

**Compiled by the Planning Projects Team  
at Brighton & Hove City Council**

# **Edward Street Quarter Planning Brief**

September 2013



**Fig 1: Edward Street Quarter – development area**

# CONTENTS

## PART 1

1. Introduction	Page 3
2. Reason for the brief	Page 3
3. Status of the brief	Page 4
4. Stakeholder consultation	Page 5
5. Planning policy context	Page 5

## PART 2

6. Development area	Page 9
7. Planning history	Page 11
8. Vision and development principles	Page 12
9. Land use and development quantum	Page 13
10. Heritage	Page 15
11. Scale, massing and building heights	Page 17
12. Amenity issues and construction	Page 18
13. Transport	Page 18
14. Public realm	Page 20
15. Community infrastructure and facilities	Page 26
16. Sustainability	Page 26
17. Phasing	Page 30
18. Infrastructure and planning obligations	Page 31



## PART 1

### 1. Introduction

The vision of this planning brief is...

**... to create a dynamic first class business and residential district with a strong sense of place, distinguished by high quality townscape, architecture and public realm.**

The brief has been prepared to guide the future redevelopment of land in the vicinity of the new American Express building on John Street and Carlton Hill in Brighton, including the former American Express building. For the purpose of this document, the area covered by the brief is referred to as the Edward Street Quarter (ESQ) or the development area.

American Express is the largest private sector employer in Brighton & Hove. The decision by the company to construct a new “fit for purpose” building for their European operations in 2012, consolidates American Express’ operations and future in the city. Aside from the new American Express development, the area is characterised by poor quality townscape and public realm. The completion of the new building - together with the scheduled demolition of the old offices - provides an exciting opportunity to regenerate the wider area to the benefit of the local resident and working population and the city as a whole.

### 2. Reason for the brief

This document has been prepared by Brighton & Hove City Council (the local planning authority) with assistance from CBRE and EPR Architects. Its main objective is to provide a planning framework for development that integrates the new American Express building into the surrounding area and secures a strategically important mixed use urban quarter focussed around offices, residential, ancillary retail and other services.

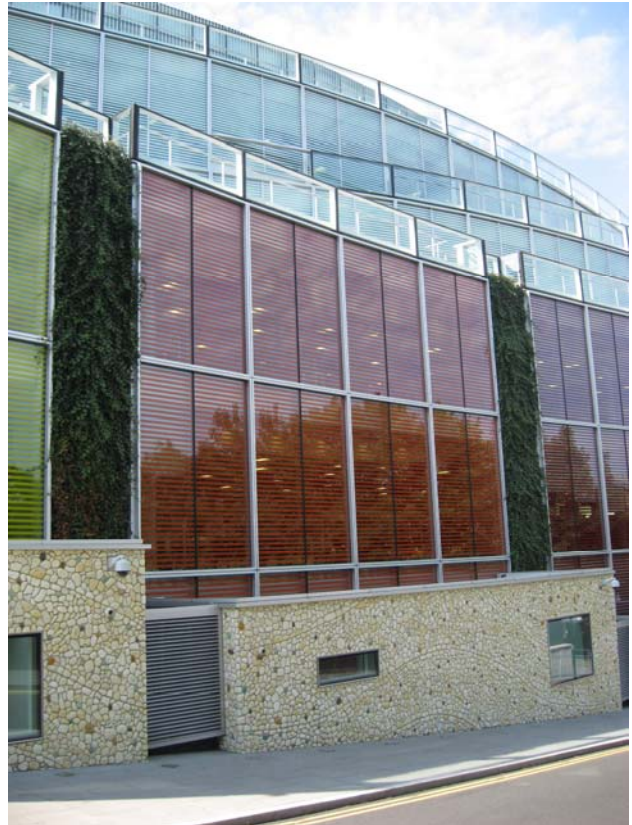
Much of the geographical area covered by this planning brief is the subject of the Edward Street Quarter Supplementary Planning Document (SPD) 04 (adopted in March 2006). The SPD was intended to guide redevelopment in the area based around the retention of the original 1970s American Express building which, at the time of the SPD’s adoption, reflected the intended development strategy of the company. However, the company reconsidered its strategy to seek the replacement of the Edward Street building with a new building on adjacent land. One of the requirements of the planning permission is the demolition of the original Edward Street building by 2016 in order to provide a more appropriate neighbouring scale of development to the adjacent new building. This has highlighted the need for new planning guidance, hence the preparation of this planning brief which, when finally approved for development control purposes, will effectively supersede SPD 04.

The challenge for the Planning Brief is to establish development principles that meet the strategic needs of the city as established in the emerging City Plan, whilst respecting the character of heritage assets (conservation areas and listed buildings) in the area. This

will have to be balanced against the need to provide for financially viable development to attract the necessary development finance streams to transform the area into a new attractive, accessible and safer neighbourhood, for the benefit of existing and future residents, employers, employees and visitors alike.



Former Amex House (Edward Street)



New Amex House HQ building

### 3. Status of the brief

The planning brief has been prepared in order to reflect the most up to date national and local planning guidance and policy. Planning briefs can be prepared rapidly in response to development pressures and changes in situation, although they do not necessarily have the same status as adopted planning policies and related documents. However, this planning brief has been the subject of extensive consultation with community groups

and other stakeholders, which should secure its status as a valid material consideration in the planning process. It takes due account of the National Planning Policy Framework (NPPF) and adopted development plan policies in relation to the realisation of the development aspirations of the council and American Express with regard to the emerging Edward Street Quarter.

#### **4. Stakeholder consultation**

Early consultation was conducted with local community organisations to establish their visions for the local area, including Tarner Area Partnership (a neighbourhood forum with multi-agency and resident representation) and Green Sea (a locally-based group of architects with an interest in improving the environment of Edward Street). The feedback from these early stakeholder meetings was used to inform the development principles contained within this brief in order to guide the future redevelopment of the site. These development principles were the subject of further consultation during the public exhibition which was held during April 2013.

The draft planning brief and exhibition material were also made available on the council's consultation portal during the six week formal consultation period. The results of the public consultation have been used to inform the development of the brief which aims to provide an up to date and dynamic response to the challenges of bringing forward development on this site.

Meetings to discuss the content of the brief have also been held with local ward councillors as well as the Chair and Deputy Chair of the council's Economic Development & Culture Committee. They emphasised the need for the brief to address local concerns regarding the future redevelopment of the site and to provide net benefits to the local community (in particular the residents of the nearby Kingswood Milner housing estate) including:

- improved linkages between green spaces in the local area (Dorset Gardens Peace Park, Tarner Park etc) and the new urban quarter;
- providing for deficiencies in the existing community infrastructure through new development in the proposed urban quarter and/ or through developer contributions.

#### **5. Planning policy context**

This brief has been prepared within the following planning policy context:

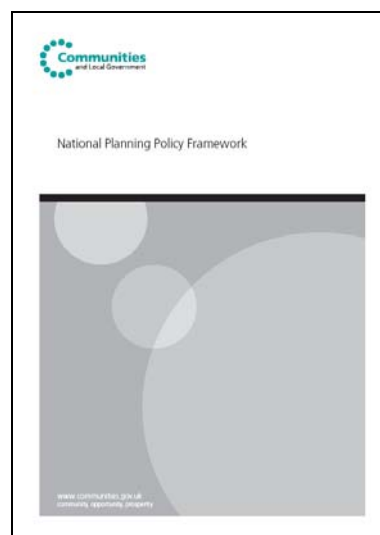
##### **National context**

Applications for planning permission must be determined in accordance with the local development plan unless material considerations indicate otherwise as set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990. The local development plan constitutes the adopted Local Plan and the Submission City Plan Part One. In conjunction with the NPPF, these documents are a material consideration in planning decisions.



## National Planning Policy Framework (NPPF)

The NPPF, published in March 2012, sets out the Government's planning policies for England and how these are expected to be applied. The framework requires each authority to work together with local communities to produce local and neighbourhood plans that reflect the needs of local communities. The most prominent objective in the NPPF is for local authorities to positively plan for and support sustainable growth in all three aspects of the physical, economic and social environment. This planning brief supports the delivery of the NPPF's objectives through promoting sustainable development and growth.



