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authority monitoring report

2015-2016

Local Development Scheme



planning and
building control



Brighton & Hove
City Council

Brighton & Hove City Council

Authority Monitoring Report 2015/16

Local Development Scheme

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1. Local Development Plan

This section of the Authority Monitoring Report provides a progress report against the timetable and milestones for the preparation of documents set out in the agreed Brighton & Hove Local Development Scheme 2014¹. The Local Development Scheme (LDS) is the three-year work programme to prepare local development documents including development plans for the city.

The LDS identifies the main Local Development Documents to be prepared over a three year period including their coverage and status. It also explains the status of policies and plans in the transitional period from local plan to local development documents and the status of supplementary planning guidance and documents.

The most recently approved version of the Brighton & Hove LDS is June 2014 covering the period until 2017¹. The LDS will be reviewed in 2017.

1.1 Updating the programme

Table 1: Completed Local Development Documents

The following documents were completed during 2015/16²	
Schedule of Further Proposed Modifications to the City Plan Part One	June 2015
Statement of Consultation	September 2015
Schedule of Proposed Further Modifications to Policy CP8 Sustainable Buildings	September 2015
Proposed Further Modifications to Policy CP8 Sustainable Buildings Sustainability Appraisal Addendum - September 2015	September 2015
Sustainability Appraisal Non-Technical Summary Addendum Proposed Further Modifications to Policy CP8 Sustainable Buildings - September 2015	September 2015
Further Assessment of Urban Fringe Sites 2015-December 2015	December 2015
SHLAA update 2015	July 2016
Local Development Documents	
SPD 13 Shoreham Harbour Flood Risk Management Guide	September 2015
Draft Submission Waste and Minerals Site Plan	October 2015
Annual Monitoring Report 2014/15	December 2015
City Plan Part One – Adopted March 2016	March 2016

¹ [Brighton & Hove Local Development Scheme 2014-2017; BHCC June 2014](#)

² <https://www.brighton-hove.gov.uk/content/planning/planning-policy/development-plans>

The following documents have been completed since April 2016²	
City Plan Part Two Sustainability Appraisal Scoping Report	June 2016
Draft Character Statement for the Old Town Conservation Area.	June 2016
Local Development Documents	
Toads Hole Valley SPD Issues and Options Paper	April 2016
City Plan Part Two – Scoping Report	June 2016
Parking Standards SPD 14 – Adopted September 2016	September 2016
Revised Draft Shoreham Harbour Joint Area Action Plan – approved for consultation	November 2016
Waste and Minerals Plan - due for adoption January 2017	January 2017

1.2 Changes to the Timetable

The City Plan Part One timetable was broadly compliant with the 2014 LDS with only three months delay with respect to its submission date. The City Plan Part One timetable was kept up to date on the council’s website and the document was adopted in March 2016. The City Plan Policies Map DPD was adopted at the time the City Plan Part One was adopted.

The 2014 LDS indicated that work will start on the document in autumn 2014. This was not possible due to the delays in adopting City Plan Part One. Work on the City Plan Part Two commenced in June 2016 with a Scoping Paper which was published for consultation from 30 June to 22 September 2016. The Scoping Paper outlined the issues and possible approaches to addressing the remaining detailed development management policies and the approach to site allocations. The LDS will need to be revised to provide an updated timetable for the preparation of the City Plan Part Two.

Following the adoption of the Waste & Minerals Plan (WMP), produced jointly with East Sussex County Council and the South Downs National Park Authority in February 2013, work began on the Waste and Minerals Sites Plan. The Plan was submitted to the Secretary of State for public examination on Friday 15th April 2016 and public hearing sessions were held in early August 2016. A consultation on a Proposed Submission Sites Plan took place in October – December 2015. The Inspector’s report has now been received which confirms that the Sites Plan is sound and able to be adopted. It is anticipated that adoption by the City Council will take place in January 2017.

The Shoreham Harbour Joint Area Action Plan (JAAP) is to be produced by the City Council in partnership with Adur & Worthing Councils and West Sussex County Council. Preparation of the JAAP commenced in summer 2011. There was a period of public consultation on the Issues and Proposals for the JAAP from February to April 2014 to inform the Proposed Submission JAAP. Following further transport study work and analysis of consultation responses changes were made and a

revised draft Joint Area Action Plan has been approved for a further period of public consultation scheduled to take place from December 2016 to February 2017. A proposed submission version of the Plan will be prepared in 2017.

