

Rottingdean Parish Council Neighbourhood Plan (Regulation 14 consultation draft) - Brighton & Hove City Council response (April 2021)

(Draft Officer Comments subject to endorsement by Tourism, Economy, Culture and Communities Committee members)

Brighton & Hove City Council welcomes the opportunity to comment on the Rottingdean Parish Neighbourhood Plan (NP) at the draft Regulation 14 stage. We would like to acknowledge the substantial work that the Parish Council has put into drafting the Plan and strongly encourage the Parish's ongoing neighbourhood plan work.

We have set out a number of general comments on the NP below. This is followed by a schedule of detailed comments cross-referenced to specific policies and paragraphs in the draft NP. The comments reflect the views of relevant officers across a number of different Council Services.

Following the pre-submission consultation last Autumn, the council will be submitting its City Plan Part 2 for examination in early May 2021 and may propose some main modifications for the Examination Inspector to consider. Any modifications will be subject to discussion at the examination hearings later this year. An update to the Parish Council on the nature of any suggested changes and implications for the NP will be provided when the City Plan Part Two is submitted in May 2021.

General Comments

One of the Basic Conditions that the NP must meet is that it is in general conformity with the strategic policies in the City Plan. NP policies should therefore be presented as supporting and enhancing City Plan policies particularly where policies have already been adopted in the City Plan Part One and should not appear to be in conflict with adopted City Plan policies.

Examples of where this appears not to be the case in the NP are in the Visitor Accommodation policy T01 and policy CF1 Provision of Community Facilities. The wording of these policies appears to be more restrictive than the City Plan policies CP6 in City Plan Part One and draft policy DM9 in City Plan Part Two, and the policies do not seem to be based upon up to date evidence. The proposals for a coach drop off point and a park and Ride facility in Policies TO2 and TO3 also appear to conflict with Draft Policy DM34 in the City Plan Part Two.

The wording in some NP policies is considered to be unclear and sometimes vague (for example the wording of GOS3, AQ1, AQ2, AQ3). Elsewhere other policies appear to be text heavy / very wordy (e.g. H2). Officer comments recommend that the Parish look to reword and / or clarify some policies in order to help applicants and officers in their application.

Specific comments on the Draft Neighbourhood Plan

Paragraph / Policy	Comment
Page 7	last sentence ‘...protected in the City Plan by a Conservation Area Statement...’ Consider amending to say “Protected through a Conservation Area designation”
Page 10	<u>Core Strategic Objectives – Employment & Enterprise</u> Second bullet point re amalgamations does not seem to be reflected later on as part of a policy. Consider removing this reference.
Page 11	<u>Core Strategic Objectives – Air Quality and Traffic Reduction</u> Query how the NP can reduce the number of lorries ‘abusing’ the ban on non-essential HGV journeys along the B2123, if there is already a ban in place.
Page 11	Third bullet point – consider rewording this intention particularly around diesel car decline.
Page 12	‘To maintain the historic access to the seafront, improving access and the public realm’. There is no mention anywhere in the document that the Undercliff is categorised as a sea defence although it does state natural flood zone. The Plan should acknowledge the Undercliff is a sea defence and therefore cannot be treated in the same way as public open space/public realm.
Page 13	First bullet point under the Core Strategic Objective of ‘Access’ refers to the following “to make provision for local young people to be able to access market housing in the Parish” – it is felt that this would be better placed above under “housing and Design” strategic objectives.
Page 13	Bullet Point 2 under the Strategic Objective of “Access” “to improve IT connectivity” needs to be separated as an additional bullet point.
Page 15 - 1.5	Paragraph would benefit from reformatting with paragraph numbers after 1.5
Page 15 - 1.5	With reference to the paragraph that states that <i>“Development proposals outside the settlement boundary will be strictly controlled However, within the wider context of national and local policy development, proposals will be supported which are appropriate to a countryside location or which are consistent with the City Plan Part One. In terms of the former category, proposals will be supported for development as highlighted in paragraph 79 of the NPPF (2019). In terms of the latter category proposals will be supported for development as required to deliver any urban fringe sites which may arise from the City Plan Part One (Policy SA4).</i> relevant policies should be referenced from the South Downs National Park Authority as much of the land that lies outside the settlement boundary is in the South Downs National Park
Page 16 S1 - Development within and beyond the	Should there be any reference in S1 to protecting/ enhancing the setting of the South Downs National Park?

