

Brighton & Hove City Plan Part One

Brighton & Hove City Council's Local Development Framework

March 2016

Annex 4

Brighton & Hove Local Plan
Policies to be Replaced by the
Brighton & Hove City Plan Part One



Brighton & Hove
City Council

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Brighton & Hove Local Plan Policies to be Replaced by the Brighton & Hove City Plan Part One

Brighton & Hove Local Plan Policies Proposed to be Replaced by the Brighton & Hove City Plan Part One

The Brighton & Hove Local Plan was adopted in July 2005. Many of its policies were continued to be saved by the Secretary of State in July 2008. However some of these saved policies will be replaced by policies set out in the City Plan Part One when it is adopted. It is intended that the remaining Local Plan policies along with the City Plan Part One form part of the Development Plan for Brighton & Hove. The retained Local Plan policies will continue to apply until replaced by the City Plan Part Two Development Plan Document (due to be adopted in 2017). The Council intends to reprint the Local Plan to clearly set out the retained policies when the City Plan Part One is adopted.

The table below sets out all the Local Plan policies (as saved in July 2008) and shows whether they are to be replaced by policies with the City Plan Part One. Where the Local Plan policy is to be replaced, the relevant City Plan policy or policies is provided. In some cases the table also refers to adopted Waste and Minerals Plan 2013 policies or to supplementary guidance.

The table is followed by two lists. The first details all the Local Plan policies that are to be replaced and the other is a list of all the Local Plan policies to be retained.

TABLE OF POLICIES CONTAINED IN THE BRIGHTON & HOVE LOCAL PLAN JULY 2005 (as saved in July 2008) THAT WILL BE REPLACED BY POLICIES IN THE CITY PLAN PART ONE WHEN ADOPTED

Local Plan Policy Number/Title		Local Plan Policy Replaced (Yes/No)	City Plan Part One Policy Number/Title	
TR1	Development and the demand for travel	Yes	CP9	Sustainable Transport
TR2	Public transport accessibility and parking	Yes	CP9	Sustainable Transport
TR3	Development in areas of low public transport accessibility	Yes	CP9	Sustainable Transport
TR4	Travel plans	No		
TR5	Sustainable transport corridors and bus priority routes	Yes	CP9	Sustainable Transport
TR6	Park and ride	Yes	CP9	Sustainable Transport
TR7	Safe Development	No		
TR8	Pedestrian routes	Yes	CP9; CP18; SA6	Sustainable Transport; Healthy City; Sustainable Neighbourhoods
TR9	Pedestrian priority areas	No		
TR10	Traffic calming	Yes	CP9	Sustainable Transport
TR11	Safe routes to school and school safety zones	No		
TR12	Helping the independent movement of children	No		
TR13	Pedestrian network	Yes	CP9; SA1; DA4; SA4; SA5; CP7	Sustainable Transport; The Seafront; New England Quarter and London Road; Urban Fringe; The South Downs; Infrastructure and Developer Contributions

Local Plan Policy Number/Title		Local Plan Policy Replaced (Yes/No)	City Plan Part One Policy Number/Title	
TR14	Cycle access and parking	No		
TR15	Cycle network	No		
TR16	Potential rail freight depot	Yes	DA6; WLP7	Hove Station Area; Waste Local Plan
TR17	Shopmobility	No		
TR18	Parking for people with a mobility related disability	No		
TR19	Parking standards	Yes	CP9	Sustainable Transport
TR20	Coach parking	No		
TR21	Long term coach and overnight lorry park	No		
SU2	Efficiency of development in the use of energy, water and materials	Yes	CP8	Sustainable Buildings
SU3	Water resources and their quality	No		
SU4	Surface water run-off and flood risk	Yes	CP7; CP8; CP11	Infrastructure and Developer Contributions; Sustainable Buildings; Managing Flood Risk
SU5	Surface water and foul sewage disposal infrastructure	No		
SU6	Coastal defences	No		
SU7	Development within the coastal zone	Yes	CP11; SA1; DA1; DA2; DA8; CP7	Managing Flood Risk; The Seafront; Brighton Centre and Churchill Square Brighton Marina, Gas Works and Black Rock Area; Shoreham Harbour; Infrastructure and Developer Contributions
SU8	Unstable land	No		
SU9	Pollution and	No		

