



Development Control
Brighton & Hove City Council
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8 March, 2019

Dear Maria,

Objection to planning application: BH2018/03633 Toads Hole Valley – Land at King George VI Avenue, Hove

On behalf of Brighton & Hove Friends of the Earth (BHFOE) I would like to strongly object to the above planning application particularly with regard to its economic, environmental and social impacts arising from the proposed transport arrangements, in particular around active travel. While there is much to commend the development, it is unfortunately undermined by its significant transport and health impacts, lack of ambition on modal split targets, its car based layout and poor quality walking and cycling infrastructure.

In summary, our objection is that the development does not conform to the Local Plan or the National Planning Policy Framework (NPPF) on transport or health grounds. Despite having significant provision for pedestrians and cyclists, the development does not offer a genuine choice of transport because of the poor quality of that provision and the lack of priority being given to pedestrian and cycle movements. For this to occur, the layout of a development must be based around pedestrians and cyclists, with a road network designed to make it more awkward to drive within and through the development than to walk and cycle. In this instance, the opposite is true: it is very easy to drive everywhere while such provision as is proposed for pedestrians and cyclists looks disjointed, dangerous, incomplete and sub-standard. It is not enough to widen pavements and stick cycle symbols on them to meet the NPPF or Local Plan requirements.

In particular, the focus on mostly providing shared paths rather than proper cycle facilities will undermine both walking and cycling. Shared provision might be acceptable where flows of pedestrians are low, such as in rural locations, but they are not appropriate for urban areas unless there are absolutely no other options and certainly not for greenfield site locations. They can lead to conflict and danger, and will disadvantage, and hence discriminate against, people with disabilities, especially those with sensory impairments. This risk is increased where the difference in speeds between pedestrians and cyclists is further enlarged as is likely to occur in this location due to the local topography.

Finally, the development fails to demonstrate that it will minimise carbon emissions from transport. Local Plan policies and supporting text make it clear that high levels of sustainability are expected from this development and that includes from transport. This is an issue receiving national attention with the Committee for Climate Change recently published its report *UK Housing: Fit for the Future?* which highlights the need to promote more sustainable communities with more sustainable transport. It has also written to Government expressing concern that: *“Transport is now the largest greenhouse gas (GHG) emitting sector, accounting for 28% of all UK GHG emissions in 2017. There has been little change in the level of transport emissions since 2008. This trend must be reversed if the legally binding fourth and fifth carbon budgets are to be met.”*¹

This and other requirements are failing to be met because there is little ambition to set the development off on the most sustainable footing from the start. Accepting car use of 59% (driver and passengers) in year one feels like the development isn't really designed to minimise car use in any meaningful way from the outset. This is the moment to change travel behaviour as it is always easier to establish different behaviours in a new environment. If the developers wait until travel patterns are established, then reducing car use and achieving modal shift will be harder and slower. Another reason for the need to get the necessary infrastructure right from the start. Without this positive action there is little likelihood that the development as currently proposed will have any significant positive impact on transport emissions or active travel levels.

Local Plan Policies

The most relevant Local Plan Policies with regards to our comments are CP9 Sustainable Transport, CP18 Healthy City and DA7 - Toads Hole Valley as well as SPD15:

CP9 – Sustainable Transport (extracts from)

“The council will work with partners, stakeholders and communities to provide an integrated, safe and sustainable transport system that will accommodate new development; support the city’s role as a subregional service and employment hub; and improve accessibility.

¹ [Letter](#) from Lord Deben to Rt Hon Chris Grayling MP and Rt Hon Greg Clark MP, 18 October, 2018

It will promote and provide measures that will help to manage and improve mobility and lead to a transfer of people and freight onto sustainable forms of transport to reduce the impact of traffic and congestion, increase physical activity and therefore improve people's health, safety and quality of life.

