

GREEN GROUP RESPONSE TO CITY PLAN PART TWO

Brighton and Hove City Council Green Group of Councillors

Questions posed by the consultation available here:

<https://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/Draft%20CPP2%20Post%20Committee%20with%20Covers.pdf>

Green Group of Councillors response to the Draft City Plan Part Two

Introduction

One of the finest cities in the United Kingdom deserves a strong approach to how it is planned and how it will serve future generations. But we have to have an approach which can respond faithfully to the many complex challenges posed by our city- a city that is in the throes of housing and environmental crises; a city couched between the Channel and the National Park, begging for creative responses to re-use of land; a city with a large number of heritage assets and conservation areas; a city with burgeoning populations at both end of the demographic spectrum; with a disproportionate share of health problems; and a yawning gap between the richest and the poorest. It is only right that we push this planning document to rise faithfully to the challenges and compose a strong plan-led response.

The Green Group of Councillors acknowledges the central importance of the City Plan Part Two (CPP2) and appreciates the efforts that have gone into developing it, in particular the substantial number of technical and background studies that have informed it.

As we did through political leadership in the City Plan Part One (CPP1), we also recognise that a well-designed and well-planned built environment creates benefits which go far beyond mere bricks and mortar, such as protecting our fragile environment, boosting other areas of the economy such as tourism, retail and leisure. We commend the efforts made in the document to build on the success of Part 1 with a holistic approach.

We welcome several of the initiatives in the draft plan. However we also note some significant omissions and have some concerns about the overall direction of the document. Although we note the precedence of the National Planning Policy Framework and the need for our plan to accord with the principles in the framework, we feel as if the plan could go much further in seeing the primary challenge as achieving wellbeing and social justice within ecologically-sound limits. There is little reference to promotion of wellbeing and quality of life which should inform the entire approach of the plan.

HOUSING ACCOMMODATION AND COMMUNITY

DM1 Housing quality, choice and mix

We welcome the moves in the bold text of policy DM1 for a mixture of housing. In City Plan Part One we began the discussion about non-traditional models of housing provision and in a city where a large number of sites are small and we have a quantity of windfall sites, we welcome that the plan includes the movement in the city that has included bodies such as the Brighton and Hove Community Land Trust. We welcome the moves to lessen the housing crisis by placing value on a diverse series of solutions to alleviate the problem.

Although planning committee has been referencing the use of the national space standards document for at least 4 years, the Green Group welcomes the full inclusion of the nationally described space standards and believe it will make the determination of planning applications more straight-forward for officers and members alike. We have seen on a number of prominent occasions living and amenity space sacrificed to quantity of 'units' in new homes¹. Policy DM3 outlines how the city responds to the harm this sacrifice is causing to amenity and community cohesion- often communities are pitted against one another where this is happening, e.g. streets with long-standing residents and short-term HMO lets. While too much conversion can be harmful, if the city is to retain many of its own young residents and graduates there must be a balanced approach.

There must be recognition in the housing that the city provides that harmful changes to welfare benefits - and spiralling rents in the city - are meaning we are permanently losing new entrants to the labour market which in turn is harming our economic health and damaging community morale.

As a city with a more substantial older population than the region and with a growing population of older people, we embrace accessible housing. 10 million people are over 65 years old which is predicted to rise by over 50% in 20 years' time and this number will have nearly doubled to around 19 million by 2050. Studies are now asserting how loneliness is affecting older people- it increases the likelihood of mortality by 26%; having a similar influence as cigarette smoking.²

Although we note and welcome the inclusion of extra care and assisted living in CPP2, in City Plan Part 1, the Green Group called for "*development that works toward*

¹ Ref application BH2015/01471 [http://present.brighton-hove.gov.uk/Published/C00000118/M00005778/AI00050036/\\$BBH201501471TheAStoria1014GloucesterPlaceBrighton.pdfA.ps.pdf](http://present.brighton-hove.gov.uk/Published/C00000118/M00005778/AI00050036/$BBH201501471TheAStoria1014GloucesterPlaceBrighton.pdfA.ps.pdf)

²<https://www.campaigntoendloneliness.org/threat-to-health/> Loneliness increases the likelihood of mortality by 26% and has a similar influence as cigarette smoking (Holt-Lunstad, 2015)

*Lifetime neighbourhood principles*³ and we reiterate that approach here. In order that we refute the dated model of institutionalising, marginalising and isolating older people and marginalised communities, we call for a stronger push for a more proactive approach to integrated communities. We point to Scandinavian countries where it is now routine for older residents to live alongside and share community facilities with younger people. Intergenerational housing cooperatives across Europe are providing new lessons on how different age groups can benefit from living together. The model piqued interest in the UK through the Channel 4 TV programme *Old People's Home for 4 Year Olds*.⁴ Key among the findings at home and abroad are that such housing promotes longer, healthier and more independent ageing. Given that leaders in health now talk about how isolation kills, the holistic housing model helps communities fight isolation, loneliness and vulnerability.

The Green Group held discussions in administration with housing providers who are seriously considering this model in this country. We continue to argue that Toad's Hole Valley remains a fantastic opportunity for the city to embrace this approach, which will be better for community morale and for the city's pocket.