Paragraph / Policy	Comment
settlement boundary	
Page 16 S1 - Development within and beyond the settlement boundary	S1 - last sentence: <i>Proposals for development outside the boundary will only be supported if they are appropriate to a countryside location and they are consistent with local development plan.</i> – Does this accord with the South Downs National Park Local Plan and also in the last sentence ‘... <u>the</u> local development plan..’
Page 18	Refers to strategic gaps (map title) but then the policy is about local gaps? Clarification sought. There is also an incorrect page reference to the map that should be amended.
Page 19 Policy S2 - Local Gaps	Need to check that the South Downs National Park Authority is comfortable with the identification of local gaps in the National Park (e.g. sites 2 and 3)– do they have policy framework for this
Page 22 Policy GOS1 - Local green space designation	It would be useful to cross reference City Plan Part Two Policy DM38.
Page 26 2.16 Policy GOS2 - Amenity open spaces	Other evidence may be these core background documents: Open Space, Sports and Recreation Study and the Open Space Update Study and Policy CP16 particularly in reference to GSO2
Page 30 Policy GOS3 - Wildlife and biodiversity	Would be of benefit to be more concise around mitigation - given City Plan Part Two policy DM37
Policy GOS4 Conservation Area Enhancements	Policy GOS4 appears to replicate City Plan Part Two policy DM26 in part.
Policy H2 – Design	<p>Policy seems quite prescriptive and may be difficult for Development Management officers to assess.</p> <p>Policy should provide enough flexibility for the kind of contemporary design supported in the NPPF.</p> <p>Policy does not seem to have considered the Urban Characterisation Study and how its findings should inform proposals outside the Conservation Area.</p>
Page 44 Policy T01 – Visitor Accommodation	<p>Whilst the City Plan Part One policy CP6 Visitor Accommodation is listed the adopted policy approach is not considered in reference to the policy wording proposed.</p> <p>Adopted City Plan Part One policy CP6 Visitor Accommodation only seeks to safeguard accommodation within the Central Brighton area.</p>

Paragraph / Policy	Comment
	<p>The policy proposed in the Draft Neighbourhood Plan therefore has a potential conflict with adopted policy CP6.</p> <p>Evidence listed for NP policy approach is the old Hotel Accommodation Study but not the 2018 Update and the old tourism strategy not the new: Microsoft Word - Brighton & Hove Visitor Economy Strategy.docx (brighton-hove.gov.uk)</p> <p>An examiner would be looking for evidence for Rottingdean to have a more localised approach. If it is felt that this approach is justified then the evidence to support this should be referenced. Any policy should set out the detail required for the demonstration of viability and marketing.</p>
Policy TO2 - Coach Drop-Off Point	<p>It is unclear by what is meant when referencing a “drop off point”. If there is no associated physical infrastructure would planning permission be required? The supporting text at para 4.4 refers to a ‘coach park’ and is therefore inconsistent with the policy wording. Any proposal for a coach park would need to comply with Policy DM34 of City Plan Part Two – criteria (b), (d) and (f) may be difficult to comply with in this location.</p>
Policy TO3 - Park and Ride	<p>The potential site seems far too small for a park and ride. Marketing it as such may bring excessive traffic into the village and lead to congestion when the car park is full. It is also poorly situated for visitors from outside Brighton & Hove. The NP notes elsewhere that “Congestion on the A259 Coast Road is already at an unsustainable level” but a park and ride would encourage more traffic onto this road. Any proposal for park and ride would need to comply with Policy DM34 of City Plan Part Two – criteria (b), (d) and (f) may be difficult to comply with in this location.</p>
CF1 - Provision of Community Facilities	<p>The requirement for the provision of a “like for like new replacement facility” is not in compliance with the more flexible criteria set out in City Plan Part Two Policy DM9 part 2</p>
Para 6.2	<p><u>Paragraph 6.2</u> – “. Unrestricted expansion of demand would lead to further congestion...” demand for what exactly? This needs clarification</p>
AQ1 - Reducing Traffic Volume passing through the village	<p>Unclear what “unfettered use” or allowing the “circulation of traffic” means? Does this mean seeking to prevent pedestrianised streets in new developments? Or maybe cul-de-sacs? The wording is unclear.</p> <p>The overt support for free circulation of vehicles in this policy conflicts somewhat with AQ2 which seeks air quality improvements and “particular support” for travel by foot, bicycle or public transport</p> <p>Providing parking to “development plan standards” – it should be clarified that this means in line with the requirements set out in City Plan Part Two or any future revisions.</p>

Paragraph / Policy	Comment
	<p>On-street parking does not necessarily mean that the roads are blocked. The wording "to avoid obstruction to the route by parked cars" should therefore be deleted as this is considered to add nothing to the policy.</p> <p>If the point is being made that parking standards will reduce the need for on-street parking, then this should go in the supporting text to the policy.</p>
AQ2 - Improving Air Quality in Rottingdean High Street	Unclear what "have regard" to the AQMA means in practice.
AQ3 - Electric Vehicle Charging Points	Whilst the policy aim is supported, the wording could be more concise and reorganised (the first two paragraphs appear to contradict each other?) Should reference City Plan Part Two policy DM36 Parking and Servicing.
Projects section	The wording for this section of the Plan is considered an unnecessary addition for a development plan

