

Policy, Projects & Heritage Team
Brighton & Hove City Council
Hove Town Hall
Norton Road
Hove
BN3 3BQ

11th September 2018

Dear Sir/Madam

Draft City Plan Part 2 (July 2018)
Representations on behalf of the Sussex Community NHS Foundation Trust

We write on behalf of the Sussex Community NHS Foundation Trust in response to the current consultation on the Brighton & Hove Draft City Plan Part 2 (July 2018). These representations specifically relate to the Brighton General Hospital site in Elm Grove which is identified for comprehensive mixed-use redevelopment under Policy SSA1.

The Trust welcomes the opportunity to respond to the City Plan Part 2 and to continue working with the City Council to unlock the potential of the site to deliver a new health hub facility and much needed housing. Outline development proposals for the General Hospital have also been the subject of pre-application discussions with officers and continuing consultation with community stakeholders.

Proposal Site

These representations relate to the Brighton General Hospital site which is bound by Elm Grove, Freshfield Road & Pankhurst Avenue. The site also includes the SECamb Station which is located immediately adjacent to the west (see Site Location Plan 112592-IBI-WS-XX-PL-100-001).

The site covers 5.5 hectares and incorporates several large hospital buildings including the Arundel Building (Grade II listed), infirmary buildings (Edburton, Dyke and Cuckmere) and several more recent buildings (Briggs and the Sussex Rehabilitation Centre). The grounds also include smaller buildings, the former stables and boundary flint walls. The majority of the buildings are located within the curtilage of Arundel House and are therefore also listed.

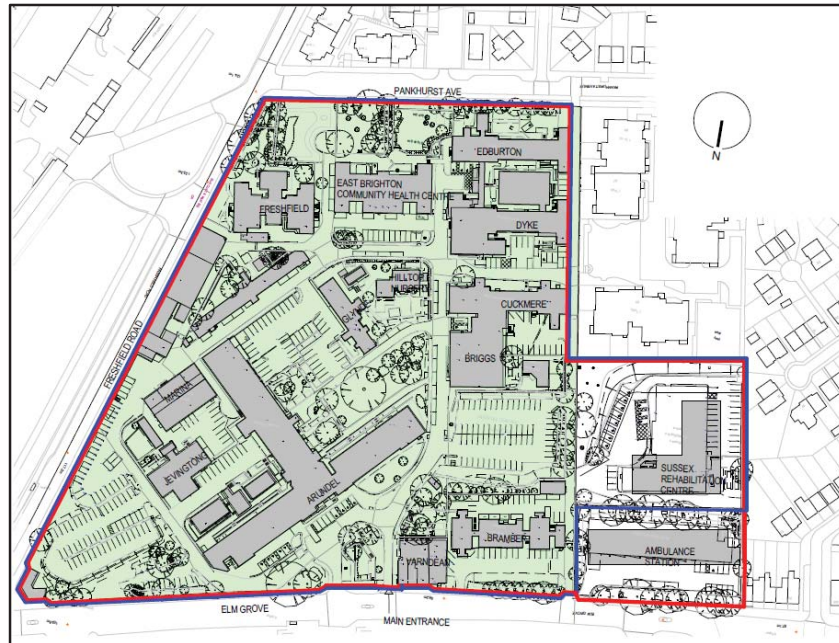
The topography of the land slopes steeply from west to east, and also from south to north.



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Site Location Plan

Brighton & Hove Local Plan (2005)

The General Hospital is identified as a brownfield site suitable for redevelopment/conversion in the 2005 Local Plan. Policy HO1 allocates the site for the provision of 200 new residential units.

Local Plan Policy HO25 seeks the provision of a new community centre as part of any residential development.

Brighton & Hove City Plan Part 2 (2018)

Draft Policy SSA1 identifies Brighton General Hospital for comprehensive mixed-use development including a new D1 health/care facility (10,000m² – 12,000m²), a minimum of 200 residential units and community facilities. We understand that the allocated number of housing units has been 'rolled over' from the 2005 Local Plan and is not the result of a detailed site capacity assessment. Moreover, the number of units has not increased since the provision of a new secondary school has been removed from the policy.

SSA1 also requires development proposals to achieve the following:

- Achieve a high quality of design which preserves and where possible enhances the setting of the Grade II listed building and non-heritage assets;
- Create active frontages along Freshfield and Pankhurst Road;
- Maintain and improve existing greenspace including public realm and the provision of children's play space and/or multi use sports facility;
- Deliver sustainable transport infrastructure improvements;
- The developer will be required to enter into a training place agreement to secure training for local people.

Pre-Application Proposals

RLB and the NHS Trust have held a series of pre-application discussions with the City Council to assess development options for the site. The design proposals seek to achieve a comprehensive masterplan for a purpose-built health campus together with residential enabling development. The draft proposals currently include the following component parts:

- A new health hub with 10,249m² of D1 floorspace;
- 700 new residential units (1, 2 & 3 beds);
- Conversion of the Arundel & Varndean Buildings to preserve and enhance heritage assets where appropriate;
- A comprehensive landscape masterplan for the whole site;
- A replacement children's nursery;
- New children's play space;
- Small additional commercial facilities including a café and community office space.

Proposed Amendments to Policy SSA1

The proposed Health Hub will not benefit from NHS investment funding. As such, the land value necessary to deliver the hub will need to be generated by the on-site residential development. Detailed financial modelling carried out by The Trust has demonstrated that to resolve the funding gap, 700 residential units will be required. The current draft allocation of 200 residential units will not therefore facilitate the delivery of the D1 health hub and in turn is unlikely to result in any housing being developed on the site. Furthermore, the City Plan Part 2 Sustainability Appraisal confirms that the addition of 200 residential units would be at a density of 35 dwellings per hectare (dph). This conflicts with CPP1 Policy CP14 which requires a minimum development density of 50dph and CPP2 Policy DM19 which seeks to maximise the development potential of sites.

We therefore request that City Plan Part 2 is amended to reflect the quantum of development needed to unlock the site during the plan period. To allow for flexibility in health needs over the plan period to 2030, a higher D1 floorspace limit would also be appropriate (circa 16,000m²).

The emerging site proposals focus on the enhancement of the setting of the listed Arundel Building and improving the overall heritage landscape of the wider site. However, Policy SSA1(a) requires the preservation of the listed building setting and non-designated heritage assets. This requirement is unnecessarily onerous given the poor state of many of the hospital buildings and their limited architectural quality. Moreover, the number of flats required to unlock the site could not be provided simply by converting the existing buildings. The policy should therefore adopt a more flexible approach to the retention of those buildings which are 'curtilage listed' to avoid stymying the delivery of new health facilities.

Part (b) of SSA1 seeks to create active frontages on Freshfield Road and Pankhurst Road. However, this would not be possible without demolishing the flint boundary wall which is a key heritage component of the hospital site. Instead we suggest that the flint wall is retained, but with new openings and entrances created in order to improve the permeability and accessibility of the site.

Policy SSA1(c) requires the existing greenspaces to be retained and improved as part of an integrated public realm network. Whilst several of these spaces will be retained and enhanced, others are poor quality due to their location and relationship with existing

buildings. Whilst the Trust fully supports the principle of integrating open spaces throughout the site, this could be more effectively achieved by a combination of existing and new spaces. The wording of SSA1(c) needs to be more flexible accordingly.

The objective to promote public and sustainable modes of transport including safe pedestrian and cyclist access (SSA1(d)) is fully supported and is integral to the emerging proposals for the site.

The requirement for the developer to enter into a training place agreement to secure training for local people (SSA1(e)) is laudable but shouldn't be an absolute development plan stipulation. We request that this part of the policy is deleted in order to allow more flexibility for developers accordingly.

Conclusions

The Brighton General Hospital site has the potential to accommodate a purpose-built health care facility together with a significant contribution towards housing supply for the city. However, delivering a mixed-use scheme to meet the requirements of Policy SSA1 in City Plan Part 2 without any central funding presents significant challenges. Abnormal costs associated with demolition, converting historic buildings and site levelling will jeopardise deliverability further.

The current draft allocation of 200 residential units (albeit a minimum target) will not sufficiently address the funding gap to deliver the health hub. On behalf of the Trust we therefore request that SSA1 is updated to reflect the current site proposals and so that the policy is effective over the plan period.

If it would be helpful to meet and discuss this consultation response, please contact ...

Yours faithfully

aw/CPP2/02/110918

13th September 2018

Brighton & Hove City Council
Planning Policy Team
1st Floor Hove Town Hall
Norton Road
Hove BN3 3BQ

Dear Sirs,

Re: Consultation on the City Plan Part Two – response to Special Area Policy SA7.

