

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

(DM1) 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

(DM1) 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

(DM1) 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

(DM1) 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Yes, I wish to participate in the hearing session(s)

(DM1) 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Disability discrimination

Legally compliant sound - Sound:

Yes

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM33 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

DM33 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

DM33 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

DM33 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Not Answered

DM33 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

Land at and adjoining Brighton Race Course

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

Yes

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

Whitehawk valley does not need more housing/building development - it should be a protected green area

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Remove site 30 from the allocation list

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Upload Supporting Information to your representation(s)

Do you have any supporting information to add to your submission?

upload box:

No file uploaded

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM33 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified

DM33 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

DM33 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

North st Queens rd

Area should use trams to improve the air quality .trams to run ——north st Brighton Station and north st ——Palmera square

DM33 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Not Answered

DM33 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Response ID ANON-8ZMD-Y44D-8Submitted to **City Plan Part Two (Proposed Submission)**Submitted on **2020-09-22 08:35:30****Your details**

What is your name?

[REDACTED]
 [REDACTED]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:

No

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:

Yes

Notification matrix - The adoption of the City Plan Part Two:

Yes

Due to the process of having an Independent Examination, any information and/or responses made are not confidential. This means we need your name, or organisation name, so that the comments can be made available for the public inspection. Once your comments have been logged, all names, company names and associated comments submitted as part of the formal consultation process will be made available to view in due course on the BHCC website. BHCC will not share or publish postcodes or email addresses. BHCC will however have to pass on all contact details to the Planning Inspectorate (PINS). Details of the PINS privacy policy can be seen below. Please tick to reinforce that you have read this disclaimer and have read the PINS Privacy Notice below

Yes

Date Response Submitted

Date Response Submitted:

Not Answered

DM1 Housing Quality, Choice and Mix

(DM1) 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

Yes

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

(DM1) 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Positively Prepared, Effective

(DM1) 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

Whilst there is a national need for housing and a target to increase housing across all cities in the UK it is impractical for different cities to have the same targets. A 'one size fits all model' can not be applied to a coastal city that is surrounded by water and hills.

(DM1) 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

A reduction in the number of proposed new homes

(DM1) 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

(DM1) 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Response ID ANON-8ZMD-Y44Q-N

Submitted to **City Plan Part Two (Proposed Submission)**

Submitted on **2020-09-22 17:25:37**

Your details

What is your name?

[Redacted Name]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

[Redacted Organisation Name]

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:

Yes

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:

Yes

Notification matrix - The adoption of the City Plan Part Two:

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Yes

Date Response Submitted

Date Response Submitted:

Not Answered

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

Land at former nursery, Saltdean

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

The hatched area of Saltdean nurseries includes the track to the south that separates the houses to loose barn close. [REDACTED] and must not be included in the area for development

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

The hatched area must not include the track to the south

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Yes, I wish to participate in the hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

[REDACTED], ie saltdean vale

Response ID ANON-8ZMD-Y4PE-5Submitted to **City Plan Part Two (Proposed Submission)**

Submitted on 2020-09-23 14:17:36

Your details**What is your name?****Name:**

[REDACTED]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:

No

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:

No

Notification matrix - The adoption of the City Plan Part Two:

No

Due to the process of having an Independent Examination, any information and/or responses made are not confidential. This means we need your name, or organisation name, so that the comments can be made available for the public inspection. Once your comments have been logged, all names, company names and associated comments submitted as part of the formal consultation process will be made available to view in due course on the BHCC website. BHCC will not share or publish postcodes or email addresses. BHCC will however have to pass on all contact details to the Planning Inspectorate (PINS). Details of the PINS privacy policy can be seen below. Please tick to reinforce that you have read this disclaimer and have read the PINS Privacy Notice below

Yes

Date Response Submitted**Date Response Submitted:**

Not Answered

DM37 Green Infrastructure and Nature Conservation**DM37 1. Do you consider this policy is: (tick as appropriate)****Legally compliant sound - Legally Compliant:**

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM37 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified, Consistent with National Policy

DM37 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

The phrase "unless allocated for development in the city plan" is objectionable - it is contradictory to the paragraph 174 of the National Planning Policy Framework. It significantly weakens the protection of local sites, including nature reserves and wildlife sites. The ecological evidence used to justify this phrase is out of date.

DM37 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Delete the phrase "unless allocated for development in the city plan" from the beginning of the paragraph dealing with locally designated sites.

DM37 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Not Answered

DM37 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

DM38 Local Green Spaces

DM38 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM38 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

DM38 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Local Green Space, as listed in paragraph 77 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2.

The choice of sites suggested for designation as Local Green Spaces in the 2014 Urban Fringe Assessment, from which the list in City Plan Part 2 is derived, is not supported by evidence to show why, against the NPPF criteria, the sites selected were chosen and other sites, such as Whitehawk Hill LNR, were excluded. Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Space because they act as 'important green wedges into the urban area'. Clearly Whitehawk Hill also meets this objective.

The choice of sites, and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space is therefore not justified, effective or consistent with national policy, as it excludes a site which would meet the designation criteria.

DM38 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Add Whitehawk Hill Local Nature Reserve to the list of sites for designation as Local Green Spaces.

DM38 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Not Answered

DM38 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site, Land north of Warren Road (Ingleside Stables)

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

Land at and adjoining Brighton Race Course

I object to the allocation at Land at and adjoining Brighton Race Course because-

- The allocation is inconsistent with conditions in the 1822 Tenantry Down (common) enclosure deed, which state that the successor owner of the 'Race Ground' 'shall not at any time thereafter break up, convert into tillage, or divide the said Race Ground' and 'that the inhabitants of Brighton and the public in general should have the use of it for the purpose of racing...and any other purposes of exercise and diversion as heretofore'. These conditions were reiterated in the 1888 Indenture when the 'Race Ground' was purchased by Brighton Corporation.
- Contrary to paragraph 174 of the National Planning Policy Framework.
- Won't be able to deliver a net gain to biodiversity as required by paragraph 170 of the National Planning Policy Framework
- Not justified because the ecological evidence in the Urban Fringe Assessments -is out of date and undervalues the importance of the sites biodiversity and its Local Nature Reserve designation is insufficient to justify their conclusion of no significant impact with mitigation. Is inconsistent, for example the conclusion that impacts on this site can be mitigated is inconsistent with other statements in the same documents, for example the 2014 Urban Fringe Assessment, which states that 'provision for the biodiversity assets may help to create new habitats and contribute to habitat connectivity helping to mitigate significant negative effects', which is rightly more cautious and does not claim that negative effects can be mitigated. Did not consider or assess the impact development on this allocation would have on the integrity of the Local Nature Reserve, partly severing (fragmenting) a section at the centre of the core part of the reserve between Manor Hill and Warren Rd/Wilson
- Avoided not consider or assess the impact development on this allocation would have on the historic gorse scrub habitat and its dependent species, including a breeding population of the Red Listed bird species and Species of Principal Importance linnet, identified as using the gorse scrub in breeding bird surveys undertaken in 2019
- did not consider or assess the impact development on this allocation would have on the important invertebrate assemblage that surveys indicate the area in and around the allocation supports. A nationally recognised expert wrote that a survey in 2019 'indicates an extremely rich site' did not consider or assess the impact development on this allocation would have on several invertebrate Species of Principal importance which have been recorded in recent years within or close to the allocation, including brown-banded carder bee and small heath, small blue, dingy skipper, wall and brown hairstreak butterflies. Contains errors and omissions, such as, within the wider site, wrongly identifying the Priority Habitat/Habitat of Principal Importance Lowland Calcareous Grassland as semi-improved neutral grassland in the Phase 1 Habitat Survey, and wrongly recommending tree planting as a mitigation measure, where the priority in this area is the conservation of open habitats, such as grassland. These errors undermine the credibility of the evidence of the Urban Fringe Assessments as well as their conclusions.
- Not justified because -other evidence in the Urban Fringe Assessments in relation to landscape is framed wholly in terms of impacts of development on the National Park's setting and views, and did not consider such effects within the local visual catchment(within and adjoining LNR), for example of views along Whitehawk Hill from the south and north, as well as from the valley below. Although the existing tower blocks impinge upon these views, the views are in many places currently uninterrupted. other evidence in the Urban Fringe Assessments did not recognise that development would result in the intrusion of a residential landscape into what is currently a semi-natural landscape, significantly reducing its strong sense of naturalness. The evidence in the Urban Fringe Assessments did not consider the loss of statutory Access Land (which includes the whole of the allocation) that would be caused by development in this allocation. It will result in a loss of Open Space, which is inconsistent with statements in City Plan Part 1 which seeks to increase, not decrease the amount of access ble land adjacent to the urban area (SA5 The Setting of the South Downs National Park, 3.170).
- Will undermine the positive work of community volunteers on this site, who have been working with the councils Ranger Service to conserve and restore Priority Habitats/ Habitats of Principal Importance in the Local Nature Reserve, leading to the degradation of the rest of the LNR.
- Is not effective because councillors from all main parties in the city have said they won't support development of the site. Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables)
- These sites are separated from the edge of the current built up area of the city so their development would create isolated new residential developments in what is currently open countryside. The NPPF advises against giving consent for new and isolated homes in the countryside and this is restated in City Plan Part 1 (3.16.1). Whilst these allocations are not for single homes, they are still within the spirit of

the NPPF guidance. The evidence in relation to the landscape impact of development of these sites in the Urban Fringe Assessments was inadequate. The sites are in sensitive elevated locations close to the top of ridge and adjacent to the National Park Boundary. Development of these sites would have a significant negative impact on landscape character. The South Downs National Park Local Plan (Strategic Policy SD4: Landscape Character) states 'Development proposals will only be permitted where they conserve and enhance landscape character by demonstrating that: ... 3. The settlement pattern and individual identity of settlements and the integrity of predominantly open and undeveloped land between settlements will not be undermined.' Effects on views were not fully considered in the Urban Fringe Assessments. For example, the western part of the allocation at Land north of Warren Road (Ingleside Stables) is on greenfield land immediately to the north of a well-used track. Development of this site would obscure and/or significantly negatively impact important and valued views north from this track and from Warren Road. This was not considered in the Urban Fringe Assessments. This part of the site is also clearly visible, for example, in an important view south eastwards from Hollingbury Camp/Castle, within the National Park on the northern edge of the city. Loss of these farmsteads/buildings to housing will create knock-on pressures for new replacement buildings within this landscape because residual 'bare land holdings' (without buildings) will require such infrastructure. Allocation and development of these two sites would set a dangerous precedent for further development on this open, high, greatly inter-visible Downland ridge, (between Brighton and Woodingdean, and between the National Park and the Bevendean Down and Whitehawk Hill LNRs), which would further erode its character.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Delete Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables) from the list of allocations in policy H2

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Not Answered

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

DM37 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified, Consistent with National Policy

DM37 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

I am not happy about the phrase 'Unless allocated for development in the City Plan' when talking about Local Protected Sites (beginning of para C). This seems to give permission for protection of the integrity of these crucial areas to be waived. I believe this is not what was in the draft City Plan 2 and is weaker than the 2005 Local Plan. We should not be going backwards in the protection of these crucial green spaces both for the planet and for local people's well-being (sanity and physical health) - these last few months have shown this more than ever.

DM37 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Please simply delete the phrase 'Unless allocated for development in the City Plan' from the beginning of this paragraph about Local Protected Sites (C).

DM37 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM37 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

DM38 Local Green Spaces

DM38 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM38 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

DM38 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

I don't understand why Whitehawk Hill Local Nature Reserve is not included here to be a designated Local Green Space - it definitely fits the same criteria as described in para 2.293 as far as I am concerned and these last few months with COVID have shown this even more than ever. The exclusion from the list does not seem justified to me.

DM38 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Please add Whitehawk Hill Local Nature Reserve to the list of designated Local Green Spaces. This would give proper parity in relation to the other lovely spaces on the list here and citizens the chance to engage with the council in relation to this space in the same way.

DM38 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM38 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site, Land north of Warren Road (Ingleside Stables)

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

Re land adjoining racecourse - firstly, I believe it would go against the legal requirements from when the Brighton Corporation obtained the land in 1888. I don't believe development here is justified adequately by use of the Urban Fringe Assessment - it has for example several omissions including e.g. that this site is very important for invertebrates including several butterflies and a carder bee, and for the linnet.

Re land at South Downs Riding school/ the reservoir and Ingleside stables - these are currently open countryside and housing here would be a dangerous precedent as it is against the spirit of the National Planning Policy Framework. These are high up and so would significantly affect the beautiful open views from several directions. Again, this is not adequately taken into account in the Urban Fringe Assessments.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Please delete these areas from the list of allocations in policy H2:

- Land at and adjoining Brighton Racecourse
- Land at South Downs Riding school and reservoir site
- Land north of Warren Rd (Ingleside Stables)

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Response ID ANON-8ZMD-Y4P7-QSubmitted to **City Plan Part Two (Proposed Submission)**Submitted on **2020-09-24 11:27:15****Your details****What is your name?**

[REDACTED]
 [REDACTED]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

XR Brighton

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:

Yes

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:

Yes

Notification matrix - The adoption of the City Plan Part Two:

Yes

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Yes

Date Response Submitted**Date Response Submitted:**

Not Answered

DM37 Green Infrastructure and Nature Conservation**DM37 1. Do you consider this policy is: (tick as appropriate)****Legally compliant sound - Legally Compliant:**

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM37 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified, Consistent with National Policy

DM37 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

The phrase 'Unless allocated for development in the City Plan...' I object to:

- It is contrary to paragraph 174 of the National Planning Policy Framework.
- The inclusion of this phrase represents a significant weakening of the protection given to Local Sites (including both Local Nature Reserves and Local Wildlife Sites) compared with the 2005 Local Plan and the previous Draft City Plan Part 2.
- The inclusion of this phrase would mean that developments on allocations within designated sites would be permitted to go ahead even if they have an adverse effect on the integrity of the site.
- The ecological evidence in the Urban Fringe Assessments, which it is assumed is used to justify the inclusion of this phrase, is both out of date and insufficient to justify its inclusion.
- The inclusion of this phrase represents a pre-emption of the due process of evaluating the ecological impacts of any development proposals on Locally Designated Sites.

DM37 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Delete the phrase 'Unless allocated for development in the City Plan...' from the beginning of the paragraph dealing with Locally Designated Sites'

DM37 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM37 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

DM38 Local Green Spaces

DM38 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM38 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

DM38 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

- Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Local Green Space, as listed in paragraph 77 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2.
- The choice of sites suggested for designation as Local Green Spaces in the 2014 Urban Fringe Assessment, from which the list in City Plan Part 2 is derived, is not supported by evidence to show why, against the NPPF criteria, the sites selected were chosen and other sites, such as Whitehawk Hill LNR, were excluded.
- Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Space because they act as 'important green wedges into the urban area'. Clearly Whitehawk Hill also meets this objective.
- The choice of sites, and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space is therefore not justified, effective or consistent with national policy, as it excludes a site which would meet the designation criteria.

DM38 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Add Whitehawk Hill Local Nature Reserve to the list of sites for designation as Local Green Spaces.

DM38 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM38 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Representatives from Friends of Whitehawk Hill will be asking to attend the examination in public and we will try to represent the community's views

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site, Land north of Warren Road (Ingleside Stables)

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

One objects to this decision as this is in contradiction to the 1822 Tenantry Down enclosure deed which states that the race ground shall not be broken up and as such was bought by the Brighton Corporation. This is contrary to paragraph 174 of the National Planning Policy Framework. It won't be able to deliver a net gain to biodiversity.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

You should delete land adjoining Brighton Race Course from the list list of allocations in policy H2

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

DM37 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified, Consistent with National Policy

DM37 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

Whitehawk Hill is an amazing local amenity that I use every week. It needs to continue to be improved as a local wildlife site, and not opened up to development in any way.

Along with the Friends of Whitehawk Hill group, I object to the inclusion of the phrase 'Unless allocated for development in the City Plan...' at the beginning of the paragraph dealing with Locally Designated Sites.

- It is contrary to paragraph 174 of the National Planning Policy Framework.
- The inclusion of this phrase represents a significant weakening of the protection given to Local Sites (including both Local Nature Reserves and Local Wildlife Sites) compared with the 2005 Local Plan and the previous Draft City Plan Part 2.
- The inclusion of this phrase would mean that developments on allocations within designated sites would be permitted to go ahead even if they have an adverse effect on the integrity of the site.
- The ecological evidence in the Urban Fringe Assessments, which it is assumed is used to justify the inclusion of this phrase, is both out of date and insufficient to justify its inclusion.
- The inclusion of this phrase represents a pre-emption of the due process of evaluating the ecological impacts of any development proposals on Locally Designated Sites.

DM37 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Delete the phrase 'Unless allocated for development in the City Plan...' so that this site is secure for the future as an outdoor space with benefit for all parts of the local community, and a site for wildlife.

DM37 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM37 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

DM38 Local Green Spaces

DM38 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM38 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

DM38 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

Along with Friends Of Whitehawk Hill, I support these points:

- Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Local Green Space, as listed in paragraph 77 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2.
- The choice of sites suggested for designation as Local Green Spaces in the 2014 Urban Fringe Assessment, from which the list in City Plan Part 2 is derived, is not supported by evidence to show why, against the NPPF criteria, the sites selected were chosen and other sites, such as Whitehawk Hill LNR, were excluded.
- Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Space because they act as 'important green wedges into the urban

area'. Clearly Whitehawk Hill also meets this objective.

- The choice of sites, and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space is therefore not justified, effective or consistent with national policy, as it excludes a site which would meet the designation criteria.

DM38 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Whitehawk Hill should be designated as a Local Green Space.

I have lived in the area for over 20 years and have already seen the improvements that have been made through the sheep grazing scheme (and I have been a volunteer looker in the past). [REDACTED] does amazing work as the local ranger, connecting the community to this green space, and leading other improvement projects. With continued support, this area will thrive - there are more kestrels to be seen there, along with yellowhammers, and owls. It is also an important site for nesting skylarks and for birds to feed before migrating south, and the increasing diversity of plants and creatures is a credit to all the staff and volunteers who currently put in the time. It is an accessible 'green lung' for a large population who cherish it - so an official designation would go a long way to continuing this for the future.

DM38 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM38 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site, Land north of Warren Road (Ingleside Stables)

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

I support the objections to the allocation at Land at and adjoining Brighton Race Course as outlined by Friends of Whitehawk Hill which are -

- The allocation is inconsistent with conditions in the 1822 Tenantry Down (common) enclosure deed, which state that the successor owner of the 'Race Ground' 'shall not at any time thereafter break up, convert into tillage, or divide the said Race Ground' and 'that the inhabitants of Brighton and the public in general should have the use of it for the purpose of racing...and any other purposes of exercise and diversion as heretofore'. These conditions were reiterated in the 1888 Indenture when the 'Race Ground' was purchased by Brighton Corporation.
- Contrary to paragraph 174 of the National Planning Policy Framework.
- Won't be able to deliver a net gain to biodiversity as required by paragraph 170 of the National Planning Policy Framework
- Not justified because the ecological evidence in the Urban Fringe Assessments -
 - o is out of date and undervalues the importance of the sites biodiversity and its Local Nature Reserve designation
 - o is insufficient to justify their conclusion of no significant impact with mitigation.
 - o is inconsistent, for example the conclusion that impacts on this site can be mitigated is inconsistent with other statements in the same documents, for example the 2014 Urban Fringe Assessment, which states that 'provision for the biodiversity assets may help to create new habitats and contribute to habitat connectivity helping to mitigate significant negative effects', which is rightly more cautious and does not claim that negative effects can be mitigated.
 - o did not consider or assess the impact development on this allocation would have on the integrity of the Local Nature Reserve, partly severing (fragmenting) a section at the centre of the core part of the reserve between Manor Hill and Warren Rd/Wilson Ave.
 - o did not consider or assess the impact development on this allocation would have on the historic gorse scrub habitat and its dependent species, including a breeding population of the Red Listed bird species and Species of Principal Importance linnet, identified as using the gorse scrub in breeding bird surveys

undertaken in 2019

o did not consider or assess the impact development on this allocation would have on the important invertebrate assemblage that surveys indicate the area in and around the allocation supports. A nationally recognised expert wrote that a survey in 2019 'indicates an extremely rich site'.

o did not consider or assess the impact development on this allocation would have on several invertebrate Species of Principal Importance which have been recorded in recent years within or close to the allocation, including brown-banded carder bee and small heath, small blue, dingy skipper, wall and brown hairstreak butterflies.

o contains errors and omissions, such as, within the wider site, wrongly identifying the Priority Habitat/Habitat of Principal Importance Lowland Calcareous Grassland as semi-improved neutral grassland in the Phase 1 Habitat Survey, and wrongly recommending tree planting as a mitigation measure, where the priority in this area is the conservation of open habitats, such as grassland. These errors undermine the credibility of the evidence of the Urban Fringe Assessments as well as their conclusions.

• Not justified because -

o the evidence in the Urban Fringe Assessments in relation to landscape is framed wholly in terms of impacts of development on the National Park's setting and views, and did not consider such effects within the local visual catchment (within and adjoining LNR), for example of views along Whitehawk Hill from the south and north, as well as from the valley below. Although the existing tower blocks impinge upon these views, the views are in many places currently uninterrupted.

o the evidence in the Urban Fringe Assessments did not recognise that development would result in the intrusion of a residential landscape into what is currently a semi-natural landscape, significantly reducing its strong sense of naturalness.

o the evidence in the Urban Fringe Assessments did not consider the loss of statutory Access Land (which includes the whole of the allocation) that would be caused by development in this allocation.

o it will result in a loss of Open Space, which is inconsistent with statements in City Plan Part 1 which seeks to increase, not decrease the amount of accessible land adjacent to the urban area (SA5 The Setting of the South Downs National Park, 3.170).

• Will undermine the positive work of community volunteers on this site, who have been working with the councils Ranger Service to conserve and restore Priority Habitats/ Habitats of Principal Importance in the Local Nature Reserve, leading to the degradation of the rest of the LNR.

