Terrace. Further information is set



	<p>remainder of the site, which is largely wooded, Southern Water would support any further independent ecological assessment of its biodiversity interest.</p> <p><u>Candidate Local Wildlife Site The Engineerium (38)</u> - having regard to the proper exercise of its functions, Southern Water considers that a LWS designation is not compatible with the site's primary function as a WSW and its associated maintenance routines and any future essential upgrade works that are required in order to safeguard public drinking water supplies.</p> <p><u>Candidate Local Wildlife Site Beaufort Terrace (74)</u> - consider an LWS designation could conflict with its use as operational land in use for public water supply. However, we also recognise that, as a as a public authority, Southern Water has a duty to have regard to the purpose of conserving biodiversity. We acknowledge therefore the need for a survey to be carried out on cLWS 74, in order to provide the evidence required as to whether it meets the requisite criteria for a LWS, and welcome any proposals the Council may have in this regard. Until the matter is decided on the basis of such evidence, we understand the site will continue to be listed as a Candidate LWS.</p>		<p>out in the Local Wildlife Site 2017 Updated 2020.</p>
<p><b>Policies Map</b></p>	<ul style="list-style-type: none"> <li>• West and East policies map should clearly show the SDNP boundary on the proposals map given proximity of proposed allocations if urban fringe site should be clearly marked.</li> <li>• Support amendment to the draft policies map which now illustrates that the Outer Harbour Site would fall within the 'Built up areas' including phases 2 and 3 of</li> </ul>	<p>DP221 South Downs National Park Authority</p> <p>DP278 Outer Harbour Developments</p>	<p>Comments noted. Policies Map has been amended to show South Downs National Park.</p> <p>Comment Noted.</p>

	<p>the consented Brighton Marina Outer Harbour planning permission (B2006/01124)</p> <ul style="list-style-type: none"> <li>• Policies Map has not been updated with the 2013 selected wildlife sites.</li> <li>• On-line map of sites are not legible – shading style used for Local Wildlife Sites (LWSs). The map is too obscure to distinguish between formally notified Local Nature Reserves (LNR) and other features included under the Local Nature Conservation Designation (SD9) Policy. It is not acceptable for LNRs to be so poorly represented on The Plan. It is strongly recommended that a shading is used to ensure the Eight Local Nature Reserves are clearly shown with their correct name and boundary and are explicitly listed in The Plan.</li> </ul>	<p>DP285 Eco 21<sup>st</sup> Ecologically</p>	<p>Policies Map reflects the recommendations of the Local Wildlife Study Review 2018 and addendum.</p> <p>Disagree. The CPP2 Policies Map does distinguish between the different countryside designations including LWS and LNRs with different shading. The LNRs are listed in supporting text 2.276.</p> <p>Those LNRs that lie within the SDNPK and are covered by South Downs Local Plan Policy SD9 of the adopted South Downs Local Plan and the South Downs National Park Local Plan Policies Map.</p>
<p><b>Appendix 1 - Glossary</b></p>	<p>Affordable housing definition does not include Affordable build to Rent (Discounted Market Rent) – the glossary should be amended to reflect Annex 2 of NPPF.</p>	<p>DP271 Legal &amp; General</p>	<p>Comments noted the Glossary has been updated.</p>
<p><b>SFRA</b></p>	<ul style="list-style-type: none"> <li>• Note that the Shoreham Harbour Development Area (which we understand the Kingsway/Basin Road North) site allocation falls within was included in a Sequential and Exception Test completed in June 2014. For clarity and transparency purposes, we would recommend that this site is referenced in the Level 2 SFRA that is currently being undertaken (presumably as supporting</li> </ul>	<p>DP162 Environment Agency</p>	<p>Comments noted and these have been addressed in the 2018 SFRA Update and a Sequential and Exception Test Update technical paper that has been prepared.</p>

	evidence to this plan). This could outline any SFRA, Sequential and Exception Test work that has already taken place for this allocation for City Plan Part 1 and the Shoreham Harbour Regeneration Area Action Plan. It could also make reference to whether there has been any change with regard Climate Change Allowances that came into effect in February 2016 (i.e. since the 2014 work).		
<b>General Comments related to Sustainability Appraisal</b>	See separate summary table		

