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your ref: LDF/CS/SA/MR/LH/tj
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19 December 2006

Dear Sir or Madam

Consultation on Core Strategy and Site Allocation DPDs

Thank you for your letter of 6 November, from Martin Randall, outlining the current consultation on the LDF DPDs. Unfortunately I did not receive the accompanying 'User's Guide' with this pack. I provide a detailed written response below, as requested in Jenny Rowland's 9 December letter; using some of the structure in the reply form template.

Please note I am providing representations on both the '*Core Strategy – preferred options*' and '*Site Allocations – issues and options*' DPDs. I appreciate these have different response deadline dates but trust these representations will be passed to the relevant officer.

Core Strategy – preferred options

1. Note that representations against some of the core strategy text are given later from paragraphs 7 onwards below. These representations carry the same weight as those following immediately. In particular I am extremely concerned about the lack of linkage between biodiversity and sustainable development. The Biodiversity Convention was always intended to provide measurable indicators of progress in the environmental component of sustainable development. Brighton and Hove should be monitoring its contribution towards the UKBAP.

2. Representation 1

Page Number 50

Preferred Option Reference: OS 1, 2 , 3 and 4

Support Partly Support Object

Further Details: Whilst the key issue (p. 49) states 'biodiversity needs to be incorporated...' the four preferred options then fail to incorporate biodiversity adequately. A wide range of natural features are found in the City's urban and rural areas. It is divisive selecting just the AONB or the open space network as biodiversity is naturally diverse and highly mobile, not always sitting neatly in predefined areas. For example the City's peregrine falcon populations and various bat species require a healthy environment, both natural and built, in which to thrive.

These options should be expanded to refer to Brighton & Hove's biodiversity features which contribute to the UK's BAP. This information was not included in the 'research and evidence base' despite a clear UK biodiversity programme having been published a decade ago which lists the most important habitats and species.

The preferred options should be expanded to;

- Assess the City's Biodiversity Richness by establishing a database of biodiversity Features, which is then maintained, using the UKBAP categorizations.
- Assess potential risks and opportunities to our biodiversity richness by monitoring changes to this resource.

3. Representation 2

Page Number 85

Preferred Option Reference: SC2 , SC3

Support Partly Support Object

Further Details: This options could provide an opportunity for improved access to, enjoyment and understanding of our local biodiversity if this was included on regeneration and renewal sites. Spatial Objective SO21 identifies this need, yet there is no implementation for SO21 indicated elsewhere in this LDF core strategy.

Amend to include:

- Incorporate opportunities for access to biodiversity by residents and local businesses undertaking developments.

4. Representation 3

Page Number 99

Preferred Option Reference: H3

Support Partly Support Object

Further Details: Access to understanding biodiversity should also be included in the planning policies mentioned.

5. Representation 4

Page Number 111

Preferred Option Reference: SR1

Support Partly Support Object

Further Details: This option should explicitly identify the biodiversity importance of the Brighton Marina in the second paragraph, not merely the leisure, tourism, retail and commercial importance. Our local coast includes important geological and geomorphological features which should be mentioned in this Preferred Option.

6. Representation 5

Page Number 118

Preferred Option Reference: UF1

Support Partly Support Object

Further Details: Whilst the urban fringe provides excellent opportunities for establishing a GIN there is still the lack of a statement explicitly preventing harm to local biodiversity. The precise wording in UF1 currently avoids preventing harm to local biodiversity.

It also totally fails to mention the Sites of Nature Conservation Importance (SNCI) network designated by the city council.

Whilst the general intention in UK1 is partially supported the third sentence should be amended to read;

- It must not cause harm to areas or sites of statutory archaeological value and environmental value including the SNCI network, Local Nature Reserves, SNCIs Regionally Important Geological Sites and biodiversity habitat areas and species. The policy must enhance biodiversity across the urban fringe.

7. Representations on 'Potential Area Action Plans (Part Six)'. This section also fails to mention biodiversity features. The Lewes Road and London Road/Preston Road corridors support important areas for biodiversity. In addition Shoreham Harbour and 'The Urban Fringe' provide important refuges for biodiversity which could be further enhanced.

