

Appendix 1 Rottingdean Neighbourhood Plan - Regulation 16 BHCC Officer Comments

Paragraph / Policy	Comment
Forward	
Page 3 – Para. 3:	<ul style="list-style-type: none"> • should refer to most recent version of NPPF, 2021.
Parish Profile Plan Overview	
Page 5 –	<ul style="list-style-type: none"> • bullet point list: last bullet should read <u>Sustainable Strategic</u> Environmental Assessment Directive.
The Parish Policies Map	
Page 8 – Map 1	<ul style="list-style-type: none"> • Need to make sure that the base map is based on the adopted Policies Map 2022. • Need to make sure that the RNP allocations are clearly referenced in the key with relevant policy. eg GOS3_1 or GOS3_2. • Map is showing SNClS taken from the Local Plan. These should be replaced by Local Wildlife Sites from CPP2. The following sites are missing: Meadowvale, Ovingdean Copse and Rottingdean Pond. (NB: map should still retain LWS situated within the SDNP) • Map is also missing CPP2 H1 and H2 housing allocations; and Local Centre designation. • Designations not relevant to the area should be deleted from the map/legend: Proposed LNR, Recreation, Community Facilities, Historic Parks & Gardens, National Nature Reserve, Identified Housing Site-HO1, Strategic Allocations CPP1, and Development Area boundaries CPP1. • The following designations with BHLp references should be amended to CPP2 policy references: Declared LNR (CPP2-DM37), Conservation Areas (CPP2-DM26). • There is also some inconsistency with the other maps. E.g., Map 3 includes Scheduled Monuments and Archaeological Notifications Areas, whereas map 1 doesn't. Suggest all maps should show all relevant designations, with map 1 also showing the Settlement boundary, map 2 also showing the strategic gaps, and map 3 also showing the wildlife corridors as these maps relate to those policies.
Core Strategic Objectives	
Page 10	<ul style="list-style-type: none"> • The intention to support public transport use to support economic development is welcomed but could be broadened. The statement could also include active travel (walking, wheeling and cycling) as forms of travel that could be used by visitors/tourists to reach/explore the village. This would be consistent with the traffic reduction strategic objective.

Paragraph / Policy	Comment
Page 11 – Air quality and traffic reduction	<ul style="list-style-type: none"> • Suggest soften language in final bullet point – reduce the number of lorries ‘contravening the restriction’ on non-essential HGV journeys along the B2123, rather than ‘abusing the ban’. • This section includes the phrase ‘Traffic Reduction’, but all other sections/headings say ‘Traffic Management’. Each is very different in terms of its outcome and the measures used to achieve it. Amend title accordingly. • The Intentions list is inconsistent with the list on P56, as the Conservation Area reference on P56 is not included here. Amend either list accordingly. Suggest a separate Access section from Housing & Design and possibly move to below the Vision and refer to as an Overarching Objective
Page 13	<ul style="list-style-type: none"> • The section on Access is understood to underpin the whole plan, as set out on P9, but does not have a brief description like the Strategic Objectives sections above.
Context page 16 -para 1.2	<ul style="list-style-type: none"> • Use consistent terminology. Suggest changing to “City Plan Part ± <u>Two</u>” • Suggest the following changes “It makes provision for <u>housing in the urban fringe identified in City Plan Part 1 (Policy SA4) and the urban fringe housing site allocations identified in the City Plan Part 2 (Policy H2).</u>” • Suggest the following changes “1.7 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 City Plan Part One and <u>Two</u>.... 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), <u>City Plan Part Two</u> (Policy H2) and the SDNPA Local Plan.”
Chapter 1 Strategic Development in Rottingdean	
Page 17 – Policy S1	<ul style="list-style-type: none"> • A number of the bullet points duplicate local plan policy/the NPPF so are unnecessary – e.g. being in character with the site/locality, respect residential amenity, can be accommodated by the highway network and water/sewerage infrastructure. • Bullet point 8: “ensure any future application for development is designed using a landscape-led approach so that the design, layout and landscaping sensitively respond to local landscape character.”

