



Shopping, recreation and leisure - maintaining vitality and viability

- 6.1 The retail policies in this chapter aim to enhance the vitality and viability of the shopping centres and maintain their attractiveness. The approach will be to ensure that any out of centre retail development does not have a harmful impact on the shopping centres. Meanwhile, in the defined prime frontages of a hierarchy of centres, predominantly retail uses will be retained whilst permitting complementary uses such as banks and cafes that also attract people to an area. The policies aim to strengthen the role of local parades and corner shops that provide a valuable local facility, particularly for less mobile members of the community.
- 6.2 The policies aim to make the centres more attractive by promoting environmental improvements and additional facilities for shoppers as part of major retail proposals. The objective is to make it easier for people to shop in the town centre, to offset any possible harmful impact that a development may have and to regenerate the centres after the harm done in the past by out of town shopping. A number of significant sites for retail proposals are identified which aim to boost the amount of retailing in the two main centres in conjunction with new residential uses to encourage more people to live in the centre and 'living above the shop'.
- 6.3 A key objective of the council's policies for the town centres is to make them feel safer for all users. A particular concern has been the spread of large pubs/bars and nightclubs that can generate problems of noise, disturbance and public disorder often at night. The policies introduce controls over the numbers, size, location and management of pubs/clubs so that they can operate in safety and minimise their environmental impact.
- 6.4 This chapter adopts a sustainable approach to the protection and new provision of recreation and leisure facilities. Encouragement will be given to increasing the stock of tourist accommodation, but it should be provided in a sustainable manner that offers a choice of means of transport for visitors to travel to and around Brighton & Hove. Similar considerations apply to the objective of improving the provision of sports and recreation facilities. It is vital that as part of achieving the objective of Brighton & Hove becoming a regional centre for sporting excellence, that its major sporting venues are retained together with the development of a new community sports stadium. Major facilities should be accessible by public transport and other methods of sustainable transport for the majority of their users whilst encouragement is also given to the improvement and further provision of community sports facilities in the neighbourhoods.

- 6.5 The seafront is a location where it is particularly important to balance the opportunities for providing visitor attractions whilst protecting those obvious historic and environmental qualities that attract visitors to Brighton & Hove in the first place.
- 6.6 The Plan proposes an enlarged hotel core zone that includes the major transport interchanges as well as the coastal strip, in recognition of the importance of the tourist and conference trade to Brighton & Hove which brings in 8 million visitors a year.



SR1 New retail development within or on the edge of existing defined shopping centres

Applications for new retail development within the built-up area and within or on the edge of an existing defined shopping centre* will be permitted where the proposal:

- a. itself, or cumulatively with other or proposed retail developments, will not cause detriment to the vitality or viability of existing established shopping centres and parades in Brighton & Hove;
- b. is well located with convenient, attractive and safe pedestrian linkages to existing shopping frontages;
- c. is genuinely accessible by a choice of means of transport that enables convenient access for a maximum number of customers and staff by means other than the car;
- d. will not result in highway danger, unacceptable traffic congestion or environmental disturbance;
- e. provides adequate attendant space and facilities for servicing and deliveries;
- f. provides facilities for parent and child, the elderly and people with disabilities; and
- g. provides facilities for the recycling of waste packaging generated by the proposal and complies with relevant policies in the Waste Local Plan.

In addition, applications for new retail development on the edge of existing established shopping centres will be required to demonstrate, firstly, that there is a need for the development and, secondly, that no suitable site can be identified within the existing centre. The development should also be appropriate in scale with the centre, whether regional, town, district or local, to which it is intended to serve.

*(For defined shopping centres, see the definitions in the Local Plan for the regional, town, district and local centres in Policies SR4, SR5 and SR6.)

- 6.7 The purpose of the policy is to ensure that new retail development supports and enhances existing shopping centres. Town centres and to a lesser extent, district and local centres, provide a range of services and facilities as well as shops. This enables different needs to be met in a single trip and offers greater accessibility by a choice of means of transport. Shopping activity often underpins the wider service role of existing centres and helps provide a focal point for the local community. For these reasons, existing centres provide for a more sustainable pattern of retail activity. It is this rationale that underlies the government's plan-led and sequential approach to new retail development whereby sites in town or other centres are preferred, followed by edge of centre sites and only then, other sites which are well served by a choice of means of transport. Policy SR1 therefore accords with government policy (PPS6 'Planning for Town Centres' and PPG13 'Transport')

- 6.8 The 'Drivers Jonas Brighton & Hove Retail Study' (1999) demonstrated that, during the Plan period, there is capacity for further non-food (comparison¹ goods) retail floorspace in Brighton & Hove's shopping centres. The Study found no capacity for further foodstore (convenience² goods) floorspace until 2011. However, there may still be a need to improve the quality and range of provision either overall or spatially of food shopping which could improve the attractiveness of existing centres, provided that new developments are located either within, or on the edge of centres with good linkages to them. It is essential that any new retail floorspace strengthens the centre as a whole, and that a new unit does not effectively operate as a self contained out of centre store.
- 6.9 There was strong support from a focus group on 'Retail and Town Centres' and from respondents to the Local Plan consultation leaflet for protecting and enhancing the role of existing retail centres.
- 6.10 The policy will be implemented by seeking planning obligations in order to meet the criteria linking it with other town centre initiatives where appropriate. Development proposals should also conform to other retail policies in this Plan.

¹ 'Comparison Goods' includes non-food purchased goods, including clothing and footwear, DIY and household goods, electrical goods, pharmaceutical products, etc.

² 'Convenience Goods' includes food and drink and other day-to-day purchases such as tobacco, newspapers and magazines, and cleaning materials.

SR2 New retail development beyond the edge of existing established shopping centres

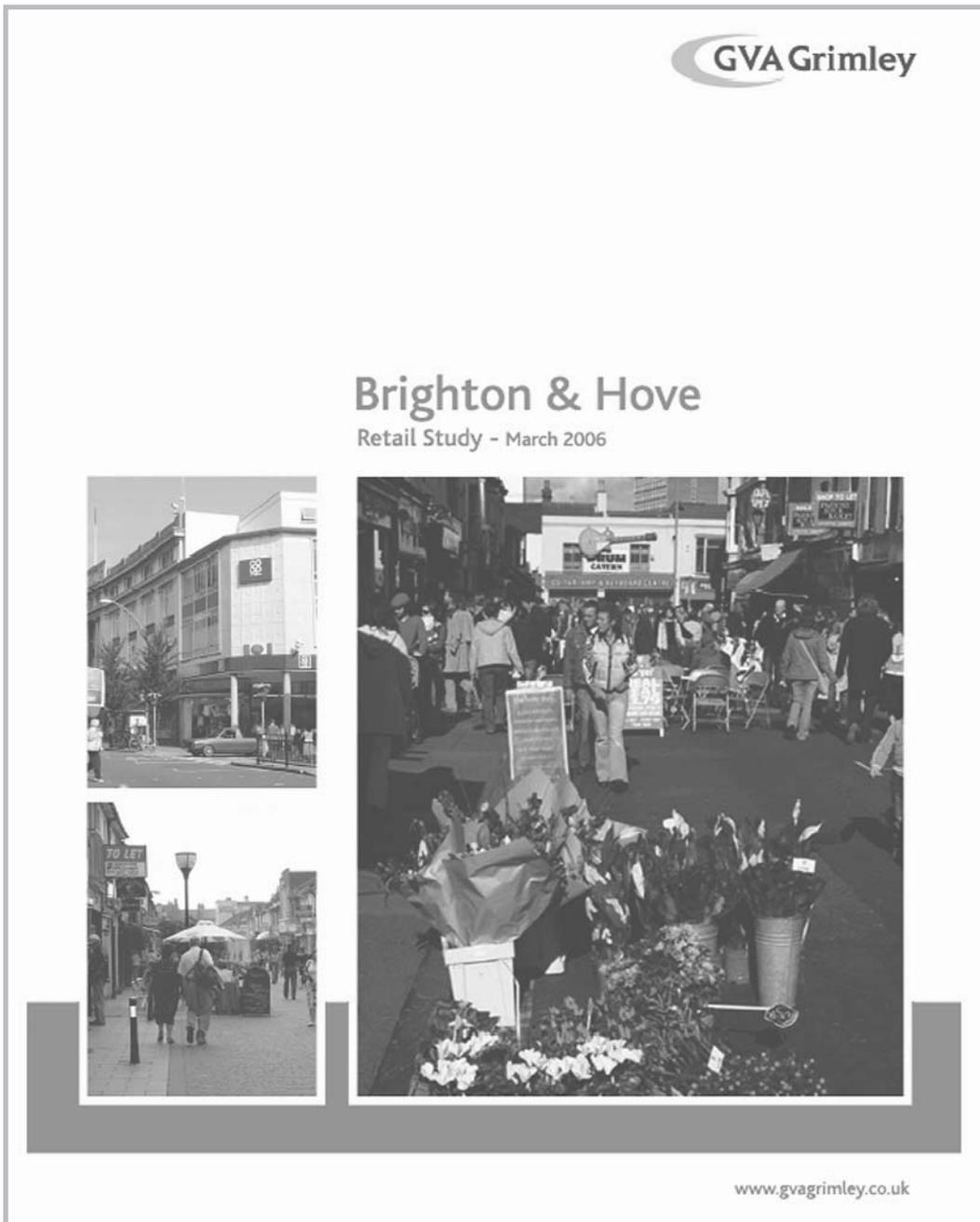
Applications for new retail development on sites away from the edge of existing defined shopping centres will only be permitted where:

- a. they meet the requirements of Policy SR1 (with the exception of clause (b)); and where;
- b. the site has been identified in the local plan for retail development and a more suitable site cannot be found firstly, within an existing defined shopping centre; or secondly, on the edge of an existing defined shopping centre; or
- c. the development is intended to provide an outlying neighbourhood or a new housing development with a local retail outlet for which a need can be identified.

Unless the site has been identified in the Local Plan, applications for new retail development away from the edge of existing established shopping centres will be required to demonstrate that there is a need for the development.

- 6.11 The growth of retail facilities outside existing centres was largely facilitated by a relaxation of planning controls at the national level during the 1980's. However, this approach was reversed in more recent years, originally by government guidance in PPG6 'Town Centres and Retail Developments' now replaced by PPS6 'Planning for Town Centres' and PPG13 'Transport' which identify town centres as the favoured location for new retail development.
- 6.12 It is important to ensure that all proposed shopping developments and particularly those associated with 'out-of-centre' locations such as large food superstores and retail warehouses, have an acceptable impact on the vitality and viability of existing centres. Proposed shopping developments also need to conform to the principles of sustainability and it is important to ensure that they do not lead to serious transport and accessibility problems. All proposals for new retail developments outside existing centres, which do not conform with an up-to-date development plan are now required by government policy (PPS6 'Planning for Town Centres') to demonstrate that there is both a need for the development and that a sequential approach has been applied in selecting the location for development.
- 6.13 Respondents to a consultation leaflet and a focus group on 'Retail and Town Centres' strongly supported resisting further out of centre retail development which was seen as a threat to the vitality and viability of defined centres and not considered to be a sustainable form of development.
- 6.14 Policy SR2 sets out criteria that will allow for the provision of shops where they meet a local need, which cannot be provided within or on the edge of existing main shopping centres. Small scale retail developments of an appropriate size and character may be acceptable on the edge of an existing district or local centre, or near areas of new housing development where there are unsatisfied local needs. A cautious approach to larger scale proposals is required which could only be supported where: there is clearly a demonstrable need for the development; there is a lack of suitable alternative sites; sites are accessible by a choice of means of transport; and where the impact on existing centres is acceptable.

- 6.15 Developers will need to demonstrate that the proposal meets the strict criteria of Policy SR2 in most cases by way of a retail impact assessment. The 'Drivers Jonas Brighton & Hove Retail Study' 1999 (and/or its subsequent update*) will be a material consideration in determining applications. Reference should be made to other retail policies in this Plan together with policies on transport.



* The most recent study is the Brighton & Hove Retail Study March 2006, GVA Grimley

SR3 Retail warehouses

In order to ensure against wider retail use, which would harm the vitality and viability of existing shopping centres, permission will only be permitted for new retail warehouses which accord with other policies for new retail development outside of the shopping centres. The planning authority will impose the following planning conditions for all such developments without exception:

- a. the type of goods sold is restricted to bulky goods only;**
- b. the subsequent sub-division of units is restricted; and**
- c. the subsequent construction of mezzanine floors to provide additional floorspace is restricted.**

- 6.16 Retail warehouses are generally characterised by large single-level stores specialising in the sale of household goods (such as carpets, furniture and electrical goods) and bulky DIY items, catering mainly for car-borne customers and often in out-of-centre locations. More recently however, some warehouses have introduced mezzanine floors. There are also some examples in Brighton & Hove of retail warehouses selling non-bulky goods such as shoes and clothing.
- 6.17 Members of a focus group on 'Retail and Town Centres' expressed concern that out-of centre retailing has a detrimental impact on the attractiveness of town centre shopping. Focus group participants and respondents to the Local Plan consultation leaflet all strongly supported the resistance of further out-of-centre retail development which was seen as a threat to the vitality and viability of established centres. It was also felt that out-of-centre retailing was not a sustainable form of development.
- 6.18 However, it is not always possible for some types of retailing, such as large stores selling bulky goods, to find suitable sites either within or on the edge of town centres. This may be due to the proposed scale of the development and the nature of the retailing involved which may result in problems of access and deliveries to stores and out to customers. It is vital, that where the development has to be located in an out-of-centre location that the range of goods sold differs from those that are sold or could be sold in town centres. This ensures that there is no direct competition that would draw significant trade from the centres and hence have a detrimental impact.
- 6.19 The 'Drivers Jonas Brighton & Hove Retail Study' 1999 found that there is no capacity for retail warehouse development before 2001. By the middle of the Plan period there will be some capacity for additional floorspace. The Study recommended that future provision should be directed to existing retail locations or locations that benefit from good public transport access, that are adjacent to other retail and leisure facilities and are served by surrounding residential areas. The planning authority will therefore be directing any new provision during the middle of the Plan period to these areas and encouraging more efficient use of existing sites and premises.
- 6.20 Development proposals should conform to the other retail policies of this Plan.

SR4 Regional shopping centre

Within defined prime frontages of the regional centre, the change of use of existing Class A1 use shops to Class A2, A3, A4 or A5 uses, will be permitted provided that all of the following criteria are met:

- a. as a result of the proposal there would not be a significant break in the shopping frontage of more than 10m;
- b. it would not result in either the number of non-retail units or the proportion of frontages exceeding 25% of the shopping street(s) to which it relates;
- c. it would have a positive effect on the shopping environment of the area by encouraging combined trips and attracting pedestrian activity to the centre; and
- d. the development would not be significantly detrimental to the amenities of occupiers of nearby properties or the general character of the area.

Exceptions to (a) may be permitted if it would allow an existing business currently occupying an immediately adjacent unit to expand.

Outside the prime frontage of the regional centre, the loss of retail use will be permitted provided that a healthy balance and mix of uses (including Class A1 retail) is retained and concentrations of uses other than Class A1 are avoided. The proposed use should still attract pedestrian activity to the centre and should not have a significantly harmful impact on the amenity of the area.

- 6.21 The council considers it particularly important to maintain at least 75% Class A1 uses in the prime frontages of the regional centre. This is in order to maintain its role as the principal shopping centre in East Sussex, which is of considerable importance to the economic and social life of Brighton & Hove. It is also desirable to ensure that any proposed use will encourage pedestrian activity into the centre and therefore residential uses will not be permitted. Retail units at the corner of two streets can have added significance as they can "signpost" the beginning of at least one shopping frontage. Where a proposal relates to a retail unit on a street corner, the impact of the change of use on the frontage of both shopping streets will be considered.
- 6.22 Outside the prime frontages, the planning authority wishes to retain a healthy level of activity in the daytime and evening by ensuring that a good mix of Class A1(retail), A2 (banks /building societies), A3 (cafes / restaurants) and other uses prevail whilst avoiding any one particular class of activity dominating an area. Community uses falling within Class D1 (e.g. doctors, dentists) which would draw people to the centre and may generate a combined shopping visit will also be considered provided that a window display is maintained.
- 6.23 Participants in a focus group on 'Retail and Town Centres' thought that more flexibility was needed in applying the policy, and that Western Road, Brighton would benefit from more A3 uses - there remains some flexibility for further changes of use to non-retail uses within the terms of Policy SR4.
- 6.24 Implementation of the policy will be assisted by continuing to monitor numbers of retail / vacant units. In addition, new sites for significant retail development are identified elsewhere in this Plan in this centre.