The Green Group of Councillors welcomes the connection between housing and community but would go further, focusing in much the same way the Mayor of London has with his *London Housing Design Guide* on a clear manual for communities. It's not just about space standards or compliance with regulations - this is a golden opportunity to push for qualities in the local vernacular which can enhance the way of living in the city into the future. We welcome the work that has been recently put into the Urban Design Framework Supplementary Planning Document⁵ and recognise that quality of detail is essential to strong communities with housing and public realm that works. Community led responses to housing are intrinsically about adding dignity.

DM2 retaining housing and residential accommodation

In relation to paragraph 2.17

Residents in the city centre wards regularly contact the Green Group about some of the worst behaviours in the holiday let schemes. Specifically, this is in relation to the

³ https://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/FINAL%20version%20cityplan%20March%202016compreswith%20forward_0.pdf City Plan Part 1, p211

⁴ <https://www.channel4.com/programmes/old-peoples-home-for-4-year-olds>

⁵ [http://present.brighton-hove.gov.uk/Published/C00000969/M00009185/AI00066336/\\$20180612145849_016471_0057552_UDFSPDIOpaperJun18lowres.pdfA.ps.pdf](http://present.brighton-hove.gov.uk/Published/C00000969/M00009185/AI00066336/$20180612145849_016471_0057552_UDFSPDIOpaperJun18lowres.pdfA.ps.pdf)

threat that the worst forms of holiday let schemes pose to amenity and the retention of residential areas. In 2016 we called for our council to be “*given the powers to bring landlords of HMOs, party houses and AirBnB properties within the scope of business rates in the same way as for example hotels and guest houses are within the scope of business rates.*”⁶ We repeat our call that focus (and legislation) is needed to enforce commercially minded owners of properties who are solely buying or using homes just as an AirBnB or holiday let business venture– i.e., the ‘bigger operators’ who let out entire properties solely with the intention of bringing in money via AirBnB. In some ways these types of people could be described as ‘non-residents’ of their properties, and are the types of people that should be targeted by these changes, rather than homeowners who rent out a bedroom, etc. However at the moment it is hard to define them. In the London boroughs, AirBnB had to introduce a 90-day annual limit for London hosts and we have been lobbying government for something similar here. We repeat our call for tougher licensing conditions for ‘party houses’ and have looked at the Australian system which very recently has reformed to a much tougher regime. We believe in pursuing a balanced approach if possible but we need stronger powers locally and continue to lobby for these.

DM5 Supported Accommodation (Specialist and Vulnerable Needs)

We welcome the majority of the policies here but in terms of achieving the stated aim of “an integrated society which cares for the vulnerable”, we continue to argue that many vulnerable people can only be accommodated outside of the city boundaries. This is causing harm to them and meaning we lose their input to society. As such we argue that the policy should specifically include that the council seeks to respond to the problem of a lack of this housing in the city through building in the city and that policy (A) needs to be strengthened. This would also ensure that people are not isolated from their friends and family as a result of needing accommodation for their needs.

DM6 Build to rent housing

We acknowledge that not all homes are or should be built for home-owning. The *Architects' Journal*⁷ reported in April last year that “*the private rented sector (PRS) is predicted to grow by up to 40 per cent over the next 10 years*” and The British Property Federation reports that 124,000 homes are now completed, under

⁶ [http://present.brighton-hove.gov.uk/Published/C00000117/M00006129/\\$\\$Supp21202dDocPackPublic.pdf](http://present.brighton-hove.gov.uk/Published/C00000117/M00006129/$$Supp21202dDocPackPublic.pdf)

⁷ <https://www.architectsjournal.co.uk/buildings/feature-will-build-to-rent-transform-the-uks-housing-supply/10019004.article>

construction or in the planning system in the UK⁸. The experience from a number of the London Boroughs is that build to rent is proving to be a highly lucrative market. Exponential growth is predicted over the next period and it has not suffered in the same way as other areas of the housing market. We raise some caution with regard to build to rent. Because the built form has to survive for longer than the latest property 'rush', it is a relatively unknown entity in the city and we have no detailed experience of what planning tools we need to effectively manage it.

That said, we welcome many of the proposals in the policy including minimum tenancies which is due to be strengthened with primary legislation. As such this policy must be interpreted in coordination with minimum space standards. We call for high quality design for such build including robust materials that are designed for the marine environment. We would want to include a requirement where possible, for the use of environmentally sustainable materials where they are available at not more than 20% of the cost.

We appeal that this form of housing is no way to assuage the distorted housing market and it should come with as many caveats. Further we raise concerns about keeping such housing genuinely affordable- in the London Boroughs, build to rent homes are 11% more expensive than rental properties nearby, while we also cite the provision in the joint venture between the city council and the registered provider Hyde Housing that genuinely affordable rents are possible and can deliver homes.

Our belief is that the policy should focus on affordability of this housing and linking affordability to incomes, not the market. This could include building on the Living wage rent/Living rent concept or on the rent policy for new council homes which is edging towards more of a range of affordable rents. As the 'Good Landlord' scheme rents are set at the rate of Local Housing Allowance we call for the affordable rented element to be good landlord, assuming the city council would want to retain nomination rights, this would include housing people from the waiting list.