• Is not effective because councillors from all main parties in the city have said they won't support development of the site.

Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables)

• These sites are separated from the edge of the current built up area of the city so their development would create isolated new residential developments in what is currently open countryside. The NPPF advises against giving consent for new and isolated homes in the countryside and this is restated in City Plan Part 1 (3.16.1). Whilst these allocations are not for single homes they are still within the spirit of the NPPF guidance.

• The evidence in relation to the landscape impact of development of these sites in the Urban Fringe Assessments was inadequate. The sites are in sensitive elevated locations close to the top of a ridge and adjacent to the National Park Boundary. Development of these sites would have a significant negative impact on landscape character. The South Downs National Park Local Plan (Strategic Policy SD4: Landscape Character) states 'Development proposals will only be permitted where they conserve and enhance landscape character by demonstrating that: ... 3. The settlement pattern and individual identity of settlements and the integrity of predominantly open and undeveloped land between settlements will not be undermined.'

• Effects on views were not fully considered in the Urban Fringe Assessments. For example the western part of the allocation at Land north of Warren Road (Ingleside Stables) is on greenfield land immediately to the north of a well-used track. Development of this site would obscure and/or significantly negatively impact important and valued views north from this track and from Warren Road. This was not considered in the Urban Fringe Assessments. This part of the site is also clearly visible, for example, in an important view south eastwards from Hollingbury Camp/Castle, within the National Park on the northern edge of the city.

• Loss of these farmsteads/buildings to housing will create knock-on pressures for new replacement buildings within this landscape because residual 'bare land holdings' (without buildings) will require such infrastructure.

• Allocation and development of these two sites would set a dangerous precedent for further development on this open, high, greatly inter-visible Downland ridge, (between Brighton and Woodingdean, and between the National Park and the Bevendean Down and Whitehawk Hill LNRs), which would further erode its character.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

you need to delete the following:

Land at and adjoining Brighton Race Course,

Land at South Downs Riding School & Reservoir Site and

Land north of Warren Road (Ingleside Stables)

from the list of allocations in policy H2.

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

or composition but wants the Council to protect it from 'studentification' and multiply occupied properties and very short term lets which have had an adverse effect on community cohesion elsewhere in the immediate area and the city. In making this point we are not criticising students or tenants of HMOs themselves but rather those landlords and supervising bodies who fail to monitor the impact of their developments on community cohesion.

2. We want the area to be free from graffiti, fly-tipping, drug-dealing, noise pollution and other anti-social behaviour. The area around the Pepper Pot and Queen's Park being a priority for action.
3. We want an end to any new properties being designated as HMOs and Air BnB and greater scrutiny and monitoring of those that currently exist.
4. We would like more traffic calming, more electric vehicle charging points and an extension to bus services in the area. We would like to be consulted on any further changes to parking regulations.
5. We want the Council to preserve the few local shops, pubs and GP surgeries that remain, from closure.
6. We want adjacent wildlife areas such as Whitehawk Hill to be protected from any form of development and kept as places for residents to relax and enjoy.
7. We want the Council and councillors to recognise us, SLRA, as a consultee.
8. Where driving schools use our streets for their lessons we wish the council to encourage them to be sensitive and also to avoid the area close to the School.

Agreed at meeting on 21/09/20

DM7 Houses in Multiple Occupation (HMOs)

(DM7) 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

Legally compliant sound - Sound:

Legally compliant sound - Meets the Duty to Co-Operate:

(DM7) 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

(DM7) 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

(DM7) 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

(DM7) 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Yes, I wish to participate in the hearing session(s)

(DM7) 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

It seems to residents as if their concerns about HMOs and studentification are not being listened to .

DM38 Local Green Spaces

DM38 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

Legally compliant sound - Sound:

Legally compliant sound - Meets the Duty to Co-Operate:

DM38 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

DM38 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

DM38 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

DM38 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Not Answered

DM38 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

pass on all contact details to the Planning Inspectorate (PINS) who will undertake the examination of the City Plan on behalf of the government. Details of the PINS privacy policy can be seen below. Please tick to reinforce that you have read this disclaimer and have read the PINS Privacy Notice below

[PINS Privacy Statement \(June 2019\)](#)

(Required) I have read the PINS privacy statement above	Y/N
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Best regards

Helen

Helen Pennington
Sustainability Appraisal Officer

Due to the current exceptional circumstances and changed working arrangements we are currently unable to deal with incoming phone calls.

City Development & Regeneration | Brighton & Hove City Council

First floor Hove Town Hall, Norton Road, Hove, BN3 3BQ

E: helen.pennington@brighton-hove.gov.uk

T: 01273 292333

W: www.brighton-hove.gov.uk

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We will make it clear how you can contact or access our services | We will understand and get things done | We will be clear and treat you with respect

Sent: 29 October 2020 09:49

To: PlanningPolicy <PlanningPolicy@brighton-hove.gov.uk>

Cc: [Redacted]

Subject: Re: St. Luke's Residents Association Submission re City Plan

This email originates from outside of Brighton & Hove City Council. Please think carefully before opening attachments or clicking on links.

Dear Colleague,

Yes please adopt your version and thank you for your assistance.

Some points may not meet the exact criteria I understand that but I hope you get the general direction the Residents are coming from

1. Preserve our residential neighbourhood from HMOs
2. Preserve our neighbouring open spaces - especially Whitehawk Hill
3. Preserve our local facilities .

Thanks.

Sent from [Outlook](#)

From: PlanningPolicy <PlanningPolicy@brighton-hove.gov.uk>

Sent: Monday, October 19, 2020 10:42 AM

To: [REDACTED]
PlanningPolicy <PlanningPolicy@brighton-hove.gov.uk>

Cc: [REDACTED]
[REDACTED]
[REDACTED]

Subject: RE: St. Luke's Residents Association Submission re City Plan

Dear [REDACTED]

Many thanks for your submission on behalf of St Luke's Residents Association.

As there are various points made in your submission, please could you clarify the policies that you would like the various points to be considered under.

For ease, I have copied your submission and pasted it below. Under each point, I have written the policy that this appears to be related to in red font. Please could you confirm that these are correct, or correct them if you want your point to be considered under a different policy. Please note that some of these matters are not of direct relevance to the City Plan Part 2, as are not planning matters.

Submission to City Plan

St. Luke's Residents' Association Submission to City Plan

1. We want the plan to preserve the community and residential aspect of the St. Luke's area, its unique architecture and style and its sense of a community based geographically around the school, swimming pool, Pepperpot and church. The Residents' Association values all its residents/families equally whatever their size or composition but wants the Council to protect it from 'studentification' and multiply occupied properties and very short term lets which have had an adverse effect on community cohesion elsewhere in the immediate area and the city. In making this point we are not criticising students or tenants of HMOs themselves but rather those landlords and supervising bodies who fail to monitor

the impact of their developments on community cohesion.

Policy DM7 Houses in Multiple Occupation.

2. We want the area to be free from graffiti, fly-tipping, drug-dealing, noise pollution and other anti-social behaviour. The area around the Pepper Pot and Queen's Park being a priority for action.

Noise pollution is dealt with under policy DM40 – Pollution of the Environment and Health. Graffiti, fly-tipping, drug-dealing and anti-social behaviour are not planning policy matters.

3. We want an end to any new properties being designated as HMOs and Air BnB and greater scrutiny and monitoring of those that currently exist.

Policy DM7 deals with HMOs.

4. We would like more traffic calming, more electric vehicle charging points and an extension to bus services in the area. We would like to be consulted on any further changes to parking regulations.

Policy DM36 - Parking and Servicing

5. We want the Council to preserve the few local shops, pubs and GP surgeries that remain, from closure.

Policies DM9 – Community Facilities, DM10 – Public Houses, DM12 – Changes of Use with Regional, Town, District and Local Shopping Centres, DM13 – Important Local Parades, Neighbourhood Parades and Individual Shop Units

6. We want adjacent wildlife areas such as Whitehawk Hill to be protected from any form of development and kept as places for residents to relax and enjoy.

Policy H2 – Housing Sites, Urban Fringe

7. We want the Council and councillors to recognise us, SLRA, as a consultee.

No policies of direct relevance in CPP2, but SLRA can be added to Planning Policy database and informed of future consultations on planning policy matters.

8. Where driving schools use our streets for their lessons we wish the council to encourage them to be sensitive and also to avoid the area close to the School.

No policies of direct relevance in CPP2.

In addition, in order for your representation to be processed, please could you also provide the following information:

Please let us know if you would like to be notified of any of the following (delete as appropriate);

The City Plan Part Two has been submitted for independent examination	Y/N
The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two	Y/N
The adoption of the City Plan Part Two	Y/N

Please be aware that due to the process of having an Independent Examination, any information and/or responses made are not confidential. This means we need your name, or organisation name, so that the comments can be made available for the public inspection. Once your

comments have been logged, all names, company names and associated comments submitted as part of the formal consultation process will be made available to view in due course on the council's website.

The council will not share or publish postcodes or email addresses. BHCC will however have to pass on all contact details to the Planning Inspectorate (PINS) who will undertake the examination of the City Plan on behalf of the government. Details of the PINS privacy policy can be seen below. Please tick to reinforce that you have read this disclaimer and have read the PINS Privacy Notice below

[PINS Privacy Statement \(June 2019\)](#)

(Required) I have read the PINS privacy statement above	Y/N
--	------------

Best regards

Planning Policy Team

City Development & Regeneration | Brighton & Hove City Council
First floor Hove Town Hall, Norton Road, Hove, BN3 3BQ
W: www.brighton-hove.gov.uk

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[Redacted]

Sent: 19 October 2020 10:14

To: PlanningPolicy <PlanningPolicy@brighton-hove.gov.uk>

[Redacted]

Subject: St. Luke's Residents Association Submission re City Plan

This email originates from outside of Brighton & Hove City Council. Please think carefully before opening attachments or clicking on links.

Dear Colleague,

Please find our submission agreed at our last meeting in September.

Thank you,



Sent from [Outlook](#)

Notice to recipient:

The information contained in this electronic mail message is intended only for the use of the individual to whom it is addressed and may contain information which is privileged and confidential, the disclosure of which is prohibited by law.

If the reader of this message is not the intended recipient, please note that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error please notify the sender immediately.

Thank you in anticipation of your co-operation.

You can visit our website at <http://www.brighton-hove.gov.uk>

Please consider the environment, only print out this email if absolutely necessary.

Please Note: Both incoming and outgoing Emails may be monitored and/or recorded in line with current legislation

From: [REDACTED]
To: [PlanningPolicy](#)
Cc: [REDACTED]
Subject: Re: BHCC Planning Policy Update Email Signup: Subscription Confirmed
Date: 19 October 2020 10:18:40

This email originates from outside of Brighton & Hove City Council. Please think carefully before opening attachments or clicking on links.

Thank you.

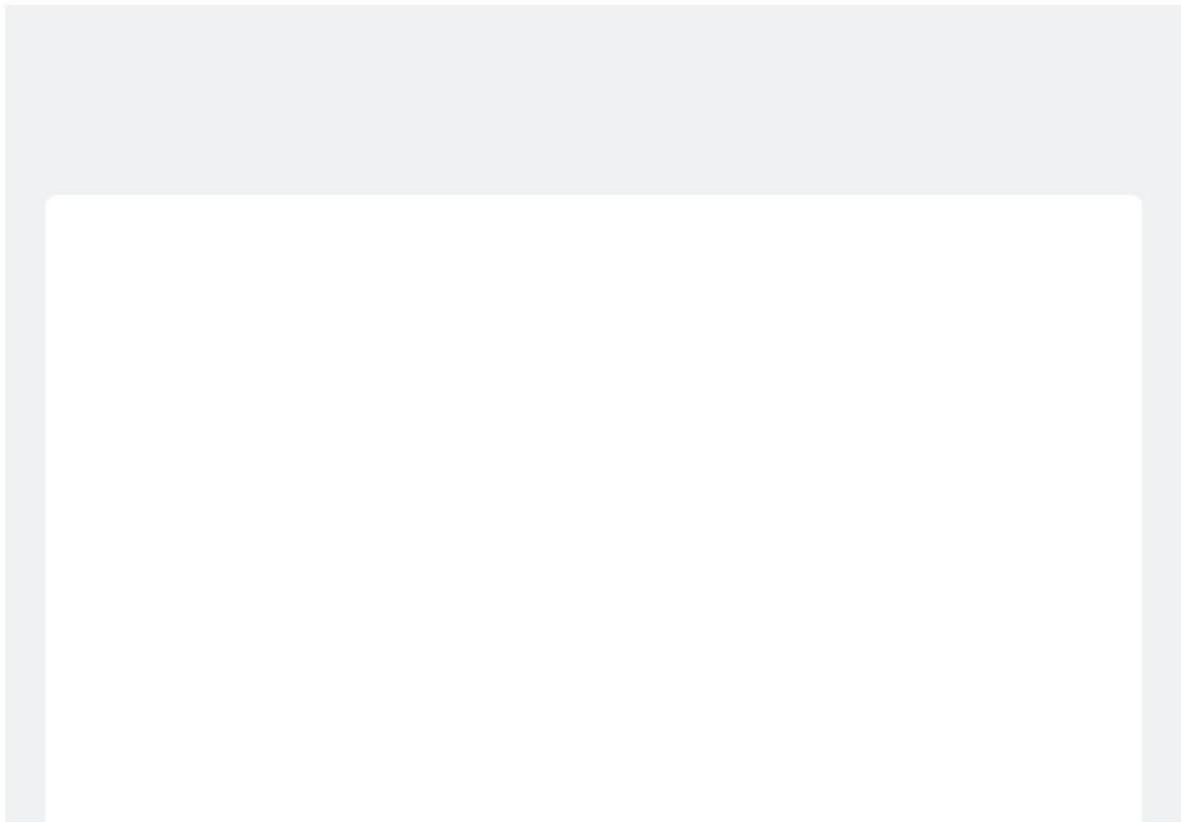
We are particularly focused on applications to turn ordinary family houses in St. Luke's into HMOs which we strongly oppose.

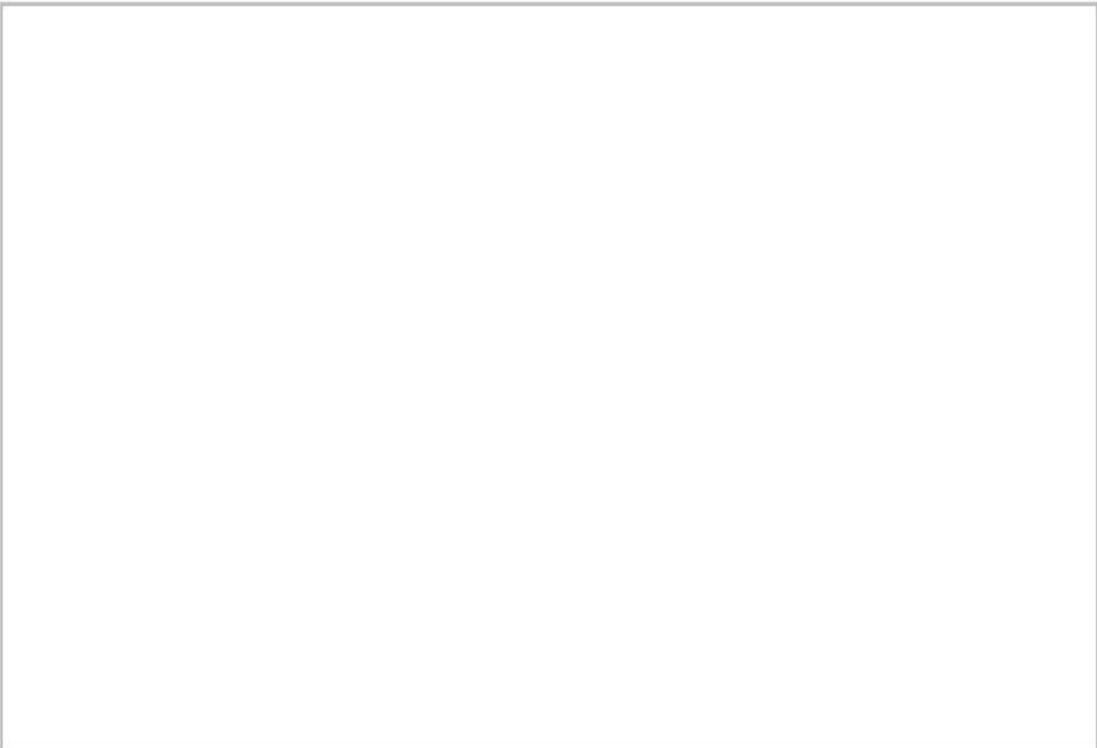
Thanks,

[REDACTED]

Sent from [Outlook](#)

From: Planning Policy <planningpolicy@brighton-hove.gov.uk>
Sent: Monday, September 28, 2020 10:17 AM
To: [REDACTED]
Subject: BHCC Planning Policy Update Email Signup: Subscription Confirmed





Your subscription to our list has been confirmed.
For your records, here is a copy of the information you submitted to us...

Organisation: St. Luke's Residents' Association

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Communication preferences: City Plan production (local Plan),
Supplementary Planning Documents, Community Infrastructure
Levy, Development Briefs, Neighbourhood Planning, All

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planningpolicy@brighton-hove.gov.uk



From: [REDACTED]
To: [PlanningPolicy](#)
Cc: [REDACTED]
Subject: St. Luke's Residents Association Submission re City Plan
Date: 19 October 2020 10:13:50
Attachments: [SLRA - Submission to City Plan.docx](#)

This email originates from outside of Brighton & Hove City Council. Please think carefully before opening attachments or clicking on links.

Dear Colleague,

Please find our submission agreed at our last meeting in September.

Thank you,

[REDACTED]

[REDACTED]

Submission to City Plan

St. Luke's Residents' Association Submission to City Plan

1. We want the plan to preserve the community and residential aspect of the St. Luke's area, its unique architecture and style and its sense of a community based geographically around the school, swimming pool, Pepperpot and church. The Residents' Association values all its residents/families equally whatever their size or composition but wants the Council to protect it from 'studentification' and multiply occupied properties and very short term lets which have had an adverse effect on community cohesion elsewhere in the immediate area and the city. In making this point we are not criticising students or tenants of HMOs themselves but rather those landlords and supervising bodies who fail to monitor the impact of their developments on community cohesion.
2. We want the area to be free from graffiti, fly-tipping, drug-dealing, noise pollution and other anti-social behaviour. The area around the Pepper Pot and Queen's Park being a priority for action.
3. We want an end to any new properties being designated as HMOs and Air BnB and greater scrutiny and monitoring of those that currently exist.
4. We would like more traffic calming, more electric vehicle charging points and an extension to bus services in the area. We would like to be consulted on any further changes to parking regulations.
5. We want the Council to preserve the few local shops, pubs and GP surgeries that remain, from closure.
6. We want adjacent wildlife areas such as Whitehawk Hill to be protected from any form of development and kept as places for residents to relax and enjoy.
7. We want the Council and councillors to recognise us, SLRA, as a consultee.
8. Where driving schools use our streets for their lessons we wish the council to encourage them to be sensitive and also to avoid the area close to the School.

Agreed at meeting on 21/09/20

Response ID ANON-8ZMD-Y4PV-P

Submitted to City Plan Part Two (Proposed Submission)

Submitted on 2020-09-30 15:43:08

Your details

What is your name?

[REDACTED]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

Sussex Branch of SERA

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:

Yes

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:

Yes

Notification matrix - The adoption of the City Plan Part Two:

Yes

Due to the process of having an Independent Examination, any information and/or responses made are not confidential. This means we need your name, or organisation name, so that the comments can be made available for the public inspection. Once your comments have been logged, all names, company names and associated comments submitted as part of the formal consultation process will be made available to view in due course on the BHCC website. BHCC will not share or publish postcodes or email addresses. BHCC will however have to pass on all contact details to the Planning Inspectorate (PINS). Details of the PINS privacy policy can be seen below. Please tick to reinforce that you have read this disclaimer and have read the PINS Privacy Notice below

Yes

Date Response Submitted

Date Response Submitted:

Not Answered

DM37 Green Infrastructure and Nature Conservation

DM37 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM37 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified, Consistent with National Policy

DM37 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

I object to the inclusion of the phrase " Unless allocated for development" in the City Plan at the beginning of the paragraph dealing with locally designated sites .This is contrary to paragraph 174 of the National Planning Policy Framework

DM37 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

DM37 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Not Answered

DM37 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

DM38 Local Green Spaces

DM38 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

Yes

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM38 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

DM38 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

Whitehawk Nature Reserve fits all the criteria for a Local Green Space (see paragraph 77 of the NPPF) but the City Plan Part 2 does not include it in this category.

The 2014 Urban Fringe Assessment which is the basis for City Plan Part 2 does not explain why some sites were chosen as Local Green Spaces and not others. It also fails to explain why Whitehawk Hill LNR, even though fitting all the NPPF criteria was left out.

For instance the four Local Green Spaces described in paragraph 2.293 of the City Plan as important Green Wedges into the urban area, have no more justification for this designation than Whitehawk Hill which is clearly a Green Wedge.

DM38 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

DM38 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM38 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site, Land north of Warren Road (Ingleside Stables)

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

Yes

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

This land should not be allocated for housing because such allocation would contravene the 1822 Tenantry Downs Enclosure Deed which was repeated in 1888 when the land was bought by Brighton Corporation. It is also in contravention of the NPPF. Paragraph 170 of the latter requires a net gain to biodiversity and allocation of land at and adjoining the racecourse would make this impossible.

The ecological evidence in the Urban Fringe Assessment does not justify the conclusion of "No significant impact". It is out of date and inaccurate and a complete failure to understand the importance of chalk grassland is shown by its recommendation of tree planting.

This development would also chop up the LNR which of course would impede wildlife connectivity. Fast disappearing birds and the rare insects now found on this site are dependent on the gorse/scrub habitat.