The Community Infrastructure Levy (CIL) is a new levy that local authorities can choose to charge on new development to assist with the funding of infrastructure improvements and new community facilities. A timetable for developing a CIL charging schedule was included in the 2014 LDS timetable while the council assessed the potential for CIL in the city. CIL has not been introduced earlier in Brighton & Hove largely due to concerns about viability and deliverability of development in the city particularly as a consequence of the economic slowdown. In September 2016, council agreed that work should commence on putting a Community Infrastructure Levy charging schedule in place for Brighton & Hove with an outline timetable for adoption by 2018. The LDS will be updated with the new proposed timetable.

Table 2: Local Development Scheme Progress 2016

DPD Document	Preparation Stage	2014 LDS Targets	Progress Update
City Plan Part 1	Consulting on the Scope of the Sustainability Appraisal	Completed	Complete
	Publication of the DPD	Completed	Completed April-May 2013
	Submission to the Secretary of State	Completed	Complete June 2013
	Proposed date for Adoption	January 2015 or July 2016	Adoption March 2016
City Plan Part 2	Consulting on the Scope of the Sustainability Appraisal	December 2015 – January 2016	6 week consultation on CPP2 Scope and Coverage of CPP2. June - September 2016
	Publication of the DPD	June 2017	June 2018
	Submission to the Secretary of State	September 2017	Autumn 2018
	Proposed date for Adoption	May 2018	Spring 2019
Policies Map	Consulting on the Scope of the Sustainability Appraisal	As part of City Plan preparation	March 2016- will be updated as City Plan Part Two is adopted
	Publication of the DPD	As part of City Plan preparation	Will be updated as City Plan Part Two is adopted
	Submission to the Secretary of State	As part of City Plan preparation	June 2013- will be updated as City Plan Part Two is adopted
	Proposed date for Adoption	January 2015	March 2016 - will be updated as City Plan Part Two is adopted

Waste and Minerals Sites Plan	Consulting on the Scope of the Sustainability Appraisal	Completed in December 2013 – January 2014	Waste and Minerals Sites Plan
	Publication of the DPD	August 2015	October 2015
	Submission to the Secretary of State	November 2015	April 2016
	Proposed date for Adoption	May 2016	January 2017
Waste and Minerals Adopted Policies Map	Consulting on the Scope of the Sustainability Appraisal	Completed in December 2013 – January 2014	Completed
	Publication of the DPD	August 2015	October 2015
	Submission to the Secretary of State	November 2015	April 2016
	Proposed date for Adoption	May 2016	January 2017
Shoreham Harbour Joint Area Action Plan	Consulting on the Scope of the Sustainability Appraisal	November 2011	Completed
	Publication of the DPD	January 2015	Summer 2016 consultation on revised draft JAAP December 2016 – February 2017
	Submission to the Secretary of State	September 2015	November 2017
	Proposed date for Adoption	September 2016	April 2018
Urban Design Framework SPD	Public Consultation	August – October 2016	2018/ 2019
	Proposed date for Adoption	January 2017	2019
Parking SPD	Public Consultation	September – November 2014	February – March 2015
	Proposed date for Adoption	January 2015	Adopted September 2016
Sustainable Buildings SPD	Public Consultation	August – September 2015	Deferred
	Proposed date for Adoption	January 2016	
Statement of Community Involvement	Public consultation:	October-November 2014	November-December 2014
	Adoption	January 2015	March 2015

Community Infrastructure Levy (CIL) – Charging Schedule		To be confirmed	To be adopted 2018
Authority Monitoring Report	Report	Published at the end of every year, covering the previous period from 1 April through to 31 March.	Published Dec 2015



2. Local Development Plan

The Localism Act 2011 and the National Planning Policy Framework (NPPF) place a duty on local planning authorities and other prescribed bodies to cooperate with each other to address strategic planning issues relevant to their areas. The city council has been engaged in ongoing collaborative working with neighbouring planning authorities and other bodies in order to address relevant strategic planning issues and comply with the Duty. The key areas of engagement are summarised below.

2.1 City Plan Part One

Housing delivery is a strategic cross boundary issue that needs to be addressed through 'Duty to Co-operate'. Brighton & Hove's housing requirements (both housing demand and housing need) have been assessed most recently as 30,120 new homes over the plan period to 2030³. By reason of demonstrable physical constraints the city is unable to meet this level of housing provision. The Submission City Plan, as proposed to be modified sets a housing target of 13,200 new homes by 2030 reflecting:

- the capacity and availability of land/sites in the city and development constraints;
- the need to provide for a mix of homes to support the growth and maintenance of sustainable communities,
- the need for balance and to provide land in the city for other essential uses (such as employment, retail, transport, health and education facilities and other community and leisure facilities); and
- the need to respect the historic, built and natural environment of the city.
- further work required by the Inspector (December 2013) to look at the potential for housing from the urban fringe.