The comments in this letter are on behalf of LCE Architects, a firm based in Brighton for almost 30 years which undertakes projects within the city and surrounding area, across the UK and overseas.

Major completed projects in Brighton include the Jubilee Street urban regeneration project at the heart of the city, the multiple award winning Brighton Library and amongst other projects we are currently undertaking the refurbishment of the Brighton Hippodrome.

Over the relatively recent past we have been asked by two different clients to investigate the potential of Benfield Valley and have consequently formulated and tested a number of options for the site, worked with visual landscape assessors, ecologists and transport specialist on preliminary detailed assessments of the site.

The following comments are put forward on the basis of our own investigations and findings of the various other professionals who've been involved in assessing the site.

SA7 Benfield Valley (pp 144) and H2 Housing Sites – Urban Fringe (pp170):

We object to the current wording of SA7 and its supporting text and the supporting text to H2 housing allocation contained within Table 7.

Fundamentally the Benfield Valley site is in a Sustainable Location (as defined in the NPPF) and therefore in the context of the City's objectively assessed housing shortage serious consideration should be given to a larger proportion of the site being used for housing.

The ambitions for a higher quality green space are also achievable and *more likely* to be deliverable in practice, if substantially more housing on the site than 100 units is consented.

We therefore object to :

- a. The development potential of the site effectively being limited to circa 100 units.
- b. The addition of any further designations that could prevent greater numbers of units on this site.

Our reasoning is contained in items 1 to 10 below:

1. Benfield Valley is in a sustainable location and therefore serious consideration should be given to a larger proportion of the site area for housing.

The land is within walking distance of a mainline railway station, numerous bus routes, a school, a supermarket and all local amenities. It is therefore in a sustainable location according to the NPPF.

Given the objectively assessed housing need for Brighton and Hove of 30 000 homes, serious consideration should be given for a greater proportion of this site to accommodate housing, whilst also delivering on the ambitions stated for upgrading the site's green space.

2. The principal basis for proposing an extremely low housing allocation for Benfield Valley is unsound.

The extremely low current allocation of 100 units stated within SA7 and H2 is unsubstantiated but stems from the even lower 30 units stated in the Urban Fringe Assessment (UFA). The 30 units stated in the UFA were also not substantiated and stem principally from assertions made in the 2008 Open Space Study (and subsequent follow up studies) that Benfield Valley is needed to address a reported chronic shortage of Open Space available to the residents of the City of Brighton and Hove.

Brighton and Hove is constrained on its two long sides by the vast open spaces of the sea, seafront and beach to the south and rolling open countryside of the South Downs National Park criss-crossed by hundreds of miles of paths and walking routes to the north (with all the unique health and well-being benefits that these and the City's Parks, gardens and other open spaces within the urban realm provide).

No reasonable person formulating a complete picture of the open space offer provided by Brighton and Hove would conclude that its residents are subject to a chronic under supply of open space. A more likely conclusion would be one of *abundance*.

This 'common sense' fact alone makes the basis for retaining such a high proportion of open space at Benfield Valley, as unsound; particularly so given the objectively assessed undersupply of housing in the city and the site occupying a sustainable location according to the NPPF.

Items below give further detail.

3. The findings of the 2008 Open Space Study (OSS) and its subsequent updates are not robust.

The 2008 Open Space study and subsequent updates underpin the findings of the Urban Fringe Assessment. They record that there is a chronic shortage of open space available for the residents of Brighton and Hove and its visitors for recreation and health and wellbeing benefits.

This conclusion is completely at odds with the experience of living and working in the city and simple common sense. The City's very popularity attracts new residents and visitors demonstrably *because* of the sense of open space that pervades and surrounds the city.

The reason for the total mismatch between the reality and the findings of the Open Space Studies is that the studies slavishly adhered to a methodology and categorisation of open space that omits access to the SDNP and seafront, beach and sea from its quantified analysis. In a city famed for its seafront, access to the sea and proximity to the South Downs, accessed and enjoyed collectively by many hundreds of thousands of people every year this is a startling and staggering omission that results in these studies not being robust.

It is a widely held view amongst professional's who've analysed the Open Space Studies that a significant challenge mounted by an aggressive mass house builder on the basis of the flaws, omissions and erroneous conclusions contained in the Open Space Studies would be very likely to succeed. In so doing not only would the conclusions of the OSS be undermined but also the UFA which takes as read the findings of the OSS.

4. Benfield Valley is located in a region well supplied by other open spaces.

Greenleas Rec is located directly adjacent to the site, St Helen's Park is just a minutes walk, nearby parts of the SDNP over the footbridge are also directly accessible for many households. The 'catchment areas' of these other open spaces overlap with those of Benfield Valley and hence mean that large areas of Benfield are surplus to requirements (evidenced by the clearly apparent infrequent use of large tracts of Benfield Valley).

5. Benfield Valley is not needed to address perceived shortages in open space in neighbouring wards.

The OSS claims that neighbouring wards of Westbourne, Wish and South Portslade are undersupplied with open space and that Benfield Valley has the potential to address this.

Westbourne and Wish have direct access to the seafront and hence access to very large open spaces that are not included in the OSS assessment (see item 3 above). They are also a lengthy walk from Benfield Valley.

South Portslade has access to the SDNP and seafront by other routes (not included in the assessment in the OSS) in addition to the high quality open spaces in the centre of the ward.

6. Benfield Valley does not meet the criteria for Local Green Space as defined in the NPPF.

We oppose the designation of Benfield Valley as a Local Green Space if this designation creates additional restriction on the site's potential to deliver housing. However CPP2 needs to be clearer on this issue:

Item 2.282 states: "In Brighton and Hove the open spaces identified on the policies map are already afforded significant protection by policies CP16 Open Space and CP17 Sports Provision in Part One of the City Plan. In general, the designation of an open space as Local Green Space will not therefore provide any greater protection".

If the sentence underlined is true, the purpose of the designation is unclear. If greater protection /restrictions are provided by the designation of Local Green Space item 2.282 should be reworded to make this clearer.

It seems likely that designation as a Local Green Space will create greater restriction on development as item 2.280 states “The designation rules out development other than in very special Circumstances” and “It is not appropriate to designate sites purely to resist development”.

On the basis of item 2.280 we therefore object to designation of the site as Local Green Space prior to serious consideration being given to substantially more than 100 housing units for this site.

In any case the site does not meet the criteria for Local Green Space as defined by Paragraph 77 of the NPPF.

This states that The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:

- Where the green space is in reasonably close proximity to the community it serves.
- Where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife.
- Where the green area concerned is local in character and is not an extensive tract of land.

Benfield Valley is demonstratively an extensive tract of land covering in excess of 20Ha and 1750m from north to south.

It is popular with dog walkers and school children making a short cut to Hove Park School through a hole in the fence but cannot be claimed to be demonstrably special to the local community, or historic significance.

Subsequent studies we have carried out on the site, including preliminary ecology, landscape visual assessment (testing specific proposals with basic massing modelled for the site) indicate that larger numbers can be accommodated, suggesting that the original studies were inadequate and so lacked rigour as to end up not being robust.

7. Other ‘Green Corridors’ providing access to the SDNP are significantly smaller.

Three Cornered Copse is a green corridor and performs its role as a ‘green wedge’ into the urban area and acts as a ‘wildlife corridor’ (described in 2.283) whilst being typically 50m wide. Benfield Valley is typically 160m wide (varies between 70m and 300m).

There is therefore every reason why a significant swathe of Benfield Valley should be made a green corridor of enhanced ecology and open space quality with additional housing occupying the areas of the site remaining either side.

The optimum balance between the need for housing in sustainable locations, and the need for green space is unlikely to require the existing total extent of the very large Benfield Valley site – more likely to be a more even balance between open space and housing.

8. Allocation of 100 dwellings is unsubstantiated or justified.

The Urban Fringe Assessment suggests that the site is suitable for 30 new houses either side of Hangleton Lane, close to the roundabout. This is not substantiated in any way nor is any reasoning given for the two locations proposed.

It is stated in the Urban Fringe Assessment that its findings are based on the 2008 Open Space Studies and subsequent updates.

As illustrated in item 3 assumptions stemming from the 2008 open space studies that underpin the UFA are not robust due to the omission of access to the SDNP and seafront , beach and sea from its quantified analysis.

Without any new evidence or justification item 3.5 of CPP2 identifies the potential for Benfield Valley to accommodate approximately 100 dwellings.

This statement is also not substantiated in any way.

The figure of 100 units therefore has no sound basis.

Subsequent studies we have carried out on the site, including preliminary ecology, landscape visual assessment (testing specific proposals with basic massing modelled for the site) indicate that larger numbers can be accommodated.

9. 100 dwellings unlikely to address the housing need in this sustainable location.

