



Local Development Team
Brighton & Hove City Council
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Emailed to: ldf@brighton-hove.gov.uk

16 December, 2014

Dear Madam / Sir,

City Plan Soundness

On behalf of Brighton & Hove Friends of the Earth (BHFOE) I would like to welcome the opportunity to comment on the soundness of the City Plan's major modifications. Overall, BHFOE supports much of these changes plan, but it does have concerns as to whether some of the proposals remain sound as a result of new circumstances such as around air pollution. It also objects to a number of modifications which are a watering down of the energy standards of new buildings when the city is consistently failing to meet its carbon reduction targets. It believes this to be unjustified and unsound.

Finally, on developing the urban fringe, while BHFOE accepts that some development can take place, it is not convinced that the Urban Fringe Assessment has got all its facts right. It therefore questions the suitability of some of the proposed sites for housing and therefore the total amount of housing being proposed for the urban fringe.

Comments on Proposed Modifications

PM003 – Technically, the order confirming the designation of the South Downs National Park, came into effect on 31 March 2010, not April 2010 as stated in this proposed modification.

PM010 – Support the emphasis on brownfield development (paragraph 2.19) as this offers most sustainable approach, providing homes close to jobs and services.

The proposed new text in paragraph 2.20 is incorrect to say that there are many Nature Improvement Areas as there is only one in Sussex. It would be more accurate to say that much of the area, including the urban green network, forms part of the South Downs Way Ahead Nature Improvement Area.

On housing we would also like to see more development around the important sustainable transport hubs of Brighton Station and Hove Station, without losing employment space, rather than developing the urban fringe.

PM011 & PM072 – Question whether the figure for 1,060 units for the urban fringe is justified and sound given the fact that some sites proposed as suitable for development appear to have been put forward using inaccurate and incorrect information within the Urban Fringe Assessment.

For example, the allocation of Hollingbury Park for housing is made predominantly on the assertion that there is a surplus of green space in Hollingdean and Stanmer ward. However, this fails to consider the elongated shape of the ward and that it contains citywide parks in the form of Wild Park and Stanmer Park in the centre and north of the ward respectively. However, for the residents of Hollingdean, neither of these parks is particularly local or accessible, given the steep gradients needed to access Wild Park, once you have negotiated the threat of flying golf balls on the golf course. That leaves only Hollingbury Park as an accessible green space for many residents in Hollingdean. Also this area serves residents in neighbouring wards of Preston Park, Withdean and Patcham where there is a shortage of green space. Therefore to assess this site in that context is plainly wrong. There are other issues with the assessment of this site too.

Another area where mistakes have been made is on the Craven Vale allotments where the mitigation for building houses on the allotments is to create new allotments nearby, but the land proposed for this is Open Access land. A fact not recognised in the report.

PM014 – Support this modification for the reasons previously stated about the economic importance of the bus network serving the city centre. However, there is a question about whether the wording on air quality needs to be tightened in light of the recent Court of Justice of the European Union ruling that there is an obligation to address legal limits as soon as possible¹. The proposed new wording requiring “new development proposals take into account impact on local air quality and that improvements and/or mitigation are sought wherever possible” is no longer strong enough, given the urgent need to address this serious issue. Therefore, this proposed modification may no longer be sound.

It is worth stressing that Public Health England has estimated that premature deaths in Brighton & Hove due to particulate pollution is around 115 deaths per annum². New research coming out next year, which includes the effect of nitrous oxides, could see the number of premature deaths attributable to air pollution double³.

PM017 – Support much of this proposed modification for the reasons given in PM014, but again question whether the last two sentences are strong enough given the recent Court of Justice of the European Union ruling that there is an obligation to address legal limits as soon as possible⁴. While the Council has declared a Low Emission Zone along the North Street / Western Road corridor, this is not going to have a big impact without changes to the Clock Tower junctions to improve the flow of buses and taxis through the area.