SR5 Town and district shopping centres

With the aim of maintaining and enhancing the defined prime frontages of:

- the Town Centres of London Road and Hove; and
- District Centres of St James Street, Lewes Road, Brighton Marina and Boundary Road / Station Road;

the change of use of existing Class A1 use shops to Class A2, A3 (cafes and restaurants), will be permitted provided all of the following criteria are met:

- a. a clear predominance of Class A1 uses would be maintained;
- b. as a result of the proposal there would not be a significant break in the shopping frontage of more than 15 metres;
- c. it would have a positive effect on the shopping environment of the area by encouraging combined trips and attracting pedestrian activity to the centre; and
- d. the development would not be materially detrimental to the amenities of occupiers of nearby properties or the general character of the area.

In addition to Class A2 and A3 uses, some Class D1 community uses (e.g. doctors, dentists) may be permitted provided that a window display is maintained and it can be demonstrated that the proposed use would draw pedestrian activity into the Centre.

Within any part of these Centres a change of use at ground floor level to residential in a shopping frontage will not be permitted.

Outside the prime frontage in the town and district centres, the loss of retail use will be permitted provided that a healthy balance and mix of uses (including Class A1 retail) is retained and concentrations of uses other than Class A1 are avoided. The proposed use should still attract pedestrian activity to the centre and should not have a significantly harmful impact on the amenity of the area.

- 6.25 Town and District centres commonly serve community needs for both comparison and convenience goods shopping, together with a range of non-retail services such as banks, building societies, cafes and restaurants. The centres are capable of fulfilling an important function as a focus for both the community and for public transport. They have suffered however, over the past decade from economic downturns and increased competition from out of centre retailing. A more flexible approach is needed therefore to ensure that their vitality and viability is maintained and enhanced. There should still be a predominance of at least 50% of retail (Class A1) units retained.

- 6.26 The proposed uses should draw pedestrian activity into the centres. Residential uses will not therefore be permitted as such uses would not fulfil criteria (c) of this Policy. Other community uses falling within Class D1 (e.g. doctors, dentists) which would draw pedestrian activity and would generate combined visits to the centres could be favourably considered provided that a window display is maintained. Outside the prime frontages, the council wishes to retain a healthy level of activity in the daytime and evening by ensuring that a good mix of Class A1(retail), A2 (banks /building societies), A3 (cafes / restaurants) and other uses prevail whilst avoiding domination by any one particular class of activity.



SR6 Local centres

With the aim of maintaining and enhancing the following local centres:

Mill Lane, Portslade; Portland Road, Hove; 'The Grenadier', Hangleton Road; Richardson Road, Hove; Eldred Avenue, Withdean; Old London Road, Patcham; Ladies Mile Road, Patcham; Seven Dials; Fiveways; Hollingbury Place, Hollingdean; Beaconsfield Road, Preston Park; St George's Road, Kemp Town; Warren Way, Woodingdean; Whitehawk Road, Whitehawk; High Street, Rottingdean; Lustrells Vale, Saltdean; and Longridge Avenue, Saltdean;

the change of use of existing Class A1 use shops to Class A2, A3, A4 or A5 uses will be permitted, provided that all of the criteria, a) to e), are met:

- a. it would not result in either the number of non-retail units or the proportion of frontages exceeding 35% of the centre;
- b. it has been adequately demonstrated that a Class A1 retail use is no longer economically viable in that particular unit or the centre as a whole;
- c. the proposed use would attract pedestrian activity (particularly in the daytime) which would make a positive contribution to the vitality and viability of the centre;
- d. the development would not be significantly detrimental to the amenities of occupiers of nearby residential properties or the general character of the area; and
- e. the location and prominence of the proposed use would not lead to a significant break of more than 10 metres in the frontage.

In addition to Class A2, A3, A4 or A5 uses, some Class D1 community uses (e.g. doctors, dentists) may be permitted provided that a window display is maintained and it can be demonstrated that the proposed use would draw pedestrian activity into the centre.

Changes of use at ground floor to residential will not be permitted in Local Centres.

- 6.27 Local centres are small groupings, usually comprising a newsagent, a general grocery store, a sub-post office and occasionally a pharmacy, a hairdresser and other small shops of a local nature. It is important particularly for the elderly, people with disabilities and the very young who cannot easily travel far, that their convenience retail needs can be met within easy walking distance within their neighbourhood. It is also desirable from a sustainable point of view that people are not dependent on use of the car for their day to day retail needs. Great concern about the decline of local centres and parades was expressed by participants in a focus group on 'Retail and Town Centres' and people who responded to the Local Plan consultation leaflet.

- 6.28 Local centres that retain a good predominance of Class A1 retail uses with low vacancy rates still retain their vitality with a healthy level of pedestrian activity. 65% is considered to represent a good predominance of units and is more realistic in local centres than the higher ratios required by Policy SR5 (Regional Shopping Centre). Most of the local centres do not exceed this ratio (in terms of the proportion of non-A1 uses) and so there is some flexibility within the policy. Policy SR6 will be strictly applied and where the proportion of non-retail units has risen above the threshold already, then the further loss of retail units will only be permitted in exceptional circumstances.
- 6.29 Indicators to be taken account of affecting the economic viability of a unit are:
- the characteristics of the unit;
 - its position in the centre;
 - the pedestrian flow associated with the unit and the centre as a whole;
 - the number of other vacancies in the centre; and
 - the length of time that the unit has been actively marketed on competitive terms.
- 6.30 It is important that the proposed use will still contribute to the activity in the centre particularly in the daytime. For example, a Class A5 use (e.g. selling hot food) with little or no seating which operates mainly as a take-away opening only later in the day, would not, it is considered, fulfil this role. As with the other centres a community use such as that falling within Class D1 (e.g. doctors, dentists), which attracted pedestrian activity and encouraged a combined shopping visit to the centre will be considered provided that a window display is maintained. Residential uses are not considered appropriate for this reason and a residential use would not fulfil criteria (c) of Policy SR6.

SR7 Local parades

Within local parades the change of use of existing Class A1 use shops to Class A2, A3, A4 or A5 uses will be permitted provided that all of the following criteria are met:

- a. the number of units or frontages other than Class A1 in the parade would not exceed 50%;
- b. it has been adequately demonstrated that an A1 retail use is no longer economically viable in that particular unit or parade;
- c. the nature of the proposed use and the level of activity (particularly in the daytime) likely to be associated with it, would make a positive contribution to the vitality and viability of the parade; and
- d. the development would not be significantly detrimental to the amenities of occupiers of nearby residential properties or the general character of the area.

Exceptions to (a) may be permitted if the parade in question is within easy walking distance of a local, district, town centre or the regional shopping centre and all other criteria are met.

In addition to Class A2, A3, A4 or A5 uses, some Class D1 community uses (e.g. doctors, dentists) may be permitted provided that a window display is maintained and it can be demonstrated that the proposed use would draw pedestrian activity into the centre.

Changes of use at ground floor to residential will not be permitted in local parades.

- 6.31 The term 'local parade' in this Policy refers to a cluster of three or more A1 retail units such as a newsagent, convenience store or off-licence, together with A2 uses, for example estate agents or A3, A4 or A5 uses, that function as a group and are capable of serving the convenience needs of a local residential catchment population. Participants in a focus group for 'Retail and Town Centres' were greatly concerned about the decline of local shopping parades.
- 6.32 It is important particularly for older people, people with disabilities and the very young who cannot easily travel far, that their convenience retail needs can be met within easy walking distance within their neighbourhood. In most cases, up to 300m is considered to be an 'easy walking distance' (PPS6 'Planning for Town Centres') to serve the local convenience needs of a neighbourhood. However a shorter distance may be deemed appropriate if, for example, it is necessary to walk up a hill or to cross a busy main road. It is also desirable from a sustainable point of view that the wider population is not dependant on use of the car for day to day retail needs. It may be unrealistic to expect more than 50% of retail units to be retained in such a parade but it is considered most important to protect these parades for the reasons stated above and to ensure that sufficient alternatives exist nearby.
- 6.33 If an exception to (a) is being considered then there should be substantive written evidence submitted with an application to meet the other criterion, particularly criterion (b).

