



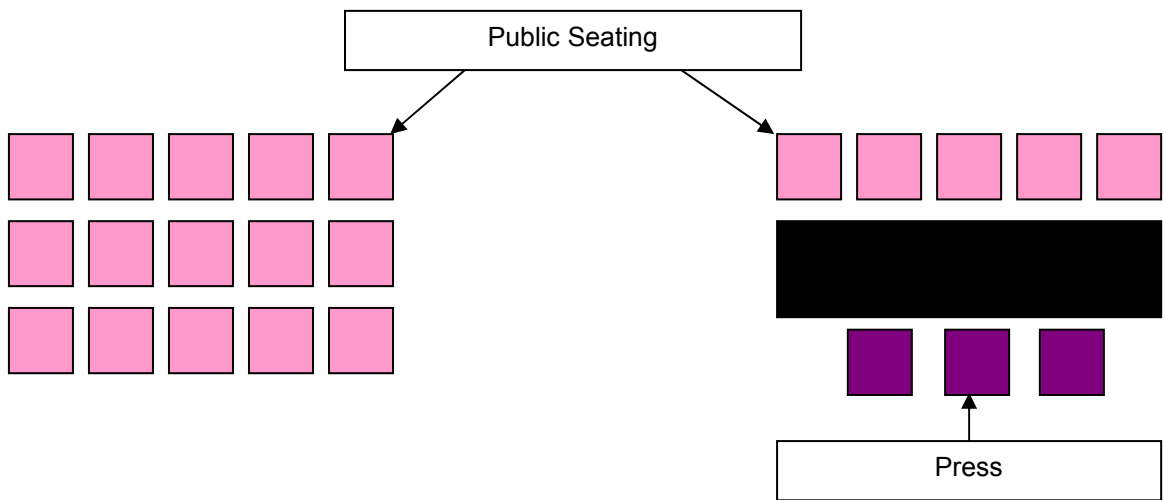
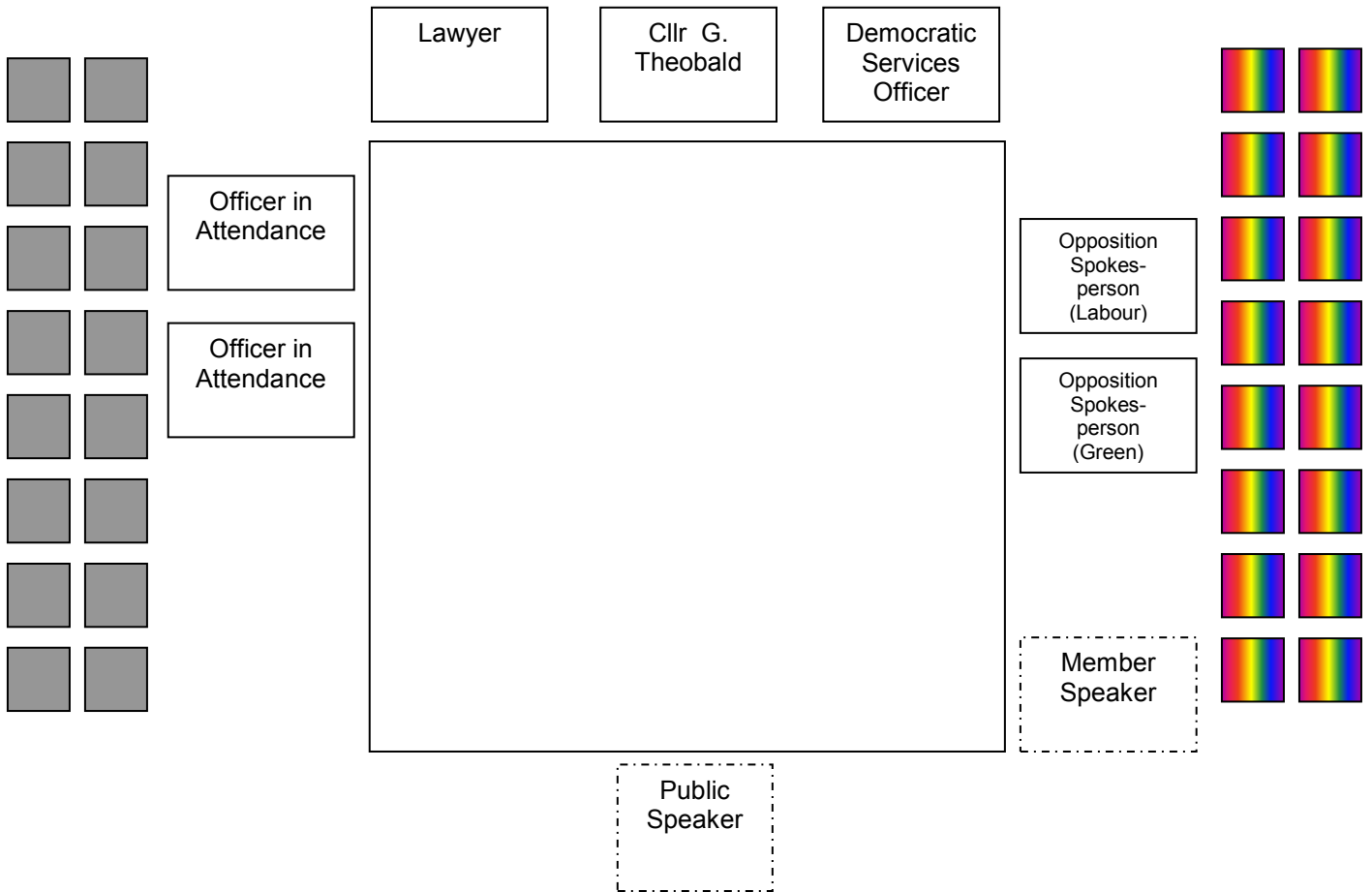
Brighton & Hove  
City Council

# Cabinet Member Meeting

Title:	<b>Environment Cabinet Member Meeting</b>
Date:	<b>31 March 2011</b>
Time:	<b>4.00pm</b>
Venue	<b>Council Chamber, Hove Town Hall</b>
Members:	<b>Councillor:</b> G Theobald (Cabinet Member)
Contact:	<b>Tanya Davies</b> Acting Democratic Services Manager 01273 291227 tanya.davies@brighton-hove.gov.uk

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# Democratic Services: Meeting Layout



## AGENDA

### 114. PROCEDURAL BUSINESS

- (a) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- (b) Exclusion of Press and Public - To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

*NOTE: Any item appearing in Part 2 of the Agenda states in its heading either that it is confidential or the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.*

*A list and description of the categories of exempt information is available for public inspection at Brighton and Hove Town Halls.*

### 115. MINUTES OF THE PREVIOUS MEETING

1 - 10

Minutes of the Meeting held on 10 March 2011 (copy attached).

### 116. CABINET MEMBER'S COMMUNICATIONS

### 117. ITEMS RESERVED FOR DISCUSSION

- (a) Items reserved by the Cabinet Member
- (b) Items reserved by the Opposition Spokespersons
- (c) Items reserved by Members, with the agreement of the Cabinet Member.

*NOTE: Public Questions, Written Questions from Councillors, Petitions, Deputations, Letters from Councillors and Notices of Motion will be reserved automatically.*

### 118. PETITIONS

11 - 12

Report of the Strategic Director, Resources (copy attached).

Contact Officer: Tanya Davies

Tel: 29-1227

Ward Affected: All Wards

## ENVIRONMENT CABINET MEMBER MEETING

### 119. PUBLIC QUESTIONS

(The closing date for receipt of public questions is 12 noon on 24 March 2011)

No public questions received by date of publication.

### 120. DEPUTATIONS

(The closing date for receipt of deputations is 12 noon on 24 March 2011)

No deputations received by date of publication.

### 121. LETTERS FROM COUNCILLORS

13 - 18

(a) **Parking in Springfield Road, Southdown Avenue, Rugby Road and Florence Road.** Letter from Councillor Allen (copy attached).

(b) **Parking in Kestrel Close.** Letter from Councillor Bennett (copy attached).

(c) **Parking in The Droveaway.** Letter from Councillor Bennett (copy attached).

### 122. WRITTEN QUESTIONS FROM COUNCILLORS

No written questions have been received.

### 123. NOTICES OF MOTIONS

No Notices of Motion have been received.

## PLANNING & PUBLIC PROTECTION

### 124. Planning Brief - Park House Site

19 - 74

Report of the Strategic Director, Place (copy attached).

*Contact Officer: Jo Thompson*

*Tel: 29-2500*

*Ward Affected: Hove Park*

## CITY INFRASTRUCTURE

### 125. Tax Free Bike Scheme Contract Renewal

75 - 78

Report of the Strategic Director, Place (copy attached).

*Contact Officer: Adrian Barritt*

*Tel: 29-3860*

*Ward Affected: All Wards*

## ENVIRONMENT CABINET MEMBER MEETING

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

Agendas and minutes are published on the council's website [www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk). Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact Tanya Davies, (01273 291227, email [tanya.davies@brighton-hove.gov.uk](mailto:tanya.davies@brighton-hove.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk)

Date of Publication - Wednesday, 23 March 2011



**BRIGHTON & HOVE CITY COUNCIL  
ENVIRONMENT CABINET MEMBER MEETING**

**4.00PM 10 MARCH 2011**

**COUNCIL CHAMBER, HOVE TOWN HALL**

### **MINUTES**

**Present:** Councillor G Theobald (Cabinet Member)

**Also in attendance:** Councillor Mitchell (Opposition Spokesperson, Labour)

**Other Members present:** Councillors Brown, Fallon-Khan and McCaffery

### **PART ONE**

#### **95. PROCEDURAL BUSINESS**

##### **95(a) Declarations of Interests**

95a.1 There were none.

##### **95(b) Exclusion of Press and Public**

95b.1 In accordance with section 100A of the Local Government Act 1972 ("the Act"), the Cabinet Member considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the business to be transacted or the nature of the proceedings, that if members of the press and public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100I(1) of the Act).

95b.2 **RESOLVED** - That the press and public be not excluded from the meeting.

#### **96. MINUTES OF THE PREVIOUS MEETING**

96.1 **RESOLVED** – That the minutes of the Environment Cabinet Member Meeting held on 3 February 2011 be agreed and signed by the Cabinet Member.

#### **97. CABINET MEMBER'S COMMUNICATIONS**

97.1 There were none.

**98. ITEMS RESERVED FOR DISCUSSION**

98.1 **RESOLVED** – That all items be reserved for discussion.

**99. PETITIONS****99(i) Paddling Pool Preston Park**

99.1 Councillor McCaffery presented a petition signed by 193 people concerning calling for the council to provide a paddling pool in Preston Park. She explained that she would like to suggest a water play area as an alternative to a paddling pool, as it would not need to be staffed. She asked the Cabinet Member to consider using Section 106 contributions to implement it and suggested that it would not be costly because of existing water supplies in the park.

99.2 The Cabinet Member stated that Preston Park was one of the City's Green Flag Parks; the council was committed to maintaining our high standard and the Administration had increased in real terms the amount of spent in parks and green spaces. £138,000 had recently been spent improving the playground in Preston Park, funded from Section 106 monies, the Playbuilder grant and an Aiming High grant. The Cabinet Member advised that the council did not have the additional resources required to put in and maintain a paddling pool. He added that the possibility of an unstaffed water play area would be considered if further Section 106 money became available.

99.3 **RESOLVED** – That the petition be noted.

**99(ii) The Compulsory Purchase of Anston House**

99.4 Councillor Kennedy had submitted a petition signed by 280 people concerning calling for the council to undertake a compulsory purchase Anston House and the adjacent site on Preston Road, Brighton.

99.5 Councillor Kennedy was unable to attend the meeting.

99.6 The Cabinet Member thanked the residents who had signed the petition and noted that he had responded to a deputation from the freeholders of the site at the last Cabinet Member Meeting. He gave assurances that development of the site, at a neighbourly scale, remained a top priority and recapped some of the progress that had already been made:

- Urban Splash had been appointed as development manager by the bank.
- A highly regarded architectural practice had been appointed following an architectural competition.
- Officers had met with the architects regularly and proposals were being developed.
- The council's enforcement officer had served notices requiring improvement to the condition of the office building and land by April 2012.



The Cabinet Member advised that, given the long history of the site, he was not complacent that all issues had been resolved yet, but that a compulsory purchase order would be premature, and unlikely to succeed at the present time.

99.7 **RESOLVED** – That the petition be noted.

**99(iii) Parking restrictions, Woodland Drive lay-by**

99.8 Councillor Brown presented a petition signed by 7 traders from Woodland Parade calling for the council to implement three-hourly parking restrictions in a lay-by near to their businesses to prevent cars parking there for long periods of time and instead provide parking for their customers.

99.9 The Cabinet Member stated that he would instruct officers to investigate the request as part of the next citywide traffic order proposals, with a view to introducing time limited bays to increase turn over of parking for the local shops.

99.10 **RESOLVED** – That the petition be noted.

**100. PUBLIC QUESTIONS**

100.1 There were none.

**101. DEPUTATIONS**

101.1 The Cabinet Member considered a deputation from Mr Chris Murgatroyd, on behalf of a group of Goldsmid Ward residents, concerning 20 mph speed limits in the city.

101.2 Mr Murgatroyd noted that he had previously presented a deputation on the same issue at the Cabinet Member Meeting on 4 November urging the Cabinet Member to adopt of the Scrutiny Panel's recommendation to implement 20mph speed limits on all residential roads and roads used by high numbers of vulnerable users. He reiterated a number of the points raised in the previous deputation, and in particular challenged the estimated costs of implementation and issues regarding enforcement and safety.

He stated that, while he had received some information from the Road Safety Team about progress, but that information had not been made available to residents about earlier speed monitoring on A and B roads. He noted that a commitment had been given to provide a further update on speed monitoring in the meeting, but that there was no report agenda. He also requested further clarity on how areas would be prioritised, particularly in relation to routes to schools.

Mr Murgatroyd urged the Cabinet Member to accept the Scrutiny Panel's recommendation, which he felt would encourage people to think about their car use; He added that other towns and cities in the UK had already adopted similar schemes in all residential areas.

101.3 The Cabinet Member reiterated that the recommendations made in the Scrutiny Panel's report were broadly accepted, but that Recommendation 1 was too broad in its application within an urban environment and a priority order for implementation was

necessary. He advised that it had been agreed that a Speed Limit Review would inform the implementation of wider use of 20mph limits, focussing initially on schools, but also including an area wider than just adjacent to schools. He explained that changes to speed limits should be undertaken in accordance with established guidelines and with due consideration to the police position that 20mph limits should be self-enforcing; research had indicated that drivers were most likely to adhere to speed limits if they were appropriate and residents' expectation was that drivers would comply with posted limits, frequently complaining on safety grounds where they did not.