Isolated new residential developments in open countryside is against the NPPF policy which also states that development must conserve and enhance natural landscape which building on this LNR certainly would not. Instead it would set a precedent for encroaching on countryside which is vital to some of the poorer residents of Brighton.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

The policy of building on the Whitehawk LNR can not be made legally sound or even in any way advisable. It would mean loss of access land and the ruination of the natural landscape. Covid times have highlighted the importance to the mental and physical health of humans of being able to walk in natural surroundings.

The policy would also, of course, mean loss of open space which the City has pledged to increase.

Local people in Whitehawk have clearly shown their need for and interest in the natural world and landscape by their work with rangers to restore and develop the LNR.

PLEASE DELETE THESE THREE SITES FROM THE LIST OF ALLOCATIONS IN POLICY H2

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

(DM1) 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

(DM1) 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

(DM1) 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Not Answered

(DM1) 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Supporting Documents and Background Studies

Please provide comments you have on the Supporting Documents and / or Supporting Evidence (Please be as precise as possible, with reference to the name of the document / studies you would like to comment on)

SA comments box:

Housing Provision Topic Paper. Lists 27-31 Church Street as 'under construction'. It is still a boarded up vacant site. No obvious work has been started there.

Housing Provision Topic Paper and DM2 Retaining Housing and Residential Accommodation. No mention of the uncontrolled growth of airbnb's and the risk this presents to availability of housing stock, house prices and rents in the city. I'm aware that the council has no control over airbnb use and I believe that representations have been made to central government about this, but it is already a real problem. Some streets in the city centre are alleged to have significant numbers of properties given over to airbnb's. Apart from the loss of housing that they represent, they are clearly businesses but not paying business rates, not subject to any licensing or safety standards, not regulated in any way. It is a shame if this is not acknowledged somewhere in the planning documents. (Apologies if it is and I've missed it.)

DM20 Protection of Amenity. Sunlight. I am very pleased that developers will be required to consider the effects of proposals on sunlight but I find the BRE standard for assessing this to be inadequate for properties in the centre of towns on the south coast. The BRE assessment uses as its benchmark sunlight and over-shadowing at the Spring Equinox. This takes no account of homes in narrow streets behind existing taller buildings, such as on the seafront, where direct sunlight reaches the smaller properties during the summer months. The BRE assessment would wrongly conclude that such properties are in year-round shadow and that new developments of any height will present no loss of amenity. If at all possible, BHCC should use assessments that are relevant to the city's coastal position and topography, rather than rely solely on national standards.

Overall, I am impressed by the scale and depth of the work that has gone into the city plan. My warmest thanks to all who have been involved in this.

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

Local people have not been involved. The consultation website is hard to navigate and will deter people from making representations.

The council should build on brownfield sites, not greenfield ones.

The proposals if implemented will result in a substantial reduction in green space that is valuable for Brighton's residents.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Remove greenfield sites from the proposals.

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM37 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified, Consistent with National Policy

DM37 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

I object to the inclusion of the phrase 'Unless allocated for development in the City Plan' at the beginning of the paragraph dealing with locally designated sites. It is contrary to paragraph 174 of the National Planning Policy Framework.

- Including this phrase seriously weakens the protection given to Local Sites (including both Local Nature Reserves and Local Wildlife Sites) compared with the 2005 Local Plan and the previous Draft City Plan Part 2.
- Including this phrase would mean that developments on allocations within designated sites would be permitted to go ahead even if they have an adverse effect on the integrity of the site.
- The ecological evidence in the Urban Fringe Assessments, which I assume is used to justify the inclusion of this phrase, is both out of date in the light of widespread and mounting evidence of the need to protect local sites, green spaces and biodiversity, and is insufficient to justify its inclusion.
- The inclusion of this phrase represents a pre-emption of the due process of evaluating the ecological impacts of any development proposals on Locally Designated Sites

DM37 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Delete the phrase 'Unless allocated for development in the City Plan... ' from the beginning of the paragraph dealing with Locally Designated Sites.

DM37 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM37 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

DM38 Local Green Spaces

DM38 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM38 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

DM38 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

- Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Local Green Space, as listed in paragraph 77 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2.
- The choice of sites suggested for designation as Local Green Spaces in the 2014 Urban Fringe Assessment, from which the list in City Plan Part 2 is derived, is not supported by evidence to show why, against the NPPF criteria, the sites selected were chosen and other sites, such as Whitehawk Hill LNR, were excluded.
- Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Space because they act as 'important green wedges into the urban area'. Clearly Whitehawk Hill also meets this objective.
- The choice of sites, and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space is therefore not justified, effective or consistent with national policy, as it excludes a site which would meet the designation criteria.

DM38 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Add Whitehawk Hill Local Nature Reserve to the list of sites for designation as Local Green Spaces

DM38 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM38 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site, Land north of Warren Road (Ingleside Stables)

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

I object to the allocation of land at and adjoining Brighton Race Course because it is (as indicated in my responses to DM 37 above it is contrary to Paragraph 174 of the National planning Policy Framework, and will not be able to deliver a net gain to biodiversity as required by paragraph 170 of the National planning Policy Framework

It's not consistent with the conditions of the 1822 tenantry Down agreement which stipulate that the successor owner of the Race Ground 'shall not at any time thereafter break up ... or divide the said Race ground'

It's not justified as the ecological evidence in the Urban Fringe Assessment (UFA)

seriously undervalues the significance of these sites biodiversity; is insufficient to justify the conclusion of no important impact with mitigation; is inconsistent - the 2014 UFA is much more cautious in supporting the idea that mitigation is possible

Does not consider the serious impact on the integrity of the LNR, with the proposals cutting out a core section of the LNR between Manor Hill and Warren Rid/Wilson Ave . Current research on conservation points strongly to the need to create and conserve large, uninterrupted tracts of protected land to support biodiversity. To choose to build on part of an LNR in this way is shortsighted, irresponsible, ill informed and inconsistent.

o did not consider or assess the impact development on this site would have on the historic gorse scrub habitat and its dependent species, including a breeding population of the Red Listed bird species and Species of Principal Importance linnet, identified as using the gorse scrub in breeding bird surveys undertaken in 2019

o did not consider or assess the impact development on this allocation would have on the important invertebrate assemblage that surveys indicate the area in and around the allocation supports. A nationally recognised expert wrote that a survey in 2019 'indicates an extremely rich site'.

o did not consider or assess the impact development on this allocation would have on several invertebrate Species of Principal Importance which have been recorded in recent years within or close to the allocation, including brown-banded carder bee and small heath, small blue, dingy skipper, wall and brown hairstreak butterflies.

o contains errors and omissions, such as, within the wider site, wrongly identifying the Priority Habitat/Habitat of Principal Importance Lowland Calcareous Grassland as semi-improved neutral grassland in the Phase 1 Habitat Survey, and wrongly recommending tree planting as a mitigation measure, where the priority in this area is the conservation of open habitats, such as grassland. These errors undermine the credibility of the evidence of the Urban Fringe Assessments as well as their conclusions.

• Not justified because -

o the evidence in the Urban Fringe Assessments in relation to landscape is framed wholly in terms of impacts of development on the National Park's setting and views, and did not consider such effects within the local visual catchment (within and adjoining LNR), for example of views along Whitehawk Hill from the south and north, as well as from the valley below. Although the existing tower blocks impinge upon these views, the views are in many places currently uninterrupted.

o the evidence in the Urban Fringe Assessments did not recognise that development would result in the intrusion of a residential landscape into what is currently

a semi-natural landscape, significantly reducing its strong sense of naturalness.

o the evidence in the Urban Fringe Assessments did not consider the loss of statutory Access Land (which includes the whole of the allocation) that would be caused by development in this allocation.

o it will result in a loss of Open Space, which is inconsistent with statements in City Plan Part 1 which seeks to increase, not decrease the amount of accessible land adjacent to the urban area (SA5 The Setting of the South Downs National Park, 3.170).

- Will undermine the positive work of community volunteers on this site, who have been working with the councils Ranger Service to conserve and restore Priority Habitats/ Habitats of Principal Importance in the Local Nature Reserve, leading to the degradation of the rest of the LNR.

Is unsound in suggesting potentially costly mitigation measures are put in place when leaving the LNR as it is would not require such expenditure.

- Is not effective because councillors from all main parties in the city have said they won't support development of the site.

Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables)

- These sites are separated from the edge of the current built up area of the city so their development would create isolated new residential developments in what is currently open countryside. The NPPF advises against giving consent for new and isolated homes in the countryside and this is restated in City Plan Part 1 (3.16.1). Whilst these allocations are not for single homes they are still within the spirit of the NPPF guidance.

- The evidence in relation to the landscape impact of development of these sites in the Urban Fringe Assessments was inadequate. The sites are in sensitive elevated locations close to the top of a ridge and adjacent to the National Park Boundary. Development of these sites would have a significant negative impact on landscape character. The South Downs National Park Local Plan (Strategic Policy SD4: Landscape Character) states 'Development proposals will only be permitted where they conserve and enhance landscape character by demonstrating that: ... 3. The settlement pattern and individual identity of settlements and the integrity of predominantly open and undeveloped land between settlements will not be undermined.'

- Loss of these farmsteads/buildings to housing will create knock-on pressures for new replacement buildings within this landscape because residual 'bare land holdings' (without buildings) will require this type of infrastructure.

- Allocation and development of these two sites would set a dangerous precedent for further development on this open, high, greatly inter-visible Downland ridge, (between Brighton and Woodingdean, and between the National Park and the Bevendean Down and Whitehawk Hill LNRs), which would further erode its character and again is seriously inconsistent with current conservation research and recommendations.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Delete land at and adjoining Brighton Race Course, Land at the South Downs Riding School & Reservoir Site and land North of Warren Road from the list of allocations in Policy H2

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM37 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified, Consistent with National Policy

DM37 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

*I object to the inclusion of the phrase 'Unless allocated for development in the City Plan...' at the beginning of the paragraph dealing with Locally Designated Sites. This is because it is contrary to paragraph 174 of the National Planning Policy Framework. *Furthermore, the inclusion of this phrase represents a weakening of the protection given to local sites including Local Nature Reserves and Local Wildlife Sites compared with the 2005 Local Plan and previous Draft City Plan Pt 2.

*The inclusion of this phrase would mean developments within the designated sites would be permitted to go ahead even if they have an adverse effect on the site's integrity.

* The phrase is both out of date and insufficient to be included in the ecological evidence in the Urban Fringe Assessments.

* It also represents a pre-emption of the due process of evaluating ecological impacts of any development proposals on Locally Designated Sites

DM37 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

I suggest you delete the phrase 'Unless allocated for development in the City Plan...' from the beginning of the paragraph dealing with Locally Designated Sites.

DM37 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM37 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

DM38 Local Green Spaces

DM38 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM38 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

DM38 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

* Whitehawk Hill Nature Reserve meets all the criteria for designation as a Local Green Space as listed in paragraph 77 of the National Planning Policy Framework but is not listed for designation in the City Plan Part 2.

* It has no evidence to show why against the NPPF criteria the sites selected were chosen and other sites such as Whitehawk Hill were excluded (from the designation of Local Green Spaces in the 2014 Urban Fringe Assessment).

Para 2.293 of the City Plan Part 2 justifies the designation of four Local Green Spaces because they act as 'important green wedges into the urban area'. Clearly Whitehawk Hill meets this objective as it is a direct link from the city to the South Downs and is a wildlife corridor for a great many number of rare species of flora and fauna.

* The choice of these sites and the exclusion of Whitehawk Hill from designation as a local green space is not justified, effective or consistent with national policy as it excludes a site which would meet the criteria.

DM38 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Add Whitehawk Hill Local Nature Reserve to the list of sites for designation as Local Green Spaces.

DM38 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM38 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site, Land north of Warren Road (Ingleside Stables)

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

I object to the allocation of Land at and adjoining Brighton Race Course because -

* It is inconsistent with conditions in the 1822 Tenantry Down (common) enclosure deed which states that any successor owner of the Race Ground 'shall not at any time break up, convert into tillage or divide said race ground' and that 'inhabitants of Brighton and public in general should have use of it for the purpose of racing and any other purpose of exercise ...'

* It is contrary to paragraph 174 of the National Planning Policy Framework.

* Not justified because of the ecological evidence in the Urban Fringe Assessments :- it is out of date and undervalues the importance of the site's biodiversity, it did not consider or assess the impact development would have on the local nature reserve, or on the historic gorse scrub habitat and breeding populations of Red Listed bird species such as linnets and Dartford Warblers.

It did not consider or assess the impact development on this site would have on the extremely rich habitat of important invertebrates some of which are extremely rare.

Some of these invertebrates include brown-banded carder bees, adonis blue butterflies and a large number of specimens that are Species of Principal Importance.

*It contains errors and omissions, such as the wider site, wrongly identifying the Priority Habitat of Principal Importance Lowland Calcareous Grassland as semi improved neutral grassland in the Phase 1 Habitat survey and wrongly recommending tree planting as a mitigation measure when the conservation of open habitats such as grassland is a priority.

* The allocation of these sites for development will set a dangerous precedent for further development on this open, high and greatly visible Downland ridge (between Brighton and Woodingdean) and between the National Park and Bevendean Down and Whitehawk Hill LNR. This part of the site is also visible in an important view south eastwards from Hollingbury camp/Castle within the National Park on the edge of the city.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Delete Land at and adjoining Brighton Race Course, Land at South Downs Riding School and Reservoir Site and Land north of Warren Road (Ingleside stables) from the list of allocations in policy H2

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Positively Prepared, Effective, Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Legally compliant sound - Sound:

Legally compliant sound - Meets the Duty to Co-Operate:

DM37 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

DM37 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

DM37 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

DM37 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Not Answered

DM37 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

DM38 Local Green Spaces

DM38 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

Yes

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM38 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified

DM38 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

No specific comments.

DM38 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Whilst I understand the need to develop more city sites to meet current & future housing needs, I have concerns about two of the urban fringe development proposals.

1. Land at Ladies Mile, Carden Avenue, Patcham.

This looks like it'll be fairly densely built on, providing 35 dwellings. If it goes ahead I have concerns about the access to the site as no doubt there would be a significant increase in traffic in the area. Access from Ladies Mile Road (LMR) would be problematic, particularly during rush hours. LMR is currently busy with on-road parking on both sides of the road which presents traffic problems, particularly with buses & lorries also using the road & could be further exacerbated if the road is narrowed at the bottom of the hill by Patcham High School. Additional traffic at the top of the hill would have a significant knock on effect to the vicinity & wider Patcham area. I think that access via Carden Avenue would be less problematic, although would still have a detrimental impact on the green space & wildlife in the nature reserve with increased traffic & pedestrian flows. It would also have a detrimental impact on the amenity of the green space, which has been so important to the community this year through the Covid-19 pandemic.

2. Land at and adjoining Horsdean Recreation Ground, Patcham.

This proposed development of 25 dwellings, would again, in my opinion have an impact on the amenity of this area of Patcham through a probable increase in traffic, particularly at rush hours. Vale Avenue is currently busy a lot of the time, being used by people accessing the A23 / A27 interchange.

DM38 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM38 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

Building houses next to/on a SDNP nature reserve is madness! I thought that these areas were sacred? Building houses and an access road will seriously affect the protected wildlife in this area.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Do not build any more houses on the Ladies mile Nature reserve!

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Response ID ANON-8ZMD-Y4T6-TSubmitted to **City Plan Part Two (Proposed Submission)**

Submitted on 2020-10-06 13:09:51

Your details

What is your name?

[REDACTED]
 [REDACTED]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

N/A

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:

Yes

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:

Yes

Notification matrix - The adoption of the City Plan Part Two:

Yes

Due to the process of having an Independent Examination, any information and/or responses made are not confidential. This means we need your name, or organisation name, so that the comments can be made available for the public inspection. Once your comments have been logged, all names, company names and associated comments submitted as part of the formal consultation process will be made available to view in due course on the BHCC website. BHCC will not share or publish postcodes or email addresses. BHCC will however have to pass on all contact details to the Planning Inspectorate (PINS). Details of the PINS privacy policy can be seen below. Please tick to reinforce that you have read this disclaimer and have read the PINS Privacy Notice below

Yes

Date Response Submitted

Date Response Submitted:

Not Answered

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

Land at and adjoining Horsdean Recreation Ground, Patcham, Land at Ladies Mile, Carden Avenue

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

The building of the houses will be detrimental to the existing residents of patcham. This will increase the volume of vehicles driving up ladies mile rd and vale avenue. Both areas referenced are used extensively by locals and loosing the natural habitat will impact by locals and wildlife.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

No new houses built. Leave the land as it is to allow locals to continue enjoying it.

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

N/A

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM37 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified, Consistent with National Policy

DM37 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

The inclusion of the phrase "unless allocated for development in the City Plan" at the beginning of the paragraph to do with locally designated sites weakens the protection of the sites and may give developers permission to build in a detrimental way, taking away the rare and special nature of the sites which once "developed" will be impossible to restore.

The Urban Fringe Assessment was not thorough and could lead to inaccurate conclusions.

DM37 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Delete the phrase "unless allocated for development in the City Plan" from the paragraph to do with Locally Designated sites.

DM37 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM37 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

DM38 Local Green Spaces

DM38 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM38 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

DM38 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

Whitehawk Hill Local nature reserve meets all the criteria for designation as a Local Green Space but it is not listed as this in the City Plan Part 2.

It is unclear why Whitehawk Hill Local nature Reserve has been omitted.

Paragraph 2.293 of City Plan Part " refers to "important green wedges into the urban areas". This is a description of Whitehawk Hill and it is not justified to exclude it.

DM38 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Add Whitehawk Hill Local Nature Reserve to the list of sites to be designated as Local green Spaces.

DM38 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM38 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site, Land north of Warren Road (Ingleside Stables)

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

Land at and adjoining Brighton Race Course:

I object to the allocation here because:

It is inconsistent with conditions in the 1822 Tenantry Down enclosure deed which stated that the successor owner of the "Race Ground" "shall not at any time break up, convert into tillage, or divide the said Race Ground" and that " the inhabitants of Brighton and the public in general should have the use of it for the purpose of racing and an other purpose of exercise and diversion as heretofore".

The conditions were repeated in 1888 when the "Race Ground" was purchased by Brighton Corporation.

It is contrary to paragraph 174 of the National Planning Policy Framework.

It is not justified because of the ecological evidence in the Urban Fringe Assessments:

This undervalues the importance of the site's biodiversity and its Local Nature Reserve designation.

The evidence is insufficient to justify the conclusion that there would be no significant impact with mitigation.

It does not consider the negative impact that development in the centre of the Nature Reserve would have on wildlife: it would cause disruption to the historic gorse scrub habitat and its dependent species such as a breeding population of the Red Listed bird species and species of Principal Importance: the linnet, identified as present here in 2019 .

The Assessment did not consider the impact of development of the site on several invertebrate species of Principle Importance which have been recorded in recent years including brown-banded carder bees, small heath, small blue, dingy skipper wall and brown hair streak butterflies.

There are errors such as within the wider site wrongly identifying the Habitat of Principal Importance Lowland Calcerous grassland as semi-improved neutral grassland in the Phase 1 Habitat Survey. It recommended tree planting as a mitigation measure where as the priority in this area is the conservation of chalk grass land.

The Urban Fringe Assessment did not take into account how development would change the semi-natural landscape into a residential one.

Development will result in a loss of Open Space which is inconsistent with statements in the City Plan Part 1 which seeks to increase the amount of accessible land adjacent to the urban area.

It will undermine the work that has been done by volunteers on the site who have worked with the council's Ranger Service to conserve and restore Priority Habitats in the Local Nature Reserve.

It will not be effective because councillors from all the main parties in the City have said they won't support building on the site.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Please delete the land adjoining Brighton Race Course, land at South downs Riding School and Reservoir Site from the list of allocations in policy H2.

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Positively Prepared, Effective, Justified

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

Please do not build on land near Horsdean recreation ground or other green field sites because they are valuable open spaces used by the whole community.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

see 3. Don't do it.

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

n/a

Response ID ANON-8ZMD-Y4TV-T

Submitted to City Plan Part Two (Proposed Submission)

Submitted on 2020-10-11 22:51:15

Your details**What is your name?**

[REDACTED]
 [REDACTED]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

Friends of Waterhall

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:

Yes

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:

Yes

Notification matrix - The adoption of the City Plan Part Two:

Yes

Due to the process of having an Independent Examination, any information and/or responses made are not confidential. This means we need your name, or organisation name, so that the comments can be made available for the public inspection. Once your comments have been logged, all names, company names and associated comments submitted as part of the formal consultation process will be made available to view in due course on the BHCC website. BHCC will not share or publish postcodes or email addresses. BHCC will however have to pass on all contact details to the Planning Inspectorate (PINS). Details of the PINS privacy policy can be seen below. Please tick to reinforce that you have read this disclaimer and have read the PINS Privacy Notice below

Yes

Date Response Submitted**Date Response Submitted:**

Not Answered

DM37 Green Infrastructure and Nature Conservation**DM37 1. Do you consider this policy is: (tick as appropriate)****Legally compliant sound - Legally Compliant:**

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM37 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified, Consistent with National Policy

DM37 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

In the section regarding Locally Designated Sites, I feel it is unsound to include the phrase "unless allocated for development in the city plan...."

It contradicts national planning policy framework paragraph 174 and significantly undermines the protection that was afforded such sites previously in the 2005 local plan and the draft city plan part 2.

These sites represent vital resources to local communities and should form the backbone of our nature recovery plan. Designation should offer protection in perpetuity. Inclusion of the phrase leaves them highly vulnerable to developments that significantly negatively effect their integrity.

The information contained in the Urban Fringe Assessments that was likely used to justify the phrase's inclusion was outdated and not sufficient to give reason to include it.

This phrase undermines due process by assuming sites included have undergone proper ecological assessment of Locally Designated Sites without due cause.