- 6.34 Indicators affecting the economic viability of a unit which will be taken account of are:
- the characteristics of the unit;
 - its position within the parade;
 - the pedestrian flow associated with the unit and the parade as a whole;
 - the number of other vacancies in the parade; and
 - the length of time that the unit has been actively marketed on competitive terms.
- 6.35 It is important that proposed changes of use will still contribute to the activity in the parade particularly in the daytime. For example a Class A5 use with little or no seating, which operates mainly as a take-away, opening only later in the day would not, it is considered, fulfil this role. As with the other centres, a community use such as that falling within Class D1 (e.g. doctors, dentists) which attracts pedestrian activity and encourages combined visits to the parade could be favourably considered, provided that a window display is maintained. Residential uses are not considered appropriate for this reason and a residential use would not fulfil criteria (c) of this Policy.
- 6.36 The type of amenity issues that would be covered by criterion d) may include visual amenity, noise and disturbance, air pollution, litter and vehicle movements.
- 6.37 Other retail policies in this Plan, which are relevant to this policy include Policy SR6 and Policy SR8.



SR8 Individual shops

Planning permission for changes of use of individual shops from Class A1 use will be permitted provided all of the following criteria are met:

- a. the shop is within easy walking distance of a local, district, town centre or the regional shopping centre and local residents within its catchment would still be within easy walking distance of a comparable shop;**
- b. it has been adequately demonstrated that an A1 retail use is no longer economically viable in that particular unit; and**
- c. the development would not be significantly detrimental to the amenities of occupiers of nearby residential properties or the general character of the area.**

- 6.38 It is important, particularly for older people, people with disabilities and the very young who cannot easily travel far, that their convenience retail needs can be met within an easy walking distance within their neighbourhood. In terms of sustainable development, it is important that people are not dependant on use of the car for their day to day retail needs. Participants in a focus group on 'Retail and Town Centres' expressed great concern about the loss of corner shops. Such concern has been a key issue in the Hanover area of Brighton, for example, parts of which are not within easy walking distance of the centres. 'New Deal for Communities'³ (operating in East Brighton) also actively seeks to address poor access to affordable shops and to banks/building societies. Policy SR8 is designed to provide better protection for corner shops and to help ensure that sufficient alternatives exist nearby.
- 6.39 The catchment area of an individual shop is defined as being a radius of 400m from the unit; this being the maximum acceptable walking distance. In most cases, up to 300m is considered to be an 'easy walking distance' (PPS6 'Planning for Town Centres') and in some circumstances it may be a shorter distance depending on the topography of the area or physical barriers such as a busy main road preventing convenient access.
- 6.40 Indicators affecting economic viability which will be taken into account are:
- the characteristics of the unit;
 - its location within the neighbourhood;
 - the pedestrian activity associated with the unit and the locality as a whole; and
 - the length of time that the unit has been actively marketed on competitive terms.
- 6.41 Applicants will be expected to submit documentary evidence, including a comparison with units in a similar location, to demonstrate active marketing of the unit on competitive terms in support of their proposal.

³ 'New Deal for Communities' was a key programme in the government's strategy to help some of the most deprived neighbourhoods in the country. The programme is delivered through partnerships between local people, community and voluntary organisations, public agencies, local authorities and business.

SR9 Brighton Post Office, 51 Ship Street

In the event of the Post Office relocating to another site in central Brighton planning permission will be granted for a mixed use scheme comprising Class A1 retail use on the whole of the ground floor with residential accommodation above, retaining the existing listed building.

- 6.42 Policy SR9 is a positive response to the concept of mixed uses in town centre locations, which add to their vitality. The post office building occupies a prominent position linking the prime shopping frontages of North Street and Duke Street with The Lanes. It is important that a significant retail outlet is retained here which can draw pedestrians towards the retail in the Lanes. It also represents an opportunity to provide significant residential floorspace in an attractive town centre location.
- 6.43 The principle of 'living over the shop' attracted support from the urban design visioning and community visioning workshop participants whilst participants in a focus group on 'Mixed-use and Higher Density Development' supported the view that it can improve security by increasing the opportunities for natural surveillance. The 'Retail and Town Centres' focus group also suggested that a natural surveillance benefit of this type of mix in the town centre would be the support of the smaller shops by the residents.



SR10 Amusement arcades / centres

Planning permission for amusement arcades and centres will only be granted in the following parts of the town centres and seafront:

- a. **outside the prime frontages of the regional, town and district shopping centres; and**
- b. **mixed commercial areas;**
- c. **between the Palace Pier and the eastern end of The Colonnade, Madeira Drive within existing buildings or arches only.**

Permission will not be granted within or adjoining premises containing residential accommodation, close to schools, churches, hospitals and hotels, nor within predominantly residential areas.

The planning authority will seek to ensure that an over concentration of arcades in the same vicinity is avoided in order to protect the amenity of the area and to retain a mix of leisure activities thus appealing to all visitors.

Where appropriate planning conditions will be imposed to ensure that some premises contain amusement-with-prizes machines only in order to protect the character and amenity of the location.

- 6.44 The council recognises the role that amusement centres play in providing attractions for visitors in particular and considers that they should be located in those areas most popular with visitors such as the seafront. In the shopping centres their appeal is more limited and they have only a limited role to play in maintaining the vitality of centres. An over concentration of amusement centres can be detrimental to a shopping centre. There are amusement centres already in existence in the prime frontage of most of the main retail centres in Brighton & Hove and it is considered that there is sufficient representation there already. It is recognised that amusement centres can have a detrimental impact on visual amenity and can generate noise. For these reasons it is preferable for centres to be located in mixed commercial areas. However, account should be taken of the character of the area and parts of the city are appreciated by visitors more for their historic character which the council is seeking to preserve and enhance.
- 6.45 The 'Recreation, Leisure, Tourism and Arts' focus group was unanimously in favour of area based controls and considered there to be adequate provision of amusement arcades already. Most of the group considered them to be noisy and unattractive features. However, it was recognised that they were a factor in attracting visitors.
- 6.46 Monitoring of existing provision will be carried out and consideration of proposals for new amusement arcades will take place in consultation with the council's licensing teams. Council policy on licensing can take into account over-provision of amusement arcades and centres which may result in excess competition and a lowering of standards. Account will also be taken of other policies in this Plan related to retail centres, amenity and noise pollution.

SR11 Markets and car boot sales

Planning permission for new off-street or on-street markets, covered or open, will be granted where:

- a. the proposal would not have an adverse effect on residential amenity or the immediate environment in terms of noise, nuisance or visual appearance; and
- b. the proposal should not result in traffic congestion or danger, and should be readily accessible by public transport.

In addition:

- c. the proposal should not adversely affect the viability of existing shops in the vicinity and should not result in an over concentration of markets in one particular area;
- d. adequate car parking for stallholders should be provided;
- e. adequate provision must be made for servicing and storage of stalls, as well as refuse storage. Provision of new litter bins may also be required;
- f. all permanent barrows or stalls should be of a satisfactory appearance and well maintained, with the area being left clean and tidy after operation.

Proposals for markets and car boot sales should be supported by a management plan indicating how they will operate including details of times, allocation of pitches and marshalling. A 'limited period only' permission may be given if the environmental consequences are either uncertain, especially in residential areas, or could be harmful in the longer term, in order to allow for monitoring of potential harm or nuisance. Similarly hours of operation may be limited where appropriate to avoid nuisance.

- 6.47 Markets and boot sales fulfil an important role by offering more affordable goods particularly for those on lower incomes. Farmers markets or fruit and vegetable markets are prime examples such as the Open Market, London Road which has the added benefit of being easily accessible by public transport for many of its users. Good quality markets selling comparison goods also add to the vitality and cultural richness of the City thus attracting locals and visitors.
- 6.48 Markets and car boot sales, however, can create unique and significant environmental problems in terms of their impact on residential locality or proximity to ecologically sensitive sites as well as the reliance on the car particularly by stall holders. Policy SR11 will be strictly applied, particularly those aspects relating to environmental impact and traffic congestion. The numbers of markets and car boot sales in operation will be monitored and policy reviewed if necessary. Proposals should be considered in the light of other transport and environmental policies in this Plan.