<b>Sustainability Appraisal</b>			
<b>Total Number of Responses</b>		7	
<b>Number of Representations that Support</b>			
<b>Number of Representations that Object</b>		4	
<b>Number of Representations – Other</b>		3	
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>SA site assessments</b>	SA site assessments don't consider new Local Wildlife Site designations.	DP289 Sussex Wildlife Trust	Comment noted. Relevant site assessments will be updated to reflect LWS Study 2017 and the results of CPP2 consultation on LWS.
	Unclear why SA site assessment process has not been used to discount sites.	DP289 Sussex Wildlife Trust	Comment noted. Further clarification on the aims of the SA site assessment process and how this was carried out,

			<p>including why sites have not been discounted, will be added. It should be noted that higher level studies, undertaken at the direction of the Planning Inspector of the EIP for City Plan Part 1 in order to look more positively for development opportunities, such as the Urban Fringe Assessments, identified some sites considered suitable for development. This included those with certain designations where issues were considered to be able to be mitigated.</p>
	<p>Site allocation assessments for H1 and H2 should include Heritage Impact Assessments to help inform quantum.</p>	<p>DP284 Historic England (in response to H1 and H2)</p>	<p>Comment noted. SA Framework includes Objective 4 which helps to highlight potential heritage constraints based on proximity. UFFA2015 Archaeology included consideration of</p>

			heritage impacts for urban fringe (H2) sites. Full Heritage Assessments would be required at planning application stage where relevant.
	Disagreement with SA scores for certain site assessments (Belgrave Centre, Land north east of Coldean Lane, and Land at and adjoining Brighton Race Course). SA scores should be amended more positively to: reflect status of site (e.g. vacant PDL); reflect ecological surveys undertaken by the representor; and reflect proposals being put forward by representor including an increased quantum of housing; and should be awarded a “no impact” score until certain assessments have been carried out including for transport, archaeology, heritage, water quality and air quality.	DP214 Brighton & Hove Design and Build	Comment noted. Scoring criteria is set out in SA Framework must be adhered to across all sites to ensure a consistent approach. Site assessments of sites without a planning consent based on designations, proximity and any relevant background evidence. SA site assessments cannot assume proposals will overcome issues. SA site assessments for these sites will be re-considered with suggestions, however it is considered unlikely that the scores will change significantly.
<b>Disagreement</b>	Appraisal for DM37 is too positive and doesn't reflect that the	DP289 Sussex Wildlife	Comment noted. All

<b>with SA policy assessments</b>	policy will allow for development on designated sites. Appraisal contrary to SA Framework.	Trust	policies will be re-appraised as part of the process of preparing the Publication Plan. SA will re-appraise the revised version of this policy against the SA Framework and will take these comments into consideration during the appraisal.
	Appraisal of DM1 doesn't assess certain aspects of the policy, including space standards, accessibility standards and requirement for amenity space and how these impact on viability or cost of housing.	DP260 Lewis & Co (in response to DM1)	Comment noted. SA of DM1 makes reference to these standards under various objectives. SA will re-appraise the Publication version of this policy in accordance with the SA Framework and will make note of the potential for certain requirements to increase housing cost where considered relevant, using emerging viability evidence if available.
<b>SA not assessed reasonable alternatives</b>	No consideration of reasonable alternatives to policy DM1 i.e. approach of "not including standards".	DP260 Lewis & Co (in response to DM1)	Comment noted. SA assessed a "no policy approach" as an alternative to the policy.