Local Plan Policy Number/Title		Local Plan Policy Replaced (Yes/No)	City Plan Part One Policy Number/Title	
	nuisance control			
SU10	Noise nuisance	No		
SU11	Polluted land and buildings	No		
SU12	Hazardous substances	No		
SU13	Minimisation and re-use of construction industry waste	Yes	CP8; WMP3d	Sustainable Buildings; Waste and Minerals Plan 2013
SU14	Waste management	Yes	CP8; WMP21	Sustainable Buildings Waste and Minerals Plan 2013
SU15	Infrastructure	Yes	CP7	Infrastructure and Developer Contributions
SU16	Production of renewable energy	Yes	CP8	Sustainable Buildings
QD1	Design – quality of development and design statements	Yes	CP12 ¹	Urban Design
QD2	Design – key principles for neighbourhoods	Yes	CP12 ²	Urban Design
QD3	Design – efficient and effective use of sites	Yes	CP8 CP12 ³ CP14	Sustainable Buildings Urban Design Housing Density
QD4	Design – strategic impact	Yes	CP12 ⁴	Urban Design
QD5	Design – street frontages	No		
QD6	Public art	Yes	CP5; CP7;	Culture and Tourism; Infrastructure and Developer

¹ Policy CP12 will be supplemented by the Urban Design Framework

² See footnote 1

³ See footnote 1

⁴ See footnote 1

Local Plan Policy Number/Title		Local Plan Policy Replaced (Yes/No)	City Plan Part One Policy Number/Title	
			CP13	Contributions; Public Streets and Spaces
QD7	Crime prevention through environmental design	Yes	CP12; CP13	Urban Design; Public Streets and Spaces
QD8	Shopshutters	No		
QD9	Boarding up of flats, shops and business premises	No		
QD10	Shopfronts	No		
QD11	Blinds	No		
QD12	Advertisements and signs	No		
QD13	Advertisement hoardings	No		
QD14	Extensions and alterations	No		
QD15	Landscape design	No		
QD16	Trees and hedgerows	No		
QD17	Protection and integration of nature conservation features	Yes	CP10	Biodiversity
QD18	Species protection	No		
QD19	Greenways	Yes	CP10	Biodiversity
QD20	Urban open space	Yes	CP16	Open Space
QD21	Allotments	No		
QD22	Satellite dish aerials	No		
QD23	Telecommunications apparatus (general)	No		
QD24	Telecommunications apparatus affecting important areas	No		
QD25	External lighting	No		
QD26	Floodlighting	No		
QD27	Protection of amenity	No		
QD28	Planning Obligations	Yes	CP7	Infrastructure and Developer Contributions

Local Plan Policy Number/Title		Local Plan Policy Replaced (Yes/No)	City Plan Part One Policy Number/Title	
HO1	Housing sites and mixed use sites with an element of housing	No ⁵		
HO2	Affordable housing – ‘windfall’ sites	Yes	CP20	Affordable Housing
HO3	Dwelling type and size	Yes	CP19; CP20	Housing Mix; Affordable Housing
HO4	Dwelling densities	Yes	CP14	Housing Density
HO5	Provision of private amenity space in residential development	No		
HO6	Provision of outdoor recreation space in housing schemes	Yes	CP16; CP17	Open Space; Sports Provision
HO7	Car free housing	Yes	CP9 ⁶	Sustainable Transport
HO8	Retaining housing	No		
HO9	Residential conversions and the retention of smaller dwellings	No		
HO10	Accommodation for homeless people	No		
HO11	Residential care and nursing homes	No		
HO12	Sheltered and managed housing for older people	No		
HO13	Accessible housing and lifetime homes	No		
HO14	Houses in multiple occupation (HMOs)	No		
HO15	Housing for people	No		

⁵ Please note the allocations under policy HO1 for the following sites have been superseded in whole or part by the strategic allocations or the Shoreham Harbour character area priorities in the City Plan Part One:

- Shoreham Port – DA8
- Brighton Station – DA4
- Preston Barracks – DA3
- Wholesale Market Building, Circus Street– DA5
- King Alfred – SA1