The city council has engaged with a comprehensive list of stakeholders and adjoining authorities in a variety of ways from the inception of the City Plan Part One continuously through to submission. This engagement is ongoing. The city council has been actively involved on an ongoing basis in a number of cross-boundary local authority groupings which have informed the preparation of the City Plan from its inception, at both officer and member level. Details are set out in the Duty to Co-operate background papers (2013⁴ to 2014⁵).

The City Council is a member of the:

- Greater Brighton Economic Board (GBEB)
The GBEB has responsibility for overseeing delivery of the Greater Brighton City Deal⁶ (which was agreed with government in March 2014 and is a bespoke package of measures to drive economic growth designed to exploit

³ [Objectively Assessed Need for Housing: Brighton & Hove \(GL Hearn Limited 2015\)](#)

⁴ [BHCC LDF Duty to Cooperate Compliance Statement June 2013](#)

⁵ [BHCC LDF Duty to Cooperate Update Paper October 2014](#)

⁶ [Greater Brighton City Deal- Greater Brighton March 2014](#)

the area's economic assets and address its challenges) and encompasses Brighton & Hove, Lewes, Mid Sussex, Adur & Worthing and the Greater Brighton City Deal;

- Coastal West Sussex and Greater Brighton Strategic Planning Board (with Adur District, Arun District, Mid Sussex District, Horsham District, Chichester District, Lewes District, Worthing Borough and West Sussex County Councils and the South Downs National Park).

The City Council's Duty to Co-operate work has produced a number of outcomes:

- A joint Coastal West Sussex Duty to Co-operate Housing Study has been produced by all the authorities in the Coastal West Sussex Strategic Planning Board together with Lewes District Council.
- Further studies have been commissioned to inform an update of the LSS and *to support sustainable growth in the Greater Brighton and wider Coastal West Sussex area, (Background Paper 1: Economy⁷, Background Paper 2: Housing Market⁸, Background Paper 3: Transport System⁹)*
- An update of the award winning adopted 2013 Local Strategic Statement (LSS) is underway by the Coastal West Sussex and Greater Brighton Strategic Planning Board (CWS & Gtr Brighton SPB). The LSS update will guide strategic planning and investment priorities to deliver long term sustainable growth.
- Mid Sussex District and Horsham District councils are now a member of the CWS & Gtr Brighton SPB reflecting the functional strategic relationship these areas have with Coastal West Sussex and Greater Brighton.
- A Statement of Common Ground (SOCG) setting out what steps have been taken to comply with the Duty in relation to housing provision, and where there are areas of agreement. Eleven local planning authorities have indicated they will sign the SOCG.
- A Memorandum of Understanding (MoU) has been signed by Adur, Brighton & Hove, Lewes and Worthing outlining a commitment to future work on Duty to Co-operate between the four authorities and adjoining areas.
- CWS & Gtr Brighton SPB has signed a MoU and agreed Terms of Reference to establish a framework for operation and agreed an LSS which is now subject to review.
- The Planning Inspector, in her initial conclusions on the City Plan following the Examination Hearing, considers that the legal requirement for Duty to Cooperate has been met¹⁰.

⁷ [Greater Brighton & Coastal West Sussex Background Paper 1, Economy; NLP, May 2015](#)

⁸ [Greater Brighton & Coastal West Sussex Background Paper 2, Housing Market; NLP, May 2015](#)

⁹ [Greater Brighton & Coastal West Sussex Background Paper 3, Transport System; NLP, May 2015](#)

¹⁰ [Report on the Examination into the Brighton & Hove City Plan Part One, Planning Inspectorate 2016](#)

2.2 Shoreham Harbour

Joint working has been ongoing for a number of years between the city council, Adur & Worthing Councils, West Sussex County Council, the Environment Agency and Shoreham Port Authority, to progress a Joint Area Action Plan for the harbour. Work has continued during the monitoring period and regular meetings are held. The draft Shoreham Harbour JAAP was consulted upon between February and April 2014. Further consultation has been agreed for December 2016 – February 2017 on a revised draft Shoreham Harbour JAAP. This delay from the LDS timetable has allowed further studies to be undertaken. A Flood Risk Management Guide SPD for Shoreham Harbour was adopted in September 2015. Proposed submission consultation is planned for 2017.

2.3 Waste & Minerals

The city council is a Waste and Minerals Planning Authority and a Waste & Minerals Plan (WMP) was produced jointly with East Sussex County Council and the South Downs National Park Authority and adopted in February 2013. The three authorities have continued this joint working to produce a Waste and Minerals Sites Plan (WMSP) which is due to be adopted in January 2017.

The WMSP Inspector has indicated that a review of relevant minerals policies within the WMP will be required prior to the end of the Plan Period, as triggered by the conditions set in Policy WMP11.