The Cabinet Member reported that he was currently considering the recommendations of the A & B class road Speed Limit Review report and that a report would be brought to the Cabinet Member Meeting on it, along with progress on the Citywide Review, later in the year. He stated that for those reasons his decision of 16 September 2010, confirmed on 4 November would remain unchanged.

101.4 Councillor Mitchell stated that she supported the Goldsmid residents in seeking clarity about the progress of the A & B class road Speed Limit Review, due the nature of the roads in their ward, and was disappointed that it was not on the agenda. She advised that police advice on the panel's recommendations had been misinterpreted and explained that they had said that 20mph speed limits could only be enforced where they were supported by physical engineering measures.

101.5 **RESOLVED** – That the deputation be noted.

## **102. LETTERS FROM COUNCILLORS**

102.1 There were none.

## **103. WRITTEN QUESTIONS FROM COUNCILLORS**

103.1 The Cabinet Member reported that one written question had been received.

103.2 Councillor Kennedy had submitted the following question:

“Can Councillor Theobald please provide me with figures for the following:

- How many new parking permits were made available following the recent extension to the Area J parking zone?
- How many applications have been received for parking permits within the extension to the Area J parking zone, comprising the streets bounded by Viaduct Road and Ditchling Rise?
- How many residents are currently on the waiting lists for parking permits in the adjacent areas covered by other controlled parking zones?”

103.3 The Cabinet Member had circulated the following response:

“783 new permits were made available in the extension to the area J parking zone. This makes a new maximum for the full area J of 1120. We currently have 840 permits on issue in the full area J zone.

We have had 611 valid permit applications within the extension of the area J zone.

Area Y is adjacent to Area J and has 400 people on the waiting list. Area Q, which is also adjacent to Area J, does not at present have a waiting list.”

103.4 Councillor Kennedy was unable to attend the meeting to ask a supplementary question.

#### **104. NOTICES OF MOTION**

104.1 There were none.

#### **105. STREET LIGHTING ENERGY CONTRACT**

105.1 The Cabinet Member considered a report of the Strategic Director, Place seeking approval for an extension of the council’s current arrangement for the procurement of electricity for street lighting, illuminated bollards, signs and so on (henceforth referred to as illuminated street furniture) as well as traffic signals.

105.2 The Cabinet advised that the existing contract provided a cost effective and flexible solution, whilst also offering the council the opportunity of regular review to ensure best value in the future.

105.3 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:

- (1) That the Head of City Infrastructure be authorised to continue with the current joint arrangement with East Sussex County Council to utilise the Buying Solutions framework agreement for the city’s street lighting energy procurement.
- (2) That it be noted that the current arrangement provides a cost effective and flexible solution; demonstrates our commitment to strategic partnership working and offers the opportunity of regular review and to improve our contract options in respect of energy procurement.

#### **106. LINING MAINTENANCE CONTRACT**

106.1 The Cabinet Member considered a report of the Strategic Director, Place seeking approval to award a new contract for lining works throughout the City to the current provider, who were the only bidder, for the period 2011–2016.

106.2 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:

- (1) That the Road Marking and Road Stud Contract be awarded to Hi-Way Services Ltd commencing 1 April 2011 for a period of five years.

**107. CITY WIDE TRAFFIC ORDER PROPOSALS: VARIOUS TRAFFIC CHANGES TO CONTROLLED PARKING ZONES (CPZ) AND AREAS OUTSIDE OF CPZ**

- 107.1 The Cabinet Member considered a report of the Strategic Director, Place concerning the comments, support and objections received to an amendment Traffic Regulation Order, which contained proposals for over 150 roads.
- 107.2 The Cabinet Member explained that the report was in response to requests for changes to parking throughout the city from residents, businesses and Ward Councillors. The amendments included the provision of safety improvements, such as waiting restrictions to improve visibility at junctions, and often served to improve sustainable transport. The Cabinet Member advised that he proposed to make an amendment to the recommendation; the proposed waiting restrictions on Old London Road opposite the Grangeway would be deferred to allow officers to investigate concerns about possible displacement.
- 107.3 Councillor Mitchell asked whether any comments had been received in relation to the proposed double yellow lines for Peel Road/Reading Road/Marlow Road; she noted that it would reduce the amount of parking available, but that she had received complaints about the safety of the junction.
- 107.4 The Head of Network Management confirmed that two objections had been received, but that it was proposed to go ahead with the double yellow lines for safety reasons and this was supported by CityClean who had experienced access problems in the area.
- 107.5 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:
  - (1) That, having taken into account of all the duly made representations and objections, the Various Controlled Parking Zones Consolidation Order 2008 Amendment Order No.\* 201\* and Brighton & Hove (Waiting & Loading/Unloading Restrictions and Parking Places) Consolidation Order 2008 amendment Order No.\* 201\* be approved with the following amendments:
    - (a) The proposed relocation of motorcycle bay in Wyndham Street be removed from the Traffic Order due to reasons outlined in section 3.9.
    - (b) The proposed taxi rank in Eldred Avenue be removed from the Traffic Order due to reasons outlined in section 3.11
    - (c) The proposed taxi rank in Portland Road be removed from the Traffic Order due to reasons outlined in section 3.14.
    - (d) The proposed limited waiting parking in Newlands Road be removed from the traffic order due to reasons outlined in section 3.15.
    - (e) **The proposed waiting restrictions on Old London Road opposite the Grangeway be removed to allow officers to investigate concerns about possible displacement.**

**108. AREA C (QUEEN'S PARK) PARKING SCHEME REVIEW COMMUNITY CONSULTATION**

- 108.1 The Cabinet Member considered a report of the Strategic Director, Place concerning the proposed extension to the operation of Queen's Park (Area C) parking zone on Sundays as requested residents, Ward Councillors and the local Hoteliers and Guest House Association.
- 108.2 The Cabinet Member reported that only ten objections have been received to the traffic order, which was small amount for a resident parking scheme proposal.
- 108.3 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:
- (1) That, having taken account of all duly made representations and objections, the Brighton & Hove Various Controlled Parking Zones Consolidation Order 2008 Amendment order No. 201\* (Area C) be approved as advertised.
  - (2) That any amendment included in this report and subsequent requests deemed appropriate by officers be added to the proposed scheme during implementation and advertised as an amendment Traffic Regulation Order.
  - (3) That orders be placed with contractors to make the required alterations to signs and lines and to Pay and Display machines.

**109. TIVOLI CRESCENT RESIDENT PARKING SCHEME CONSULTATION**

- 109.1 The Cabinet Member considered a report of the Strategic Director, Place concerning the consultation undertaken for a proposed extension to the Area A Residents Parking Scheme around Preston Park Station into Tivoli Crescent.
- 109.2 The Cabinet Member noted that the consultation was requested and supported by nearly all residents in Tivoli Crescent on the basis that the road was a missing link to the current Area A Scheme; it was also supported by the Ward Councillors.
- 109.3 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:
- (1) That the Cabinet Member approves:
    - (a) That the extension of the Area A Residents Parking Scheme (Tivoli Crescent) be progressed to the final design and the Traffic Regulation Order advertised.
    - (b) That an order be placed for all required pay and display equipment to ensure implementation of the extension of the proposed parking scheme is undertaken as programmed.

**110. LEWES ROAD (PRESTON BARRACKS AND UNIVERSITY OF BRIGHTON) PLANNING BRIEF**

- 110.1 The Cabinet Member considered a report of the Strategic Director, Place seeking approval to consult on a draft planning brief for the former Preston Barracks site and adjacent University of Brighton sites (Moulsecomb Campus and Mithras House).
- 110.2 The Cabinet Member explained that the draft brief had been prepared by council officers in consultation with the University of Brighton in order to guide the future development of the former Preston Barracks site (owned by the council), the University's Moulsecomb campus (centred on Watts and Cockroft buildings) and Mithras House. The aim was that a partnership approach to the development, with the addition of the University's landholdings, would provide an opportunity to secure a viable mix of land uses to help regenerate the area. The planning brief set out the potential for an imaginative approach and development partners would be expected to deliver the highest standards of design and sustainability. Public consultation would last for six weeks and a revised version of the brief would be presented to a future Cabinet Member Meeting.
- 110.3 Councillor Mitchell welcomed the planning brief approach and opportunities it brought. She hoped that it would result in a distinct development that would be well connected to its surroundings and accessible to members of the public. She noted that the site benefited from good transport links, but risked being hidden if the development was not open and front-facing.
- 110.4 The Cabinet Member invited Councillor Fallon-Khan, Cabinet Member for Enterprise, Employment & Major Projects, and Professor Julian Crampton, Vice-Chancellor of the University of Brighton, to address the meeting.
- 110.5 Councillor Fallon-Khan described the positive relationship between the council, the University of Brighton and other interested parties and reported that negotiations had been constructive with all parties remaining conscious of the others' view points. He commended the work of the Project Board and stated that the development was an exciting regeneration project that he hoped it would be an example, both nationally and internationally, of what could be achieved in a challenging financial circumstances. The aim of the development was to achieve harmonisation between students, residents and the surrounding areas.
- 110.6 Professor Crampton reported that the council and University had formed a fruitful partnership and that planning brief offered some exciting opportunities. He advised that the University was fully committed to achieving a valuable development for the city, with sustainability priorities at the centre of the project.
- 110.7 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:
- (1) That the draft planning brief be approved to form the basis of a public consultation exercise.

**111. ROTTINGDEAN CONSERVATION AREA REVIEW**

111.1 The Cabinet Member considered a report of the Strategic Director, Place seeking approval to consult on a revised character statement for the Rottingdean Conservation Area and on changes to its boundary.

111.2 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:

- (1) That the draft Rottingdean Conservation Area character statement and boundary changes be approved for public consultation.

**112. HEALTH AND SAFETY ANNUAL SERVICE PLAN 2011/12**

112.1 The Cabinet Member considered a report of the Strategic Director, Place concerning the Health & Safety Annual Service Plan required under the Health & Safety at Work Act.

112.2 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:

- (1) That the Health & Safety Annual Service Plan 2011/2012 be endorsed and recommended to Council for approval.

**113. OFFICIAL FEED AND FOOD CONTROLS SERVICE PLAN 2011/12**

113.1 The Cabinet Member considered a report of the Strategic Director, Place concerning the Official Feed and Food Controls Service Plan required by the Food Standards Agency.

113.2 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:

- (1) That the Official Feed and Food Controls Service Plan 2011/2012 be agreed and commended to Full Council for approval.

The meeting concluded at 4.40pm

Signed

Cabinet Member

Dated this

day of





# ENVIRONMENT CABINET MEMBER MEETING

## Agenda Item 118

Brighton & Hove City Council

**Subject:** Petitions  
**Date of Meeting:** 31 March 2011  
**Report of:** Strategic Director, Resources  
**Contact Officer:** Name: Tanya Davies Tel: 29-1227  
E-mail: tanya.davies@brighton-hove.gov.uk  
**Key Decision:** No  
**Wards Affected:** Various

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

1.1 To receive any petitions presented at Council, any petitions submitted directly to Democratic Services or any e-Petition submitted via the council's website.

#### 2. RECOMMENDATIONS:

2.2 That the Cabinet Member responds to each petition and in each case gives consideration to a range of options, including the following:

- taking the action requested in the petition
- considering the petition at a council meeting
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- referring the petition for consideration by the council's Overview and Scrutiny Committee\*
- calling a referendum
- writing to the petition organiser setting out the council's views about the request in the petition
- noting the petition

#### 3. PETITIONS

##### 118. (i) Consult on Queen's Park bowling green

To receive the following e-Petition presented at Council on 24 March 2011 by Councillor Steedman and signed by 35 people:

*We the undersigned petition the council to carry out a thorough consultation on the future use of the Queen's Park Bowling Green among all park users from all the surrounding communities for whom the park is such a precious resource in a densely populated urban area.*

**118. (ii) Parking Problems - Bakers Bottom**

To receive the following e-Petition and accompanying paper petition submitted directly to the Environment Cabinet Member Meeting by Mr Chris Cooke and signed by a total of 103 people:

*We the undersigned petition the council to consider the introduction of double yellow lines at the junctions of Rochester/Livingstone St, Bute/Livingstone St and Hendon/Livingstone St in the area commonly known as "Bakers Bottom".*

**118. (iii) Hove Station Foot Bridge**

To receive the following e-Petition submitted directly to the Environment Cabinet Member Meeting by Mr Adam Love and signed by 29 people:

*We the undersigned petition the council to continue to maintain and improve Hove station footbridge. Ensure it is graffiti free, well lit and its condition monitored regularly.*

**118. (iv) Save Our Buses**

To receive the following e-Petition presented at Council on 24 March 2011 by Mr Tom French and signed by 122 people:

*We the undersigned petition the council to protect our subsidised bus routes from cuts, including the no. 21, 21B, 81, 81A and 22. These bus routes may not create a large profit but they are vital for many families and it would damage the community and the environment to cut them back. We want the council to invest in regular, local, fast and affordable public transport, not cut back on vital funding.*

**118. (v) Make Hollingdean Dip Safe**

To receive the following e-Petition presented at Council on 24 March 2011 by Ms Christina Summers and signed by 54 people:

*We the undersigned petition the council to take urgent steps to make the Hollingdean Dip safer to cross by reviewing the traffic calming measures in the area and taking steps to improve road safety such as installing a zebra crossing.*

**118. (vi) George Street, Hove – change to opening hours**

To receive a paper petition submitted directly to the Environment Cabinet Member Meeting by Councillor Young and signed by 56 traders and residents of George Street, Hove calling for a change to the street opening hours to 4pm daily effective from 1 April 2011 and continuing thereon.

# ENVIRONMENT CABINET MEMBER MEETING

## Agenda Item 121(a)

Brighton & Hove City Council

### COUNCILLOR KEVIN ALLEN

92 Reigate Road  
Brighton  
BN1 5AG

Geoffrey Theobald OBE  
Cabinet Member for Environment

**Date:** 17 March 2011

**Our Ref:** KA/

**Your Ref:**

Dear Geoffrey

As I know you are aware, residents in roads north of the London Road station, particularly in Springfield Road, Southdown Avenue, Rugby Road and Florence Road, are feeling the effects of the introduction of the CPZ south of the station. With the support of all three Preston Park ward councillors, residents are asking when the impact assessment/review of the Area J extension, as stipulated in the original zone plans, is going to take place. Would you agree with me that officers should start on this at once?

Residents north of the London Road station, who are experiencing great difficulty finding parking spaces near their homes, would like to be able to purchase Area J permits if there are any available. As it appears from your response to Councillor Kennedy's question at the last CMM that there are indeed 280 "spare" Area J permits would it be possible for residents in roads immediately to the north of the station to purchase these permits?