A. Implementing the city's Transport Strategy to manage, maintain and improve travel and movement...

2 Local - Ensuring the priorities of the Transport Strategy are delivered within the city by:

a. Directing significant development into areas with good sustainable transport links and ensuring that major development will be located in areas where measures can be taken to secure accessibility improvements for all (see DA1-DA8 Development Areas). Sustainable transport measures will be focused into these areas.

b. Improving access to significant uses, facilities and services by supporting or providing sustainable transport measures (public transport, cycle and pedestrian and wheelchair friendly), better public realm and improved safety.

*c. **Ensuring that all new, major development schemes** submit a Transport Assessment to identify the likely effects of the demand for travel they create and **include measures to mitigate their impacts by reducing car use, implementing agreed travel plans and making appropriate contributions towards sustainable transport measures** (see CP7 Infrastructure and Developer Contributions).*

d. Working with communities to identify priorities for improved public realm, safer areas (e.g. child-friendly streets) and sustainable transport improvements (see SA6 Sustainable Communities)...”

with some of the most relevant supporting text reproduced here:

*4.95 **Sustainable transport is a key principle in the city's One Planet approach to sustainability** and will help to achieve One Planet designation. It is one of the five outcomes of the city's Climate Change Strategy (December 2011). It is estimated that transport contributes around 26 per cent to Brighton & Hove's carbon footprint, or 317,000 tonnes per year (2009). **The main source of transport CO2 emissions come from road transport**, although overall transport emissions have been reducing since 2005.*

4.96 Transport technology will play an important role in managing movement and travel and therefore reducing carbon emissions. Local measures can also make a difference, including: -

- Greater use of public transport – bus, rail, coach and taxis*
- **Greater use of zero carbon transport options – walking and cycling***
- Changes in travel patterns and behaviour – such as powered twowheelers, car sharing or flexible working*

- *Reducing the need to travel – such as videoconferences, use of the internet or mobile services*

4.97 By informing and influencing journey patterns, promoting and encouraging the use of more sustainable transport options, and providing measures that increase people’s travel options, the council and city can help tackle climate change and reduce carbon emissions.”

*“4.101 Part A2 of the policy addresses matters relating to reducing the number of car journeys within the city. The main part of the strategy is to locate major new development in accessible locations or in places which can be made sustainable through investment in walking, cycling and public transport improvements. These are identified as Development Areas. **The exception is DA7 Toad’s Hole Valley which is a greenfield site. It will be expected to meet high levels of sustainability and safety in terms of transport and access.**” [our emphasis]*

CP18 Healthy City (extracts from)

“Planning will support programmes and strategies which aim to reduce health inequalities and promote healthier lifestyles through the following:

- 1. Carry out health impact assessments (HIA or incorporated into a sustainability appraisal) on all planning policy documents.*
- 2. **Require HIA on all strategic developments in the city.***
- 3. **Require larger developments to demonstrate how they minimise negative impacts and maximise positive impacts on health within the development or in adjoining areas (where the benefits of new development can be maximised).***
- 4. **Encourage development that works towards Lifetime Neighbourhood principles; promotes health, safety and active living for all age groups, including healthy living options for older people (see also CP12 and CP13), active space for children and encourages physically active modes of transport...**” [our emphasis]*

DA7 – Toad’s Hole Valley (extracts from)

“The strategy for the development of Toad’s Hole Valley and Court Farm is to secure a modern, high quality and sustainable mixed use development to help meet the future needs of the city, improve accessibility and provide new community facilities to share with adjacent neighbourhoods.

A. The local priorities to achieve this strategy are:

- 1. That the site is used efficiently and effectively to assist in meeting the development and infrastructure requirements of the city.*

2. The development will aim to be an exemplary standard in terms of environmental, social and economic sustainability, achieving a One Planet approach and promoting the city's UNESCO Biosphere objectives.

3. Ensure that development respects the setting of the South Downs National Park and seeks to enhance links to the National Park for local residents and tourists.