Include a sentence to indicate that;

- Biodiversity protection and enhancement will form an important component in Area Action Plans

8. Further Representations: As stated in Paragraph 1 above I am extremely concerned that reference to Local Biodiversity as a contribution towards the UKBAP has been excluded from significant areas in this core strategy. This leads to an unbalanced strategy that favours only the economic and social components of sustainable development. There is virtually no recognition of the local biodiversity wealth and the benefit it provides to the wider city, its residents or visitors.

My greatest fear is a series of small-scale developments on unbuilt land; such as the extensive private garden networks linking to small grassland areas, churchyards, schoolgrounds and play areas. There is clear danger of greater fragmentation to these natural features as economic objectives are pursued exclusively.

Such an unbalanced approach to sustainable development will result in damage to the City. Such damage to the environment will impact negatively on the local economic and social wealth as all three components are intrinsically linked through Sustainable Development.

9. Further to Paragraph 8 above I am concerned this core strategy also fails to address the biodiversity policies in the **South East Plan** (current draft of the *Regional Spatial Strategy* submitted to Government, March 2006). Page 13 says 'The Core Strategy must also generally conform with the South East Plan'; yet it clearly fails to do so!

In particular SE Plan Section D5 (Sustainable Natural Resource Management) states:

Conserving biodiversity – Biodiversity protection and enhancement in the region will be achieved by:

ii Conserving and enhancing the diversity and distribution of habitats and species, as designated sites only represent the best examples of their kind [my emphasis].

iii Recognising the importance of green networks and open green space within urban and suburban areas and taking steps to protect and enhance the provision of these.

iv Recognising the particular nature of urban wildlife (including those on previously developed land). These may be of local importance for wildlife and for the provision of quality green-spaces

- Improving biodiversity – Opportunities for biodiversity and habitat enhancements at a range of scales need to be identified and realised... that set out the contribution the region can make towards national targets in the UK Biodiversity Action Plan.

10. Also in the South East Plan is the policy for '*conservation and improvement of biodiversity*' stating;

POLICY NRM4: CONSERVATION AND IMPROVMENT OF BIODIVERSITY

In the development and implementation of plans and strategies, local authorities and other bodies shall avoid a net loss of biodiversity, and actively pursue opportunities to achieve a net gain across the region by;

- i. Providing the highest level of protection for nationally and internationally designated sites (Map NRM3)
- ii. Ensuring damage to county wildlife sites and locally important wildlife and geological sites are avoided whenever possible.
- iii. Ensuring that unavoidable damage to wildlife interest is minimised through mitigation, that any damage is compensated for, and that such measures are monitored.
- iv. Ensuring appropriate access to areas of wildlife importance, identifying areas of opportunity for biodiversity improvement and setting targets reflecting those in figure NRM2.

Opportunities for biodiversity improvement, including large-scale habitat restoration, enhancement and re-creation in the areas of strategic opportunity for biodiversity improvement (Map NRM4) should be pursued.

- v. Influencing and applying agri-environment schemes, forestry, flood defences, restoration of mineral extraction sites and other land management practices to deliver biodiversity targets.
- vi. Maintaining and establishing accessible green networks and open green space in urban areas.

11. Further Representations: Based on my representations in Section 8-10 above this can be summarized as;

I REMAIN EXTREMELY CONCERNED THE LDF CORE STRATEGY FAILS TO ADEQUATELY CONSIDER AND ADDRESS LOCAL BIODIVERSITY OBJECTIVES REQUIRED BY THE UKBAP AND SOUTH EAST PLAN

12. This failure at the strategic level also manifests itself in the core strategy text. For example Page 9 introduces our local area through seeing the beautiful South Downs and ever fascinating Sea as **constraints**(!) I strongly object to such a description, as this city is surely unique in benefitting from the natural resources of the South Downs and highly varied natural coastline offering chalk cliffs, shingle beaches and a wave-cut chalk platform in such an accessible area.

If the term constrained was simply intended to indicate the Authority's formal boundary then this should be accurately described with the eastern and westernmost boundaries also included. In any event the council's jurisdiction includes the whole marina, which is mostly sea water that clearly does not constrain the city. The sea provides tremendous opportunities for leisure, business, tourism and must surely be described as an important benefit to the city, not a constraint.

13. Page 10 equally fails to capture the natural wonder and wealth we are all privileged to live amongst. The ill-termed '*Green Wedges*' are mentioned specifically yet there is no context provided from a natural environment perspective. After the sentence on the '*...Six large parks...*', which again fails to mention their biodiversity value why not include a more informative positive description of the city's biodiversity;

"The also form part of a network of important areas for nature, with the coast, cliffs, woodlands, grassland, trees and many gardens forming a fragmented natural matrix. Rare species, including peregrine falcons and bats, move through this matrix. This could be enhanced through active creation and management for greater connectivity."