Regards



Councillor Kevin Allen

Telephone: (01273) 291197 Fax: (01273) 566416  
Email: kevin.allen@brighton-hove.gov.uk

Labour Member for PRESTON PARK Ward



# ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 121(b)

Brighton & Hove City Council

**Councillor Jayne Bennett**

27 Hill Brow  
Hove  
BN3 6QG

Councillor Geoffrey Theobald  
Cabinet Member for Environment

**Date:** 20 March 2011

**Our Ref:** JB/

**Your Ref:**

Dear Councillor Theobald,

**Re: Kestrel Close**

I have been approached by residents of Kestrel Close, Hove. They wish to be included in the surrounding parking scheme. Initially residents who lived there did request to be excluded from the scheme, however it is now becoming intolerable for residents due to commuter, student parking as well as long term parking.

This is a small close made up of just a few homes, and the work has already been done to include them in the original scheme so I hope it will be a relatively quick process to rectify the situation and for them now to be part of the residents parking scheme.

Yours sincerely



Councillor Jayne Bennett



# ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 121(c)

Brighton & Hove City Council

**Councillor Jayne Bennett**

27 Hill Brow  
Hove  
BN3 6QG

Councillor Geoffrey Theobald  
Cabinet Member for Environment

**Date:** 20 March 2011

**Our Ref:** JB/

**Your Ref:**

Dear Councillor Theobald,

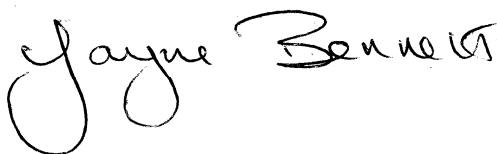
## **Re: The Droveaway**

Residents of the Droveaway continue to have to put up with the displaced traffic from nearby parking schemes. It is also very difficult for Lancing pre prep parents dropping off their children first thing in the morning and collecting them in the afternoon as there is no where to park for a few minutes. There is also an incredibly busy Tesco Express and local dairy in the road as well as a well used tennis club.

The Droveaway has also become a very busy road since the introduction of traffic calming in Woodland Drive a few years ago. Coaches regularly use this road to access Hove and the seafront.

Residents have continually asked for some restrictions to make the Droveaway safer and to allow some turnover of cars, and to enable parents to park safely, however this has been refused on a number of occasions. I am now writing to suggest one side of the road has perhaps 3 hour parking bays – this would ease the problem, and not cause any significant displacement. The displacement seems to be the major concern for the council. This solution would ease the situation and importantly make the area safer. Although this solution is not perfect it would greatly improve the current situation. I do hope you will consider and consult on this option.

Yours sincerely



Councillor Jayne Bennett

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Conservative Member for Hove Park Ward





# ENVIRONMENT CABINET MEMBER MEETING

## Agenda Item 124

Brighton & Hove City Council

<b>Subject:</b>	<b>Planning Brief – Park House Site</b>		
<b>Date of Meeting:</b>	<b>31 March 2011</b>		
<b>Report of:</b>	<b>Strategic Director, Place</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Johanne Thompson</b>	<b>Tel:</b> <b>29-2500</b>
	<b>E-mail:</b>	<b>jo.thompson@brighton-hove.gov.uk</b>	
<b>Key Decision:</b>	<b>No</b>		
<b>Wards Affected:</b>	<b>Hove Park</b>		

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 The report outlines the consultation process undertaken in relation to the development of a planning brief for the Park House site and seeks approval of the planning brief (see Appendix 1) that has been prepared to take into account the results of stakeholder meetings and public consultation.

#### 2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member notes the results of the public consultation exercise that have been taken into account in the preparation of the planning brief (see Appendix 2).
- 2.2 That the Cabinet Member approves the planning brief in order to provide planning guidance to developers and assist the council in the assessment of future development proposals and planning applications concerning the site.

#### 3. RELEVANT BACKGROUND INFORMATION

##### Introduction

- 3.1 The brief has been prepared following stakeholder meetings and a public consultation exercise to provide the key development principles to guide future redevelopment of the Park House site. This follows the refusal of two previous planning applications submitted by Hyde Martlet, the landowner of the site, and the dismissal of two appeals at a public inquiry held in March 2010. Both appeal decisions upheld the council's decision to refuse the applications based on design grounds.
- 3.2 Whilst the Inspector's decision to dismiss both appeals was principally on design grounds, he makes a number of other observations which have been taken on board in the preparation of the brief. These have been summarised in the Appendix 3 of this report, together with the local planning authority's (LPA) response to his comments.

## Summary of guidance in the Planning Brief

- 3.3 The brief provides detailed design guidance on the type and quantum of development which would be acceptable in design terms and that can be successfully accommodated on the site. The guidance provided in the brief is summarised below:
- The provision of parking on site should meet the maximum parking standards identified for residential development in the council's supplementary planning guidance (SPGBH4).
  - The provision of basement parking should be actively explored to accommodate the required parking provision on site and to maximise the amount of open/ amenity space available to future occupants of the development.
  - The number of units proposed for the site should take into account the character of the area and the density of other comparable residential developments in the Hove area.
  - The height of future development should respond to the level changes across the site and the generalised height line established in the brief.
  - All trees with a TPO must be retained in future proposals for the site.
  - The setback of dwellings from Goldstone Crescent and the Old Shoreham Road should be generous to reflect the character of the area and to act as a buffer between future development and the busy main roads.
  - The future redevelopment of the site should minimise the disturbance to the main badger sett and their habitat which exists in close proximity to the site.

## Consultation process

- 3.4 Meetings have been held with a number of stakeholders including the landowner, local ward councillors, the Cabinet Member for Environment and the Chairman of the Planning Committee. These discussions have contributed to an enhanced understanding of the site, particularly its constraints and opportunities for future development.
- 3.5 The feedback from these early stakeholder meetings was used to identify the key development principles to guide the future redevelopment of the site. These development principles formed the basis of a recent public exhibition which was held between 5 -11 February 2011 at Hove Bowls Club (two days) and Hove Town Hall (4 days) and included information on the following themes:
- **Accessibility** – including vehicular and pedestrian access, as well as access to public transport
  - **Parking** – existing parking provision in the vicinity of the site as well as the level of parking required to support the future redevelopment of the site
  - **Height** – assessment of the heights of buildings in the immediate vicinity of the site
  - **Density** – provided density calculations for a number of developments in the vicinity of the site and in comparable areas of Hove
  - **Trees, landscaping and setbacks** – examined the characteristics of the site and surrounding area in terms of the trees, landscape and setbacks
  - **Badgers** – set out the requirements of Natural England and planning in relation to main badger setts following the discovery of a main sett in close proximity to the site

- **Construction materials** – asked for feedback on a range of construction materials indicative of the local area as well as comparable development in the wider Hove area
- 3.6 The exhibition material was also made available on the council’s website via a link from the home page to a dedicated webpage containing latest information on the Park House site.

### **Consultation results**

- 3.7 The public exhibition on the development principles for the site generated sixty one written representations from members of the public, seven written representations from residents’ associations and amenity organisations; one letter from the planning agent acting on behalf of the landowner (Hyde Martlet) and one letter from Mike Weatherley MP (Hove and Portslade). The full results of the consultation have been recorded in Appendix 2 of this report but the main findings have been summarised below. All consultation responses have been taken into account in the drafting of the brief and have been considered with regard to the following factors:
- their reasonableness and relevance to the planning process including national and local planning policy and guidance;
  - their conformity with the development principles established by the inspector in relation to the planning appeals;
  - whether or not they would be overly restrictive in bringing forward the future development of the site.

### **Individuals’ responses**

- 3.8 The feedback from local residents revealed broad support for the exhibition’s proposed development principles to guide the future redevelopment of the site. Sixty six per cent of the total number of respondents expressed concern about the restrictions on parking in the local area and the need for sufficient parking to be provided on site. Fifty six per cent thought that the height of new development should be no greater than existing buildings in the immediate vicinity of the site and/ or stipulated no higher than three storeys. Forty one per cent of the total number of respondents felt that the future redevelopment of the site should be ‘in keeping’ with existing development in the area.
- 3.9 The other themes arising from individuals’ responses are given below. Respondents considered that:
- the proposed density and number of flats proposed by the developer in the recent past was too high;
  - the developer should use traditional materials such as roof tiles, brick etc;
  - Goldstone Crescent should be favoured as a potential vehicular access to the site, rather than Hove Park Gardens.
  - the original Park House building should be retained as part of the redevelopment of the site;
  - the badgers and other wildlife would be unduly disturbed by the redevelopment of the site;
  - the site should be used for a school or as a residential care home as it has been in the past;

- as far as possible, the existing vegetation and the mature trees on the site should be retained in any redevelopment of the site;
- the development should be set back from the busy roads;
- the local medical, educational or transport services will not be able to support such a large new residential development;
- there is a recognised need for new housing development in the city;
- the existing amenity space and/or the green corridor should be retained.

3.10 Wherever appropriate, the above issues have been taken on board to a greater or lesser degree in the drafting of the brief.

### **Amenity and residents' associations**

3.11 Responses were received from seven amenity and residents' associations: The Sustainable Building Association (AECB), The Brighton Society, Badger Trust – Sussex, Hove Park Residents' Association, Hove Park Bowls Club, Cooperative Housing in Brighton and Hove (CHIBAH) and Save Hove. The key issues raised by these groups are recorded in detail in Appendix 2. However, their feedback broadly reflected the range of issues identified by local residents.

3.12 There were only two issues which were principally different to those identified by local residents, namely a desire to see:

- zero carbon development on this site, to improve the performance of future development in terms of sustainability and energy efficiency;
- the provision of cooperative housing as part of the overall housing offer.

3.13 The first issue is covered under the sustainability section of the brief. It is possible under the Local Plan to secure affordable housing through a Registered Social Landlord and Local Plan policies support this. This may be cooperative housing but the council cannot insist upon it.

### **Lewis & Co Planning on behalf of Hyde Martlet (the developer)**

3.14 Hyde Martlett's planning agent, Lewis & Co Planning has objected to the preparation of a planning brief on the grounds that pursuing a brief in this instance do not comply with good practice guidance contained in the DCLG publication "Planning and Development Briefs: A Guide to Better Practice, June 1997" and that ample guidance is already provided via existing government guidance; the council's local plan, supplementary planning guidance notes and documents, urban characterisation study; as well as the planning inspectorate's appeal decisions relating to the site. A detailed response to the points raised by the developer is included in the consultation report that forms Appendix 4 of this report.

3.15 With regard to the developer's comments, it should be noted that the brief has been drafted to take on board many of their known concerns. This follows an earlier meeting with the developer and the sharing of an initial draft version of the document. The brief is intended to balance the developer's concerns with the other planning considerations relating to the site, including the council's analysis of the site and its surroundings undertaken in preparation of the brief, recent changes in national planning policy (revisions to PPS3 and PPG 13) and

consideration of the views emerging from the consultation relating to the public exhibition.

- 3.16 The developer's claim that a planning brief for the site would be contrary to the good practice guidance produced by the DCLG is not agreed. The brief has been prepared in the light of the two previous planning appeals that were dismissed by an inspector on design grounds and a resulting lack of clarity with regard to a development that would meet the concerns of the local planning authority. It was considered important to prepare a brief to clearly establish what is likely to be acceptable and unacceptable on the site, where there is flexibility and where requirements are firm. These factors are cited as sound reasons for preparing a planning brief in the DCLG's good practice guide. There are further reasons given in the good practice guide that support the preparation of a brief in this particular instance, including the need to clarify the local planning authority's expectations (in relation to this specific site).

#### **Mike Weatherley MP (Hove and Portslade)**

- 3.17 The council received a letter from Mike Weatherley MP (Hove and Portslade) commenting on the exhibition material and supporting the preparation of a brief. He considers that the original Park House building should be retained and restored; that its more modern extension should be demolished and replaced along its existing building line with a new high quality building; and that all trees and open spaces be protected.

#### **4. CONSULTATION**

- 4.1 Details of the public consultation process and the public exhibition are covered above in the main body of the report.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 5.1 All the costs associated with the production of the planning brief and undertaking the public consultation have been met from within the City Planning's existing revenue budgets.

*Finance Officer consulted: Karen Brookshaw*

*Date: 04/03/11*

##### Legal Implications:

- 5.2 Although the planning brief is a non-statutory document and therefore cannot be given full statutory weight it has undergone wide ranging consultation, as outlined in the report, which itself gives weight to the document. The planning brief will be a material planning consideration in the determination of planning applications relating to the Park House site. No adverse human rights implications have been identified as arising from the report.

*Lawyer consulted: Hilary Woodward*

*Date: 03/03/11*

#### Equalities Implications:

- 5.3 Equality Impact Assessment (EQIA) issues relevant to this planning brief have been considered. Equalities principles have been an integral part of the development of the brief and have particularly informed the consultation process, including the organisation of the early stakeholder discussions, the public exhibition and the dedicated Park House page on the council's website.

#### Sustainability Implications:

- 5.4 Sustainability measures inform all of the principles for the future development of the site and are outlined within the planning brief.

#### Crime & Disorder Implications:

- 5.5 The planning brief has been developed to provide for a safer environment in the area through a range of measures including public and private realm improvements and the promotion of good urban design.

#### Risk and Opportunity Management Implications:

- 5.6 None identified.

#### Corporate / Citywide Implications:

- 5.7 None identified.

### **6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 The alternative to producing a planning brief would have been to "do nothing" (i.e. not to have produced a planning brief). Following consultation with key members and local ward councillors this option was not considered acceptable as there would have remained a lack of clarity on what the local planning authority is likely to consider an acceptable development on this important and sensitive site. The site has previously been the subject of two refused planning applications from Hyde Martlet (the current owners of the site) and two appeals. Both appeals were dismissed by the Planning Inspectorate, principally on design grounds. Consequently, the planning brief provides detailed design guidance on the type and quantum of development is likely to be acceptable in design terms and that can be successfully accommodated on the site.