## Regional context

### Coast to Capital Local Enterprise Partnership

Brighton & Hove Economic Partnership is one of five local economies which form the Coast to Capital area. The LEP aims to support the development of 100,000 private sector jobs, promote entrepreneurship in schools and colleges as well as support the growth of internationally trading businesses. The employment floorspace targets established in section 9 of this brief will undoubtedly contribute towards the longer term achievement of these LEP regional targets.

## Local context

### Local context (2005)

The NPPF explains that full weight can be given to relevant policies, which includes "saved" policies adopted since 2004, for 12 months from the date of publication, even if there is a limited degree of conflict with the NPPF. After this 12 month period, where Local Plan policies have a degree of consistency with the policies in the NPPF, due weight can be given to them.

At the time of writing the Brighton & Hove Local Plan (2005) is the adopted local development plan for the city and covers the area identified in this brief. The following policies are particularly relevant in informing this brief:

### Economy and employment

- **Policy EM2** – Sites identified for high-tech and office uses (American Express Edward Street and adjacent land – 1.74 Ha)

### Housing

- **Policy HO2** – Affordable housing – 'windfall' sites.
- **Policy HO3** – Dwelling type and size.
- **Policy HO4** – Dwelling densities.
- **Policy HO5** – Provision of private amenity space in residential development.
- **Policy HO6** – Provision of outdoor recreation space in housing schemes.

- **Policy HO13** – Accessible housing and lifetime homes.

### **Sustainable development**

- **Policy SU2** – Efficiency of development in the use of energy, water and materials.
- **Policy SU9** – Pollution and nuisance control.
- **Policy SU10** – Noise nuisance.
- **Policy SU13** – Minimisation and re-use of construction industry waste.
- **Policy SU14** – Waste management.

### **Transport and movement**

- **Policy TR1** – Development and the demand for travel.
- **Policy TR2** – Public transport accessibility and parking.
- **Policy TR4** – Travel plans.
- **Policy TR5** – Sustainable transport corridors and bus priority routes.
- **Policy TR14** – Cycle access and parking
- **Policy TR18** – Parking for people with a mobility related disability.

### **Design and quality of development**

- **Policy QD1** – Design – quality of development and design statements.
- **Policy QD2** – Design – key principles neighbourhoods.
- **Policy QD3** – Design – efficient and effective use of sites.
- **Policy QD4** – Design – strategic impact.
- **Policy QD5** – Design – street frontages.
- **Policy QD6** – Public art.
- **Policy QD7** – Crime prevention through environmental design.
- **Policy QD15** – Landscape design.
- **Policy QD27** – Protection of amenity.

### **Historic environment**

- **Policy HE1** – Listed buildings.
- **Policy HE3** – Development affecting the setting of a listed building.
- **Policy HE6** – Development within or affecting the setting of conservation areas.

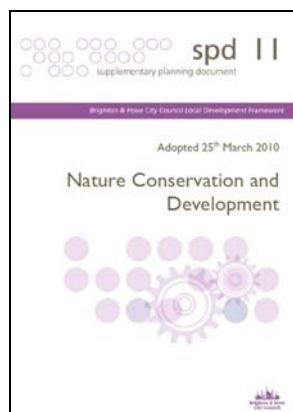
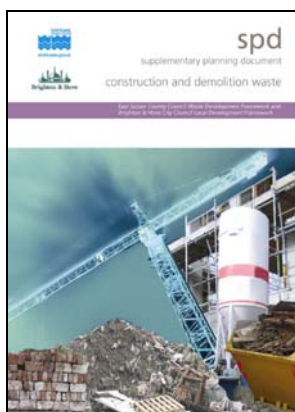
### **Supplementary Planning Documents and Planning Advice Note**

The council has also produced the following supplementary planning documents which are material considerations for the future redevelopment of the Edward Street Quarter:

- **SPD03** – Construction and Demolition Waste.
- **SPD04** – Edward Street Quarter (March 2006). This document is discussed in further detail below.
- **SPD05** – Circus Street Municipal Market.
- **SPD08** – Sustainable Building Design.



- **SPD11** – Nature Conservation and Development.
- **PAN06** – Food Growing and Development.



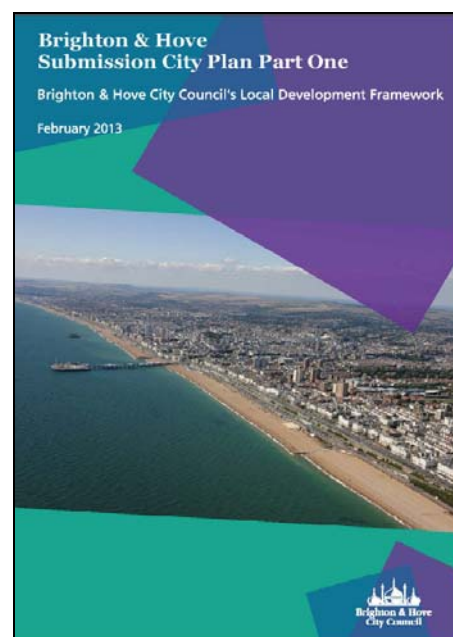
### Conservation Area Character Statements

The council has adopted character statements for a number of its conservation areas, including the Carlton Hill Conservation Area, East Cliff Conservation Area and Valley Gardens Conservation Area. The statements/ studies set out the historic development of the areas and define elements of their character and appearance that make them special today. Developers will be expected to have regard to these character statements in putting forward development proposals for the area. The design should be sympathetic to the heritage context and should aim to preserve or enhance the character and appearance of the area. Particular attention should be paid to opportunities to enhance the setting of listed buildings and conservation areas in the vicinity of the site.

### Local Development Framework

The Local Development Framework (LDF) is the official term used to describe the set of documents that will eventually replace all of the local planning authority's local development documents, including the Brighton & Hove Local Plan. The Submission City Plan Part One was agreed at council on 31 January 2013 for formal publication prior to its submission to the Secretary of State for independent examination. The policies most relevant in informing this brief are:

- DA5 – Eastern Road and Edward Street Area
- CP2 – Sustainable Economic Development
- CP3 – Employment Land
- CP8 – Sustainable Buildings
- CP9 – Sustainable Transport
- CP10 – Biodiversity
- CP12 – Urban Design
- CP13 – Public Streets and Spaces
- CP15 – Heritage



## PART 2

### 6. Development area

#### Location

For the purpose of this document the area referred to as the Edward Street Quarter comprises various parcels of land encompassing the former American Express building and Job Centre Plus to the north of Edward Street and is bounded by William Street to the west and White Street to the east (see Fig 1). The area defined as the quarter also includes the Dorset Gardens Peace Park, an area of open space alongside Dorset Gardens to the south of Edward Street.

Edward Street is a dual carriageway and an important transport link running between the central area of the city to the west and Eastern Road to the east, providing road and bus links to a number of important destinations including Brighton College, the Royal Sussex County Hospital and Brighton Marina. The development area is within walking distance of the city centre, the seafront and Brighton mainline railway station. There are existing good public transport links to London, Gatwick Airport, surrounding towns and within the city.

The new American Express building excepted, the development area is characterised by a number of public and private sector buildings dating from the 1960s and 1970s. All of these suffer from a number of problems typically associated with buildings from this period, ranging from poor aesthetics to operational inefficiencies in layout and energy performance. These buildings include the adjacent Job Centre Plus building, the nearby Magistrates Court and Police headquarters on the western side of John Street and County Court in William Street. The demolition of the former American Express Edward Street building is a requirement of the S106 agreement associated with the planning permission for the new American Express building.

#### Topography

The topography of the development area presents an interesting design challenge due to its location on a steeply sloping hillside that rises west to east from the valley floor (comprising Grand Parade and Valley Gardens). There is also a level change from south to north across the site as the slope of the hillside rises up from the seafront. The site affords views across the valley and as such, can be seen from various strategic viewpoints across the city, including parts of the historic seafront, Valley Gardens and the Royal Pavilion estate.