			Included within Appendix D of SA Report 2018.
<b>Likely future baseline questionable</b>	Information sources not included for likely future baseline.	DP289 Sussex Wildlife Trust	Comment noted. Reference sources will be added to this section where possible.
<b>Incorrect terminology</b>	SA refers to “proposed LWS” rather than “designated LWS”.	DP289 Sussex Wildlife Trust	Comment noted. References will be amended as appropriate.
Other			
<b>Suggested SA site assessment for new site</b>	Additional site (Dolphin House, Manchester Street) put forward for residential development. Suggested SA site assessment submitted.	DP261 Hargreaves	Comment noted. Information submitted will be taken into account if this site is considered suitable for site allocation.
<b>Suggested SA site assessment for allocated site with different use proposed</b>	Existing H1 site (27-31 Church Street) recommended for PBSA. Suggested SA site assessment submitted relating to the site being allocated for PBSA.	DP261 Hargreaves	Comment noted. Information submitted will be taken into account if this site is considered suitable for PBSA allocation.
<b>Consideration of proximity to LNRs in H1 and H2 sites</b>	Some H1 and H2 sites are in close proximity to LNRs and should include consideration of mitigation.	DP189 Natural England (in response to H1 and H2)	Comments noted. SA site assessments will be checked and amended to refer to proximity to LNR where appropriate.
<b>Consideration of Groundwater</b>	Some H1, H2 and H3 sites are within GSPZ and should include this as a consideration within policy wording	DP162 Environment Agency (in response to	Comments noted. SA site assessments will be



<b>Source Protection Zones in H1, H2 and H3 sites</b>		H1, H2 and H3)	checked and amended where appropriate.
<b>No comments</b>	No comments provided directly on the SA due to time constraints	DP162 Environment Agency	Noted.

<b>Equalities</b>			
<b>Total Number of Responses</b>		12	
<b>Number of Representations that Support</b>		2	
<b>Number of Representations that Object</b>		7	
<b>Number of Representations – Other</b>		3	
<b>Summary of Comments</b>			
<b>Issue/ Site Allocation</b>	<b>Summary of Comments</b>	<b>Respondent Number and Name</b>	<b>Officer Response</b>
Object			
<b>Some policies discriminate against certain people/groups</b>	DM8: Restricting car-ownership for students is discriminatory.	DP001 Pavilion Architecture	Comment noted. Policy links to CP21 which requires PBSA to be located along sustainable transport corridors, therefore reducing the need to own a car. Amendment made to supporting text

			to allow for exceptions where public transport accessibility is poor.
	Housing policies will exacerbate chronic housing shortage, will benefit home-owners and disadvantage non home-owners including young, low-incomed, BAME and recent immigrants.	DP002 Brighton YIMBY	Comment noted. It is recognised the housing target does not meet the OAN in full, however the council has an agreed housing target in the adopted City Plan Part 1 and has looked positively to identify sites for housing. The Housing Provision Topic Paper published as part of the Draft CPP2 consultation (and updated for the CPP2 Pre-Submission consultation) demonstrates how the allocations in Policy H2 (and Policy H1) together with other sources of housing supply will meet the City Plan housing target.
	Development on H2 sites, as well as some within H1 policy, affects the human rights of those living in close proximity.	DP096	Disagree. The sites allocated in Policies H1 and H2 have been subject to detailed

			assessment and both policies set out specific criteria to guide development and avoid or mitigate any potential impacts of development. Any proposal for development will be thoroughly assessed in terms of amenity impacts of those living in close proximity.
	DM2 will constrain delivery of shared housing and increase housing in-affordability for those reliant on private rental market including young adult/people on low incomes. HEQIA failed to accurately assess impacts of this policy on this group. Contrary to Article 14 of Human Rights Act and Equalities Act 2010.	DP260 Lewis & Co	Disagree. Policy DM2 seeks to protect the city's existing C3 housing stock in light of the constrained housing supply and substantial identified needs. Policy DM7 supports HMO development, subject to some controls aimed at avoiding negative impacts due to over-concentration of HMOs in some parts of the city.
	DM7 will constrain delivery of shared housing and increase housing in-affordability for those reliant on private rental market including young adults/low incomes HEQIA failed to accurately assess impacts of this policy on this	DP260 Lewis & Co	Comment noted. The policy is not intended to limit the development of shared housing, rather to

	group. Contrary to Article 14 of Human Rights Act and Equalities Act 2010.		promote a more even distribution across the city to minimise the negative impacts caused by concentrations of HMOs.
	DM33: Concentrating on provision for pedestrians and cyclists, as well as public transport discriminates against older and disabled people.	DP315 Saltdean Residents Association	The specific includes specific mention of the need to provide measures for pedestrians irrespective of their level of personal mobility and cognition, for accessible cycling facilities, and for inclusive access for disabled and older people.
<b>The Plan as a whole has adverse equalities implications</b>	CPP2 has not identified those who are worse off with the Plan than without it and does not address the needs of the “10%” which do not benefit from the implementation of CPP1 and CPP2.	DP100	Comment noted. A Health & Equalities Impact Assessment has been undertaken on the draft CPP2 in accordance with the council’s duty and the requirement of the adopted City Plan Part 1 (Policy CP18 Health City). This helped to identify potential adverse as well as