Seeing the 100 dwelling figure for the site is likely to result in developer's seeking to maximise the value by making them all 4-bed and 5-bed executive homes with double garage. Feedback received from public consultation on the site confirmed that the demand is for smaller homes for young people and older downsizers.

In such a sustainable location within easy reach of public transport and local amenities a more responsible use of the site would be for a greater number of smaller units.

10. Benfield Valley is not an isolated open space.

Misleading diagrams and plans are consistently put forward by B&HCC in their planning documents portraying Benfield Valley as an isolated area of green (open space) in a sea of some other colour (not open space).

This is the case in the Open Space Studies and now also in CPP2 (Fig 2)

We trust these comments will be given due consideration in the continued development and refinement of City Plan Part 2. We would welcome further discussions with the department on this subject and request that we can represent our view at examination.

Yours sincerely,

aw/CPP2/01/130918

13th September 2018

Brighton & Hove City Council
Planning Policy Team
1st Floor Hove Town Hall
Norton Road
Hove BN3 3BQ

Dear Sirs,

Re: Consultation on the City Plan Part Two – Response to Design and Heritage related policies.

The comments in this letter are on behalf of LCE Architects, a firm based in Brighton for almost 30 years which undertakes projects within the City and surrounding area, across the UK and Overseas.

Major completed projects in Brighton include the Jubilee Street urban regeneration project at the heart of the City, the multiple award winning Brighton Library and amongst other projects we are currently undertaking the refurbishment of the Brighton Hippodrome.

As a Design Practice within the City, this letter concentrates on our concerns in relation to the topic – Design & Heritage.

Our understanding of the City of Brighton and Hove is based on living and interacting with the City as individuals, as well as collectively through our work analysing and studying it in order to design buildings (and constellations of buildings) that become part of its fabric.

We have also collectively and individually studied, analysed, visited and designed for other Cities widely in the UK, Europe and elsewhere and consequently offer the following comments on the basis of these insights.

For complete clarity, we would like to confirm that our comments should be registered as objections to the current wording of policies and their supporting text that we have drawn attention to in this representation.

General Response:

Brighton and Hove is a City constrained on all sides including long boundaries with the vast open spaces of the sea, seafront and beach to the south and rolling open countryside of the South Downs National Park criss-crossed by hundreds of miles of paths and walking routes to the north (with all the unique health and well-being benefits the city's location provides). So close to London, to which substantial numbers of the city's residents commute each day, this is a truly unique city.

However the city also has an objectively assessed need of 30 000 dwellings and needs to grow and evolve accordingly.

London is another City whose horizontal expansion is constrained on all sides, so the challenges and pressures on land within London and also within Brighton and Hove are essentially very similar (as for most other great Cities). However, the sort of creativity in tackling these challenges evident in London and other great Cities in the UK, Europe and elsewhere, in particular the willingness to accept *contrasts* between existing and proposed, old and new evident, small and large, is not encouraged in CPP2.

Fundamentally if the housing crisis in the City is to be meaningfully addressed, and the City is to be able to evolve, change and grow into the great City it has the potential to be, greater *contrasts* – which are accepted widely in London and elsewhere, will need to be accepted here too.

It is our contention (as Architects who live, work and dwell within this City, whilst analysing and designing within it and other Cities) that contrasts are the *hallmark* of great Cities: old contrasting with new, small contrasting with large, traditional contrasting with contemporary. Key to this is the architectural quality of the new buildings: high quality, sensitively conceived, appropriate, and where possible - bold. We would therefore encourage greater involvement of those with the knowledge and ability to judge what is high quality, sensitively conceived and appropriate architecture, to advise on all planning applications - such as Design South East (DSE) - that currently only advises on larger schemes.

With the above in view we have the specific comments below on CPP2.

Comments on the wording of specific policies and their supporting text.

Our specific concerns apply to the following areas of policy:

DM18 Design and Places (pp62):

We support DM18 however some of the supporting text is unacceptably prescriptive and sometimes inconsistent.

We support the current wording of supporting text in item 2.137 which includes:

“The successful integration of new development into the local context is dependent upon an understanding of and positive response to existing development patterns of the local area – its ‘urban grain’. Appropriate design responses can range from repeating or reinterpreting local building patterns through deliberate and considered contrast. The urban grain can provide a good starting point when considering the layout of new buildings and spaces”

and

“It is often possible to identify a clear and distinctive pattern of buildings and spaces along a street or road frontage. As a rule of thumb, the layout of new development should broadly follow this pattern. However, this should not rule out different forms of layout, in particular where different forms can help provide variety, inject character and ensure that sites are used efficiently”

However, we would like this to go further and specifically encourage greater contrasts, where appropriate, conditional on the delivery of high quality design. The assessment of high quality design needs to be assessed by those qualified and confident to judge, to know when and where the offer of great design can outweigh the more conservative interpretation of policy often taken by officers within the planning department. In this respect (although we accept not directly related to CPP2) we would strongly advocate

an enlarged role for a Brighton specific Design Review Panel made up of respected Architects (be that DSE or another made up possibly of more locally sourced respected practitioners).

We are very concerned that 2.140 and 2.141 are unacceptably prescriptive in defining what scale and shape new buildings 'should' be in relation to local context:

To be more consistent with item 2.137 and less prescriptive we suggest a change to the wording for item 2.140 as follows:

Current wording:

"Scale and shape of new buildings (are)..... a major factor in determining the visual character of an area. The aim should be to create a sense of harmony and visual continuity between new and old. The basic proportions of a building, including its height, width and depth, the shape of its gables and the pitch of the roof, can be varied to suit the local context".

Proposed wording:

"Scale and shape of new buildings (are)..... a major factor in determining the visual character of an area. *A full understanding of the existing context of a site and its significance in townscape terms should be gained and illustrated as a starting point. Where it can be demonstrated that it is appropriate for a new building on a site to depart from the prevailing height, scale and shape of those around it, whilst exhibiting the highest standards of architectural design, due consideration will be given to the proposal*".

We would also suggest a change to the wording for item 2.141 as follows:

Current wording:

"In general, where existing buildings are of consistent height, new buildings should reflect existing levels closely."

Proposed wording:

"In general, where existing buildings are of consistent height, *an applicant will need to illustrate and demonstrate that proposals which depart from that height are appropriate, improve and enhance the local built environment and exhibit the highest standards of design.*"

DM19 Maximising Development Potential (pp67) and **H2 Housing Sites in the Urban Fringe** (pp170):

We support the wording of DM19.

However policy DM19 is inconsistent with the low housing densities put forward for houses in the urban fringe in the Urban Fringe Assessment.

It is recognised that the housing numbers quoted for sites in the Urban Fringe Assessment are only, in theory, suggestions. It is also understood that the LPA are required to demonstrate land supply for housing and hence housing number allocations need to be assessed and stated for this reason.

We also note that item 3.53 (pp175) states that "the number of dwellings proposed in the allocations schedule are indicative".

However, in practice, disproportionate weight is attached to these numbers which become ‘headlines’ not only in reports in the media and for objectors.

Following a recent planning appeals hearing the Inspector wrote in their report that they were “.... inclined to add significant weight to the findings of the Urban Fringe Assessment....”.

At the very least, these figures play into most people’s ‘anchoring’ cognitive bias (ie the well-researched psychological phenomenon that we are all prone to rely too heavily and attach disproportionate weight to the first items of information we hear about a new topic regardless of their relevance or reliability).

The original analysis that has led to the numbers quoted in the Urban Fringe Assessment was understandably very preliminary, and was not based on any testing of specific proposals. No detailed ecology or tree surveys were carried out and no account could have been taken of potential mitigation measures or creative design solutions that might minimise the impacts. The numbers for sites put forward in the UFA could therefore be reasonably be described as an ‘informed guesswork’.

However, when specific proposals are put forward which contain creative solutions to minimise impacts and which have been explored more thoroughly through visual assessments, preliminary ecology studies and transport studies, these are not considered purely on their own merits. They are always referred back to the ‘anchoring’ numbers contained in the Urban Fringe Assessment.

We would therefore like additional lines added to the supporting text of DM19 after 2.155 (pp67) and/or added to item 3.53 (pp175) :

“A number of documents produced by the LPA state numbers of dwellings that it has been assessed safe to assume a site or number of sites will yield for the purposes of understanding housing supply. These include the Urban Fringe Assessment. Serious consideration will be given to proposals that seek to address the city’s housing need by adequately demonstrating that the numbers stated in these documents can be exceeded whilst complying with all other relevant planning policies. It should be understood by all stakeholders that the numbers published in the UFA are not intended as recommendations, suggestions or maxima; they are merely a very approximate provisional assessment, without any detailed testing, analysis or consideration of possible mitigation measures having been undertaken, essentially for the purposes of providing basic working assumptions to inform housing land supply data”.