4. The development will provide the opportunity to benefit residents in terms of the mix of uses, an improved provision of community facilities, road safety improvements, training and job opportunities for local people and the provision of green infrastructure including public open space and natural green space.

5. To improve sustainable transport links to the area ... ”

“The proposals will be assessed against the citywide policies and the following criteria:

e) Environmental sustainability will be central to the design and layout of the scheme which will be expected to meet the requirements of policy CP8...

h) Development will make contributions towards improved pedestrian and cycle links to the South Downs National Park...

k) Improvements to public transport access and a good quality public realm that encourages healthy lifestyles (walking and cycling with connections to existing cycle infrastructure) ... ”
[our emphasis]

Also relevant is Toad's Hole Valley Supplementary Planning Document (SPD15).

National Planning Policy Framework (NPPF) extracts

The relevant sustainable transport paragraphs in the NPPF are:

Paragraph 102: *“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:*

- a) the potential impacts of development on transport networks can be addressed;*
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;*
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;*

- d) *the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and*
- e) ***patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.***

Paragraph 103: “...Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and **offering a genuine choice of transport modes**. This can help to reduce congestion and emissions, and improve air quality and public health.

Paragraph 108: “In assessing... specific applications for development, it should be **ensured** that:

- a) *appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
- b) *safe and suitable access to the site can be achieved for all users; and*
- c) *any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*”

Paragraph 109: “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

Paragraph 110: “Within this context, applications for development should:

- a) ***give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;***
- b) *address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*
- c) ***create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards...*** [our emphasis]

The NPPF was published after the Brighton & Hove City Plan and therefore is a relevant consideration. Our objection is based on the poor provision of sustainable transport both within and around the site, contrary to NPPF because of the following reasons:

- It does not prioritise pedestrians and cyclists within and around the development. [contrary to Local Plan policies CP18 and DA7 para 5k, NPPF paras 102c & e, 110a]

- The development has been designed to make it as easy as possible to drive everywhere within the development – this not only effectively prioritises car use but will undermine active travel with increased traffic on the roads. [contrary to Local Plan policies CP9, CP18 and DA7 para 5k, NPPF paras 102c & e, 103 & 110a]
- The design has not been planned to give those walking and cycling an advantage over private car use. If this were done it would help encourage active travel within the development. [contrary to Local Plan policies CP18 and DA7 para 5k, NPPF paras 102c & e, 110a]
- The cycle facilities do not conform to IAN 195/16 or an equivalent standard. [contrary to Local Plan policy DA7 para 5k, NPPF para 110c]
- Shared paths are not suitable for urban locations except as an option of last resort through lack of space. On a greenfield site they are totally inappropriate and will create conflict between pedestrians and cyclists, particularly where they have been proposed on steep hills. [contrary to Local Plan policies CP9, CP18 and DA7 para 5k, NPPF paras 102c & e, 110c]
- The use of advance stop lines at the junction at the bottom of the hill on King George VI Avenue will do little for cycling without much longer feeder cycle lanes – they are increasingly seen as not providing any value on their own. [contrary to Local Plan policies CP18 and DA7 para 5k, NPPF para 110a & c]
- The pedestrian / cycle crossings at the bottom junction on King George VI Avenue are too complex and tortuous to promote cycling and walking. They involve too many stages – three to get across from the main residential area to SNCI and access to Dyke Trail. Most stages involve dog-legs that are dangerous as they turn people away from the on-coming traffic, while most are too narrow (and don't meet standards for cycling) and will create conflict between pedestrians and cyclists. The current proposals clearly do not prioritise walking and cycling but subjugate their needs to those of the motorist, who are only required to make one stop at the junction. [contrary to Local Plan policies CP18 and DA7 para 5k, NPPF paras 102e, 103, 108a & b, 110a & c]
- It is a similar story for the crossings at the bus gate on King George VI Avenue, except that here there are also issues around providing separate pedestrian and cycle crossings where these two flows then mix on the central island, undermining the purpose of the segregation in the first place. The central island should be widened to allow a straight over crossing, keeping the two flows apart and a more direct route across. In addition, a crossing for cyclists exiting the development is not provided on the eastern (uphill) side of the junction. This needs to be included along with a fully segregated route into the development to link up with other cycle infrastructure. As proposed, anyone exiting the development, if not wanting to mix with the traffic (and many vehicles will be existing left here across cyclists trying to go straight ahead), will have a four-stage crossing to