			<p>potential positive implications on individuals with protection characteristics. In addition to the protected characteristics identified within the Equalities Act 2010, the HEQIA sought to identify any disproportionate impact on community cohesion; to consider how the policies influence local community health and well-being, identifying opportunities to maximise the positive impacts whilst reducing any potential negative impacts and help the council deliver policies, that as far as possible, are of benefit for all people within Brighton &amp; Hove. The HEQIA concluded that CPP2 policies were inherently inclusive of a wider population demographic</p>
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			and did not discriminate against sensitive or protected groups.
	CPP2 as a whole adversely impacts upon children and older people through lack of progress on meeting air quality objective.	DP100	Comments noted. A Health & Equalities Impact Assessment (HEQIA) has been undertaken on the draft CPP2 in accordance with the council's duty and the requirement of the adopted City Plan Part 1 (Policy CP18 Health City). This helped to identify potential adverse as well as potential positive implications on individuals with protection characteristics. HEQIA concluded that CPP2 policies were inherently inclusive of a wider population demographic and did not discriminate against sensitive or protected groups. A number of policies in the City Plan, including

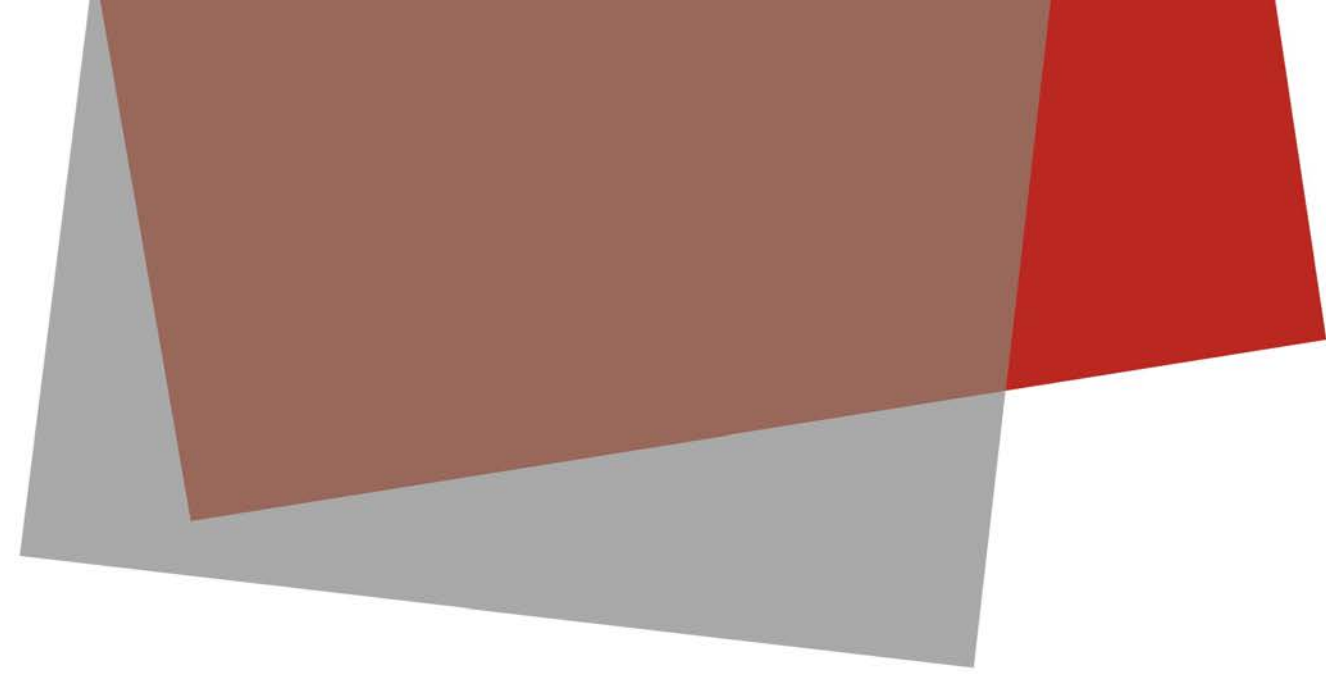
			<p>DM40 help the Council to meet UK and EU Air Quality targets. The Council works with a range of partners and stakeholders such as public transport operators to implement various initiatives, which also help to meet the targets.</p>
	<p>CPP2 has major equalities implications.  <i>Nb: representation suggested further information would follow, however none has been submitted to qualify the comment.</i></p>	<p>DP311</p>	<p>Comment noted. A Health &amp; Equalities Impact Assessment has been undertaken on the draft CPP2 in accordance with the council's duty and the requirement of the adopted City Plan Part 1 (Policy CP18 Health City). This helped to identify potential adverse as well as potential positive implications on individuals with protection characteristics. HEQIA concluded that CPP2 policies were inherently</p>