SR12 Large Use Class A3 (restaurants and cafes) and Use Class A4 (pubs and bars)

New cafés, restaurants, bars or public houses or extensions to such facilities with a total resultant public floorspace in excess of 150 sq m will be permitted provided they meet the following criteria:

- a. the premises would not be within 400m of another establishment falling into the above category. (Evidence to demonstrate this must be supplied by the applicant);
- b. the premises do not, or will not, operate within, or abutting, premises containing residential accommodation except that occupied by staff of the premises;
- c. that having regard to the location of the premises and the type of building in which it is accommodated, the use will not, in the opinion of the local planning authority, be likely to cause nuisance or an increase in disturbance to nearby residents by reason of noise from within the premises;
- d. that having regard to the location of the premises in relation to other similar establishments; the customer capacity of on or off-site parking facilities; and public transport facilities, in the opinion of the local planning authority, the use is unlikely to result in increased levels of public disorder or nuisance and disturbance to nearby residents as a result of people leaving the premises late at night and dispersing to transport and other destinations.

Exceptions to this policy may be permitted provided that any customer floorspace in excess of 150 sq.m (as shown on approved plans) is for service to seated customers only in the manner of a restaurant or café. To ensure this, planning conditions would be imposed to ensure that no alcohol could be sold or supplied except to persons who are taking meals on the premises and who are seated at tables. Where appropriate, conditions will also be applied to ensure that closing times in relation to other similarly large venues in the vicinity are staggered in order to avoid large numbers of people dispersing from an area at the same time. However this will usually be inappropriate where the proposal is in or near a residential area.

- 6.49 The number of large pubs and bars which serve mostly just alcohol, clustered together in the town centres, is giving rise to concern from the police and public alike regarding the potential for noise, disturbance and public disorder. By controlling their operation and encouraging good management, the objective is to make the city a more attractive destination for leisure / entertainment for all sectors of the population. Cafés and restaurants (Use Class A3) no longer fall within the same use class as pubs and bars (now in Use Class A4) and the policy has been adjusted to reflect the changes to the Use Classes Order 1987.

- 6.50 Government Circular 5/94 ('Planning out Crime') states that crime prevention is one of the social considerations to which regard must be given in development plans. Section 17(1) of the Crime and Disorder Act 1998 also requires local authorities, when exercising all of their functions, to consider the effect on crime and disorder.
- 6.51 Policy SR12 follows from close consultation with Sussex Police and reflects their 'Policy relating to premises licensed for the sale and/or consumption of intoxicating liquor'. A net floorspace figure for service to customers of approximately 150sq m (i.e. excluding corridors, lobbies, stairwells, WC's and staffed areas) is considered to be 'large' for the purposes of this policy. An equivalent sized nightclub would be permitted a capacity of approximately 300 persons in order to satisfy current fire regulations.
- 6.52 The 400m distance referred to in Policy SR12, will be measured by the shortest practical pedestrian route between the existing and proposed premises. It provides a 'safety net' that would make it unlikely that large groups of people leaving different venues could be drawn together thus increasing the potential for public disorder. It is considered that certain areas of the town centre have reached saturation point in terms of the numbers of large pubs and bars clustered together. The distance of 400 metres will ensure that any proposed new Class A4 venues will either be geographically spread out more or will operate in a manner that provides an alternative to pubs and bars, thus appealing to a greater variety of customers and providing more vitality to the town centre.
- 6.53 One of the key priorities of the council's 'Community Safety and Crime Reduction Strategy' 2002-2005 is to reduce the 'fear of crime'. This is particularly relevant since in addition to actual crime, it is the perception of crime that discourages many people from coming into parts of the town centre particularly at night. Issues surrounding these uses were discussed at focus groups for 'Mixed-use and Higher Density Development' and 'Retail and Town Centres'. Sussex Police gave examples of other towns in Sussex, where, by providing a mix of uses, it has encouraged a greater mix of the population to visit town centres which has reduced the number of disturbances. It was noted that there have been significant problems of crime in, for example West Street, Brighton and in the Regency ward where there is a dominance of single uses, such as bars, in confined areas. A wider range of entertainment opportunities and a greater mix of town centre activities would help to alleviate these problems.
- 6.54 The 'Retail and Town Centres' focus group considered that extending licensing hours might result in more such venues but would avoid the concentrations of customers leaving all at once and so reduce disturbances.
- 6.55 Proposals will be considered in close consultation with Sussex Police and the council's Environmental Health and Licensing teams and will be considered in relation to other community safety and noise pollution policies in this Plan.

SR13 Nightclubs

New clubs or extensions thereto with either a total or resultant net public floorspace in excess of 150 sq.m will be permitted, provided they meet all of the following criteria:

- a. it would not be within 400m of another establishment falling into the above category. Distance to be measured by the shortest pedestrian route between the existing and proposed premises;
- b. the premises do not, or will not, operate within or abutting premises containing residential accommodation except that occupied by staff of the premises;
- c. that having regard to the location of the premises and the type of building in which it is accommodated, the use will not, in the opinion of the local planning authority, be likely to cause nuisance or an increase in disturbance to nearby residents by reason of noise from within the premises;
- d. that having regard to the location of the premises in relation to other similar establishments, the customer capacity on or off-site parking facilities and public transport facilities, in the opinion of the local planning authority, the use is unlikely to result in increased levels of public disorder or nuisance and disturbance to nearby residents as a result of people leaving the premises late at night and dispersing to transport and other destinations;
- e. the location of the club is within easy walking distance of late night public transport and taxi ranks.

Smaller clubs or extensions thereto, will have to meet all of the above criteria except (a).

In consideration of applications, the planning authority, where appropriate, will seek to ensure by condition that clubs in close proximity to each other, as defined in (a) above, have different closing times in order to avoid an accumulation of people dispersing at one time. Clubs located some distance from residential areas such as the seafront arches may be permitted longer opening hours in conjunction with licensing conditions which ensure that drinking times are significantly more restricted. However this will usually be inappropriate where the proposal is in or near a residential area.

- 6.56 The council's Community Safety and Crime Reduction Strategy 2002 -2005 has followed a multi-agency approach to tackling crime and improving safety. As part of this, the police and the council's licensing and planning teams have been working together to produce a consistent policy approach in consideration of premises including nightclubs which require licenses. Section 17(1) of the Crime and Disorder Act 1998 requires local authorities, when exercising their functions, to consider the effect on crime and disorder. Government Circular 5 / 94 ('Planning out Crime') also makes crime and safety a planning issue in consideration of planning applications.

- 6.57 A focus group on 'Mixed-Use and Higher Density Development' considered the problems associated with streets dominated by single uses, such as bars, and concluded that a mix of entertainment opportunities to attract people from a wider range of age groups would help to alleviate these problems. Other towns were cited where this has happened already. Encouraging a diversity of premises will attract a more diverse mix of people into the town centres, particularly at night, which in turn, will reduce the likelihood of disorder. Avoiding concentrations of similar venues in close proximity and staggering and relaxing closing times (without relaxing permitted alcohol times) will avoid peak densities and 'flashpoints' of disorder. The management of premises including security e.g. through the council's Door Supervisor scheme is also an important contributor to improving safety.
- 6.58 Sussex Police will take into account four principles when commenting on planning applications: - diversity of premises, geographical spread and concentration of licensed premises, time spread of closing times and care, control and supervision of premises.
- 6.59 The council's Licensing Policy defines large clubs as those with a capacity in excess of 300 people. This equates to a minimum floorspace of approximately 150 square metres for customers to satisfy fire regulations excluding corridors, lobbies, stairwells, WC's etc and staffed areas. For the purposes of this policy the floorspace will be defined this way.