#### Extended development area

Since the publication of SPD04 in 2006, the concept of the Edward Street Quarter has been expanded for the purpose of this planning brief to include the following buildings on the periphery of the site (see Fig 2):

- the Police Headquarters building, Law Courts located to the west of John Street and County Court (Phase 2) ; and
- Dorset Gardens Peace Park to the south of Edward Street. (Phase 1)





Police HQ building on the west side of John Street



Law Courts on the west side of John Street near Edward Street junction



Fig. 2: Map of development area with phasing

The Police HQ, Law Court, County Court and Job Centre Plus are characterised by poor architecture, public realm and connectivity. Whilst they are under separate land ownerships to American Express buildings old and new, their close proximity to the new American Express building and the remainder of the site means that their redevelopment potential should not be ignored and could provide an important contributory role in securing the wider area regeneration objectives of this planning brief. Any potential future redevelopment of these buildings would be dependent on decisions made by the relevant



landowners. A number of land use scenarios are possible including the retention and/or replacement of the Police Station, County Court, Law Court as well as the introduction of new land uses such as offices, residential, ancillary retail, student accommodation, community uses etc. subject to planning policy compliance.

Given the proximity of the Police Headquarters building to Circus Street, any future redevelopment of this site would also need to be informed by emerging plans for the redevelopment of Circus Street Municipal Market as guided by the council's supplementary planning document SPD05.

Dorset Gardens Peace Park is a substantial open space which is currently underutilised. The park tends to attract small groups of street drinkers, with little in the way of wider usage being apparent. With regard to the area covered by this brief, access to the park is hampered by the presence of fast moving traffic on the dual carriageway of Edward Street, guard rails along the central reservation and a pedestrian crossing that does not relate well to the park entrance (which is some distance down Dorset Gardens). Nevertheless, the park clearly has the potential to better serve its current and future communities and has therefore been included within this brief.



Northern boundary of Dorset Gardens Peace Park from Edward St



Dorset Gardens Peace Park looking north towards American Express site

## 7. Planning history

Planning permission for American Express Edward Street was granted in 1972 with its construction following between 1972 and 1975. Featuring a landscaped plaza fronting Edward Street, later additions included a two storey extension on the western side of the building, close to John Street, in 1982.

Planning permission was granted in 2009 for the construction of a new building for American Express' European operations immediately to the north of their existing building. The planning permission (ref: BH2009/01477) was subject to a Section 106 agreement which included a requirement for the demolition of the existing American Express Edward Street building which is anticipated by 2016.

The smaller site of the former Thwaites garage on the corner of Mighell Street and Carlton Hill has been the subject of several planning applications. The most recent application was formally approved in September 2013 (ref: BH2012/04086). It comprises office space on the lower ground floor and part of ground floor and 9 flats arranged in a part 4 and part 5 storey block.

## 8. Vision and development principles

This brief's vision for the Edward Street Quarter is to create...

**...a dynamic first class business and residential district with a strong sense of place, distinguished by high quality townscape, architecture and public realm.**

In order to deliver this vision, development proposals should be guided by and reflect the following principles:

### General

- Provision of the overall floorspace levels and land uses set out in this brief.
- An overall aim for a zero carbon development or – where that cannot be achieved – carbon neutral development, in order to act as an exemplar for sustainable development within and beyond Brighton & Hove and assist the city's bid to achieve UNESCO Biosphere Reserve status.
- Buildings of high quality design, layout, scale and massing – combining to form a coherent, legible and accessible development cluster focussed around the new American Express building – and creating a true sense of place that integrates with and links the local neighbourhoods.
- Development which respects the character of heritage assets both within and in the vicinity of the site.
- Development appropriately phased so as to provide a viable and successful community at each stage of completion, with each subsequent phase enhancing and contributing to the creation of a coherent urban quarter that will integrate with and benefit the wider area.

### Connectivity and movement

- Consolidation and strengthening of public transport connections to the bus and rail network, through enhancement of routes to existing stations and bus stops on this prominent east/ west bus route.
- Improved cycle and pedestrian access – both to and within the development area – including improved connections to the Peace Gardens, St James's Street and the wider neighbourhood.

### Place making

- A high quality public realm, including a series of successful social spaces at the heart of the development area, as well as John Street, William Street and the Dorset Gardens Peace Gardens. Proposals must complement any future public realm improvements to St James's Street.
- Retail, commercial and other 'active frontage' uses at ground floor level to serve and assist the safety of the resident and working community and contribute to an attractive environment.
- Cultural and community activities within the development area through the provision of dedicated cultural/ community floorspace and through the creation of new public squares for leisure and recreation and for hosting events that will benefit the wider area.
- Introduction of a greening strategy to improve the environment of key pedestrian routes in the area, including Edward Street and John Street.

## 9. Land use and development quantum

The Edward Street Quarter is included as a strategic allocation within Policy DA5 of the Submission City Plan which entails the demolition of the former American Express Edward Street building and its replacement with:

- 15,000 – 20,000 sq m of high quality office floorspace; and
- 65 residential units.





It should be noted that the City Plan's definition of the Edward Street Quarter is not as wide-ranging as the area covered in this brief. As defined in Policy DA5, the area includes the American Express Edward Street building and Job Centre Plus but does not include the buildings on the west side of John Street and William Street (the Police HQ, Law Courts and County Court) that are identified as Phase 2 in this planning brief.

Various scenarios were capacity tested and a preferred development option has been identified that provides a level of development that is considered viable and appropriate within the context of the site's location and surrounding buildings (see Fig 3).



Fig 3: Indicative layout for illustrative purposes only

### Key

	B1 office floorspace (15,000-20,000 sq m)		65+ residential units
	Ancillary ground floor uses with active frontages e.g. retail, cafes etc.		Ancillary ground floor uses with active frontages and live-work residential above

The results of the capacity assessment have been used to propose appropriate indicative heights and massing of buildings, together with a possible mix of uses and quantum of



development likely to be acceptable if these sites were redeveloped as part of Phase 1 and Phase 2 of the Edward Street Quarter. Please note the caveats made earlier in this brief, namely that any potential redevelopment beyond the old American Express Edward Street building would be dependent on decisions made by the relevant landowners. These buildings have been included in the brief because of their undoubted development potential.

## 9.1 Employment floorspace

Based on the results of the capacity assessment of the site, the preferred development option proposes a Phase 1 target figure of approximately 21,000 sq m of employment floorspace, as part of a mixed use scheme. This is considered to be both viable and deliverable.

There is a growing demand in the city for modern but affordable office accommodation to meet the needs of local businesses and inward investors. Historically, office take-up in the city has comprised a large number of smaller office suites, with around 93% of transactions in 2010 involving buildings or office suites of less than 5,000 sq ft<sup>1</sup>. Future proposals for this site will need to reflect current demand for office accommodation by offering flexible floorplates which have the ability to be sub-divided to meet the requirements of both large and small businesses.

## 9.2 Housing

Although the adopted Brighton & Hove Local Plan does not allocate any of the American Express site for housing, the emerging Local Development Framework has for some years proposed a residential element as part of the site's redevelopment. An updated Strategic Housing Land Availability Assessment (2011) increased the number of residential units proposed for the site from 64 to 165. Work on assessing the capacity of the site in conjunction with other land uses would suggest that approximately 65 units would be more realistic within local townscape constraints. The precise number of units achievable would be dependent on the types and size of units proposed.

### Dwelling type and size

Proposals for new residential development should incorporate a mix of dwelling types and sizes that reflects and responds to Brighton & Hove's housing needs, in line with policy HO3 of the Local Plan and policy CP19 of the Submission City Plan. The need for more family housing and affordable housing is particularly important as evidenced by the council's recent report<sup>2</sup>. These should be provided as part of any future development proposals.

### Affordable housing

Policy HO2 of the Local Plan<sup>3</sup> requires proposals for 10 or more dwellings, to provide 40% affordable housing. Residential development proposals that incorporate less than 40% would need to demonstrate that the scheme would be unviable and thus undeliverable if it were to provide 40% housing units.

<sup>1</sup> Analysis of office market carried out by Cluttons, the council's Property Agents, in June 2011.

