



**Brighton & Hove
City Council**

**Proposed Submission City Plan Part 2
Brighton & Hove Development Plan April
2020**

Hearing Session: 2 November 2021 (PM)

**Statement in Response to Matter 2:
The scale and distribution of development
(location of development, spatial strategy,
scale of development, site selection -
policies H1, H2, H3 and SSA1 to SSA4)**

**BY
BRIGHTON & HOVE CITY COUNCIL**

List of Abbreviations

CPP1 - City Plan Part 1

CPP2 – City Plan Part 2

LDS – Local Development Scheme

SHLAA – Strategic Housing Land Availability Assessment

UCO – Use Classes Order

UFA – Urban Fringe Assessment

Matter 2: The scale and distribution of development (location of development, spatial strategy, scale of development, site selection -policies H1, H2, H3 and SSA1 to SSA4

Is the Plan positively prepared and justified, effective and consistent with national policy and the City Plan Part 1 in relation to the scale and distribution of development proposed and the site selection process?

Issue 1 Scale and distribution of development

Q1. What context does the City Plan Part 1 provide in terms of the scale of development required in the area? What are the specific requirements for housing, employment, retail etc? Is the scale of development in the Plan consistent with this? (see Initial question 20-22 and Council's response)

1. The adopted CPP1 provides the context for the scale and distribution of development to be provided over the plan period to 2030. Paragraphs 1.13-1.23 of CPP1 describe the context and challenges for the City Plan. Brighton & Hove is a tightly constrained, compact city situated between the South Downs National Park and the sea. These 'natural boundaries' define and limit the outward expansion of the city. In addition, within the built-up area there is a relatively limited legacy of derelict or vacant sites.
2. The scale of development to be provided is summarised in CPP1, Table 2 – Summary of Development proposals; Table 3 – Housing Delivery and Table 4 – Employment Floorspace provision.
 - Policy CP1 sets a minimum housing requirement of 13,210 homes and indicates the broad spatial distribution across the city.
 - The requirement for employment is for 112,240 sqm of office floorspace (B1a, B1b) and 43,430 sqm of industrial floorspace (B1c, B2 and B8). Table 4 in CPP1 sets out planned provision through the Development Area proposals.
 - Policy CP4 does not set a requirement for retail provision. Policy DA1 makes provision for 20,000 sqm comparison floorspace through the strategic site allocation Brighton Centre and expansion of Churchill Square. Policy DA2 makes provision for 5,000 sqm (A1–A5) for the Inner Harbour strategic site allocation.
3. BHCC01 Question 21 and the TP06 Housing Provision Topic Paper demonstrate that a total potential supply of 15,096 net dwellings is currently identified taking account of deliverable housing from different sources. A total of 4,391 net dwellings have already been completed leaving a minimum figure of 8,819 dwellings required to meet the CPP1 13,210 target¹.

¹ Table 3, Appendix 3, BHC01 and also TP06, Appendix 1, Tables A1.1 A.7

4. BHCC01 Table 3, Appendix 3, and TP06 Table 3 show how the CPP2 site allocations will contribute to meeting this remaining target alongside other housing supply sources. The CPP2 allocations provide for 3,276 dwellings comprising 1,100 dwellings on four strategic sites (Policies SSA1-SSA4); 1,277 dwellings on non-strategic sites within the built-up area (Policy H1); and 899 dwellings on urban fringe sites (Policy H2). Together these comprise 37% of the outstanding City Plan housing requirement. Further detail can be found at Section 4 of TP06 and the Council's responses to Matter 3.
5. CPP1 acknowledges that there is a shortfall of employment sites to meet forecast needs and identifies a role for CPP2 in allocating additional employment and mixed-use sites to ensure employment land delivery is maintained over the plan period (Policy CP3.6). Importantly, CPP1 acknowledges that this shortfall will also need to be addressed through a partnership approach with neighbouring authorities and the Local Enterprise Partnership. The CPP1 Inspector² recognised that CPP1 did not seek to accommodate all identified employment floorspace needs; that there were significant constraints to finding new land and that this had been recognised as duty to cooperate issue.
6. BHCC01, Table 4 in Appendix 4, identifies the CPP2 planned employment land provision. The table shows that through CPP2 strategic site allocations and allocations for mixed-use housing sites, delivery of additional employment land will be maintained over the plan period, reducing the shortfall of employment sites against forecast needs. Additional explanation is included at Appendix 5 and the Council's response to Matter 4.
7. Additional retail provision is included as part of mixed-use development for a number of the strategic site allocations (SSA3, SSA4, SSA5, SSA6). This would now be included within Use Class E under the Use Classes Order (UCO) as amended in September 2020.
8. The council therefore considers the scale of development in CPP2 is consistent with the requirements set out in CPP1.