¹ [Article](#) from Air Quality News, 19 November 2014

² Page 15, [Estimating Local Mortality Burdens associated with Particulate Air Pollution](#), Public Health England, 2014

³ [Article](#) from Air Quality News, 5 December 2014

⁴ [Article](#) from Air Quality News, 19 November 2014

PM020 – this proposed amendment seems a rather watering down of policy and given the city’s failure to meet its carbon reduction targets⁵, we would object to this change as it is unjustified and unsound.

PM025 – support but with the same comments on the air quality wording as for PM014

PM033 – support but with the same comments on the air quality wording as for PM014

PM044 – support but with the same comments on the air quality wording as for PM014

PM045 – support this amendment, although we would prefer a higher minimum housing provision to make this policy sound. A higher level is justified in the context of the severe shortfall in housing provision and the fact that this is the only significant opportunity to be able to create a sustainable city suburb. It is essential that the housing is of a density that will mean that it is viable to run commercial high frequency bus services to and from the area.

Object to the upper cap on housing density which should be removed or increased to allow a variety of densities to be developed to take advantage of the local topography and site layout. This upper limit is not justified and therefore makes the plan unsound. The upper limit should be determined by practical and amenity concerns, including the impact on the South Downs National Park, rather than some arbitrary figure.

Paragraph 3.90 – the wording about informal weekend park & ride is unjustified and unsound as it is unlikely to operate successfully and could lead to a waste of space. It would be far better to make best use of scarce land by integrating the car parking needs of the new housing with the car parking needs of the employment space as the two would be largely complimentary and operated together would allow for less space to be set aside overall for car parking, freeing up more room for other uses and / or a higher quality environment.

Under phasing of development, there is a failure to mention the need to have bus services in place on day one of the completion of the first phase of the development. This is to ensure that behaviourally, people are aware of sustainable transport options and don’t automatically resort to car use for every journey. The omission of this makes this unsound and will undermine the Plan’s ability to deliver on its sustainable transport objectives, given the size of the site.

PM051 – support but with the same comments on the air quality wording as for PM014

PM052 – support but with the same comments on the air quality wording as for PM014

PM061 – support but with the same comments on the air quality wording as for PM014

PM062 – support but with the same comments on the air quality wording as for PM014

PM064 – support but object to some of the proposed housing allocations in the Urban Fringe Assessment which are believed to be unsound.

⁵ Graph on page 2, [City Performance Plan Update, Promoting Resource Efficiency and Enhancing the Environment 2013/14](#), shows how the city has consistently failed to meet its reduction target for carbon. The cumulative impact of these failures means that the targets need to be revised upwards to compensate for the excessive emissions to date

PM065 – support the protection of the setting of the South Downs National Park. The Plan would be unsound if this was not included as the Council has a legal duty to have regard to National Park purposes.

PM075 – strongly support the retention of industrial estates and business parks for business, manufacturing and warehouse use to enable employment land to be retained in the city to retain jobs and reduce transport movements.

PM085 – object to the downgrading of the required standards for new development. Given the city’s failure to meet its carbon reduction targets, we would object to this change as it is unjustified and unsound.

PM090 – strongly support this amendment which by requiring travel plans for major development schemes will help address transport issues within the city.

PM091 - support

PM093 – strongly support this amendment as increasing the amount of car parking available to the public would attract more cars into the city, creating more congestion and pollution as well as undermining the economic viability of the bus network. There is actually a strong case for arguing that any new car parking in the city centre is unjustified and would make the plan unsound as it will impact on bus services and increase congestion and pollution.

PM101 – it is questionable whether it is justified to talk of moving uses within the South Downs National Park in paragraph 4.174 which is outside the remit of this Plan. It is also questionable whether these uses could be accommodated within the National Park without causing significant harm and therefore counter to policy SA5. Therefore this reference should be removed to ensure consistency within the Plan and to ensure its soundness.

PM103 – support

PM105 - support but with the same comments on the air quality wording as for PM014

PM106 – strongly support to ensure that new homes are fit for purpose.

PM107 – support as it is important to be able to provide housing for residents.

If you have any questions about our comments, please do not hesitate to get in touch.

Yours sincerely,

Chris Todd

Planning & Transport Campaigner