negotiate and no easy way of doing this. [contrary to Local Plan policies CP18 and DA7 para 5k, NPPF paras 102e, 103, 108a & b, 110a & c]

- There are too many exits onto King George VI Avenue, making it far too easy to drive in and out of the development. Some should be closed off and access made via other roads. This is particularly true for any cul-de-sacs that exit onto the Avenue. This would improve pedestrian and cycle movement. [contrary to Local Plan policies CP9, CP18 and DA7 para 5k, NPPF paras 102e, 103, 108a & b, 110a & c]
- There are no obvious linkages for cyclists getting too and from the number of cul-de-sacs along King George VI Avenue, although this is somewhat unclear as drawings appear to contradict themselves. As proposed, they would legally have to exit onto King George VI Avenue to re-enter the development somewhere else. If heading west they would have to cross over the road and then back again. This would deter many from doing this while others will end up cycling on pavements or across planting. This design without proper cycle facilities (to proper standards) to the north of King George VI Avenue will just cause conflict and will have safety implications. [contrary to Local Plan policies CP9, CP18 and DA7 para 5k, NPPF paras 102c&e, 103, 108a & b, 110a & c]
- Aside from the unsuitability of shared use paths in this development, these paths look like they are not continuous, being broken up by every side road, meaning the stop-start nature of these routes will make them unattractive for cycling, particularly on a hill where both speeds and effort will be higher. There are two elements to the solution to this: one is to reduce the number of through roads in the development and two is to give cycle facilities priority over side roads to provide continuous routes. [contrary to Local Plan policies CP18 and DA7 para 5k, NPPF paras 102c & e, 103, 108a, 110a & c]
- There appears to be no cycle provision alongside or tracking the main road through the development. Given the main route has been designed to have a more gentle gradient, it would be better to cyclists and pedestrians to use it. Also for properties to the north of the site it often provides the most direct route to other facilities within the site and to outside of the site. [contrary to Local Plan policies CP9, CP18 and DA7 para 5k, NPPF paras 102c & e, 103, 108a, 110a & c]
- There don't appear to be any plans to provide better cycle links to the local centre at Hangleton or to Hove Station. Plans might show a cycle route currently in place from Hove Park to Hove Station, but this is of poor quality and will not encourage people to cycle to the station. It needs to be improved if it is to serve any useful purpose. [contrary to Local Plan policies CP9, CP18 and DA7 para 5k, NPPF paras 102c, 103, 108a & b, 110a & c]
- The location of the community facilities (neighbourhood centre, doctor's surgery and community centre) at the base of the valley, far from the centre of the housing is likely to encourage car use and discourage active travel. It also means people will have

further to travel further exacerbating this, particularly with the gradients involved. The facilities are dispersed and surrounded by car parking undermining their ability to create a thriving local centre.

The Design statement talks about placing the retail by the entrance to the site to maximise passing trade, but this is flawed on two counts. Firstly, the screening of the site will reduce this visibility and secondly, these are local retail units and unlikely to serve much of a passing trade, which in any case could more easily be served elsewhere.