SR14 New hotel and guest accommodation

The development of new hotel and tourism (including self-catering) accommodation will be permitted within the identified core area provided that:

- a. **it would not result in a reduction in the numbers of residential units;**
- b. **it would not result in a loss of industrial / business land or floorspace for which a need has been identified;**
- c. **it would not have a harmful effect on the amenity or character of the area;**
- d. **it would not result in a serious increase in traffic congestion; and**
- e. **it would provide facilities for recycling trade waste proportionate to the size of premises.**

Unless it has been identified in this Plan, outside the core area planning permission will not be granted for new accommodation unless it has been demonstrated that no suitable site can be identified firstly, within the town centre; or secondly on the edge of the town centre and it has good public transport access to the town centres and tourist attractions.

- 6.60 It is vital that Brighton & Hove is able to support its tourism economy by providing a sufficient and wide ranging type and cost of accommodation to cater for all visitors. The boundary of the core area has been identified to ensure that accommodation is close to main public transport links and the main visitor attractions in the interests of promoting sustainable tourism in line with the Local Transport Plan. The core area boundary has been expanded to help avoid concentrations of accommodation that can have an adverse impact on residential amenity due to, for example, parking, noise and disturbance.
- 6.61 Participants in a 'Recreation, Leisure, Tourism and Arts' focus group suggested a vision for sustainable tourism which took account of its environmental costs and its impact on residents. The vision for Brighton & Hove should be to provide an attractive environment that is stimulating for visitors regardless of their reason for visiting. The focus group participants particularly wanted to see tourist accommodation located close to public transport to be more sustainable and attractive for visitors and as an example, they did not wish to see motel accommodation located on the edge of town. A significant number of respondents to the Local Plan consultation leaflet cited 'hotel/ visitor accommodation' as a means of improving facilities and attractions for visitors.
- 6.62 Significant new developments will be required to demonstrate that they will be located such that guests will have a sufficient choice of transport so that they will not be reliant on their cars to either reach their accommodation or to access the visitor attractions.
- 6.63 Account should be taken of other policies in this Plan related to transport and design as well as policies in the East Sussex and Brighton & Hove Waste Local Plan.

SR15 Protection of hotels / guest houses

The change of use of hotels, guest houses and self catering holiday accommodation in the 'core area' of Brighton & Hove will not be permitted unless clear evidence is provided to demonstrate that:

- a. **a hotel / guesthouse or self catering accommodation is no longer viable for use as such; and**
- b. **alternative types of holiday accommodation suitable for the property (including dual uses for out of season times) are not viable.**

- 6.64 It is vital in order to support the important role tourism plays in the local economy, that a flexible range of accommodation is available to meet the current needs and demands of all visitors and which caters for all income groups. In order to demonstrate non-viability, proof will be required to show that a hotel or guest house has been marketed extensively for at least a year and at a competitive price. Evidence will also be required of occupancy rates for the previous 3 years at least, and any other relevant factors such as previous marketing or business plans, locational factors and ease of access for visitors by a variety of modes of transport. In assessing whether the accommodation is not viable, the planning authority will seek the independent views of the South East England Tourist Board.
- 6.65 During periods of economic downturn, an area dominated by tourist accommodation may start to display characteristics of economic and social malaise. This is another reason why the core area boundary has been expanded compared to previous local plans. The core area boundary will now include areas around Brighton & Hove railway stations and main bus routes e.g. North Laine, Seven Dials, Queens Road, Western Road / North Street corridor and the seafront.

SR16 Major sporting and recreation facilities

Major sporting and recreational facilities which serve Brighton & Hove as a whole should be located within the built up area boundary in a location which is either well served by public transport, with good pedestrian and cycle links, or where measures to ensure this can be taken. Any development proposals must be accompanied by an environment impact assessment; a transport assessment and a business plan. Any proposal outside the built up area boundary must be supported by convincing evidence that the proposal was of significant cultural and recreational importance to Brighton & Hove and that no alternative sites were available to warrant a departure from other relevant policies in this plan.

Any enabling development linked to a sporting facility will only be permitted if it has firstly been identified on the Proposals Map and it conforms to other policies in the Plan.

SR17 Smaller scale sporting and recreational facilities

Planning permission will be granted for smaller scale new sporting and recreation facilities provided that:

- a. it involved either the expansion of existing facilities or the provision of new facilities located close to the communities that they are intended to serve;**
- b. they have good pedestrian and cycle links and are well served by public transport; and**
- c. intensification of facilities would not have a harmful impact on the local environment either visually (including artificial lighting), through additional noise and disturbance or impact on the natural environment.**

- 6.66 Major facilities are considered to be those that due to their size or limited number are intended to draw their customers from a broad catchment area across Brighton and/or Hove. Existing examples would include the major sporting venues (see Policy SR22, Major sporting venues), the Prince Regent and King Alfred swimming pools and the sports centres at Falmer and Brighton Marina.
- 6.67 New facilities should be located close to the communities they are intended to serve in order to reduce the length of journeys needed to get to them. In the case of major facilities, a central location would best meet the needs of the majority of the population. If no such suitable site is available then the council will expect applicants to demonstrate a sequential approach to site selection in accordance with government policy (PPS6 'Planning for Town Centres').
- 6.68 This policy is consistent with the views expressed by participants in a 'Recreation, Leisure, Tourism and Arts' focus group who felt that a number of new or improved sporting and recreation facilities were needed in Brighton & Hove. Particular examples cited were a campsite on the national cycle network, more indoor sports halls, swimming pools, a large indoor sports arena and improvements to the cycle track. It was also considered that school sites could be used to provide additional community recreation facilities. Quality of provision and convenient access to the public were key issues raised by participants.
- 6.69 The council's City Sports Strategy and Action Plan 2006-2012, identifies a number of key priorities for new or improved provision of facilities and preferred locations for them. Educational sites, for example, will play an important role in the location and provision of new facilities through the development of community sports programmes.
- 6.70 Policies on seafront recreation and provision of recreation facilities in housing schemes should also be taken into account. This policy applies to developments for active recreation and not leisure activities such as cinemas.

SR18 Seafront recreation

New recreation facilities which are related to seafront / coastal activities will be permitted on the seafront provided that:

- a. there will be no development onto the beach;**
- b. the importance of the seafront and beach as an open space is not undermined;**
- c. any development does not have a detrimental impact on strategic views along the coastline;**
- d. the development makes a considered response in its design to the visual and environmental character of the stretch of seafront to which it relates, supported by a design statement which addresses that character;**
- e. the development does not have a harmful impact on the amenity of local residents and the seafront due to noise, disturbance and light pollution;**
- f. the development will not result in the significant generation of car borne journeys, nor additional pressure for car parking;**
- g. the development will not have an adverse impact on the setting of important seafront buildings;**
- h. the development does not have an adverse impact on nature conservation interests; and**
- i. any development enables the beach and seafront to be accessible to all.**

- 6.71 The seafront provides an important opportunity for promotion and enhancement of both formal and informal recreation. The character of the seafront varies in its intensity of activity with both lively and tranquil stretches which contribute to its broad appeal to residents and visitors alike. Provision for recreation must, however, complement the outstanding seafront landscape and respect its intrinsic wildlife value.
- 6.72 A focus group for 'Recreation, Leisure, Tourism and Arts' agreed that there were quiet areas of the seafront that needed protecting and there was a need to have a more sustainable tourism strategy that recognised the impact that tourism has on residents. Participants in the urban design 'visioning' workshops identified the seafront as having outstanding landscape value featuring strategic views both along the coastline and towards the seafront from higher ground that could be spoilt by inappropriate development. This policy should therefore be read in conjunction with policies QD1 and QD4.
- 6.73 An important consideration in any development of the seafront will be the council's publication, 'Wildlife for People - A Wildlife Strategy for Brighton & Hove' which highlights the huge variety of species that can colonise the coastal and marine environments.