<sup>2</sup> "Implications of Demographic Change on Demand for Homes in Brighton & Hove" - Brighton & Hove City Council, 2012

<sup>3</sup> Different thresholds of affordable housing have been set by policy CP20 Affordable Housing in the Submission City Plan Part One, but 40% of affordable housing would apply to sites of 15 or more dwellings.

## Lifetime homes

All new housing development should be built to 'lifetime homes' standards in accordance with the requirements of policy HO13 of the Local Plan and CP12 of the Submission City Plan. Any new development should be fully accessible to all sections of the community, including people with disabilities. Five per cent of housing units should be built to wheelchair accessible standards, including 10% of affordable housing units.

Development proposals should also follow best practice in terms of the inclusive design principles as set out in the Lifetime Homes Design Guide (November 2011).

## Gardens and private amenity space

The provision of private amenity space will also be expected for all new residential units e.g. a garden, balcony or roof terrace, in accordance with policy HO5 of the Local Plan and policy CP14 Housing Density of the Submission City Plan.

### 9.3 Commercial/ retail uses

Ground floor uses with active frontages are encouraged, such as commercial uses, ancillary retail, cafes, restaurants etc. in locations which front public spaces. Such uses help to provide passive surveillance, increase public safety and promote vitality within the development area.

## 10. Heritage

The site lies to the east and close to the historic centre of Brighton in an area first developed in Regency and early Victorian times and adjoins three conservation areas (see Fig 4): East Cliff (to the south), Valley Gardens (to the west) and Carlton Hill (to the north east). The characteristics of these conservation areas are summarised in the following table.

East Cliff CA	Valley Gardens CA	Carlton Hill CA
Characterised by a mixture of stately homes that line the cliffs and tightly packed terraced houses in the side streets to the north of the seafront. The architecture is predominantly Regency in style, though not always strictly Regency in period, and most often the buildings are faced in smooth stucco render.	Characterised by different terraces or groups of buildings as well as several larger individual buildings, including a number of listed buildings on Grand Parade. What links and unifies these disparate elements is the 23 acres of (mainly) public gardens which runs the length of the Conservation Area from Park Crescent to the sea, forming a green valley.	Characterised by its topography on steeply sloping ground, surviving street pattern with flint boundary walls, historic open space and a cluster of distinctive historic buildings. It is much more domestic in scale and is based around the public open space of the Turner Park. It comprises a cluster of statutorily listed buildings dating from the first half of the 19 <sup>th</sup> century.

There are numerous listed buildings in the wider area. In the immediate vicinity are:

- 1-5 Tilbury Place;
- the Greek Orthodox Church on Carlton Hill;
- 34-35 Mighell Street (which is within the development area);



- 1 Dorset Gardens;
- Turner Park folly;
- Walls and railings to Dorset Gardens Peace Park; and
- 161 Edward Street.

In accordance with HE3 and HE6 (Local Plan) and CP15 (Submission Version of the City Plan), development proposals will not be permitted where they would have a negative impact on the setting of a listed building or conservation area, through factors such as siting, height, bulk, scale, materials, layout, design or use.

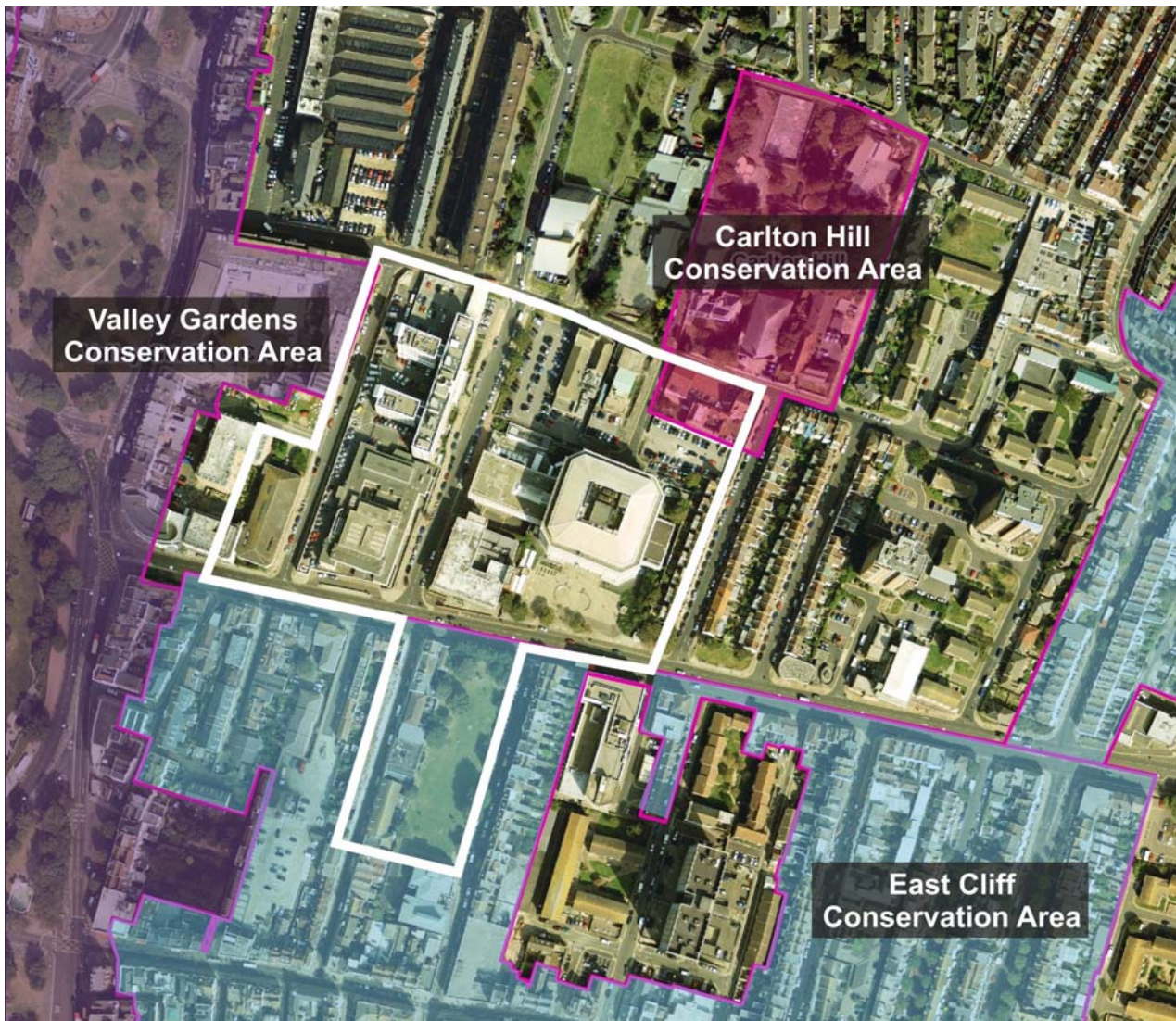


Fig 4: Conservation areas

A Heritage Statement will be a requirement of any future application. The Statement will need to be based upon a thorough review of the available evidence. Development proposals should have regard to the impact on the setting of conservation areas and listed buildings in the vicinity of the site. In this respect, the character statements for all three conservation areas as well as the Townscape, Built Heritage and Visual Assessment submitted with the American Express application (ref: BH2009/01477), will be useful background documents to inform the Environmental Impact Assessment. The height of proposed development to the immediate south of the former farmhouse listed building (34-35 Mighell Street) is likely to be a key consideration for this very sensitive



part of the site.

The fence on the southern boundary of Carlton Hill Primary school should be replaced with a flint wall. This would complete the landscaping works which have been undertaken to Carlton Hill as part of the planning permission for the new American Express building.

## 11. Scale, massing and building heights

The results of the capacity assessment, have established some clear parameters in terms of acceptable building heights, scale and massing. These are illustrated indicatively in Fig 5.

