

Brighton & Hove City Council

Authority Monitoring Report 2021/22

**Introduction and
Local Development Scheme**

Contents

1.	Introduction	2
2.	Local Development Plan	3
3.	Duty to Co-operate	4
4.	Neighbourhood Planning	6
5.	Supplementary Planning Documents	8
6.	Saving Policies	9
7.	Implementing the Statement of Community Involvement	9
8.	Community Infrastructure Levy	9

1. Introduction

This Authority Monitoring Report (AMR) 2021/22 meets the requirement of Section 35 of the Planning and Compulsory Purchase Act 2004 and Localism Act 2011 amendments, to prepare a report, at least annually, which sets out progress on the implementation of the Local Development Scheme (LDS) and the extent to which the policies set out in the local development documents are being achieved. This report covers the most recent 'monitoring year' from 1st April 2021 to 31st March 2022.

The report assesses progress in the preparation of the Development Plan Documents (DPDs) and assesses policy performance through indicators designed to monitor the performance of documents through the sustainability appraisal process. The AMR includes indicators from Annex 1 (Implementation & Monitoring) of the City Plan Part One¹, the Sustainability Appraisal of the City Plan Part Two² and Supplementary Planning Documents (SPDs). In addition, indicators relating to the remaining retained policies from the Local Plan, adopted 21st July 2005 are also included.

The data has primarily been compiled from the annual monitoring undertaken by the Planning Policy Team. The team monitors all residential, commercial, and industrial permissions for each monitoring year. Site visits are carried out on an annual basis to assess the progress of development on each site with planning approval. Other areas monitored by the team include appeals, housing land, retail, and sustainability. Further data is gathered from other sources within the council.

Data from these indicators are included in the text of the report, where necessary, and all are summarised in the Appendices. The report also contains additional information, where it helps to describe progress of development in the city. Measurement against the Council's policies helps to inform whether current policies are effective or need revision or comprehensive review. Findings will inform the Council's work priorities.

Brighton & Hove City Council is a Waste and Minerals Planning Authority and produces waste and minerals plans jointly with East Sussex County Council (ESCC) and the South Downs National Park Authority (SDNPA). Further data regarding waste and minerals can be found on the 'East Sussex Minerals and Waste Authority Monitoring Reports' page of the ESCC website³.

¹ [Brighton & Hove City Plan Part One, Brighton & Hove City Council \(March 2016\)](#)

² [City Plan Part Two Sustainability Appraisal](#)

³ [East Sussex waste and minerals monitoring reports](#)

2. Local Development Plan

This section reports on progress against the timetable for the preparation of documents set out in the Brighton & Hove Local Development Scheme (LDS)⁴. The LDS sets out a three-year timetable for the production of Development Plan Documents by the Council, with the most recent version covering the period 2022-25 approved on 10 March 2022.

The LDS identifies the main Development Plan Documents to be prepared over a three-year period including their spatial coverage, purpose, and status. It also sets out the status of supplementary planning guidance and other planning documents.

Updating the Programme

Table 1: Completed Local Development Plan Documents⁵

The following documents were approved/adopted during 2021/22	
Local Development Plan Documents	Date
East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan Revised Policies	Approved for submission to Secretary of State in September 2021.
Eastern Seafront Masterplan SPD – early, focused ‘vision, issues, and options stakeholder consultation	Late 2021 – Early 2022
Background Documents	
Affordable Housing Brief Update	January 2022
Annual Monitoring Report 2020/21	February 2022
SHLAA Update 2021	March 2022
Public Art Planning Advisory Note (PAN) and technical guidance	March 2022
The following documents have been approved/adopted since April 2022	
Local Development Documents	
Biodiversity and Nature Conservation SPD	June 2022
City Plan Part Two	October 2022

⁴ www.brighton-hove.gov.uk/content/planning/planning-policy/local-development-scheme

⁵ <https://www.brighton-hove.gov.uk/content/planning/planning-policy/development-plans>

Table 2: Local Development Scheme Progress 2021/22

DPD Document	Consulting on the Scope of the Sustainability Appraisal	Publication of the DPD	Submission to the Secretary of State	Estimated date for Adoption
City Plan Part 2	Completed	Completed	Completed	Adopted October 2022
Waste and Minerals Local Plan Review	Completed	Late 2021	May 2022	Spring 2023

3. Duty to Co-operate

At present, the 2011 Localism Act, and the National Planning Policy Framework (NPPF)⁶ still place a duty on local planning authorities and other prescribed bodies to cooperate with each other to address strategic planning issues relevant to their areas⁷.

To date, the City Council has been engaging on an ongoing and collaborative basis with its neighbouring planning authorities and other bodies to address relevant strategic planning issues and comply with the Duty. Key areas of engagement are summarised briefly below.

