

# Brighton Marina Neighbourhood Plan

**Consultation Statement 2023**



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# Introduction

This Consultation Statement has been prepared in accordance with The Neighbourhood Planning (General) Regulations 2012 Part 5 Paragraph 15 (2)1 which defines a “consultation statement” as a document which –

- (a) contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;
- (b) explains how they were consulted;
- (c) summarises the main issues and concerns raised by the persons consulted; and
- (d) describes how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood development plan.

This Consultation Statement sets out how these requirements have been met and how, particularly, the Forum has sought to engage with those who live, work, and carry out business in the area.

The Brighton Marina Development Plan has also been prepared by taking into account the advice provided in Planning Practice Guidance (ID: 41-107-20140306) which comments that a qualifying body (here the

Forum) should be inclusive and open in the preparation of its neighbourhood plan or Order and ensure that the wider community:

- is kept fully informed of what is being proposed;
- is able to make their views known throughout the process;
- has opportunities to be actively involved in shaping the emerging neighbourhood plan or Order; and
- is made aware of how their views have informed the draft neighbourhood plan or Order.

The Plan has been prepared in response to the Localism Act 2011. The concept of neighbourhood plans gives qualifying bodies (here the Forum) new powers to prepare statutory neighbourhood plans to help guide development in their local areas. These powers give local people the opportunity to shape new development, as planning applications are determined in accordance with national planning policy, the local development plan, and where they exist neighbourhood plans form part of this framework.

## The Aims of the Consultation Process

The aims of the Brighton Marina Neighbourhood Development Plan consultation process were as follows:

- To involve as many of the community as possible throughout all consultation stages of Plan development in order that the Plan was informed by the views of local people and other stakeholders from the start of the Neighbourhood Planning process;
- To ensure that consultation events took place at critical points in the process where decisions needed to be taken;
- To engage with as wide a range of people as possible, using a variety of approaches and communication and consultation techniques; and

- To ensure that results of consultation were fed back to local people and available to read on the Neighbourhood Forum website.

The consultation process has also sought to reflect the unique and distinctive position of the Marina in the City. Whilst it is an important part of the City, it operates in a distinctive way which is separate from the principal part of the City. It has its own networks which the Forum saw fit to use as the principal means of engaging both the local resident community and the businesses within the Marina. The Steering Group of

the Forum has representations of both the resident and the business communities.

This approach is reflected in the Constitution of the Forum which is:

***‘to produce a Neighbourhood Plan to further the social, economic, and environmental well-being of individuals living, or wanting to live, in Brighton Marina and shall promote and improve the social, economic, and environmental well-being of the area including actions that deliver a Neighbourhood Plan and enable community views and choices to be more effectively made.’***

## **Engagement and consultation events leading up to the pre-submission version of the Plan**

The Plan has been developed since June 2015. The key stages in engaging with residents and businesses in the neighbourhood area and the associated consultation events has been as follows:

September 2014	Application to the City Council to designate a neighbourhood area.
June 2015	Forum and neighbourhood area designated
June 2017	Inaugural Forum AGM and election of Steering Committee
October 2017	Forum website established <b><a href="http://www.bmnf.org.uk">www.bmnf.org.uk</a></b>
May 2018	Forum AGM including discussion on an emerging Vision Statement
September 2018	Adoption of Forum Vision Statement
November 2018	Consultant engaged
May 2019	Forum AGM including agreement on policy areas for the Plan
October 2019	Survey of Residents and Workers undertaken
November 2020	Neighbourhood Area redesignated
February 2022	Submission of draft policies to the City Council for screening
April 2022	Publication of screening report
April 2022	Forum AGM after the Covid pandemic
Summer 2022	Preparation of the pre-submission Plan

## **How the Plan was influenced by the various events**

In general terms the Plan has been refined and amended since 2015. Many of the issues addressed in the Plan have been known for some time. The Plan has taken the opportunity to capture them in a structured fashion.

