

Coldean Neighbourhood Plan feedback. CNPF Feedback (23rd September 2024 in blue)

1. The Plan is based on a **close and specific knowledge of the local area**, which is an important and positive step: this could not be a Plan for anywhere else.
2. The Forum deserves gratitude and congratulations for completing the Neighbourhood Plan in such a short timeframe. However, **there are gaps and oversights** in the Plan that might have been ironed out, had it not been completed at such pace. [The Vision and Objectives were agreed by Forum members in November 2022, and the Committee have always adhered to those. The Plan has effect until 2030, so the pace of work has been fast enough to fit into that timeframe. The Timeline for preparing the Plan has been agreed by Forum members and published on the CNPF website.](#)
3. **More information should be provided on the evidence**, particularly of community consultation. The statements 'Evidence of consultation is on the website' (p.8) and 'the website was visited 1,000 times' (p.43; para.125;) are unsatisfactory. The Independent Examiner is likely to look for this evidence in the Plan. The Plan should indicate how many consultation events were held, how many people attended, and how many responses were received. A bar chart could cover this. Pull-quotes and images from consultation events would enliven the text and show real engagement with the people of Coldean. These changes would give the Plan legitimacy. [We had removed 20 pages of evidence from the draft Plan in April 2024 at the request of the Council; instead we have been advised that all evidence needs to be presented in the Consultation Statement and not in the draft Plan itself.](#)
4. **Vision and Objectives are clear and appropriate for the area.** More detail of the contribution of local consultation to these would lend the Plan greater validity. [The November 2022 Visions meetings have been referred to.](#)
5. **Population figures** are valuable and revealing. I commend the reference to the preparations needed if the average age of Coldean residents rises. Although the Plan mentions the need for accessibility and supported accommodation for an ageing population, it fails to mention the need for local facilities such as shops, public transport, medical and pharmacy services, and community venues. These will become increasingly important to maintain access and a good quality of life for the rising number of elderly residents predicted.
6. At the other end of the scale, **the Plan barely mentions Coldean School** and the related problem of falling rolls (also a wider issue across Brighton and Hove). A decline in the number of young families is likely to precipitate continuing falling school rolls. Coldean School sits on prime development land, with its large, grassed playground and site opposite the most recent large-scale development at Denman Place. The Forum's designation of the school grounds as a Local Community Space (LCS) is weak and inadequate. It is disappointing to see the very youngest residents of Coldean overlooked in the Plan. [It is not possible to designate privately owned property in any other way. We have added a comment about falling school rolls throughout the Brighton & Hove area, as a result of the Council comments on the draft Plan.](#)
7. The Plan is **insufficient in taking City Plan 2 to task**. If an increase in student numbers is expected and encouraged by the universities and the Council, how will the Plan's aim to have fewer HMOs be achieved? The Plan 'does not envisage a

significant ordinary resident population growth' (p.20; para. 46) but overlooks the potential for more incoming temporary residents. A closer analysis of future population change is needed, plus evidence of consultation with the universities, and an explanation of how the Plan's aims and those of City Plan 2 accord or differ.

It is not within the remit of a neighbourhood planning forum to take the Council or the Council's plans to task. We are advisory, not adversarial. Any plan produced by CNPF does inform the City Plan, albeit as City Plan 2 has already been approved it would be future revisions not the current one. We are aware City Plan 1 is being updated urgently at present. Additionally any plan has to be pre-approved by the Council, it has to fit within their plan, not contradict it, otherwise developers can rightly circumvent any provisions that contradict the council's. If any part of the plan was not in accord it would not be approved.

Locality and the ONS have provided resources in which population analysis has taken place, and that has informed the Plan. The Plan can advise less HMOs however it is not in our power to prevent them altogether.

8. **The statement on HMOs is well made.** The point regarding the omission of Varley Park from the population figures is particularly relevant, since disguising the true number of students living in Coldean affects matters such as bus services and access to healthcare and local shops – a point that should be added to Policy H2.
9. **Policy H2 is problematic** in other respects. It states that any developments involving the conversion of a building to an HMO must meet certain criteria relating to the character of the area, impact on neighbours etc. Yet it is not unfeasible that a house may be converted to contain more bedrooms (e.g. loft extension, addition of a third floor etc.) without a concomitant application for an HMO, and later be sold and an HMO application subsequently submitted and approved. How does the Forum propose to close this loophole?

The planning system works on a per change basis, i.e. the planning system cannot legally consider alternate or future changes to the property not listed in the planning request. Instead it will consider those changes when and if they are proposed. As such, it is impossible to create rules based on hypothetical changes that supersede factual changes. If what is suggested were to occur, then the only recourse is to lodge a challenge to the HMO at the point a change of use is made. Draft Policy H2 was suggested by our Professional advisers

10. **Policy H2(f)** suggests that parking space for such developments be moved from on-street parking to paving gardens to create off-street parking. **This contradicts the Plan's vision for protecting the natural environment and will increase flooding risks**, therefore undermining attempts to mitigate the effects of climate change.