Affordability should be assessed in relation to actual household incomes of renters, not a percentage of a market rent as the market rent will mean very different things depending on where in the country someone resides. An affordable rent should not exceed the Local Housing Allowance (which is less than the 80% market rent figure.⁹) If more than 35% of the median renter households income is needed for the rent, then it is unaffordable. We should build on the idea of Living Wage rents (or Living Rents) and define these in terms of the percentage that rents are of the

8 <https://www.architecture.com/knowledge-and-resources/knowledge-landing-page/booming-build-to-rent-sector-defies-uncertainty>

⁹ Affordable Housing Brief, BHCC

median renting household income. Affordable provision should include some social rents, even if this means fewer affordable homes may be achieved (since 15,000 households in the city can only afford social rents) and should build on the new council homes rent policy which explores 4 rent level options when setting rents for new homes of social rents; of 27.5% Living wage rents, of 37.5% Living Wage Rents and of Local Housing Allowance rents (but nothing higher than this).

We strongly believe that the most effective way to have more control over appropriate levels of build, to have secure and warm homes, to home some of the most marginalised and to prevent the emigration of younger and poorer populations from our city, is to have the city council allowed to build homes again. This must be done in coordination with lobbying for the 'right to buy' to be scrapped, which has never seen stock wholly replaced and done with no cap on our borrowing (as the public sector is able to borrow at historically low interest rates). Further to the work of the Green Group of Councillors, this is one of the arguments from the Local Government Association¹⁰.

DM7 Houses in Multiple Occupation (HMOs)

Further to the new policy that was created to begin to address HMOs in the city with CPP1, we welcome the suite of proposals designed to help further address HMOs.

We note the increased quantity of planning enforcement cases¹¹ which are directly related to HMOs and consider that stronger and clearer policy will help the communities we serve in terms of clearer controls over amenity and cohesion and the local planning authority- both officers and members. In the worst affected areas, it might be good to examine the results of the work from Southampton Council, which has placed a ban on HMOs with an article 4 direction.

DM8 Purpose Built Student Accommodation

While we appreciate that PBSA is necessary because of the inability of both universities and other education providers to wholly accommodate all of their student populations on campus, it is where the non-academic community meets the accommodation where the LPA requires most attention.

We believe that in future, stronger tests must be complied with if the LPA is to consider the demolition of housing in favour of PBSA. This should include a clear

¹⁰ <https://www.local.gov.uk/lga-housing-commission-final-report>

¹¹ [https://present.brighton-hove.gov.uk/Published/C00000118/M00009173/AI00068733/\\$EnforcementAnnualReport1718-reportdraftv4.docxA.ps.pdf](https://present.brighton-hove.gov.uk/Published/C00000118/M00009173/AI00068733/$EnforcementAnnualReport1718-reportdraftv4.docxA.ps.pdf)

clause that any genuinely affordable housing within the application site and proposed for demolition must be replaced by the applicant at their own cost.

We believe the policy should have a stronger commitment to quality of materials appropriate for the marine environment. While we agree that *“The majority of new PBSA developments in recent years have been located along the Lewes Road academic corridor”* we believe that the different and often jarring building styles has led to a poor quality street scene, particularly around the Vogue Gyratory where there is little visual relief, a dazzling array of styles and a poor street scene. North of the Gyratory, the Lewes Road is a ‘tall building corridor’ and there may be further potential for poor design without a stronger push for appropriately articulated buildings, built with quality materials. We would point to the Preston Barracks scheme as evidence of a strongly designed set of buildings, but we believe there should be a requirement that -especially where policy is looser- e.g north of the Gyratory, and especially with stand-alone schemes, that applicants through the LPA are able to discuss the cumulative effect of applications. This could be enhanced with CGI showing proposed builds. Further, we call for a ‘vision document’ driving the best quality design for PBSA into the future- this would have a particular focus on: permanently driving out harm to amenity and retaining BRE daylight standards for local communities along Lewes Road as standard; protection of views and vistas from and into Conservation Areas, the national park and Hollingbury Fort.

Because PBSA is sadly sometimes felt as development happening *to* communities, rather than *with* them, we believe that a new ‘Assessment of Community Involvement’ should be introduced. This would provide a reasonable forum to ask the best applicants to outline what measures they will take to ensure development occurs which involves the residential community. This could include things like retained rights for the community to use communal rooms for community meetings or access to rooftop terraces; the provision of noticeboards; community use of facilities such as gyms and bars, or other campus facilities such as certain evenings’ with community use of sports facilities, etc.

DM9 Community facilities

With the shrinking public estate under austerity, the provision of community facilities has come under serious assault. This has included where it has led to threat to life and limb such as in south London¹², and the proposed closure of public toilets. The period demands that of the quantity of community facilities remaining, we must do everything we can to retain them and as such we warmly welcome the policies. We have continuing concern about the collapse in GPs in the city and the re-

¹² <https://news.sky.com/story/living-near-station-saved-my-life-victim-calls-for-solutions-to-police-funding-crisis-11465834>

provision of such an important part of community infrastructure. As such as we reluctantly acknowledge that *“Community uses such as dentists, doctors and health clinics may be permitted where they are considered complementary to the town centre, would maintain a window display and draw pedestrian activity into the centre.”* We would point to the success of the Brighton Health and Wellbeing Centre on Western Rd in doing just that.