⁶ Policy CP9 will be supplemented by new guidance on parking

Local Plan Policy Number/Title		Local Plan Policy Replaced (Yes/No)	City Plan Part One Policy Number/Title	
	with special needs			
HO16	Safeguarding existing Gypsy and/or Travellers Sites	Yes	CP22	Traveller Accommodation
HO17	Sites for Gypsies and/or Travellers	Yes	CP22	Traveller Accommodation
HO18	Sites for Travelling Showpeople	Yes	CP22	Traveller Accommodation
HO19	New community facilities	No		
HO20	Retention of community facilities	No		
HO21	Provision of community facilities in residential and mixed use schemes	No		
HO23	Community centre at Woodingdean	No		
HO25	Brighton General Hospital	No		
HO26	Day nurseries and child care facilities	No		
EM1	Identified employment sites (industry and business)	Yes	CP3; DA2; DA4; DA5; DA6; DA8	Employment Land Brighton Marina, Gas Works and Black Rock Area; New England Quarter and London Road Area; Eastern Road and Edward Street Area; Hove Station Area; Shoreham Harbour
EM2	Sites identified for high-tech and office uses	Yes	CP3; DA3; DA4; DA5	Employment Land; Lewes Road Area; New England Quarter and London Road Area; Eastern Road and Edward Street Area
EM3	Retaining the best	Yes	CP3	Employment Land

Local Plan Policy Number/Title		Local Plan Policy Replaced (Yes/No)	City Plan Part One Policy Number/Title	
	sites for industry			
EM4	New business and industrial uses on unidentified sites	No		
EM5	Release of redundant office floorspace and conversions to other uses	Yes	CP3	Employment Land
EM6	Small industrial, business units and warehouse units	Yes	CP3	Employment Land
EM7	Warehouses (B8)	No		
EM8	Live-work units on redundant industrial and business and warehouse sites	No		
EM9	Mixed uses and key mixed use sites	No ⁷		
EM10	North Laine Area mixed uses	No		
EM11	Mews – mixed uses	No		
EM12	Shoreham Harbour – mixed uses	Yes	DA8;	Shoreham Harbour;
EM13	Brighton Station – mixed uses	Yes	DA4; CP3	New England Quarter and London Road Area; Employment Land
EM15	Jubilee Street Site – mixed uses	Yes	SA2	Central Brighton
EM17	Preston Barracks	Yes	DA3;	Lewes Road;

⁷ Please note the allocations under policy EM9 for the following sites have been superseded by the strategic allocations or the Shoreham Harbour character area priorities in the City Plan Part One:

- Shoreham Harbour – DA8
- Brighton Station – DA4
- Preston Barracks (part site) – DA3
- Circus Street/Kingswood Street – DA5

(EM9 also refers to sites at West Street/Boyces Street/Middle Street, Jubilee Street Tyre Co, Coombe Road and Air Street Quadrant which have now been developed).

Local Plan Policy Number/Title		Local Plan Policy Replaced (Yes/No)	City Plan Part One Policy Number/Title	
EM18	University of Brighton	Yes	DA3	Lewes Road
EM19	University of Sussex	Yes	DA3	Lewes Road
EM20	Village Way North	Yes	DA3	Lewes Road
SR1	New retail development within or on the edge of existing defined shopping centres	Yes	CP4	Retail Provision
SR2	New retail development beyond the edge of existing established shopping centres	Yes	CP4	Retail Provision
SR3	Retail warehouses	No ⁸		
SR4	Regional shopping centre	No ⁹		
SR5	Town and district shopping centres	No ¹⁰		
SR6	Local centres	No ¹¹		
SR7	Local parades	No ¹²		
SR8	Individual shops	No ¹³		
SR9	Brighton Post Office, 51 Ship Street	No		
SR10	Amusement arcades/centres	No		
SR11	Markets and car boot sales	No		
SR12	Large Use Class A3 (food and drink) venues and Use Class	No		

⁸ Please note CP4 may also be applicable

⁹ See footnote 8

¹⁰ See footnote 8

¹¹ See footnote 8

¹² See footnote 8

¹³ See footnote 8

Local Plan Policy Number/Title		Local Plan Policy Replaced (Yes/No)	City Plan Part One Policy Number/Title	
	A4 (pubs and clubs)			
SR13	Nightclubs	No		
SR14	New hotel and guest accommodation	Yes	CP6	Visitor Accommodation
SR15	Protection of hotels/guest houses	Yes	CP6	Visitor Accommodation
SR16	Major sporting and recreation facilities	No		
SR17	Smaller scale sporting and recreational facilities	Yes	CP17	Sports Provision
SR18	Seafront recreation	No		
SR19	Black Rock site	Yes	DA2 (see also SA1)	Brighton Marina, Gas Works and Black Rock Area
SR20	Protection of public and private outdoor recreation space	Yes	CP16; CP17	Open Space; Sports Provision
SR21	Loss of indoor recreation facilities	Yes	CP17	Sports Provision
SR22	Major sporting venues	No		
SR23	Community stadium	Yes	DA3	Lewes Road
SR24	King Alfred/RNR Site	Yes	SA1	The Seafront
SR25	Hollingbury Park sports pavilion	No		
SR26	Hangleton Bottom	No		
NC2	Sites of national importance for nature conservation	No		
NC3	Local Nature Reserves (LNRs)	No		
NC4	Sites of Nature Conservation Importance (SNCIs) and Regionally Important Geological Sites (RIGS)	No		
NC5	Urban fringe	Yes	SA4	Urban Fringe
NC6	Development in the countryside/downland	Yes	SA4	Urban Fringe

