

## Introduction

### a - the framework for preparing a positive plan

#### a1. the Local Plan

- a1.1 The Local Plan provides a detailed framework for the use of land and buildings in Brighton & Hove. The Plan sets out detailed policies for the control of development and makes proposals for the development and the use of land.
- a1.2 In fulfilling its statutory function under the Town and Country Planning Act 1990, the Local Plan is required to include policies for:
- conservation of the natural beauty and amenity of the land;
  - improvement of the physical environment; and the management of traffic
- a1.3 Planning, and the Local Plan in particular, has much more to offer. At its best, planning acts as a positive force, helping to underwrite the success of other strategies and initiatives by providing a complementary approach to the use of land. In this regard, the Local Plan has a key role to play in delivering sustainable development and tackling social exclusion.
- a1.4 Decisions about the use of land are crucial to the development of Brighton & Hove and land use planning has a vital role to play in realising the council's vision for Brighton & Hove as:

*'a cosmopolitan, successful city by the sea where people have a high quality of life in a decent environment'.*

- a1.5 A positive approach to planning in Brighton & Hove can:
- deliver much needed housing, community facilities and employment opportunities of the right types in the right places;
  - maintain and enhance our outstanding natural environment and built heritage;
  - contribute to an integrated transport system with more opportunities to walk, cycle or take public transport;
  - help to ensure that resources are used efficiently and waste is minimised;
  - promote good design for buildings, streets and neighbourhoods;
  - make the best use of the land and secure the re-use of sites that have lain vacant for too long; and
  - support existing and new businesses and the jobs they provide.

#### a2. a plan-led system

- a2.1 The legislative framework for Local Plan preparation seeks to provide a basis for rational and consistent decision making.
- a2.2 The system is 'plan led' and unless there are overriding planning reasons for doing otherwise, it is expected that all planning decisions should accord with the development plan. The thinking is that this will prevent planning decisions being taken in an arbitrary way and will introduce levels of consistency and certainty over the use of land that will benefit those making investment and other decisions affecting its use.

- a2.3 The importance of the development plan in a 'plan led' system means that it is crucial that people have the opportunity to have their say when the plan is being put together. National planning guidance states that the aim should be to encourage local people to participate actively in the preparation of plans from the very earliest stages so that they can be fully involved in decisions about the development of their area. Preparation of this Plan has involved an extensive consultation process which has sought to address a number of traditional weaknesses which often deny people the opportunity to participate effectively in preparing a plan, see 'c - Consultation'.
- a2.4 The development plan for Brighton & Hove is not a single document - it comprises this Local Plan and the East Sussex and Brighton & Hove Structure Plan (until it is replaced by the SE Plan) the East Sussex and Brighton & Hove Waste Local Plan and Minerals Local Plan. In preparing this Local Plan, the council took into account national and regional planning policy and guidance issued by the government's Department for Communities and Local Government (DCLG); the strategic planning context provided by the East Sussex and Brighton & Hove Structure Plan; Regional Planning Guidance (RPG9); and the emerging Regional Spatial Strategy (RSS): the South East Plan.

### **a3. national policy**

- a3.1 At a national level, the government looks to the planning system and development plans in particular, to play a key role in the provision of homes and buildings, investment and jobs in a way which is consistent with the principles of sustainable development.
- a3.2 Sustainable development can be defined as:  
*'development which meets the needs of the present without compromising the ability of future generations to meet their own needs'.*  
*'Our Common Future' (The Brundtland Report) - Report of the 1987 World Commission on Environment and Development.*
- a3.3 The UK Strategy for sustainable development is based on four broad objectives:
- social progress which recognises the needs of everyone;
  - effective protection of the environment;
  - prudent use of natural resources; and
  - maintenance of high and stable levels of economic growth and employment.
- a3.4 In achieving these objectives, conflicts inevitably arise over the best use of land. The planning system is required to regulate the use of land in the public interest and national planning guidance remains clear that:  
*'the (planning) system as a whole and the preparation of development plans in particular, is the most effective way of reconciling the demand for development and the protection of the environment'.*
- a3.5 Beyond this role of reconciling competing land uses, plans are expected to provide a positive lead in planning for sustainable development. The challenge for local plans in particular, is to offer both certainty and flexibility over the use of land.

- a3.6 By identifying sites for development in a local plan, a local authority can provide certainty and demonstrate how part of its vision for the future can be achieved. However, an over prescriptive approach to land use could have the opposite effect and unduly limit peoples' ability to use and re-use land and buildings as and when circumstances change. In preparing a local plan then, there are key roles for both specific land use proposals for particular sites and criteria based policies for different types of land use - part of the key to 'positive planning' is getting the balance between the two right.
- a3.7 National planning policy is established through a series of Planning Policy Guidance notes, (PPGs) now being replaced by Planning Policy Statements (PPSs) and Government Circulars which provide detailed guidance and advice on how to meet the UK Strategy objectives set out above.
- a3.8 In preparing their plans, local planning authorities are urged to place a particular emphasis on making the best use of the land available and to recognise the importance of the relationship between land use and transport.
- a3.9 To achieve sustainable patterns of development and to help reduce the environmental impacts of transport, national planning policy demands an integrated approach whereby land use policies and transport programmes are seen to be complementary and contribute toward:
- reducing growth in the length and number of motorised journeys;
  - encouraging alternative means of travel which have less environmental impact; and,
  - helping reduce reliance on the private car.
- a3.10 Development in urban areas with good public transport accessibility is seen as a way of helping to reduce the need to travel. Local Plans are therefore expected to help sustain the 'vitality and viability' of town centres and to focus development, especially retail development, in locations which maximise the opportunity to use means of transport other than the car.
- a3.11 By offering a diverse range of services close to where people live, mixed use developments can offer sustainable alternatives to single use developments. In preparing their local plans, planning authorities are encouraged to include policies to promote and retain mixed uses, particularly in town centres and in other areas, highly accessible by means of transport other than the private car, including areas of major new development.
- a3.12 To help achieve mixed use development, national planning policy proposes a flexible approach which might allow for higher density housing and a reduction in the amount of parking space expected to be provided. Recent guidance on housing actively encourages local planning authorities to avoid placing unduly restrictive limits on the amount of housing a site can accommodate. However, where higher densities are considered appropriate, care should still be taken to ensure that alternative modes of transport are available and that there would be no adverse affect on local amenity or the needs of business.