The various events have highlighted that some of the issues which face the Marinas are land use matters. It is on this basis that the Plan includes eight land use policies (Policies BM1-8). Similarly, it is on this basis that the Plan also includes a package of non-land use community actions (BMCA1-CA5).

In specific terms the Plan has taken account of the work on policy areas (undertaken at the Forum AGM in May 2019) and the subsequent survey of residents and workers later that year. This has allowed the Plan to address a wide range of matters which the community considers to be important for the future of the Marina. The agreed policy areas note is included at Appendix 1. The responses from the community survey are included at Appendix 2.

## **The consultation exercise on the pre-submission Plan and how the Plan was revised**

The draft Neighbourhood Plan was approved by the Steering Group on 30th September 2022. The formal Regulation 14 consultation was carried out for the required six-week period between 9th November 2022 and 4th January 2023.

All Commercial properties and the 987 Residential properties within the Neighbourhood Area received a letter informing them of the consultation and inviting comments. A copy of the invitation letter can

be found at Appendix 12. The consultation was also publicised to all Marina businesses, residents and berth holders using online portal systems run by the commercial and residential management companies and Premier Marinas respectively. Details of the consultation were publicised on the Brighton Marina website ([www.brightonmarina.co.uk](http://www.brightonmarina.co.uk)). An online survey tool was provided for consultation responses, together with an online copy of the consultation draft of the plan, via the forum website ([www.bmnf.org.uk](http://www.bmnf.org.uk)). Paper copies of these documents were also available. A drop-in session for residents and workers was held at the Marina administration Offices to provide opportunity to discuss the plan in-person with Steering Committee members.

The following organisations and bodies as agreed with the City Council were notified about the consultation period: Environment Agency; Natural England; Historic England; Highways England. The City council sent details of the consultation to their planning mailing list. Copies of the plan and consultation response forms were sent to local libraries and the Town Hall.

This exercise generated comments from the following organisations:

- Brighton and Hove City Council
- Outer Harbour Development Company Partnership
- Historic England
- Environment Agency
- National Highways
- Sport England
- West Sussex County Council

In addition, comments were received from 39 Marina residents and workers. Of these, 8 were workers and 31 were residents.

The Neighbourhood Plan Forum met on 19 April 2023 to consider all the comments received and they agreed the responses and actions set out in the following appendices.

- Appendices 3 and 4 BHCC
- Appendices 5 and 6 OHDCP
- Appendix 7 Local Residents and Workers Comments on Policies and Responses.
- Appendices 8 and 9 Local Resident (detailed comments from respondent ref no. 45\*)

*\*individual identities of personal respondents have been redacted for privacy reasons. The Forum holds a list of names of respondents which have been replaced with numbers in this document and its appendices.*

Appendix 11 contains responses from statutory consultees who either raised no specific comment on the Plan (Natural England, Historic England National Highways and West Sussex County Council) or offered support for two of the policies in the Plan (Environment Agency) The response letters may be viewed on the forum website here:

**[www.bmnf.org.uk/consult](http://www.bmnf.org.uk/consult)**. Appendix 10 shows the level of support for policies amongst survey responders.

In general terms the Forum has welcomed the comments received. In several cases the comments offered support for the Plan. This included support from several of the national statutory bodies.

The Forum has chosen to amend the Plan where necessary either to improve its clarity and/or to ensure that it meets the basic conditions. It concluded that whilst the issues in the Plan could be broadened to tackle some or all of the local issues raised at this stage there would be merit in pressing on with the Plan in a refined rather than a substantially

revised way. It took this view for two principal reasons. The first was that substantially broadening the remit of the Plan would take a significant amount of time which would not outweigh the benefit of securing the making of the Plan as soon as practicable. The second was most of the suggested additions to the Plan would be non-land use aspirations which would not form part of the development plan, and which could be pursued separately if required.

In specific terms the Forum has revised the wording used in several of the policies in the Plan to bring the clarity required by the NPPF and to ensure that it can be used consistently within the development management process throughout the Plan period.