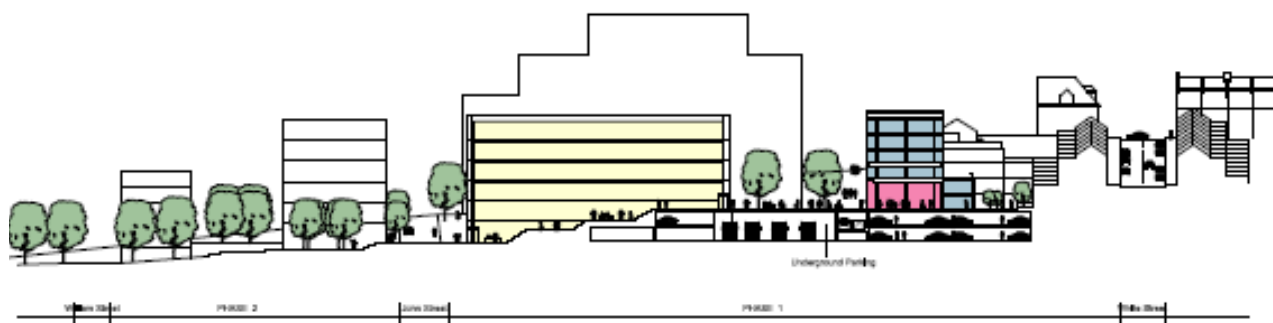


Fig 5: Scale, massing and building heights – indicative illustration

The upper limit for buildings fronting John Street is generally considered to be seven storeys, although developers must take into consideration the more domestic scale of development to the north of Carlton Hill/ Kingswood Street in the design of their proposals. The exact height of proposed development will need to take account of the relationship with adjoining buildings, the topography of the area and the setting of listed buildings and conservation areas. This could allow for a variation in the height of elements of future development proposed in John Street. In stark contrast White Street, on the eastern boundary of the site, is almost entirely residential in character comprising of two storey terraced housing. Development proposals will therefore need to be lower in height and demonstrate that there will be no adverse impact on the residential amenity of existing occupiers.

Development proposals should also be assessed in terms of their visual impact on the wider historic environment and the local context. There are a number of key strategic views which should be taken into account by developers in their proposals for the site. These include views from:

- Whitehawk Hill
- Hollingbury Hill
- Brighton Pier (formerly Palace Pier)
- Pavilion Gardens

In these views the overall height, form, and silhouette of the development are important planning considerations as required by Policy QD4 (Local Plan) and Policy CP12 Urban Design (Submission City Plan). In submitting proposals for this sensitive context, developers should ensure that their assessment of visual impact is consistent with the approach adopted in the Townscape, Built Heritage and Visual Assessment submitted by American Express as part of their planning application (BH2009/01477). These viewpoints have been approved by the council's Heritage team.

## 12. Amenity issues and construction

### Amenity, air pollution and noise

In accordance with policy QD27 of the Local Plan, planning permission for any development or change of use within the development area will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and / or adjacent users, residents, occupiers or where it is liable to be detrimental to human health. Additionally, all proposed developments that have the potential to cause pollution and/ or noise nuisance, will be required to incorporate measures to minimise their impact, in line with policies SU9 and SU10 of the Local Plan. Specific attention should be paid to the impact on amenity of any proposed development in the east of the development area, in order to cause minimum disturbance to the residents of White Street.

All major planning applications will need to be accompanied by an Environmental Impact Assessment, incorporating daylight/ sunlight, air pollution and noise impact assessments where necessary. If developments are likely to cause significant impact on local amenity, planning conditions will be imposed and/ or a planning obligation sought in order to specify and secure acceptable air quality levels, noise limits, hours of operation and attenuation measures. Developers should give careful consideration and justification to the design of loading/ unloading facilities and rubbish/ waste storage to limit noise, odour and visual impacts upon adjacent residents and businesses.

### Construction

Construction activity within the development area will inevitably span over many years and unless controlled could give rise to adverse environmental effects such as noise, air quality and problems on the local highway network. Those potentially affected could include residents, businesses and visitors as well as people living in close proximity to the site. In order to minimise such impacts, it is essential that a co-ordinated approach is taken to construction activities. Further guidance on these issues is given in SPD03 Construction & Demolition Waste which provides useful advice on how to reduce, re-use and recycle construction and demolition waste.

Any redevelopment of the site will require a site waste management plan (SWMP) to be submitted to the council. In the case of the demolition of buildings within the development area, the council will be seeking the re-use as much as possible of the chalk, concrete and steel in any new development.

## 13. Transport

### Sustainable transport

Improvements to sustainable transport in the wider area are key to realising the development potential and aspirations of this brief. The development area is situated to the north of Edward Street which links directly to Grand Parade, where the A23 from London, A270 from Lewes and A259 coast roads all converge. Edward Street forms part of a 'sustainable transport corridor' as defined in policy TR 4 of the Local Plan and is well served by local bus services into the city which run every 10 minutes throughout the working day.

## Improved bus provision

The Eastern Road/ Edward Street corridor is identified in the emerging City Plan as the focus for long term development and regeneration in the city and represents a significant hub for business and labour markets. This is evidenced by:

- the recently completed American Express building (33,860 sq m) which employs approximately 3,000 people;
- the proposed redevelopment of the Royal Sussex County Hospital (known as the 3T's) which, if the government secures the necessary funding, will entail public realm improvements as part of the planning consent and a new build of approximately 72,000 sq m, leading to a net increase of 54,000 sq m at the site.

Traffic growth of 29% is forecast to occur in the AM peak period between 2011 and 2022, with 27% growth in the PM peak period as a result of both of these developments. If the existing bus infrastructure is not improved, this is likely to lead to increased demand and substantial delay to bus services.

In recognition of this, a council bid for funding under the Department for Transport 's (DfT) Better Bus Area (BBA) Programme and has been awarded £3.48M to secure improvements in bus provision and infrastructure along the Eastern Road/ Edward Street corridor. A number of options are currently being explored by the council including:

- introducing dedicated bus and cycle lanes; and
- improving the carriageway and bus stops.

Any development proposals should support and enhance the use of public transport through channelling investment towards any aspects of bus provision and infrastructure which are unable to benefit from BBA funding. This will require close liaison with the Transport Planning Team to ensure that development proposals do not duplicate planned or existing provision and provide genuine added value.

Given the quantum of development proposed for the Edward Street Quarter, it may be desirable in the future for a two way bus service to run along Edward Street. However, the realisation of such an aspiration is entirely dependent on the commercial decisions taken by Brighton & Hove Bus and Coach Company – a private company which operates independently of the city council.

## Cycle routes and infrastructure

Cycling should be strongly encouraged in accordance with Local Plan policy TR13 (Cycle network) and Submission City Plan policy CP9 Sustainable Transport which set out the requirements for development proposals and specifically reference cycle routes in the Edward Street/ Eastern Road area.

Cycle infrastructure in the vicinity of the development area is extremely poor, with a number of accidents involving cyclists being reported along the Edward Street corridor. While funding under the BBA Programme is likely to be channelled into improving infrastructure along this east/ west corridor, there is a need for future development proposals to improve cycle routes and infrastructure beyond the corridor. In particular, the council would welcome proposals that created safe cycle routes to the south of Edward Street, providing vital connections to St James's Street and the seafront. These could take the form of cycle contra-flows to expedite safe cycle passage in areas typified



by narrow streets e.g. Dorset Street. This has been successfully trialled in the North Laine area of the city. Development proposals should also include safe cycle routes along Mighell Street (following its reinstatement) and John Street, the latter is currently used as a short cut by drivers seeking to avoid the traffic lights at the junction of Edward Street with Pavilion Parade.

### **Car and cycle parking standards**

The locality benefits from good sustainable transport linkages. Funding from the Sustainable Transport Fund and BBA Programme has been secured by the council to provide a series of improvements along the Eastern Road/ Edward Street corridor between 2011-2014, to encourage and provide further modal shifts away from the car to more sustainable forms of transport. Parking levels should therefore be kept low across the development area, although it is recognised that some car parking provision will be necessary. The full standard for parking for disabled drivers should be met on site. Cycle parking and facilities such as secure cycle storage, showers and changing rooms will be required as set out in the parking standards in Brighton & Hove Local Plan Policy TR12 (Cycle access and parking). Further guidance on the accessibility of the site to public transport and parking guidance and standards for development are set out in Chapter 1 of the Brighton & Hove Local Plan and in SPG Note 4, 'Parking Standards'.