### **7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 To ensure there is detailed, clear advice to developers on the type of development that is acceptable on this important and sensitive site.
- 7.2 To assist the local planning authority in the assessment of future development proposals concerning the site.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Planning Brief – Park House site, Old Shoreham Rd, Hove
2. Consultation Summary Report
3. Summary of Inspector’s Appeal decisions and LPA response
4. LPA response to the points raised by the developer letter dated 11.2.11

### **Documents In Members’ Rooms**

1. Planning Brief – Park House site, Old Shoreham Road, Hove.
2. Consultation Summary Report
3. Summary of Inspector’s Appeal decisions and LPA response
4. LPA response to the points raised by the developer letter dated 11.2.11

### **Background Documents**

1. Brighton & Hove Local Plan (adopted 2005).
2. Core Strategy Proposed Submission (February 2010).
3. Urban Characterisation Study (2009).
4. “Planning and Development Briefs – A Guide to Better Practice”, Department of Communities and Local Government, 1997
5. SPD 03 – Construction & Demolition Waste (January 2006)
6. SPD 06 – Trees & Development Sites (March 2006)
7. SPD 08 – Sustainable Building Design (June 2008)
8. SPD 09 – Architectural Features (December 2009)
9. SPD 11 – Nature Conservation and Development (March 2010)
10. Developer Contributions Interim Technical Guidance – February 2011





# Planning Brief

March 2011

## Park House, Old Shoreham Road, Hove



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Brighton & Hove  
City Council



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## Executive Summary

This Planning Brief provides planning guidance for the potential redevelopment of the Park House site, Old Shoreham Road, Hove. The content of the Brief will be used in the assessment of future pre-application proposals and planning applications and is a material planning consideration in the determination of planning applications relating to the site.

Section 3 provides the background to the preparation of the Brief and outlines the process of stakeholder consultation which has been undertaken in relation to the development principals within the Brief.

Section 4 provides details on the site, including a description of the buildings on the Park House site and the characteristics of the surrounding area. It also summarises the planning history of the site.

The Brief draws on the council's urban design analysis of the site and the surrounding area, those results arising from the public consultation which are material and changes in the national planning policy framework.

The final section of the Brief (Section 5) identifies the development principles to guide the redevelopment of the site through clarification of Local Plan policy and, where appropriate, the Core Strategy Submission document.

## 2 Status of the Brief

Planning Briefs do not form part of the Local Development Framework (LDF) and so cannot be given full statutory weight. However, the guidance contained in this Brief is a material planning consideration and will be used in the determination of planning applications relating to the Park House site.

Consultation on the development principles which form the main content of the Brief has been extensive. Early discussions were held with a number of stakeholders with an interest in the site including the landowner and the local ward councillors to establish their priorities for any future development of the site. The emerging development principles were presented at a Public Exhibition which was held between 5 -11 February 2011 at Hove Bowls Club (two days) and Hove Town Hall (4 days). The exhibition generated 70 formal written representations. The content of the Brief has also been informed by adopted and emerging planning policy.

The document was adopted by the city council at the Environment Cabinet Members Meeting (CMM) on 2011.

## 3 Introduction & background

### 3.1 Introduction

The relocation of Bellerby's College (a residential language school in Brighton & Hove) to the Brighton Station site in 2007, provides an opportunity to bring about the redevelopment of this important and prominent site. Although the site was purchased by Hyde Martlet in 2007, it remains vacant following two unsuccessful planning applications and subsequent appeals by the developer/ landowner in 2009. The preparation of this planning brief is in response to the unfavourable appeal decisions and the lack of clarity with regard to a development that would address the concerns of the local planning authority (LPA).

Both appeal decisions upheld the council's decision to refuse planning permission for the applications based on design grounds. Consequently, there remains a need to complete an urban design analysis which sets the parameters for the future redevelopment of the site. The brief therefore provides detailed design guidance on the type and quantum of development which would be acceptable in design terms and that can be successfully accommodated on the site.

Since the time of the appeal decisions there have also been some material changes to the national planning framework i.e. PPG13 Transport, PPS3 Housing etc. which have implications for the site. The planning brief provides an up to date development framework that establishes the principles upon which future development proposals and planning applications will be assessed. It achieves this by balancing the developer's legitimate interest in bringing forward a feasible development on the site together with the appropriate urban design response.

### 3.2 Background

In March 2009, the council's Planning Committee refused to grant planning permission for a residential scheme submitted by the landowner and developer of the site, Hyde Martlet (Scheme 1 - BH2008/03640). A revised application was submitted by the developer in June 2009 (Scheme 2 - BH2009/01464) which was also refused at Planning Committee. Both schemes proposed the demolition of the existing buildings (including Park House) and the erection of a single five storey building containing 72 flats.

Meetings have been held with local ward councillors, the Cabinet Member for Environment and the Chairman of the Planning Committee. All other Members were consulted during the public exhibition. Members were particularly keen for the Brief to:

- address local concerns about the future redevelopment of the site, including issues such as parking, density and height of development.
- address changes in national planning policy which are likely to have implications for the site.

In the light of the appeal decisions, changes in the planning policy framework and the results of the recent public consultation, the Brief aims to provide an up to date and dynamic response to the challenges of bringing forward development on this site.

## 3.3 Stakeholder consultation

In addition to the meetings with Members, consultation concerning the planning brief was also undertaken with the landowner, Hyde Martlet. These discussions have contributed to an enhanced understanding of the site, particularly its constraints and opportunities for future development.

### Public Exhibition

The feedback from these early stakeholder meetings was used to identify the key development principles to guide the future redevelopment of the site. These development principles were consulted upon at a public exhibition which was held between 5 -11 February 2011 at Hove Bowls Club (two days) and Hove Town Hall (4 days) and included information on the following themes:

- Accessibility - including vehicular and pedestrian access, as well as access to public transport
- Parking - existing parking provision in the vicinity of the site as well as the level of parking required to support the future redevelopment of the site
- Height - assessment of the heights of buildings in the immediate vicinity of the site
- Density - provided density calculations for a number of developments in the vicinity of the site and in comparable areas of Hove
- Trees, landscaping and setbacks - examined the characteristics of the site and surrounding area in terms of the trees, landscape and setbacks
- Badgers - set out the requirements of Natural England and planning in relation to main badger setts
- Construction materials - asked for feedback on a range of construction materials indicative of the local area as well as comparable development in the wider Hove area



The exhibition material was also made available on the council's website via a link from the home page to a dedicated webpage containing latest information on the Park House site.

The public exhibition on the development principles for the site generated sixty one written representations from members of the public, seven written representations from residents' associations and amenity organisations; one letter from the planning agent acting on behalf of the landowner (Hyde Martlet) and one letter from Mike Weatherley MP (Hove and Portslade). The full results of the consultation were reported to the council's Environment Cabinet Member Meeting on 31 March 2011.



## 4 The site

### 4.1 The site description

The site is 0.34 Ha and occupies a prominent position on rising ground between Hove Park and Hove Recreation Ground. It is located on the north east corner of the junction of the Old Shoreham Road with Fonthill Road and Goldstone Crescent and is readily seen from the Old Shoreham Road, which is a busy east-west arterial route in and out of the city.

The existing buildings on the site comprise of the main Edwardian house (Park House) which was built between 1898 and 1905 as well as a mid to late 20th Century L-shaped extension building which occupies most of the site to the west of the main house and has its frontage along the Old Shoreham Road and Goldstone Crescent. The main building was once a handsome Edwardian property but it has been altered internally and is in a poor state of repair. The other extension buildings "are less attractive and are poorly related to the urban grain, as well as to the Hove Park setting" (Inspector's Report, 5 March 2010). None of the buildings on the site, including Park House, are listed as being of architectural or historical interest. Since the site is not in a Conservation Area, the demolition and replacement of Park House and its extension is not restricted by planning legislation.



### 4.2 The surrounding area

The site lies within the Hove Park Character Area (see Map 1 - Page 6) of the Tivoli Neighbourhood as defined within the council's Urban Characterisation Study (2009), which has large interwar and post war houses on generous plots setback from tree-lined roads, schools and open spaces. The existing Park House site is very much part of three plots including Gannet House and Hove Park Manor. Together, these three plots have their own defined character within the wider area (see section 5.8). To the west of the site, the ground falls steeply away into Hove Park within the Goldstone Valley. To the east lies Hove Recreation Ground. The generous setbacks on the western and southern edges of the site together with the prevalence of mature trees provide a positive link between the two parks. The area on the south side of the Old Shoreham Road has a more urban typology, characterised by two storey Victorian detached, semi-detached houses and some terraces. The Urban Characterisation Study defines this area as the Wilbury Neighbourhood (see Map 2 - Page 6).

Tongdean neighbourhood



Map 1

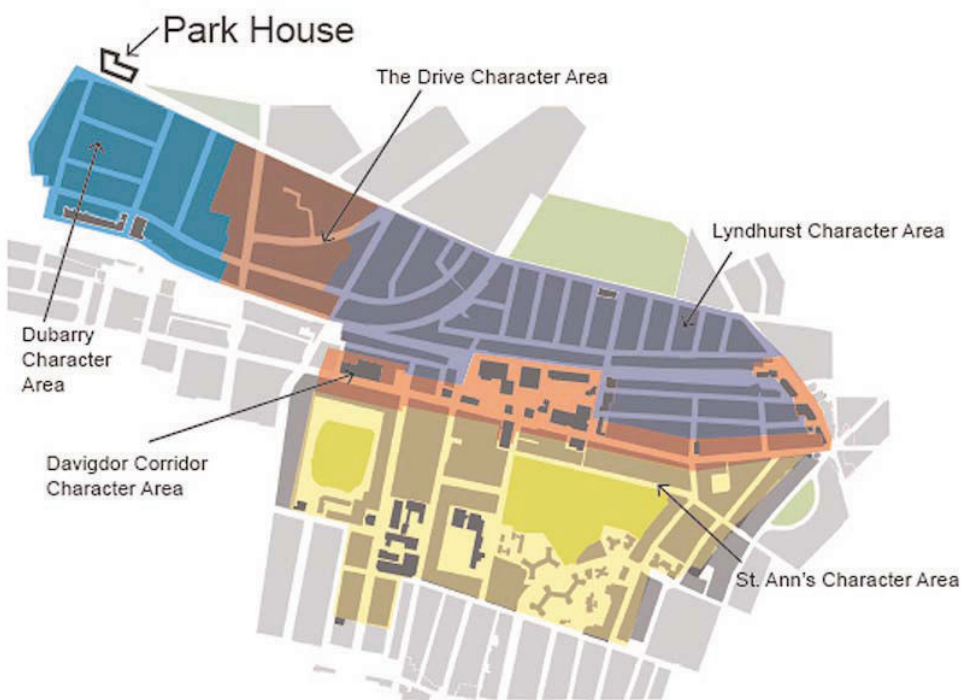


Park Manor House



Tongdean post-war house

Wilbury neighbourhood



Map 2



Old Shoreham Rd - southside



Wilbury Avenue

## 4.3 Planning history

It is understood that previous uses of the Park House site included a Care Home for the elderly and, more recently, a residential language school (Bellerby's College). Following the relocation of Bellerby's College to the Brighton Station site in 2007, the site was purchased by Hyde Martlet (a Registered Social Landlord).

In March 2009, the council's Planning Committee refused to grant planning permission for a five storey residential scheme of 72 flats submitted by Hyde Martlet (Scheme 1 - BH2008/03640). Further work was undertaken by the applicants to revise the scheme in the light of the reasons for refusal, resulting in the submission of a new application in June 2009 (Scheme 2 - BH2009/01464) consisting of a part four storey and part five storey block of 72 flats. This application was also refused at Planning Committee on 11 November 2009.

The reasons for refusal were based upon the scale and the amount of development, the long facades, the height and bulk of the building and the standard of design. The dominant impact and overbearing nature of the proposal, as well as the impact on the setting of Hove Park, were also cited. This planning brief has been prepared to provide design guidance for the future redevelopment of the site in the light of these reasons for refusal.

## 5 Development principles & guidance

### 5.1 National and local planning policy

A summary of all the national and local planning policies relevant to the site is contained within Appendix 1. The content of the Brief has been informed by adopted and emerging planning policy. The statutory development plan comprises the Brighton & Hove Local Plan (2005), the South East Plan<sup>1</sup> and, together with relevant Supplementary Planning Guidance/ Documents, is referred to extensively throughout the Brief. Reference is also made to emerging policies within the Core Strategy Submission document which are also a material consideration but have less weight than policies within the adopted Local Plan.

### 5.2 Land uses

The Park House site is not allocated for a specified use in the Local Plan. However, there are a number of policies relating to land uses relevant to this site.

#### **Acceptable uses of the site**

Principal uses of the site which are considered acceptable include:

##### **Residential/ residential institutional use - C2 and C3**

Given that the site was formerly used as a care home for the elderly (Use Class C2) and a residential language school for overseas students of Bellerby's College (Use Class C2), the use of the site for either residential development (Use Class 3) or as a residential institution is acceptable.

##### **School use - D1**

The recent public consultation revealed local support for the principle of a primary school on the site in recognition that Hove is currently deficient in primary school places. However, while a school would be acceptable in principle, the accessibility of the site is not ideal for parents wishing to drop their children off so close to a busy signalised junction. The site is also not in the ownership of the city council and as such, the site is not available and is unlikely to be affordable or viable.

#### **Unacceptable uses of the site**

Principal uses of the site which are not considered acceptable include:

##### **Retail use - A1-A5**

The site is outside of existing designated local shopping areas. The developer would need to demonstrate that a more suitable site could not be found within an existing defined shopping centre. The only exception which may be applied is if the retail use were very ancillary to the principal use of the site i.e. a small café attached to a Day Care Centre.

##### **Light industrial - B1, B2 or B8**

The use of the site for industrial or storage/ distribution purposes would not be acceptable because such uses would be incompatible with the predominantly residential area which surrounds the site.

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<sup>1</sup>The Government has published the Localism Bill that confirms its intention to abolish Regional Spatial Strategies and thus regional housing targets. This is a material consideration. However, the South East Plan, regional housing targets and PPS3 remain in place until replaced by the Localism Act (expected early 2012).

## 5.3 Housing development

The types of development that might be acceptable include residential development, supported housing and/or residential institutions. Applications for residential institutions (i.e. care homes) or sheltered housing will be tested against the policy requirements of HO11 and HO12/ HO15 respectively of the Local Plan. For all other residential development, the council will expect the following criteria to be met:

### **Dwelling type and size**

Proposals for new residential development and residential conversions (including changes of use) should incorporate a mix of dwelling types and sizes that reflects and responds to Brighton & Hove's housing needs in line with policy HO3 of the Local Plan.

### **Affordable housing**

Proposals for 10 or more dwellings, must provide 40% affordable housing as required by policy HO2 of the Local Plan. Residential development proposals that incorporate less than 40% would need to demonstrate that the scheme would be unviable and thus undeliverable if it were to provide 40% affordable housing units.

### **Lifetime homes**

All new housing development should be built to 'lifetime homes' standards in accordance with the requirements of policy HO13 of the Local Plan and a proportion of the total number of housing units should be built to wheelchair accessible standards<sup>2</sup>. Any new development should be fully accessible to all sections of the community including disabled people. Developers will be expected to follow best practice in terms of inclusive design principles as set out in the Revised Lifetime Homes Standards (July 2010).