DM37 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Remove the phrase "unless allocated for development in the city plan...." from the paragraph referring to Locally Designated Sites

DM37 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM37 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

DM38 Local Green Spaces

DM38 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM38 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

DM38 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

As a site of such high ecological, archaeological and community significance Whitehawk Hill meets all the criteria for designation, as listed in paragraph 77 of the National Planning Policy Framework but is not listed in City Plan Part Two

There is no supporting evidence in the 2014 Urban Fringe Assessment as to why some sites were chosen to designate as LGS and some, which equally meet the NPPF criteria, were not

Paragraph 2.293 of the City plan part 2 defines designation of four Local Green Spaces due to them being 'Important green wedges into the urban area', a criteria

which Whitehawk Hill clearly equally meets

Therefore, the lack of designation of Whitehawk Hill Nature Reserve as a Local Green Space is neither consistent, justified or effective in keeping with NPPF as it excludes a site which clearly meets the designation criteria

DM38 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Whitehawk Hill should be added to the list of sites for designation as Local Green Spaces

DM38 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM38 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

Benfield Valley, Land at Ladies Mile, Carden Avenue, Land to north east of Coldean Lane, Land north of Varley Halls, Coldean Lane, Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site, Land north of Warren Road (Ingleside Stables)

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

Evidence contained within the Urban Fringe assessments was outdated and incomplete.

It ignores the importance of some of these site's designations as Local Nature Reserves and all as important community green spaces. Volunteer groups have spent decades dedicating themselves to preserving them for future generations to be able to go to for respite and enjoyment , often working with council rangers. For the council to be so short sighted in their designations is a clear reflection of the decline in the council's knowledge base when it comes to ecology.

At a time when the council has declared an ecological emergency the fracturing of the these sites for small scale, aspirational housing shows that the ignorant acts of buisness as usual continue unabated.

██████████, I understand the true value of the chalk grassland as miniature rainforests, Europe's most biodiverse habitat, and archaic scrub. The truth is that the effects of these developments cannot be mitigated as the habitats they destroy take millennia to build. The lack of understanding of this is highlighted by the mention of planting of trees to offset the losses. This shows how disconnected the information contained in the report is from reality. Planting a few saplings will never replace the open, highly biodiverse grasslands or ancient gorse, home to breeding red listed linnet, they destroy. If we are to begin to turn the tide on the decline in nature we must begin to fully weigh up our actions.

These development s will significantly fracture and impinge upon the integrity of Local Nature Reserves while making negligable contr butions to affordable housing targets. This precedent will ensure that LNR designation carries no weight in planning assessments leaving the council ever weaker in protection of the urban fringe and green spaces throughout the city.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Delete Benfield Valley, Ladies Mile, Land North East of Coldean Avenue, Land north of Varley Halls, Land at and adjoining Brighton Racecourse, Land at South Downs Riding School and Reservoir Site and Land North of Warren Road from the list of allocations in policy H2

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Response ID ANON-8ZMD-Y4PD-4

Submitted to **City Plan Part Two (Proposed Submission)**
Submitted on **2020-10-12 18:07:14**

Your details

What is your name?

[Redacted Name]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:
No

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:
Yes

Notification matrix - The adoption of the City Plan Part Two:
Yes

Due to the process of having an Independent Examination, any information and/or responses made are not confidential. This means we need your name, or organisation name, so that the comments can be made available for the public inspection. Once your comments have been logged, all names, company names and associated comments submitted as part of the formal consultation process will be made available to view in due course on the BHCC website. BHCC will not share or publish postcodes or email addresses. BHCC will however have to pass on all contact details to the Planning Inspectorate (PINS). Details of the PINS privacy policy can be seen below. Please tick to reinforce that you have read this disclaimer and have read the PINS Privacy Notice below

Yes

Date Response Submitted

Date Response Submitted:
Not Answered

DM37 Green Infrastructure and Nature Conservation

DM37 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:
No

Legally compliant sound - Sound:
No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM37 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified, Consistent with National Policy

DM37 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

The inclusion of the phrase 'unless allocated for development in the City Plan' pre-empts the due process of evaluating the environmental impact of any development proposals and significantly weakens protection given to Local Sites. It is also contrary to para 174 of the National Planning Policy Framework.

DM37 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Delete the wording 'Unless allocated for development in the City Plan...' from the beginning of the paragraph dealing with Locally Designated Sites.

DM37 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM37 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

DM38 Local Green Spaces

DM38 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM38 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

DM38 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Local Green Space but is not listed for designation in the City Plan Part 2. It is an important green wedge into the urban area, and as such is justified as a Local Green Space. Excluding this site from designation as a Local Green Space is not justified or consistent with national policy.

DM38 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Include Whitehawk Hill Local Nature Reserve on the list of sites for designation as Local Green Spaces.

DM38 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Not Answered

DM38 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site, Land north of Warren Road (Ingleside Stables)

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

I object to the allocation at Land at and adjoining Brighton Race Course because the ecological evidence in the Urban Fringe Assessments undervalues the importance of the biodiversity of the site and the fact that it is designated as a Local Nature Reserve. Development on this allocation will fragment a section of the Reserve between Manor Hill and Warren Road/Wilson Avenue. There has been no consideration of the impact on the gorse scrub habitat and its dependent species, some of which are Red Listed bird species or invertebrate Species of Principal Importance. Community volunteers have been working with the Council specifically to restore these habitats. Contrary to para 174 of the National Planning Policy Framework, there will not be a net gain to biodiversity. There will be a loss of Open Space inconsistent with statements in City Plan Part 1, and an intrusion of a residential landscape into a natural landscape.

I object to the allocation of Land at South Downs Riding School and Reservoir Site and Land north of Warren Road because this creates new residential developments in open countryside. This is against the spirit of the NPPF guidance cited in the City Plan Part 1. Furthermore, this would set an unwelcome precedent for further development in this area, ultimately destroying its character.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Delete Land at and adjoining Brighton Race Course, Land at South Downs Riding School and Reservoir Site and Land north of Warren Road (Ingleside Stables) from the list of allocations in policy H2.

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM37 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified, Consistent with National Policy

DM37 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

The phrase 'Unless allocated for development in the City Plan...' at the beginning of the paragraph dealing with Locally Designated Sites does not take account of paragraph 174 of the National Planning Policy Framework.

It weakens the protection given to Local Sites (including both Local Nature Reserves and Local Wildlife Sites) compared with the 2005 Local Plan and the previous Draft City Plan Part 2 and would allow developments to go ahead even if they have an adverse effect on the integrity of the site.

DM37 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Remove 'Unless allocated for development in the City Plan...' from the beginning of the paragraph dealing with Locally Designated Sites.'

DM37 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM37 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

DM38 Local Green Spaces

DM38 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM38 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

DM38 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Local Green Space, as listed in paragraph 77 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2.

Local Wildlife Sites including Benfield Valley should also be protected from development.

Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Space because they act as 'important green wedges into the urban area'. Clearly Whitehawk Hill and Local Wildlife Sites also meet this objective.

The choice of sites, and the exclusion of Whitehawk Hill LNR and Local Wildlife Sites from designation as a Local Green Space is not consistent with national policy, as it excludes sites which meet the designation criteria.

DM38 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Add Whitehawk Hill Local Nature Reserve to the list of sites for designation as Local Green Spaces.

Add Local Wildlife Sites to the list of sites for designation as Local Green Spaces.

DM38 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM38 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Special Area SA7 Benfield Valley

SA7 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

Yes

Legally compliant sound - Sound:

Yes

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

SA7 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

SA7 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

SA7 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

SA7 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Not Answered

SA7 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

Benfield Valley, Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site, Land north of Warren Road (Ingleside Stables)

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

The allocation of Land at and adjoining Brighton Race Course is inconsistent with conditions in the 1822 Tenantry Down (common) enclosure deed, which states that the successor owner of the 'Race Ground' 'shall not at any time thereafter break up, convert into tillage, or divide the said Race Ground' and 'that the inhabitants of Brighton and the public in general should have the use of it for the purpose of racing...and any other purposes of exercise and diversion as heretofore'. These conditions were reiterated in the 1888 Indenture when the 'Race Ground' was purchased by Brighton Corporation.

It is contrary to paragraph 174 of the National Planning Policy Framework and will not deliver a net gain to biodiversity as required by paragraph 170.

The conclusion that impacts on this site can be mitigated is inconsistent with other statements in the same documents, for example the 2014 Urban Fringe Assessment, which states that 'provision for the biodiversity assets may help to create new habitats and contribute to habitat connectivity helping to mitigate significant negative effects', which is rightly more cautious and does not claim that negative effects can be mitigated.

It does not assess the impact development would have on the integrity of the Local Nature Reserve, partly severing (fragmenting) a section at the centre of the core part of the reserve between Manor Hill and Warren Rd/Wilson Ave.

Nor does it assess the impact development would have on the historic gorse scrub habitat and its dependent species, including a breeding population of the Red Listed bird species and Species of Principal Importance linnet, identified as using the gorse scrub in breeding bird surveys undertaken in 2019 or on the important invertebrate population considered by a nationally recognised expert to be 'an extremely rich site'.

Nor does it assess the impact development would have on several invertebrate Species of Principal Importance which have been recorded in recent years within or close to the allocation, including brown-banded carder bee and small heath, small blue, dingy skipper, wall and brown hairstreak butterflies.

The evidence in the Urban Fringe Assessments did not consider the loss of statutory Access Land (which includes the whole of the allocation) that would be caused by development in this allocation and will result in a loss of Open Space, which is inconsistent with statements in City Plan Part 1 which seeks to increase, not decrease the amount of accessible land adjacent to the urban area (SA5 The Setting of the South Downs National Park, 3.170).

It is not effective because councillors from all main parties in the city have said they will not support development of the site.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Remove Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables) and Benfield Valley from the list of allocations in policy H2.

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Response ID ANON-8ZMD-Y4TF-A

Submitted to City Plan Part Two (Proposed Submission)

Submitted on 2020-10-13 17:15:34

Your details

What is your name?

[Redacted Name]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:

Yes

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:

Yes

Notification matrix - The adoption of the City Plan Part Two:

Yes

Due to the process of having an Independent Examination, any information and/or responses made are not confidential. This means we need your name, or organisation name, so that the comments can be made available for the public inspection. Once your comments have been logged, all names, company names and associated comments submitted as part of the formal consultation process will be made available to view in due course on the BHCC website. BHCC will not share or publish postcodes or email addresses. BHCC will however have to pass on all contact details to the Planning Inspectorate (PINS). Details of the PINS privacy policy can be seen below. Please tick to reinforce that you have read this disclaimer and have read the PINS Privacy Notice below

Yes

Date Response Submitted

Date Response Submitted:

Not Answered

DM37 Green Infrastructure and Nature Conservation

DM37 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

Yes

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM37 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified, Consistent with National Policy

DM37 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

I object to the phrase ' unless allocated for development in the City Plan' at the start of the paragraph dealing with Locally Designated Sites as it is contrary to paragraph 174 of the National Planning Policy Frame work.

The inclusion of this phrase significantly weakens the protection given in the 2005 Local Plan, and previous Draft City Plan, to local sites , including Local Nature Reserves and Local Wildlife Sites. The justification for this phrase is assumed to be based on the ecological evidence in the Urban Fringe Assessments. This evidence is both out of date, and insufficient to be used, there is no justification for the inclusion of this phrase.

The resulting weakened protection would result in development being permitted even if it will have an adverse effect on wildlife or the integrity of the site. Locally Designated Sites sites proposed for development should follow all processes to evaluate the ecological impact, also the social impact of destroying green recreational space.

DM37 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Delete the phrase 'unless allocated for development in the City Plan' from the beginning of the paragraph dealing with Locally Designated Sites.

DM37 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM37 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

DM38 Local Green Spaces

DM38 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM38 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

DM38 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

Whitehawk Hill Local Nature Reserve is not included in the list of designated Local Green Spaces, despite meeting all the criteria , listed in paragraph 77 National Planning Policy Framework.

The City Plan pt 2 para 2.293 justifies designation of the four areas for inclusion as they are 'green wedges into the urban area' . As this is also true of Whitehawk Hill LNR it should also have been included. It's exclusion is therefore unjustified.

The 2014 Urban Fringe Assessment (from which the City Plan pt 2 is derived), fails to show why, using NPPF criteria, some sites were included, or excluded. It does not support with evidence how these decisions were made.

DM38 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Whitehawk Hill LNR should be added to the list of site designated as Local Green Spaces.

DM38 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM38 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

Benfield Valley, Land at Ladies Mile, Carden Avenue, Land to north east of Coldean Lane, Land north of Varley Halls, Coldean Lane, Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site, Land north of Warren Road (Ingleside Stables)

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

I object to the allocation of Land adjoining Brighton Race Course:

- a) the allocation is inconsistent with conditions in the 1822 Tenantry Down (common) enclosure deed, which state that the successor owner of the 'Race Ground' 'shall not at any time thereafter break up, convert into tillage, or divide the said Race Ground' and 'that the inhabitants of Brighton and the public in general should have the use of it for the purpose of racing...and any other purposes of exercise and diversion as heretofore'. These conditions were reiterated in the 1888 Indenture when the 'Race Ground' was purchased by Brighton Corporation.
- b) It is also contrary to paragraph 174 of the National Planning Policy Framework.
- c) did not consider or assess the impact development on this allocation would have on the integrity of the Local Nature Reserve, partly severing (fragmenting) a section at the centre of the core part of the reserve between Manor Hill and Warren Rd/Wilson Ave.
- d) did not consider or assess the impact development on this allocation would have on the historic gorse scrub habitat and its dependent species, including a breeding population of the Red Listed bird species and Species of Principal Importance linnet, identified as using the gorse scrub in breeding bird surveys undertaken in 2019
- e) did not consider or assess the impact development on this allocation would have on the important invertebrate assemblage that surveys indicate the area in and around the allocation supports. A nationally recognised expert wrote that a survey in 2019 'indicates an extremely rich site'.
- f) did not consider or assess the impact development on this allocation would have on several invertebrate Species of Principal Importance which have been recorded in recent years within or close to the allocation, including brown-banded carder bee and small heath, small blue, dingy skipper, wall and brown hairstreak butterflies.
- g) contains errors and omissions, such as, within the wider site, wrongly identifying the Priority Habitat/Habitat of Principal Importance Lowland Calcareous Grassland as semi-improved neutral grassland in the Phase 1 Habitat Survey, and wrongly recommending tree planting as a mitigation measure, where the priority in this area is the conservation of open habitats, such as grassland. These errors undermine the credibility of the evidence of the Urban Fringe Assessments as well as their conclusions.

I object to the allocation of all site ticked because:

- 1) development is not compatible with net gain in biodiversity as required in paragraph 170 National Planning Policy Framework.
- 2) Not justified because the ecological evidence in the Urban Fringe Assessments - is out of date and undervalues the importance of the sites biodiversity. Some are additionally designated Local Nature Reserves which has also been undervalued.
- 3) is insufficient to justify their conclusion of no significant impact with mitigation.
- 4) is inconsistent, for example the conclusion that impacts on sites can be mitigated is inconsistent with other statements, for example the 2014 Urban Fringe Assessment, which states that 'provision for the biodiversity assets may help to create new habitats and contribute to habitat connectivity helping to mitigate significant negative effects', which is rightly more cautious and does not claim that negative effects can be mitigated.

- 5) did not consider the levels of public use of these green spaces, which is huge and highly valued & is inconsistent with statements in City Plan Part 1 which seeks to increase, not decrease the amount of accessible land adjacent to the urban area (SA5 The Setting of the South Downs National Park, 3.170).
- 6) did not consider the visual impact of development on ancient chalk down land hilltops, some also being very ancient & important archaeological sites.
- 7) the evidence in the Urban Fringe Assessments did not recognise that these sites are all currently semi-natural landscapes, house building will significantly reduce their strong sense of naturalness, and the well-being they provide to large numbers of City residents.
- 8) the evidence in the Urban Fringe Assessments did not consider the loss of statutory Access Land (which includes the whole of the allocation) that would be caused by development in this allocation.
- 9) Will undermine the positive work of community volunteers on many of these sites, who have been working with the councils Ranger Service to conserve and restore Priority Habitats/ Habitats of Principal Importance. All these sites provide habitat to many different insect and invertebrate species. They provide a 'reservoir' of essential pollinators for food crops whether on farms, allotments or in urban gardens
- 10) Is not effective because councillors from all main parties in the city have said they won't support development of the site.

Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables)

- a) These sites are separated from the edge of the current built up area of the city so their development would create isolated new residential developments in what is currently open countryside. The NPPF advises against giving consent for new and isolated homes in the countryside and this is restated in City Plan Part 1 (3.16.1). Whilst these allocations are not for single homes they are still within the spirit of the NPPF guidance.
- b) The evidence in relation to the landscape impact of development of these sites in the Urban Fringe Assessments was inadequate. The sites are in sensitive elevated locations close to the top of a ridge and adjacent to the National Park Boundary. Development of these sites would have a significant negative impact on landscape character. The South Downs National Park Local Plan (Strategic Policy SD4: Landscape Character) states 'Development proposals will only be permitted where they conserve and enhance landscape character by demonstrating that: ... 3. The settlement pattern and individual identity of settlements and the integrity of predominantly open and undeveloped land between settlements will not be undermined.'
- c) Loss of these farmsteads/buildings to housing will create knock-on pressures for new replacement buildings within this landscape because residual 'bare land holdings' (without buildings) will require such infrastructure.
- d) Allocation and development of these two sites would set a dangerous precedent for further development on this open, high, greatly inter-visible Downland ridge, (between Brighton and Woodingdean, and between the National Park and the Bevendean Down and Whitehawk Hill LNRs), which would further erode it's character.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Delete from the list of urban fringe site
 Benfield Valley
 Land off Ladies Mile, Carden venue
 land North East of Coldean lane
 land North of Varley Halls, Coldean lane
 land adjoining Brighton Race Course
 land at South Downs Riding School and Reservoir site
 land North of Warren road (Ingleside Stables)

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

DM37 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified, Consistent with National Policy

DM37 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

I object to the phrase 'Unless allocated for development in the City Plan...' at the beginning of the paragraph on Locally Designated Sites.

The 2005 local plan and previous draft city plan both offered significant protection to local nature reserves and wildlife sites. This sentence significantly weakens that protection.

This phrase means that developments on allocations within designated sites could now go ahead even if the integrity of the site is compromised.

The ecological evidence in the Urban Fringe Assessments, which I assume was used to justify this phrase, is both out-of-date and insufficient.

This phrase would pre-empt due process in assessing the ecological impact of any development in a designated site.

DM37 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Delete the phrase 'Unless allocated for development in the City Plan...' from the beginning of the paragraph dealing with Locally Designated Sites.

DM37 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Yes, I wish to participate in the hearing session(s)

DM37 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

I am the chair of Brighton Kemptown Constituency Labour Party. Whilst this submission is being made on my own behalf I think it important that my organisation is represented at such an important hearing.

DM38 Local Green Spaces

DM38 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM38 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

DM38 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

Whitehawk Hill Local Nature Reserve meets all the criteria for designation as a Local Green Space, as per paragraph 77 of the National Planning Policy Framework, it should be listed for designation in the City Plan Part 2.

The choice of sites suggested for designation as Local Green Spaces in the 2014 Urban Fringe Assessment, from which the list in City Plan Part 2 is drawn, is not evidence based. There is no explanation as to why the NPPF criteria apply to some sites and not to others.

Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Space because they act as 'important green wedges into the urban area'. Whitehawk Hill, to this observer, clearly also meets this objective.

The exclusion of Whitehawk Hill LNR from designation as a Local Green Space is not justified, effective or consistent with national policy, as it excludes a site which meets the designation criteria at least as well as other sites that were designated.

DM38 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Add Whitehawk Hill Local Nature Reserve to the list of sites for designation as Local Green Spaces

DM38 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Not Answered

DM38 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site, Land north of Warren Road (Ingleside Stables)

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

I object to the allocation of land at and adjoining Brighton Racecourse because:

- 1) It is inconsistent with the 1822 Tenantry Down (common) enclosure deed and the subsequent 1888 indenture.
- 2) Does not satisfy paragraph 170 of the NPPF
- 3) Contrary to paragraph 174 of the NPPF
- 4) Cannot be justified by the Urban Fringe Assessments for the reasons outlined above.
- 5) Will compromise the work of local volunteers and rangers to preserve and improve one of the world's rarest and most threatened habitats.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Delete Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site and Land north of Warren Road (Ingleside Stables) from the list of allocations in policy H2

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Not Answered

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Response ID ANON-8ZMD-Y4TQ-NSubmitted to **City Plan Part Two (Proposed Submission)**

Submitted on 2020-10-14 13:03:16

Your details

What is your name?

[REDACTED]
 [REDACTED]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

Responding for myself

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:

Yes

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:

Yes

Notification matrix - The adoption of the City Plan Part Two:

Yes

Due to the process of having an Independent Examination, any information and/or responses made are not confidential. This means we need your name, or organisation name, so that the comments can be made available for the public inspection. Once your comments have been logged, all names, company names and associated comments submitted as part of the formal consultation process will be made available to view in due course on the BHCC website. BHCC will not share or publish postcodes or email addresses. BHCC will however have to pass on all contact details to the Planning Inspectorate (PINS). Details of the PINS privacy policy can be seen below. Please tick to reinforce that you have read this disclaimer and have read the PINS Privacy Notice below

Yes

Date Response Submitted**Date Response Submitted:**

Not Answered

DM37 Green Infrastructure and Nature Conservation**DM37 1. Do you consider this policy is: (tick as appropriate)****Legally compliant sound - Legally Compliant:**

Yes

Legally compliant sound - Sound:

Yes

Legally compliant sound - Meets the Duty to Co-Operate:

No

DM37 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified, Consistent with National Policy

DM37 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

I object to the inclusion of the phrase 'Unless allocated for development in the City Plan....' at the beginning of the paragraph dealing with Locally Designated Sites.

It is contrary to paragraph 174 of the National Planning Policy Framework.

*The inclusion of this phrase represents a significant weakening of the protection given to local sites (including both Local Nature Reserves and Local Wildlife Sites) compared with the 2005 Local Plan and the previous Draft City Plan Part 2.