Compliance with the Duty to Cooperate was considered by the appointed Inspector during the public examination of the WMP in September 2012. Cooperation occurred with West Sussex County Council (WSCC) regarding mineral wharves at Shoreham Harbour during the preparation of the WMP. Joint working is ongoing while WSCC's own waste and minerals plans are prepared. This issue links to the ongoing work on the Shoreham Harbour JAAP, as described in the previous paragraph.



3. Neighbourhood Planning

Neighbourhood planning¹¹; introduced by the Localism Act 2011, came into force in April 2012. The council has a duty to support and is expected to consider the following within nationally specified time periods;

- Applications for the designation of a neighbourhood area made by a parish council or body, capable of being a neighbourhood forum
- Applications made by local groups to become the recognised neighbourhood forum for a designated area
- Neighbourhood plans and orders, made by a parish council or recognised neighbourhood forum, and submit them to independent examination, referendum and adopt them as appropriate

Four neighbourhood areas have been designated, one of which was designated a Business Area:

- Rottingdean Parish Neighbourhood Area
- Hove Station Neighbourhood Area
- Hove Park Neighbourhood Area
- Brighton Marina Business Neighbourhood Area

Three Neighbourhood Forums have been designated:

- Hove Station Neighbourhood Forum – designation ceases 23 December 2019
- Hove Park Neighbourhood Forum – designation ceases 9 July 2020.
- Brighton Marina Neighbourhood Forum – designation ceases 18 June 2020.

The four neighbourhood communities have indicated an intent to produce a neighbourhood development plan. None have yet been subject to formal pre-submission consultation (regulation 14 consultation). The neighbourhood communities are responsible for preparing their areas plan and therefore control key aspects of their plan's timetable.



¹¹ www.brighton-hove.gov.uk/content/planning/neighbourhood-planning

4. Supplementary Planning Documents

The performance of policies in Supplementary Planning Documents (SPD) is summarised in the Appendices. Significant effects indicators are produced as part of the sustainability appraisal process. They enable a comparison to be made between the predicted effects of the SPD on society, the environment and the economy and the actual effects measured during implementation of the SPD.

In October 2016 the Parking Standards SPD¹² was adopted. It provides guidance on the level of parking provision to be permitted with new development depending upon the development's location within the city.

Stakeholder consultation on the Issues and Options paper for a SPD for the Toad's Hole Valley site was concluded in early May 2016. A draft SPD will be prepared and will be consulted upon in 2017.

The development of the Circus Street Market Site covered by the Circus Street Municipal Market Site SPD commenced in 2015/16.

All previously adopted SPDs have been summarised in previous AMRs. All of the SPDs can be accessed through the Supplementary Planning Documents page of the council website¹³ and are listed below;

- SPD01 - Brighton Centre: Area Planning and Urban Design Framework
- SPD02 - Shop Front Design
- SPD03 - Construction and Demolition Waste
- SPD05 - Circus Street Municipal Market Site
- SPD06 - Trees and Development Sites
- SPD07 - Advertisements
- SPD09 - Architectural Features
- SPD10 - London Road Central Masterplan
- SPD11 - Nature Conservation and Development
- SPD12 - Design Guide for Extensions and Alterations
- SPD13 - Shoreham Harbour Flood Risk Management Guide
- SPD 14 – Parking Standards

¹² [Brighton & Hove City Council SPD 14 'Parking Standards' October 2016](#)

¹³ [Brighton & Hove SPD Webpage](#)

5. Saving Policies

Policies from the Brighton & Hove Local Plan, Waste Local Plan and Minerals Local Plan policies have been 'saved' under the Planning & Compulsory Purchase Act 2004 until replaced by City Plan Parts One and Two and Waste & Minerals Development Framework documents.

The 'saved' policies in the Waste Local Plan and Minerals Local Plan are outlined in the Brighton & Hove AMR 2007/08 and East Sussex AMR 2005/06. These policies will be replaced by new policies in the Waste and Minerals Sites Plan following its adoption in January 2017.

The Adoption of the City Plan Part One in March 2016 resulted in some of the Local Plan policies being superseded. Full details of retained Local Plan policies are set out in Annexe 4 to the City Plan Part One¹⁴.



¹⁴ [Brighton & Hove City Plan Part One; Annexes, BHCC 2016](#)

6. Implementing the Statement of Community Involvement

The council has had an adopted SCI in place since September 2005. The Statement of Community Involvement was updated in 2015 to reflect the current Town and Country Planning (Local Development) (England) Amendments Regulations and the National Planning Policy Framework; and to take into account the current council approach to community engagement in policy making (the Community Engagement Framework). The updated SCI¹⁵ was adopted by the council on 12 March 2015.



¹⁵ [Brighton & Hove Statement of Community Involvement, BHCC March 2015](#)



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