Community facilities often contain historic fabric, with many having retained continuous use over long periods of time. As such they are important to the history of the community. If loss is to happen, and where appropriate, the LPA should consider recording its functions through photographic/ digital means as an ongoing attempt to hold together the social history, if the built form cannot be retained. Although we fully expect any removal of community space through development to be replaced, it should be done with attention to the local area. For e.g. if there is a reputable community organisation in a purpose-built facility next to a new-build, reasonable applicants would be expected to cooperate with the facility to enhance the infrastructure for the entire community.¹³

DM10 Public Houses

The Green group fought to push for public house provision through CPP1. This included the controversial planning application for the Rose Hill Tavern. The Green Group has repeatedly flagged the best practice¹⁴ from the Campaign for Real Ale as a good working document for the LPA. Although the city has thankfully not seen the mass-closures of public houses of other similarly sized cities, a number of significant and high-profile closures came about 3 years ago which has informed a better discussion about how such facilities are retained for future generations.

While we welcome the many tests the policy proposed to help ailing public houses, we point to The Rose Hill Tavern which is still in community use, if not with an alcohol licence. We strongly believe that the model of community/ cooperative/ enthusiast ownership should be drawn into discussions as early as possible, facilitated through the LPA, if public houses report difficulties in retaining their premises.

The rich history of public houses has been subject to some comment and the city hosts many of the historical features which mark out individual brewers with distinctive branding and visually stunning premises e.g. the Freemasons pub.

¹³ Ref Downsman pub in Hangleton <https://www.brighton-hove.gov.uk/content/press-release/church-and-pub-make-way-almost-60-homes> community facilities could have been co-curved with the HKP instead of provision on site.

¹⁴ <https://www.lgiu.org.uk/wp-content/uploads/2014/06/Public-Houses1.pdf>

Many features such as stone panels, etched and cut glass, mosaics, metal work, leaded windows, hanging signs denote the special place these buildings have in the city's history. In pre-literate society, coloured tiles were used to help denote brands for e.g. green tiles on the facade of a pub denoted a Tamplins premises such as the Victory Inn, the Lanes as well as United Breweries such as the Montreal Arms, Hanover. This history is architecturally rich and in its own right deserves special attention- it's no accident many public houses were added to the Local List when it was last updated in 2015¹⁵. In the unfortunate circumstances of pending closure, the LPA should take serious effort to record these details for retention by the public libraries and the Keep.

Topc- Employment and Retail

DM11 New Business Floorspace

Although we support this policy and instinctively want the benefits of employment to be genuinely felt by all communities, we believe there may need to be work done on understanding how suburban sites of newer business floorspaces are being occupied and retained. The LPA rightly has strong policies to protect employment space but there have been several mixed-use applications which have come back for the removal of employment space because it has sadly failed. A survey of occupancy rates should inform if we move to understanding the provision of B1a, b and c uses in purpose built blocks in better connected locations. If we cannot have better locations, we must have transport solutions to purpose built suburban blocks.

DM12 Primary, Secondary and Local Centre Shopping Frontages

We welcome that the Regional Centre has been amended to facilitate a new centre called Brunswick Town Local Centre. The Brunswick Town area has a series of historically important businesses and their retention and the 'feel' of Brunswick Town is enhanced through the presence of small and independent retailers.

The Green Group of Councillors continues to have considerable concerns about what is happening to retail and is not alone in doing so. According to a survey published by the Federation of Small Businesses (FSB) in January, 14% of small businesses are now expecting to scale down or stop trading, with retailers among the least optimistic.¹⁶ This has been followed a series of announcements about massive job

¹⁵ <https://www.brighton-hove.gov.uk/content/planning/heritage/local-list-heritage-assets>

¹⁶ <https://www.retailgazette.co.uk/blog/2018/01/record-number-small-businesses-looking-shut-shop/>

losses in the sector: House of Fraser announced that 6,000 jobs would be axed in June, in late May M&S announced it would close 100 stores. Shopping habits are changing and there is chronic uncertainty with Brexit. These are all things that will affect how viable shopping and especially big shopping centres are. ¹⁷

Recent studies have found that trade in shops in the city is supported by 78% of local people and 22% visitors so a key plank of the policy must be to support what way small and independent retailers are supported by policy.

In the circumstances the LPA should support the protection of local shopping areas with local traders, and focus on the enhanced local flavour and particular characteristics from the local area which are drawn into focus from the offer. There may be a need to look to further expand the Article 4 Direction to explicitly protect certain areas. We also firmly believe that there needs to be recognition of the importance of the provision of post offices to the flourishing of SME retail- see our comment on DM9. We also call for the LPA to work closely with the Local Economic Partnership, Brighton and Hove Economic Partnership, the Federation of Small Business and others on creating resilience for small local traders.

In the circumstances where gaps on the high street become inevitable and the unit is in the council's ownership, the LPA should be part of a systematic and creative response. In peak seasons and in the most prominent streets, such gaps should be filled by new retailers. One of the recognised strengths of the local economy is the strong levels of start-ups. We point to the best practice of what the Green Group did with the Mary Portas fund on London Rd and the 'meanwhile' use of 'The Field' at Preston Barracks which has seen a number of young business people found successful businesses.

We opposed the move from government to liberalise legislation about converting A1 to C3 and considered joining the legal challenge to the ruling from many councils at the time of the change.

We also point to the historically important retail frontages which especially in the Conservation Areas in the city have an amazing diversity of features e.g. original wooden frames, crittall windows, 'ghost' signs¹⁸, hanging signs and cut glass. We call for special attention to be made by the LPA that such features are retained in developments and if all attempts to retain features fail, that such features are recorded and kept for local records. We also repeat the call in LP 2005 that bold and inappropriate fascias especially in terms of dimension and unsuitable materials are

¹⁷ [http://present.brighton-hove.gov.uk/Published/C00000969/M00009185/\\$\\$Supp30174dDocPackPublic.pdf](http://present.brighton-hove.gov.uk/Published/C00000969/M00009185/$$Supp30174dDocPackPublic.pdf)

¹⁸ <https://twitter.com/ghostsigns>

avoided and that where possible historic signs uncovered through renovation are carefully retained (and appropriately encased) or incorporated into updated signs.