SR19 Black Rock site

Planning permission will be granted for the development of the Black Rock site which will be centred around a recreation and leisure scheme which may include wet and dry sports, multi-purpose / special events space and hotel accommodation. The following requirements for any development should be taken into account:

- a. the development should provide an all-year-round attraction for all residents (particularly families) as well as being a tourist attraction;
 - b. it should complement and not duplicate facilities already available at the adjacent Marina;
 - c. passive leisure uses such as casinos, cinemas and nightclubs will not be permitted;
 - d. provision of a significant area for children's recreation;
 - e. the development should be energy efficient and utilise sustainable building techniques;
 - f. provision for sustainable means of transport (including walking and cycling) to and from the site will be expected including links with the Marina and the Palace Pier;
 - g. protection and enhancement of the seashore and shingle beach as an area of nature conservation importance;
 - h. protection and enhancement of the adjacent conservation areas;
 - i. expansion of coastal wildlife sites adjacent to the site; and
 - j. any development should conform to the coastal zone management policy
- 6.74 This is a key vacant site that provides an opportunity for a significant new development. The council wishes to see a development that provides active recreation as an attraction for both visitors and residents. The development should not duplicate facilities in the town centre nor the Marina but there should be functional and transport links between them. The Volks Railway and the South Coast Cycle Route provides opportunities for this. The physical constraints of the site dictate that opportunities for car travel to the site will be very limited and would also be contrary to the council's Sustainable Transport Strategy. The purpose of this policy is to expand the variety of Brighton & Hove's facilities on offer and to avoid any harmful impact on the vitality of the town centre. To maximise the economic benefits and to ensure that facilities are aimed at residents as well as visitors, the development should provide recreation facilities capable of use out of season as well as during peak visitor times.
- 6.75 The 'Recreation, Leisure, Tourism and Arts' focus group discussed a vision for Brighton & Hove that developed a tourist industry in a sustainable manner and which took account of the way that tourism may actively impact on residents.
- 6.76 Community visioning participants identified access to leisure for all as a priority and in particular, children's facilities, an open-air swimming pool adjacent to the sea and a skateboard ramp on the seafront. Many of those who responded to a Local Plan consultation leaflet identified the Black Rock site for development.

- 6.77 The importance of the seafront as open space and in landscape terms was identified by participants in urban design visioning workshops. Development on the seafront was seen as a threat to views along the seafront and out to sea. The site also adjoins the Kemp Town Conservation Area which centres on the Grade 1 Listed terraces of Sussex Square and Lewes Crescent and as such is sensitive in conservation terms. The Black Rock beach is a Site of Nature Conservation Importance (SNCI).
- 6.78 The development should accord with the planning and development brief for the site published in 1999.



SR20 Protection of public and private outdoor recreation space

Planning permission will not be granted for development on areas of outdoor recreation space, other than that which is incidental and appropriate to the respective recreation uses, unless, it can be demonstrated that the land is not an important open space under the terms set out in the Urban Open Space Policy (QD20); and

- a. there is not an existing deficiency in accessible outdoor recreation space in the respective locality and it will not create a deficiency in outdoor recreation space;
- b. the land physically cannot be made accessible to the public;
- c. the sports, recreation and amenity facilities can best be retained and enhanced, including, where appropriate, the creation of suitable access to the public, through the redevelopment of a small part of the site; or
- d. the proposal is of benefit to the local community and includes the provision of an appropriate alternative site, which is accessible to the public, provides similar community and amenity facilities, and, is in a suitable location so as to serve the original catchment area.

Particular attention will be paid to the need to retain playing fields.

With regard to criteria 'c' and 'd', where planning permission is granted for development on an area of outdoor recreation space, conditions will be imposed or a planning obligation will be sought in order to ensure that the onsite facilities are retained and enhanced or similar facilities are provided on an appropriate alternative site.

- 6.79 It is considered that the retention of existing areas of recreational open space is vital to the quality of life in Brighton & Hove. Whatever their size or function they provide an important recreational amenity for those who live and work in the area. They also contribute to the visual character and appearance of their surroundings. Their loss would therefore have a detrimental impact on the area. Unless there are exceptional circumstances that would justify a change of use or development, the planning authority will resist proposals, which would result in the loss of public or private recreational or sporting facilities. When applying this policy, regard will be given to guidance provided by Sport England, which is a statutory consultee on issues relating to playing fields. Regard will also be given to this council's 'Sports Strategy and Action Plan 2006-2012', as appropriate.
- 6.80 For the purposes of Policy SR20, the areas that make-up 'outdoor recreation space' are the same as those that make up 'outdoor playing space' as detailed in the National Playing Fields Association (NPFA) guidance document entitled 'The Six Acre Standard - Minimum Standards for Outdoor Playing Space'. Further details on the standard to be applied in Brighton & Hove can be found in the reasoned justification to Policy HO6 'Provision of outdoor recreation space in housing schemes' and the draft supplementary planning guidance SPGBH9 'A Guide for Residential Developers on the Provision of Outdoor Recreations Space'.

- 6.81 Outdoor recreation space, comprises both children's play space and adult / youth outdoor sport. Included within children's play space are both children's equipped play areas and casual / informal play spaces. The NPFA guidance will be used when assessing whether there is a deficiency in outdoor recreation space in a particular locality. For example, all dwellings (with the exception of some specialist housing) should be within a suitable, (e.g. residents not expected to cross a main road, railway or waterway) 5 minutes walk away from a Local Equipped Area of Play and a 15 minutes walk away from a Neighbourhood Area for Play. If one or both of these requirements are not met then there is a respective deficiency. Where the NPFA offers a range, the mid-point will be used in order to provide consistency throughout Brighton & Hove.
- 6.82 Within the urban area this Policy should be read in conjunction with the 'Urban Open Space' Policy (QD20). These policies together help to ensure that all aspects of the benefit/contribution that areas of outdoor recreation space provide are taken into account. For example, a playing field often provides a valuable visual 'green' break in an urban environment, a 'kick about' area, a space to walk, relax and to meet friends particularly for children and they may be important to the greenways network which benefits both people and nature conservation.



SR21 Loss of indoor recreation facilities

Planning permission for development proposals resulting in a reduction or loss of indoor recreation or sporting facilities will not be permitted except where all of the following conditions are met:

- a. it can be demonstrated that there is an excess of provision within the catchment area of the facility;**
- b. the facilities are to be replaced by improved facilities that meet the aims of the City Council's sport and recreation strategy; and**
- c. replacement facilities are in a location as close as is practicable to existing and potential users, and readily accessible by a choice of transport modes.**

- 6.83 There is a considerable shortage in terms of quantity and quality of sports facilities and playing fields in Brighton & Hove. The council will seek to ensure that the National Playing Fields Association minimum standards of recreational or playing fields provision are applied except where local circumstances differ significantly with reference to the location and the sport itself.
- 6.84 Planning applications should take into account the council's current sports and recreation strategy and reflect its priorities, when seeking to provide new sporting facilities or seeking to change the use of existing facilities. Sport England ('Planning Policies for Sport' 1999) seeks to encourage the development and enhancement of sports facilities in a sustainable manner by ensuring adequate provision at a local level, accessible by public transport, walking or cycling in line with government policy (PPS6 'Planning for Town Centres') and government guidance set out in PPG13 'Transport'). It is important that future provision is sited in central locations that are accessible by a choice of transport modes, in order to serve the whole community.
- 6.85 A 'Recreation, Leisure, Tourism and Arts' focus group identified a shortage of sports halls and indoor facilities and swimming pools. A significant proportion of all respondents to the consultation leaflet referred to the need to improve sports facilities as a means of attracting more visitors and tourists. Community visioning workshop participants placed affordable access to leisure facilities for all as a key priority particularly, for younger people, older people and people with disabilities.

SR22 Major sporting venues

The following venues will be retained as major sporting and recreational centres for the City and redevelopment for non-sporting uses will not be permitted. Planning permission will be granted for improvements to the existing playing and spectating facilities at these venues and other related uses which would improve the attractiveness of these major sporting venues, provided that they are not detrimental to the amenities of the local area:

- a. County Cricket Ground;**
- b. Withdean Stadium; and,**
- c. Brighton Racecourse.**

- 6.86 Land for sporting and recreation planning uses is in short supply and it is vital that these major sites are retained because of the difficulties of finding acceptable alternatives in Brighton & Hove. The loss of these sites as major sporting venues could add to the pressure for development elsewhere or result in the loss of a sporting venue from the City altogether. The difficulties that have been encountered so far in trying to relocate Brighton & Hove Albion Football Club, highlight the need to retain major venues capable of use for a variety of sports.
- 6.87 Retaining these sites would also meet the objectives of national planning guidance PPG17 'Sport and Recreation' by providing major leisure / recreational uses within the built up area in locations that are well served by public transport. The Policy would help to achieve the council's sport and recreation strategy aim for Brighton & Hove to be recognised as the 'Sporting City of the South East' in ten year's time. The council will encourage the improvement of major sporting venues, including permitting related uses, which improve facilities for the playing of the particular sport and improve facilities for spectators.
- 6.88 Participants in a 'Recreation, Leisure, Tourism and Arts' focus group considered that there was a need for quality sporting arenas and that most of the existing facilities were not capable of staging key international events.
- 6.89 Other policies in this Plan for the retention of sporting and recreational facilities and improving access to sporting facilities for the community should be taken also into account.