- a3.13 To complement a more flexible approach to mixed use and higher densities, a new emphasis is placed on good urban design. National planning policy guidance issues a reminder that new buildings have a significant effect on the character and quality of an area. In planning for an 'urban renaissance', the report of the Urban Task Force chaired by Lord Rogers concludes that:

*'The quality of the built environment in our towns and cities has a crucial impact on the way they function. Well designed buildings, streets and districts are essential for successful social, economic and environmental regeneration'.*

#### **a4. regional policy**

- a4.1 The regional planning framework is provided by Regional Planning Guidance for the South East (RPG9) which is being replaced by the Regional Spatial Strategy (RSS), the South East Plan. Together, the Guidance and the Strategy cover the period up to 2026 and set a framework for the longer term.
- a4.2 The RPG's vision seeks to encourage economic success throughout the South East region whilst ensuring a higher quality of environment with management of natural resources, opportunity and equity for the Region's population and a more sustainable pattern of development.
- a4.3 Key development principles set out in RPG9 include the following:
- urban areas should become the main focus for development through making them more attractive, accessible and better able to attract investment;
  - greenfield development should normally only take place after other alternatives have been considered and should have regard to the full social, environmental and transport costs of location;
  - the pattern of development should be less dispersed with more sustainable patterns of activity, allowing home, work, leisure and community services to be in closer proximity and minimising the amount of land required in all new developments;
  - economic opportunities should be increased by measures to improve the performance of poorer parts of the Region and by reducing or surmounting bottlenecks to sustainable growth; and
  - sufficient housing should be provided for all who live and work in the Region and the development of housing should be more sustainable, providing a better mix of sizes and types, having regard to the structure of households and people's ability to access housing.
- a4.4 In promoting economic success, the RPG identifies the need to address inequalities within the Region. Brighton & Hove was identified, together with a number of other coastal towns and cities, as a Priority Area for Economic Regeneration (PAER). The RPG states that within the larger 'coastal strip' between Shoreham Harbour and Hastings, there are significant pockets of deprivation and unemployment and problems associated with a mismatch between the pool of labour and the available jobs.

- a4.5 To help address these problems, the RPG proposes diversification of the employment base and improved access to employment by sustainable means. The RPG looks to future plans to bring forward sites where new development could be created and to encompass tourist related activities, education and training, as well as business and industrial employment-generating uses.
- a4.6 In proposing a 'Transport Strategy' for the Region, the RPG establishes a close link between transport planning, development plans and more concentrated forms of development, regeneration and delivering an 'urban renaissance'. In accordance with national policy guidance, the RPG states that the management of future travel demand will be critical to the task of delivering a more sustainable pattern of development in the South East.
- a4.7 In planning for an adequate supply of affordable housing, the RPG states that development plans should consider whether there is evidence to justify using lower site size thresholds than those prescribed in government guidance, when negotiating for the inclusion of an element of affordable housing in development proposals.

#### **a5. the East Sussex and Brighton & Hove Structure Plan**

- a5.1 The 'development plan' for Brighton & Hove comprises the East Sussex and Brighton & Hove Structure Plan 1991-2011, associated waste and minerals local plans and this Local Plan. The Structure Plan provides the broad strategic planning framework which the Local Plan translates into a detailed set of policies and proposals to guide the development of Brighton & Hove.
- a5.2 The overall aim of the Structure Plan is:
- 'to seek a more environmentally sustainable future for the county and to meet the needs for development and change in a manner that is more sustainable in the longer term'.*
- a5.3 To achieve this aim the Structure Plan seeks to protect and enhance the area's key assets whilst at the same time addressing some significant problems.
- a5.4 The key objectives of the Structure Plan are to:
- protect and enhance the environment;
  - achieve economic prosperity;
  - provide for local housing requirements and contribute to meeting regional demand;
  - regenerate urban areas;
  - achieve prosperous and attractive rural areas;
  - achieve better integration with mainland Europe;
  - seek integration of transport and reduce the need to travel;
  - match infrastructure and services to needs; and
  - match policies, priorities, resources and programmes.

- a5.5 For Brighton & Hove, the Structure Plan (Policy S13) states that attention will be focussed on revitalising and regenerating the physical fabric of the urban area in a manner that strengthens its important role as an international resort and regional centre and enhances the townscape quality.
- a5.6 To protect the landscape and its setting, the Structure Plan envisages no further outward expansion of Brighton & Hove's built-up area other than in exceptional circumstances where the early release of land for employment uses could be justified on economic grounds and in terms of environmental impact (Policy E10).
- a5.7 The Structure Plan highlights the need to focus on the regeneration of vacant and underused sites within the urban area to improve the local economy and the environment. It envisages further progress in providing for a range of transport modes other than the private car to improve accessibility and the quality of the environment.