Q2. What context does the City Plan Part 1 provide in terms of the distribution of development in the City? Is the proposed distribution of development in accordance with the City Plan Part 1 and sustainable development principles? Does this include at least 10% of the housing requirement on sites of less than 1 hectare? (see Initial question 20-23 and Council's response)

9. CPP1 sets out the spatial strategy for the distribution of development across the city to 2030. This is summarised in Table 1, CPP1 and is

² Document CD15, Examination Library, The City Plan Part One Inspector's Report.

described at paragraphs 2.19–2.25. Policy CP1 sets the spatial strategy for housing and CP3 the strategy for employment provision. The majority of planned development will take place on brownfield sites within the city's existing built-up area. Development within the eight Development Areas (DA1-DA8) will benefit from close proximity to sustainable transport links and local facilities or are areas with capacity where accessibility can be improved. The urban fringe is identified as providing some limited potential to contribute to the city's significant need for housing, but there is a requirement for development to be sustainable and to secure a range of environmental benefits.

10. The proposed site allocations in CPP2 will assist the delivery of the spatial strategy and are considered consistent with it. TP06 Table 4 and Appendix 1 illustrates the CPP2 housing supply position against the CPP1 position. In overall terms, an additional 346 dwellings will be delivered from the Development Areas (6,351 compared to 6,005 in CPP1) and smaller sites are estimated to increase their contribution. With respect to CPP1 DA6 Hove Station Area, the planning consent achieved for CPP2 SSA4 does significantly increase housing delivery in this part of the city but is not considered inconsistent with the strategy which is to focus development in accessible locations. See also Council response to Matter 6, question 2.
11. The response to BHCC Question 23 demonstrates that at least 10% of the housing requirement will be delivered on sites of less than 1 hectare. See also Council response to Matter Statement 3.

Q3. Are there any other specific requirements of this Plan as set out in City Plan Part 1?

12. BHCC01 Table 2 sets out in detail what CPP2 needs to do to fulfil the requirements of CPP1. In summary it identifies:
 - Requirements for additional site allocations to assist in meeting the development requirements in CPP1;
 - Where CPP2 site allocations made could address other needs, e.g. provision of additional open space or community facilities;
 - Where additional policy is required through CPP2 to amend or introduce new standards, e.g. space and accessibility standards;
 - Where more detailed criteria-based policies are required, e.g. for nature conservation, designated local centres etc.

Q4. Does the Plan include sufficient flexibility and contingencies to take account of any changes in circumstances, including any review and revision of the City Plan Part 1?

See also the Councils response to Matter 18, Monitoring and review.

13. The plan demonstrates that the CPP1 minimum housing requirement can be met with some flexibility / contingency. See also Council response to Matter 3.
14. The H1 site allocation housing figures are indicative recognising that detailed design considerations will inform development proposals and that because the majority are brownfield site opportunities other considerations (mix of uses, land contamination) may need to be addressed. Similarly, the H2 urban fringe site allocation figures are indicative as development proposals will need to be informed by detailed site assessments to ensure specific constraints are addressed and mitigation and environmental enhancements secured.
15. The strategic site allocations SSA1–SSA4 set out minimum requirements as these are more strategic development opportunities covering larger areas. Detailed design considerations will again inform the exact amount of development which could be greater than the minimum requirements.
16. Development management policies need to strike a considered balance between providing sufficient clarity and certainty for applicants/decision makers to know what is required for a proposal to be acceptable and the need for some flexibility to respond to changing circumstances. It is the council's view that these policies provide an appropriate balance.
17. A review of the CPP1 is programmed to commence next year as set out in the CD11 LDS. The CPP1 reached 5 years old in March 2021 and an assessment review process has been undertaken. This concluded that some policies require review whilst others would benefit from further review.