City Plan

Most cross-boundary strategic planning issues affecting the city were addressed through the preparation and examination of the adopted City Plan Part 1.

Two outstanding strategic issues were addressed through the City Plan Part 2:

1. The provision to be made for gypsy and traveller accommodation as required by CPP1 Policy CP22 as set out in City Plan Part 2 (as set out in City Plan Part 2 evidence document SD10, paragraphs 3.9-3.19); and
2. Consideration of cross-border issues of the Ashdown Forest SAC (as set out at City Plan Part 2 evidence document SD10 paragraphs 3.20-3.26).

The City Plan Part 2 examiner was satisfied that all the requirements regarding the Duty to Cooperate had been met⁸.

The Council is a member of the West Sussex & Greater Brighton (WS&GB) Strategic Planning Board (SPB). The constituent authorities have prepared a Local Strategic Statement (LSS) which sets out long term Strategic Objectives and Spatial Priorities for delivering these in the short to medium term.

⁶ NPPF July 2021, paragraphs 24-27

⁷ Provisions with the Levelling Up and Regeneration Bill propose that the Duty to Cooperate will be deleted.

⁸ [City Plan Part 2 Inspector's Report](#)

The LSS was last updated in 2015. The WS&GB authorities recognise that a full review of the LSS would be required to address the longer-term strategic planning issues facing the area, in particular the continuing gap between housing needs and housing delivery, and the continuing challenges around supporting sustainable economic growth and infrastructure investment. The SPB has therefore discussed the preparation of a new Local Strategic Statement (to be known as LSS3) which would explore options for meeting the area's unmet needs for housing, employment and infrastructure.

As a first step towards a new LSS3, constituent authorities have worked towards the preparation of a Statement of Common Ground (SOCG). The SOCG will highlight the current extent of unmet development needs across the sub-region and will outline a potential programme and timetable of work to explore options to address unmet development and infrastructure needs.

Shoreham Harbour

Brighton & Hove City Council, Adur & Worthing Councils, West Sussex County Council, the Environment Agency, and Shoreham Port Authority, adopted a Joint Area Action Plan for the Shoreham Harbour area in October 2019.

Waste & Minerals

Brighton & Hove City Council is a Waste and Minerals Planning Authority and works jointly with East Sussex County Council and the South Downs National Park Authority on waste and minerals planning policy matters. The Waste & Minerals Local Plan (WMLP) comprises the Waste & Minerals Plan (adopted 2013) and Waste and Minerals Sites Plan (adopted 2017).

A targeted review of some policies in the WMLP, primarily focussing on the issue of aggregate supply, is at a late stage and on 13 May 2022, the 'East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan – Revised Policies Document (RPD) was submitted to the Secretary of State. The Examination of the RPD is ongoing, with public hearing sessions having taken place in November 2022. Adoption of the revised policies is expected in Spring 2023.

Following the conclusion of this process, the three Authorities have agreed to progress a full review of the WMLP with substantive work expected to start later in 2023.

Brighton & Hove City Council is a member of the South East Waste Planning Advisory Group, a forum for all south-east WPAs to work jointly to address cross-boundary waste planning issues.

The council is also a member of the South East England Aggregates Working Party (SEEAWP), which brings together representatives from the minerals industry and the mineral planning authorities of the south east to monitor the supply and demand for aggregate, including assessing the potential for supply of secondary and recycled materials, and reserves (land bank) of primary aggregate. SEEAWP normally meets three times a year and the Secretary of the Working Party is funded through a grant from the Ministry for Housing, Communities and Local Government (MHCLG).

A review of the WMLP is now underway and cross-boundary working is ongoing with several authorities to address strategic waste and minerals issues. A consultation on the Proposed Submission versions of the revised policies is taking place until 6 January 2022.

4. Neighbourhood Planning

Neighbourhood planning⁹; was introduced by the Localism Act 2011 and came into force in April 2012. Neighbourhood plans allow communities to create a vision and planning policies for the use and development of land in their area. They can be prepared by a parish council or (in unparished areas) by a designated neighbourhood forum.

The council has a duty to support neighbourhood planning and is expected to undertake the following responsibilities within meeting specified time periods and requirements set out in the Regulations:

- Consider applications for the designation of a neighbourhood area made by a parish council or body, capable of being a neighbourhood forum
- Consider applications made by local groups to become the recognised neighbourhood forum for a designated area
- Provide advice or assistance to a parish council, neighbourhood forum or community organisation that is producing a neighbourhood plan or Order
- Publish neighbourhood plans and Orders prepared by neighbourhood groups for pre-submission consultation and submit them for independent examination
- Following the examiner's report, assess whether the plan or Order meets the basic conditions and determine whether it should proceed to referendum, with or without modifications
- Organise a referendum and, where more than half of those voting are in favour, formally make the neighbourhood plan or Order

Seven neighbourhood areas have been designated within the city, one of which was designated a Business Area:

- Rottingdean Parish Neighbourhood Area
- Hove Station Neighbourhood Area
- Hove Park Neighbourhood Area
- Brighton Marina Business Neighbourhood Area
- Hangleton & Knoll Neighbourhood Area
- Coldean Neighbourhood Area
- West Saltdean Neighbourhood Area

There are currently three designated Neighbourhood Forums in addition to Rottingdean Parish Council which is a qualifying body for the purposes of neighbourhood planning.