## 5.4 Existing built context and land use

Any new development must take account of the existing built context and local land use patterns which are shown in Figure 1 (Page 10). The key points to note are as follows:

- The area to the north, south and east of the site is predominantly residential.
- The site is sandwiched between Hove Park to the west and Hove Recreation Ground to the east. Occupants of the future development will therefore have easy access to areas of open space for recreation and leisure purposes.
- The Sackville Trading Estate and Goldstone Retail Park are to the south east of the site.
- The City Parks development, occupied by Legal & General, is an EM2 allocated site and is located to the north west of the site.

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<sup>2</sup> 5% of housing units should be built to wheelchair accessible standards overall. 10% of the total number of affordable housing units should be built to wheelchair accessible standards



Figure 1: Existing context and land-use

## 5.5 Density of development

The capacity of the site to take future development will be determined by urban design considerations and constraints i.e. changes in ground levels etc. and the need for adequate amenity/ open space to support the development. Density levels should be a product of a robust and tested design process. PPS 3 states that Local Planning Authority's should consider whether *"the proposed development is well integrated with, and complements, the neighbouring buildings and the local area more generally in terms of scale, density, layout and access"*.

The site is located within a suburban area of Hove which is characterised by Victorian semi-detached villas and low-rise flats (3 storeys). A comparison of the density of other residential developments in the vicinity of the site has been undertaken by the council (see figure 2 - page 11). The density of future development proposals should be reflective of similar residential developments in the local area.

Eaton Hall, Eaton Gardens: Area: 0.31ha Number of Units: 33 Density: 106dph



Hove Park Manor, & Gannet House: Area: 0.47ha Number of Units: 33 Density: 70dph



Orchard House, Hove Park: Area: 0.52ha Number of Units: 45 Density: 86dph



Old Shoreham Road, Semi Detached Villas: Area: 0.42ha Number of Units: 12 Density: 29dph



Figure 2: Comparison of the density of other Hove residential developments

## 5.6 Height of development

The height of new development must take account of the heights of buildings in the wider area in accordance with policy QD2 of the Local Plan, specifically:

*"All new developments should be designed to .... enhance the positive qualities of the local neighbourhood, by taking into account the local characteristics, including height, scale, bulk and design of existing buildings".*

Figure 3 (below) shows the storey heights of buildings in the vicinity of the Park House site. The main observations are as follows:

- The Park House site currently comprises the original Park House building (two storey detached Edwardian Villa) and two storey L-shaped extension building.
- The residential development to the immediate north of the site i.e. Hove Park Manor and Gannet House, are three storey blocks of flats set in spacious grounds.
- The residential area to the south of the site and the Old Shoreham Rd comprises of predominantly two storey semi detached Victorian houses.

The heights of development in the area has resulted in the establishment of a generalised height line (see figure 2 - page 11).



Figure 3 : Storey heights of existing buildings



The site is located on sloping ground which drops by 5m from east (Hove Park Gardens) to west (Goldstone Crescent). Proposals to redevelop the site will need to respond to this challenging topography.

The council's urban design analysis of the site and its surrounding context identifies a generalised height line for different sections of the site.

The council would expect development proposals to incorporate a varied and interesting roofline. The height of development should not rise significantly above the generalised height line (see Fig 4 - Page 14) or break the skyline in long views. All planning applications would need to be accompanied by a robust Design and Access Statement and Visual Impact Assessment which demonstrated that the proposal would have no significant negative impacts on the townscape and local amenity.

## 5.7 Building lines

The setback of dwellings from the street is a key consideration in terms of:

- defining the character of the street;
- determining the degree of privacy given to ground floor rooms;
- providing a buffer between housing and busy main roads i.e. Old Shoreham Road;
- maintaining existing mature vegetation and securing additional landscaping.

In presenting their landscape plans, development proposals should allow sufficient setback to meet the criteria above. The generalised building lines are shown in Figure 5 (Page15). Any development of the Park House site should take into account these generalised building lines and appropriate setbacks should be provided.

## 5.8 Design and quality of development

The design of buildings in any future redevelopment of the site should mediate between and respond to the different character areas to the north and south of the site (see Section 4.2)

New residential development should be of the highest quality in accordance with policies QD1, QD2, QD3, QD4 and QD5 of the Local Plan. Proposals should consider carefully the existing urban fabric and relationship to streets and public spaces in terms of heights, massing, architectural materials, frontages and entrances.

Development proposals should respond positively to the prevailing design characteristics of the local neighbourhood, including:

- generous setbacks;
- parkland setting and green landscaping;
- large number of mature trees;
- roof hips and gables;
- predominantly red/brown brick and tile constructed buildings;
- height, scale and density of existing developments (see section 5.5 and 5.6).

The design of the buildings should take account of these local characteristics. The corner treatment of buildings on the site should be strong but contextually appropriate. The design of the buildings should break down the massing to avoid monolithic, unrelieved facades. The choice of materials should reflect those used for buildings in the immediate vicinity of the site i.e. the area to the north of Old Shoreham Road.

With regard to public realm and pedestrian route enhancements within the Park House site and the wider area, it will be essential that the designs include step-free access wherever possible, high quality paving, clear signage and lighting and street furniture which ensures that future development is accessible to all.

Goldstone Crescent/Fonthill Road



Old Shoreham Road



Hove Park Gardens/Old Shoreham Road



Note: due to perspective these lines are approximate. Measurements - metres above datum

Generalised height Lines

Figure 4: generalised height lines



Figure 5 : Existing building lines and important groups of trees/foliage

## 5.9 Landscaping, trees and outdoor recreation space

### Landscaping

The Park House site benefits from a generous amount of open space around the south and west frontages. The generous setbacks are characteristic of the area in general such as at Hove Park Manor and Gannet House. Even the semi-detached Victorian villas on the south side of Old Shoreham Road have moderate gardens approximately 4-5m deep. The layout of new development should reflect these generous setbacks.

The landscaping of the site should be an intrinsic part of the overall design concept and make effective use of the existing landscape features (QD15). The appropriate use of soft landscaping, the inclusion of balconies and roof terraces, climbing foliage etc all assist in providing a contrast to the built form. Any new landscaping should have regard to existing wildlife habitats and the ecology of the area in accordance with policy CP5 Biodiversity in the Core Strategy Submission document. Any hard surfacing materials should be chosen to reinforce the urban, pedestrian scale of the development. They should complement the materials of the built form and natural landscape, with an emphasis on quality and detailing.

Attention to the ecology of the site is also important. Development proposals should conform to the guidance contained within Supplementary Planning Document 11: Nature Conservation and Development. The council will actively pursue the maximisation of opportunities to build-in beneficial biodiversity and geological features as part of good design. Such opportunities might include areas of new habitat at ground, wall and roof level (green walls and green roofs), naturalistic landscaping and wall mounted nest boxes. The CIRIA publication "Building Greener" provides detailed guidance on such matters.



### Trees

In accordance with policy QD16 of the Local Plan, the council will only permit trees which are severely diseased, dangerous or unavoidably located on the site of the new development to be felled.

There are a total of 56 individual trees and small groups on the Park House site. These range from young beeches, hollies, yews and yuccas less than 15 years old through to mature elms, a tall poplar and horse chestnuts, possibly dating from the late 1800s or early 1900s. In general, the trees are in reasonable condition<sup>3</sup>. The majority of trees on the site and in the adjoining gardens have been planted as part of various landscaping schemes over the years. Some of the trees are protected by Tree Preservation Orders (TPO) and must be retained in line with the requirements of SPD06: Trees and Development Sites. Others, whilst not being especially fine individual specimens, form groups that are important landscape features and positively contribute to the character of the area. Retention of such features is desirable. If the loss of existing trees is unavoidable (e.g. if their retention was to render development unviable) then the council will seek appropriate mitigation in the form of new tree planting and landscaping (see figure 5 - Page 15).

Construction work on the site should accord with the British Standards Institute (BS 5837) Guide for trees in relation to construction. New tree planting and/ or good landscaping can help to protect the residential environment by mitigating the effects of noise and fumes. Developers should consider a planting strategy which optimises these environmental benefits, as well as provide privacy and frame views.

<sup>3</sup>14 trees of category 'B' - of moderate quality & value (retention desirable)

37 trees of category 'C' - of low quality & value (could be retained)

5 trees of category 'R' - dead, dying or dangerous (to be removed)

## Outdoor recreation

In the case of residential proposals, the provision of outdoor recreation space within the site should be in accordance with the standards set out in policy HO6 of the Local Plan and policy CP6 of the Core Strategy Submission document. Any departure from these standards would need to be robustly justified by the developer. Careful attention to high quality design and detailing of the outdoor recreation space will be required, to encourage natural surveillance and active use of the space. Consideration should also be given to the possible integration of the existing foliage and trees within proposals for the outdoor recreation space.

The Park House site is in close proximity to an existing "Greenway" to the north and east of the site (QD19). Greenways are largely car-free off-road routes connecting people to facilities and open spaces. In the case of the Park House site, the Greenway connects Hove Park to Hove Recreation Ground using the existing bridleway. Development within the setting of a Greenway will be required to contribute to the provision and / or enhancement of the existing greenway network (see Section 5.12)

## 5.10 Badgers and wildlife

There is an established 'clan' of badgers on the Park House site and ecology reports accompanying previous planning applications demonstrate the existence of an active sett, including badger sightings. Badgers and their habitat are protected by the Protection of Badgers Act 1992. Developers are advised to familiarise themselves with the Act and Natural England's guidance on badgers and development. This will ensure that the design and construction process adopted by the developer minimises the disturbance to the existing badger population and their habitat.

Current Natural England guidance advises that appropriate exclusion zones from the sett should be observed so that badgers are not disturbed while construction activities involving the use of heavy machinery are being carried out. Other activities such as pile driving may cause disturbance to badgers at greater distances, although this depends on soil type and topography. It is expected that specialist advice would be sought where this is the case, to determine the likelihood of disturbance. Developers will also be required to submit an Ecology report with their planning application to record existing badger activity in relation to the site and to propose appropriate mitigation measures. A wildlife corridor will need to be maintained to secure the existing routes taken by badgers from the sett to Hove Park and Hove Recreation Ground.



## 5.11 Access and parking

### Vehicular access

The site has one existing access point on Goldstone Crescent located approximately 40 metres from the signalised junction with Old Shoreham Road (see figure 6 Page 18). The council acknowledges that vehicular access to the site is particularly challenging, given the site's proximity to the Old Shoreham Road (a busy arterial route) and Goldstone Crescent, which experiences queuing traffic during peak hours. The alternative access point on the eastern boundary of the site (Hove Park Gardens) is not an adopted highway and is currently controlled by the landowner, Hyde Martlet.

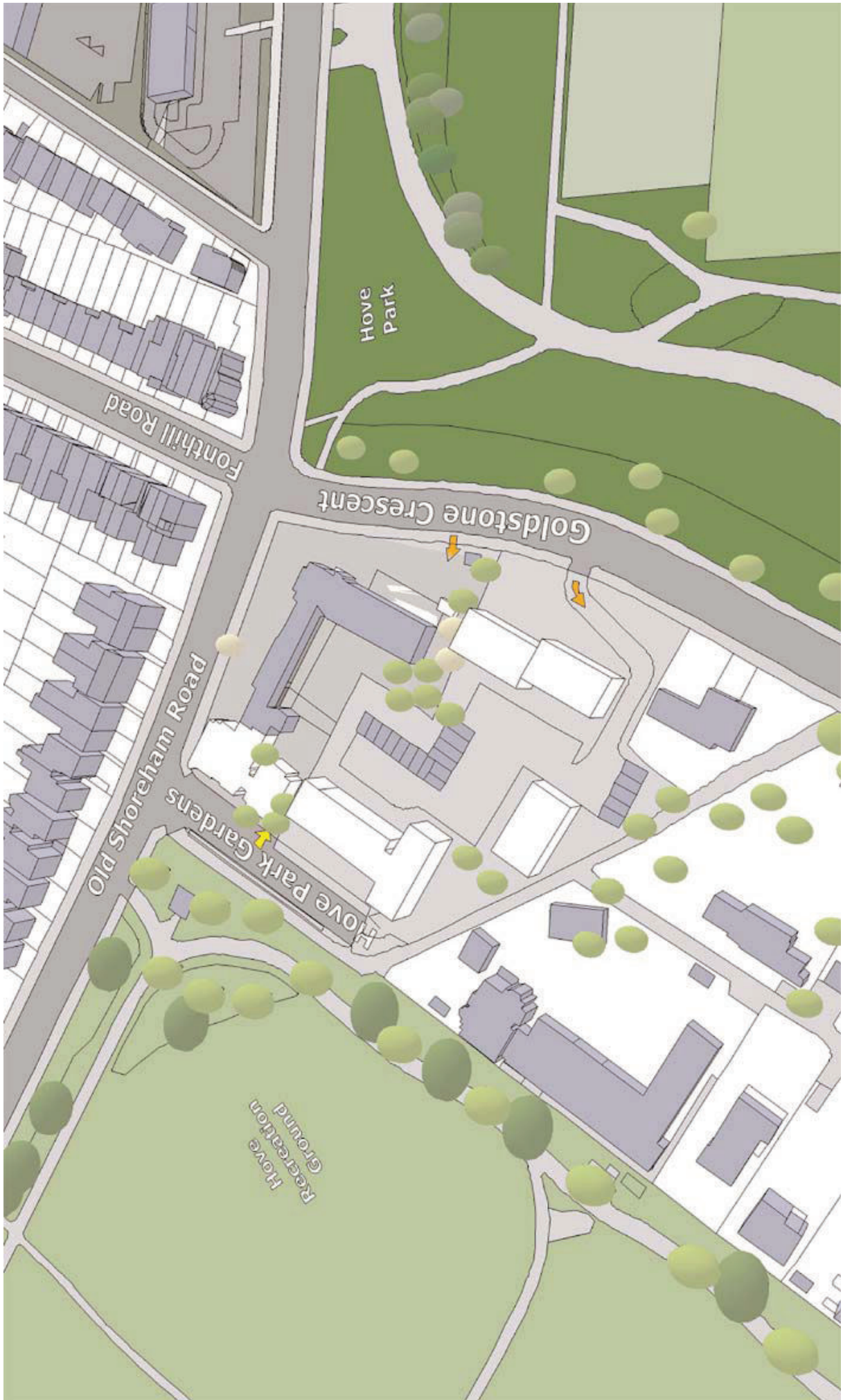


Figure 6 : Vehicular access

Vehicle access to the site should take account of a number of factors which are likely to influence the location and design, including

- suitable lines of vision;
- queueing or fast moving traffic;
- level changes across the site; and
- location of the main badger sett (see section 5.10).

All development proposals should be supported by a comprehensive Transport Assessment which should examine the implications of such factors in the siting of the vehicular access. The location and design of vehicular access will need to be assessed for safety and will be subject to the approval of the Highway Authority in terms of overall design and effects on the capacity and movement on the local road network.