*The inclusion of this phrase would mean that developments on allocations within designated sites would be permitted to go ahead even if they have an adverse effect on the integrity of the site.

*The ecological evidence in the Urban Fringe Assessments, which it is assumed is used to justify the inclusion of this phrase, is both outdated and insufficient to justify it's inclusion.

*The inclusion of this phrase represents a pre-emption of the due processes of evaluating the ecological impacts of any development proposals on Locally Designated Sites.

DM37 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

*Delete the phrase "Unless allocated for development in the City Plan...." from the beginning of the paragraph dealing with Locally Designated Sites".

DM37 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM37 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

DM38 Local Green Spaces

DM38 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM38 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

DM38 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

*Whitehawk Hill Local Nature Reserve meets all the criteria for designation as a Local Green Space, as listed in paragraph 77 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2.

*The choice of sites suggested for designation as Local Green Spaces in the 2014 Urban Fringe Assessment, from which the list in City Plan Part 2 is derived, is not supported by evidence to show why, against the NPPF criteria, the sites selected were chosen and other sites, such as Whitehawk Hill LNR, were excluded.

*Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Space because they act as "important green wedges into the urban area".... Clearly Whitehawk Hill also meets this objective.

*The choice of sites, and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space is therefore not justified, effective or consistent with National Policy, as it excludes a site which would meet the designation criteria.

DM38 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

It is imperative that Whitehawk Hill Local Nature Reserve be added to the list of Sites for designation as Local Green Spaces.

I know that you are not interested in personal comments regarding this matter, but for my own sanity, I need to add something about my own experiences, and there does not seem to be an appropriate place to do so.

[REDACTED] The views along the coast East and West are stunning. I have witnessed some astounding sunrises. The sense of space is exhilarating. The wildlife I have seen has been wonderful. In Spring, the Larks sing four or more at once. In May it is great to welcome back the first of the swifts and swallows as they arrive back in England after their long migration from Africa, hungrily feeding on the insects they find. The variety of bees and butterflies that forage on the wild flowers that grow on the downland is heartening to see. I know that all this will be lost if development is allowed to go ahead in this area. In a world where the Natural World is being lost at an alarming rate because a few greedy individuals want to make as much money as they can, I feel we need to work to conserve as much as we can. This year the need for open spaces and greenery, the chance to connect with the natural world, has become more vital. The people of Brighton will truly suffer if any of these opportunities are taken away. Please consider the huge negative cost of this development to the welfare of the people of Brighton.

DM38 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM38 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site, Land north of Warren Road (Ingleside Stables)

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

I am objecting in the strongest possible terms to the allocation of Land at and adjoining Brighton Race Course because:-

*The allocation is not consistent with conditions in the 1822 Tenantry Down (common) enclosure deed, which states that the successor owner of the Race Ground "shall not at any time thereafter break up, convert into tillage, or divide the said Race Ground" and that "the inhabitants of Brighton and the public in general should have the use of it for the purpose of racing...and any other purposes of exercise and diversion as heretofore"...

These conditions were reiterated in the 1888 Indenture when the "Race Ground" was purchased by Brighton Corporation.

*It is contrary to paragraph 174 of the National Planning Policy Framework.

*It won't be able to deliver a net gain to biodiversity as required by paragraph 170 of the National Planning Policy Framework.

*It is not justified because the ecological evidence in the Urban Fringe Assessments-

1. Is out of date and undervalues the importance of the site's biodiversity and its Local Nature Reserve designation.

2. Is insufficient to justify their conclusion of no significant impact with mitigation.

3. It is inconsistent; for example the conclusion that impacts on this site can be mitigated is not consistent with other statements in the same documents. The 2014 Urban Fringe Assessment, which states that "provision for the biodiversity assets.....MAY help to create new habitats and CONTRIBUTE to habitat connectivity.....HELPING to mitigate significant negative effects", this is properly more cautious and does not claim that negative effects can be mitigated.

4. It did not consider or assess the impact development on this allocation would have on the integrity of the Local Nature Reserve. It will cause fragmentation of a

section at the centre of the core part of the reserve between Manor Hill and Warren Road/Wilson Avenue.

5. It did not consider or assess the impact development on this allocation would have on the historic gorse scrub habitat and its dependent species, including a breeding population of Red Listed bird species and Species of Principal Importance. For example, linnets have been identified as using the gorse scrub in breeding bird surveys undertaken as recently as 2019.
6. It did not consider or assess the impact development on this allocation would have on the important number of invertebrate species that numerous surveys have found in the area. A nationally recognised expert wrote in a survey carried out in 2019 "indicates an extremely rich site".
7. No consideration or assessment has been made on the impact development on this allocation would have on several invertebrate Species of Principal Importance which have been recorded in recent years within or close to the allocation, including brown-banded carder bee, small heath, small blue, dingy skipper, wall and brown hairstreak butterflies.
8. There are errors and omissions, such as, within the wider site, wrongly identifying the Priority Habitat/Habitat of Principal Importance Lowland Calcareous Grassland as semi-improved neutral grassland in the Phase 1 Habitat Survey, and wrongly recommending tree planting as a mitigation measure. The priority in these areas is the conservation of open habitats, such as grassland. These errors undermine the credibility of the evidence of the Urban Fringe Assessments as well as their conclusions.
9. The evidence in the Urban Fringe Assessments in relation to landscape is framed wholly in terms of impacts of development on the National Park's setting and views, and did not consider such effects within the local visual catchment (within and adjoining LNR). For example, the views along Whitehawk Hill from the South and North, as well as from the valley below. Although the existing tower blocks impinge upon these views, the views are largely currently uninterrupted.
10. The evidence in the Urban Fringe Assessments did not recognise that development would result in the intrusion of a residential landscape into what is currently a semi-natural landscape. The strong sense of naturalness it has at the moment would be significantly reduced.
11. The evidence in the Urban Fringe Assessments did not consider the loss of statutory Access Land (which includes the whole of the allocation) that would be caused by development in the allocation.
12. It will result in a loss of Open Space, which is inconsistent with statements in the City Plan Part 1. This seeks to increase not decrease the amount of accessible land adjacent to the urban area (SA5 The Setting of the South Downs National Park, 3.170).
13. It will undermine the positive work of community volunteers on this site, who have been working with the council's Ranger Service to conserve and restore Priority Habitats/Habitats of Principal Importance in the Local Nature Reserve, and this in turn will lead to the degradation of the rest of the LNR.
14. It is not effective because councillors from all main parties in the city have said they will not support development of the site.

LAND AT SOUTH DOWNS RIDING SCHOOL & RESERVOIR SITE and LAND NORTH OF WARREN ROAD (INGLESIDE STABLES)

1. These sites are separated from the edge of the current built up area of the city so their development would create isolated new residential developments in what is currently open countryside. The NPPF advises against giving consent for new and isolated homes in the countryside and this is restated in the City Plan Part 1 (3.16.1). Whilst these allocations are not for single homes they are still within the spirit of the NPPF guidance.
2. The evidence in relation to the landscape impact of development of these sites in the Urban Fringe Assessments was inadequate. The sites are sensitive elevated locations close to the top of a ridge and adjacent to the National Park Boundary. Development of these sites would have a significant negative impact on the landscape character. The South Downs National Park Local Plan (Strategic Policy SD4: Landscape Character) states "Development proposals will only be permitted where they conserve and enhance landscape character by demonstrating that "3. The settlement pattern and individual identity of settlements and the integrity of predominantly open and undeveloped land between settlements will not be undermined".
3. The effects on views were not fully considered in the Urban Fringe Assessments. For example, the Western part of the allocation at Land North of Warren Road (Ingleside Stables) is on greenfield land immediately to the North of a well used track. Development of this site would obscure and/or have a significant negative impact on the important and valued views North from this track and from Warren Road. This part of the site is clearly visible from other areas of the city fringes. For example, it can be seen if observing the land to the South East from Hollingbury Camp/Castle. This is within the National Park on the Northern Edge of the City.
4. The loss of the farmsteads and buildings to housing will create knock-on pressures for new replacement buildings within this landscape because residual 'bare land holdings' (those without buildings) will require such infrastructure.
5. Allocation and development of these two sites would set a dangerous precedent for further development on this open, high, and generally inter-visible Downland ridge, (between Brighton and Woodingdean, and between the South Downs National Park and Bevendean Down and Whitehawk Hill LNRs). It would further erode the character of the area.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Delete "Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site" and "Land north of Warren Road (Ingleside Stables)" from the list of allocations in Policy H2.

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Response ID ANON-8ZMD-Y49E-E

Submitted to City Plan Part Two (Proposed Submission)
Submitted on 2020-10-14 17:14:31

Your details

What is your name?

[Redacted Name]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:
Yes

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:
Yes

Notification matrix - The adoption of the City Plan Part Two:
Yes

Due to the process of having an Independent Examination, any information and/or responses made are not confidential. This means we need your name, or organisation name, so that the comments can be made available for the public inspection. Once your comments have been logged, all names, company names and associated comments submitted as part of the formal consultation process will be made available to view in due course on the BHCC website. BHCC will not share or publish postcodes or email addresses. BHCC will however have to pass on all contact details to the Planning Inspectorate (PINS). Details of the PINS privacy policy can be seen below. Please tick to reinforce that you have read this disclaimer and have read the PINS Privacy Notice below

Yes

Date Response Submitted

Date Response Submitted:
Not Answered

City Plan Part Two - Part One - Introduction

Do you have any comments on Section One 'Introduction' of the City Plan Part Two? (please reference the page and paragraph number)

Comments on the Introduction of CPP2:

Response ID ANON-8ZMD-Y497-ZSubmitted to **City Plan Part Two (Proposed Submission)**

Submitted on 2020-10-14 17:21:37

Your details

What is your name?

[REDACTED]
 [REDACTED]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

N/A

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:

No

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:

Yes

Notification matrix - The adoption of the City Plan Part Two:

Yes

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Yes

Date Response Submitted

Date Response Submitted:

Not Answered

DM32 The Royal Pavilion Estate

DM32 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

Legally compliant sound - Sound:

Legally compliant sound - Meets the Duty to Co-Operate:

DM32 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

DM32 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

DM32 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

DM32 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Not Answered

DM32 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

ALL SITES

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Positively Prepared, Effective, Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

The council has a duty to protect urban fringe and not build upon it. They are custodians and should protect these important areas from development.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Protection for urban fringe areas into the plan.

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Benfield Valley

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

Proper consultation has not taken place and public opinion has been ignored
The land is a designated green space for the benefit of the public NOT for the benefit of developers.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

A full public consultation should take place of all households wishing a 2 mile radius and a survey of the opinions of the users of this facility should be taken into account.

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

Building on urban fringe green field sites is the very last thing we should do in a Climate and Biodiversity Emergency. We should be rewilding these areas to encourage nature back into our lands to preserve our planet for the future. This mass building programme on green sites is ecocide when we need regeneration.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Remove and rebuild ineffective and inefficient housing. Use brown field sites . Re plant 100,000 trees around and in the city. This 1990s policy of building more inefficient housing on green fields, removing even more nature from the planet has to end now.

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Response ID ANON-8ZMD-Y4HT-C

Submitted to **City Plan Part Two (Proposed Submission)**
Submitted on **2020-10-14 18:06:55**

Your details

What is your name?

[Redacted Name]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:
Yes

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:
Yes

Notification matrix - The adoption of the City Plan Part Two:
Yes

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Yes

Date Response Submitted

Date Response Submitted:
Not Answered

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

Green belt land should not ever be considered for development despite who owns the land. This is of particular concern as there are plenty of brown field sites to develop in the first instance. Further to his royal highness prince William making a strong case for the conservation of our countryside and the conservation of our natural species it is inconceivable that Brighton and Hove council would possibly consider the use of our bordering countryside as a development site.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

No development on existing greenfield land

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Response ID ANON-8ZMD-Y4H5-D

Submitted to **City Plan Part Two (Proposed Submission)**
Submitted on **2020-10-14 18:24:16**

Your details

What is your name?

[Redacted Name]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

Please let us know if you would like to be notified of any of the following:

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Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:
Yes

Notification matrix - The adoption of the City Plan Part Two:
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Yes

Date Response Submitted

Date Response Submitted:
Not Answered

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

██████████ development on an additional site the horse field behind Southdown road and Downsview road at the bottom of Henge way. This site is not included in city plan 2 yet is being looked at for development. We were told it was part of the city plan. As with many other green sites it is a place filled with natural habitats, green space and trees that are the lungs of the area. The horse field in particular is home to crested newts (protected), badger sets, slow worms (protected) and rare bats (also protected). It also has a Roman pathway running through it, so has important historical significance. The Horse field is already developed on three sides of the site, and behind two schools, one a SEN school the construction would cause considerable disruption to children and the school arrivals/ departures and studies. The horse field as with other proposed sites is a vital soak away for rain water as Portslade village is susceptible to flooding. The added traffic would add disruption and reduce safety for many children walking to and from schools. Resident parking, already a challenge, would become very difficult

It is a shame to build on green sites. There is so much to be gained for communities by having space and nature so close. It instilled a sense of care for wildlife and our environment. ██████████ my sons to learn about nature, and they love the field and surrounding green sites. What are we teaching them by destroying these vital areas. The current Mike Oak site and the old brewery have changed their plans after consultation seriously effecting residents. This includes heights of buildings, public thru ways, pollution, water access etc. Portslade has a rich history and cramming more houses does not respect why many residents have chosen to make their homes here. Sewerage, and bus transport could be effected negatively. Why over crowd a small community, where will the infrastructure come from; doctors, dentists, public transport, policing, school support, all will have more pressure. Already with the old brewery and the mile oak site we are seeing increased pressure on our surroundings. I ask that this proposed horse field site and surrounding Portslade areas on green urban areas are not slated for development. Thank you.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Yes, I wish to participate in the hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Each housing development has gone in no matter what residents objected to. Changes are made after residents were told that this will be happening, this is what it will look like, this is how close buildings will be to your property and each time it changes with no council over site. If these green space are developed communities must have the opportunity to discuss.

Response ID ANON-8ZMD-Y4HS-B

Submitted to City Plan Part Two (Proposed Submission)

Submitted on 2020-10-14 18:51:14

Your details

What is your name?

[Redacted Name]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:

Yes

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:

Yes

Notification matrix - The adoption of the City Plan Part Two:

Yes

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Yes

Date Response Submitted

Date Response Submitted:

Not Answered

(DM13) 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

Yes

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

(DM13) 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified

(DM13) 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

Again, regardless of residential or other objections, plans will be forced through.

(DM13) 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

There needs to be much more public notification, and public meetings prior.

(DM13) 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

(DM13) 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

DM34 Transport Interchanges

DM34 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

Yes

Legally compliant sound - Sound:

Yes

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM34 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

DM34 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

DM34 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

DM34 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Not Answered

DM34 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Response ID ANON-8ZMD-Y4H1-9Submitted to **City Plan Part Two (Proposed Submission)**

Submitted on 2020-10-14 18:51:25

Your details

What is your name?

[REDACTED]
 [REDACTED]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:

Yes

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:

Yes

Notification matrix - The adoption of the City Plan Part Two:

Yes

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Yes

Date Response Submitted

Date Response Submitted:

Not Answered

City Plan Part Two - Part One - Introduction

Do you have any comments on Section One 'Introduction' of the City Plan Part Two? (please reference the page and paragraph number)

Comments on the Introduction of CPP2:

DM22 Landscape Design and Trees

(DM22) 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

Legally compliant sound - Sound:

Legally compliant sound - Meets the Duty to Co-Operate:

(DM22) 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

(DM22) 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

(DM22) 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

(DM22) 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Not Answered

(DM22) 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Special Area SA7 Benfield Valley

SA7 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

Legally compliant sound - Sound:

Legally compliant sound - Meets the Duty to Co-Operate:

SA7 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

SA7 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

SA7 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

SA7 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Not Answered

SA7 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

Benfield Valley

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

I am opposed to building on green field sites for ecological and social welfare reasons.

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Response ID ANON-8ZMD-Y4HB-T

Submitted to City Plan Part Two (Proposed Submission)

Submitted on 2020-10-14 18:55:45

Your details

What is your name?

[Redacted Name]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:

Yes

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:

No

Notification matrix - The adoption of the City Plan Part Two:

Yes

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Yes

Date Response Submitted

Date Response Submitted:

Not Answered

Response ID ANON-8ZMD-Y4K9-M

Submitted to **City Plan Part Two (Proposed Submission)**
Submitted on 2020-10-14 19:11:04

Your details

What is your name?

[Redacted Name]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:
Yes

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:
Yes

Notification matrix - The adoption of the City Plan Part Two:
Yes

Due to the process of having an Independent Examination, any information and/or responses made are not confidential. This means we need your name, or organisation name, so that the comments can be made available for the public inspection. Once your comments have been logged, all names, company names and associated comments submitted as part of the formal consultation process will be made available to view in due course on the BHCC website. BHCC will not share or publish postcodes or email addresses. BHCC will however have to pass on all contact details to the Planning Inspectorate (PINS). Details of the PINS privacy policy can be seen below. Please tick to reinforce that you have read this disclaimer and have read the PINS Privacy Notice below

Yes

Date Response Submitted

Date Response Submitted:
Not Answered

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

I am against this taking away Portslades character. [REDACTED] and am angry about the effects on wildlife and social wellbeing

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Stop!

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

[REDACTED] so too busy but incensed at the amount of history that's been lost. The horse field is surrounded by houses and near schools. lovely clean air for the kids. Stop over building in green areas that support wildlife and has a positive impact on mental health. Much upset is being caused in mile oak already with poor access and dangerous lorries near schools getting stuck. Anti all the way.

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

(DM8) 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Consistent with National Policy

(DM8) 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

(DM8) 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

(DM8) 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Not Answered

(DM8) 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Response ID ANON-8ZMD-Y4KH-3Submitted to **City Plan Part Two (Proposed Submission)**

Submitted on 2020-10-14 20:08:32

Your details

What is your name?

[REDACTED]
 [REDACTED]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

Individual

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:

Yes

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:

Yes

Notification matrix - The adoption of the City Plan Part Two:

Yes

Due to the process of having an Independent Examination, any information and/or responses made are not confidential. This means we need your name, or organisation name, so that the comments can be made available for the public inspection. Once your comments have been logged, all names, company names and associated comments submitted as part of the formal consultation process will be made available to view in due course on the BHCC website. BHCC will not share or publish postcodes or email addresses. BHCC will however have to pass on all contact details to the Planning Inspectorate (PINS). Details of the PINS privacy policy can be seen below. Please tick to reinforce that you have read this disclaimer and have read the PINS Privacy Notice below

Yes

Date Response Submitted

Date Response Submitted:

Not Answered

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

Land at and adjoining Horsdean Recreation Ground, Patcham, Land at Ladies Mile, Carden Avenue

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Positively Prepared, Effective, Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

These are areas of nature and green areas which help help reduce carbon emissions. They are also in areas that are unsuitable for building infringing on a nature reserve and an area enjoyed by people as a place of recreation. If the greens agree this it goes against all they talk about and will make them a absolutely hypocritical party that do not practice what they preach. I feel this is because Patcham is a Tory area they are doing this as spite and not about what is right

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Reverse the approval of these sites to developers and leave them as areas of nature and places the residents can enjoy

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

I don't feel the need to attend I trust my councillors to act on my behalf

Response ID ANON-8ZMD-Y4K8-K

Submitted to City Plan Part Two (Proposed Submission)
Submitted on 2020-10-14 20:35:04

Your details

What is your name?

[Redacted Name]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:
No

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:
No

Notification matrix - The adoption of the City Plan Part Two:
No

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Yes

Date Response Submitted

Date Response Submitted:
Not Answered

Response ID ANON-8ZMD-Y4KK-6

Submitted to City Plan Part Two (Proposed Submission)

Submitted on 2020-10-14 20:55:30

Your details

What is your name?

[Redacted Name]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:

Notification matrix - The adoption of the City Plan Part Two:

Due to the process of having an Independent Examination, any information and/or responses made are not confidential. This means we need your name, or organisation name, so that the comments can be made available for the public inspection. Once your comments have been logged, all names, company names and associated comments submitted as part of the formal consultation process will be made available to view in due course on the BHCC website. BHCC will not share or publish postcodes or email addresses. BHCC will however have to pass on all contact details to the Planning Inspectorate (PINS). Details of the PINS privacy policy can be seen below. Please tick to reinforce that you have read this disclaimer and have read the PINS Privacy Notice below

Yes

Date Response Submitted

Date Response Submitted:

Not Answered

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

Land at and adjoining Brighton Race Course

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

Green space in our city is so important for local residents to keep them physically and mentally fit. Having this fantastic part of South Downs within walking distance is so precious.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Response ID ANON-8ZMD-Y4KF-1

Submitted to City Plan Part Two (Proposed Submission)
Submitted on 2020-10-14 21:02:20

Your details

What is your name?

[Redacted Name]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:

Yes

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:

Yes

Notification matrix - The adoption of the City Plan Part Two:

Yes

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Yes

Date Response Submitted

Date Response Submitted:

Not Answered

City Plan Part Two - Part One - Introduction

Do you have any comments on Section One 'Introduction' of the City Plan Part Two? (please reference the page and paragraph number)

Comments on the Introduction of CPP2:

Special Area SA7 Benfield Valley

SA7 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

Legally compliant sound - Meets the Duty to Co-Operate:

SA7 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Positively Prepared, Justified

SA7 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

SA7 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

SA7 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Not Answered

SA7 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

Benfield Valley

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Positively Prepared, Justified

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Not Answered

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Land at and adjoining Horsdean Recreation Ground, Patcham, Land at Ladies Mile, Carden Avenue

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Positively Prepared, Effective, Justified

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

I am writing to raise an objection to the draft city plan – 2 [REDACTED]

The density of housing currently put forward in the plan will spoil the village atmosphere and materially impact on the character of Patcham Village. To have so many mature trees felled and mature gardens destroyed will disturb the multitude of wildlife habitats in the area.