As we are on chalk hills we are not in an area at risk of significant floods, and current legislation for paving front gardens, includes mitigations for flood risk anyway. There are several competing requirements for the neighbourhood, one of which is parking and another which is preserving natural space. If you have an alternate suggestion you are welcome to provide one and we can put it to our members. As a result of the Reg 14 Consultation we are in fact adding some Flooding risk mitigation requirements into the Coldean Design Code.

11. **Policy H3(g) and H3(m) are robust and to be commended.**
12. **Section 5: Open Spaces.** The Plan states that Local Green Spaces (LGS) 'offer protection similar to Green Belt areas, without imposing additional restrictions on

landowners' (p.28; para. 68). This isn't accurate, since where the LGS has no adjacent Green Belt, it would be a misuse of the designation to attempt to impose 'Green-Belt-like' protection on the area. **The statement raises unrealistic expectations and is likely to run foul of the Independent Examiner.** It would be better to reference LGS as a standalone designation, without comparison to Green Belt protection. [These draft Plan wordings have been amended as a result of our Reg 14 Consultation, and the revised draft Plan will go through a mock Internal Examination before it goes through any formal Internal Examination.](#)

13. **Designated LGS and LCS** (p.30; para. 76): The table is useful, but some aspects appear contradictory. For example, the small grassed area opposite the parade of shops on Beatty Avenue (OS42) is designated as an LGS, in spite of being scuffed, degraded and mainly used as a shortcut to the shop, while the two larger areas on Reeves Hill (OS26) and Crawley Road (OS10) that are more ecologically diverse and regularly used by children (OS10 until recently included a tree swing) are not, being designated as the weaker Local Community Space (LCS). Similarly, OS8 (Roundway/The Meads) is marked as 'not having particular local and special significance', yet it is bigger than the designated Beatty Avenue LGS and has a bench and noticeboard, frequently being used as a meeting place or to watch young people playing football on Roundway (OS6). The meadow on Coldean Lane has been left out entirely. [These spaces and designations were formally consulted on and agreed by the Forum in July 2022. These comments should have been raised then. We may, however, still amend some of these designations before the Plan is finalised. The updated PPlan mentions there is a wildflower meadow in OS41.](#)
14. **Of greatest concern is that OS9 (termed 'Highfields' but known locally as 39 Acre) is classed weakly as an LCS**, based on its size (it should be noted that despite its common name, the site is nowhere near as big as 39 acres). The Forum should challenge this and/or find another appropriate designation: for example, given its rich array of meadow species, it could be designated as a Local Nature Reserve (LNR) either as standalone or as part of Wild Park LNR. The Plan notes (p.28; para. 72) that in consultations, the community identified 39 Acre as a space that it **particularly wishes to preserve**, and the Forum should look for more effective protection for this important site. A radical solution would be to consider the transfer of public assets into community ownership. There is a long history and recent examples of communities successfully stewarding local land: those who live closest to the space tend to know it and care about it the best. If the Forum has not yet sought advice from the Open Spaces Society, I strongly advise it to do so in order to obtain robust protection for 39 Acre, since the current proposals in the Plan are inadequate. [South Downs National Park Authority have the authority over 39 Acre field and say it is safe as part of the South Down National Park designation.](#)
15. **Omission:** p.36; para. 80 New Larchwood, the youth club building and the former estate agents' office have all been omitted from the description of the facilities on Beatty Avenue. [To include](#)
16. **Omission:** p.41; para. 105: I suggest adding the crossing for Varley Park here: it is unsafe and deficient for the number of people using it. [To include.](#)
17. **Ditchling Road carpark** (p.46; paras.108 & 111): The Plan calls for the removal of height barriers and the earth bund at 39 Acre ('Highfields') on the grounds of disabled access. **The height restriction barrier and bund were erected to prevent entry by caravans, mobile homes, horseboxes etc**, which is problematic, with Van Dwellers and Travellers taking up residence on 39 Acre. It is

hard to see how the height barrier is preventing access by a normal vehicle used by people with disabilities. [These statements were agreed by the Forum in July 2023.](#) [Your comments should have been raised at that time.](#)