Issue 2 Site selection

Q1. Was the methodology used to assess and select the proposed site allocations both in the urban area and urban fringe appropriate? Were reasonable alternatives considered and tested? Are the reasons for selecting the preferred sites and rejecting others clear? How did landscape and other constraints inform this process?

18. The methodology used in the site assessment and allocation process for all the CPP2 site allocations is set out in detail in TP07 Site Allocations Topic Paper.
19. The starting point for identifying potential allocations within the built-up area was the list of sites set out in ED15 Strategic Housing Land Availability Assessment (SHLAA), together with sites identified from various other sources set out in Table 1 of TP07. The process then progressed as follows:

- A 'call for sites' as part of the City Plan Part Two Scoping Paper (CD20) consultation in summer 2016.
- Elimination of sites already allocated, allocated for alternative uses or those with planning consent where construction had commenced.
- Exclusion of sites of less than 10 units or those considered undeliverable in the plan period.
- Review of sites against the recommendations in Chapter 4 of the ED17 Housing and Employment Land Study 2017.
- Detailed site appraisals based on sustainability appraisal criteria, taking account of constraints and opportunities to inform the decision whether or not to allocate, and whether for solely residential or mixed-use. The site proformas are set out in TP07 Appendix 3.
- Consultation on the proposed allocations in the Draft CPP2 at the Regulation 18 stage.
- Further consultation on proposed allocations on the Proposed Submission CPP2 at the Regulation 19 stage.

20. Following both consultation stages representations were considered and appropriate changes made to the site allocations. Summaries of the representations and actions taken following the Draft Plan stage are set out in TP07 pages 8-11, and for the Regulation 19 Proposed Submission stage pages 11-14.

21. Further sites proposed in representations at both consultation stages were assessed through the same SA site assessment process and proposed for allocation where appropriate (see Matter Statement 6, Q10). The council also encourages the submission of potential development sites on an ongoing basis for inclusion on the ED25 Brownfield Land Register.

22. The process has resulted in the identification of a significant number of developable sites in Policy H1. TP07 Appendix 1 summarises the outcome of the site assessment process for each site considered.

23. Reasonable alternative options for the approach to site allocation were considered and tested through the SA process, with the outcome set out in SD05a, section 5.8. The SA of options led to the approach of allocating all suitable sites that are developable within the plan period and can deliver 10 or more residential units.

24. Due to the city's constraints and limited land availability, no choices were made between sites, and no 'preferred' sites were allocated at the expense of others. If a site met the capacity criteria, was known to be available, suitable and achievable within the plan period, then it has been proposed for allocation. This proactive approach is intended to maximise the sustainable provision of housing through CPP2.

25. For urban fringe sites allocated in Policy H2 the process was slightly different and is set out in detail in section 5 of TP07. Reasonable

alternatives to the site selection process were considered through the SA as set out in SD05a, section 5.8. The favoured approach was a general criteria-based policy to guide the development of all urban fringe sites allocated for housing development, with schedule of site allocations identifying key considerations.

26. Proposed site allocations in the urban fringe were informed by the ED21-ED24 Urban Fringe Assessments which involved comprehensive examination of all urban fringe sites not subject to 'absolute constraints' such as national/international designations to assess their potential to accommodate housing development. The initial 2014 assessment (ED21a-ED21c) formed a background evidence document to CPP1 and identified sites with housing potential. This was supplemented in 2015 by further assessments of landscape and ecology (ED22a-ED22g) and archaeology (ED23) which led to some amendments to proposed site boundaries and indicative housing numbers. Most recently, the UFA Update 2021 (ED24) has included further assessments of some sites that are affected by new or amended LWS designations since 2015 and addresses specific issues raised in the Regulation 19 representations. See also Council response to Matter Statement 7.