# Appendices

## Appendix 1

### Policy areas

#### Brighton Marina NDP

#### Key Issues for the pre-submission Plan

#### Context

This schedule follows on from earlier discussions and the feedback from the recent Community Survey.

It proposes both planning policies and community actions. The former category are land use policies that would form part of the development plan (alongside the City Plan Part 1). The latter are actions rather than policies which have naturally arisen during the plan-making process. Whilst they would sit in a separate part of the Plan, they would not become part of the development plan.

#### Planning Policies

**Design Policy** (Q10/11)

**Natural Environment/Marine Wildlife** (Q20)

**Cafes/restaurant** (Q2/17)

**Visitors** (Q29)

**Energy use, waste minimisation and recycling** (Q21)

**Retail facilities** (Q7/16)

**Public realm/open spaces** (Q13/14)

#### Community Actions

**Access/Transport** (Q22-25)

**Valued resource** (Q28/30)

**Active destination for visitors** (Q29)

*December 2019*

## Appendix 2 Community Survey, Autumn 2019

### Brighton Marina Neighbourhood Forum

#### Results of the Community Survey Autumn 2019

The Community Survey was open to Forum members between 13 September and 24 October and 150 people responded. This is felt by the Forum Steering Committee to be a good level of engagement giving the results a high degree of validity.

126 respondents identified themselves and 29 respondents provided a company name to classify themselves as 'workers'. The large bulk of the remainder who provided addresses were residents.

A small number were unclassifiable from the details provided (e.g. respondents identifying themselves as residential landlords in the 'address' field.)

There were 33 questions, 31 of which were multiple choice with 5 possible responses ranging from 'not at all important' to 'very important'.

The results to these questions have been analysed and ranked by 'weighted average' from 1 to 5. A score of '5' would mean that all 150 respondents had answered the question 'very important'. A score of 1 would mean all respondents had answered 'not at all important'.

The ranking from high to low importance follows on the next page.

The other 2 questions were open-ended, requiring written responses.

The first being:

*'Are there any other facilities not listed above that are particularly important to you?'*

and the second being:

*'We recognise that this questionnaire may not address all the matters you think to be important. Please use this space to tell us if you believe there are other issues that we should seek to include in the Plan.'*

#### **Disclaimer**

Anonymised responses to these questions are contained in this document. Please note that the views and opinions expressed are solely those of the authors and do not necessarily reflect the policy or position of the Steering Committee and members of Brighton Marina Neighbourhood Forum and endorsement by any party cannot be inferred from their inclusion herewith.

## Brighton Marina Neighbourhood Forum Survey Autumn 2019

### Weighted average ranking of multiple-choice questions in descending order of importance

- Q11.** Ensuring that new development respects its location in the Marina and its coastal setting 4.71
- Q10.** Ensuring high quality design that respects the location and setting of the Marina 4.70
- Q4.** Access to Brighton and other nearby communities 4.61
- Q20.** Ensuring that new development has a positive effect on the natural environment and marine wildlife 4.59
- Q17.** Ensuring that the Marina includes a variety of restaurants and cafes 4.52
- Q2.** A range of cafes and restaurants 4.51
- Q25.** Integrating the Marina with future City-wide transport infrastructure 4.50
- Q29.** Ensuring that it is seen as an attractive destination for visitors 4.40
- Q21.** Proposing policies on energy use, waste minimisation and recycling, green transport and associated matters 4.37
- Q28.** Ensuring that the Marina is highly valued as a unique part of the City 4.37
- Q16.** Ensuring that the Marina includes a mix of retail units 4.37
- Q1.** A range of shops 4.35
- Q7.** The provision of adequate visitor parking spaces 4.35
- Q30.** Ensuring that the Marina is valued in the City and the wider region for its economic and environmental contrib. 4.29
- Q23.** Improved access to Brighton and the coastal path 4.29
- Q24.** Encouraging the development/ implementation of sustainable modes of transport 4.27
- Q22.** Improving the sense of arrival at the Marina 4.24
- Q26.** Introduction of a limited stop bus service to and from the City Centre 4.22
- Q8.** Open spaces within the Marina 4.19
- Q5.** Access to and from the pedestrian and cycling networks in the wider area 4.19
- Q14.** Providing appropriate open spaces connected to the public realm 4.19
- Q13.** Ensuring that public areas are well-designed and that new development provides good access to the 4.10
- Q3.** A range of leisure facilities 4.00
- Q27.** The inclusion of the Marina within City-wide signage 3.87
- Q18.** Ensuring that the Marina is able to attract a mix of community uses 3.83
- Q6.** The boating/marina/water-based facilities 3.81
- Q31.** Making the Marina part of City-wide cultural events including the festival, the Great Escape and the Fringe 3.77
- Q15.** Promoting an active community on the water 3.74