⁹ www.brighton-hove.gov.uk/content/planning/neighbourhood-planning

Neighbourhood forums last for five years from their date of designation. The formal designation for the Hove Park Neighbourhood Forum lapsed in 2020 and no application to redesignate the forum has yet been submitted.

- Hove Station Neighbourhood Forum – designated 23 December 2014; re-designated 18 September 2019
- Hove Park Neighbourhood Forum – designated 9 July 2015 (lapsed after 5 years)
- Brighton Marina Neighbourhood Forum – designated 18 June 2015; re-designated 3 November 2020
- Hangleton & Knoll Neighbourhood Forum – designated 7 November 2018
- Coldean Neighbourhood Forum – designated 25 November 2021
- West Saltdean Neighbourhood Forum – designated 23 August 2022

Neighbourhood Plan Progress

All neighbourhood groups can prepare a neighbourhood development plan for their area following prescribed requirements set out in the Neighbourhood Planning Regulations.

- Hove Station Neighbourhood Forum submitted their draft Neighbourhood Plan to the Council in May 2021. The Council undertook Regulation 16 consultation on the draft Plan over an eight-week period from 20 May to 15 July 2021 and the Plan examination commenced on 24 January 2022. During the examination, the examiner identified some issues with the Basic Conditions Statement supporting the Plan and therefore temporarily suspended the examination in May 2022. A supplementary consultation on the Basic Conditions Statement took place over the period 3 November 2022 to 15 December 2022.
- Rottingdean Parish Council undertook pre-submission (Regulation 14) consultation on their draft Neighbourhood Plan over the period 14 February to 9 April 2021.
- Brighton Marina Business Neighbourhood Forum undertook pre-submission (Regulation 14) consultation on their draft Neighbourhood Plan over the period 9 November 2022 to 4 January 2023.

5. Supplementary Planning Documents

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

All previously adopted SPDs have been summarised in previous AMRs. All of the SPDs can be accessed through the Supplementary Planning Documents page of the council website¹⁰ and are listed below:

- SPD01 - Brighton Centre: Area Planning and Urban Design Framework
- SPD02 - Shop Front Design
- SPD03 - Construction and Demolition Waste
- SPD05 - Circus Street Municipal Market Site
- SPD06 - Trees and Development Sites
- SPD07 - Advertisements
- SPD09 - Architectural Features
- SPD10 - London Road Central Masterplan
- SPD11 – Biodiversity and Nature Conservation
- SPD12 - Design Guide for Extensions and Alterations
- SPD13 - Shoreham Harbour Flood Risk Management Guide
- SPD14 - Parking Standards
- SPD15 - Toads Hole Valley
- SPD16 – Sustainable Drainage
- SPD17 - Urban Design Framework
- SPD18 - Hove Station Masterplan

In June 2022 the council adopted the Biodiversity and Nature Conservation SPD which provides guidance on planning matters related to biodiversity and nature conservation.

¹⁰ [Brighton & Hove SPD webpage](#)

6. Saved Policies

The Brighton & Hove Local Plan was adopted in July 2005, and all but nine policies in the document were saved in agreement with the Secretary of State (by letter from June 2008). A number of these policies were replaced by City Plan Part One, however 91 remained saved until City Plan Part Two was adopted 20th October 2022 and superseded the retained 2005 Local Plan policies. Full details of policies that have been superseded on adoption are set out in Appendix 5 of the City Plan Part Two.

7. Implementing the Statement of Community Involvement

The Council's Statement of Community Involvement (SCI) sets out how and when the Council will involve stakeholders in the preparation of its planning policy documents. The SCI was adopted by the council on 12th March 2015. In the summer of 2020, temporary amendments to the SCI were published in response to the COVID-19 restrictions. Changes to the temporary amendments of the SCI have since been updated in January 2022 to reflect current working arrangements and the opening hours of services.

8. Community Infrastructure Levy

In May 2020 the Community Infrastructure Levy (CIL) Charging Schedule¹¹ was approved at Full Council and implementation started on planning permissions from 5 October 2020.

¹¹ [Brighton & Hove City CIL Charging Schedule](#)