Although SPD2 talked about excessive internal lighting, and old QD25 addressed the issue of external lighting, we have been concerned also about what is happening to retail parades in Conservation Areas with regard to lighting. We want to avoid the gradual erosion of character in areas such as the Valley Gardens, Old Town and Brunswick Town Conservation Areas through 'drip-drip' development. This is being felt especially through garish, badly designed and executed fascias, inappropriately designed hanging signs and window-wide flashing LED displays that are permanently switched on. We believe a night time survey needs to be conducted at the earliest point to understand the condition of retail frontages in Conservation Areas with regard to harmful artificial light.

DM13 series of sites of local parades

We believe the Dip in Hollingdean is an important local parade, as is the one at the top of Moulsecomb Way and these should be added to the list of local parades on p51.

DM14 Special Retail Area -Brighton Marina

We continue to have serious concerns about connectivity and how welcoming the Marina is to visitors who arrive on foot. It can be a confusing warren of tunnels and steps- visitors are not given clear way finders and arrive at a car park. Work must be done to make the Marina much more welcoming, which in turn will increase its footfall.

DM17 Opportunity Areas for new Hotels and Safeguarding Conference Facilities

We firmly believe that regardless of the longer-term future of the Churchill Square area, there needs to be a considerable amount of work done on a much-improved public realm in the area which should include an improved bus area. How the area connects to the Lanes, the Clock Tower and Brighton train station are all key to future successful uses of the area.

Topic- Design & Heritage

DM18 High quality design and places

We direct you to the many comments we have made above in DM6, 7, 8, 9, 10, 12.

We would amend the policy on P62 of CPP2 to include:

c) the quality, appropriateness and sustainability of building materials and architectural detailing;

And add

e) opportunities to incorporate energy saving technologies and renewable energy generation in the design to reduce the city's carbon footprint

We whole-heartedly support the plan's commitment to striving for excellence in the design of the city's built environment. We welcome new development which responds to the distinctive character of the city's different neighbourhoods. We have particular concern about suitability of materials for the marine environment and point to many schemes with rusting balconies and wind-battered wood elements. 'Form should follow function' and we should embrace bold design. We welcome the work that has been recently put into the Urban Design Framework Supplementary Planning Document¹⁹ and recognises that quality of detail is essential to strong communities with housing and public realm that works.

We applaud the focus on high quality public realm which has on too many occasions been neglected through various applications.²⁰ As many areas are still quite hard to navigate on foot, we strongly support imaginative public realm responses which enhance walking and cycling through the city centre. Simple signifiers can help transform spaces- e.g. street trees in the city centre of Glasgow have strings of lights, Chelsea has 'smart' street lamps, while Amsterdam rewards areas with clean air with free wifi²¹. We further strongly believe that designing high quality places for bicycle use deserves to be a priority in the city centre and that failed shared spaces are best left to the past. The Mayor of London has boldly sought to build strong transport projects that have seen foot and cycle journeys grow as people feel welcome. As we have said above, in DM14, we believe much needs to be done to improve the city centre especially around the Clock Tower.

Topic- Transport and Travel

¹⁹ [http://present.brighton-hove.gov.uk/Published/C00000969/M00009185/AI00066336/\\$20180612145849_016471_0057552_UDFSPDIpaperjun18lowres.pdfA.ps.pdf](http://present.brighton-hove.gov.uk/Published/C00000969/M00009185/AI00066336/$20180612145849_016471_0057552_UDFSPDIpaperjun18lowres.pdfA.ps.pdf)

²⁰ See the poor public realm on Black Lion Street with badly patched and cracked paving stones, poor navigation aids and poorly imagined public art.

²¹ <http://treewifi.org/>

DM33 Safe, Sustainable and Active Travel

Please see our comments on DM18- particularly public realm.

Further to previous representations by the Green Group to CPP1 we welcome the stated aims of CPP2 to promote and provide for the use of sustainable transport in the city, particularly through the prioritisation of walking, cycling and public transport, in line with the Local Transport Plan. Transport charity Sustrans found that meeting government plans in England for an increase in walking or cycling would reduce deaths from air pollution by more than 8,300 in the next 10 years, and also generate £5.67billion in savings through avoided costs to the NHS associated with poor respiratory health.²²

Effective promotion and uptake of sustainable transport has the capacity to mitigate impacts of climate change and poor air quality. It also contributes to wider health and wellbeing goals. Schemes introduced by the Green administration such as Valley Gardens have been designed to improve safe, sustainable and active travel and boost the public realm.

Accessibility needs for some of the city's most marginalised or isolated residents can also be addressed by the better provision of sustainable transport, with particular regard to street furniture, minimising road safety problems and wheelchair or buggy access - and any policy for safe and inclusive travel should give priority to this.

We note as stated that historically Brighton and Hove has lower levels of car ownership than in other cities. The 2011 census showed that Brighton & Hove has the highest proportion of people walking to work in the South East, the second-highest proportion travelling to work by bus, minibus or coach; and the highest growth rate in cycling to work, outside of London. We strongly believe in the importance of providing suitable infrastructure for low cost, public and community transport – walking, cycling and public transport - which in turn ensures access is increased to those in the city on low incomes.