			inclusive of a wider population demographic and did not discriminate against sensitive or protected groups.
Support			
<b>Some individual policies have positive equalities implications for certain people/groups.</b>	DM1: community self-build helps deliver affordable housing, therefore supports people on low-incomes. Support for community self-build could be more explicit.	DP175 Nub Brighton	Comments noted. Policy DM1 includes specific reference to the provision of self and custom build housing. In addition, Paragraph 2.10 in the Reasoned Justification has been redrafted to provide stronger support for the provision of self/custom-build plots.
	DM1 has positive implications for disabled people through consideration of accessibility requirements.	DP189 Natural England	Comment welcomed.
	DM4 has positive implications for older people as helps to meet housing needs of older people.	DP189 Natural England	Comment welcomed.
	DM5 has positive implications for vulnerable people as helps to meet housing needs of vulnerable people.	DP189 Natural England	Comment welcomed.
	DM22 has positive implications for disabled people as includes consideration of accessibility requirements.	DP189 Natural England	Comment welcomed.
	DM23 has positive implications for disabled people as includes consideration of accessibility requirements.	DP189 Natural England	Comment welcomed.
	DM32 has positive implications for disabled people as includes consideration of accessibility requirements.	DP189 Natural England	Comment welcomed.

	DM33 has positive implications for disabled people as includes consideration of accessibility requirements.	DP189 Natural England	Comment welcomed.
Other comments			
<b>Plan could further address equalities issues through various measures</b>	<p>CPP2 should consider issues such as traffic management (Walpole Road area).</p> <p>CPP2 should consider issues of rough sleepers (Whitehawk Hill).</p> <p>CPP2 should promote employment opportunities for young adults with learning difficulties.</p> <p>CPP2 should support charities to reduce transport carbon emissions through electric vehicle charging point provision on site.</p> <p>CPP2 should support social enterprises which support young adults with autism in gaining employment skills.</p>	DP110 St John's School & College	Comments noted. Some of these issues cannot be addressed through planning but are addressed through other council strategies or teams, such as Local Transport Plan, Rough Sleeping Strategy, and the Supported Employment Team. The Parking and Travel team is also carrying out a programme to install 200 on-street electric vehicle charge points across the city at various locations.
<b>General Comment</b>	Progress should benefit everyone.	DP266 Brighton Marina Neighbourhood Forum Steering Group	Comments noted.
<b>Need to acknowledge cyclists can have disabilities</b>	Mobility issues of some cyclists should be considered and has implications for cycle facilities including access and cycle parking as well as infrastructure such as signage and the requirement for cyclists to dismount. Disabled cyclists find cycling easier than walking.	DP316 Bricycles and Cycling UK	Comments noted. Policy DM33 part 2d amended to require cycle facilities to be universally accessible where possible.





Brighton & Hove  
City Council