

Consultation on Policy Options Papers for Brighton & Hove's City Plan

October 2011

Frequently Asked Questions



Brighton & Hove
City Council

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Why did the council have to withdraw the Core Strategy from the examination process?

The plan needed to be amended and updated.

At a meeting with the Planning Inspector last year, soundness issues were raised about the housing delivery strategy in the submitted Core Strategy. The government now wants local authorities to set their own housing targets and intends to abolish earlier targets set at the regional level. That means we have to look at demand for housing, as well as the capacity in the city to provide it.

We also needed to update the document to reflect changes that have occurred over the last year - the Localism Bill and draft National Planning Policy Framework, reduced availability of government funding for capital projects and to reflect the findings of various studies the council has undertaken (an updated housing capacity study for example).

What is a 'sound plan'?

When the independent Planning Inspector examines the City Plan, they will be following tests set out in government guidance to determine whether or not the plan is 'sound'. To be found 'sound' the Plan should be founded on a robust and credible evidence base, the most appropriate strategy when considered against reasonable alternatives and be effective (deliverable, flexible, able to be monitored and consistent with national planning guidance).

Are we going back to preparing a local plan again? What's the difference between the Core Strategy and City Plan?

The City Plan will still be a spatial plan which means it will set out how and where growth and change will be accommodated in the most sustainable manner whilst maintaining and enhancing the attractiveness, accessibility and living environment of the city. Significant new development will be directed to areas of the city with good sustainable transport links and to those areas in need of regeneration and renewal.

It will provide the strategic planning framework to guide the preparation of neighbourhood plans and allow issues of local importance to be addressed appropriately and innovatively. The vast majority of the policies covered in the Core Strategy have been supported by consultees and these will be updated and included in the City Plan.

The City Plan will be divided into two parts, the overall strategy, strategic allocations and key city wide planning policies will be included in part 1, further site allocations and development management policies will be included in part 2.

What is the purpose of the Policy Options Paper consultation; why these policy topics only?

We want to open a debate on major changes to four policy areas - housing delivery strategy, Park and Ride (transport), employment policy and student housing. We want a genuine discussion between residents and stakeholders on the way ahead with these policy areas and the papers are set out in the form of policy choices or options. The outcomes of this discussion will shape the City Plan which will be ready for consultation March and April next year.

The Options Papers allow people to see the issues that need addressing in the context of changing national planning policy and new evidence. The different ways the council could tackle these issues are set out as 'options' and we include an analysis of the advantages and disadvantages for each option. The council's preferred option is set out and that choice has been informed by which approach is sound and a Sustainability Appraisal.

The council is seeking views on its preferred approach to tackling the issues raised in the policy options papers; an online questionnaire is available for people to express their view/ preference.

HOUSING TARGETS AND DELIVERY

Why does the council have to set its own local housing target? What discretion does the council have?

The council is required to set a housing target and it is important to note that allowing no more housing to be built in the city is not an option. Not building any more housing would mean less housing choice for all households including newly forming households, fewer opportunities to secure affordable or family housing and possibly further rises in house prices. For these reasons, the council is not including 'no more housing' as an option.

The Coalition Government has made clear its intention to abolish Regional Spatial Strategies including the South East Plan through enactment of the Localism Bill.

Once the South East Plan is abolished it will be for local authorities to determine their own local housing targets and to demonstrate how those targets will be met in their Plans.

Local housing targets will still be subject to an Inspector's scrutiny and the evidence used to derive the local housing target will be thoroughly tested at the Plan Examination. The government is already indicating that it expects housing supply to increase significantly and that local planning authorities should plan to meet the full requirements of demand, including affordable housing within their housing market areas. A sound housing delivery strategy is essential to achieving a sound Plan for the City.

Why can't the council set a lower housing target than was in the Core Strategy, what about Localism?

The Coalition government wants local councils, together with local communities, to set their own housing targets. In doing this, there are a range of factors which need to be considered, including the needs of current and future households, the needs of the local economy and the physical capacity of the city to accommodate development.

