

Subject:	Local Development Framework – Brighton & Hove Core Strategy: Amendment to the Spatial Strategy		
Date of Meeting:	11 June 2009		
Report of:	Director of Environment		
Contact Officer:	Name:	Liz Hobden	Tel: 29-2504
		Sandra Rogers	29-2502
	E-mail:	liz.hobden@brighton-hove.gov.uk	
		sandra.rogers@brighton-hove.gov.uk	
Key Decision:	Yes	Forward Plan No: CAB10453	
Wards Affected:	All		

FOR GENERAL RELEASE

Note: The special circumstances for non-compliance with Council Procedure Rule 7, Access to Information Rule 5 and Section 100B (4) of the Local Government Act as amended (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that consideration had to be given to the implications for the Core Strategy of the intended South Downs National Park (published 30 March) and the South East Plan (published 6 May).

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The aim of this report is to amend the Core Strategy's 'spatial strategy' regarding the broad location of development in the city. The amendment seeks to make it clear that the release of land within the urban fringe for housing development will only be considered as a last resort and as a contingency position in the long term (post 2020).

2. RECOMMENDATIONS:

- 2.1 That Cabinet agrees the Spatial Strategy, Urban Fringe and Housing Delivery policy options for consultation and inclusion in the Council's Core Strategy subject to any minor alterations being made by the Director of Environment in consultation with the Cabinet Member for Environment.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**B Spatial Strategy**

- 3.1 The South East Plan (published May 2009) sets strategic housing targets for local authorities. For Brighton & Hove, the target is 11,400 additional homes to be achieved by 2026 (not including the Shoreham Harbour target). For the Core Strategy to be found 'sound' by the Planning Inspector (at examination), the city council is required to demonstrate that housing targets can be met for at least the

first 15 years of the Core Strategy period and to demonstrate a contingency position to provide for flexibility and non-delivery.

- 3.2 The latest version of the council's Strategic Housing Land Availability Assessment (SHLAA)¹ indicates that housing targets can be met by development within the built up urban area of the city. The assessment does however include a modest allowance for windfall sites (non identified housing sites) considered likely to come forward for future development.
- 3.3 Until now the spatial strategy has sought to accommodate all significant future development within the existing built-up area of the city for the duration of the plan period (up to 2026). With respect to housing development, the SHLAA evidence noted above, indicates that this policy position should remain achievable. However, in the context of the housing market downturn and the requirement for a sound Core Strategy, it is important to demonstrate deliverability and flexibility of the plan. It is therefore proposed that the preferred options for the Spatial Strategy, the Urban Fringe (SA4) and for Housing Delivery (CP11) are amended to continue to protect the urban fringe and only consider land release as a last resort in the last part of the plan period (post 2020). Given that this contingency position is a change to the spatial strategy, it is important that the community and stakeholders are consulted.
- 3.4 The alternative, which is not to consider a 'contingency' position for the urban fringe, would pose a significant soundness risk for the Core Strategy on the basis of failure to consider all potential sites for housing to help meet the strategic housing targets and a lack of flexibility in the Plan.

4. CONSULTATION

- 4.1 Extensive consultation was undertaken between October 2005 and March 2006 on 5 different approaches to future development in the city including Option D: limited development and expansion on the urban fringe. This was then discounted as a development option.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 None directly arising from this report. The costs of producing the Core Strategy are being met out of the City Planning budget.

Finance Officer Consulted: Patrick Rice

Date: 24/05/09

Legal Implications:

- 5.2 The Planning and Compulsory Purchase Act 2004 introduced a new local planning policy system. Under that system existing local plans are to be replaced by Development Plan Documents. The Council's Core Strategies will be Development Plan Documents setting out, inter alia, statements and general

¹ Strategic Housing Land Availability Assessment (SHLAA) identifies sites suitable for housing over a 15 year timescale.

policies of the development and use of land in the Council's area. The Development Plan Documents and the regional spatial strategy for the area (namely, The South East Plan) will make up the development plan against which by virtue of section 38(6) of the 2004 Act planning applications will be determined unless material considerations indicate otherwise.

- 5.3 Regulation 25 of The Town and Country Planning (Local Development) (England) Regulations 2004 as amended by The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008 requires local planning authorities to consult certain stakeholders in the preparation of development plan documents (such as consultation on preferred options) and gives planning authorities the discretion to invite representation from residents and businesses in their area. The final form of any development plan document must be submitted to the Secretary of State for approval following a period of publicity. The Secretary of State must consider any representations made during the publicity period.
- 5.4 This Report complies with the above mentioned legislation.
- 5.5 No adverse human rights implications are considered to arise from the Report.

Lawyer Consulted: Hilary Woodward *Date:* 24/05/09

Equalities Implications:

- 5.6 None directly arising from this report. A full EQIA of the Core Strategy will be undertaken.

Sustainability Implications:

- 5.7 A full sustainability appraisal of the Core Strategy is underway.

Crime & Disorder Implications:

None directly arising from this report.

Risk & Opportunity Management Implications:

- 5.9 The preferred options for the Spatial Strategy, Urban Fringe and Housing Delivery need to be "sound" in planning terms to enable the whole Core Strategy to proceed to final adoption.

Corporate / Citywide Implications:

- 5.10 Release of urban fringe land after 2020 has implications for infrastructure and city council services.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 Alternative options for approaches to growth in the city were considered in the Core Strategy – Issues and Options document published 2005.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 Consideration of the urban fringe for housing development in the longer term (post 2020) is required now to allow the continued progress of the council's Core Strategy towards adoption and ensure soundness.

SUPPORTING DOCUMENTATION

Appendices:

1. Revised draft preferred options

Documents in Members' Rooms

None

Background Documents

1. Core Strategy – Revised Preferred Options June 2008.