



Title:	City Plan update
Author(s):	Rob Fraser, Head of Planning Strategy, Brighton & Hove City Council Liz Hobden, Local Development Team Manager, Brighton & Hove City Council
Purpose/Key Messages:	Update briefing on implications of City plan examination and proposed additional work
Significance to BHC and Delivering SCS outcomes:	The City Plan is a principal delivery mechanism for the SCS in terms of development in the City over the next 20 years
What is BHC being asked to do?	Note the current position and proposed additional work
Next steps and report back mechanism:	The outcome of the additional urban fringe sites assessment and other related work will be reported to the Strategic housing Partnership and to the Local Strategic Partnership

Summary Overview

An inspector was appointed by the Secretary of State to examine the City Plan. The Inspector's initial conclusions indicate that the Planning Inspectorate is taking a hard line to push local planning authorities to significantly boost their supply of housing land to meet the requirements in the National Planning Policy Framework.

The Inspector concludes that the city needs to be rigorous in assessing opportunities (particularly in the urban fringe) to close the gap between the city's objectively assessed housing need (20,000 new homes) and the City Plan housing provision target (11,300 new homes). She has also indicated a limited number of other policy areas where she is inviting the council to make modifications to address her concerns.

Officers wrote to the Inspector at the end of January to clarify some points, to indicate how the council will be responding to the letter and

provide an indicative timetable. The inspector's response was encouraging and the proposed work is being commissioned.

It is important that the City Plan Part One is progressed and moves towards adoption. This will provide greater certainty for landowners, developers, residents and employers in the city to enable essential development and infrastructure to be provided. The work on housing will underpin further work on the Housing Strategy.

Early work on Part 2 of the City Plan is likely to commence in summer 2014 and will include detailed consideration of the breakdown of housing requirements for the city and suitability of particularly sites to meet that need.

Introduction

An inspector was appointed by the Secretary of State to examine the City Plan. After hearings in October the Inspector's initial conclusions (in the form of a letter) indicate that she will be pressing the local planning authority to significantly boost the supply of housing land to meet the requirements in the National Planning Policy Framework.

The Inspector is urging the city to rigorously assess opportunities (particularly in the urban fringe) to close the gap between the city's objectively assessed housing need (20,000 new homes) and the City Plan housing provision target (11,300 new homes).

She has indicated a limited number of other policy areas where she is inviting the council to make modifications to address her concerns particularly around viability.

Officers have responded to the inspector's letter providing an indicative timetable for the proposed work.

1. Housing

a) The City's Objectively Assessed Need (OAN) for Housing

The National Planning Policy Framework requires local authorities to assess their full housing needs, including the need for affordable housing. The council has assessed the city's objectively assessed housing needs (OAN) to fall within the range 16,000 – 20,000¹.

The Inspector has concluded that the City Plan should identify its OAN as the higher end of the range for the city's OAN – the figure of 20,000.

b) Duty to Co-Operate

The Inspector accepts that the legal requirement for Duty to Co-operate has been met. However, she points out there has been no positive outcome in that no neighbouring authorities have offered to meet the city's unmet need.

City council officers will continue to work with adjoining authorities to set up robust working and governance arrangements to ensure that this matter can be resolved.

c) Housing Supply

¹ Housing Duty to Co-Operate Study, May 2013, Sussex Coastal Housing Market Area, GL Hearn.

The Inspector notes that the City Plan housing target of 11,300 represents a significant shortfall against the full objectively assessed housing need figure (which she suggests should be 20,000). She recognises that there are significant constraints to providing land for development, but she sees the size of the shortfall as a failure to meet the social dimension of 'sustainable development' as set out in the National Planning Policy Framework.

As a consequence, the Inspector indicates that the Council must rigorously assess all opportunities to meet housing need. It is her initial view that three sources of supply offer the opportunity to increase the housing target:

i) Windfall Sites

The council should further assess whether or not it would be appropriate to make an allowance for windfall sites.