Local Plan Policy Number/Title		Local Plan Policy Replaced (Yes/No)	City Plan Part One Policy Number/Title	
NC7	Sussex Downs Area of Outstanding Natural Beauty	Yes ¹⁴		Not applicable
NC8	Setting of the Sussex Downs Area of Outstanding Natural Beauty	Yes	SA4; SA5; CP12	Urban Fringe; The South Downs; Urban Design
NC9	Benfield Valley	No		
NC10	Benfield Barn	No		
NC11	Land and buildings in the vicinity of Benfield Barn	No		
HE1	Listed buildings	No		
HE2	Demolition of a listed building	No		
HE3	Development affecting the setting of a listed building	No		
HE4	Reinstatement of original features on listed buildings	No		
HE6	Development within or affecting the setting of conservation areas	No		
HE8	Demolition in conservation areas	No		
HE9	Advertisements and signs within conservation areas and on, or in the vicinity of a listed building	No		
HE10	Buildings of local interest	No		

¹⁴ The Sussex Downs Area of Outstanding Natural Beauty was de-designated following the formation of the South Downs National Park. The status of policy NC7 as a saved policy will be reviewed in due course. However, the policy no longer applies to geographical areas for which Brighton and Hove City Council is the local planning authority. The South Downs National Park Authority is the local planning authority for those areas within the Brighton and Hove administrative boundary that lie within the National Park. The National Park Authority is preparing a Local Plan to cover those areas.

Local Plan Policy Number/Title		Local Plan Policy Replaced (Yes/No)	City Plan Part One Policy Number/Title	
HE11	Historic parks and gardens	No		
HE12	Scheduled ancient monuments and other important archaeological sites	No		

List of Brighton & Hove Local Plan policies to be replaced by City Plan Part One:

TR1 Development and the demand for travel
 TR2 Public transport accessibility and parking
 TR3 Development in areas of low public transport accessibility
 TR5 Sustainable transport corridors and bus priority routes
 TR6 Park and ride
 TR8 Pedestrian routes
 TR10 Traffic calming
 TR13 Pedestrian network
 TR16 Potential rail freight depot
 TR19 Parking standards
 SU2 Efficiency of development in the use of energy, water and materials
 SU4 Surface water run-off and flood risk
 SU7 Development within the coastal zone
 SU13 Minimisation and re-use of construction industry waste
 SU14 Waste management
 SU15 Infrastructure
 SU16 Production of renewable energy
 QD1 Design – quality of development and design statements
 QD2 Design – key principles for neighbourhoods
 QD3 Design – efficient and effective use of sites
 QD4 Design – strategic impact
 QD6 Public Art
 QD7 Crime prevention through environmental design
 QD17 Protection and integration of nature conservation features
 QD19 Greenways
 QD20 Urban open space
 QD28 Planning Obligations
 HO2 Affordable housing – ‘windfall’ sites
 HO3 Dwelling type and size
 HO4 Dwelling densities

HO6 Provision of outdoor recreation space in housing schemes
HO7 Car free housing
HO16 Safeguarding existing Gypsy and/or Travellers Sites
HO17 Sites for Gypsies and/or Travellers
HO18 Sites for Travelling Showpeople
EM1 Identified employment sites (industry and business)
EM2 Sites identified for high-tech and office uses
EM3 Retaining the best sites for industry
EM5 Release of redundant office floorspace and conversions to other uses
EM6 Small industrial, business units and warehouse units
EM12 Shoreham Harbour – mixed uses
EM13 Brighton Station – mixed uses
EM15 Jubilee Street Site – mixed uses
EM17 Preston Barracks
EM18 University of Brighton
EM19 University of Sussex
EM20 Village Way North
SR1 New retail development within or on the edge of existing defined shopping centres
SR2 New retail development beyond the edge of existing established shopping centres
SR14 New hotel and guest accommodation
SR15 Protection of hotels/guest houses
SR17 Smaller scale sporting and recreational facilities
SR19 Black Rock site
SR20 Protection of public and private outdoor recreation space
SR21 Loss of indoor recreation facilities
SR23 Community stadium
SR24 King Alfred/RNR Site
NC5 Urban fringe
NC6 Development in the countryside/downland
NC7¹⁵ Sussex Downs Area of Outstanding Natural Beauty
NC8 Setting of the Sussex Downs Area of Outstanding Natural Beauty