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	<p>Landscape character may not always be applicable, particularly in an urban/suburban setting.</p> <ul style="list-style-type: none"> • Bullet point 9: “ensure any future application for development includes a Landscape and Visual Impact Assessment.” Beyond the scope of the NP – a matter for LPA validation lists. • Page 17 Paragraph 1.9 is this talking about Policy S2 Strategic Gap? If so would it be clearer if the paragraph moved to under Strategic Gap sub heading beneath? • Page 18 paragraph 1.10 – editorial change to fourth sentence is needed. • Last bullet seems to imply that all land outside the built-up boundary is in the SDNP but that isn’t the case – some sites are within the City Plan area (urban fringe). Therefore, the wording should be amended to something like: • <i>“Proposals for development outside the boundary will only be supported if they are appropriate to a countryside location and they are consistent <u>as appropriate with the City Plan (with particular reference to policies SA4 and SA5) or South Downs National Park local plan.</u>”</i>
<u>Page 20 – Map 2</u>	<ul style="list-style-type: none"> • The following designations have been omitted and should be added: Local Wildlife Sites (to be taken from CPP2 and replace SNCI designations); H1 housing site allocation; H2 housing site allocation; Local Centre designation. (NB: map should still retain LWS situated within the SDNP) • Designations not relevant to the area should be deleted from map/legend: Proposed LNR, Strategic Allocations, Development Area, Recreation, Community Facilities, Historic Park and Garden, Special Area of Conservation, Identified Housing Site – HO1. • The following designations with BHLP references should be amended to CPP2 policy references: Declared LNR (CPP2-DM37), Conservation Areas (CPP2-DM26).
<u>Page 21 – Policy S2 - Strategic Gaps.</u>	<ul style="list-style-type: none"> • The NPPF makes clear that policies in NP are non-strategic. Therefore I think these designations should be referred to as ‘<u>Local Gaps</u>’. • Points 1 and 2 of the policy duplicate other parts of the policy so can be deleted. • Suggest removing number 5 and 6 and having text as paragraphs. Text is a bit confusing and repetitive.

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	<ul style="list-style-type: none"> Part 5 could it be read that they would be ok with the re-use of ...playing fields, other open land uses...? Would seem to contradict GOS2
Chapter 2 Environment and Biodiversity	
<p><u>Page 29 – Policy GOS1 – LGS</u></p>	<ul style="list-style-type: none"> Policy GOS1 designates and protects Local Green Spaces and this includes spaces that are within the conservation area and which in some cases are locally listed heritage assets and/or which include statutory listed buildings. The designation of these spaces is supported. Maps of proposed LGS designations should be provided, either individual sites or on a general NP policies map. The criteria for Local Green Space designation are now set out in Paragraphs 101-103 of the NPPF. However, further revisions are now proposed to the NPPF which will affect the paragraph numbering again. Therefore, suggest amending the wording simply to “... <i>the criteria set out in the NPPF ...</i>” With no reference to paragraph numbers. Policy reads as though the designation of sites is in accordance with criteria set in CPP2, which isn’t really the case. Suggest using consistent terminology in policy “City Plan Part Two” The current policy wording is not consistent with the NPPF. Suggest amending the policy to something like: “Sites LGS1-9 are designated Local Green Spaces through this Plan in accordance with the criteria set out in Paragraphs 90–101 of the NPPF and City Plan Part Two DM38 the NPPF. Proposals for built development (<u>except</u> for the installation of essential utilities infrastructure) on Local Green Spaces will not be permitted unless it can clearly be demonstrated that it is consistent with the role and function of that Local Green Space and <u>City Plan Part Two Policy DM38.</u>”
<p><u>Page 29 – Policy GOS2</u></p>	<ul style="list-style-type: none"> Wording “until approved evidence shows they are no longer needed” seems unclear for development management purposes. No supplementary text in supporting text indicating what this is. Suggest this includes statistics about use of the facilities over a defined period of time of at least 12 months. Should indicate in supporting text what evidence is required CPP1 policy CP16 sets out the test for loss so