However, arguably Brighton and Hove still lags behind many other cities in terms of adequate provision of sustainable and active travel infrastructure. Sustainable and active travel requires particular attention if we are to create the conditions necessary for people to feel safe and mobile.

²² <https://www.theguardian.com/environment/2017/dec/04/death-air-pollution-cut-if-uk-hits-walking-and-cycling-targets>

Walking is of primary importance to sustainability and health objectives, and addressing it is important in tackling inequalities since those on the lowest incomes have the least access to other options.

Cycling

We strongly argue in favour of a specific and ambitious strategy to address safe and accessible cycling. This includes the creation of a 'Brighton and Hove Cycle Network', modelled on the successful London Cycle Network. This implies that developments should align any cycling or transport infrastructure with other pre-existing infrastructure; to help create joined up routes, connect sections of 'stranded' routes and improve the cycling experience across road junctions. Increased cycle parking facilities are a city-wide need.

The incorporation of space for the successful bike hire scheme is welcome but provision should also be made for more accessible forms of cycling to those with low mobility, as pioneered by organisations such as 'Cycling Without Age,' and the development of 'rickshaw' bikes and electric bikes. The Bike Hire scheme has raised the profile of cycling in the city however a recent Department for Transport study²³ shows that three-fifths of adults feel it is too dangerous to cycle on the roads. In Brighton and Hove, there has been a fall in the number of people cycling on a regular basis. Suitable and joined up city-wide infrastructure must be in place to support new schemes and developments that incorporate modes of sustainable and active travel.

DM35 Travel Plans and Transport Assessments

It is important that transport assessments support development located within or adjacent to an AQMA. However as Air Quality has now been determined one of the biggest environmental threats in Europe, and with poor air quality rising in the city, it is likely that an increasing number of sites will end up in close proximity to an AQMA.²⁴ Therefore the LPA should take account of this, considering the need for air quality provision at *all* developments, irrespective of its proximity to an already established AQMA.

DM36 Parking and Servicing

²³

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/736909/walking-and-cycling-statistics-england-2017.pdf

²⁴ BHCC Corporate KPIs, November 2017

²⁴ <https://www.theguardian.com/environment/2018/sep/11/air-pollution-is-biggest-environmental-health-risk-in-europe>

In consideration of subsequent comments made in DM40, with specific relation to air quality, we would propose the following amendments in underline:

“Provision of parking, including ‘blue badge’ holder and cycle parking, in new developments should follow the standards in SPD14 ‘Parking Standards for New Development’ (and any subsequent revisions) as set out in Appendix 2, except where developments are in or adjacent to an AQMA in which case they are required to follow a menu of transport plan options: e.g be ‘car free’ development and only accessibility or cycle parking is to be provided.”²⁵

DM37 Green Infrastructure and Nature Conservation

We welcome the broad range of policies aimed at promoting the viability of green infrastructure and recognising the importance of nature conservation. Nature conservation plays an integral role in positive policy and decision making. However, developments will always have some level of impact on the natural or local environment and therefore consideration could be given to how developments can contribute to a process of ‘nature recovery.’ Consideration can also be given to suggestions made by organisations such as the World Wildlife Fund, which recommends that local authorities *“provide spatial plans to help strengthen existing networks of wildlife sites, linking up wildlife rich areas through planning that allows wildlife to move and flourish.”* The Green Group broadly encourage this and any moves to establish a Nature Recovery network.²⁶ ‘Spaces for nature’ in all new developments should be a paramount consideration in line with this policy aim.

Careful consideration should also be given to the nature of materials used in proposed developments and any associated environmental impacts, especially with regard to the impact as materials display degradation over time. Certain types of materials will have differential impacts on the local environment and their use will affect the capacity of any development to display ecological integration. Full ‘Life Cycle’ analyses of developments (including their construction, waste involved in production, and other environmental impacts of the material) form a useful basis from which the impact of developments on natural conservation can be understood.

DM38 Local Green Spaces

We support the designation of additional green space areas.

DM40 Protection of the Environment and Health – Pollution and Nuisance

²⁵ BHCC, HO7 Car Free Housing [https://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/localplan/pdfs/Pages%20from%20adopted local plan-chapter4-HO7.pdf](https://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/localplan/pdfs/Pages%20from%20adopted%20local%20plan-chapter4-HO7.pdf)

²⁶ <https://www.wildlondon.org.uk/respond-planning-policy-consultation>

We welcome the majority of policies and recognition of the impact of pollution and nuisance on our communities and environment. However to achieve the stated aims of 'meeting the Government's air quality strategy' and to have the described 'positive impact on air quality', we argue that this policy needs to go further. Exposure to air pollution is linked to around 40,000 early deaths in the UK. According to the City Council, between 1996 and 2017 monitoring results for Lewes Road suggested that Nitrogen Dioxide has exceeded EU recommended levels.²⁷

Measures to tackle emissions from all sources are key to improving local air quality. We note the NPPF provision for planning authorities to incorporate air quality into development control. However the Environment Audit Committee noted that "THE NPPF DOES NOT PROVIDE ANY GUARANTEE OF AVOIDING WORSE POLLUTION AS A RESULT OF DEVELOPMENT , BUT RATHER A MEANS OF CONSIDERING ALL ASPECTS OF SUSTAINABILITY, BALANCING OR TRADING- OFF SOMETIMES CONFLICTING ECONOMIC, SOCIAL AND ENVIRONMENTAL OBJECTIVES"²⁸

Findings of the Environment Audit Committee also detail how planning regimes '*make it more difficult to refuse planning permission on the grounds of air quality,*' such as the conversion of buildings from offices to residential use.