List of Brighton & Hove Local Plan policies that are retained:

TR4 Travel plans
TR7 Safe Development
TR9 Pedestrian priority areas
TR11 Safe routes to school and school safety zones
TR12 Helping the independent movement of children
TR14 Cycle access and parking
TR15 Cycle network
TR17 Shopmobility
TR18 Parking for people with a mobility related disability

¹⁵ Please see footnote 14

TR20 Coach parking
TR21 Long term coach and overnight lorry park
SU3 Water resources and their quality
SU5 Surface water and foul sewage disposal infrastructure
SU6 Coastal defences
SU8 Unstable land
SU9 Pollution and nuisance control
SU10 Noise nuisance
SU11 Polluted land and buildings
SU12 Hazardous substances
QD5 Design – street frontages
QD8 Shopshutters
QD9 Boarding up of flats, shops and business premises
QD10 Shopfronts
QD11 Blinds
QD12 Advertisements and signs
QD13 Advertisement hoardings
QD14 Extensions and alterations
QD15 Landscape design
QD16 Trees and hedgerows
QD18 Species protection
QD21 Allotments
QD22 Satellite dish aerials
QD23 Telecommunications apparatus (general)
QD24 Telecommunications apparatus affecting important areas
QD25 External lighting
QD26 Floodlighting
QD27 Protection of amenity
HO1 Housing sites and mixed use sites with an element of housing¹⁶
HO5 Provision of private amenity space in residential development
HO8 Retaining housing
HO9 Residential conversions and the retention of smaller dwellings
HO10 Accommodation for homeless people
HO11 Residential care and nursing homes
HO12 Sheltered and managed housing for older people
HO13 Accessible housing and lifetime homes
HO14 Houses in multiple occupation (HMOs)
HO15 Housing for people with special needs
HO19 New community facilities
HO20 Retention of community facilities
HO21 Provision of community facilities in residential and mixed use schemes
HO23 Community centre at Woodingdean
HO25 Brighton General Hospital
HO26 Day nurseries and child care facilities
EM4 New business and industrial uses on unidentified sites

¹⁶ Please see footnote 5

EM7 Warehouses (B8)
EM8 Live-work units on redundant industrial and business and warehouse sites
EM9 Mixed uses and key mixed use sites¹⁷
EM10 North Laine Area mixed uses
EM11 Mews – mixed uses
SR3 Retail warehouses
SR4 Regional shopping centre
SR5 Town and district shopping centres
SR6 Local centres
SR7 Local parades
SR8 Individual shops
SR9 Brighton Post Office, 51 Ship Street
SR10 Amusement arcades/centres
SR11 Markets and car boot sales
SR12 Large Use Class A3 (food and drink) venues and Use Class A4 (pubs and clubs)
SR13 Nightclubs
SR16 Major sporting and recreation facilities
SR18 Seafront recreation
SR22 Major sporting venues
SR25 Hollingbury Park sports pavilion
SR26 Hangleton Bottom
NC2 Sites of national importance for nature conservation
NC3 Local Nature Reserves (LNRs)
NC4 Sites of Nature Conservation Importance (SNCIs) and Regionally Important Geological Sites (RIGS)
NC9 Benfield Valley
NC10 Benfield Barn
NC11 Land and buildings in the vicinity of Benfield Barn
HE1 Listed buildings
HE2 Demolition of a listed building
HE3 Development affecting the setting of a listed building
HE4 Reinstatement of original features on listed buildings
HE6 Development within or affecting the setting of conservation areas
HE8 Demolition in conservation areas
HE9 Advertisements and signs within conservation areas and on, or in the vicinity of a listed building
HE10 Buildings of local interest
HE11 Historic parks and gardens
HE12 Scheduled ancient monuments and other important archaeological sites

¹⁷ Please see footnote 7



**Brighton & Hove
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