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	<p>could cross-reference to that policy at least in supporting text.</p>
<p><u>Page 30 – Para 2.17.</u></p>	<ul style="list-style-type: none"> • Some LWS have been omitted. • Suggest amending as follows: • The Parish of Rottingdean has a well-managed Nature Reserve, Beacon Hill, and two <u>seven</u> other local wildlife protection sites, namely <u>Whiteways Lane, and Balsdean Woods, High Hill Pasture, Wivelsfield Road Grasslands (part), Meadowvale, Ovingdean Copse (part) and Rottingdean Pond.</u> • The text that follows this sentence may also need amending to reflect the above amendment.
<p><u>Page 32 – Map 3</u></p>	<ul style="list-style-type: none"> • Numerous designations not relevant to the area can be deleted to make legend clearer: Valley Gardens, Central Brighton, Retail Proposals, Hotel Core Zone, Regional Shopping Centre, Protected Employment Site, Protected employment-led, Material Recovery Facilities, Special Area of Conservation, Saved EM9 sites, Prime Retail frontage, Outside Prime Frontage, Proposed LNR, Recreation, Community Facilities, Historic Parks and Gardens, Identified Housing Sites. • The following designations have been omitted and should be added: Local Wildlife Sites to replace SNCIs), H1 housing site allocation; H2 housing site allocation. (NB: map should still retain LWS situated within the SDNP) • The following designations with BHLPP references should be amended to CPP2 policy references: Archaeological Notification Areas (CPP2-DM31); Scheduled Monuments (CPP2-DM31); Local Shopping Centres (delete SR6 (BHLPP)); Conservation Areas (CPP2-DM26).
<p><u>Page 33 GOS3 – Wildlife and biodiversity</u></p>	<ul style="list-style-type: none"> • Typo – missing full stop between first and second sentence of policy and last sentence ‘also refers’? • Policy would better reflect Environment Act requirements regarding net gains if amended as follows: • Proposals that contribute to the conservation and enhancement of the landscape of the South Downs, and its special qualities, and conserve wildlife or <u>and enhance wildlife and biodiversity will be supported.</u> Proposals which respect, <u>enhance, and provide green linkages with</u> biodiversity and green space in and around developments are encouraged, particularly

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	<p>where the space forms part of, or is adjacent to, the wildlife corridor. also refers.</p> <ul style="list-style-type: none"> • The word “respect” in the final sentence of the first paragraph is a little unclear for development management purposes. • Second paragraph – suggest stronger wording to protect wildlife corridor from harm. “New development proposals which cause potential harm to the wildlife corridor would <u>be opposed unless justified in the public interest and</u> suitable mitigation measures are proposed.” • Question necessity of final sentence – duplicates general protections given to SDNP. • No mention of BNG or cross reference to CPP2 in this respect or SPD.
<u>Page 34 – Conservation Area Enhancements</u>	<ul style="list-style-type: none"> • These paragraphs seem a little mis-placed here. Maybe better situated within Chapter 3.
Chapter 3 Housing & Design	
Page 38	<ul style="list-style-type: none"> • Housing Design – formatting and layout - query whether there has been some change to the layout that has moved paragraphs under the wrong sub-heading? • P. 38 is about balancing housing mix but then there is the Design – local context sub heading and paragraph 3.4 which might be better moved after the H1 policy box?
<u>Para 3.3</u>	<ul style="list-style-type: none"> • Use consistent terminology “City Plan Part 1 <u>One</u>”
<u>Para 3.9</u>	<ul style="list-style-type: none"> • Use consistent terminology “City Plan Part 1 <u>One</u>”
Policy H1	<ul style="list-style-type: none"> • The second sentence of the policy is confusing and appears to contradict the target figures set out in the first sentence. Does it imply developments with no 4-bedroom homes would be acceptable?
Paragraph 4.1	<ul style="list-style-type: none"> • Typo- “Street” needs adding to the end of the paragraph after ‘High’.
<u>Page 42 – H2 – Design.</u>	<ul style="list-style-type: none"> • Unclear what the third bullet point means: “They should respect a sense of place and the visual quality of the environment BHCC”
<u>Bullet point 1</u>	<ul style="list-style-type: none"> • “They are in sympathy with the relevant geographic section of the Rottingdean Village Character Statement <u>and</u> BHCC Urban Characterisation Study”
	<ul style="list-style-type: none"> • “Buildings should include Bat boxes and Swift bricks” – suggest delete, not always appropriate and covered by Local Plan policy requirements/guidance.