We have repeatedly raised the vital issue of air quality: as the administration of the Council, we introduced low emission zones, retrofitted buses and kick started green space initiatives like Valley Gardens.

We strongly encourage the inclusion of additional criteria for the promotion of better air quality in regard to planning proposals. We should encourage, via policy, developments that prioritise spatial planning that reduce the need to travel by car, and encourage developments in locations where facilities are already available or sustainable transport options are made readily accessible. Planning developments in proximity not just to an *existing* AQMA but also to buildings or areas frequented by high-risk residents, such as the elderly or school children, should be assessed on grounds of air quality impact. Building design can also play a role in providing effective dispersal of pollution: a recent study from the Office of National Statistics demonstrated that air pollution is

²⁷ BHCC Corporate KPIs, November 2017

²⁸ <https://publications.parliament.uk/pa/cm201415/cmselect/cmenvaud/212/21206.htm>

removed by the presence of vegetation in a local area.²⁹
 We welcome the reference to efficient street lighting, heating and the connection between this and later policy on heat networks will lead to improvements.³⁰

DM44 Energy Efficiency and Renewables

We propose amending the policy to: *“The following standards of energy efficiency and energy performance will be required unless it can be demonstrated that doing so is not technically feasible”* [delete ‘and/or would make the scheme unviable’]:

2. All development to achieve a minimum Energy Performance Certificate (EPC) rating of:

i) EPC ‘B’ [not ‘C’] for conversions and changes of use of existing buildings to residential and non residential use

ii) EPC ‘A’ [not ‘B’] for new build residential and non residential

The LPA produced a joint study with Bath, Swindon and Wiltshire Councils on the reduction in costs to build to (the now abolished) CFSH levels 5 and 6.³¹ That document saw falls of around 40% in cost for level 6 and up to 55% for level 5. Consistently, there is a strong body of professionals and campaigners working to support the fledgling eco-homes industry in a city with strong eco-building practices. More constructive discussions should be happening with professionals and other LPAs about how we build above what is required by law, in order that we achieve wellbeing and social justice within ecologically-sound limits.

DM46 Heating and Cooling Network Infrastructure

We strongly support the inclusion of integrated heat networks / communal heating systems in development proposals and the associated inclusion of heat service customer protection. In Brighton and Hove an estimated 14,863 homes struggle to meet their energy costs, a figure higher than both the regional and national

²⁹

https://www.ons.gov.uk/economy/environmentalaccounts/articles/ukairpollutionremovalhowmuchpollutiondoesvegetationremoveinyourarea/2018-07-30?utm_source=govdelivery&utm_medium=email

³⁰ <https://www.sciencedirect.com/science/article/pii/S0269749117319322>

³¹ [https://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/EP059%20Costs%20of%20building%20to%20the%20Code%20for%20Sustainable%20Homes%20\(Sept%202013\)%20\(draft\).pdf](https://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/EP059%20Costs%20of%20building%20to%20the%20Code%20for%20Sustainable%20Homes%20(Sept%202013)%20(draft).pdf)

averages.³² The effects of a cold home on health and wellbeing disproportionately impact upon those already vulnerable or in poverty – such as the elderly, or those living with a disability. Furthermore grants that support people with the costs of energy efficiency have an uncertain future. The Council began work on ‘District Heat’ networks under the Green administration. This is reliable, cheap, locally sourced, low-carbon energy. Analysis indicates that half of the UK’s existing heat demand could be met by heat networks – an approach that would save over £30bn.³³

Given the positive nature of these heat networks, consideration must be given to flexibility within the policy criteria, in order to enable proposals for heat networks to come forward. We would argue that this should, in the first instance be used to help heat homes of the least well-off and vulnerable. This should be taken in conjunction with the positive introduction or applications that introduce other renewable energy sources or sources of low carbon energy infrastructure, such as solar.

New special area policy SA7 BENFIELD VALLEY

We welcome the policy. We draw particular attention to the public rights of way. Any application which cuts across a right of way, directly contradicts the National Planning Policy Framework. Paragraph 69 of the NPPF states: *“Planning policies and decisions ... should aim to achieve places which promote ... safe and accessible developments, containing clear and legible pedestrian routes...which encourage the active and continual use of public areas.”*³⁴

Further the LPA is under an obligation under paragraph 7.11 of the DEFRA guidance on rights of way which states: *“The grant of planning permission does not entitle developers to obstruct a public right of way.”*³⁵

³² Brighton and Hove City Council Fuel Poverty and Affordable Warmth Strategy, 2016-2020
[https://present.brighton-hove.gov.uk/Published/C00000884/M00006159/AI00049300/\\$20160606115747_008637_003800_7_DraftBHFuelPovertyAffordableWarmthStrategyv2.docxA.ps.pdf](https://present.brighton-hove.gov.uk/Published/C00000884/M00006159/AI00049300/$20160606115747_008637_003800_7_DraftBHFuelPovertyAffordableWarmthStrategyv2.docxA.ps.pdf)

³³ ibid

³⁴

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/733637/National_Planning_Policy_Framework_web_accessible_version.pdf

³⁵

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/69304/pb13553-rowcircular1-09-091103.pdf

Strategic Site Allocations

SSA1 Brighton General Hospital Site

We note plans for the redevelopment of Brighton General Hospital site by Sussex Community NHS Foundation Trust (SCFT) which detail several options for its regeneration, including a new community health hub, and the possibility of selling surplus land to private developers for housing. However the Green Group of Councillors expresses concern that the public land could go to private developers, who are not required to provide more than 40% affordable housing. This is why we successfully called³⁶ on the Council to look in to the availability of land at the site, and options for its development into 100% affordable housing for residents and NHS key workers. We repeat through this consultation response that this public asset must be retained for public good to address the affordable housing crisis as assessed in study into affordable housing from December 2012.