14. Finally, Page 127 (Glossary) inaccurately explains the term '*Biodiversity Action Plan!*' This is clearly laid out in 1992 through the UK Government's contribution to the '*Convention of Biological Diversity*', which forms the UKBAP. Full details are provided on the Government Web-site (www.ukbap.org.uk) and there is no excuse for misrepresenting the function and intended implementation of BAPs in this core strategy.

Biodiversity Action Plans have been written as part of the UKBAP. Published National objectives and targets cascade to define delivery through Local BAPs (LBAP). The BAP Document describes the habitat or species, quantifies the resource and defines the objectives and time-limited targets required to manage the resource sustainably and reverse past declines. Specified agreed actions by key organisations can then be undertaken and monitored to assist with meeting the objectives.

Regrettably there is still no published LBAP covering Brighton & Hove. A very limited amount of initial work had been undertaken by the council's Wildlife Advisory Group but this needs progressing to provide a LBAP that will usefully inform the LDF, Community Strategy and planning policies.

Site Allocations – issues and options

15. As the 'Response Sheet' enclosed provides absolutely no guidance on how to format the response I will provide written detailed representations below. I will appreciate a reply from the Local Development Team on how they consider the single-sided A4 'Response Sheet' provides any assistance to consultees on the most useful way to respond to this DPD.

The only details requested are for 'Name and address', which are provided above.

16. As stated in representation numbered 8 above I am extremely concerned that reference to Local Biodiversity is virtually absent from the 'Site Allocations – issues and options' DPD. Instead of being a LDF founded upon sustainable development principles, as advised through PPS 1 and PPS 12, this LDF is only concerned with economic and social development. Environmental development is totally absent and for this reason the current draft 'Site Allocations' DPD is **unfit for purpose**.
17. The current dpd will encourage a series of small-scale developments on unbuilt land; such as the extensive private garden networks linking to small grassland areas, churchyards, schoolgrounds and play areas. There is clear danger of greater fragmentation to these natural features as economic and social objectives are pursued exclusively.
18. Incredibly this 28 page document fails to mention biodiversity as an issue in considering future site allocation!

This is despite the explicit recognition on Page 22 that biodiversity is important to many people.

19. There has clearly been a significant oversight in drafting this DPD. Until biodiversity objectives are included as one of the issues which merit further consideration I must register the following view;

I STRONGLY OBJECT TO THE 'SITE ALLOCATIONS – ISSUES AND OPTIONS' DPD AS IT FAILS TO INCLUDE BIODIVERSITY AS AN ISSUE RELATED TO LAND COVERED BY THE LDF.

BIODIVERSITY SHOULD BE INCLUDED AS AN OPTION UNDER THE FOLLOWING:

- SPATIAL ISSUE 3: School Places
- SPATIAL ISSUE 4: Community Buildings
- SPATIAL ISSUE 5: Tourist and cultural development
- SPATIAL ISSUE 10: New Housing
- SPATIAL ISSUE 11: Sites for Gypsies and Travellers
- SPATIAL ISSUE 12: New open space, sports and recreation
- SPATIAL ISSUE 14: Sustainable energy facilities

20. Page 25: Sustainable Energy. In addition to concentrating only on a 'new major development' equal attention should be paid to 'micro-generation'. Significant reductions in carbon generation can be achieved through householders within the city incorporating sustainable energy management in their own homes.

This section should be revised to incorporate support for micro-generation technology. Currently planning restrictions, such as in conservation areas, give a clear disincentive to householders considering sustainable energy investment.

The council could set the lead through the LDF in supporting local residents install technologies such as solar collectors, wind turbines and ground source heat pumps. Such technology is now very well tested in some countries, such as Germany, where solar power has been fitted to private homes for over twenty years.

- Yes – I do wish to be notified that the Core Strategy has been submitted to the Secretary of State.

I will be grateful if you can acknowledge receipt of these representations and look forward to receiving paper copies of the revised DPDs in due course. Please feel free to contact me at the above address if you wish to discuss any matters further.

Yours faithfully,

John Patmore

John Patmore
Naturalist