DM 26 Conservation Areas (pp83)

We support the wording of DM26 however within the supporting text 2.201 appears to be open to misinterpretation.

Current wording:

“The retention of architectural features and materials that positively contribute to conservation areas is vital. The planning authority will seek the restoration or reinstatement of such features when considering planning applications, subject to clear evidence”

It is not clear that this applies only to details and elements of existing historic buildings. We therefore suggest an amendment to the wording such as:

Proposed wording:

“The retention of architectural features and materials that positively contribute to conservation areas is vital. The planning authority will seek the restoration or reinstatement of such features when considering planning applications for *existing historic buildings within conservation areas*, subject to clear evidence”

We also feel that there is an omission in the supporting text. We suggest the following added to item 2.202:

Proposed wording:

“In exceptional circumstances, in locations of less historic significance or townscape quality and only where considered appropriate in townscape terms, contemporary building designs that exhibit great sensitivity to, and awareness of, the character of the conservation area within which it is located will be permitted. This is Conditional upon the proposal exhibiting the highest standards of architectural design and featuring creative use of external facing materials already evident within the conservation area.”

DM 27 Listed Buildings (pp85)

We support DM27 however we feel the wording of the policy and supporting text is extremely conservative. There are very numerous examples across the UK and elsewhere of existing historic buildings being brought to life and completely reinvigorated by highly contemporary alterations and extensions, through the contrast of often rustic heavy traditional materials with light crisp sharp lines of contemporary design.

The policy and supporting text as currently worded does not favour such bold contrasts of contemporary and historic architecture.

We feel that the role of the Heritage Statement is key in this respect. We suggest that item 2.204 be reworded to require Heritage Statements to identify not only the special architectural interest of the Listed Building but also any parts of the building that are sub-standard where potential exists for creative contemporary intervention.

We also suggest the following additional item after 2.210:

Proposed wording:

“In exceptional circumstances, where appropriate, alterations and extensions to Listed Buildings featuring bold contrasts between the existing rustic heavy historic building and contemporary lightweight clean lines of contemporary design and materials will be supported. Conditional upon the proposal exhibiting the highest standards of architectural design and sufficient detailed design proposals being provided to demonstrate the quality of the interfaces”.

DM 29 The Setting of Heritage Assets (pp88)

We agree with the wording contained within DM29 that “opportunities should be taken to enhance the setting of a heritage asset through new development”, however the first lines of Policy DM29 are extremely problematic:

Current wording:

“Development within the setting of a heritage asset will be permitted where its impact would not harm the contribution that setting makes to the assets significance ”

This wording is at best wildly open to interpretation and at worst will simply prevent densification of the City Centre. City Centres are *the* most desirable and sustainable locations for densification due to proximity to amenities and availability of public transport. Since the City Centre also contains the highest proportion of historic buildings, failing to allow high densities close to heritage assets will prevent the sustainable growth and evolution of our city.

Our experience is that *any* new development that is higher, bigger or much more contemporary in its design than any of its surroundings within the setting of a heritage asset will be considered ‘harmful’ and hence resisted.

With 3,400 individually Listed Buildings and structures, 34 conservation areas, 6 historic parks and gardens, 16 scheduled monuments and over 80 archaeological notifications. This results in almost every development site in Brighton & Hove potentially impacting on views and/or the curtilage of a listed building and is in or adjacent to a Conservation Area.

The current wording of the Policy means that close to a Grade I Listed building in the City Centre it can easily be argued that *no* new building taller than its existing surroundings should be permitted.

Taking a conservative interpretation of planning policy therefore it would be very easy to curtail and prevent any new exciting bold new buildings in the city.

In London and elsewhere, provided new buildings close to significant heritage assets are of high quality design and conceived with a sensitivity towards the older (often smaller) Listed Building, the contrast between old and new, large and small, historic and contemporary are evidently either not considered to be unacceptably harmful or, it is not considered that heritage assets should always have *priority* over potential new buildings that demonstrate high architectural quality and commensurate *value* to the City as the nearby heritage asset. This demonstrates a different emphasis. The city is seen as a collage of different buildings that respect one another and happily co-exist alongside each other. The contrasts between new and old, large and small, contemporary and traditional, only serving to bring into sharper relief the different, but rich, qualities of each.

This means that the city is at liberty to evolve and grow more freely and sustainably around its transport hubs and city centre amenities.

We therefore propose the rewording of DM29 as follows:

Current wording:

“Development within the setting of a heritage asset will be permitted where its impact would not harm the contribution that setting makes to the assets significance, by virtue of the development’s siting, footprint, density, scale, massing, design, materials, landscaping or use.

In assessing the contribution that setting makes to significance, and the impact of a development on that setting, the council will have particular regard to the following considerations: “

Proposed wording:

“Generally, development within the setting of a heritage asset will be permitted where it would not harm the contribution that setting makes to the assets significance, by virtue of the development’s siting, footprint, density, scale, massing, design, architectural quality, materials, landscaping and use. In exceptional circumstances, consideration will be given to proposals within the setting of a heritage asset which create deliberate but considered contrast to it in design, scale, massing and conditional on the following:

- i. Where justifiable in townscape terms.*
- ii. Where it is demonstrated that the architectural design exhibits sensitivity and respect to the heritage asset.*
- iii. Where the proposal achieves a standards of architectural design, commensurate with the significance of the heritage asset.*
- iv. Sufficient detail is provided to demonstrate that the proposal achieves the required standard of architectural design from its overall massing, shape and design down to its smallest scale details.*

In assessing the contribution that setting makes to significance, and the impact of a development on that setting, the council will have particular regard to the following considerations:.. “

We trust these comments will be given due consideration in the continued development and refinement of City Plan Part 2.

We would like to work alongside the City Council to help achieve the necessary strategic aims for the City and help deliver the development that the City needs. We would welcome any opportunity to discuss these matters further.

Yours faithfully,

MODA

BRIGHTON & HOVE CITY COUNCIL

DRAFT CITY PLAN PART TWO CONSULTATION 2018

SEPTEMBER 2018

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APPENDICES

A1. SITE LOCATION PLAN

1. INTRODUCTION

- 1.1 Icen Projects Limited ('Icen') have been instructed on behalf of our client, Moda Living Limited, to provide comments on the Brighton and Hove City Council (BHCC) Draft City Plan Part Two, which was published for consultation in July 2018.
- 1.2 Our client has an agreement in place with the owners of Sackville Trading Estate and Coal Yard, Hove (identified on the Site Location Plan in **Appendix A1**) to develop the 3.59 hectares (8.8 acres), which is located at a prominent location near the intersection of Sackville Road and the Old Shoreham Road north of Hove Town Centre and approximately 450 metres northwest of Hove Railway Station. Moda is working in partnership with Mayfield Villages (the Audley Group) to deliver a sustainable mixed-use development on this site, which will make a significant and positive contribution to meeting BHCC's development needs over the plan period. Moda is in the process of extensive pre-application engagement with the Council, working collaboratively to develop a sound strategy for the early delivery of the Site. It is currently anticipated a detailed planning application for the Site will be submitted to BHCC in October 2018.
- 1.3 Having reviewed the current draft consultation document, we provide comments below on a number of the policies included in the latest draft of the Local Plan, with a specific focus on Policy SSA4 '*Sackville Trading Estate and Coal Yard*' and Policy DM6 '*Build to Rent Housing*'. We would be pleased to discuss these representations in further detail with the Council in due course.

2. MODA LIVING

- 2.1 Moda is the frontrunner in the build to rent revolution pioneering positive change across the UK rental landscape. Fully funded for delivery and operation, Moda offers long-term management with on-site teams, actively promoting a healthy social lifestyle with the focus on aspirational residential experiences.
- 2.2 A key focus for Moda is the creation of spaces for residents to live, work and play with an array of high-quality amenities such as lounges, cinemas and gyms as well as services such as 24-hour concierge, on-site management teams and tenant storage lockers. Build to rent developments planned and managed by Moda provide much more than residential accommodation, creating place making which provides a lifestyle for residents.
- 2.3 Moda is leading the way on major UK city regeneration. Current development projects include Angel Gardens in the heart of Manchester, Quarry Hill in Leeds City Centre and The Lexington at Liverpool's Waterfront Development Quarter. Moda is a specialist in creating destinations not just for residents but for the wider community to come and enjoy a highly managed environment that offers quality spaces to live, work and play for residents, friends and neighbours alike.
- 2.4 The regeneration of the Sackville Trading Estate and Coal Yard offers another exciting opportunity for Moda, to bring their city living brand to Brighton and Hove.