An assessment of local housing requirements for the City based on demographic and economic performance factors shows that between 16,000-19,000 new homes would be required in the 2010 - 2030 period if the target was based purely on housing demand/need.

Although the city has a very good track record for the delivery of affordable housing, demand for such housing still significantly exceeds supply. As at 1 July 2011, there were almost 11,000 households on the council's Housing Register seeking a home.

An updated housing capacity study has shown that it is possible to accommodate about 8,000 dwellings on sites already identified and points to additional sources of potential housing supply which could also be considered.

The National Planning Policy Framework wants local authorities to plan to meet housing demand/needs in full wherever possible. Given the very significant housing needs in Brighton it would be very difficult to justify a much lower housing target than was in the submitted Core Strategy or the South East Plan.

Will setting a local target avoid the situation where every housing application has to be accepted no matter where because of the government's proposed presumption in favour of sustainable development?

The draft National Planning Policy Framework sets an unprecedented new requirement on local authorities to assess and plan to meet the full range of current and future housing needs and demands in the context of a presumption in favour of sustainable development.

A robust housing target will need to be informed by a number of factors and considerations. In addition, a Sustainability Appraisal exercise which considers social, economic and environmental factors is undertaken to ensure that the housing target is the most appropriate for the city. The preferred housing target identified in the Housing Delivery Options Paper is considered realistic, sustainable and deliverable.

Why do we need to allocate Toads Hole Valley? Won't that weaken the protection of the city's Urban Fringe? Is there no other alternative?

Now that the South Downs National Park has been designated there is very little 'urban fringe' land left around the city; much has been incorporated into the National Park and is therefore highly protected. Of that which is left, the majority is in an open space use (allotments, playing fields and local nature reserves) and the council strongly supports the continued protection of that land.

Toads Hole Valley is a privately owned site on the edge of the city with no public access. Allocating the site for development will guide the way forward to secure a development scheme that can bring many benefits to the city in terms of helping to provide more affordable housing, new employment space, new open space and community facilities, as well as improvements to the Site of Nature Conservation Interest which is located there. The site represents the only significant development opportunity within the urban fringe and, on balance, a planned development offers many positive benefits given the development needs of the city overall.

PARK AND RIDE (TRANSPORT)

Why is the council reconsidering the need for Park and Ride in the city?

There hasn't been a debate on the need, value for money, and effectiveness of Park and Ride for many years - now is good time to open that debate.

There have been a number of changes since 2009, when the Core Strategy Park and Ride policy was last agreed, that have heightened the need for a review. These include:

- the current period of severe public spending restraint
- the designation of the South Downs National Park; and
- increased pressure for development land in Brighton and Hove that is constrained by the sea to the south and the South Downs to the north.

Additionally, the new administration wants to explore alternative measures to Park and Ride that are more cost effective and deliverable.

It is also an appropriate time to tackle objections raised to the previous policy of three to five small sites in terms of the small site approach not being viable and that if Park and Ride were to be effective it should only be provided alongside the closure of an equivalent number of car parking spaces in the city centre.

Isn't park and ride essential to bring prosperity to the city and also to reduce traffic congestion?

Not necessarily. Park and Ride can have two roles - to reduce congestion and pollution in the city centre and to increase capacity of the city to accommodate more jobs and visitors.

A large amount of research has been undertaken on the viability and effectiveness of Park and Ride that is outlined in the Paper. A general conclusion drawn by consultant RPS in their recent study is that Park and Ride schemes appear to be not fully delivering expected reductions in traffic and congestion, and that a high proportion of authorities subsidise Park and Ride operations.

What would the alternative transport options be?

The options paper asks whether the council should continue with Park and Ride as part of a 20 year strategy or whether it should be removed and replaced with alternative measures to address traffic levels and congestion in the city. The preferred option is to remove Park and Ride and to tackle congestion through more cost-effective and deliverable measures.

