



Brighton & Hove

SUPPLEMENTARY PLANNING DOCUMENT SPD 06: TREES AND DEVELOPMENT SITES

STATEMENT OF REPRESENTATIONS

This Statement has been prepared by Brighton & Hove City Council under regulation 18(4) of the Town and Country Planning (Local Development) (England) Regulations 2004.

Consultation period and methods

The formal six week consultation period for the Supplementary Planning Document (SPD) on Trees and Development Sites ran from 28 October to 9 December 2005. Public notices were placed in the Argus on 27 October 2005 and the Brighton and Hove Leader on 28 October 2005. The SPD, the Sustainability Appraisal, the Statement of SPD Matters and the Consultation Statement were made available throughout this period in the council's city direct offices in Bartholomew Square, Hove Town Hall and Portslade, in Brighton Jubilee Library and on the council's website. Copies of the SPD documents were sent to the following specific and general bodies or groups:

Brighton & Hove Archaeological Society
Brighton & Hove Civic Society
Brighton & Hove Environment Forum
Brighton & Hove Friends of the Earth
Brighton Society
Council for the Protection of Rural England
Countryside Agency
East Sussex Fire and Rescue Service
English Heritage
English Nature
Environment Agency
Friends of Brunswick Square and Terrace
Friends of Palmeira Square & Adelaide
Friends of Stanmer Park
Friends of Stanmer
Friends of the Earth
Friends of Waterhall
Friends of Whitehawk Hill
Goldstone Valley Residents' Association
Hove Civic Society
Inner City Wildlife Concern
Keep The Ridge Green
Kemptown Conservation Society
Kingscliffe Society

Lansdowne Area Residents' Association
Montpelier & Clifton Hill Society
North Laine Community Association
Open Spaces Forum
Ovingdean Residents' and Preservation Society
Preston & Old Patcham Society
Regency Square Area Society
Regency Society
Rottingdean Parish Council
Rottingdean Preservation Society
Round Hill Society
RSPB
Saltdean Residents' Association
Society of Sussex Downsmen
South-East Forum for Sustainability
Stanmer Preservation Society
Sussex Archaeological Society
South Downs Conservation Board – local
Sussex Downs Joint Committee
Sussex Gardens Trust
Sussex Police
Sussex Wildlife Trust
TWEACK (Westdene, Withdean and Eldred Avenue Copse Keepers)
Vale Park Residents' Association
Vallance Residents' Association
West Hill Community Association
Woodland Trust

Beecham Moore Partnership
BPM Construction & Architecture
CJ Planning
DMH Stallard
DRP Architects
Evolution Architecture
Land Use Consultants
MHD Architects
Miles Broe Architects
Miller Bourne Partnership
Morgan Carn Partnership Architects
Parker Dann
RPS Planning & Consultancy

C. Reader
Ken Fines
Ray Strong
Martin Wilson
Tom Chavasse
Valerie Mainstone
Valerie Paynter

Representations received

Representations were received from the following bodies, groups or individuals:

Eco-Logically
Friends of Brunswick Square & Terrace
Environment Agency
Kingscliffe Society
Lansdowne Area Residents' Association
The Regency Society of Brighton & Hove
Inner City Wildlife Concern
Fairview New Homes Ltd

Summary of the main issues raised in these representations

The main issues raised were as follows:

1. Need to ensure that new tree planting is appropriate to local ecological conditions.
2. No indication of how the SPD will help maintain and enhance the National Elm Collection.
3. SPD should emphasise the importance of shrubs, ground cover/borders and smaller trees on many development sites.
4. Tendency to use planning conditions as a loophole to allow developers to abdicate their responsibilities to trees on development sites.
5. SPD allows a review the council's knowledge base on the city's tree resource.
6. This document appears to delegate responsibility for ecological issues to be dealt with in future SPDs.
7. Regular monitoring of post-planting should be carried out.

How these main issues have been addressed in the SPD

1. It is considered that the SPD already reflects the very important point regarding matching appropriate species to local ecological conditions in Chapter 7. Submitted schemes are scrutinised by Planning Officers, Arboriculturists and the council's Ecologist in addition to the advice given in the SPD.
2. The SPD seeks to improve the protection of all trees on private as well as public land. While the wording does not need to be amended for its own sake, it should be noted that the National Elm Collection is located on land owned by and maintained by this council.
3. Unfortunately there is no legal requirement to retain shrubs and other smaller trees. However, it was felt desirable that the SPD was strengthened in Chapter 4 to alert developers to the importance, both individually and cumulatively, of shrubs and other non-protected greenery.
4. The SPD makes clear in Chapters 5 and 7 that planning conditions may be used where necessary and offers examples of planning conditions in Appendix 3.
5. The SPD does allow the council to review its knowledge base of the city's tree resource, in addition to its existing and future planned mapping systems. The SPD in a new Appendix 6 will include 3 monitoring targets to identify long-term effects on trees on development sites as a result of the SPD being adopted.
6. Production of separate SPDs was considered appropriate in order to explore topics (Biodiversity and Development, and Trees and Development) fully and in depth. It was felt that to attempt to integrate isolated sections in other SPDs would dilute meaning and would potentially prevent developers from considering entire documents due to duplication and/or overload.

7. Regular monitoring of new planting is carried out on current sites by Arboricultural officers and planning maintenance is conditional on the developer for 5 years following planting. The SPD's key message for developers to consider tree planting and retention on development sites (and more generally elsewhere) was felt to be more useful in the interests of brevity rather than an explanation of planning law and Arboricultural practice.

Jenny Rowlands
Director of Environment
Kings House, Grand Avenue
Hove, BN3 2LS