SR23 Community stadium

A new football / community stadium and multi-purpose sports hall is proposed on land adjoining Village Way North, together with sports science / sports medicine facilities linked to the Universities of Brighton and Sussex.

Any development proposals must be accompanied by:

- a. environmental impact assessment;**
- b. transport assessment; and**
- c. business plan.**

In the event that the site proves to be unsuitable for a stadium, the site will be allocated for Class B1 research and development use.

(See policy EM20 Village Way North).

- 6.90 Brighton & Hove Albion Football Club is currently occupying Withdean Stadium on a temporary basis. This venue is not regarded as an adequate, permanent venue due to its limited size and location. A site at Falmer is proposed but this location was recommended for rejection by the Local Plan Inspector. A planning application Inquiry into a proposal by Brighton & Hove Albion Football Club for a community stadium incorporating the site identified by policy SR23 at Falmer, was called in by the First Secretary of State. The Inquiry was reopened in February 2005. The re-opened inquiry examined the availability or otherwise of alternative sites within the Brighton & Hove conurbation for the proposed development. If the First Secretary of State decides that the allocated site at Falmer is not the most appropriate site, then policy SR23 will be superseded.
- 6.91 Pending the examination of alternative sites, it is proposed to retain the site allocation at Village Way North. Policy SR16 sets out a framework for dealing with proposals for major sporting and recreational facilities on sites that are not allocated in the Plan and would be applied in respect of any proposal for a community stadium on a site other than Village Way North.
- 6.92 There is a need to provide a high standard of sport and recreation participation and spectator opportunities to provide for the vibrant and diverse community of Brighton & Hove and which will attract visitors to the city.
- 6.93 The council wants to expand the provision of accessible and affordable community sports facilities by improving sporting and recreational links with schools and universities. It should be demonstrated that the proposed stadium will operate as a community stadium and any planning application for a Stadium should include accompanying details of the community uses to be provided. The council also wishes to provide high quality sports facilities and services to meet the needs of top Brighton & Hove sportswomen and men in order to realise its potential as a key sporting city.

- 6.94 Government guidance in PPG17 'Sport and Recreation' asks local authorities to give favourable consideration to development proposals designed to achieve the aim of all-seated accommodation of football league grounds. The adequacy of existing football stadium and the need for improvement should be taken into account in preparing and reviewing local plans.
- 6.95 Any planning application for a Community Stadium should be accompanied by an Environmental Impact Assessment, which considers the visual and physical impact of the proposals on the surrounding area. In addition to providing measures to ameliorate any adverse traffic and environmental impact, radical and innovative proposals are required to ensure that car usage is kept to a minimum and a genuine modal shift is achieved away from car trips, to other modes of transport.
- 6.96 Any application must be accompanied by a business plan which must clearly demonstrate the fundability and the viability of the proposals, to ensure that the scheme is completed, and adequately funded, to ensure that it continues to operate successfully and provide a full range of community activities and facilities.
- 6.97 Participants in a 'Recreation, Leisure, Tourism and Arts' focus group expressed concern about the lack of indoor sporting facilities, in particular sports halls. A need was also identified for quality arenas since most of the current facilities are inadequate to stage international events.



SR24 King Alfred Site/ RNR Site

Planning permission will be granted on the King Alfred/RNR site for its redevelopment to provide a new sports centre together with a housing development. A mixed-use scheme to include some or all of the following:

Commercial, leisure, individual retail and A3 units, hotel and community health facilities would be acceptable.

Development proposals will be expected to make a significant contribution to renewal and enhancement of the provision of sport and recreation facilities in Brighton & Hove. The development should:

- a. provide sports and recreational facilities to meet the needs of residents;
- b. provide buildings of high quality design that are energy efficient and utilise sustainable building techniques;
- c. provide for sustainable means of transport to and from the site and demonstrate good linkages particularly for cyclists and pedestrians between the site and Hove town centre;
- d. conform to the Coastal Zone Management Policy;
- e. provide facilities that complement Hove town centre and so would not have a detrimental impact on its vitality and viability;

In addition:

- the following leisure uses will not be acceptable: casino, multiscreen cinema, amusement arcade or nightclub;
- the development should accord with the council's sports and development briefs for this site and any subsequent amendments.

- 6.98 Community Visioning participants identified the need for sporting facilities for younger and older people and people with disabilities as part of a vision for healthy people enjoying their city. A focus group on Recreation, Leisure, Tourism and Arts identified the need for a sustainable approach to tourism that also took account of the potential environmental costs particularly its impact on residents. The group expressed concern over the lack of indoor sporting facilities and in particular, sports halls.
- 6.99 Following consultation with city wide sports groups and members of the King Alfred sports centre, the council had published a Sports Brief which sets out its requirements for new sporting facilities which should be provided as part of the redevelopment of this site. A city wide public consultation exercise was carried out in 2002 seeking views on the three options for the future of the sports centre. The overwhelming majority of 2000 respondents favoured redevelopment of the whole site on the understanding that this would be likely to require a housing development with an indicative number of 300-400 units (N.B The City Council has since agreed that the Plan should show a revised indicative figure of 200-400 units). A development brief (SPGBH 10 King Alfred/RNR Site Planning Brief) was produced which sets out the requirements for providing a comprehensive redevelopment of the site with housing identified as the most likely means of funding the sports centre.

- 6.100 The design of the development should accord with the design policies of this Plan which reflect the views of participants in the urban design visioning workshops. Emphasis was placed on the importance of views along the seafront to be taken into account in the siting and scale of bulky new buildings.

SR25 Hollingbury Park sports pavilion

Planning permission will be granted for a new pavilion for the tennis and bowls facilities to replace the existing buildings. The replacement buildings should be designed to a high standard whilst the existing footpaths adjoining the site should either be retained and enhanced or replaced by paths serving the same routes.

- 6.101 The council wishes to see the existing facilities replaced as part of its commitment to improving sports facilities as set out in its Sport and Recreation Strategy. The site lies outside the built up area - however, it is considered that a sympathetic replacement of the existing worn out buildings would enhance this part of the open countryside.
- 6.102 In view of the sensitive location and prominence of the site, a high quality of design for the building will be expected in accordance with the design policies elsewhere in this Plan and proposals should meet the requirements of policies on Urban Open Space (QD20).
- 6.103 The footpaths surrounding this site provide excellent examples of greenways linking different parts of the urban environment. In this instance, a short pedestrian route links Hollingbury Park and upper Hollingdean and gives direct access to the Downs whereas by car it would involve a significant detour due to the topography of the area. Proposals will need to accord with the Greenways Policy (QD19) of this Plan.



SR26 Hangleton Bottom

In association with the development of a Materials Recovery Facility on this site, community and recreational facilities will be provided to meet the local community's identified needs.

Any development of the site will be required to pay particular attention to its impact on the landscape and views of the site in accordance with its location within the defined boundary of the Area of Outstanding Natural Beauty.

- 6.104 The 'East Sussex and Brighton & Hove Waste Local Plan' identifies Hangleton Bottom as a site for a Materials Recovery Facility (MRF) - a MRF is a facility where recoverable waste (eg. bottles, cans, paper, plastic bottles) is sorted prior to transportation to a processing plant.
- 6.105 Hangleton Bottom is a one hectare site enclosed on three sides by the A27 bypass, Benfield Valley link road and existing housing development.
- 6.106 Consultation to inform this Plan identified the potential for a number of uses for this site, including the potential for playing fields/ sports facilities and / or community facilities such as a farm-based visitor attraction. A key priority of the council's sports and recreation strategy is to develop community sports facilities to meet local needs.
- 6.107 Any development of the site will need to respect its downland setting within the formally designated Area of Outstanding Natural Beauty and in particular, those views from high ground to the north, east and west.