EMPLOYMENT

What are the key changes proposed in the employment options Paper?

There is an opportunity to clarify and strengthen how the council will support sustainable economic growth through the City Plan by:

- identifying and safeguarding Central Brighton as the city's primary office area;
- Allocating a range of sites to accommodate new office floorspace
- Allocating strategic employment sites in order to secure regeneration, inward investment and high quality modern employment floorspace through, where appropriate, employment-led mixed use development;
- Allocating those industrial estates which will continue to be safeguarded and those considered suitable for employment-led mixed use development.
- Continuing to safeguard secondary employment sites to ensure a good supply of appropriate employment land to serve the city's economic development needs

The Government is considering making it easier for commercial buildings to be converted to homes. How does the Employment Options Paper respond to this potential change to the planning rule?

The council's response to the change of use consultation in April 2011 raised serious concerns on the impact such a change could have on the council's employment land.

There is strong evidence to indicate that the council should continue to protect the city's employment sites and premises. Planning for the development of new high grade employment space is fundamental to the economic wellbeing of the city so that businesses can prosper and grow.

However the Employment Policy Options Paper does indicate opportunities where carefully managed mixed-use development can yield more intensive use of under-utilised employment sites to deliver high quality employment space, job growth and contribute to delivering much needed new homes.

STUDENT HOUSING

Why does the issue of Student Housing need to be addressed in a policy options paper?

There is currently no planning policy within the adopted Local Plan to address the development of new student accommodation. Given the high proportion of students in the city the council wishes to address this. There has also been increased interest recently by developers in building 'speculative' purpose-built student housing at a time when the viability of the building market and affordable housing has declined. This is putting pressure on sites the council would like to see developed for general housing.

Why do you need to control where purpose built student housing is built?

The council currently has no planning policy in place to address the development of new student housing outside of university or college premises. The new planning policy will ensure that proposals for purpose built student housing conform with criteria to ensure that proposals respect surrounding neighbourhoods and reduce pressure on the city's housing sites.

Why are planning controls needed for the use of small houses for multiple occupation and what area should be covered?

As part of the Student Housing Policy Options it is proposed that an Article 4 Direction is introduced to remove permitted development rights allowing change of use of small houses to houses in multiple occupation (HMOs - defined as individuals living in a house and sharing facilities). An Article 4 Direction would need to be accompanied by a planning policy which would set out how planning applications for HMOs would be considered.

It is proposed that the Article 4 Direction would cover the five wards in the city identified in the Student Housing Strategy as experiencing over-concentration of students lets. These wards are:

- Hanover and Elm Grove
- Hollingbury and Stanmer
- Moulsecoomb & Bevendean
- Queens Park
- St Peters and North Laine

If the new policy approach is agreed and implemented, the impact of the policy on the geographic patterns of student accommodation will be monitored and, if appropriate, the area of covered by the Article 4 Direction reviewed.

What is an Article 4 Direction?

An Article 4 Direction is a Direction to remove permitted development rights that allow you to carry out works or changes of use without needing planning permission. So, as a result of an Article 4 Direction you would need to apply for planning permission for those works or change of use but you wouldn't need to pay a fee.

How would the proposals tackle existing studentified areas?

The preferred option (see Issue A Option 1 in the Paper) would prevent areas with over 10 per cent student lets becoming more studentified. However, the policy cannot reduce the amount of HMOs in areas where the concentration already exceeds 10 per cent.

The Options set out in the paper should also be considered alongside the measures proposed by the council's Private Sector Housing Team to implement additional HMO licensing in studentified areas of the city that aims to improve the quality and management of Houses in Multiple Occupation.

Won't the proposed approach result in a spread of HMOs to surrounding areas?

Yes, there is expected to be a degree of dispersal to surrounding areas. However, the policy should prevent this dispersal exceeding the 10 per cent level. It is important to note that the policy is not retrospective and therefore areas already exceeding 10 per cent concentration can not be lowered.



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