3. THE SITE

- 3.1 Moda is in the process of developing proposals for the Sackville Trading Estate and Coal Yard, which is edged in red on the enclosed Site Location Plan (**Appendix A1**). The Site is bounded by Sackville Road to the west; railway lines to the south; the Newtown Road Industrial Estate to the east; and a large retail warehouse and offices to the north along Old Shoreham Road.
- 3.2 The Site has an area of 3.59 hectares (8.8 acres), with the northern half of the Site comprising the Sackville Trading Estate, a low-density development of large retail and trade counter uses. South of the trading estate is the Coal Yard, comprised of a small mix of sui generis employment-generating uses, including open storage and the Council car pound.
- 3.3 The Site is characterised by a general industrial / commercial feel, with the vast majority of the Site currently underutilised with relatively low levels of employment. Previous attempts to see the site redeveloped several years ago were victim to the economic downturn, and many of the units on the Site have been vacant or under-used for a number of years in anticipation of redevelopment.

Surrounding Context

- 3.4 The Site is located within the development area boundary of the 'Hove Station Area' – a designated development area benefitting from good sustainable transport links and offering significant capacity for substantial regeneration and development, as defined by Policy DA6 of the Brighton and Hove City Plan Part One (adopted in 2016).
- 3.5 The objective of the Hove Station Area allocation is to secure long-term regeneration opportunities around Hove Station and enable its development as an attractive and sustainable, mixed-use area focussed on employment. Policy DA6 advises that the aim is to secure the creation of a high-quality employment environment that will attract investment and new employment opportunities for the City and promote the efficient use of land through predominately employment and residential-led mixed use development. Policy DA6 safeguards specific sites within the area allocation as protected employment sites, but this does not include the Sackville Trading Estate and Coal Yard.
- 3.6 The Coal Yard was initially to be safeguarded as a future waste management site (as indicated in Policy DA6), but this proposal was amended prior to adoption of the Waste Local Plan in response to a number of local issues, and in order to enable a more comprehensive approach to the redevelopment of the Site.
- 3.7 The Site benefits from a range of sustainable transport options. In particular, the Hove Railway Station provides regional train services to the surrounding area and direct services to London Victoria

via the Brighton Main Line. Several bus stops are located along Sackville Road, just south of the rail line and adjacent to the northwest corner of the Site, and north on Old Shoreham Road, providing frequent bus services to Brighton and the surrounding area.

- 3.8 The Site also sits within the Hove Station Neighbourhood Area, which is the subject of an emerging Neighbourhood Plan being prepared by the Hove Station Neighbourhood Forum (HSNF). Specifically, the Site forms part of the Hove Station Quarter Concept Masterplan, which seeks to create a more unified development area, producing a new centre for Hove. The Quarter will make good use of the transport advantages of Hove station and add a rich mixture of high quality residential, office, cultural and high-tech employment opportunities. Importantly, current masterplanning of the Site closely aligns with the neighbourhood concept plans, creating new pedestrian links between development areas and connecting Poynter Road to Newton Road. The Site is also adjacent to the Hove Park Neighbourhood Forum Area to the north and west.
- 3.9 With the Site forming a key part of the Hove Station Regeneration Area (Policy DA6) and the emerging Hove Station Neighbourhood Plan, the Site represents a highly sustainable and deliverable site for new development. The Council has acknowledged this by allocating the Site in the Consultation Draft City Plan Part Two (2018). As set out below, this is strongly welcomed and supported by Moda Living.

Emerging Development Proposals

- 3.10 Moda Living and Mayfield Villages are preparing a planning application for the redevelopment of the Site, working together to bring forward a comprehensive, high-quality new mixed-use and multi-generational neighbourhood to Hove.
- 3.11 Moda's aspiration is to create a community development of exceptional quality incorporating:
- a carefully designed and crafted development hosting a mix of residential and commercial uses;
 - a high-quality place integrating a network of public realm and open spaces which improves local connectivity;
 - exemplar public realm and high-quality landscaped environments encouraging residents, visitors and occupiers to interact;
 - a fully managed amenity rich offer encouraging the creation of a cohesive and integrated community;
 - commercial floorspace and creative industry accommodation delivering a development founded upon sustainability, variety and excellence, and;

- a high-quality environment for older people to live independent, fulfilling lives within a flexible integrated community, responding as individual circumstances or care needs change over time.
- 3.12 A site-wide masterplan has been developed based upon an understanding of the opportunities offered by the Site's size and location, underpinned by existing and emerging policies and plans. The proposed scheme comprises a mix of employment accommodation (B1 office and cultural/creative industries); build to rent homes (C3) with associated amenity provision; a care community (C2) with specialist health and amenity focused facilities; local retail floorspace (A1, A3 and A4); community facilities including a health and wellbeing centre and a nursery (D1), and; integrated public realm and open space.
- 3.13 Although Moda doesn't control land outside of the Site, the masterplan makes provision for the future development of land to the east and enables future links and connections to other sites – a direct response to the emerging Neighbourhood Plan, and the aspirations of the community and City Council.

4. REPRESENTATIONS TO THE CITY PLAN PART TWO

- 4.1 Moda Living welcomes the opportunity to comment on the Brighton and Hove Draft City Plan Part Two. Albeit only in early draft, the document provides a clear sign of the intended 'direction of travel' of a further suite of policies guiding future development in the City, and there is much to support and welcome.
- 4.2 Moda intends to play an active role in the ongoing plan-making process, and the following comments are intended to provide a clear response and a range of suggestions or ideas, which it is hoped will help shape and inform that process.
- 4.3 The consultation document ('the Draft Plan') was published in advance of the adoption of the revised NPPF in July 2018. Whilst BHCC clearly attempted to positively respond to the draft NPPF of March 2018, and sought to pre-empt the final version, the Council will presumably now revisit the document to ensure that it is consistent with revised national planning policy. A number of our comments below refer to the updated NPPF, which may assist in that regard.
- 4.4 The comments below focus on a handful of emerging policies which are of direct relevance to Moda's ongoing involvement and interest in the Sackville Road Trading Estate and Coal Yard, where they are working proactively with BHCC and the Neighbourhood Forum to bring forward a planning application for, and subsequent delivery and operation of, a comprehensive mixed-use regeneration of the Site. There are very strong and clear synergies between the direction of emerging planning policies and the development proposals for the Site. Reference to this is made in the context of Policy SSA4, but several other draft policies also align well with the approach being proposed for the Site.
- 4.5 In this context, in addition to policies of particular interest – see below regarding DM6 and SSA4 – there are a number of policies which Moda is keen to support in principle at this stage in the plan-making process which includes the following:
- **DM1** *Housing Quality, Choice and Mix* – the emphasis on the need for a diverse range of housing types and sizes is welcome, and is consistent with national policy emphasis on boosting the delivery of housing to meet a range of housing needs. The explicit reference to the role of 'build for rent' housing is supported.
 - **DM4** *Housing and Accommodation for Older Persons* – The delivery of a sufficient supply and range of accommodation to meet the needs of older people is supported.
 - **DM11** *New Business Floorspace* – The requirement to deliver a range of unit size and types, incorporating flexibility to meet a range of business needs, is appropriate in the context of Brighton and Hove, and is supported.

- **DM18 *High Quality Design and Places*** – the emerging policy seeks to provide general design guidance, but we note also includes some very detailed references and comments in the supporting text. However, the overall thrust of the policy and text is supported as a starting point for the City Plan Part Two.
- **DM19 *Maximising Development Potential*** – the emphasis on the importance of maximising and ‘making effective use’ of development land, advocating a design-led approach to density, is welcomed and supported.

Policy SSA4 - Sackville Trading Estate and Coal Yard

- 4.6 The land included within the allocation identified by Policy SSA4 is the subject of emerging development proposals by our client, who is committed to the delivery and long-term operation of a sustainable mixed-use development in partnership with Mayfield Villages (the Audley Group). The Site has been subject to an extensive masterplanning process underpinned by a number of technical assessments to establish the appropriate mix and quantum of uses to come forward as part of a planning application. This work along with ongoing discussions with the Council and other stakeholders has confirmed that the Site is highly deliverable and has capacity to make a substantial contribution to Brighton & Hove’s identified development needs.
- 4.7 Moda strongly supports the proposed allocation of the Site for comprehensive mixed-use development, as detailed in Policy SSA4. The provision of a significant number of new residential dwellings on the Site will not only assist in meeting BHCC’s significant housing needs, but will also help to create a new healthy sustainable community, supporting the wider strategic plans around Hove Station. The allocation presents a significant opportunity to diversify the employment mix compared to existing uses on the Site, catering to a blend of employment needs and supporting creative industries and start-ups.
- 4.8 Given the anticipated timescales for preparing and adopting the City Plan Part Two, a planning application will ultimately be vehicle through which development proposals for the Site come forward in the short-term. Moda fully recognises and appreciates the importance of the Site to the Council in realising its vision for the regeneration of the area and, to this end, is working closely with officers to ensure the site-wide masterplan is evolving in line with the objectives of Policy DA6 and the site-specific requirements of the emerging site allocation. Furthermore, Moda is working in collaboration with the HSNF to assist in the implementation of the emerging Neighbourhood Plan by bringing forward a site-wide masterplan that adopts the vision and principles of the Hove Station Quarter Concept Masterplan, ensuring a policy-compliant scheme that will facilitate early delivery of a vital part of the Hove Station Masterplan area. The masterplan has been refined such that is ‘future-proofed’ to facilitate the future re-development of the wider Masterplan area (Policy DA6), through integration of features proposed to enable and encourage future integration and connectivity, creating opportunities for wider place-making.