All three elements are separated from each other and should really be combined to provide an attractive and lively local centre that draws people too it and is easy to get to. Moving the three elements closer together and closer to the location of the community centre would be an improvement and would conform to the guidance given in SPD15. Equally, they are not well served by pedestrian and cycle access with the neighbourhood centre in particular surrounded by a sea of car parking. Redesigning, this local centre with a traffic free core, good pedestrian and cycle links and combined car parking would create a more attractive and cohesive destination. [contrary to Local Plan policies CP9, CP18 and DA7 para 5k, SPD15, NPPF paras 102c & e, 103, 108a, 110a & c]

- The main access road into the site at the bottom of the valley should have two-way cycle facilities both sides of the road to enable safe and easy access by bicycle to and through this area. Just have cycle facilities near the school will not serve the doctor's surgery or retail units and given the space given over to access roads and car parking could be awkward and unattractive, deterring cycling. [contrary to Local Plan policies CP9, CP18 and DA7 para 5k, NPPF paras 102c & e, 103, 108a, 110a & c]
- The paths through the SNCI should connect to Downland Drive as proposed but the path through to the Dyke Trail (behind the school) should also be upgraded to a wider tarmacked path to cope with the greater demand that there will be for access to the Downs. [contrary to Local Plan policies CP18 and DA7 para 5k, NPPF paras 102c & e, 103, 108a & b, 110a & c]

Other comments

A27 Dyke Road roundabout

While we welcome a solution being sought to make it safer to cycle out to the South Downs, we're not convinced that a four-stage crossing over the southern roundabout combined with an unaided crossing on the northern roundabout will encourage people to cycle out to the South Downs. There appears to be little or no change proposed for the northern roundabout where there is only an informal crossing across the dual carriageway slip road onto the eastbound A27. This can be a particularly difficult slip road to cross and without help many people will

not use this crossing as it will still be seen as too dangerous. As we have said before, just providing wider paths with cycle symbols is not enough and complex and unaided crossings across fast or dangerous roads provide no benefit whatsoever.

Also, it is not clear how cyclists can then get back onto Dyke Road if heading north and somewhat assumes they will want to ride on a rough track and not on quieter roads. To reiterate the point made earlier, the design, including clearances from the carriageway and fences, etc should be to the standards in IAN 195/16.

Bus measures

We are generally supportive of the proposals for bus access to the development, but it will be critical that high quality infrastructure (bus stops), including information, is provided alongside this and that the main route is kept clear of stopping vehicles so that buses are not delayed.

Goldstone Crescent

It is preferable for any treatment of Goldstone Crescent to include segregated pedestrian and cycle facilities unless space dictates otherwise. This would reduce conflict and make the cycle facility to attractive, but the facility should meet Ian 195/16 standards (minimum of 3m width) not least as this is likely to be one of the main linkages into the centre plus it also provides a direct link to Hove Park and then to Hove Station. We would like to see space for pedestrians and cyclists maximised by reducing carriageway widths to 3 metres (a road width of 6 metres) are thereabouts. This would also help control speeds and improve safety.

It is unclear exactly where the cycle facility would go but if it were a shared space on the southern side of Goldstone Crescent, then that would entail 5 separate crossings to get to it from Toads Hole Valley. This is excessive and will discourage people from cycling in particular. Equally, it is unclear how someone cycling across the junction on the road (to avoid the multitude of crossings) would be able to safely access such a facility.

King George VI Avenue

We are supportive of the designs to change the nature of King George VI Avenue which should slow vehicle speeds and improve safety. However, there is no point in having advance stop lines at the various junctions without the commensurate on road cycle facilities, not least as the width of the carriageway will prevent cyclists reaching the reservoir. We would also like to see a wider central reservation, at least in the vicinity of the main junctions to allow direct crossings for pedestrians and cyclists to reduce conflict and improve safety and attractiveness.

Modal shift targets

We would like to see some real ambition in modal shift targets, with overall car use aiming to be somewhere between 40-50% in year 1. We believe that this is achievable but substantial

changes need to be made to the active travel infrastructure being proposed. This needs prioritisation as required by NPPF, which it hasn't received to date. We believe the statement that the occupiers will effectively have a 'head start'² on the modal shift targets because of the physical improvements that will be in place is somewhat optimistic, given the quality of the proposals, which are unlikely to achieve significant behavioural change. However, if the developers really believe in their claims then they should be prepared to build those gains in from the start with a more challenging modal split target from day 1.