Specifically we believe the site should yield: 1) a minimum of 300 (not 200) homes; 2) a requirement that these are 100% affordable in line with the motion passed at July 2018 full council; 3) That a policy of only approving 80-100% affordable housing schemes on development of publically owned sites in recognition of the site being for public benefit and also being necessary to tackle the demonstrable shortage of affordable housing.

H1 Housing sites and mixed use sites

We raise some concerns about some of the sites on Table 5. In particular, Patcham which has a recognised problem with flooding that has been the subject of several planning applications and a planning inquiry in recent years.³⁷ Surface drainage and sewers all remain salient issues for the area. We call for a strategic discussion with Southern Water on the need for a storm drain and the reintroduction of lost flood plains and that such key parts of the local infrastructure inform the planning process in the relevant areas of Patcham.

H2 Housing sites- Urban Fringe

³⁶ [http://present.brighton-hove.gov.uk/Published/C00000117/M00008112/AI00066436/\\$Item2306HousingatBrightonGeneralSiteGrnGrp.docxA.ps.pdf](http://present.brighton-hove.gov.uk/Published/C00000117/M00008112/AI00066436/$Item2306HousingatBrightonGeneralSiteGrnGrp.docxA.ps.pdf)

³⁷ <http://present.brighton-hove.gov.uk/mgAi.aspx?ID=55543>

Given the controversy surrounding the ecological value of one of the Urban Fringe sites when it came to planning committee, we call for a renewed ecology study to be performed.³⁸

We draw focus to the Brighton and Hove Way³⁹ which follows existing rights of way from Saltdean Oval to Portslade and which comes into contact with some of the sites. As above in SA7, any application which cuts across a right of way, directly contradicts the National Planning Policy Framework. Paragraph 69 of the NPPF states: *“Planning policies and decisions ... should aim to achieve places which promote ... safe and accessible developments, containing clear and legible pedestrian routes...which encourage the active and continual use of public areas.”*⁴⁰

The LPA is under an obligation under paragraph 7.11 of the DEFRA guidance on rights of way which states: *“The grant of planning permission does not entitle developers to obstruct a public right of way.”*⁴¹

Further, such sites should constitute environmentally visionary development, incorporating measures to help mitigate or adapt to climate change and reduce greenhouse gas emissions. Environmental sustainability should be key to any development: development should be BREEAM Outstanding, carbon neutral and charged with opening up access to the National Park.

If sites are to be developed, the LPA should liaise with the National Park and local amenity organisations that particular attention is paid to archaeological remains and protection of species of fauna and flora, not raised already by the LPA; and that important views and vistas are protected. The thoughts of Councillors through temporarily convened meetings of the Asset Management Board could be incorporated too for particularly difficult decisions.

If there is to be development on an urban fringe site, we firmly believe that it should only be given planning permission if it can exceed current affordable housing policy. We therefore argue that the sites listed in table 7 must only be developed as 100% genuinely affordable housing. Further these greenfield sites must not be drab

³⁸ <http://present.brighton-hove.gov.uk/mgAi.aspx?ID=56937>

³⁹ <http://www.brightonandhoveway.org.uk/#TheWay>

⁴⁰

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/733637/National_Planning_Policy_Framework_web_accessible_version.pdf

⁴¹

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/69304/pb13553-rowcircular1-09-091103.pdf

dysfunctional suburbs and must have appropriate community facilities that keep use of private vehicles to a minimum. Public transport providers must be included in discussions about any proposals for development on fringe sites in order that sustainable modes of transport are designed into any proposals rather than bolted on as an after-thought.

As above in DM7 our belief is that the policy should focus on affordability of this housing and linking affordability to incomes, not the market. This could include building on the Living wage rent/Living rent concept or on the rent policy for new council homes which is edging towards more of a range of affordable rents. As the Good Landlord scheme rents are set at the rate of Local Housing Allowance we call for the affordable rented element to be good landlord, assuming the city council would want to retain nomination rights, this would include housing people from the waiting list.

We know from previous studies that 94% of new homes could be provided on brownfield sites in the city, while development on urban fringe land would jeopardise access to the countryside for City residents and challenge our ambition to become the gateway to the National Park. Although we initiated and welcomed denser schemes in the 7 Development Areas in CPP1, further to appropriate studies conducted by qualified engineers and surveyors, we believe intensification of development could potentially be investigated at many sites including: above M&S on Western Rd and over the storage area; above the NCP car park between King Place and Church St; above Boots on London Road; while reorganisation of space at the corner of Spring Gardens and Church Street, the sorting office and at the BHCC car park at Theobald House could glean more housing sites.