4.9 Moda has a long-term interest in the Site and wider community, acting as the principal operator, responsible for the day to day running of their development. Further, the Audley Group will act as a long-term partner operating the Mayfield Village component of the proposals, which will form a fully integrated element of the site-wide masterplan. Importantly this will not only secure delivery of the scheme, but will also ensure a high-quality approach to design and long-term maintenance over the plan period.

Sustainable Benefits

4.10 The mixed-use redevelopment of the Site, as proposed in Policy SSA4, will create significant sustainable benefits. As stated in Paragraph 8 of the NPPF (2018), there are three overarching objectives of sustainable development:

- Economic Objectives;
- Social Objectives; and
- Environmental Objectives.

4.11 The proposed scheme for the Site will provide new purpose-built office and cultural and creative industry floorspace along with ancillary retail space for new business to operate from, supporting existing and future residents and the local economy. The approach taken by Moda fosters innovation and improved productivity, while providing modern work space and infrastructure to support economic growth. The proposed non-residential uses will help create a more commercially successful and economically resilient City, with a diverse mix of uses to maintain its vitality and viability. This will support the local economy through the generation of greater spending and tax revenue, the provision of enhanced employment opportunities and the direct and indirect investment generated by the enhanced development. The regeneration of the Site will create significant inward investment in the area through making efficient use of underutilised industrial land.

4.12 The proposed B1 accommodation comprising 'Moda Works' (a pre-let to Moda), live / work units targeted at creative industries sector as well as consolidated office floorspace will diversify the existing employment offer in the area. This provision provides the opportunity to create approximately 295 B1 full-time equivalent jobs (gross), which compares very favourably with the 46 jobs within the businesses that are currently on site, in addition to the very small number of jobs which have been traditionally associated with the Coal Yard.

4.13 Notwithstanding, Moda views the redevelopment of the Site as a significant employment opportunity, and the proposed mix of employment floorspace will offer a far greater diversity and mix of employment opportunities that reflects the balanced, inter-generational community created through the proposals for the Site – this caters to a blend of employment opportunities rather than a focus on a single use class (B1), as currently proposed in Policy SSA4. This includes jobs associated with Moda's on-site operation, specialist jobs created by Mayfield plus the variety of full-time equivalent

jobs associated with the proposed retail, nursery, nursery, as well as jobs associated with the from the construction phase of the development. This blend of employment and commercial accommodation has the potential to generate approximately 450 gross full-time employment opportunities which far exceeds the current potential of the Site.

- 4.14 Furthermore, the new residential dwellings proposed will increase the economically active population resident within Hove and generate greater expenditure in the local area and across the BHCC area more widely. The proposals for the Site have the potential to have a catalytic effect for the surrounding area.
- 4.15 The development will improve the built environment within the area, delivering residential development in a sustainable location whilst meeting the community's needs for housing, convenient retail opportunities and community facilities. Redevelopment will create a new sense of place for local people, providing a network of open spaces and pedestrian connectivity including future linkages to Hove Station. High quality public realm will be integrated throughout the Site, encouraging greater interaction between existing and future residents and visitors.
- 4.16 The proposed scheme will deliver a mix of new homes across tenures, including in excess of 500 build to rent homes, affordable homes and approximately 250 care homes with flexible care packages to suit individual and variable resident needs. As mentioned in further detail below with regards to draft Policy DM4, accommodation for older people should be encouraged on strategic redevelopment sites such as the Sackville Trading Estate and Coal Yard. This encourages the creation of mixed, balanced, inclusive and sustainable communities, as supported by draft Policy DM1. Diversifying the provision of residential accommodation within the locality will ensure new communities are sustainable.
- 4.17 The delivery of the Site will therefore make a substantial contribution towards meeting the identified housing needs of Hove and the wider City, maximising the use of underutilised brownfield land and enabling both the Council and the Neighbourhood Forum's regeneration aspirations for the area. This will also service to address the negative impacts of undersupply such as increasing unaffordability and market instability, thereby increasing access to housing within the City.
- 4.18 A comprehensive approach to design, including infrastructure and landscape, has been adopted through the masterplanning process. This process has been informed by, and has responded to, environmental and physical constraints and opportunities to ensure redevelopment of the site enhances the natural and built environment. The total quantum of development to be delivered on the Site will be subject to sensitivity testing and demonstrated through a comprehensive planning application. This will demonstrate how the masterplan and scheme design positively addresses the topography of the Site and integrates design solutions to flooding and drainage, biodiversity, daylight

and sunlight, noise, air quality and microclimate, whilst also protecting the amenity of existing and future residents.

- 4.19 This Site is located in a highly accessible and sustainable location, which reduces the reliance on vehicle movements associated with redevelopment of the Site, and promotes a healthy and sustainable community whereby local services are within walking distance and cycling is actively encouraged through the integration of designated storage areas. The existing sustainability credentials of the Site and the wider area will improve in line with the policies of the City Plan and the Local Neighbourhood Plan.

Employment Provision

- 4.20 The Moda proposals for the Site are predicated on delivering high-quality B1 employment space and C3 residential development, making effective use of the land to bring forward a truly mixed-use offering. The employment element of the scheme will be fully integrated into the site-wide masterplan, improving and diversifying the quality of the employment facilities across the Site. This approach is founded on the creation of innovation and improved productivity, with work spaces designed for modern office needs. The provision of Moda works, flexible creative industry facilities and live/ work units will diversify employment on site. This approach will also lead to a net increase in jobs which will have significant socio-economic benefits to the area.
- 4.21 The current draft allocation identifies a requirement for the development of 6,000sqm of B1 employment floorspace as part of any redevelopment of the Site. There is no clear justification for this uplift in the supporting evidence base, with the City Plan Part One seeking provision of 5,000sqm of employment floorspace across the DA6 area as a whole (of which this site is just a part). The supporting text within paragraph 3.26 sets out that the 6,000sqm requirement makes an allowance for the current level on the Trading Estate to be increased by a minimum of 20%. It is considered that the Council has weighted this requirement too heavily in favour of 'like for like' re-provision in terms of quantum of floorspace, rather than adopting a more flexible and qualitative approach to diversification of employment uses and their socio-economic benefits.
- 4.22 The Site is currently underutilised with low occupancy rates, suggesting that a 20% increase in replacement floorspace for the Trading Estate would be inappropriate and un-sound. It goes well beyond the requirements of adopted City Council Policy DA6 and this has not been justified. Moda's proposed approach, as set out above, would significantly enhance the diversity and quality of employment facilities on offer which will, in turn, create more jobs on site. The provision of a consolidated office development coupled with Moda Works, live / work units, Moda Works and a mix of other employment-generating uses will future proof employment within this area of the City. We would therefore encourage the Council to lower the employment floorspace requirement with regards to minimum floorspace provision, and instead acknowledge that a fully integrated mixed-use scheme

incorporating a range of employment-generating uses would have substantial socio-economic benefits.