These are sites that unexpectedly become available for development and are difficult to anticipate through a Strategic Housing Land Availability Assessment. Such sites in Brighton and Hove are usually small sites (up to 5 units) and do make a significant contribution to overall housing supply. The housing target in the Plan already makes an allowance for such sites towards the end of the Plan period but the Inspector is asking whether an additional allowance should be made to cover the whole plan period.

ii) Urban Fringe Sites

In citing opportunities to increase the supply of housing, the Inspector concludes that a more rigorous assessment of the urban fringe (open space between built up area boundary and the National Park) is required to determine whether there is greater potential for the delivery of new housing from this source in particular.

The Inspector is not persuaded that the protection of such sites (which do not have a national designation) is justified given the city's significant need for housing. Her overall impression was that the starting point for analysis of these sites has been the desire to resist development.

The Inspector considers a rigorous analysis of urban fringe sites should be undertaken. She suggests consideration should be given to:

- whether development on some of the sites would enable the provision of useable public open space as a package of development;
- the extent to which other constraints, e.g. archaeological significance, nature conservation interests, should prevent

development altogether or whether adequate mitigation would be possible.

Studies to assess the potential of urban fringe sites to provide additional housing are being commissioned and the results of these studies will be reported to the Strategic Housing Partnership and LSP in due course.

iii) Land currently in employment use

In relation to Employment Policy (CP3), the Inspector concludes that the council should reassess whether this policy should be modified to allow for the loss of employment land to housing where viability is an issue.

The inspector notes that viability of employment sites is an important consideration and acknowledges that the City Council proposed some revised wording during the examination.

d) Five-year supply

The Inspector acknowledges generally good housing delivery in the city over the last 15 years but that poor market conditions have impacted on housing delivery recently.

Local planning authorities are required to demonstrate a five year supply of deliverable housing sites. The council had suggested that the five year supply requirement be linked to likely housing delivery over the plan period to take account of market recovery. The Inspector does not agree; her view is that a standard approach should be used which will, in effect, increase the council's 5 year supply requirement and make meeting this more challenging.

e) Overall conclusion on housing

The Inspector concludes that:

- There is no evidence to show unmet housing need will be met elsewhere;
- the approach to the urban fringe does not (in its present form) meet the presumption in favour of sustainable development in paragraph 14 in the National Planning Policy Framework²;
- She would need to be satisfied that the council 'had left no stone unturned in seeking to meet as much of its housing need as possible'.
- She may consider shortening the plan period depending on extent of eventual unmet need.

2. Brighton Marina

The Inspector concludes that the Policy DA2 should be modified to remove the cliff height restriction to enable a viable scheme to come forward, which can make a significant contribution to meeting housing needs.

Furthermore, she does not support the designation of Brighton Marina as a District Shopping Centre (Policy CP4 - Retail). She has asked for the policy to be modified accordingly.

3. Viability

The Inspector invites modifications to the Plan to ensure requirements of the National Planning Policy Framework are met in terms of ensuring development is viable throughout the economic cycle.

In particular, the Inspector cites Policy CP8 Sustainable Buildings. She is not convinced local standards, which are more onerous than national standards provided by the Building Regulations, are justified.

Way Forward/ Implications of letter

Adoption of the City Plan Part 1 will be delayed given the further work required, consultation, policy changes and the possible need for additional hearing sessions.

A detailed Urban Fringe Sites Assessment will be undertaken and it is likely other studies will need to be updated in line with recommendations for increased housing supply (Transport Assessment, Strategic Housing Land Availability Assessment and Appropriate Assessment).

Officers will report the outcomes of the studies and any significant changes to policy to a council committee in the summer. The outcomes of specific housing studies will be reported to the Strategic Housing Partnership.

Conclusion

It is important that the City Plan Part One is progressed and moves towards adoption. This will provide greater certainty for landowners, investors, developers, residents and employers in the city to enable essential development and infrastructure to be provided. Further work on housing will be undertaken in the spring of 2014 and will help underpin development of the Housing Strategy.

Early work on Part 2 of the City Plan is likely to commence in summer 2014 and will include detailed consideration of the breakdown of housing requirements for the city and suitability of particularly sites to meet that need.

Monitoring information and any further evidence gathered will feed into work on the housing strategy and the housing strategy will be influential in determining planning policy in Part 2 of the City plan.