The drainage/sewage system has been a constant concern for Patcham residents and flood risk to the area is high. Patcham Village area has flooded on many occasions in the past, with sewage overflowing into the road in 2000-2001 and flooding in basements since then in 2014. With climate changes this is likely to occur more frequently in the future. How therefore can a high density development such as this be justified? I understand that the summary of the Inspector's conclusions on the previous McCarthy and Stone scheme stated that "The site has previously suffered from surface water flooding and is identified as having low-medium risk of surface water flooding," Experts however, believe that this is not the case. In fact an expert in the area of flood risk told residents at a public meeting in May 2016 that the drainage system just cannot cope and that the main sewer running down the London Road does not have the capacity to take the rain water at present when weather conditions are bad. If this is the case already, how will it cope with such an increase in water usage, and who will be liable should such a development go ahead?

The two sites in Patcham that are proposed are developments on the urban fringe, with no detail relating to access, density, or character. This will create further infrastructure problems, with increased traffic, congestion, adverse impact upon schools, GP surgeries as well as the already mentioned problems of drainage and sewer systems. These urban fringe sites are locations that local Brighton and Hove residents use very frequently for walking and other leisure activities, something I know that the council is committed to and supports.

As an example; Vale Avenue in the rush hour is highly congested with traffic backing up from the A23 roundabout. This causes cars to use Church Hill as an alternative, in order to drive into the city and avoid queueing causing real concern to residents because of the speed at which they drive.

The very detailed 2015 Patcham Conservation Area Appraisal shows just how important the village atmosphere is in Patcham and such a development would drastically alter this. https://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/Conservation_Area_Patcham_Dec_2015.pdf

I am passionate about the use of brownfield sites and deplore the fact that Anston House is still such a blot on the landscape of our city. In January 2018 the council released details of having identified approximately 180 brownfield sites which, if all were to be developed, could provide over 8000 homes." According to the council this could provide "Eighty seven per cent of the city's future housing".

Please don't look for what appears to be an easier alternative when such sites could and should be developed. I urge the council to consider the use of such sites.

Yours sincerely

[REDACTED]

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

Horsedean and Ladies Mile/Carden Avenue sites should be kept as 'green' site, not for housing.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Horsedean and Ladies Mile/Carden Avenue sites should be kept as 'green' site, not for housing.

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

I do not wish to participate.

Response ID ANON-8ZMD-Y4Q3-M

Submitted to **City Plan Part Two (Proposed Submission)**
Submitted on **2020-10-15 06:51:43**

Your details

What is your name?

[Redacted Name]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:
Yes

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:
No

Notification matrix - The adoption of the City Plan Part Two:
No

Due to the process of having an Independent Examination, any information and/or responses made are not confidential. This means we need your name, or organisation name, so that the comments can be made available for the public inspection. Once your comments have been logged, all names, company names and associated comments submitted as part of the formal consultation process will be made available to view in due course on the BHCC website. BHCC will not share or publish postcodes or email addresses. BHCC will however have to pass on all contact details to the Planning Inspectorate (PINS). Details of the PINS privacy policy can be seen below. Please tick to reinforce that you have read this disclaimer and have read the PINS Privacy Notice below

Yes

Date Response Submitted

Date Response Submitted:
Not Answered

Response ID ANON-8ZMD-Y4Q5-PSubmitted to **City Plan Part Two (Proposed Submission)**

Submitted on 2020-10-15 07:51:40

Your details

What is your name?

[REDACTED]
 [REDACTED]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

[REDACTED]

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:

Notification matrix - The adoption of the City Plan Part Two:

Yes

Due to the process of having an Independent Examination, any information and/or responses made are not confidential. This means we need your name, or organisation name, so that the comments can be made available for the public inspection. Once your comments have been logged, all names, company names and associated comments submitted as part of the formal consultation process will be made available to view in due course on the BHCC website. BHCC will not share or publish postcodes or email addresses. BHCC will however have to pass on all contact details to the Planning Inspectorate (PINS). Details of the PINS privacy policy can be seen below. Please tick to reinforce that you have read this disclaimer and have read the PINS Privacy Notice below

Yes

Date Response Submitted

Date Response Submitted:

Not Answered

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

ALL SITES

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

There is absolutely no need whatsoever to build on precious green land in the city. The statistics clearly and unequivocally show this.

The City Plan Part 2 document is a plan required to meet a minimum housing target for the city of 13,200 additional homes.

Deleting the greenfield urban fringe sites from City Plan (Section H2) and developing only on brownfield sites listed in the plan would still leave Brighton and Hove City Council over 1,900 homes above the minimum target.

There is therefore absolutely no need to build on our precious green land.

Why is mayor Alan Robins refusing to accept the petitions about the council's strategic blueprint – known as City Plan Part 2 – on advice from officials. This surely is unconstitutional.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Deleting the greenfield urban fringe sites from City Plan (Section H2) and developing only on brownfield sites listed in the plan .

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Response ID ANON-8ZMD-Y4QH-9

Submitted to **City Plan Part Two (Proposed Submission)**
Submitted on 2020-10-15 08:21:01

Your details

What is your name?

[Redacted Name]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:
n/a

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:
Yes

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:
Yes

Notification matrix - The adoption of the City Plan Part Two:
Yes

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Yes

Date Response Submitted

Date Response Submitted:
Not Answered

City Plan Part Two - Part One - Introduction

Do you have any comments on Section One 'Introduction' of the City Plan Part Two? (please reference the page and paragraph number)

Comments on the Introduction of CPP2:

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

ALL SITES

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

I think that the bar for building on the urban fringe is set too low. These are sites of significant value to the natural setting in which the city is framed.

If buildings in the city were generally a storey or two higher a lot of the housing need could be met without eating into the fringe. Building in the fringe too soon will consume this resource and leave few options for housing in the future

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

These areas are full of wildlife habitat as it is wild natural woodland and reserve. There are so many areas in Brighton which are lying derelict and could easily be used for housing. It is so important to keep these natural areas for the benefit of our children and also elderly people. I walk often and see many elderly people especially at the top of Ladies Mile as it is close enough from their homes to walk to. Much research has shown that in these times of high stress levels it is very important to walk in nature to help reduce that stress. As our council is supposed to be 'green' I consider this to be against a national policy of trying to protect our green areas.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

The land adjacent to Horsdean Rec is not only Downland but also attracts a lot of wildlife. It is access land for many locals to reach the Downs.

There are numerous trees here which acts as a sound buffer between the A27 and the houses on Braeside Avenue

The recreation ground is home to Patcham United and the Cricket Club. Building houses adjacent to the ground would increase traffic therefore endangering lives of many youngsters.

The road leading up to Horsdean is unadopted by the council, the increase in traffic would deteriorate this road, Who would pay for it?!

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Not Answered

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Positively Prepared, Effective, Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

These 16 sites are green field 'lungs' of the city which we need to keep as they are, not build all over them just to comply with some arbitrary government target. There are only 930 more homes proposed to be built on these sites, and we can meet our target without them. They should all be removed from the plan.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Delete H2 in its entirety

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Yes, I wish to participate in the hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

I wish to protect our urban fringe.

SA7 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified

SA7 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

This "green lung" should not be developed.

SA7 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Previous planning proposals were abandoned. All the reasons are still valid.

SA7 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

SA7 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Response ID ANON-8ZMD-Y4QQ-JSubmitted to **City Plan Part Two (Proposed Submission)**

Submitted on 2020-10-15 13:53:31

Your details

What is your name?

[REDACTED]
 [REDACTED]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:

Yes

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:

Yes

Notification matrix - The adoption of the City Plan Part Two:

Yes

Due to the process of having an Independent Examination, any information and/or responses made are not confidential. This means we need your name, or organisation name, so that the comments can be made available for the public inspection. Once your comments have been logged, all names, company names and associated comments submitted as part of the formal consultation process will be made available to view in due course on the BHCC website. BHCC will not share or publish postcodes or email addresses. BHCC will however have to pass on all contact details to the Planning Inspectorate (PINS). Details of the PINS privacy policy can be seen below. Please tick to reinforce that you have read this disclaimer and have read the PINS Privacy Notice below

Yes

Date Response Submitted

Date Response Submitted:

Not Answered

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

ALL SITES

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Positively Prepared, Effective, Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

Please see comments below in section 4.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

The future housing quota can be satisfied fully within existing identified brownfield sites. I therefore propose that all of the stated urban fringe development sites should be removed from the city plan part 2.

Consideration should also be made to the trend towards increasing home working, allowing the subsequent redundant office space to be converted to housing, subject of course to the necessary planning controls.

██████████, I am in particular strongly opposed to the two urban fringe development sites in this area identified in the proposed plan. Development at either of these sites would have a severely detrimental effect on the village structure and would be nothing short of environmental vandalism.

In summary, I would hope that a 'green' led council would favour retaining all of the identified urban fringe development sites in the plan as protected green space which can be continued to be enjoyed by all Brighton & Hove residents, instead of agreeing to the future destruction of these green spaces as currently proposed in the city plan part 2.

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Legally compliant sound - Meets the Duty to Co-Operate:

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

It will remove green space that is vitally important for community use at a time when access to the open air is vital.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

remove this area from the list.

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Land at and adjoining Horsdean Recreation Ground, Patcham, Land at Ladies Mile, Carden Avenue

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

Yes

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Response ID ANON-8ZMD-Y4D3-7

Submitted to City Plan Part Two (Proposed Submission)

Submitted on 2020-10-15 21:13:13

Your details

What is your name?

[Redacted Name]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

Not Applicable

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:

No

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:

No

Notification matrix - The adoption of the City Plan Part Two:

No

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Yes

Date Response Submitted

Date Response Submitted:

Not Answered

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

Land at and adjoining Horsdean Recreation Ground, Patcham, Land at Ladies Mile, Carden Avenue, Land to north east of Coldean Lane, Land north of Varley Halls, Coldean Lane

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Positively Prepared, Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

I object to any urban developments that affect our right to roam and enjoy our beautiful countryside near my home or that removes trees/forestry unnecessarily.

Consider it vital that we protect our green spaces and do not build on them especially those that surround existing happy and peaceful homes!

Thank you

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Dear Sirs

Thank you for giving us the opportunity to comment on the City Plan Part Two and our particular interest is in proposed Policy SSA3 relating to Lyon Close, Hove on Page 158.

Withdean Commercial Property Limited own the freehold of 113-119 Davigdor Road and intend to relocate to this site within a new build development that has recently been approved for 894 sq.m. of offices and 52 residential apartments. The site sits centrally within the policy zone. We will be moving our related business, the Imex Group, into the offices and will employ 60 people on this site. Imex is a local employer and runs an international travel exhibition company, [REDACTED].

We are in general agreement with the proposed Lyon Close policy, although have genuine concerns that the area should not be over developed. We note that the policy proposal identifies for the whole area potential for up to 300 units. Including our own site at 52 units, the recently approved Stonegate Homes and Crest Schemes on the east side of the policy area, there are now already over 260 units consented in the area. Significantly exceeding the proposed number of residential units in this location is going to damage the potential of the area as an employment location by increasing traffic, putting stress on already difficult on street parking and over burdening local facilities such as public transport.

We are also concerned that the local authority should perhaps demonstrate more flexibility in terms of the designation of the B1 space. Specifically, to be in line with recent changes to the Use Class Order, which encourage diversity of use within the B category office and industrial space uses. We consider that this will result in a more diverse local area and will offer our business more immediate local support services for our staff such as gyms, creches, retail uses, all of which now fall under the new designation of B category space, under the wider E class.

Height precedents have recently been set by our own development and the Crest scheme and these should be adhered to in respect of any other new proposals.

In current times, the need for outdoor space and, in particular outdoor seating has become a necessity. We would welcome any plans for the provision of green spaces with seating and, or, picnic benches within this area.

Yours faithfully,

Withdean Commercial Property Ltd

Response ID ANON-8ZMD-Y4D8-C

Submitted to City Plan Part Two (Proposed Submission)
Submitted on 2020-10-16 19:07:06

Your details

What is your name?

[Redacted Name]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:
Yes

Notification matrix - The adoption of the City Plan Part Two:

Due to the process of having an Independent Examination, any information and/or responses made are not confidential. This means we need your name, or organisation name, so that the comments can be made available for the public inspection. Once your comments have been logged, all names, company names and associated comments submitted as part of the formal consultation process will be made available to view in due course on the BHCC website. BHCC will not share or publish postcodes or email addresses. BHCC will however have to pass on all contact details to the Planning Inspectorate (PINS). Details of the PINS privacy policy can be seen below. Please tick to reinforce that you have read this disclaimer and have read the PINS Privacy Notice below

Yes

Date Response Submitted

Date Response Submitted:
Not Answered

City Plan Part Two - Part One - Introduction

Do you have any comments on Section One 'Introduction' of the City Plan Part Two? (please reference the page and paragraph number)

Comments on the Introduction of CPP2:

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

ALL SITES

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

Yes

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

I do not support the development of the urban fringe when it is far preferable to develop brownfield sites. Many of these are run down and unsightly and would benefit greatly by enhancement. Eroding our green surroundings impacts on mental health and well being and damages our beautiful natural environment, Additional services such as schools & health care would be required as well as driving additional transport volume into the area as less well supported by sustainable transport links. Furthermore it stresses our local water resources and potentially leads to increased flood and pollution risk.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Response ID ANON-8ZMD-Y4DB-PSubmitted to **City Plan Part Two (Proposed Submission)**

Submitted on 2020-10-17 12:59:58

Your details

[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

[REDACTED]

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:

Yes

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:

Yes

Notification matrix - The adoption of the City Plan Part Two:

Yes

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Yes

Date Response Submitted**Date Response Submitted:**

Not Answered

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

Land at and adjoining Horsdean Recreation Ground, Patcham, Land at Ladies Mile, Carden Avenue

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Positively Prepared, Effective, Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

The access to these sites, especially the Ladies Mile Road is not good, the road itself is narrow, and already congested with cars parked on both sides and has poor access for large vehicles required for building.

The site is next to a Nature reserve which has been essential for the Mental health of local residents and beyond. This has been especially relevant during Lockdown,

The biodiversity of the Nature Reserve will be greatly damaged both by the building process, and the loss of habitats for wildlife.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

The new building should take place on brownfield sites in the city, which already are developed, and avoid the Protected areas of the Urban Fringe

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Yes, I wish to participate in the hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

The importance of a range of local residents being able to give their views and local knowledge

Response ID ANON-8ZMD-Y4DQ-5

Submitted to City Plan Part Two (Proposed Submission)
Submitted on 2020-10-17 15:18:01

Your details

What is your name?

[Redacted Name]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:
n/a

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:
Yes

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:
Yes

Notification matrix - The adoption of the City Plan Part Two:
Yes

Due to the process of having an Independent Examination, any information and/or responses made are not confidential. This means we need your name, or organisation name, so that the comments can be made available for the public inspection. Once your comments have been logged, all names, company names and associated comments submitted as part of the formal consultation process will be made available to view in due course on the BHCC website. BHCC will not share or publish postcodes or email addresses. BHCC will however have to pass on all contact details to the Planning Inspectorate (PINS). Details of the PINS privacy policy can be seen below. Please tick to reinforce that you have read this disclaimer and have read the PINS Privacy Notice below

Yes

Date Response Submitted

Date Response Submitted:
Not Answered

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

Benfield Valley

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

I feel the local residents have not been consulted and this is an important wildlife area. It is an important green space for local residents. Traffic is already busy in this area.

We do not want to lose any more of our important green spaces.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Not Answered

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Response ID ANON-8ZMD-Y4DU-9

Submitted to City Plan Part Two (Proposed Submission)

Submitted on 2020-10-17 17:43:03

Your details

What is your name?

[Redacted Name]

[Redacted Address]

[Redacted Contact Information]

[Redacted Email]

[Redacted Phone]

[Redacted Postcode]

[Redacted Organisation]

[Redacted Job Title]

[Redacted Role]

[Redacted Other Details]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:

Notification matrix - The adoption of the City Plan Part Two:

Yes

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Yes

Date Response Submitted

Date Response Submitted:

Not Answered

Response ID ANON-8ZMD-Y467-WSubmitted to **City Plan Part Two (Proposed Submission)**Submitted on **2020-10-18 15:38:34****Your details****What is your name?**

[REDACTED]
 [REDACTED]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:

Yes

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:

Yes

Notification matrix - The adoption of the City Plan Part Two:

Yes

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Yes

Date Response Submitted**Date Response Submitted:**

Not Answered

H2 Housing Sites – Urban Fringe**H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)**

Land at and adjoining Horsdean Recreation Ground, Patcham, Land at Ladies Mile, Carden Avenue

H2 1. Do you consider this policy is: (tick as appropriate)**Legally compliant sound - Legally Compliant:**

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

1) The proposed brown field site of former allotments: Patcham (Horsdean)

a) This is a classic example of town- planners and developers, hoping to make a quick buck, trying to ram new builds on to an unsuitable site : e.g. a flood plain - never mind the consequences of this irresponsible development (local flooding in a flood plain for example) The unsuitable site in this instance being land which is right next door to a busy main road - the A27. If houses were to be built there what kind of quality of life would the residents have having to contend with all that traffic noise/ noise pollution? Who would want to live in such a place? Yes, acoustic barriers may be suggested to overcome this but i) at what extra cost ? And ii) why? When these extra houses aren't needed to fulfil the quota in the first place and, if they were could be built elsewhere - what about re-developing/ repurposing derelict buildings / sites in the city which have lain derelict / vacant for years e.g. Anson House on the Preston Road/ A23 into town?

2) This proposed site and the site of the former Fawcett school, Ladies Mile, Carden Avenue, Patcham are on the doorstep of the South Downs, our newest National Park, as such local people use both sites as the 'gateway' to the National Park and are popular with walkers, dog-walkers and cyclists.

Moreover, nature is recolonising these areas and wildlife is re-claiming them. Sheep are even put to graze in the vicinity of the former Fawcett School, Ladies Mile, Carden Avenue, Patcham. Does BHCC and this so-called 'green' conservationist constituency, the only one in the country really want to destroy what nature is doing when there are derelict buildings/ sites in the city centre which could be demolished or redeveloped instead, with services available in the vicinity?

Moreover both proposed schemes would exert extra pressure on local services/ utilities: gas, water and utilities.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

How can I explain why each suggested change would make policy legally complaint? I am not legally trained. I am just Jane Public.

This so-called 'consultation' process is a farce - it is designed to discourage objection on the part of the general public by bombarding us with legalese and a plethora of time-consuming documentation to read though and thereby enable BHCC to present the city with a fait accompli ' because ' no -one objected'

BHCC should just use existing sites within the city centre where there are derelict buildings/ sites which could be demolished or redeveloped and which have services available in the vicinity or former services in situ which could be re-connected to fulfil local housing demands rather than building on ANY of the city's so called 'urban fringes'.

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

No.

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

a) This is a classic example of town- planners and developers, hoping to make a quick buck, trying to ram new builds on to an unsuitable site : e.g. a flood plain - never mind the consequences of this irresponsible development (local flooding in a flood plain for example) The unsuitable site in this instance being land which is right next door to a busy main road - the A27. If houses were to be built there what kind of quality of life would the residents have having to contend with all that traffic noise/ noise pollution? Who would want to live in such a place? Yes, acoustic barriers may be suggested to overcome this but i) at what extra cost ? And ii) why? When these extra houses aren't needed to fulfil the quota in the first place and, if they were could be built elsewhere - what about re-developing/ repurposing derelict buildings / sites in the city which have lain derelict / vacant for years e.g. Anson House on the Preston Road/ A23 into town?

2) This proposed site and the site of the former Fawcett School, Ladies Mile, Carden Avenue, Patcham are on the doorstep of the South Downs, our newest National Park, as such local people use both sites as the 'gateway' to the National Park and are popular with walkers, dog-walkers and cyclists. Moreover, nature is recolonising these areas and wildlife is re-claiming them. Sheep are even put to graze in the vicinity of the former Fawcett School, Carden Avenue, Patcham . Both areas are fast becoming nature reserves in their own right. Does BHCC and this so-called 'green' conservationist constituency, the only one in the country really want to destroy what nature is doing when there are derelict buildings/ sites in the city centre which could be demolished or redeveloped instead?

Moreover both proposed schemes would exert extra pressure on local services/ utilities: gas, water, electricity and drainage and require the extension (and the extra cost involved of that extension) of those local utilities to serve them , whereas if you were building on formerly derelict sites or redeveloping derelict sites - the former services could be re-connected at a fraction of the cost or existing services would be in close proximity and require little extension.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

BHCC should just use existing sites within the city centre where there are derelict buildings/ sites which could be demolished or redeveloped and which have services available in the vicinity or former services in situ which could be re-connected to fulfil local housing demands rather than building on ANY of the city's so called 'urban fringes'.

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

1) This is a classic example of town- planners, and developers hoping to make a quick buck, trying to ram new builds on to an unsuitable site or a site which should not be built on : e.g. a flood plain - never mind the consequences of this irresponsible development (local flooding in a flood plain for example) The unsuitable site in this instance being land which is right next door to a busy main road - the A27. If houses were to be built there what kind of quality of life would the residents have having to contend with all that traffic noise/ noise pollution? Who would want to live in such a place? Yes, acoustic barriers may be suggested to overcome this but i) at what extra cost ? And ii) why? When these extra houses aren't needed to fulfil the quota in the first place and, if they were could be built elsewhere - what about re-developing/ repurposing derelict buildings / sites in the city which have lain derelict / vacant for years e.g. Anson House on the Preston Road/ A23 into town?

2) This proposed site and the site of the former Fawcett School, Ladies Mile, Carden Avenue, Patcham are on the doorstep of the South Downs, our newest National Park, as such local people use both sites as the 'gateway' to the National Park and are popular with walkers, dog-walkers and cyclists. Moreover, nature is recolonising these areas and wildlife is re-claiming them. Sheep are even put to graze in the vicinity of the former Fawcett School, Ladies Mile, Carden Avenue, Patcham . Both areas are fast becoming nature reserves in their own right. Does BHCC and this so-called 'green' conservationist constituency, the only one in the country really want to destroy what nature is doing when there are derelict buildings/ sites in the city centre which could be demolished or redeveloped instead?