## **Pedestrian access**

Pedestrians are likely to follow 'desire lines', taking them to the place they want to go via the most direct route. Developers should give consideration to where pedestrians will want to move to outside the site by locating access points that will allow ease of movement and facilitate 'desire lines'.

Four obvious desire lines for pedestrians and cyclists exiting the Park House site are:

- to Hove Park;
- to Hove Recreation Ground;
- to Hove Station;
- to Goldstone Retail Park/ Sackville Trading Estate.

Where appropriate, developers should cater for these desire lines by making the necessary infrastructure improvements to the pedestrian and highway networks. This might include improvements to the existing networks and/ or the provision of new crossing points or priority at signalised junctions for both pedestrians and cyclists. Useful design guidance on how to improve the vehicular and pedestrian environment is contained within the Highways Agency's "Design Manual for Roads and Bridges" and the Chartered Institution of Highways and Transportation "Manual for Streets 2 - Wider Application of Principles".

## **Access to public transport**

The Park House site is served by intermittent and infrequent bus services which directly pass the site. There are bus stops approximately 200m to the east and 115 m to the west of the site on Old Shoreham Road. However, these bus stops are poorly served by local bus services<sup>4</sup>. Other bus services in the vicinity of the site include the 14/ 14C services<sup>5</sup> located 690m to the north on Goldstone Crescent and the 81/ 81C<sup>6</sup> services located 465m to the east on Shirley Drive.

More frequent bus services (5, 5A, 5B) are located on Nevill Road and Sackville Road but these services are approximately 500m (i.e. 5 - 8 minutes) walk away from the Park House site. Hove railway station is also 500m to the south of the site (5-8 minutes walk away) but the most direct access to the station involves stairs and is not fully accessible to members of the public i.e. the elderly, disabled or people with pushchairs. The recent revisions to PPG13 (para 54) now require local circumstances such as the availability of local transport options and on-street parking controls to inform the level of parking required for future development proposals. This is particularly pertinent to the site, given the restricted public transport provision in the vicinity of the site.

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<sup>4</sup> The 55 and 59 bus services only operate on week days during school term time at peak morning and afternoon rush hour. The 56 bus service runs two buses an hour during the morning rush hour and then only one bus an hour after 9.30am until 6pm.

<sup>5</sup> The 14/ 14C bus services operate one an hour during the day and are even less frequent after 4pm.

<sup>6</sup> The 81/ 81C bus service operate two buses an hour and one an hour after 6pm.

## Parking

Various restrictions regarding parking apply in the vicinity of the site (see Fig 7 below). A controlled parking zone (CPZ) is located opposite the site extending southwards from the southern side of Old Shoreham Road, restricting parking to either resident only or pay and display. There are also 24 hour waiting restrictions on both sides of Old Shoreham Road.

Goldstone Crescent is subject to 'limited waiting' parking which is free albeit restricted to 3 hours with no return within 1 hour. These restrictions apply from Monday to Saturday (8am to 6pm) and extend along the entire length of the west side of Goldstone Crescent and the majority of the east side of Goldstone Crescent to The Droveaway.

The council's parking standards are set out in policy TR19 of the Local Plan and SPGBH4 Parking Standards. Given the parking restrictions in the area and the site's low public transport accessibility, users of the site are likely to be more dependent on the private car than other forms of transport. In line with the revised guidance contained in PPG13 (see para 54), development proposals should meet the maximum thresholds set out in SPGBH4. In the case of residential development, this would be 1 car parking space per dwelling, 1 space per 5 dwellings for visitors and 1 space per 10 dwellings for Orange/ Blue Badge holders. Cycle parking provision on the site should conform to the standards identified in SPGBH4.

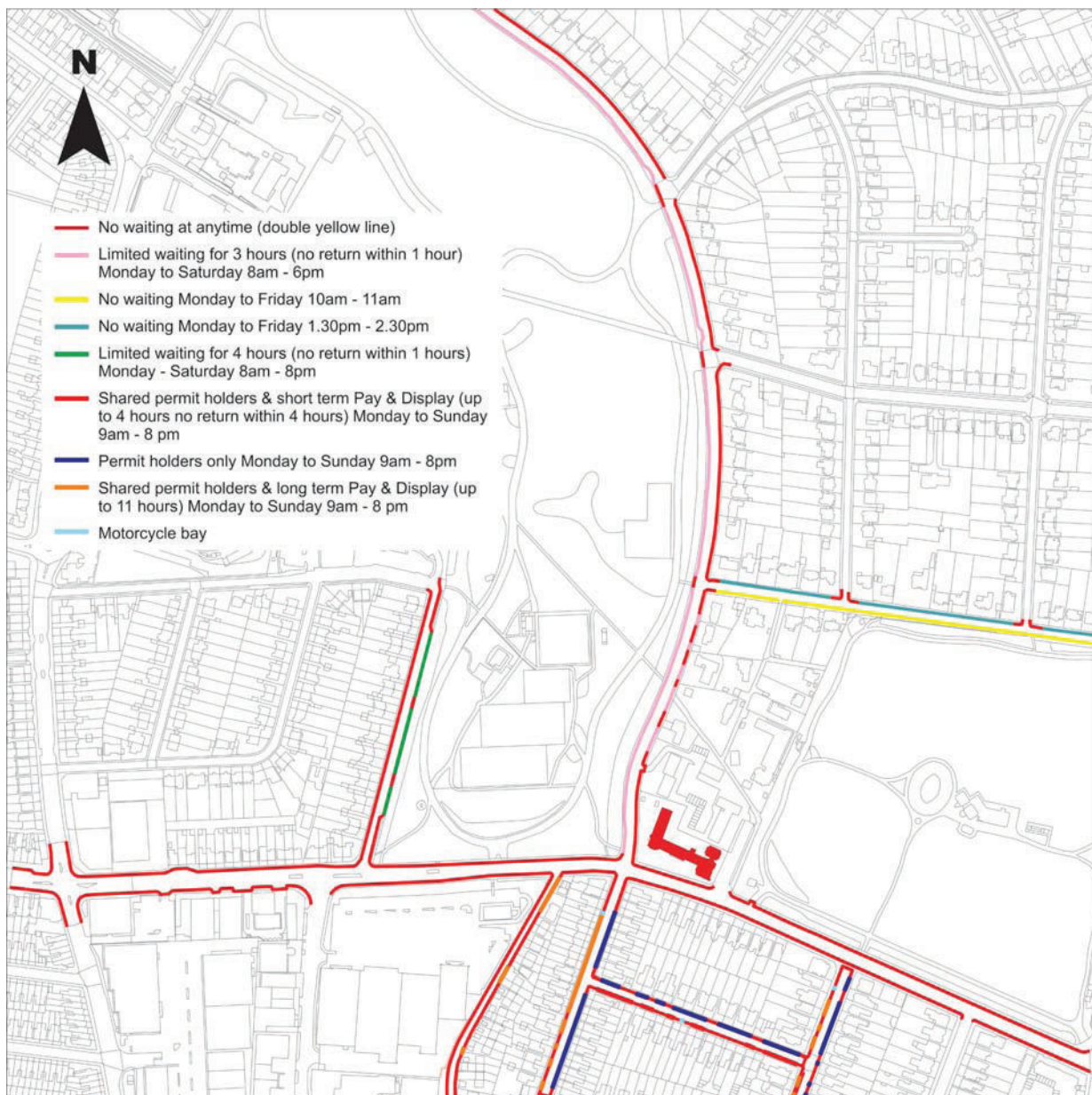


Figure 7 : Parking restrictions



In order to maximise the developable area of the site within the design, amenity and environmental constraints identified by this brief, basement or undercroft parking is encouraged particularly given the level changes of the site. The design of parking areas should be considered as an integral part of the scheme, and should be designed to minimise their visual impact e.g. by placing parking underground or by incorporating new planting where appropriate. Any basement parking provided should not have a negative impact on the main badger sett which is in close proximity to the site (see section 5.10). Future car parking design should incorporate safety and security features in line with best practice eg Park Mark.

## 5.12 Sustainability

Supplementary Planning Document 08: Sustainable Building Design and its associated checklist outline the minimum standards in relation to sustainable design which will be expected on the site. These refer to standards around e.g. energy and carbon dioxide emissions, water use, use of materials and building benchmark standards. The following performance benchmarks are expected to be practical and achievable. There is emerging national evidence which would suggest that achieving these standards in sustainability increases the profitability of private sales.

### Code for Sustainable Homes

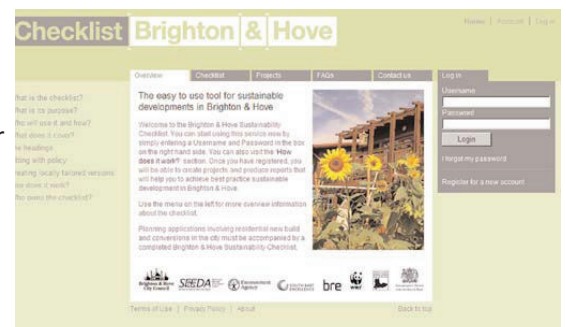
All new build residential units, including those within mixed-use developments, are expected to emit no annual net carbon dioxide from energy use, be designed to Lifetime Home Standards and achieve a minimum rating of Level 4 of the Code for Sustainable Homes (CSH).

### BREEAM ratings

All non-residential developments are expected to score at least 60% in the energy and water sections of the relevant BREEAM assessment within a minimum overall rating of 'Excellent'.

### Sustainability Checklist

All developers will be required to submit a completed Brighton & Hove Sustainability Checklist with the planning application and/or a sustainability statement with all full or reserved matters planning applications. In the case of outline applications, a condition will be attached requiring these at reserved matters stage and a Section 106 agreement will provide for any mitigation measures.



### Energy efficiency and carbon dioxide emissions

Energy use can most easily be minimised where the design approach includes energy efficiency as a guiding principle at the outset of the design process. This means incorporating the highest possible levels of insulation and airtightness, and applying passive design solutions to maximise passive heating, cooling, lighting and ventilation. All developments are expected to exceed Part L Building Regulations by 20% as a minimum, but residential development should aspire towards zero carbon status i.e. emitting no net annual carbon dioxide emissions from energy use.

### Construction and operational waste

To minimise the impact of construction on the community, all contractors that work on the construction sites will be expected to achieve a level of performance equivalent to that required under the "Considerate Constructors Scheme". This includes measures for controlling working hours, dust and traffic as well as general public safety. In particular, contractors will be expected to make specific proposals for avoiding pollution and for minimising and recycling on-site waste in line with the council's Policy SU13 and Supplementary Planning Document: 03 Construction and Demolition Waste. Specifically, contractors will need to demonstrate compliance with the council's Planning Advice Note 05: Design Guidance for the Storage and Collection of Recyclable Materials and Waste to ensure provision is made for recycling waste from both residential and/or institutional accommodation within the development.

### 5.13 Viability

Since the occurrence of economic recession, viability has been an increasingly important consideration. Where proposals have departed from planning policies and planning guidance on viability grounds, the council's approach is for the viability to be carefully tested and proven. Likewise, where proposals are unable to meet the level of Section 106 contributions anticipated for reasons of viability, then a more flexible approach will be adopted (see Section 5.14).

### 5.14 Section 106 contributions

Where necessary, the LPA will negotiate Section 106 contributions to mitigate the negative impact of development. Contributions will be sought where they meet the tests as set out in Regulation 122 of the Community Infrastructure Levy (CIL) Regulations which came into effect 6 April 2010 as being:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The level of contribution will be determined by Policy QD28 of the Local Plan, Circular 05/2005 (Planning Obligations), Policy CP9 of the Core Strategy Submission document and the council's Developer Contributions Interim Technical Guidance (Feb 2011).

The council recognises that the prevailing economic climate has made development viability a critical issue and has adopted a more flexible approach to planning obligations where appropriate. Where there is robust evidence that development proposals are not able to meet all planning obligations for reasons of viability, then flexibility and timing on meeting those contributions may be allowed that will secure obligations and delivery of development in reasonable timescales, through appropriate triggers in development phasing.

## 6 Appendices

### Appendix 1 - Policy context

## 7 List of relevant documents

### **BHCC Publications:**

Brighton & Hove Local Plan 2005

Core Strategy Submission Feb 2010

Developer Contributions Interim Technical Guidance (February 2011)

Urban Characterisation Study (2009)

Supplementary Planning Documents and Planning Advisory Notes:

SPD 03 - Construction & Demolition Waste (January 2006)

SPD 06 - Trees & Development Sites (March 2006)

SPD 08 - Sustainable Building Design (June 2008)

SPD 11 - Nature Conservation and Development (March 2010)

PAN05: Design Guidance for the Storage and Collection of Recyclable Materials and Waste

### **Other publications:**

South East Plan (2009)

"Badgers and development" - Natural England, 2010

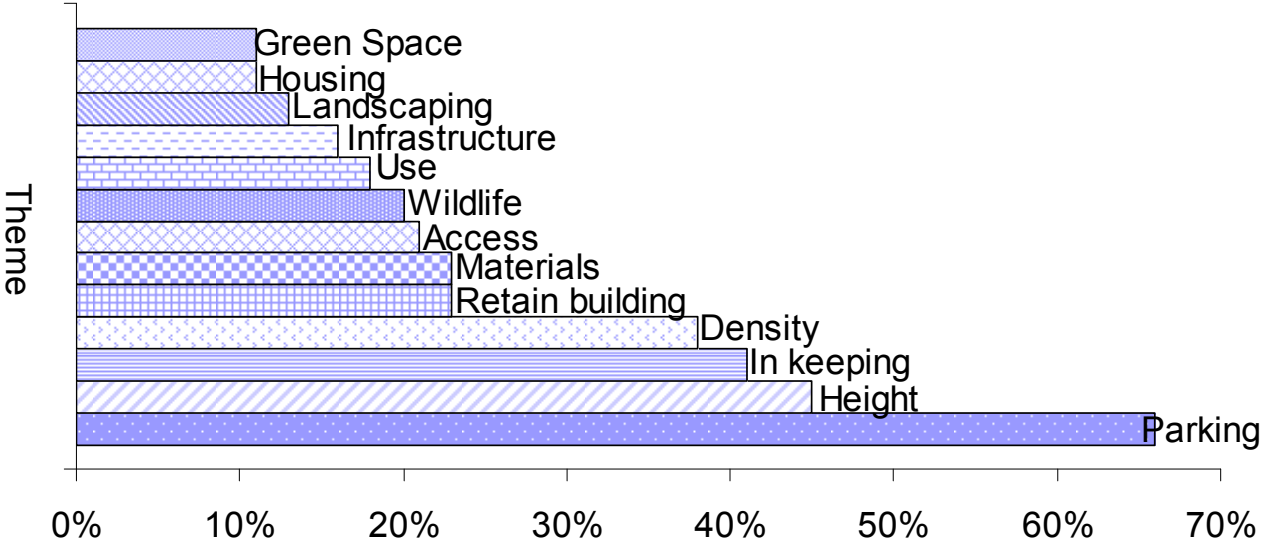




### Consultation Summary Report – Park House Public Exhibition

#### Analysis of responses from individuals

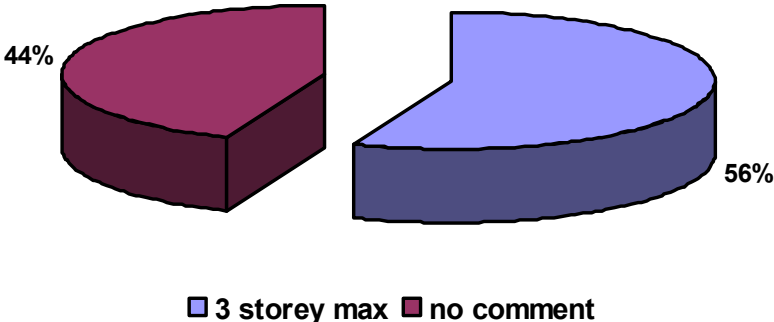
In total, there were 61 responses from individuals. Their responses have been summarised as follows:



**Parking:** 66% of the total number of respondents expressed concern about the restrictions on parking in the local area and/ or the need for sufficient parking to be provided on site. 16% were in favour of underground parking while 3% felt that underground parking would be unfeasible and may damage existing properties.