Any future planning applications will need to be accompanied by a Transport Assessment to identify the likely effects of the demand they create and include measures to mitigate their impacts by reducing car use. Travel Plans will be an important element in the granting of planning permission, including ensuring that any future development does not unacceptably increase parking pressures in the local area.

### **Car club**

Car clubs have evolved to provide greater choice of transport options to people that require access to a car for some journeys. Whilst the brief seeks to reduce reliance on the private car, the establishment of a car club in the development area would provide a practical option when the use of public transport may not be appropriate, possible or desirable.

Developers should explore the feasibility of incorporating a car club as part of their proposals for the development area. Operators can advise on the necessary provision, including:

- availability of parking;
- proximity to local facilities within walking distance;
- an assessment of the characteristics of the community; and
- an appraisal of likely number of cars required.

## **14. Public realm**

A coordinated public realm can help to create an identity for a place, encourage pedestrian movement, provide a foil to visually connect disparate buildings and create an impression of a safe and cared for environment. The public realm that currently characterises the locality fails to achieve many of the aspirations for good design set down in national and local policy guidance<sup>4</sup> and provides a poor quality environment.

---

<sup>4</sup> NPPF, QD1 (Local Plan) and CP13 (Submission City Plan)



Eastern corner of White Street



Job Centre fronting Edward Street

It is therefore essential that any new development addresses this negative image by providing an attractive pedestrian environment, creating active frontages and improving legibility as set out in this brief. Further advice on public realm is provided in the council's Legibility Study<sup>5</sup> and Streetscape Design Guidelines<sup>6</sup> which provide comprehensive design guidance for achieving high quality public spaces.

### Safe pedestrian environment

Carlton Hill, John Street and William Street are currently used as rat runs by vehicles trying to avoid the signalised junction at the western end of Edward Street. The creation of a safe pedestrian environment throughout the development area is therefore a priority. Traffic calming together with pedestrian priority measures should be integrated within future development proposals, especially in areas of high risk to pedestrians such as outside Carlton Hill Primary School. Developers should consider using planting and soft landscaping as a means of achieving this.

### Improving connectivity

Future development proposals for the site should connect Mighell Street to Edward Street. This would create a direct north-south pedestrian route through the site, reflecting the connection that existed in the past, prior to the development of the 1970 American Express Edward Street building. Other significant benefits would include:

- improving the approach to and from Tilbury Place;
- improving Mighell Street frontages and its function; and
- increasing footfall through the site.

All of these benefits are central to creating a permeable, legible and pleasant public realm within the heart of the development area.

### Public square

The importance of creating social spaces for people to meet, sit and socialise, cannot be underestimated. Since the aspiration of the brief is “to create a dynamic commercial district which is attractive as a first class business and residential destination”, this will need to be supported by public spaces which not only attract sufficient footfall to ensure

<sup>5</sup> “Legibility Study - Public Space: Public Life” (BHCC, 2007)

<sup>6</sup> “Streetscape Design Guidelines” (BHCC, 2010)

commercial success but also provide a pleasant amenity space for workers, residents and visitors to enjoy during their leisure time.

With the reinstatement of Mighell Street, there is an opportunity to create a public square in the heart of the commercial/ residential district somewhere along this important north-south pedestrian route.



Jubilee Square, Brighton – an example of public space defined by buildings with active frontages at ground floor level.

### **Dorset Gardens Peace Park**

This public open space, to the immediate south of Edward Street, is currently under-utilised for a number of reasons. There is little in the space to attract potential users and it is difficult to access from residential areas to the north, due to the barrier to pedestrian movement created by Edward Street and the park's northern boundary flint wall.

Development proposals should provide for:

- improvements to the existing pedestrian/ cycle crossing in front of the Job Centre;
- investigating the potential for a park entrance to be created on the northern listed flint wall boundary of the park, subject to Heritage considerations;
- improvements within the Peace Gardens to make it a people-friendly space that will provide for a wide variety of informal leisure needs with respect to the area's peaceful character.

The council has expertise in place-making projects and can provide guidance and advice in this respect.



A view of Dorset Gardens Peace Park looking south



Source: Public Life Public Space, BHCC 2007 (illustrative only)



Any changes affecting the gardens will require liaison with the council's Heritage team to ensure changes are sympathetically designed, preserve and enhance the setting of the listed wall and railings and meet the requirements of East Cliff Conservation Area Study and Enhancement Plan.

### **Tarner Park**

This park, to the north of the development area, is tucked behind Tilbury Place and has recently benefited from some improvements to its play facilities, as well as the establishment of a new Children's Centre with After School Club in the form of a portacabin. However, there is scope for improvements to the existing park which could be financed through developer contributions, if proposals are deficient in open space and need to incorporate mitigation measures. Priority measures to improve the park include:

- creating a viewing area with railings for the newly installed camera obscura at the top of the listed folly in the park;
- repairs and maintenance of the folly's parapets; and
- improving the gardens in the immediate vicinity of the folly.

Any changes affecting the gardens will require liaison with the council's Heritage team to ensure changes are sympathetically designed, preserve and enhance the setting of the listed folly and meet the requirements of Carlton Hill Conservation Area Character Statement.



Listed folly in Tarner Park

### **Greening of the development area**

The main pedestrian and vehicular access to the Edward Street Quarter is via Edward Street, John Street, William Street, Carlton Hill and White Street. Edward Street, William Street and John Street, in particular, are areas that suffer from poor quality townscape and public realm. These streets are characterised by drab concrete pavements, are devoid of greenery and distinctly lacking in quality street furniture. Such a harsh environment does nothing to attract investment into the development area or to provide an attractive environment for local residents and workers in which to relax.

Developers should work with the council in examining enhancements to the highway, pavements and physical appearance of the area, including greening initiatives, public art and public transport improvements. The creation of “green corridors” will be sought (including shared space where appropriate), through appropriate planting and landscaping to facilitate improvements in pedestrian movement along Edward Street, Carlton Hill, William Street, John Street and to the seafront (see Fig 6). In particular, developers should integrate green/ living walls within the design of buildings flanking Edward Street and John Street in order to improve visual amenity and to reduce the effects of pollution and traffic noise from Edward Street.



Source: Examples of green and living walls from the internet<sup>7</sup>

### **Biodiversity measures in the development area**

Developers are encouraged to build in biodiversity measures into the design of development in line with the council’s One Planet Living aspirations, guidance contained in paragraph 118 of the NPPF and the council’s SPD 11 Nature Conservation and Development. The benefits provided by nature conservation features to local residents and people working in the area are wide ranging. They include valuable ‘ecosystem services’, such as mitigating the damaging affects of air pollution and climate change, as well as aesthetic and amenity benefits. For example, installing green roofs helps to reduce summer temperatures in urban areas, slows storm water runoff and can lower energy consumption. The inclusion of biodiversity measures will also enable developers to meet the council’s aim for high ecology ratings under the Code for Sustainable Homes

<sup>7</sup> These are sample images to illustrate the council’s aspirations for the development area. Permission will be sought to use these images, or ones similar to them, in the final version of the brief.



(or equivalent nationally recognised and certified standard) and also to address corporate social responsibility issues.