continued overleaf



## Q9 Are there any other facilities not listed that are particularly important to you?

Answered: 57 Skipped: 93

1. Lots of free-to-use table tennis tables, space around them in nice sunny area. Peace and tranquility. Ensure David Lloyd Club stays forever. Thanks.  
10/28/2019 12:24PM
2. Better catering for visitors, active or disabled within the ground local facilities. Residents would benefit from bus stop pickup near to centre. Residents over-looked a little. 10/28/2019 11:25AM
3. Post Office, GP Surgery.  
10/21/2019 3:35PM
4. Taxi rank. 10/20/2019 7:11PM
5. Routes that are much more pedestrian orientated. Storage facilities – for use by residents. Expanded recycling opportunities. 10/16/2019 5:12PM
6. Access to health providers.  
10/16/2019 1:11 PM
7. Security. 10/8/2019 5:01PM
8. Public transport facilities.  
10/7/2019 2:33PM
9. Doctor's surgery. 10/6/2019 7:30PM
10. Access to the marina will become congested with more development. There is housing, a superstore and visitors travelling into/out of the marina and one roundabout. There needs to be improved access. 10/2/2019 3:52PM
11. Whilst keeping the residential areas separate & private, it is very important that the marina offers a welcoming "feel" and is as accessible as possible with easy available parking ... these aspects will help to ensure the success of the marina as a desirable & enjoyable place to visit.  
9/30/2019 6:44PM
12. Could we have Sea Jet back to go across to France on Day Trips? 9/27/2019 3:19PM
13. Sports facilities. 9/25/2019 9:10PM
14. Yes, The Zebra crossing by the ASDA petrol station, needs lights, many cars come around the corner at speed, to enter the Petrol Station, and are not aware of the crossing there. I have nearly been hit by a car on numerous occasions, and have a real concern for the safety of children, visitors etc. 9/24/2019 3:16 PM
15. Access to the harbour moles.  
9/24/2019 12:53 PM
16. It is important that any shops or facilities provided support a range of budgets. Having everything very cheap or very expensive does not work (as we see).  
9/23/2019 12:07PM
17. Supermarket. 9/22/2019 6:53PM
18. Security and medical services are important too. 9/22/2019 6:50PM
19. GP surgery. Post office, Bank and chinese food outlet. 9/20/2019 6:07PM
20. Music in pubs, restaurants etc. Residents need to realise that they live in a vibrant community. Music etc should be allowed until at least midnight. The present

continued overleaf

situation at the Mariner is ridiculous. The night is just getting going when the bands stop playing at 11 pm. The new Greek restaurant is a chance for a late night venue but again, because of a couple of complaints, they have had to alter their hours. There are far more residents who want the entertainment than moaners who don't. They are also the people who don't support any of the local businesses.

9/19/2019 8:01PM

**21.** It is very unsafe to visit the Marina after dark on foot. The accessways a horrible unfriendly. The bus charge to the first stop outside the Marina is far to high so I never go there in the evenings.

9/19/2019 12:44PM

**22.** A GP surgery A post office Open spaces for dogs to run loose. More spaces for meeting up with members of the community.