**Height:** 56% of the total number of respondents thought that the height of new development should be no higher than existing buildings in the immediate vicinity of the site and/ or stipulated no higher than 3 storeys.

Respondents preference for 3 storey limit



**In Keeping:** 41% of the total number of respondents used the phrase 'in keeping' (or similar) with existing development in the area when describing the future redevelopment of the site.

**Density:** 38% of the total number of respondents felt the proposed density and number of flats proposed by the developer in the recent past was too high.

**Materials:** 25% of the total number of respondents thought that the materials used in the new development should be in keeping with other housing development in the local area i.e. traditional. 47% of these respondents were in favour of roof tiles, while 93% would like the principle material to be brick. One person said that development should look to the future and not be constrained by the materials/ design of existing buildings.

**Park House:** 23% of the total number of respondents expressed a wish for the original Park House building to be retained as part of the redevelopment of the site.

**Access:** 21% of the total number of respondents expressed concern about vehicular access to the site. Most respondents thought existing vehicular access in the vicinity of the site was poor and/ or dangerous because of the busy junction with the Old Shoreham Rd. On balance, more respondents favoured Goldstone Crescent as a potential vehicular access to the site than Hove Park Gardens.

**Wildlife:** 20% of the total number of respondents felt that badgers and other wildlife would be unduly disturbed by the redevelopment of the site.

**Land Use:** 18% of the total number of respondents would like to see the site used for a school, while 11% wanted the site to be used as a residential care home as it had been in the past.

**Trees and setbacks:** 16% of the total number of respondents expressed a wish for the mature trees on the site to be retained. 20% said that the development should be set back from the road and for much of the existing vegetation/ landscape to be retained.

**Infrastructure:** 13% of the total number of respondents felt that the local medical, educational or transport services would not be able to support a large new residential development.

**Housing:** 11% of the total number of respondents recognised the need for new housing development in the city.

**Green Space:** 11% of the total number of respondents expressed a wish for the existing amenity space and/or the green corridor to be maintained.



**Other points raised**

Below is a list of other comments made in relation to the redevelopment of the site. They are not of sufficient statistical significance to merit detailed reporting but do give a flavour of other concerns.

Consider sustainable development  
Maximise sustainability and fuel efficiency performance  
Traffic increase  
Co-operative housing  
A military memorial  
Affordable housing for frontline public sector workers  
Effects on the values of surrounding properties  
Overshadow the houses opposite  
Density and height ARE appropriate  
It's all wonderful – I want one  
We need more development  
Concern over the construction phase  
S106 contributions for bus improvements  
S106 contributions to improve road safety for access  
Ugliness  
Smaller blocks  
Not flats  
Impressed by the comparative schemes  
Will the public bridleway remain?  
Worried it will let in the riff raff  
Build high and narrow to allow for more parking  
Trees are needed to screen ground level parking  
Concern about the zoning of C3 – prefer C2  
Design should be environmentally sensitive  
Provide lock up facilities for bikes and prams/pushchairs  
Advocate car free development

**Summary of responses from residents' associations and amenity groups**

Responses were received from seven residents' associations and amenity groups:

The Sustainable Building Association (AECB) – submitted by a member  
The Brighton Society  
Badger Trust – Sussex  
Hove Park Residents Association  
Hove Park Bowls Club  
Cooperative Housing in Brighton and Hove (CHIBAH)  
Save Hove

The key issues raised by the residents' associations and amenity groups are summarised below:

**Sustainability**

- Would like to see Zero Carbon development on this site.

**Park House**

- No objection to the demolition of Park House.
- Residents would love to see Park House retained and renovated in some way.

**Set back, trees and landscaping**

- Would prefer the new building to be set back from the road and to have a variable roofline with an interesting silhouette.
- The west side of the development might be more suitable for a generous setback because it is quieter, is less likely to suffer fumes and still gets a lot of the sun.
- As many trees as possible should be retained on the site.
- New development should be set back from the Old Shoreham Rd to reduce the impact of noise and pollution. As a minimum, this set back should match that of the terraced houses on the opposite side of the Old Shoreham Rd – about five metres.
- New development in Goldstone Crescent should not encroach beyond the building line formed between Hove Park Manor and the houses in Fonthill Rd.

**Badgers and wildlife**

- New development should not adversely affect the existing badger sett which is classified as a main sett and is covered under the Protection of Badgers Act.
- Any scrub clearance should be avoided over the top of the sett or close to the sett entrance.
- Any structures near the badger sett that need dismantling must be done by hand.
- Any work carried out near the sett will require a licence and should be supervised by a qualified ecologist.
- All building trenches left open must include escape routes for any animal that may fall in.
- The sett in close proximity to Park House is known to be part of an extended clan which spread as far as the Engineerium on the other side of Hove Park. The disturbance or removal of the existing sett through redevelopment of the site will not be tolerated.
- Existing foraging lines of badgers should be protected.
- All parking and external lighting should be to the front of new development along the Old Shoreham Rd.
- Nocturnal light should be minimised to reduce the impact on the red-listed bird life in Hove Park Gardens.

**Density and height of development**

- The density and height of future development should be similar to that of Orchard House.
- Height of development should be no greater than the height of existing buildings in the locality.
- The density of future development on the Park House site should match the density of existing development contained within the area bordered by Hove Park Gardens, Old Shoreham Rd, Goldstone Crescent and Hove Recreation Ground.

### **Parking**

- The provision of car parking spaces on site should be higher to reflect the local circumstances i.e. infrequent bus services and restricted parking in the vicinity of the site.
- Car parking ratios should be calculated taking into account the higher car ownership levels of people in privately owned houses.
- Sufficient car parking spaces should be provided on site to meet the demand of future occupiers.
- Underground parking on the site would be detrimental to the preservation of the main badger sett which is in close proximity to the site. The Natural England guidance on badger protection is likely to be breached and for this reason underground parking should not be permitted.

### **Traffic**

- High density uses, such as a block of flats, is likely to put considerable pressure on the existing road infrastructure. The junction between the Old Shoreham Rd and Goldstone Crescent is already extremely busy.

### **Housing**

- Would like to see some cooperative housing on site.

### **Use**

- Would prefer the site to be used for a residential care home, language school and/ or student accommodation. Not in favour of a C3 use on this site which would result in an over intensification of the site.
- The council should compulsory purchase the Park House site in order to secure the continued use of the site for institutional purposes.

### **Park and countryside setting**

- Increasing the residential density of the area is likely to put additional pressure on the existing parks and green amenity space in the locality.
- The countryside enclave of Hove Park Gardens should be protected.
- Access to the privately owned pathways to the north, south and west of Hove Park Gardens needs to be preserved.
- The dirt car park and other parts of Hove Park Gardens is a public right of way and must be retained.

### **Materials**

- The materials to be used in the redevelopment of Park House should be rustic in character to blend in with the countryside setting of Hove Park Gardens.
- If brick is used it should match the pale buff brick of houses on the opposite side of Old Shoreham Rd.
- No metal roofing or white render should be used.

**Response from Lewis & Co Planning on behalf of Hyde Martlet (the developer)**

**Planning brief**

- Hyde Martlet do not agree that a planning brief for the site is required since the reasons for pursuing a brief do not comply with good practice guidance contained in the DCLG publication "Planning and Development Briefs: A Guide to Better Practice, June 1997". Ample guidance is already contained within existing PPS/ PPG, the Local Plan, BHCC SPG/ SPD's, Urban Characteristics Study and the Inspector's appeal decisions.

**Public transport and parking**

- Do not accept that the site is in an area of poor public transport or that parking restrictions in the locality have influenced accessibility to the site. The Transport Assessment submitted by Hyde Martlet with their application found that there were 421 unrestricted on street parking spaces.
- Basement car parking is not feasible as the council's highways department have advised that accessing the site from the lower level on Goldstone Crescent would cause unacceptable disruption to queuing traffic at the cross roads. Underground parking at the higher end (Hove Park Gardens) would be prohibitively expensive because of the need to drop nearly two full storeys.

**Badgers**

- Advice from the Institute of Ecology and Environmental Management suggests that no ground works can take place within 20 m of any sett entrance during the badger breeding season. The exhibition material suggests that no works should be carried out within 30m of the sett entrance.

**Height**

- The height of proposed development in previous applications was considered acceptable by the Planning Inspectorate. The photomontages displayed at the exhibition were inaccurate and misleading.

**Density**

- The density of proposed development in previous applications was considered acceptable by the Planning Inspectorate. There are many examples of higher density schemes which are successful.

**Trees**

- The tree survey conducted by Hyde found that 42 of the 56 trees on site were of low quality or needed to be removed as they were dead, dying or dangerous. The information at the exhibition was misleading in implying that the trees are generally in reasonable condition.

**Perspectives**

- The perspective drawings included in the exhibition are misleading and fail to include roofs of buildings, including Park House.

**Landscaping and set back**

- The position of the proposed buildings were found to be acceptable by the Planning Inspectorate. Landscaping and planting will continue to be important considerations in any future proposals.

**Response from Mike Weatherley MP (Hove and Portslade)**

**Consultation**

- The consultation on the planning brief is a wonderful opportunity to influence the content of the brief and is preferable to sending in an objection to the latest set of inappropriate plans.

**Park House**

- The original Park House building should be retained and restored. However, the large modern extension should be demolished and replaced with an appropriate unattached structure.
- The building line of the extension building works well and should be retained. It could suit a taller structure than what is there now but this should be of the highest possible quality.

**Parking**

- Parking should be concealed either behind the buildings or in the basement.

**Landscaping and biodiversity**

- All the trees and open spaces should be protected on the site. Preservation of the ecology and biodiversity is a central part of the future redevelopment of the site.



**Inspector’s Appeal Decision**

Whilst the Inspector’s decision to dismiss both appeals was principally based on design considerations relating to specific development proposals, he makes a number of other observations relating to the site and its surroundings which have been considered in the preparation of this brief. These have been summarised in the table below, together with an explanation of how these issues have been considered in the preparation of the brief:

<b>Theme</b>	<b>Inspector’s comment</b>	<b>Planning brief</b>
<b>Existing buildings</b>	“The existing buildings on the site are to be removed and as they are neither listed as being of architectural or historic interest nor sited within a conservation area, [this] may occur without further consent within the planning regime”.	The most attractive building, Park House, has been significantly altered internally and is in such a state of disrepair, it would be unduly onerous on the part of the brief to insist on its retention in a future redevelopment of the site.
<b>Character and appearance</b>	He considers it appropriate to have regard to the contribution that the buildings and spaces around them make to the character and appearance of the area. He states that “Park House is attractive and distinctive and its siting within a westward view along Old Shoreham Rd plays a part in the setting of Hove Recreation Ground and provides an urban edge to the wide expanse of that main road. Any new structure on this part of the site should....provide that edge and be a feature of interest”.	The landscaping of the site should be an intrinsic part of the overall design concept and make effective use of the existing landscape features. The design of the buildings should provide a varied roofline allowing views through the development and avoid monolithic, unrelieved facades. The choice of materials should reflect those used for buildings in the immediate vicinity of the site i.e. the area to the north of Old Shoreham Road. Development proposals should respond positively to the prevailing design characteristics of the local neighbourhood and reinforce its local distinctiveness.
<b>Density</b>	He “considers this the type and location of site that is suitable for residential redevelopment to a higher density in order to make the best use of land, to reduce pressure on less well suited or countryside sites and	The brief has taken a local contextual and urban design-led approach to the site, which will effectively determine the density of any new development and continues to reflect Local Plan policy QD3,

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<b>Theme</b>	<b>Inspector's comment</b>	<b>Planning brief</b>
	<p>to contribute to the provision of the supply of housing in the city, in line with Local Plan Policy QD3 and advice in Planning Policy Statement 3 Housing”.</p>	<p>which seeks new development to make the most efficient and effective use of a site by incorporating an intensity of development appropriate to the locality and/or prevailing townscape. Since the publication of the inspector's report on 1 April 2010, the new government has published a revised planning policy statement on housing (PPS3, published 9 June 2010) to that referred to by the inspector. The new PPS includes a revised approach to the issue of housing densities, including the removal of indicative minimum density provisions, reflecting the new government's move towards an increased focus on local context, which includes the Secretary of State's intention to abolish regional housing targets</p>
<p><b>Height</b></p>	<p>Regarding the developer's specific proposal for the site, he states that the “plan form and main building heights are acceptable in this location”. However, he also states that Scheme 1 “utilises an incongruous top storey (fifth storey) building form which would cause harm in middle and near views and would not relate well to the surrounding townscape”.</p>	<p>The brief sets out some basic height considerations based on the site's context, which any development proposals should address. Urban design analysis, undertaken in the preparation of the brief, establishes a generalised height line for different sections of the site (see Section 5.6) based on the surrounding area. The brief requires development proposals to incorporate a varied and interesting roofline. The height of development should not rise significantly above the generalised height line or break the skyline in long views. All planning applications would need to be accompanied by a robust</p>



Theme	Inspector's comment	Planning brief
		Design and Access Statement and Visual Impact Assessment which demonstrated that the proposal would have no significant negative impacts on the townscape and local amenity.
<b>Mediate between separate characters</b>	He "sees no compelling reason for the treatment of the appeal site to be similar to the treatment of either of the adjoining building forms (i.e. the lower density housing to the north or the urban semi-detached villas to the south)". However, he felt there is a need for the future development of the site to mediate between the separate character areas to the north and south of the site.	The brief requires any future development to mediate between and respond to the different character areas to the north and south of the site.
<b>Parking</b>	The appeal development would provide only a part of the possible demand for parking space, in line with policies aimed at reducing dependence on the motor car. He notes "the restrictions in nearby roads to discourage commuter parking, by a ban during one hour at mid-morning, and also to ensure a turnover of spaces for users of the park by various time limits. Peak demand from the proposed development would tend to be at the non-commuter times". He therefore concurs with the views of the council and appellant, that the proposed level of parking should not be a reason for refusal.	National policy guidance relating to parking considerations has changed since the Inspector wrote his report. The guidance within PPG13 Transport was amended in January 2011 and now states "it should not be assumed that where a proposal accords with the local parking standard, it is automatically acceptable in achieving the objectives of PPG13. Whilst a minimum amount of on-site parking may meet local plan policies, local circumstances such as on-street parking controls and the availability of local transport options should inform the level of parking realistically required for development in this location". This revised approach is particularly pertinent to the Park House

**Item 124 Appendix 3**

<b>Theme</b>	<b>Inspector's comment</b>	<b>Planning brief</b>
		site which is in an area of low public transport accessibility and where parking restrictions are prevalent. In line with this recent guidance, the brief's car parking requirements are based on an assessment of the site and its surroundings.

