

**Brighton & Hove City Council  
Proposed Modifications to the Submitted City Plan Part One  
Electronic Response Form**

**Consultation Period: Tuesday 4<sup>th</sup> November until midnight on Tuesday 16<sup>th</sup> December 2014**

The City Council is publishing for consultation post Submission proposed modifications to the City Plan Part One.

The City Plan Part One was submitted to Government in July 2013 and is currently under examination by an independent Planning Inspector appointed by the Government to consider the 'soundness' of the Plan. The Inspector held a series of hearing sessions in October 2013. In response to the Inspector's Initial Conclusions Letter the City Council is now proposing a number of changes or 'main modifications' to the submitted City Plan Part One to address her concerns.

We are only able to accept representations on these proposed modifications. Further guidance on completing this form can be downloaded at [www.brighton-hove.gov.uk/planning/local-development-framework/consultation](http://www.brighton-hove.gov.uk/planning/local-development-framework/consultation)

This form has two parts:   Part A – Personal Details  
  Part B – Your Representation(s).

*Representations should only relate to the Proposed Modifications and not other parts of the City Plan.*

**Part A: Personal Contact Details**

*Please note that you must complete Part A as anonymous forms or those that do not contain an address cannot be accepted.*

	<b>1. Your Details</b>	<b>2. Agent Details (if applicable)</b>
<b>Title</b>	Ms	
<b>Forename</b>	Penny	
<b>Surname</b>	Hudd	
<b>Job Title</b>	Trustee	
<b>Organisation</b>	CPRE Sussex	
<b>Address</b>	Brownings Farm	
	Blackboys	
	Uckfield	
<b>Postcode</b>	TN22 5HG	
<b>Email Address</b>	info@cpresussex.org.uk	
<b>Telephone No.</b>	01825 890975	
<b>Mobile No.</b>		

Data Protection Notice: Personal data given on this form will be used by BHCC (and its agents) in connection with statutory functions. It will not be used for any other purpose.

## Part B: Your Representation

**Please answer the questions below and clearly explain your comments in the relevant sections. Use one form per representation / comment. You may use as many additional sheets as necessary.**

(Please note that the text boxes below expand as you type)

**Q1a.** To which Proposed Modification does your comment relate? (Please enter one modification number)

Modification Number PM10

**Q1b.** To which policy / section of the plan does your comment relate?

Policy / Section The Strategy

**Q2.** Do you wish to support or object to this Proposed Modification? (Please tick one box)

Support ☐  
Object ☒

**Q3a.** Do you consider this Proposed Modification Legally Compliant? (Please tick one box)

Yes ☒  
No ☐

**Q3b.** Please use this space to explain your answer above. (Please be as precise as possible and refer to any supporting / background document as you see necessary).

**Q3c.** Please set out what change(s) you consider necessary to make the Proposed Modification legally compliant and give your reasons. It will be helpful if you are able to put forward your suggested revised wording of the proposed modifications. (Please be as precise as possible).

**Q4a.** Do you consider this Proposed Modification is Sound? (Please tick one box)

Yes ☒ No ☐

**Q4b.** If you consider that the proposed modification is unsound, please identify which test of soundness your representation relates to by placing a cross by the appropriate box.

Please select	Test of Soundness
<input type="checkbox"/>	It is <u>not positively prepared</u> in that it is not prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
<input type="checkbox"/>	It is <u>not justified</u> in that it is not the most appropriate strategy when considered against the reasonable alternatives, based on proportionate evidence.
<input type="checkbox"/>	It is <u>not effective</u> in that it is not deliverable over its period and based on effective joint working on cross boundary strategic priorities.
<input type="checkbox"/>	It is not <u>consistent with national policy</u> .

**Q4c.** Please use this space to explain your answer to Q4a above (Please be as precise as possible).

CPRE Sussex welcomes and supports the Council's recognition, in the proposed new paragraph 2.20, that much of the land within the city's defined urban fringe forms part of the city's green infrastructure either as open space or part of the city's biodiversity resource (although these are not necessarily mutually exclusive). However, this paragraph should also recognise that much of the land within the defined urban fringe is also of high landscape sensitivity.

This recognised in paragraph 7.29 of the Brighton & Hove Local Plan, which states in part, "Countryside areas outside the AONB in Brighton & Hove are felt to be of exceptional quality. It is therefore felt that such areas should be afforded similar protection to other areas of exceptional landscape value which are included in the formally designated AONB. These areas have already enjoyed similar protection for many years by virtue of the policies in previous local plans."

In addition to its inherent sensitivity, the urban fringe forms the setting of the South Downs National Park. Although the National Planning Policy Framework does not specifically protect the setting of National Parks, it is clear that landscape and scenic beauty of the National Park could be adversely affected by inappropriate development within its setting. This was recognised in paragraph 7.41 of the Brighton & Hove Local Plan and in a statement by the then Planning Minister, Nick Boles, in April 2014. The then Minister referred to the Planning Practice Guidance published in March 2014, which explains the duty of local planning authorities to "have regard" to the purpose of national parks 'in exercising or performing any functions in relation to, or so as to affect, land' in national parks. The then Minister further explained that the guidance is clear that the duty is relevant in considering development proposals that are situated outside national parks, but which might have an impact on the setting of, and implementation of the statutory purposes of, these protected areas.

It is therefore very important that particular care is taken over the design of any development proposed within the urban fringe, so that potential adverse impacts on the quality of the urban fringe landscape and the National Park are avoided as far as possible and mitigated as far as possible where adverse impacts are unavoidable and outweighed by any benefits of the development. The design of new development should particularly seek to avoid adverse impacts on the tranquillity of the National Park through light or noise pollution. Paragraph 2.20 should highlight this importance.

**Q4d.** If you consider the Proposed Modification unsound, please set out what change(s) you consider necessary to make it sound and give your reasons. It will be helpful if you are able to put forward your suggested revised wording of the Proposed Modification. Please be as precise as possible.

**Q5.** The Sustainability Appraisal has been updated where appropriate to reflect the proposed modifications. Do you have any comments on this document?

**Q6.** Do you have any further comments to make?

**Q6a.** The Inspectorate's Procedural Guidance states that issues raised on consultation of the Proposed Modifications will be considered through written representations and further hearing sessions will only be scheduled exceptionally. Please could you indicate whether you would like to submit...?

i) Written Representations ☒

Or if required by the Inspector, to

ii) Participate at the Examination in Public ☐

**Q6b.** If you wish to participate at the Examination hearing, please outline why you consider this to be necessary:

If an EIP is called, we should like to participate to ensure the points we raise are heard.

--

**Q7.** Please tick this box if you DO NOT wish to be notified of the publication of the Inspector's Report, adoption of the City Plan Part One or be involved in the preparation of future plans and policies.

<input type="checkbox"/>
--------------------------

<b>Signed:</b>	Georgia Wrighton, CPRE Sussex
<b>Dated:</b>	15 December 2014

All representations must be received at the email or postal address given on this form by **midnight on Tuesday 16<sup>th</sup> December 2014.**

Completed forms should be sent to:

Email: [ldf@brighton-hove.gov.uk](mailto:ldf@brighton-hove.gov.uk)

Post: LDF Team, Brighton & Hove City Council, Room 201, Kings House, Grand Avenue  
Hove, BN3 2LS

If you have any further queries please contact us on 01273 292505 or via email  
[ldf@brighton-hove.gov.uk](mailto:ldf@brighton-hove.gov.uk) .

Thank you for taking the time to complete your representation(s).