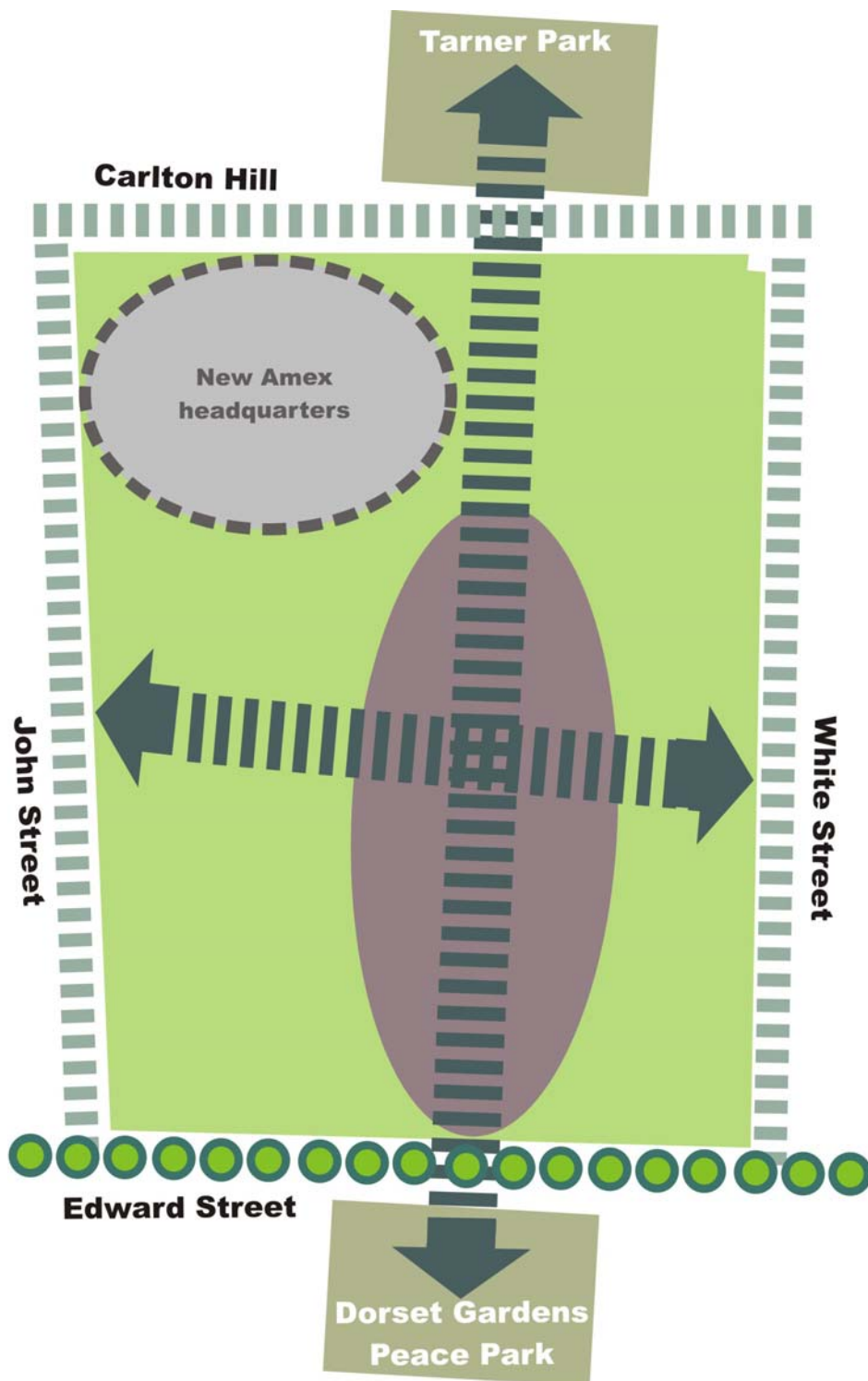


Fig 6: Greening strategy

**Key**

- |   |  |   |   |
|---|--|---|---|
|  | Zone for public space                        |  | Links to existing green spaces and green corridor |
|  | Creation of a green corridor                 |  | Priority area for soft landscaping and planting   |
|  | Prime area for green roofs and amenity space |   |   |



## 15. Community infrastructure and facilities

Higher density development and a broad mix of land uses, as proposed in this planning brief, have the potential to reduce the demand for travel and provide for other benefits in sustainable urban living. However any such development is likely to result in increased pressure on existing services and infrastructure. The quality of the social infrastructure – the schools, health centres, sports centres, community halls and so on – will be vitally important in strengthening local communities both within and in close proximity to the development area such as residents of the Kingswood and Milner housing estate, White Street and Carlton Hill.

The need for community facilities arising from the development and its impact on the wider area will need to be met by developers, either through the direct provision of community buildings/ facilities within the development area or through financial contributions directed towards existing community organisations in the vicinity of the site. Similarly, depending on the impact of proposed development on existing health and education services, financial contributions may also be sought to improve existing health facilities and/ or expand the number of school places. It is desirable that developers carry out a rapid community profile and/ or health impact assessment in support of major planning applications proposed within the development area. In recognition of the cumulative impact of the amount of residential development proposed in relation to Circus Street, Thwaites Garage and this brief, there may be scope for some direct provision of education and/ or health facilities within the development area, subject to viability considerations.

## 16. Sustainability

All development proposals will be required to incorporate sustainable design features to help deliver the principles of the council's One Planet approach, radical reductions in greenhouse gas emissions, particularly CO<sub>2</sub> emissions, and to mitigate against and adapt to climate change. Local Plan policies SU2 and SU13 and CP8 of the Submission City Plan Part One promote efficiency of development in the use of energy, water, materials and the sustainable management of waste. Supplementary Planning Document 08: Sustainable Building Design and its associated checklist outline the minimum standards in relation to sustainable design which will be expected on the site. These refer to standards around energy and carbon dioxide emissions, water use, use of materials and building benchmark standards. The following performance benchmarks are expected to be practical and achievable. There is emerging national evidence which would suggest that achieving these standards in sustainability increases the profitability of private sales.

### Code for Sustainable Homes

All new build residential units, including those within mixed-use developments, are expected to emit no annual net carbon dioxide from energy use, be designed to Lifetime Home Standards and achieve a minimum rating of Level 4 of the Code for Sustainable Homes (CSH) or equivalent nationally recognised and certified standard.

### BREEAM ratings

All non-residential developments are expected to score at least 60% in the energy and water sections of the relevant BREEAM assessment within a minimum overall rating of 'Excellent' or equivalent nationally recognised and certified standard.

## Sustainability checklist

All developers will be required to submit a completed Brighton & Hove Sustainability Checklist with the planning application and/or a sustainability statement. In the case of outline applications, a condition will be attached requiring these at reserved matters stage i.e. when the details of the planning application are being considered, and a Section 106 agreement will provide for any mitigation measures.

## Energy efficiency and carbon dioxide emissions

Energy use can most easily be minimised where the design approach includes energy efficiency as a guiding principle at the outset of the design process. Development should follow the approach '*Be Lean. Be Clean. Be Green*': using less energy, supplying energy efficiency and prioritising decentralised energy generation; and using renewable energy. This means incorporating the highest possible levels of insulation and airtightness and applying passive design solutions to maximise passive heating, cooling, lighting and ventilation. All developments are expected to exceed Part L Building Regulations, and residential development should aspire towards zero carbon status i.e. emitting no net annual carbon dioxide emissions from energy use.

## District heating and Energy Services Companies

Edward Street and Eastern Road areas are identified within the *Brighton & Hove Renewable and Sustainable Energy Study* as having significant potential for District Heating (Chapter 7, BHCC/AECOM, 2013).

District heating scheme: Definition	Benefits
<p>A district heating scheme comprises a network of insulated pipes used to deliver heat in the form of hot water, from the point of generation to an end user. Networks can be both lower carbon and cheaper for consumers than a building-level solution.</p> <p>A heat network enables valuable energy often wasted in power generation to be harnessed and delivered to a point of use. This removes the need for additional energy to be generated and allows for economies of scale. The generation of heat in large plant can be more efficient than production in multiple smaller boilers, resulting in energy, cost and carbon savings. Heat networks can be extended by adding more providers of heat, or 'heat sources', along the way.</p>	<ul style="list-style-type: none"> <li>• Allowing a broad range of energy generation technologies to work together to meet demand for heat and enabling fuel flexibility;</li> <li>• helping to efficiently manage supply and demand of energy thus lowering costs;</li> <li>• dramatically increasing fuel efficiency through use of Combined Heat and Power (CHP);</li> <li>• reducing labour and maintenance cost compared to individual systems;</li> <li>• reducing CO2 emissions;</li> <li>• improving security of supply; and</li> <li>• extending the reach of renewables.</li> </ul>

The study identified clusters of heat demand in fourteen areas in the city where conditions support heat network development (see Fig 7 and Fig 8). Potential was assessed based on: total heat demand; heat density; presence of key anchor loads; building energy profiles; proximity to key opportunities and constraints; development sites and potential for expansion; other benefits; and financial and practical viability.