Policy DM6 - Build to Rent Housing

- 4.23 Recognition in the draft Plan of the importance of delivering a diverse range of new housing, including explicit references to purpose built private rented housing, is welcome, and supported. As referred to in the draft Plan, build to rent is a growing sector, and Government has been consulting on how to best encourage and enable an increased supply of new purpose built private rented housing.
- 4.24 The NPPF now provides clear and explicit policy on this, and refers to the importance of reflecting and meeting the housing needs of different groups and communities, including “people who rent their homes” (NPPF 2018, para 61). Moda supports that both draft policies DM6 and DM1 refer to the delivery of homes to rent, and that the draft Plan is proposing to encourage this sector of the housing market. Indeed, in revisiting the Plan in light of the new NPPF, the wording of Policy DM6 might be made more explicitly positive and encouraging to better reflect the tone and content of national policy.
- 4.25 Moda consider that criterion b) of draft policy DM6 requires further thought and clarity. This refers to resisting an *“over-concentration of build to rent within sites designated as Strategic Allocations in the City Plan”*. In the draft supporting text (paragraph 2.42) there is a cross-reference to Policy CP19 of the City Plan Part One and the need for a mix of housing. While the importance of the local planning framework delivering a mix of housing at the City-wide level is understood, this reference to potential ‘over-concentration’ at a strategic site level is unclear. Unless there is a clearer definition and justification to underpin an understanding of what might constitute an over-concentration Moda’s view is that this should be removed from the emerging Policy. If this component of DM6 is to be retained, a clear evidence base and explanation of how it will be measured and determined should be provided. It is unclear how this might be implemented in a predictable and consistent way, making this an unsound and ineffective component of policy.
- 4.26 In practice, BTR housing represents a long-term investment by developers and/or operators. There are a range of different operational or management models for BTR development, but there are clear efficiencies and advantages to some degree of scale. This can enable the provision of amenity rich, high-quality developments which not only provide an attractive, safe, and stimulating living environment for its tenants, but also deliver high-quality new places and communities which add value and bring activity and new facilities for the wider surrounding communities. Such an approach is central to Moda’s business model. If interpreted in an inappropriate way, concerns about ‘over-concentration’ could easily reduce the potential for the BTR sector to deliver such high-quality developments and regeneration outcomes, or worse very quickly undermine the viability and deliverability of BTR schemes altogether by imposing an arbitrary and unjustified limit on the amount of development on one site or in one neighbourhood. This would be contrary to the NPPF.

Therefore, we strongly encourage BHCC to revisit this with a view to removing the reference to ‘over-concentration’.

- 4.27 The scale and quantity of BTR on a specific site is, as for standard private housing development, commercially driven, based on an understanding of the market characteristics and demand for the housing product being proposed. When BTR providers decide to invest in a site or neighbourhood this represents a long-term investment, and relies on being able to quickly develop housing and attract new tenants. For Moda, the success of BTR relies on providing high-quality and attractive housing in attractive, often aspirational, mixed communities. There is nothing to be gained for BTR providers like Moda delivering an ‘over-concentration’ of new private rented accommodation – such an approach might imply the likelihood of vacant properties which would not be in our interest, or the interest of the wider community.
- 4.28 In amending the emerging policy, a more positive and appropriate emphasis for criterion b) would be reference to the importance of viewing BTR proposals in the context of wider housing and regeneration objectives, and against the need to deliver a diverse range of housing types and products which meets the needs of a range of groups within the City. The draft Plan might also refer to the importance of monitoring the delivery of new private rented homes to ensure that BHCC is able to understand the relative level of new build rented homes over the plan-period.
- 4.29 Housing affordability is a wide-ranging issue (also referred to in Policy DM1 and adopted Part 1 City Plan policies), and Policy DM6 rightly refers to the role private rented accommodation can make in the delivery of ‘affordable rent’ housing as part of a diverse and balanced housing market.

We note (at paragraph 2.49) a reference to the Council’s intention to commission further evidence regarding build to rent provision (deliverability and viability). More details would be useful, as would information about any opportunities for Moda and others to engage in helping provide a market context for this evidence base.

Other Policies

Policy DM1 - Housing Quality, Choice and Mix

- 4.30 Moda is supportive of the policy aspirations of DM1 in delivering a wide choice of quality homes within the City. The proposed redevelopment of the Site will make a positive contribution to the creation of a new mixed, balanced, inclusive and sustainable community within the heart of the Hove Station regeneration area.
- 4.31 Moda’s built-to-rent proposals for the Site will help support a range of tenures within Hove, reflecting BHCC’s recognised need for rented accommodation. Moda supports the proposed policy wording which requires proposals for new residential development to make provision for a range and mix of

housing / accommodation types subject to the character, location and context of the site, referencing build to rent as a specific example which is supported by national policy. Moda encourages the Council to continue to support the provision of build to rent in the City in line with national planning policy, which makes clear that local authorities should plan positively to boost the supply of housing to rent by providing more choice of good quality rented accommodation and secure longer-term tenancies. Further commentary is provided below under Policy DM6 'Build to Rent Housing'.

Policy DM4 – Housing and Accommodation for Older Persons

- 4.32 Moda welcomes draft Policy DM4, which seeks to ensure there is a sufficient supply and range of suitable residential accommodation for older people. Meeting extra care housing needs will be a key objective over the development plan period, and we draw the Council's attention to a recent study into projected health needs of elderly people in England for 2015-2035 published by Lancet Public Health journal¹. It found that the number of people aged 65+ needing round-the-clock care is estimated to rise by a third and the number of over-85s requiring help with daily tasks will almost double to 446,000 by 2035.
- 4.33 A Headline Need Assessment for older people's housing has been undertaken by the Audley Group, Moda's development partner, to inform the emerging proposals for the Site. It found that the estimated need (2019) in the administrative area of Brighton and Hove City Council to be 732 private extra care units (equating to 4% of the 18,300 people aged 75+). This has been informed by the Housing Learning and Improvement Network (LIN) toolkit. The assessment also finds a shortfall of 665 private extra care units within the Council's administrative boundary.
- 4.34 Given the growing identified need for this type of housing, draft Policy DM4 should encourage housing and accommodation of older people to be delivered on the identified Strategic Site Allocations. These areas are identified for major new development over the plan period in order to meet the Council's development requirements. As such, extra care accommodation should be particularly promoted in these areas to ensure new communities are mixed, inclusive and sustainable, and that new development meets a range of residential needs. This would be further supported by draft Policy DM1, which seeks a wide choice of high-quality homes, with the supporting justification at paragraph 2.2 specifically referencing housing needs of older people.
- 4.35 The supporting text for draft Policy DM4 mentions a requirement for the accommodation to be *"marketed and made available for sale, rent or as appropriate within a period of at least 6 months before it is marketed more widely"* (paragraph 2.30). Whilst this is not referenced in the policy text itself, Moda requests the Council provides clarity on how this would work in practise to ensure the policy is not excessively restrictive or unduly burdensome on developers. This would ensure the

¹ Modelling the Growing Need for Social Care in Older People (2018) / <https://www.bbc.co.uk/news/health-45354846>

policy is 'sound' with regards to the NPPF (2018), which states plans should “*contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals*” (Paragraph 16c).

Policy DM11 – New Business Floorspace

- 4.36 Policy DM11 sets out the Council's approach to development proposals involving the provision of new B1a, b, and c Use Class business floorspace, stating that new proposals should provide well-designed buildings and layouts suitable for incorporating a range of units and types that are flexible. The proposed Moda scheme for the Site will diversify the employment mix through provision of a variety of B1 facilities including conventional office space, Moda works and live / work units targeted at local creative and start-up businesses.
- 4.37 The policy makes specific reference to proposals involving the redevelopment of existing older poor quality and low density industrial and warehousing premises. It outlines that such proposals are required to make efficient use of the site / premises to provide higher density and flexibility in their design. The proposed masterplan for the Site proposes a mix of employment floorspace of a high-quality design that responds positively to the changing economic conditions of the City and which will support economic growth and diversification, in line with the supporting text in paragraph 2.89.

Policy DM18 – High Quality Design and Places

- 4.38 Moda is supportive of the policy aspirations of DM18 in ensuring that new proposals demonstrate high standards of design and make a positive contribution to a sense of place and the visual quality of the environment.
- 4.39 The Moda proposals for the Site have adopted an approach to place-making and sustainable development which reflects the intention of this policy. Moda acknowledges that the supporting text which informs the criteria set out within the policy wording acts as useful guidance. However, it is in parts too prescriptive and arguably development management policy supporting text should be more focused, setting out specifically what is required. There is scope for the Council to amend this wording to provide further support for what is expected as part of a well-rounded, sound development management policy.
- 4.40 We note the reference to “*detailed area- and site-specific design principles will be identified via the Urban Design Framework*” and would appreciate further clarity on what this refers to, and its relationship with the City Plan Part two.