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<u>Bullet point 4</u>	<ul style="list-style-type: none"> • Bullet point re swift boxes etc – should this reflect our guidance which says: All new developments in the city of 5 metres or greater in height need swift boxes or swift bricks... we then set requirements depending on whether minor or major development
<u>Bullet point 5</u>	<ul style="list-style-type: none"> • Tall garden walls – what about fencing?
Page 41	<ul style="list-style-type: none"> • Paragraphs 3.9 – 3.11 need to be moved to after H3? • Para 3.9 Typo should refer to “Conservation <u>Area</u>”
	<ul style="list-style-type: none"> • “They do not include installing pavements or kerbs to existing village lanes” – suggest delete as such works are ‘permitted development’ by B&HCC within the highway.
	<ul style="list-style-type: none"> • “They use permeable surfaces on driveways and use sustainable drainage systems that can connect directly to an existing or new wet environment wherever possible;” – understand the desire for SuDS but unclear what connecting to a ‘wet environment’ means or intends to achieve.
	<ul style="list-style-type: none"> • This chapter could benefit from more visual communication to support the text in conveying urban grain, spaces between buildings, urban typologies, heritage context and design quality of existing and new etc. This would be useful in representing the neighbourhood vision for placemaking, especially in consideration of any changes to the place to ensure they enhance an existing community and character.
	<ul style="list-style-type: none"> • The ‘housing and design’ section would benefit from reference to achieving high quality design and what this looks like in Rottingdean and within its various character areas, as per areas outlined in the Urban Characterisation Study
Chapter 4 Employment and Enterprise	
Context page 46 para 4.1	<ul style="list-style-type: none"> • End the paragraph with the word “Street.” • Use consistent terminology “City Plan Part <u>1</u> <u>One</u>”
Pg 47 Policy T01 Visitor Accommodation	<ul style="list-style-type: none"> • Policy seems to be less specific now than previous version. Previous comments from the local authority indicated that there should be appropriate evidence to support such as policy. • Policy is unclear for development management purposes. The policy or supporting text needs to define what ‘survey data’ would be required to demonstrate that there is no longer sufficient demand. For example, this could be similar to the sort of evidence required by CPP1 Policy CP6 within the Hotel Core Zone (set out in Para 4.66 of CPP1).

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Page 47 para 4.4	<ul style="list-style-type: none"> • <i>“Any proposed change of use here would be considered against the individual shop or parade policy in City Plan Part 2”</i> The retail parade at Meadow Parade is not protected by any policy in the City Plan Part Two. The parade only has one commercial unit left. We no longer have an individual shop policy in the City Plan Part Two. • Use consistent terminology <i>“City Plan Part 2 Two”</i>
Policy EE2 page 50	<ul style="list-style-type: none"> • EE2 – is the first sentence in the policy box an introduction to the policy or part of the policy? • Policy is unclear for development management purposes unsure of the purpose the policy. • might also want to refer to how this point responds to the heritage context also e.g., demountable structures, consideration of the high street, street typology etc.
Chapter 5 Community Facilities	
Policy CF1 - Provision of Community Facilities	<ul style="list-style-type: none"> • 1st bullet- would suggest deleting “or by car” from the final sentence as the Plan should be looking to reduce the need to access community facilities by car. • 2nd bullet – The current wording is less clear than CPP2 Policy DM9. The policy should specify that marketing is needed to demonstrate that it would not be economically viable or feasible to retain the existing community facility. Suggest deleting 2nd bullet or amending to: • <i>“It has been satisfactorily demonstrated <u>that active, flexible and appropriate marketing of the site for community uses has been undertaken</u> and it would not be economically viable or feasible to retain the existing community facility and there is no reasonable prospect of securing an alternative community use of the land or building.”</i>
Chapter 6 Air Quality and Traffic Management	
Page 57 para 6.5	<ul style="list-style-type: none"> • Reference is made 2016 traffic data and high levels of traffic, but this is not quantified. It is recognised that this refers to previous evidence used to develop the plan prior to 2018. Seek to include more up to date figures to help illustrate traffic levels, if possible. • The reference to the Air Quality Monitoring Area is incorrect. Correct reference to Air Quality Management Area.
Policy AQ1 Page 58	<ul style="list-style-type: none"> • Para 6.7 The reference to the need for public transport actions is supported and could also be strengthened. Include reference to the council’s Bus Service Improvement Plan [BSIP] for the city.

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	<ul style="list-style-type: none"> • It is not clear if the reference to the ‘Highways Authority’ is meant to be National Highways (previously known as the Highways Agency), responsible for the Strategic Road Network, as ESCC and BHCC are both Local Highway Authorities and already mentioned. Check/amend reference accordingly. • This section does not refer to various forms of active and sustainable travel which could help to reduce vehicle volumes in/through the village by replacing some local car journeys. Include reference to the council’s Local Cycling & Walking Infrastructure Plan [LCWIP]. • The wording of this policy is not directly linked to its objective of reducing traffic volumes. • It is not clear what is meant by showing how proposals ‘integrate’ with other roads in the first sentence. • The second sentence combines references to parking design/standards with recording vehicle emissions, although it is unclear what connection is being made here. Should ‘recording’ actually be ‘reducing’? If recording (or monitoring) is correct then ‘Improved understanding’ seems to be related to raising awareness but this is unclear. • This policy is entitled ‘Reducing traffic volumes’ and air quality is the focus of Policy AQ2. The inclusion of air quality references in AQ1 is therefore not necessary. • The first part of the second sentence should also read ‘...provide car parking in conformity...’ (remove the word ‘to’). • Seek clarification and reword policy to better reflect the policy objective. This could possibly include references to appropriate levels of assessment, reducing the need to travel, providing appropriate measures or infrastructure for alternative/sustainable forms of transport to maximise their use, and ensuring that any remaining significant traffic effects of development are appropriately mitigated, including securing Travel Plans. Working in partnership with transport providers to reduce vehicle trips could also be highlighted. • It is unclear how development sites could be “laid out... with the aim of recording emissions and an improved understanding of what actions bring about sustainable improvements in air quality.” How could this be used in the process of determining planning permissions? • Policy text use consistent terminology “City Plan Part # <u>Two</u>”