9/17/2019 7:39PM

**23.** Lacking dog grass areas instead of pavements/flower beds.

9/16/2019 12:23PM

**24.** Post Office would be useful.

9/16/2019 9:39AM

**25.** Post office.

9/15/2019 3:19PM

**26.** More greenery would be appreciated. In particular the fake palms are revolting and could be removed.

9/15/2019 11:36AM

**27.** A better selection of sandwich/salad shops for staff working at the Marina to purchase lunch, this could be very profitable. Current options very limited.

9/15/2019 10:32AM

**28.** Would be nice to have a doctor.

9/15/2019 9:18AM

**29.** The well kept flowerbeds and shrubs

9/14/2019 4:31PM

**30.** Medical access, noise management, cleanliness.

9/14/2019 3:59PM

**31.** Public transport links.

9/14/2019 1:26PM

**32.** It is very important to me to maintain the barrier entrance to the original residential area to maintain the security of my home.

9/14/2019 8:21AM

**33.** No.

9/14/2019 6:52AM

**34.** More areas where grass grow.

9/14/2019 5:42AM

**35.** Discourage turning the Marina into a Holiday Village. Make people more aware of the Marinas existence .... people in Surrey/Kent/ West Sussex etc. have no idea what we have to offer. More Control of people living on the boats. Quick Access to town not using the Volks Railway (Only open part year). What happened to the Monorail that we were all told there was funding in place. Re vitalise Black Rock on an Urgent basis ... turn it into a indoor I outdoor swimming I leisure facility.

9/14/2019 5:17AM

**36.** Security.

9/13/2019 7:08PM

**37.** A doctors surgery would be a great addition to the existing facilities.

9/13/2019 12:39PM

**38.** Doctor/Dentist surgery. Post Office.

9/13/2019 12:08PM

**39.** The marina is an amazing place to visit, however there is nothing to come down to the marina for. Independent restaurants and shops are suffering from this. why can't brighton marina have

continued overleaf

more retail and be more like Portsmouth harbor Gunwharf Quays ... that would be so amazing for the marina community as at the moment the retail is terrible.

9/13/2019 11:40AM

- 40.** If I had a magic wand, Replace Asda with Waitress and John Lewis, Factory shop was useful, thank heavens for Brasserie Fish otherwise don't think there is the foot fall for too many shops and we seem over full of chain restaurants.  
9/13/2019 10:28AM
- 41.** Parking of vehicles used by workers employed in the complex. 9/13/2019 8:33AM
- 42.** Leisure-need a decent cinema, as per Eastbourne and Crawley. Both Cineworld and Odeon are a disgrace. And an M&S food for those who can't stand Asda!!!  
9/13/2019 7:51AM
- 43.** Open spaces (eg the mermaid walk)  
9/12/2019 8:34PM
- 44.** EV Charging points. 9/12/2019 8:05PM
- 45.** Access to the waterfront very limited  
9/12/2019 7:44PM
- 46.** Doctors Surgey/Chemist Post office facility 9/12/2019 5:01PM
- 47.** Late night venues 9/12/2019 4:45PM
- 48.** Parking is a main gripe our customers complain about. in the multi story spaces being too close together. 9/12/2019 2:36PM
- 49.** Another cafe, much much more greenery. More traffic moderating. More speed restrictions, especially around back of Sirius apartments. A bridge between marina wall and Sirius apartments area. Closing times (especially whetherspoons) altered on weekday nights due to noise

pollution. Cycle/pedestrian separation on undercliff walk. Areas for children to play who are visiting facilities for the day. Not shouting and screaming outside flats. A residents-only area outside. More aesthetically pleasing overall.