Within the long list of fourteen heat clusters, the Edward Street area is shortlisted as one of three having greatest potential in the city. Nearby Eastern Road cluster was also shortlisted. The proximity of these two areas presents even stronger opportunities for a larger decentralised heat network in future.

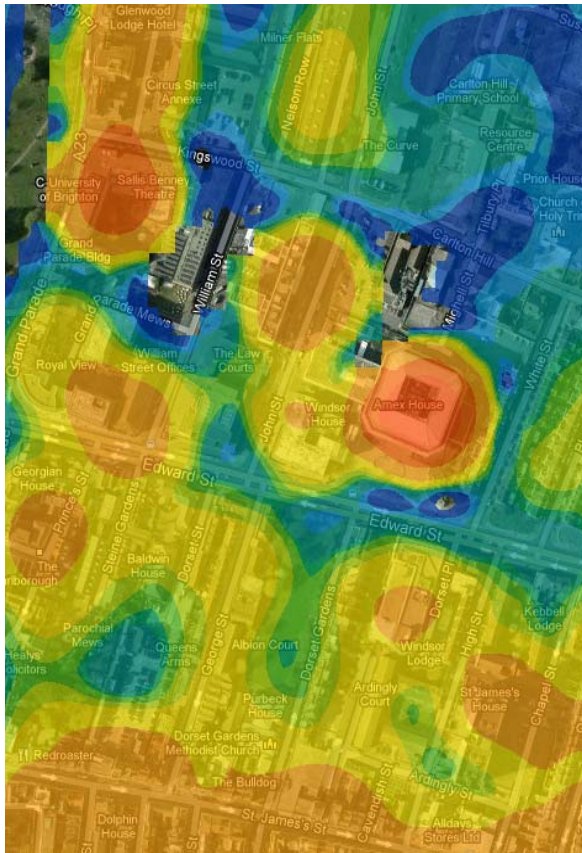


Fig 7: Heat Map of Edward Street area (Brighton & Hove Renewable and Sustainable Energy Study, BHCC/ AECOM 2012, p85)



Fig 8: Edward St Illustrative Potential Network Layout (Brighton & Hove Renewable and Sustainable Energy Study, BHCC/ AECOM 2012, Fig 25, page 134)

Development proposals will be expected to incorporate infrastructure to support the establishment of heat networks with potential for future connection, subject to viability considerations. Developers should explore the feasibility of integrating:

- district heat and power systems;
- retrofitting supply to existing buildings both within or just outside of the development area boundary; and
- setting up ESCOs to supply heat and power within the development area and beyond. This should be undertaken with reference to any existing or proposed energy infrastructure for the site.



Energy Service Company: Definition	Benefits
<p>Energy Service Companies (ESCOs) have different models of operation, but all usually develop low carbon solutions for local energy generation by designing, building, financing, operating and maintaining energy generating plant, and through managing energy services. Solutions are usually based on combined heat and power generation (e.g. district heating) and/or renewable energy technologies.</p> <p>ESCOs can work at varying levels, from housing and mixed-use blocks, or to wider development areas, with the potential to retrofit district heating to supply existing development in areas of the city.</p>	<ul style="list-style-type: none"> <li>• To benefit tenants and owners by offering lower electricity and heating bills as part of a low carbon option;</li> <li>• to improve social cohesion by reducing fuel poverty; and</li> <li>• to lower dependence on national and/ or regional energy sources that can be susceptible to volatile pricing and long-term availability and involve transmission losses.</li> </ul>

Examples of successful ESCOs include:

- Southampton District Energy Scheme (Southampton Geothermal Heating Co Ltd);
- London Borough of Tower Hamlets (Barkantine Heat and Power);
- Aberdeen Heat and Power; and
- Nottingham, Renewable Nottinghamshire Utilities Ltd.

It is also important for developers to consider impacts on air quality. Multi Utility Service Companies (MUSCOs) are currently a theoretical model, which could innovate to supply services such as water, waste and telecommunications in addition to heat and/ or power. Exploration of this kind of innovation in the development area - aiming to maximise sustainable supply and financial benefit to tenants and residents - would be welcomed.

## Food growing and development

Great success has been achieved in Brighton & Hove delivering food growing as part of development. This is encouraged in local planning advice note PAN06 Food Growing and Development, in recognition of the significant role the food system plays in delivering sustainable development.

Growing food in urban settings offers multiple benefits. These include: community cohesion; the potential to enhance biodiversity; health benefits associated with outdoor activity and consumption of fresh fruit and vegetables; improving life skills; making productive use of land; climate mitigation through greening buildings and urban environments; reducing urban heat island effect through green infrastructure provision; improving air quality; reducing threat of surface flooding from rain run off by providing permeable surfaces; and reducing the negative impacts of the food system by increasing the availability of fresh local produce. Living walls and roofs also improve the performance of buildings reducing energy use and carbon emissions.

Food can be grown in a number of different locations and circumstances: rooftops; balconies; walls; internal atriums and courtyards; external landscaping and integrating ornamental with edible planting; and raised beds. Wherever there are planting schemes,

these could involve edible, rather than non productive planting, such as fruit trees and herbs.

Future proposals for the development area should explore the feasibility of providing:

- edible planting as part of any planting and landscaping schemes;
- facilities for communal food garden/ allotments;
- facilities for residents, building users and visitors to encourage involvement in community food growing projects.



One Brighton, New England Quarter, Brighton.  
Raised bed allotments on the 6<sup>th</sup> floor roof garden, a social hub for residents. Plots are over subscribed.



The 'London Road Station Partnership' cultivating on two small plots ornamental and edible plants in raised beds and a mini orchard.

## 17. Phasing of development

Phase 1a	American Express Edward Street redevelopment
Phase 1b	Job Centre Plus redevelopment
Phase 2a	Police Station
Phase 2b	Law Court and County Court

The above phasing plan is indicative (see Fig 2) and based on the following considerations:

- The Section 106 legal requirement associated with the new American Express building requires American Express Edward Street to be demolished by 2016. This provides the necessity for this parcel of land to be redeveloped as an early phase in the realisation of the brief, in order to provide a high quality environment around the new American Express building. Temporary use of the former HQ building is considered desirable until its demolition.
- The future redevelopment of the Job Centre Plus building is less certain as it lies under a separate land ownership. However, its redevelopment is highly desirable in respect of meeting the objectives of this brief. It is also anticipated that the aspirations of the brief and the redevelopment of the American Express Edward Street building may provide a catalyst for the redevelopment of this particular land parcel.
- There is currently no known aspiration by Crown Properties to redevelop the Magistrates Court. It is therefore likely that this building will remain in situ for its established purpose for many years to come. Should its redevelopment become a

future possibility, this brief sets out the parameters relating to townscape and other planning issues to help guide future development on the site.

## **18. Infrastructure and Planning Obligations**

The council is currently considering whether to adopt a Community Infrastructure Levy (CIL) in respect of planning applications. The scope of what a CIL would cover is one of the issues under consideration.

If CIL is further progressed it will be spent on city wide infrastructure priorities published in a Regulation 123 list. After adoption of CIL any relevant development including any liable permitted development will be subject to the levy, unless planning permission was granted before adoption of the CIL charging schedules.

Whatever the outcome of current deliberations, major development proposals will continue to be subject to a Section 106 Agreement to provide for or contribute towards works and community infrastructure measures that are necessary and are required by that development (and not covered by a CIL should one be adopted). When such contributions are sought, there will be a requirement to ensure provision is in place and on time to serve development in accordance with the phasing plan. As the objective is to aim for a zero carbon development, there is likely to be a particular need for planning obligations to provide for sustainable transport solutions, as appropriate to the scale of the development proposed.

The likely areas where contributions may be sought include:

- Recreation, play space and sports provision;
- Affordable business accommodation;
- Affordable housing;
- Public realm, environmental improvements & legibility;
- Air quality management;
- Arts and creative industries;
- Community safety measures and maintenance;
- Education provision;
- Employment, commercial space retention;
- Employment training programmes;
- Sustainable transport and highway improvements for all road users;
- Other community needs, including engagement, support and community building retention or replacement;
- Phasing Plan;
- Project management monitoring contribution;
- Sustainability and biodiversity;
- Public art; and
- Utilities.