Moreover both proposed schemes would exert extra pressure on local services/ utilities: gas, water, electricity and drainage and require the extension (and the extra cost involved of that extension) of those local utilities to serve them , whereas if you were building on formerly derelict sites or redeveloping derelict sites - the former services could be re-connected at a fraction of the cost or existing services would be in close proximity and require little extension.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

BHCC should just use existing sites within the city centre where there are derelict buildings/ sites which could be demolished or redeveloped and which have services available in the vicinity or former services in situ which could be re-connected to fulfil local housing demands rather than building on ANY of the city's so called 'urban fringes'.

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Land at and adjoining Horsdean Recreation Ground, Patcham, Land at Ladies Mile, Carden Avenue

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Response ID ANON-8ZMD-Y46M-KSubmitted to **City Plan Part Two (Proposed Submission)**

Submitted on 2020-10-19 14:49:39

Your details

What is your name?

[REDACTED]
 [REDACTED]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

Brighton Downs Alliance

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:

Yes

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:

Yes

Notification matrix - The adoption of the City Plan Part Two:

Yes

Due to the process of having an Independent Examination, any information and/or responses made are not confidential. This means we need your name, or organisation name, so that the comments can be made available for the public inspection. Once your comments have been logged, all names, company names and associated comments submitted as part of the formal consultation process will be made available to view in due course on the BHCC website. BHCC will not share or publish postcodes or email addresses. BHCC will however have to pass on all contact details to the Planning Inspectorate (PINS). Details of the PINS privacy policy can be seen below. Please tick to reinforce that you have read this disclaimer and have read the PINS Privacy Notice below

Yes

Date Response Submitted**Date Response Submitted:**

Not Answered

DM37 Green Infrastructure and Nature Conservation

DM37 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM37 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified, Consistent with National Policy

DM37 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

I object to the inclusion of the phrase 'Unless allocated for development in the City Plan...' at the beginning of the paragraph dealing with Locally Designated Sites.

It is contrary to paragraph 174 of the National Planning Policy Framework.

The inclusion of this phrase represents a significant weakening of the protection given to Local Sites (including both Local Nature Reserves and Local Wildlife Sites) compared with the 2005 Local Plan and the previous Draft City Plan Part 2.

The inclusion of this phrase would mean that developments on allocations within designated sites would be permitted to go ahead even if they have an adverse effect on the integrity of the site.

The ecological evidence in the Urban Fringe Assessments, which it is assumed is used to justify the inclusion of this phrase, is both out of date and insufficient to justify its inclusion.

The inclusion of this phrase represents a pre-emption of the due process of evaluating the ecological impacts of any development proposals on Locally Designated Sites.

DM37 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

'Delete the phrase 'Unless allocated for development in the City Plan...' from the beginning of the paragraph dealing with Locally Designated Sites.'

DM37 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM37 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Response ID ANON-8ZMD-Y461-QSubmitted to **City Plan Part Two (Proposed Submission)**

Submitted on 2020-10-19 17:24:39

Your details

[REDACTED]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:

N/A

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:

Yes

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:

Yes

Notification matrix - The adoption of the City Plan Part Two:

Yes

Due to the process of having an Independent Examination, any information and/or responses made are not confidential. This means we need your name, or organisation name, so that the comments can be made available for the public inspection. Once your comments have been logged, all names, company names and associated comments submitted as part of the formal consultation process will be made available to view in due course on the BHCC website. BHCC will not share or publish postcodes or email addresses. BHCC will however have to pass on all contact details to the Planning Inspectorate (PINS). Details of the PINS privacy policy can be seen below. Please tick to reinforce that you have read this disclaimer and have read the PINS Privacy Notice below

Yes

Date Response Submitted**Date Response Submitted:**

Not Answered

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

Land at and adjoining Horsdean Recreation Ground, Patcham, Land at Ladies Mile, Carden Avenue

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

No

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Response ID ANON-8ZMD-Y46N-M

Submitted to City Plan Part Two (Proposed Submission)
Submitted on 2020-10-20 09:51:09

Your details

What is your name?

[Redacted Name]
[Redacted Name]

If you are responding on behalf of an organisation/individual, please provide the name of that organisation or individual below.

Organisation:
Brighton & Hove Friends of the Earth

Please let us know if you would like to be notified of any of the following:

Notification matrix - The City Plan Part Two has been submitted for independent examination:
No

Notification matrix - The publication of the recommendations of the Inspector who carries out independent examination of the City Plan Part Two:
Yes

Notification matrix - The adoption of the City Plan Part Two:
Yes

Due to the process of having an Independent Examination, any information and/or responses made are not confidential. This means we need your name, or organisation name, so that the comments can be made available for the public inspection. Once your comments have been logged, all names, company names and associated comments submitted as part of the formal consultation process will be made available to view in due course on the BHCC website. BHCC will not share or publish postcodes or email addresses. BHCC will however have to pass on all contact details to the Planning Inspectorate (PINS). Details of the PINS privacy policy can be seen below. Please tick to reinforce that you have read this disclaimer and have read the PINS Privacy Notice below

Yes

Date Response Submitted

Date Response Submitted:
Not Answered

DM37 Green Infrastructure and Nature Conservation

DM37 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:
No

Legally compliant sound - Sound:
No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM37 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified, Consistent with National Policy

DM37 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

The phrase 'Unless allocated for development in the City Plan...' at the beginning of the paragraph dealing with Locally Designated Sites allows a loop-hole for council/developers:

- is contrary to paragraph 174 of the National Planning Policy Framework.

- inclusion of this phrase represents a significant weakening of the protection given to Local Sites (including both Local Nature Reserves and Local Wildlife Sites) compared with the 2005 Local Plan and the previous Draft City Plan Part 2.

- inclusion of this phrase would mean that developments on allocations within designated sites would be permitted to go ahead even if they have an adverse effect on the integrity of the site.

- the ecological evidence in the Urban Fringe Assessments, which it is assumed is used to justify the inclusion of this phrase, is both out of date and insufficient to justify its inclusion.

- inclusion of this phrase represents a pre-emption of the due process of evaluating the ecological impacts of any development proposals on Locally Designated Sites.

DM37 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Delete the phrase 'Unless allocated for development in the City Plan...' from the beginning of the paragraph dealing with Locally Designated Sites.

DM37 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM37 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

DM38 Local Green Spaces

DM38 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM38 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

DM38 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

Whitehawk Hill Local Nature Reserve meets all the criteria for designation as Local Green Space, as listed in paragraph 77 of the National Planning Policy Framework, but is not listed for designation in the City Plan Part 2.

The choice of sites suggested for designation as Local Green Spaces in the 2014 Urban Fringe Assessment, from which the list in City Plan Part 2 is derived, is not supported by evidence to show why, against the NPPF criteria, the sites selected were chosen and other sites, such as Whitehawk Hill LNR, were excluded.

Paragraph 2.293 of the City Plan Part 2 justifies the designation of the four Local Green Spaces because they act as 'important green wedges into the urban area'. Clearly Whitehawk Hill also meets this objective.

The choice of sites, and the exclusion of Whitehawk Hill LNR from designation as a Local Green Space, is therefore not justified, effective or consistent with national policy. It excludes Whitehawk Hill LNR which would meet the designation criteria.

DM38 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Add Whitehawk Hill Local Nature Reserve to the list of sites for designation as Local Green Spaces.

DM38 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM38 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site, Land north of Warren Road (Ingleside Stables), Land at Ovingdean Hall Farm & Land at Bulstrode / Ovingdean Farm, Land adjacent to Ovingdean and Falmer Road, Ovingdean

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM38 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

DM38 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

We (Badgers Tennis Club) made representations on the draft City Plan Part 2 when it was out to consultation in July - September 2018. One of the representations made by us related to draft Policy DM38 Local Green Space and we requested the site be considered for designation as a Local Green Space. An assessment was undertaken by the Council against a number of criteria and this is included in the October 2019 Local Green Space Topic Paper the site and concluded that:

[The club] operates as a membership club and is therefore not an openly accessible space to the wider community. No evidence has been provided that the site is demonstrably special to the local community and holds a particular significance. The site is more appropriate to be explored for LGS designation through neighbourhood plans.

For the reasons set out below we believe this conclusion is not sound and the site should now be designated in the City Plan Part 2 as a Local Green Space.

Although the site has been managed by a membership club since 2013 the site is an openly accessible space to the wider community. It is also demonstrably special to the local community and holds a particular historic significance.

The site has been included on the Council's list of Assets of Community Value since 5th July 2018. Extensive evidence demonstrating that the site was accessible and special to the local community was submitted to the Council to support the application for such listing and that evidence is included here in the Appendix. The Council accepted this and was therefore well aware in October 2019 that the site was accessible and demonstrably special to the local community. Therefore, the conclusion reached in the Topic Paper that the site is not demonstrably special to the local community was fundamentally and demonstrably wrong.

Furthermore, since 2018, the community activities on the site have increased to include fitness classes and a Woodcraft Folk group. A key attraction of the site for all the activities are the gardens which surround the tennis courts where, weather permitting, all these classes and activities can, and do, run outdoors. The gardens continue to be especially enjoyed by all users of the club, both members and non-members. Volunteers now help maintain the gardens around the tennis courts. In addition to the more formal areas, there are meadow garden areas, which are designed to attract a diversity of insects and wildlife.

With regard to the particular significance of the site, there is much local history involved with it. The walls that surround the site were designated by the Council in 2015 as a Locally Listed Heritage Asset. As the Council's Directory document states, the walls relate to improvements made to the Marquis of Bristol's estate between 1832 and 1851 when he added a dairy, farm, nursery garden, pleasure gardens, stables and housing for estate workers. The walls are constructed in English bond utilising plum brick. The brick was made on the Duke's estate in Suffolk (Shotley Brick and Cement Works) and transported to Brighton by sea. It is more typical of the later 18th century or areas in central and northern England where it was common in the 19th century. The most prominent brick walls are the tall walls to the Badger's Tennis Courts. Originally enclosing the pleasure gardens, the area is shown as a tennis ground on the c.1930s Ordnance Survey map. Further evidence that the Council was aware of the historical significance of the site is provided by its inclusion within an Archaeological Notification Area in the City Plan Part 2.

Further, as evidenced in the Appendix, the first tennis club on this site was probably the earliest tennis club in Brighton and one of the earliest in the country. We have the minute books recording the historical detail of the site, how they managed the mowing of grass courts, the membership, how they supported recovering soldiers in the first world war, even including the tea and cakes they served.

The Council was well aware in October 2019 that the site holds a particular significance and therefore the conclusion reached in the Topic Paper in this regard was also fundamentally and demonstrably wrong.

The evidence supports the designation of the site as a Local Green Space now and it is not appropriate to refer this to a neighbourhood plan, particularly as one does not exist for the area in which the site is located.

DM38 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

See above

DM38 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Yes, I wish to participate in the hearing session(s)

DM38 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

The response to our initial request to have Badgers designated as Local Green Space appeared to show an ignorance of the council's own decision to designate us as an asset of community value; I think, therefore, that it would be useful to be present.

Upload Supporting Information to your representation(s)

Do you have any supporting information to add to your submission?

upload box:

appendix to city plan 2.docx was uploaded

The current principal use is a thriving tennis club of 4 courts with growing membership, excellent coaching and teams performing at the highest level in Sussex County leagues. But a tennis club offers a lot more than just the courts – there are courts in parks across the country, but without people being there organising the tennis and other activities and events there would be no club.

The present member-run club started in 2013, when the previous one was forced out of business. The importance of the Club to its members is illustrated by the countless hours that members have since voluntarily put into running the new club as committee members, social session hosts, catering staff and maintenance workers.

Our main target area for membership recruitment is the neighbourhood, with people being able to walk or cycle to the club. Particularly important at the Club is the involvement of juniors of all genders, who are now approximately 40 of our 154 members, as well as the non-member juniors who come to the Saturday morning sessions and holiday tennis camps. We are proud that so many of these young people want to spend as much time as possible at the Club.

Our postcode area, BN2 5, has very high levels of health inequality, child poverty, mental ill-health, obesity, smoking etc – all targets for improvement – and as a club we are keen to involve local people of all ages to join in and improve their health through tennis and other activities. Yoga and Pilates classes, which are open to non-members, are run weekly at the Club. The Club is used by a local school and sessions are offered free to local adults and children via links with nearby Manor Road Gym and to adults with learning disabilities via links with the Outlook Foundation. Reduced membership rates are available to NHS employees and to anyone on benefits and pay and play is also available to anyone who does not want to be a member.

The club organises 2 healthwalks each month in conjunction with the B&H Council Healthwalk scheme, with trained walk leaders, which are very popular with local people. One walk is gentle and takes walkers through nearby Sussex Square and Lewes Crescent gardens, the second walk is more challenging, going up onto the Downs by the racecourse and back through Sheepcote Valley. One of the highlights for many walkers is socialising in the clubhouse cafe at the end of the walks.

The club organises many social events, for example, quiz nights, trips to Wimbledon, party nights, fireworks, barbecues all of which are very popular. Social membership is available for people who don't want to play tennis but just want to enjoy the social events.

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM37 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified, Consistent with National Policy

DM37 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

In the paragraph dealing with locally designated sites I object to the phrase "Unless allocated for development in the city plan ". We need to unequivocally protect areas of local wildlife. The inclusion of this phrase means that sites of natural diversity could be built on at the expense of important wildlife habitat, even in areas with ecological importance.

DM37 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

In the paragraph dealing with locally designated sites the phrase "Unless allocated for development in the city plan ", should be deleted.

DM37 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM37 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

DM38 Local Green Spaces

DM38 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM38 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

DM38 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

Whitehawk Hill Local Nature Reserve, although meeting criteria for designation as a Local Green Space (para 77 National Planning Policy Framework), is not listed for designation in the City Plan Part 2.

DM38 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Add Whitehawk Hill Local Nature Reserve, to the list of sites designated as Local Green Space, to City Plan Part 2.

DM38 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM38 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

H2 Housing Sites – Urban Fringe

H2 Which urban fringe site(s) does your representation refer to? (Tick all that apply to your submission)

Land at and adjoining Brighton Race Course, Land at South Downs Riding School & Reservoir Site, Land north of Warren Road (Ingleside Stables)

H2 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

No

Legally compliant sound - Sound:

No

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

H2 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Effective, Justified, Consistent with National Policy

H2 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

I don't think that the Urban Fringe Assessments for Land Adjoining Brighton Racecourse, takes into account the impact that any housing development would have upon the wildlife of the gorse scrub which is a breeding area of some rare birds, not to mention small invertebrates and reptiles. It is well documented by naturalists that this is an important environmental site for these creatures.

I understood that historically this area was designated as for the use of the citizens of Brighton for leisure activities when the Brighton Corporation bought it in 1888.

H2 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Delete the land Adjoining Brighton Racecourse from the allocations list in policy H2.

H2 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H2 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

DM40 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

DM40 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

DM40 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

DM40 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Not Answered

DM40 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

DM42 Protecting the Water Environment

DM42 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

Yes

Legally compliant sound - Sound:

Yes

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM42 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

DM42 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

The Environment Agency support this policy. Along with Policies DM40 Protection of the Environment and Health – Pollution and Nuisance and DM41 Polluted sites, hazardous substances & land stability, this should afford protection to the water environment, assuming that policies are applied and implemented at the development management stage. Of particular importance is the protection of the Brighton Chalk Block aquifer which is a source of public water supply.

DM42 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Suggested revised wording to improve the supporting text:

Supporting text paragraph 2.322 refers to sea water as being a key recreational asset. This paragraph could make specific reference to the designated bathing waters within the plan area to highlight the importance of the protection of this asset.

DM42 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM42 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

DM43 Sustainable Drainage

DM43 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

Yes

Legally compliant sound - Sound:

Yes

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

DM43 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

DM43 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

We are particularly supportive of the following supporting text to ensure that the design of SuDS is appropriate to the individual location so that the Brighton Chalk Block Aquifer is not compromised.

2.333 The choice of appropriate sustainable drainage measures for a site/development should be informed by specific catchment and ground characteristics, and will require the early consideration of a wide range of issues relating to the management, long term adoption and maintenance of SuDS. When determining the suitability of SuDS, vulnerability and the importance of local ecological resources, such as water quality, in particular within the Brighton & Hove aquifer and biodiversity should be considered. In some locations of the city only specific types of SuDS will be appropriate so as not to have an adverse impact on groundwater quality.

DM43 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

DM43 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

DM43 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

SSA4 Sackville Trading Estate and Coal Yard

SSA4 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

Yes

Legally compliant sound - Sound:

Yes

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

SSA4 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

SSA4 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

This Strategic Site Allocation falls within a Groundwater Source Protection Zone 1, 2 and 3 as is outlined in Paragraph 3.40 of the supporting text.

There is however an inconsistency in the policy wording for this site compared to SSA7 Land Adjacent to American Express Community Stadium, Village Way (which also falls within Groundwater Source Protection Zone 1, 2 and 3).

As protection of the Brighton Chalk Block Aquifer is an important environmental consideration, we feel that it is important to provide this clarity and consistency in the wording between different strategic site allocations.

SSA4 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

We would suggest that the following wording taken from SSA7 Land Adjacent to American Express Community Stadium, Village Way is also added to the policy wording for SSA4 Sackville Trading Estate and Coal Yard.

'Development must ensure that groundwater sources are protected, to the satisfaction of the Environment Agency;'

SSA 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

SSA 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

H3 Purpose Built Student Accommodation

H3 Which Purpose Built Student Accommodation site(s) does your representation refer to? (Tick all that apply to your submission)

Lewes Road Bus Garage, Lewes Road, Brighton, 45 & 47 Hollingdean Road, Brighton

H3 1. Do you consider this policy is: (tick as appropriate)

Legally compliant sound - Legally Compliant:

Yes

Legally compliant sound - Sound:

Yes

Legally compliant sound - Meets the Duty to Co-Operate:

Yes

H3 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

H3 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

Both the sites below fall within Groundwater Source Protection Zones 1, 2 and 3.

Lewes Road Bus Garage, Lewes Road, Brighton

45 & 47 Hollingdean Road, Brighton

Within this policy, there is no acknowledgement that these sites fall within these zones. This is inconsistent with the wording of other allocations in Section 3 which either acknowledge these zones within the policy wording, supporting text or both.

We do not find the policy to be unsound because of the overall protection provided in DM42 Protecting the Water Environment. However, as protection of the Brighton Chalk Block Aquifer is a significant environmental consideration, we feel that it is important to provide clarity and consistency of approach.

H3 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

We suggest that the wording is updated either in the policy or supporting text to acknowledge the Groundwater Source Protection Zones for these two sites and to ensure that due consideration is given to these whilst developing the sites.

H3 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

No, I do not wish to participate in hearing session(s)

H3 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

Supporting Documents and Background Studies

Please provide comments you have on the Supporting Documents and / or Supporting Evidence (Please be as precise as possible, with reference to the name of the document / studies you would like to comment on)

SA comments box:

Strategic Flood Risk Assessment Level 1 and 2 Screening.

This document was finalised in October 2018. In anticipation of the new climate change allowances being released in November 2018 (UKCP18), the following was included on Page 22 Section 4.3 of the report:

"The Environment Agency anticipate that there will be new climate change allowances released in November 2018. Any changes which impact on this SFRA will be added as an addendum after the release of the updated predictions".

In order for the City Plan Part 2 to be sound, the Technical Note produced for Brighton and Hove City Council dated 15 October 2020 and titled 'UKCP18 updates and the impact on site allocation with the City Plan Part 2' should be included as part of the evidence base for the the Strategic Flood Risk Assessment and City Plan Part 2. We are satisfied that the Technical Note considers the impact of the new sea level rise allowances on the allocations contained within Section 3 of the City Plan Part 2 document for the sources of flooding that fall within our remit.

The above Technical Note has been uploaded in the Supporting Information section of this response.

Upload Supporting Information to your representation(s)

Do you have any supporting information to add to your submission?

upload box:

UKCP18 Technical Note [REDACTED] pdf was uploaded

JBA Consulting prepared the Brighton and Hove Level 1 and 2 Strategic Flood Risk Assessment (SFRA) for the City Council in 2018, supporting the evidence base behind Brighton and Hove's City Plan Part 2. At that time, the climate change flood mapping was based on UK Climate Predictions 2009 (UKCP09) guidance, and UK Climate Predictions 2018 (UKCP18) was due to be published.

UKCP18 has since been published and the Environment Agency's guidance¹ has been updated in line with the latest predictions. JBA Consulting has been instructed by Brighton and Hove City Council to prepare this Technical Note which outlines the implications of UKCP18 on the allocation of sites within the City Plan Part 2 regarding tidal and surface water flooding.

This note has been prepared to present the changes in climate change allowances affecting Brighton & Hove, and understand whether the changes affect previous Plan decisions made with respect to site allocations in the City Plan Part 2.

It should be noted that as the Environment Agency Flood Zones are present day flood zones, the UKCP18 does not affect these.

Specific sites highlighted by Brighton and Hove City Council which could be affected by the updated guidance are:

Marina sites

- **Brighton Marina Inner Harbour** (located within DA2 Brighton Marina, Gas Works, and Black Rock Area in the adopted City Plan Part 1)
- **Land at Brighton Marina comprising Outer Harbour West Quay** (and adjoining land) Brighton (located within DA2 Brighton Marina, Gas Works and Black Rock Area in the adopted City Plan Part 1)

Kingsway sites

- **9-16 Aldrington Basin/ Land South of Kingsway Basin Road North** (located within DA8 Shoreham Harbour in the adopted City Plan Part 1)
- **Britannia House, 332 Kingsway** (allocated in the Shoreham Harbour Joint Area Action Plan as AB4 within Policy CA2 Aldrington Basin)
- **336 Kingsway, Hove** (allocated in the Shoreham Harbour Joint Area Action Plan as AB4 within Policy CA2 Aldrington Basin)

¹ Flood risk assessments: climate change allowances, last updated 22 July 2020, Available: <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>

This section outlines the climate change data used within the 2018 SFRA and the updates recently made by the Environment Agency following the publication of UKCP18.