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	<ul style="list-style-type: none"> • Policy cross-refers to requirements of CPP2 so suggest it is unnecessary.
Policy AQ2 Page 59	<ul style="list-style-type: none"> • It is unclear what “have regard to the existing AQMA” means in practice. Suggest reference to/measures from the Sussex AQ guidance. • The focus on ensuring that development layouts include provision for journeys to be made by sustainable forms of transport is welcomed but does not refer to wheeling. This would help align the plan more closely to its overarching Access objective. • The policy could be strengthened by referring to safe and accessible layouts which <u>enable</u> (rather than support) journeys to be made by various forms of sustainable and accessible transport. This type of journey will also only improve air quality if it replaces a motorised trip.
Policy AQ3 Page 59	<ul style="list-style-type: none"> • In policy text use consistent terminology “City Plan Part # <u>Two</u>” • Suggest policy unnecessary as Building Regs state that new dwellings require an EV charging point. Otherwise, EV charging points are ‘permitted development’ so the second paragraph is also unnecessary.
<u>Page 56</u>	<p>Various points are suggested for further consideration/information:</p> <ul style="list-style-type: none"> • Need to be clear if this is referring to all traffic; 2 wheelers, cars, taxis, vans, lorries and buses. Petrol, diesel or electric. The High Street, A259 or other Roads such as Steyning Road. • Pollution relates to vehicle acceleration, just as much as congestion. • Sustainable travel could mean active mobility, cleaner vehicles or less vehicle trips for short journeys. • There are different impacts and contributions from the various vehicle categories. • Good to distinguish the greater pollution contribution from diesel vehicles compared with petrol or larger and older vehicles compared with modern models. • Could mention or discuss Brighton & Hove ultralow or zero emission zone approved by ETS committee. Potentially this could include Central Rottingdean. • The objective for air quality in Rottingdean is to continue improving and achieve World Health Organisation guidelines in accordance with interim targets set out in BHCC Air Quality Action Plan 2022 APX. n 2.pdf (brighton-hove.gov.uk) 2002 to 2027. This

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	<p>is more ambitions than national standards set in 1995. Welcome modern thinking - that local footfall and economy would be better without traffic fumes and emissions.</p> <ul style="list-style-type: none"> • Aim is continue monitoring nitrogen dioxide @ RHS and A259 adjacent facades. Also working through procurement of particulate and gas sensors for roadside and background settings. • As Rottingdean is relatively affluent with high car ownership this is an opportunity for a modal shift in consumer habits away from “large SUV country models” to electric and e-bikes. The air quality officer is to monitor trends in the up-take of cleaner vehicles using local roads (especially Air Quality Management Areas) at the same time as trends in traffic tallies. Plan to sign post to Charging Points & Electric Vehicles: EV charging stations UK - Zap Map (zap-map.com), local ebike options electric - Brighton Marina, local produce, online e-deliveries and electric car share options. • Developments in Lewes DC are likely to add vehicle trips onto the A259. Improved active travel provision and bus access in Newhaven could avoid a portion of vehicle trips. Extra housing around Peacehaven, risks adding urban-sprawl and the need to travel and commute. • Public consultation on the air quality action plan asks that authorities flag up cleaner home heating options without emission to air (such as passive-house, electric, solar and various heat pumps). Aim is to reduce smoke and valley smog from domestic fireplace burning of wood, coal, oil and waste. • Final bullet – again suggest ‘contravening the restriction’ rather than ‘abusing the ban’.
<p><u>Appendix 12</u></p>	<ul style="list-style-type: none"> • The Village Character Statement at Appendix 12 is also welcomed and is consistent with the council’s Conservation Area Character Statement.