Policy DM19 Maximising Development Potential

- 4.41 Moda strongly welcomes this policy, which reflects much of the new NPPF's emphasis on the importance of maximising and 'making effective use' of development land. The draft policy and supporting text acknowledges the constrained nature of Brighton and Hove, and the particular

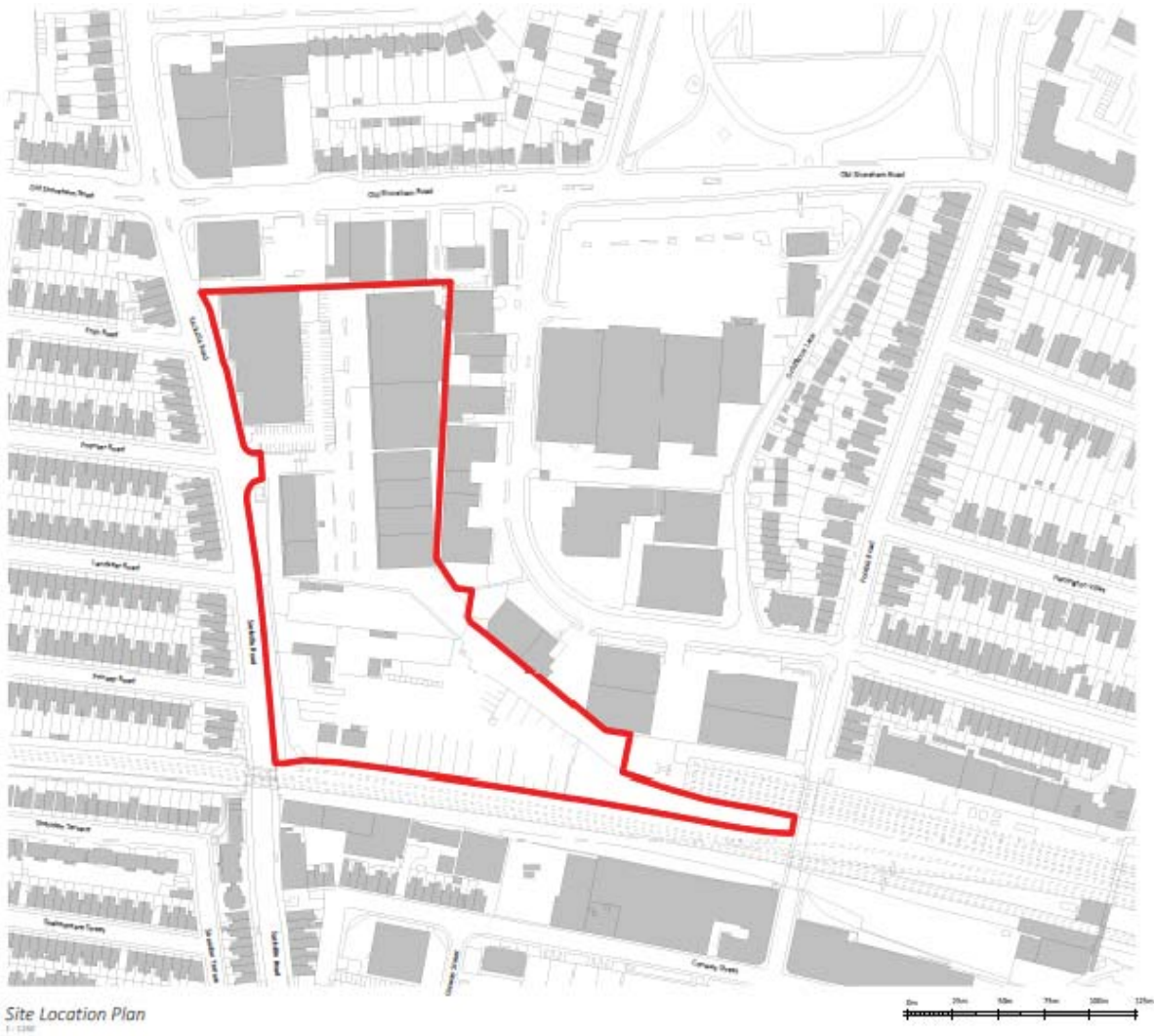
importance in this context of maximising the potential of available brownfield sites. There is clear synergy between this emerging emphasis in local policy and the emphasis of the NPPF on the “substantial weight” to be given to the re-use of suitable brownfield land for the delivery of new homes and other development (see NPPF paragraph 118).

- 4.42 The draft Plan text advocates a design-led approach to density, responding to the development needs of particular groups (paragraph 2.154), but balancing this with the need to prevent overcrowding and negative impacts on amenity. Recognition and encouragement of the potential to deliver high-density developments in the City is appropriate, and is supported by Moda.

5. SUMMARY AND CONCLUSIONS

- 5.1 This document sets out representations on the Draft City Plan Part Two on behalf of our client, Moda Living Limited. Our client controls the land identified within the enclosed Site Location Plan, which comprises the vast majority of the land identified within the draft allocation set out in Policy SSA4, and is committed to the delivery and long-term operation of the Site, in partnership with Mayfield Villages (the Audley Group), for residential and employment-led mixed-use development in the early years of the plan following its adoption. This Site therefore has the potential to make a valuable contribution towards the City's identified development needs, as well as providing additional sustainable benefits.
- 5.2 Our client welcomes and supports the Site's allocation for comprehensive redevelopment within the City Plan Part Two, and welcomes the opportunity to continue to work constructively and collaboratively with the Council to shape the emerging proposals for the Site. Moda considers that a robust planning application for the Site is the appropriate mechanism for defining a comprehensive site-wide development strategy in line with the overarching objectives of Policy DA6 and the proposed draft site allocation (Policy SSA4).
- 5.3 Our client is broadly supportive of the Council's proposed overall development management approach for the City, although as detailed above there are certain aspects which we would encourage the Council to consider further in order to ensure all the proposed policies are fully robust and sound, having regard to the tests set out within paragraph 35 of the NPPF (2018).
- 5.4 We trust the Council will take the above comments into account in the production of the draft plan, and we welcome the opportunity to work collaboratively with the Council as matters progress. Please do not hesitate to contact Icen Projects should you wish to discuss matters raised in this document further.

A1. SITE LOCATION PLAN



From:
Sent: 13 September 2018 14:08
To: PlanningPolicy
Subject: RE: Draft City Plan-part 2 Patcham sites - Objection

I am writing to raise an objection to the draft city plan – 2 (Patcham Ward)

I acknowledge that there is a need to create more housing within the city of Brighton and Hove. However, I am deeply concerned at the inclusion of the five private detached houses, 46-54 Old London Road, Patcham, BN1 8XQ, in the plan for a development of 30 houses or flats. Overwhelming objections to previous attempts by McCarthy and Stone to acquire and develop the land by local residents, councillors, and members of Parliament have all been rejected by the council and/or the planning inspector at appeal. It is therefore of great concern to hear that the council has included this site in its table of proposed developments.

The density of housing currently put forward in the plan will spoil the village atmosphere and materially impact on the character of Patcham Village. To have so many mature trees felled and mature gardens destroyed will disturb the multitude of wildlife habitats in the area. To recommend replacing these with a high-density development within this beautiful village is very disturbing. Old London Road is already a very busy road, with no pavement on the Eastern side. Thirty properties with as many, if not more, vehicles will impact greatly on congestion and air quality in the area.

The drainage/sewage system has been a constant concern for Patcham residents and flood risk to the area is high. Patcham Village area has flooded on many occasions in the past, with sewage overflowing into the road in 2000-2001 and flooding in basements since then in 2014. With climate changes this is likely to occur more frequently in the future. How therefore can a high density development such as this be justified? I understand that the summary of the Inspector's conclusions on the previous McCarthy and Stone scheme stated that "The site has previously suffered from surface water flooding and is identified as having low-medium risk of surface water flooding," from the images below however, this is shown not to be the case. In fact an expert in the area of flood risk told residents at a public meeting in May 2016 that the drainage system just cannot cope and that the main sewer running down the London Road does not have the capacity to take the rain water at present when weather conditions are bad. If this is the case already, how will it cope with such an increase in water usage, and who will be liable should such a development go ahead?



My objection to the other two sites in Patcham are that these proposed developments are on the urban fringe, with no detail relating to access, density, or character. This will create further infrastructure problems, with increased traffic, congestion, adverse impact upon schools, GP surgeries as well as the already mentioned problems of drainage and sewer systems. These urban fringe sites are locations that local Brighton and Hove residents use very frequently for walking and other leisure activities, something I know that the council is committed to and supports.

As an example; Vale Avenue in the rush hour is highly congested with traffic backing up from the A23 roundabout. This causes cars to use Church Hill as an alternative, in order to drive into the city and avoid queueing causing real concern to residents because of the speed at which they drive.

The very detailed 2015 Patcham Conservation Area Appraisal shows just how important the village atmosphere is in Patcham and such a development would drastically alter this. <https://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/Conservation Area Patcham Dec 2015.pdf>

I am passionate about the use of brownfield sites and deplore the fact that Anston House is still such a blot on the landscape of our city. In January 2018 the council released details of having identified approximately 180 brownfield sites which, if all were to be developed, could provide over 8000 homes." According to the council this could provide "Eighty seven per cent of the city's future housing".

Please don't look for what appears to be an easier alternative when such sites could and should be developed. I urge the council to consider the use of such sites.

Yours sincerely