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authority monitoring report

2016-2017

Local Development Scheme



Brighton & Hove
City Council

Brighton & Hove City Council

Authority Monitoring Report 2016/17

Local Development Scheme

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1. Local Development Plan

This section of the Authority Monitoring Report provides a progress report against the timetable and milestones for the preparation of documents set out in the agreed Brighton & Hove Local Development Scheme 2017¹. The Local Development Scheme (LDS) sets out the three year timetable for the production of development plan documents by Brighton & Hove City Council.

The LDS identifies the main Local Development Documents to be prepared over a three year period including their coverage and status. It also explains the status of policies and plans in the transitional period from local plan to local development documents and the status of supplementary planning guidance and documents.

The most up to date Local Development Scheme for 2017-2020 was approved by the council on 21 September 2017. The LDS will be reviewed in 2020.

1.1 Updating the programme

Table 1: Completed Local Development Documents

The following documents were completed during 2016/17 ²	
City Plan Part Two Scoping Paper	June 2016
SHLAA update 2016	February 2017
Local Development Documents	
City Plan Part Two Sustainability Appraisal Scoping Report	June 2016
Draft Character Statement for the Old Town Conservation Area.	June 2016
Annual Monitoring Report 2015/16	December 2016
The following documents have been completed since April 2017 ²	
Local Development Scheme 2017-2020	September 2017
Proposed Submission Shoreham Harbour JAAP	November 2017
Local Development Documents	
Toads Hole Valley SPD Issues and Options Paper	April 2016
City Plan Part Two – Scoping Report	June 2016
Parking Standards SPD 14 – Adopted September 2016	September 2016
Revised Draft Shoreham Harbour Joint Area Action Plan	November 2016
Waste and Minerals Sites Plan DPD	February 2017

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

² <https://www.brighton-hove.gov.uk/content/planning/planning-policy/development-plans>

1.2 Changes to the Timetable

As the revised Local Development Scheme has only recently been adopted, there have been no changes to published timetables for the production of Development Plan Documents.

The Community Infrastructure Levy (CIL) is a new levy that local authorities can choose to charge on new development to assist with the funding of infrastructure improvements and new community facilities. In September 2016, council agreed that work should commence on a Community Infrastructure Levy charging schedule for Brighton & Hove. Consultation on a Preliminary Draft Charging Schedule took place in Autumn 2017 with adoption expected in winter 2018/19.

Table 2: Local Development Scheme Progress 2017

DPD Document	Consulting on the Scope of the Sustainability Appraisal	Publication of the DPD	Submission to the Secretary of State	Proposed date for Adoption
City Plan Part 2	Completed	Spring 2019	Summer 2019	Summer 2020
Policies Map	As part of City Plan preparation	As part of City Plan preparation	As part of City Plan preparation	As part of City Plan preparation
Waste and Minerals Local Plan Review	August 2017	Autumn/winter 2018	Early 2019	Summer 2019
Shoreham Harbour Joint Area Action Plan	Completed	Winter 2017	Spring 2018	Autumn 2018

2. Duty to Co-operate

The Localism Act 2011 and the National Planning Policy Framework (NPPF) place a duty on local planning authorities and other prescribed bodies to cooperate with each other to address strategic planning issues relevant to their areas. The city council has been engaged in ongoing collaborative working with neighbouring planning authorities and other bodies in order to address relevant strategic planning issues and comply with the Duty. The key areas of engagement are summarised below.

2.1 City Plan Part One

Housing delivery is a strategic cross boundary issue that needs to be addressed through 'Duty to Co-operate'. Brighton & Hove's housing requirements (both housing demand and housing need) have been assessed most recently as 30,120 new homes over the plan period to 2030³. By reason of demonstrable physical constraints the city is unable to meet this level of housing provision. The City Plan sets a housing target of 13,200 new homes by 2030 reflecting:

³ [Objectively Assessed Need for Housing: Brighton & Hove \(GL Hearn Limited 2015\)](#)

- the capacity and availability of land/sites in the city and development constraints;
- the need to provide for a mix of homes to support the growth and maintenance of sustainable communities,
- the need for balance and to provide land in the city for other essential uses (such as employment, retail, transport, health and education facilities and other community and leisure facilities); and
- the need to respect the historic, built and natural environment of the city.
- further work required by the Inspector (December 2013) to look at the potential for housing from the urban fringe.