9/12/2019 2:32PM

- 50.** Large grass/green area with park like leisure facilities & small outdoor community social area. 9/12/2019 2:28PM
- 51.** Perhaps with fitness equipment, picnic facilities, sand, area for outdoor screen etc. Sport related court facilities, Tennis etc. dog bins 9/12/2019 1:17PM
- 52.** I've a long walk to and from bus stop and Asda supermarket. Can get soaked in bad weather and tiring for older residents.  
9/12/2019 12:41PM
- 53.** Asda the large supermarket brings in a certain demographic of people here from the working class to a certain calibre of immigrants to the drunk and homeless, in comparison to the amount of money boats cost to buy and the cost of rent this to us this doesn't make sense, it also doesn't seem fair to us who pay above average rent rates to live here. We would like to see the marina with higher quality, more shrubs, colour, less restaurant chains and more independent restaurants and cafes along with unique shops. The Marina is in need of a bit of identity and more buildings. Just to add to my statement we regularly see homeless people who have urinated on themselves asleep outside Asda, along with a ton of rubbish left over because of the standard of people attracted to this supermarket.

continued overleaf



**Q33 We recognise that this questionnaire may not address all the matters you think to be important. Please use this space to tell us if you believe there are other issues that we should seek to include in the Plan.**

**Answered:** 67 **Skipped:** 83

1. Compensation for residents if there is further noise/building works. A lot of us work from home, have babies/pets/are retired and don't want noise pollution. Please keep the Marina a peaceful, tranquil haven, unique maritime vibe. It doesn't need to be part of music festivals etc. Access from above Asda clifftop could be a beautiful escalator with neon pink lights at sides, outdoor travelator. Kids schools could do murals on marine themes on the ugly concrete entrance walls. The tunnel from the Asda car park to the beach feels unsafe for females.  
*10/28/2019 12:32PM*
2. It is essential that the Marina is accessible for boats and sympathetic to boating community.  
*10/28/2019 12:22PM*
3. Better provision should be made essential for elderly and disabled residents because the route from the centre of the Marina has no consideration for them to be able to use the local bus service. Passengers can alight at Palms Properties and this stop would be ideal to be able get on instead of having to walk across the garage, car park crossing McDonalds. If you are unable to walk a great distance this is an unnecessary extra journey. Or open the Boardwalk steps down. Can this please be looked at seriously.  
*10/28/2019 11:33AM*
4. Extension of the existing leases of the chalets on the East and West arms, beyond 2035.  
*10/21/2019 3:41PM*
5. Improvement of pedestrian access and routes - eg pedestrians to have equal priority with cars, walk-in routes to be clearly signposted and more pleasant/safe, gates to towpaths to be unlocked. Ensure joined-up planning, eg so there are not dead ends such as the barrier half way down the steps to the road by the new apartment blocks or useless spaces like the sheltered "waiting area" for taxis/buses that is up on the Boardwalk by the West Quay pub. Pontoons to be kept in good and safe order and clear of clutter. Consideration of the impact of any development on health and environmental concerns like global warming.  
*10/16/2019 5:33PM*
6. Consider impact of both noise and Light pollution.  
*10/15/2019 9:38AM*
7. Crying shame the retail and shopping area at the back is so poorly signposted and promoted. Greedy landlord not bothered that countless outlets are closed or are on websites trying to offload their leases. Outlets are just too large to sustain, they should be halved. Attract more NON CHAIN outlets. The success of the Laughing Dog shows uniqueness, design and good quality can work.  
*10/13/2019 1:19PM*
8. Deleted.  
*10/10/2019 12:36PM*
9. The proposed development that is at right angles to the latest development

continued overleaf

of apartments and restaurants is far too high bearing in mind it runs along the coast line it should be a few stories lower.  
10/7/2019 11:38AM

