

Brighton & Hove City Council

Authority Monitoring Report 2023/24

Introduction and Local Development Scheme

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1. Introduction

This Authority Monitoring Report (AMR) 2023/24 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 1 April 2023 to 31 March 2024.

The AMR reports on progress in preparing Development Plan Documents (DPDs) and monitors the implementation of adopted policies by reporting on indicators in the Implementation & Monitoring plans for City Plan Part One, City Plan Part Two and Supplementary Planning Documents (SPDs).

The data has primarily been compiled from the annual monitoring undertaken by the Planning Policy Team. The team monitors all residential, commercial, and industrial planning permissions for each monitoring year.

Sites are visited 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 some of these indicators is set out in the report and all are summarised in the Appendices. The monitoring informs whether current planning policies are effective or need revision or comprehensive review.

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)¹. 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 2023 to 26 approved on 10 March 2023.

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.

¹ www.brighton-hove.gov.uk/content/planning/planning-policy/local-development-scheme

Updating the Programme

There were no Local Development Plan documents adopted during the 2023/24 monitoring year; however, the following documents have been approved or adopted post 31 March 2023:

- City Plan 2041 Key Issues Consultation – approved October 2024
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan Revised Policies – adopted October 2024

The following Background Documents were completed since April 2023:

- Strategic Housing Market Assessment (SHMA) – August 2023
- Green Infrastructure (GI) Study – March 2024
- Employment Land Study – April 2024
- Sustainability Appraisal Scoping Report – October 2024

City Plan 2041

The ‘City Plan Part One Review’ referred to in the LDS is now known as ‘City Plan 2041’. The timetable in the LDS states that a Scoping Consultation (Reg. 18) would take place in Spring 2024. This consultation was delayed and took place 4 November 2024 until 20 January 2025. As a result, future stages of the plan’s preparation will also take place later than previously expected. It is now expected that the timetable will be as follows:

- Key Issues consultation: Autumn 2024
- Draft Plan consultation: Winter 2025/26
- Proposed Submission consultation: Spring/Summer 2026
- Submission to Secretary of State: Winter 2026
- Adoption: Autumn 2027

This timetable has been publicised as part of the promotional documentation supporting the consultation. The LDS will be updated in early 2025 to reflect the new timetable.

Full Review of the Waste and Minerals Local Plan

Due to the delay in the adoption of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan Revised Policies, which took place in October 2024, work has not yet started on the Full Review. A revised timetable for the preparation of this document will be included in the forthcoming revised LDS.

3. Duty to Co-operate

At present, the 2011 Localism Act, and the National Planning Policy Framework (NPPF)² 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 areas³. The 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 2041

A review of the City Plan focussing on the strategic policies in City Plan Part 1 has commenced. The new plan will be known as City Plan 2041. The first stage of public consultation on key issues took place for 11 weeks from 4 November 2024 to 20 January 2025. A Duty Cooperate workshop was held on 11 December 2024 to which all neighbouring authorities and other bodies covered by the Duty to Cooperate were invited. The purpose of the workshop was to introduce the new plan and discuss which issues would be of cross-boundary significant and require joint working to address.

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 (the Authorities) on waste and minerals planning policy matters.

During 2017, the Authorities commenced a partial review of the adopted Waste and Minerals Plan (2013) and Waste and Minerals Sites Plan (2017). This review focused on the Provision of Aggregates, Mineral Resources and Infrastructure Safeguarding and improvements to the effectiveness of certain policies within the Plan. and the Revised Policies were adopted by the Authorities in 2024. A full review of the joint Waste and Minerals Local Plan is expected to commence in 2025.

² NPPF December 2023, Paragraphs 24-27

³ The Levelling Up and Regeneration Act 2023 proposes to abolish the Duty to Cooperate and replace it with 'a flexible alignment policy' which is yet to be consulted on.

4. Neighbourhood Planning

Neighbourhood planning⁴; 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

There are two neighbourhood areas in the city with 'Made' Neighbourhood Plans that have been examined, been through referendum and adopted by the city council, these are:

- Hove Station Neighbourhood Plan – formally made on 28 March 2024
- Rottingdean Neighbourhood Plan – formally made on 28 March 2024

There are a further five neighbourhood areas which have been designated within the city, one of which was designated a Business Area:

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

There are currently five designated Neighbourhood Forums in addition to Rottingdean Parish Council which is a qualifying body for the purposes of neighbourhood planning. Neighbourhood forums last for five years from their date of

⁴ www.brighton-hove.gov.uk/content/planning/neighbourhood-planning

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; redesignated 7 March 2024.
- 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.

- On 15 August 2024, the council and Neighbourhood Forum received the Examiner's Report for the Brighton Marina Neighbourhood Plan. It concluded that the Neighbourhood Plan, subject to several recommended modifications, meets the Basic Conditions and can proceed to the two referendums (one for businesses and one for residents), on 13 February 2025.
- West Saltdean Neighbourhood Forum published their draft Neighbourhood Plan for their Regulation 14 public consultation from 12 May to 30 June 2024. They submitted their Neighbourhood Plan to the council in November 2024 and the city council will be running the Regulation 16 consultation on 27 January 2025 for 6 weeks.
- Coldean Neighbourhood Forum published their draft Neighbourhood Plan for their Regulation 14 public consultation from 18 June to 30 July 2024. They are currently working on the submission version of their plan. It is expected that the submission plan will be submitted to the city council late 2024/early 2025.

5. Supplementary Planning Documents

All previously adopted Supplementary Planning Documents (SPD) have been summarised in previous AMRs. All of the SPDs can be accessed through the Supplementary Planning Documents page of the council website⁵ 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

6. 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 current SCI was adopted by the council on 12th March 2015. A review and update of the SCI is expected to take place in 2025.

⁵ <https://www.brighton-hove.gov.uk/planning/planning-policy/supplementary-planning-documents-spd>

7. Community Infrastructure Levy

In May 2020 the Community Infrastructure Levy (CIL) Charging Schedule⁶ was approved at Full Council and implementation started on planning permissions from 5 October 2020.

⁶ <https://www.brighton-hove.gov.uk/brighton-hove-city-council-community-infrastructure-levy-charging-schedule>