We also question the way the target is being drawn up. It is based on Census data and travel behaviours far beyond the boundaries of the site over which the development has little influence. Therefore, to include travel on the Underground and by trains as part of the modal split for the site, when it is not served by either, doesn't make a lot of sense and is not very helpful in judging travel behaviour on and off the site. Many of these journeys by train, for example, could be preceded by car travel to the train station which is the important part of the journey to tackle with regards to sustainable transport within Brighton and Hove and the one that has most impact on the city. This should highlight the need for a high quality cycle link and bus provision to Hove station to maximise the number of people travelling sustainably for their whole journey.

Cycle parking

Secure and accessible cycle parking is an important requirement in developments and can influence levels of cycling. All too often, in popular locations, there is a dearth of cycle parking which deters some people from travelling by bike as well as leading to bikes being attached to other street furniture which can be untidy and obstructive.

Cycle parking needs to be given the same priority as disabled parking, very close to main entrances, so that it offers people travelling by bike an advantage over car drivers. It should be covered and overseen by people and or CCTV, to provide reassurance that the bicycle will still be there when the owner returns. This is an increasing issue of concern for people riding electric bikes which are worth a lot more than standard bikes. Unfortunately, in many developments cycle parking is tucked into corners where a car cannot be parked (Aldi, Lewes Road is the latest example) well away from the main entrance of the building, and often with little oversight or security.

Therefore, we are concerned with the suggestion in paragraphs 4.11 – 4.14 of Part 1 of the Travel Plan that less cycle parking might be provided initially so as not to take up too much amenity space and that it can be added to if the demand is there. The problem with this approach is that the best time to influence behaviour is at the beginning when people are new to the development. If they have a bad experience because they can't park a bike securely it may put them off cycling there for a long time. Equally, if the cycle parking is not placed next to the main entrance straight away in sufficient numbers, there may not be space to add to the

² Paragraph 4.9, [Travel Plan Part 1](#)

numbers later on, except elsewhere in unsuitable locations. It should also be remembered that 8-10 bikes can be accommodated in a single car parking space so it is highly unlikely that providing 'too much' cycle parking will negatively impact on amenity space. This is more likely to occur due to the provision of car parking which is far more land hungry.

In addition, thought needs to be given to how people get to the cycle parking when on a bike and then get to the destination as a pedestrian. The latter is usually dealt with if the cycle parking is close to the main entrance, but the former is often ignored. Often cycles are expected to be taken up kerbs and people expected to mix with reversing cars and other obstacles, because these modes are not prioritised. Walking also often befalls a similar fate in terms of access. This needs to be positively addressed in this development through conditions in any approval.

Path surfaces

All cycle infrastructure should have sealed surfaces which are easier to ride on and more durable and maximise potential use by appealing to a wider number of cyclists. Gravel surfaces can discriminate against less fit or strong cyclists as well as being less durable and liable to rut – see the Ditchling Road and Falmer Road paths for evidence of this. This needs to be a condition in any approval.

Overall, despite some positives, these concerns amount to a very significant failure to conform to the Local Plan and NPPF on sustainable transport. Therefore, the development should be refused unless or until these issues can be addressed. We would be happy to work with the Council and developers to improve the application so that it can live up to expectations and deliver a high quality and sustainable development.

We may have further comments to make as we have not had the time or resources to examine every document and in particular have not had a chance to scrutinise the Environmental Impact Assessment which we suspect could be deficient if it has not picked up the issues raised in this objection.

I trust that this is clear but should you require any further information please do not hesitate to get in touch.

Yours sincerely,

Chris Todd

Planning & Transport Campaigner