Response to Lewes & Co letter of 11.02.11 (Set out by theme).

Theme	Developer response	Council response
<p><b>Parking, public transport, vehicular and pedestrian access</b></p>	<p>Developer purports that the site is in an accessible location in relation to public transport as agreed in both council and appellant statement of common ground for Inquiry Unreasonable and misleading that council believes the site is poorly located in relation to public transport</p>	<p>The brief does not contradict the council's statement of common ground. Whilst the site benefits from a degree of accessibility in that there are bus stops approx. 200m to the east and 115 m to the west of the site on Old Shoreham Road, these are served only by intermittent bus services. The issue of accessibility has been analysed in the preparation of the brief and is discussed more fully in the contents of the document.</p>
	<p>Underground parking: from Goldstone Crescent would cause unacceptable traffic disruption to queuing traffic along Goldstone Crescent and access to underground parking from higher end would be prohibitively expensive.</p>	<p>It is acknowledged that creating vehicular access from either Goldstone Crescent, Old Shoreham Road or Hove Park Gardens will each present their own difficulties. It is anticipated that development proposals explore the feasibility of underground car parking in full from both the eastern and western ends of the site. This is particularly important when set against consultation responses expressing concern about the impact of parking in residential streets outside of the existing restricted zones. This would suggest that adequate parking should be provided on the site to meet the needs of the development. The approach to the location and design of access into the site will not depend solely on one single factor such as queuing traffic and an</p>

Theme	Developer response	Council response
		appropriate location for both vehicular and pedestrian access should not rely on traditional engineering solutions and inflexible standards, but reference useful documents such as Manual for Streets as well as Local Plan policies.
	BHCC current standards are the maximum?	It is confirmed that all the car parking standards as set out in SPGBH4 are maximum standards. The LPA also has the duty to assess applications against recent central government guidance.
	Transport Assessment found that there were 421 unrestricted parking spaces within 5 minutes walk of site. Parking was not a reason for refusal of the planning applications	It is acknowledged that the proposed level of parking was not a reason for refusal. Central government guidance on parking standards, in this case PPG13 Transport, should be applied in the design of a scheme. PPG13 has been revised since the appeal was determined and notes that where schemes conform to local parking standards, this may not necessarily accord with PPG13 which seeks to ensure the level of parking on a development responds positively to local circumstances and context. In this case, the developer has noted that there is unrestricted parking within 5 minutes walk of the site. In practical terms, the impact of parking on residential streets just outside the restricted parking zones will be an undesirable one and it likely to cause harm to residential amenity. Given the infrequent bus service along Old Shoreham Road, adequate levels of car parking to serve the needs of the development taking account of local circumstances should be provided.
<b>Wildlife and badgers</b>	Advice on panel incorrect and advice of Institute of Ecology	The information provided on the exhibition panel is based on a variety of good practice sources and is advisory, not

Theme	Developer response	Council response
	and Environmental Management of no ground works within 20m of sett entrances is at odds with advice on panel of no works within 30m of sett entrances.	mandatory.
<b>Height</b>	Council's Urban Designer and Planning Inspectors didn't have an issue with height and no reason to revisit this issue. Photomontages inaccurate, misleading and contrived.	Comments made in response to previous planning applications relate to the specific details of these individual proposals, whereas the brief is concerned with establishing basic design parameters that would guide any development proposal on the site. Photomontages are commonly used for general illustrative purposes and it is difficult for these to take account of perspective. However, additional work has been undertaken in the brief's preparation to define and clarify the generalised height line in relation to the site and surrounding area.
<b>Density</b>	Principle of density previously proposed was not an issue. Does not think that comparative lower density schemes should influence the proposals.	The brief has taken a local contextual and urban design-led approach to the site, which will effectively determine the density of any new development on the site, but which continues to reflect Local Plan policy QD3 which seeks new development to make the most efficient and effective use of a site by incorporating an intensity of development appropriate to the locality and/or prevailing townscape. Since the developer's planning applications were considered and the publication of the inspector's report on 1 April 2010, the new government has published a revised planning policy statement on housing (PPS3, published 9 June 2010). The new PPS includes a revised approach to the issue of housing

Theme	Developer response	Council response
		densities, including the removal of indicative minimum density provisions, reflecting the new government's move towards an increased focus on local context, which includes the Secretary of State's intention to abolish regional housing targets.
	The developer purports that there are other schemes of higher density which are a success.	Examples of other higher density successful schemes have not been provided by the developer for comparison or examination by the council.
<b>Trees and landscaping</b>	Developer cites tree survey with previous application that 42 of the 56 trees on site are of low quality. Does not agree with information on panel that in general the trees are in reasonable condition.	Developer's own assessment that accompanied planning applications showed only 5 trees that were dead, dying, dangerous and needed removal, with the remainder were in good or adequate condition. As a group, the urban design assessment undertaken for the brief considers that collectively the trees are an important feature in the landscape.
	Regarding position and setbacks, the Inspector found the position of the building to be acceptable and important in redressing the balance of the corner. Inappropriate for the council to revisit this.	In the Inspector's decision for both Appeal A and Appeal B, it was found that in both schemes the treatment of the corner of Goldstone Crescent and Old Shoreham Road were not successful in responding to variations in the local character. In his report he states, "I see no compelling reason for the treatment of the appeal site to be similar to the treatment of either of the adjoining building forms, as such, but there is the need for a new building to mediate between the separate characters and appearances." (paragraph 8).
<b>Process and principle of public consultation</b>	Brief is not reasonable or necessary and contrary to guidance in Planning and	The brief has been prepared in the light of the two previous planning appeals that were dismissed by an inspector on design grounds and a resulting lack of clarity with regard to a

Theme	Developer response	Council response
	Development Briefs: A Guide to Better Practice (1997) produced by CLG	development that would meet the concerns of the local planning authority. It was considered important to prepare a planning brief to clearly establish what is likely to be acceptable and unacceptable on the site, where there is flexibility and where requirements are firm. These factors are cited as sound reasons for preparing a planning brief in the DCLG's good practice guide.
	Information on panels focuses on refusals of planning permission and fails to acknowledge that sole reason was due to design concerns regarding roof treatment.. Failure by LPA to give required weight to Inspectors advice would undermine the appeal process and delay development	The amount of information included on design panels is necessarily limited. The inspector's advice has been considered in the preparation of the brief (see appendix 3 of this CMM report for further information) along with other material considerations, including a revised national planning policy context, a detailed assessment of the site and the local area and the results of the consultation.
	Late and unnecessary preparation of brief likely to lead to additional costs being incurred by Hyde and is unreasonably prescriptive in guiding future applications.	The Inspector's report made clear that both schemes lacked the sufficient design quality that this prominent site deserved. The second scheme did not respond adequately to the reasons for refusal for the first scheme. As such, the production of a planning brief, is considered appropriate to set the development parameters and address the concerns of the Local Authority, residents, the developer and other stakeholders.





# ENVIRONMENT CABINET MEMBER MEETING

## Agenda Item 125

Brighton & Hove City Council

**Subject:** Tax Free Bike Scheme Contract Renewal  
**Date of Meeting:** 31 March 2011  
**Report of:** Strategic Director, Place  
**Contact Officer:** Name: Adrian Barritt Tel: 29-3860  
E-mail: Adrian.barritt@brighton-hove.gov.uk  
**Key Decision:** No  
**Wards Affected:** All

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 The City Council has had a Tax Free Bike scheme for the last 4 years in which 724 employees have participated during this period, spending in total £387,355 on bikes and cycling equipment. In the last window in May 2010, 167 employees participated, spending £100,645 on bikes and cycling equipment. The existing tax free bike scheme contract with P&MM Limited expired on 31 May 2010.
- 1.2 The Tax Free Bike scheme is considered a key employee benefit and demonstrates the City Council's commitment to reducing its carbon emissions and ensuring a healthy workforce. It also sends a positive message to other employers in the City who we are actively encouraging to take up similar schemes through the Business Travel Plan Partnership.
- 1.3 This report is seeking agreement to award a new contract to enable the scheme to continue for a further 2 years, with the option for an additional 2 year extension. Cabinet Member approval is required to award the contract for the period 2011–2015 with an anticipated value of £800,000 over the four year period. This is not a framework agreement and the contract will not be used by any other local authority body.

#### 2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member approves the award of the Tax Free Bike Scheme contract to P&MM Limited commencing 1 April 2011 for a period of two years, with a potential extension of up to 24 months thereafter.

#### 3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 To promote healthier journeys and reduce carbon emissions, the 1999 Finance Act introduced an annual tax exemption which allows employers to loan cycles and cyclists safety equipment to employees as a tax-free benefit.
- 3.2 Typically, a Tax Free Bike scheme is established so that the employer buys the cycle and the employee is loaned the cycle for an agreed salary sacrifice, usually for 12 months. Salary sacrifice involves an employee agreeing to a reduction in

their salary associated with receiving the benefit. This, in effect, means that the amount they 'pay' for the benefit (through the reduction in salary) is free of tax and NICs, reducing their costs by a minimum of 30%. At the end of the period the bike is transferred to the employee at a fixed fee.

- 3.3 The contract will commence on 1 April 2011, running for a fixed period of two years, with a reassessment before 31 March 2013. If the Council's project team is happy with the service provided, there is an option to extend the scheme for up to a further 24 months, terminating 31 March 2015.
- 3.4 This will be a term contract. To fund the purchasing of the bikes, the Council will seek a third party financial provider and repayment of the loan will be deferred. The cost of the financial arrangement for the loan will be recovered by the employee and calculated into their total expected savings. The employer also benefits by a reduction in their employer NICs payment (approximately 9% of the total bike voucher value) making the provision of the scheme for the Council cost neutral. The value of the contract will vary depending on the number of employees who participate in the scheme. The annual contract value is estimated at £200,000.
- 3.5 The provision of the scheme is to include the marketing, customer service and all the necessary administration associated with the scheme (including the issuing of the bike vouchers), and where possible limiting internal officer time dealing with the processes.
- 3.6 As the contract value was predicted to exceed the EU threshold an advertisement was placed in the European Journal (OJEU) inviting tender documents to be submitted. Four compliant bids were returned (CycleScheme, Evans, Halfords and P&MM Limited).
- 3.7 Tenders were assessed based on a weighting of cost and quality with a ratio 25:75 respectively. Tenders were assessed by a team made up of representatives from Transport Planning, Human Resources, Finance and Procurement.
- 3.8 To assess the quality element of the tenders, scoring related to the following core areas – experience, scheme administration, customer choice, flexibility & responsiveness, information & marketing, innovation and continuous improvement & additional services. Cost was scored by comparing the gross monthly salary sacrifice for typical bike values.
- 3.9 P&MM scored highest of the four tenders, scoring 78.64% overall and were ranked 1<sup>st</sup> in quality and 2<sup>nd</sup> in cost.
- 3.10 A cost-saving has been achieved by retendering the contract. Participants can expect to pay a gross monthly salary sacrifice of £29.77 and £74.43 for bike vouchers worth £400 and £1000, respectively. Previously, participants were paying a gross monthly salary sacrifice of £30.41 and £76.02.

#### **4. CONSULTATION**

- 4.1 An internal consultation was undertaken with Transport Planning, HR, Finance and Procurement to ensure tenders were assessed by a range of departments.

## **5. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 5.1 The annual value of the contract is estimated at £200,000, depending on employee uptake. The cost of this will be funded through a third party finance provider and the loan arrangement will be recovered by participants, making the scheme cost-free to the council. There would also be a saving to the authority in respect of employer's national insurance contributions, approximately 9% of the contract value (c. £18k based on the £200k contract value assumed in the report).

*Finance Officer Consulted: Peter Francis*

*Date: 31/01/11*

### Legal Implications:

- 5.2 Contracts in excess of £75,000 must be in a form approved by the Head of Law.

*Lawyer Consulted:*

*Sonia Likhari*

*Date: 28/01/11*

### Equalities Implications:

- 5.3 The Council's Code of Practice on Equalities and Workforce Matters is enforced in all procurement.

### Sustainability Implications:

- 5.4 Sustainability is promoted in all departmental contract procurement. Specifications allow for recycling and development of sustainable processes. Provision of a Tax Free Bike scheme encourages staff to travel to work sustainably and reduces the Council's carbon emissions.

### Crime & Disorder Implications:

- 5.5 This contract will not have any implication on the prevention of crime and disorder.

### Risk & Opportunity Management Implications:

- 5.6 There are safety risks involved with unconfident cyclists. To mitigate against this the Council offers free cycle training for beginners and novices to any employee who feel they can not cycle competently.

### Corporate / Citywide Implications:

- 5.7 The contract can be utilised by all eligible council employees and will benefit many of the local bike outlets in the Brighton & Hove area.

## **6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 Four tenders were received; however P&MM Limited scored highest and is therefore considered the best option for the City Council. The Council could opt

to no longer offer a Tax Free Bike scheme but this would be a reduction in staff benefits and the Council would not be helping staff to travel more sustainably.

## **7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 Through the 10:10 commitment and the Staff Travel Plan, the Council is committed to helping staff to travel more sustainably. Continuation of the Tax Free Bike scheme is key to achieving this.
- 7.2 Under the Councils procurement procedures, contracts over the value of £500,000 have to be approved at CMM by the Cabinet Member responsible.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

None

### **Documents in Members' Rooms**

None

### **Background Documents**

None