2.1 Tidal flood data

The tidal flood data supporting the SFRA for most of the coastline was based on a comparison of the tides level described by the JBA Extreme Sea Level Analysis (2004) and LIDAR data. The predicted cumulative sea level rise used in the 2018 SFRA was 1.21m (from 1990 to 2115) for the 0.5% Annual Exceedance Probability (AEP) flood event. Within the Shoreham Port / Aldrington Basin area, the Arun to Adur section of the East Sussex Coastal model (2012) was used to prepare flood level predictions for the same flood event.

The updated Environment Agency guidance is based on the UKCP18 and provides a range of allowances for each river basin district and epochs for sea level rise. Two allowances termed the "Higher central" and "Upper end" allowances are presented with different rates of net sea level rise for each. The two allowances are based on percentiles, which describe the proportion of possible scenarios that fall within specified allowance levels for respective predictions. The Higher central allowance is based on the 70th percentile (exceeded by 30% of the projections in the range) and the Upper end allowance is based on the 95th percentile (exceeded 5% of the projections in the range). For flood risk assessments and strategic flood risk assessments, the Environment Agency guidance states that assessment of both the higher central and upper end allowances should be completed to understand the range of the potential effect.

In addition to using updated data, the updated guidance assesses a slightly different time period and provides predicted cumulative sea level rise from 2000 to 2125.

For the south east river basin district, the predicted cumulative sea level rises are outlined in Table 2-1.

Table 2-1: Environment Agency's cumulative sea level rise

Allowance	Cumulative rise 2000 to 2125 (metres)
Higher central	1.20
Upper end	1.60

If the yearly allowances from the previous guidance were extrapolated for the time period within Table 2-1, the total uplift would have equated to 1.32m.

The guidance also considered allowances for offshore wind speed and extreme wave height values, which influence overtopping. Within the SFRA, for most of the coastline, wave overtopping was excluded which was considered appropriate when making land use planning decisions.

Surface Water (RoFSW) model, which was run with 30% and 40% uplifts in peak rainfall intensity to account for the potential impacts of climate change.

The Environment Agency's guidance for rainfall allowances has not been updated since the publication of UKCP18. The rainfall intensities are outlined in Table 2-2.

Table 2-2: Environment Agency's peak rainfall intensity guidance

Applies across all of England	Total potential change anticipated for the '2020s' (2015 to 2039)	Total potential change anticipated for the '2050s' (2040 to 2069)	Total potential change anticipated for the '2080s' (2070 to 2115)
Upper end	10%	20%	40%
Central	5%	10%	20%

The RoFSW model was run for the 2018 SFRA with a 30% uplift in peak rainfall intensity for climate so that developers would consider this as a minimum.

As the RoFSW model was also run with 40% uplift in peak rainfall intensity, the SFRA has taken into account the most recent Environment Agency guidance for the Upper end allowance which would be the worst-case scenario. Therefore, no further work has been undertaken to assess the impacts on the allocation of sites as part of this Technical Note.

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Zone 3a) to the year 2120 were projected onto the ground level data described by LIDAR data to assess whether changes to the guidance in future flood risk could potentially affect planning decisions made relating to the allocation of sites. The results obtained from the LIDAR projections were then categorised into areas which were predicted to lie above or below the climate change sea level.

The Coastal Flood Boundary Dataset (2018) extreme sea level information for the coastline at Brighton and Hove (which has a base year of 2017) was adjusted to reflect the uplift to the year 2120 in accordance with the Higher central and Upper end sea level rise allowances for the period 2017-2120. Extreme sea levels for the 0.5% AEP event vary by 0.12m from the western (lower water levels) and eastern (higher water levels) extents of Brighton and Hove boundary. For the assessment described below, the highest predicted sea water levels were used as a precautionary approach. This conservative approach does not materially change the outcomes of the assessment as the relative level difference at the limits of the area under study are not substantial.

Predicted flood extents using the updated Environment Agency climate change guidance have been compared to the predicted flood extents used in the 2018 SFRA to identify differences and understand whether there are potential effects on previous zoning decisions.

4 Results

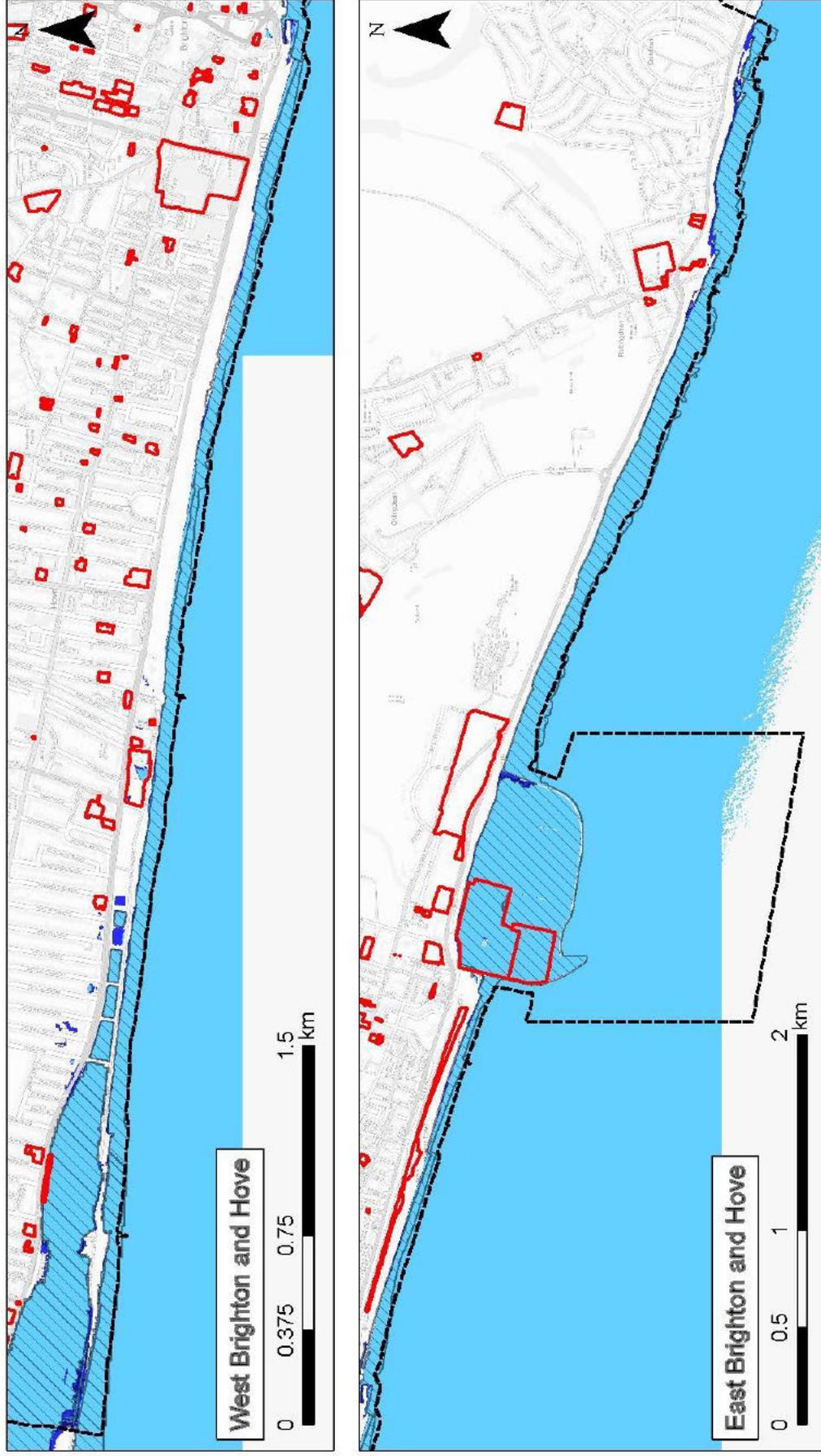
An overview map comparing the predicted tidal 0.5% AEP climate change events is presented in Figure 4-1. The map provides a comparison of the flood extent provided in the 2018 SFRA, along with predicted extents produced for the Higher central and Upper end sea level rise allowances using the latest Environment Agency guidance.

The mapping shows that throughout the city there are no substantive changes in the predicted tidal flood extents using the projected sea level method. As much of the city is protected by shingle beaches and/or cliffs, the flood extents do not significantly extend any further inland than those predicted within the 2018 SFRA. Minor differences in extents may also be expected due to the use of different LIDAR datasets (which might grid resolutions or collection dates that differ)

Figure 4-2 shows the comparison of the predicted flood extents for the Marina sites. There is very little change shown between the flood extent presented in the 2018 SFRA and the extents predicted using the Environment Agency's latest guidance. However, there may be a change in predicted flood depths (which would be expected to be related to the changes in peak water levels described in section 2.1). Planning considerations, for instance with respect to appropriate finished floor level and/or safe access and egress routes, should be investigated further with an SFRA addendum.

A comparison of the predicted flood extents for the Kingsway sites is shown in Figure 4-3. Similarly, to the Marina sites, there are very little changes in the predicted extent presented in the 2018 SFRA and the extents predicted using the Environment Agency's latest guidance. Again, there may be a change in predicted flood depths, and this should be investigated further with an SFRA addendum.

Figure 4-1: Comparison overview map

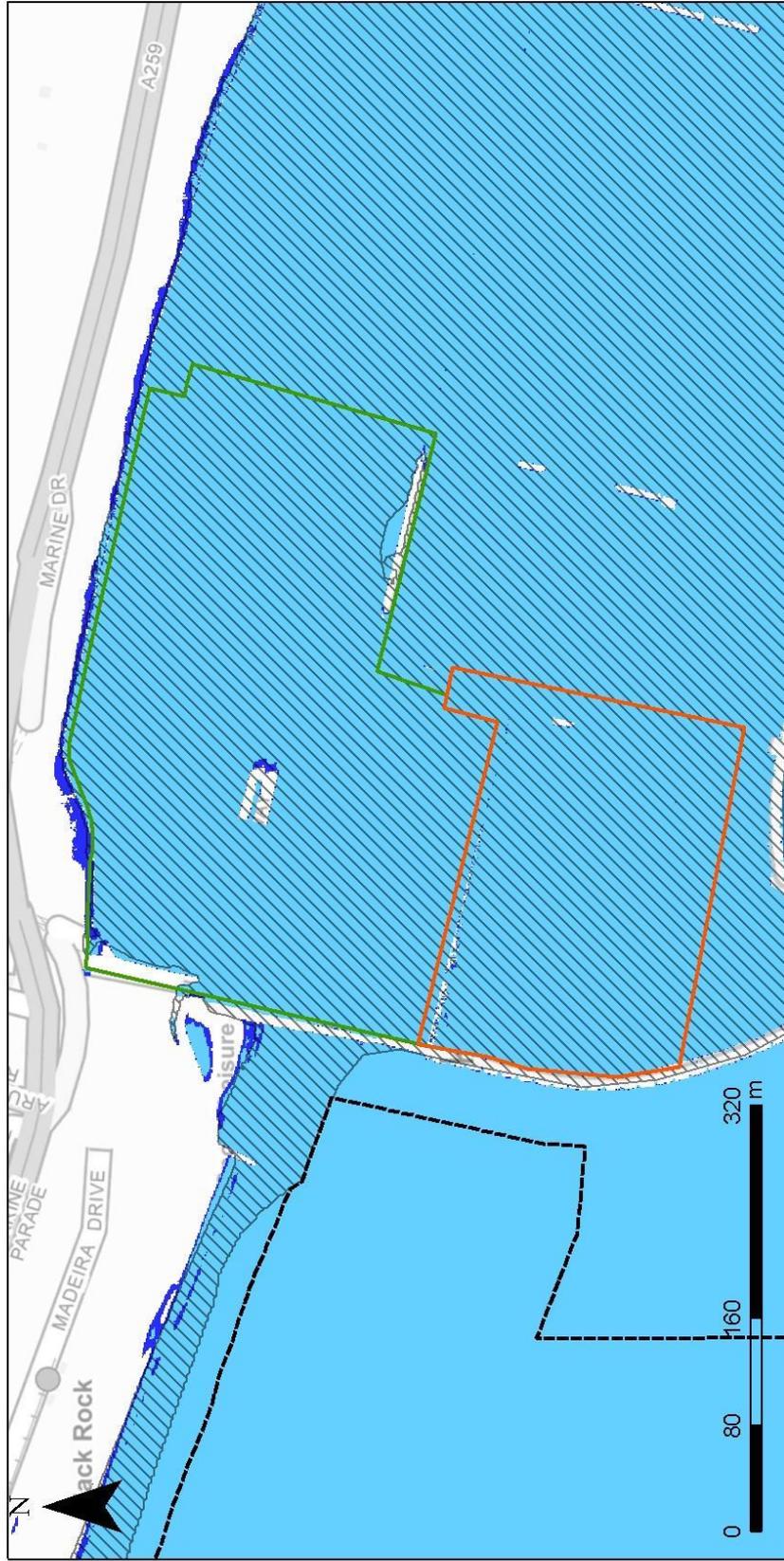


Legend

- Level 1 SFRA sites
- Brighton and Hove City Council boundary
- 0.5% AEP 2115 tidal event (used in the 2018 SFRA)
- 0.5% AEP 2120 tidal event - Higher Central (UKCP18)
- 0.5% AEP 2120 tidal event - Upper End (UKCP18)

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Figure 4-2: Comparison of extents at the Marina sites

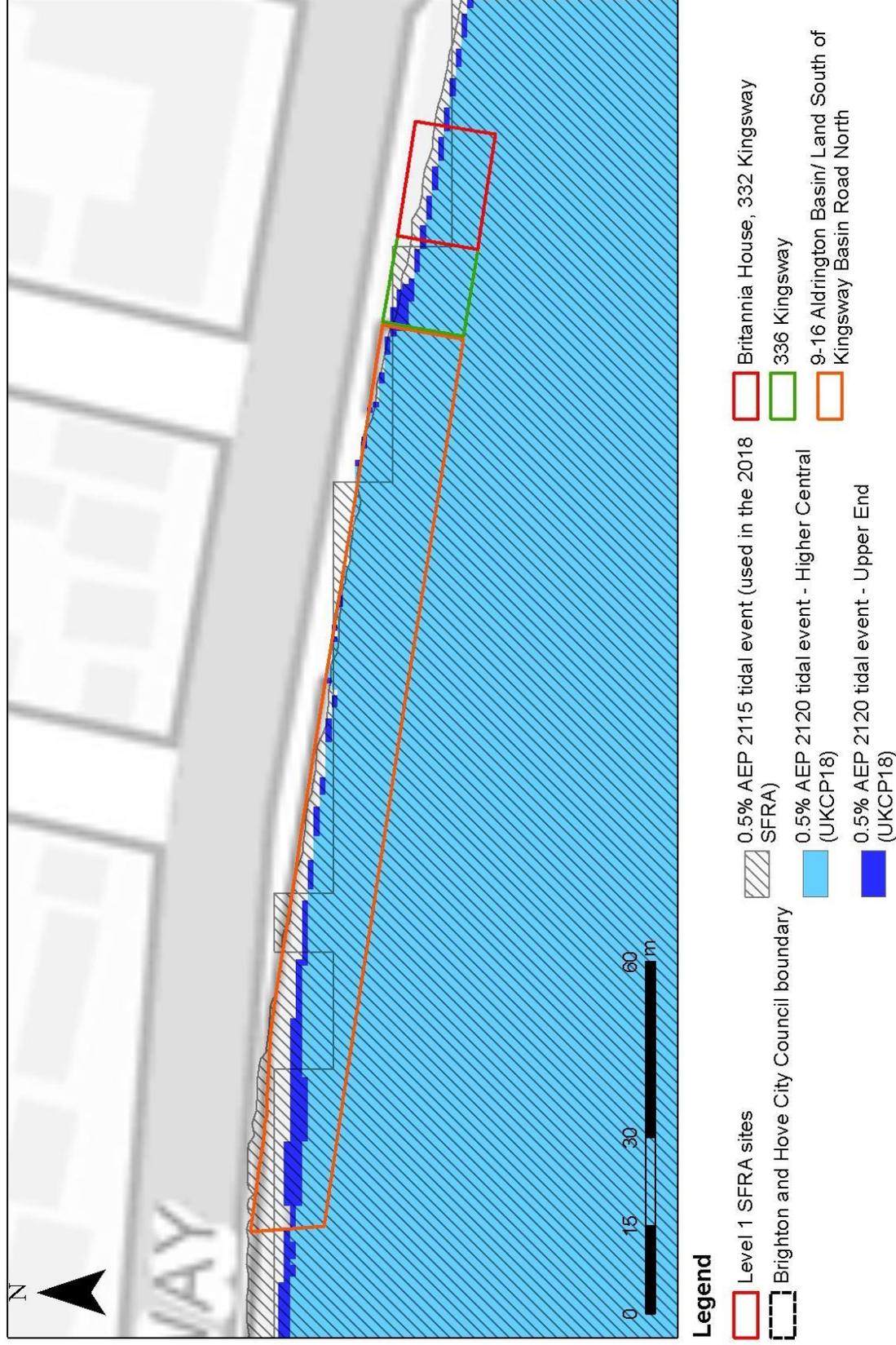


Legend

- Level 1 SFRA sites
- Brighton and Hove City Council boundary
- 0.5% AEP 2115 tidal event (used in the 2018 SFRA)
- 0.5% AEP 2120 tidal event - Higher Central (UKCP18)
- 0.5% AEP 2120 tidal event - Upper End (UKCP18)
- Land at Brighton Marina comprising Outer Harbour West Quay
- Brighton Marina Inner Harbour

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Figure 4-3: Comparison of extents at the Kingsway sites



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5.1 Tidal flood extents

The results of the assessment described in this note show that there are no substantive changes in the predicted coastal/tidal flood extents for Flood Zone 3a when considered circa 100-years in the future, which take account of UKCP18 and the latest Environment Agency climate change guidance. This is due to most of the city being protected by shingle beaches and/or cliffs.

In light of the negligible changes to predicted extents, it is not considered that the new climate change allowances give rise to material effects that would influence decisions on the allocation of sites through the City Plan Part 2, including the Marina or Kingsway sites.

Note that the assessment has focused on Flood Zone 3a, and not Flood Zone 2, given the former is typically used to assess whether residential development is appropriate or not from a planning policy perspective. Future impacts of predicted climate change on the Flood Zone 2 event could be completed via a similar exercise if required.

It is recommended that an addendum to the SFRA is prepared to assess any changes in flood depths due to the updated guidance, to make prospective site developers aware that more recent climate change information is available which must be taken into account. The potential effects of changes to the predicted depths should be investigated further, along with updated potential mitigation options if required.

5.2 Surface water

As part of the 2018 SFRA, the RoFSW mapping was run with 30% and 40% uplifts in peak rainfall. Therefore, the Upper End allowance with the Environment Agency's guidance has been taken into account.

5.3 Allocation of sites

The five sites highlighted in Section 1 have already been allocated through the City Plan Part 1 and the Shoreham Harbour Joint Area Action Plan. The updates to the Environment Agency climate change guidance and UKCP18 do not present a material change to the evidence used to inform the decision on these allocations.

Legally compliant sound - Meets the Duty to Co-Operate:

No

SA7 2. If you consider the policy to be unsound is it because it is not: (tick as appropriate)

Justified

SA7 3. If you consider the policy is not legally compliant or is unsound, please give details in the box below. Please be as precise as possible. If you support the policy and feel it is sound and/or legally compliant, please also use the box below to set out your comments.

response box for legal compliance, soundness and duty to cooperate:

The Benfield Valley land was a designated wildlife area and when Sainsbury's was built it was agreed thus space would be reserved as a wildlife reserve. Wildlife needs no interference by people. It is detrimental to wildlife to build on this land and the wider area will be affected. It's pointless to say you will build on part of it and then manage the rest. It is not justified!

We are midst a pandemic and with David Attenborough talking about things we need to do Nationally, Internationally and in our own areas thus building on green space that was designated for wildlife is not justified!

People in the surrounding areas utilise this space for exercise and their mental well being. [REDACTED]

[REDACTED] Our well-being has been improved dramatically by living near this green space. Rather than draining resources if the NHS we have used our environment to improve our mental health. You are proposing to take this away.

[REDACTED]. I am not a NIMBY, and accept that housing needs to be built, but housing should be built on brown field sites and where there are large houses or buildings with land around it environmentally thought through housing should be built when these properties become available.

If you 'chip away' at green space then there is less to protect and then it will no longer be worth protecting!

My three points for being emphatically opposed to this building going ahead are:

1. The wildlife and environment will be irreversibly damaged.
2. You are renegeing in the promise to protect the Benfield Valley Nature reserve for local residents and wildlife to enjoy.
3. The mental health and well-being of the local people will be affected detrimentally leading to further resources being needed for mental health and well being.

Furthermore, I am disgusted that Labour and Green Councillors thought these plans were acceptable in the first place! They are both meant to be protecting the environment and people neither of which they are doing with these plans.

SA7 4. Please set out the change(s) you consider necessary to make the policy legally compliant and sound in respect of any legal compliance or soundness matters you have identified in Q3 above. Please be as precise as possible.

modifications to the policy to make sound and legally compliant:

Building anything on this site would not be acceptable.

Brown field sites that have already been damaged fine, not Benfield Valley!

SA7 5. If your representation is seeking a change to the Plan, do you consider it necessary to participate at the hearing session(s)? (Tick as appropriate)

Yes, I wish to participate in the hearing session(s)

SA7 6. If you wish to participate at the hearing sessions during the examination, please outline why you consider this to be necessary.

Why wish to speak:

I would be more than happy to attend if my presence is required to block this site from being built on.