The city council has engaged with a comprehensive list of stakeholders and adjoining authorities in a variety of ways from the inception of the City Plan Part One continuously through to submission. This engagement is ongoing. The city council has been actively involved on an ongoing basis in a number of cross-boundary local authority groupings which have informed the preparation of the City Plan from its inception, at both officer and member level. Details are set out in the Duty to Co-operate background papers (2013⁴ to 2014⁵).

The City Council is a member of the:

- Greater Brighton Economic Board (GBEB)
The GBEB has responsibility for overseeing delivery of the Greater Brighton City Deal⁶ (which was agreed with government in March 2014 and is a bespoke package of measures to drive economic growth designed to exploit the area's economic assets and address its challenges) and encompasses Brighton & Hove, Lewes, Mid Sussex, Adur & Worthing and the Greater Brighton City Deal;
- Coastal West Sussex and Greater Brighton Strategic Planning Board
(with Adur District, Arun District, Mid Sussex District, Horsham District, Chichester District, Lewes District, Worthing Borough and West Sussex County Councils and the South Downs National Park).

The City Council's Duty to Co-operate work has produced a number of outcomes:

- A joint Coastal West Sussex Duty to Co-operate Housing Study has been produced by all the authorities in the Coastal West Sussex Strategic Planning Board together with Lewes District Council.
- Further studies have been commissioned to inform an update of the LSS and *to support sustainable growth in the Greater Brighton and wider Coastal West Sussex area, (Background Paper 1: Economy⁷, Background Paper 2: Housing Market⁸, Background Paper 3: Transport System⁹)*

⁴ [BHCC LDF Duty to Cooperate Compliance Statement June 2013](#)

⁵ [BHCC LDF Duty to Cooperate Update Paper October 2014](#)

⁶ [Greater Brighton City Deal- Greater Brighton March 2014](#)

⁷ [Greater Brighton & Coastal West Sussex Background Paper 1, Economy; NLP, May 2015](#)

⁸ [Greater Brighton & Coastal West Sussex Background Paper 2, Housing Market; NLP, May 2015](#)

⁹ [Greater Brighton & Coastal West Sussex Background Paper 3, Transport System; NLP, May 2015](#)

- An update of the award winning adopted 2013 Local Strategic Statement (LSS) is underway by the Coastal West Sussex and Greater Brighton Strategic Planning Board (CWS & Gtr Brighton SPB). The LSS update will guide strategic planning and investment priorities to deliver long term sustainable growth.
- Mid Sussex District and Horsham District councils are now a member of the CWS & Gtr Brighton SPB reflecting the functional strategic relationship these areas have with Coastal West Sussex and Greater Brighton.
- A Statement of Common Ground (SOCG) setting out what steps have been taken to comply with the Duty in relation to housing provision, and where there are areas of agreement. Eleven local planning authorities have indicated they will sign the SOCG.
- A Memorandum of Understanding (MoU) has been signed by Adur, Brighton & Hove, Lewes and Worthing outlining a commitment to future work on Duty to Co-operate between the four authorities and adjoining areas.
- CWS & Gtr Brighton SPB has signed a MoU and agreed Terms of Reference to establish a framework for operation and agreed an LSS which is now subject to review.
- The Planning Inspector, in her initial conclusions on the City Plan following the Examination Hearing, considers that the legal requirement for Duty to Cooperate has been met¹⁰.

2.2 Shoreham Harbour

Joint working has been ongoing for a number of years between the city council, Adur & Worthing Councils, West Sussex County Council, the Environment Agency and Shoreham Port Authority, to progress a Joint Area Action Plan for the harbour. Work has continued during the monitoring period and regular meetings are held. The draft Shoreham Harbour JAAP was consulted upon between February and April 2014. Further consultation was undertaken between December 2016 and February 2017 on a revised draft Shoreham Harbour JAAP. The delay from the LDS timetable allowed further studies to be undertaken. Proposed submission consultation was undertaken between 10 November and 22 December 2017. Submission to the Secretary of State is planned for spring 2018.