18. Public transport (p.42; para. 120) **The Forum has rightly highlighted poor public transport links in Coldean** and called for better bus services, but this is later undermined in Section 09 (p.49; para. 143), where the Plan refers to Coldean as 'easily accessible by bus links to the whole population of Brighton & Hove'. This is patently not the case, as regular bus users in Coldean can confirm. **Public transport is a key issue in Coldean.**
19. **Section 07: Traffic management:** This is the weakest part of the Plan. While statements regarding 'green lanes', 'electric-car charging points' and 'safe pedestrian and cycling routes' are welcome, there is no detail of how the Plan will contribute to their implementation. The transport policies appear tacked on, with little evidence of local consultation or action plans, and a reliance on BHCC policies to cover the ground. [Some parts of the draft Plan have been amended, in particular Section 07.](#)
20. **Off-street parking** (p.44; Policy T4): It is unclear where the new off-street parking would be, or how it would be funded. The very real concern is that the creation of further hard standing will contribute to flood risk and heat-island effect and be detrimental to the area. It would be useful to know how many responses to consultation raised difficulty in parking as an issue: if illegally parked and abandoned cars were removed from Coldean, many parking spaces would be freed up.
21. **Omission** (p.44 Policy T6): This policy ends mid-sentence. [Additional text has been added.](#)
22. **Section 09: Environmental Policies:** The Plan reports that in public consultation, residents put the natural environment at the top of their list of concerns. It is disappointing, therefore, to find it relegated to the penultimate chapter of the Plan. That said, this section is well written and provides useful detail. The Forum is commended for noting the discrepancy between BHCC's 'green credentials' and its plans to build high-density dwellings on Site 21a (north of Varley Park) and 21c (Coldean Allotments). The Plan makes an important statement of dissent (p.49; para. 147) that accords with local feelings. Unsympathetic housing developments are a primary concern for residents: this should come much earlier in the Plan. **Residents rely on the Forum to prevent a recurrence of Bluebell Heights: I am not convinced this Plan will achieve that.** [The Committee see no area where medium or high rise blocks could now be built within Coldean, in the period to 2030. An indicative 12 units could be built on Site 21a.](#)
23. **Forum reputation:** While appreciating the rapid timescale within which the Plan has been produced, I was dismayed to see the sheer number of **careless typing, spelling and grammatical errors** (not least an absolute howler on the front cover). Parts are incoherent, and information is missing. This does not give credit to the Forum's hard work or present the professional image it deserves. Related concerns are the failure to credit photographs and maps, and images that are too small to read (Fig.11; p.24), and failure to credit the author and expert witness who provided the Biological Survey and Expert Statement referenced in Section 09. [There is now a credit in Acknowledgements, all drone photographs/photographs from AECOM are already credited in Acknowledgements.](#)
24. While I commend the effort and hard work that the Forum's Committee

Members have put into creating the Plan, I think there are flaws and discrepancies that need to be addressed. Chief among these is reassurance that consultations have been sufficiently wide and accessible to give confidence that local people have had a chance to have their views not just heard but taken seriously, particularly through the Forum's engagement with existing grassroots organisations. The perception is that this has been lacking in the Forum's work. The Plan seems to rely somewhat heavily on BHCC policies, and this does not bode well, considering the outcomes of the Bluebell Heights development. I am also of the view that the proposed protections for the environment are insufficiently robust. I also hope the final version of the Plan will be professionally edited and proofread.

We have engaged multiple organisations, grassroots and otherwise, many of which have worked with us in a professional, factled and collaborative way and that has informed most of the Plan. The CNPF has to work within the council's policies, we can't change or contradict those policies, we can only advise the best way to enact them. Additionally any plan has to be pre-approved by the Council, it has to fit within their Plan, not contradict it, otherwise developers can rightly circumvent any provisions that contradict the council's. If any part of the plan was not in accord it would not be approved. The protections for the environment were greater originally, however South Downs National Park Authority and the Council have advised us that such provisions were not legally possible, and we have downgraded to the highest protections afforded to us.

The Plan is proofread and professionally edited, and yes there are mistakes. This is a draft, and the final Plan will be, to the best of everyone's abilities, free of errors. We take such feedback graciously, and hope you will continue to work with us pointing out such errors.

25. Finally, the Plan lacks information on the composition of the Forum Committee and a summary of its funding, including how the funds have been spent. These are important to give the Plan and the Forum itself legitimacy. Similarly, there should be a declaration of Committee Members' potential conflicts of interest in order to preserve the reputation of the Plan and the Forum itself.

CNPF can receive cash grants up to about £10,000 a year, this has been spent on experts and communications with the community, our accounts have not only been approved by Locality, but praised for the judicious use of resources. We have many volunteers including the Committee who give up their free time without pay. The Committee itself is made up of a range of residents and business owners within Coldean. They work on the Plan because they want to improve the area for others and for themselves, none of us gain financially from our positions as Committee members. We hold ourselves to the highest standards, however if you, or anyone else for that matter, believes that we have fallen short of those standards you can share your evidence directly with Locality, or the secretary of state.