2.3 Waste & Minerals

The city council is a Waste and Minerals Planning Authority and a Waste & Minerals Plan (WMP) was produced jointly with East Sussex County Council and the South Downs National Park Authority and adopted in February 2013. The three authorities have continued this joint working to produce a Waste and Minerals Sites Plan (WMSP) which was adopted in February 2017.

Compliance with the Duty to Cooperate was considered by the appointed Inspectors during the public examinations of the WMP and WMSP. Cooperation occurred with West Sussex County Council (WSCC) regarding mineral wharves at Shoreham Harbour during the preparation of the WMP. Joint working is ongoing while WSCC's own waste and minerals

¹⁰ [Report on the Examination into the Brighton & Hove City Plan Part One, Planning Inspectorate 2016](#)

plans are prepared. This issue links to the ongoing work on the Shoreham Harbour JAAP, as described in the previous paragraph.

A review of the Waste and Minerals Plan is now underway, primarily intended to address concerns over the future supply of minerals that were raised by the WMSP Inspector. A consultation on the scope of the review took place in autumn 2017.

3. Neighbourhood Planning

Neighbourhood planning¹¹; introduced by the Localism Act 2011, came into force in April 2012. The council has a duty to support and is expected to consider the following within nationally specified time periods and requirements;

- Applications for the designation of a neighbourhood area made by a parish council or body, capable of being a neighbourhood forum
- Applications made by local groups to become the recognised neighbourhood forum for a designated area
- Neighbourhood plans and orders, made by a parish council or recognised neighbourhood forum, and submit them to independent examination, referendum and adopt them as appropriate

Four neighbourhood areas have been designated, 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

Three Neighbourhood Forums have been designated¹²:

- Hove Station Neighbourhood Forum – designation ceases 23 December 2019
- Hove Park Neighbourhood Forum – designation ceases 9 July 2020.
- Brighton Marina Neighbourhood Forum – designation ceases 18 June 2020.

The four neighbourhood communities have indicated intent to produce a neighbourhood development plan. None have yet been subject to formal pre-submission consultation (regulation 14 consultation). The neighbourhood communities are responsible for preparing their areas plan and therefore control key aspects of their plan's timetable.

¹¹ www.brighton-hove.gov.uk/content/planning/neighbourhood-planning

¹² Please note: Rottingdean Parish Council is a qualifying body for the purposes of neighbourhood planning

4. 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.

In September 2017 the Toads Hole Valley SPD¹³ was adopted. Its purpose is to assist in the delivery of City Plan Part One Policy DA7's vision for 'a modern, high quality and sustainable mixed use development [that helps to] meet the future needs of the city, improve accessibility and provide new community facilities to share with adjacent neighbourhoods.

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 website¹⁴ 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 - Nature Conservation and Development
- SPD12 - Design Guide for Extensions and Alterations
- SPD13 - Shoreham Harbour Flood Risk Management Guide
- SPD14 - Parking Standards
- SPD15 - Toads Hole Valley

¹³ [Brighton & Hove City Council SPD 15 'Toad's Hole Valley' September 2017](#)

¹⁴ [Brighton & Hove SPD Webpage](#)

5. Saving 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 remain saved and will be replaced by Part Two of the City Plan, once adopted.

Full details of retained Local Plan policies are set out in Annexe 4 to the City Plan Part One¹⁵.

6. Implementing the Statement of Community Involvement

The council has had an adopted SCI in place since September 2005. The Statement of Community Involvement was updated in 2015 to reflect the current Town and Country Planning (Local Development) (England) Amendments Regulations and the National Planning Policy Framework; and to take into account the current council approach to community engagement in policy making (the Community Engagement Framework). The updated SCI¹⁶ was adopted by the council on 12 March 2015.



¹⁵ [Brighton & Hove City Plan Part One; Annexes, BHCC 2016](#)

¹⁶ [Brighton & Hove Statement of Community Involvement, BHCC March 2015](#)



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