- 10.** Commission, run and maintain a continuous exhibition using interactive technology to allow visitors to see how the marina was conceived, designed, built, expanded and is maintained. Given the number of vacant premises a suitable space should be available. Make this a positive and attractive space for visitors to build into their holiday schedules. Perhaps combine the experience with a similar exhibition featuring the development of the offshore windfarm. Improve the very depressing road and on-foot entrances to the marina, especially from the west along the beach. Encourage the building of a top quality swimming pool on space outside the marina, perhaps using the resources currently used by the builders of the new developments. This should be open to the general public and not require membership. Use it for galas and demonstrations as well as routine keep fit activities of all kinds. It should be of a quality to compete with the expensive David Lloyd centre. A city like Brighton should have adequate facilities to help all children learn to swim. Many similar European cities do this. 10/6/2019 7:55PM
- 11.** Do something with the space near the main entrance to the marina under the flyover even if its only a new carpark. It looks awful at present. 10/6/2019 3:07PM
- 12.** Biggest concern is traffic congestion in/out of the marina as more housing is added. Has this been substantially investigated. 10/2/2019 3:58PM
- 13.** I note some of your questions rightly address design quality, sense of arrive, and new development respect for location. Whilst you ask the questions, I cannot see that any of these aspects have been taken in to consideration in new developments in the past. The sense of arrive consist of driving under, what is now, an ugly grey underpasses, confronted by an ugly large parking sign, and down another grey ramp to a confusing round-about. Similarly the new high rise development (and I think 3 more blocks of flats are to be built), in my opinion, I do not consider to be “high quality design” and they certainly do not respect the location, or the existing marina development. The first block looks horrendous, raising above the height of the cliff and in “no way” enhances the exist architecture. I have no idea how they gained planning permission. 10/2/2019 6:58AM
- 14.** I HAVE MADE MY RELEVANT COMMENTS EARLIER IN THIS SURVEY. 9/30/2019 6:48PM
- 15.** Stop the anglers (fishermen) parking by the office block and hanging around there all hrs of day and night. Paint the yellow bit of the ice cream hut (east arm) back to white again plus the door too, plus get rid of the silly flag too as this affects my view of the sea. Premier to stop the silly

continued overleaf

(barriers closing) loud audible warning as i can hear it in my flat, plus to fix the pump as it emits a poeey smell. 9/30/2019 5:26PM

- 16.** Address the free parking and ensure it is enforced. As a full time worker in the marina I notice a lot of vehicles that stay parked in the same place for days on end. This parking is free for visitors and customers and we d not want them to be deterred by the car parking facility. 9/27/2019 3:08PM
- 17.** At present the restaurants on the Marina are primarily well known chains and fast-food-type places. Brighton centre has a wonderful selection of high quality independent restaurants and it would be great to see more of this sort of offering on the marina. There are many unoccupied retail premises and we note that many of these are large spaces. Perhaps some smaller retail spaces would be more affordable and attractive to small businesses. 9/25/2019 9:15AM
- 18.** The Marina, needs to fill it's empty shops urgently, and provide more activities, for it's residents and visitors. Perhaps the large TV, should run from June, until the beginning of September, allowing parent to relax, whilst their children enjoy the TV (early in the morning, late afternoon), etc... It would also be great if the TV showed more films, for children, and films at a later time for teenagers/ adults, play a music Chanel, that everyone can enjoy. A mixture of all kinds of music, from Classical, to ie: the 80's, heavy rock etc ..... Very important – making sure that all the restaurants, pubs etc ..... are fully aware of food allergies ! before there is a death.

From personal experience, many of the venues in the Marina, advertise on their menu's that food can be made and served, with regards to most allergies. This is not true. I have food allergies, and although they state that they can feed me, they can't, due to the risk of cross-contamination. The serving staff, appear to have no or little idea, of what a food allergy is, and the potential risk of death. It's against the law to advertise food on a menu, stating that it is Gluten Free, Nut Free etc if they cannot provide the food safely. 9/24/2019 3:45PM

- 19.** Regarding future development of the supermarket, leisure sheds and car park, the ground level should be raised up to the level of the sea walls/the boardwalk so that visitors and residents get more a feel of being out at sea and of being part of the city by having the resultant view of it. At the moment down the in leisure area you wouldn't know you were in a Marina. There would be plenty of space for car parking underneath this new ground level. The undersides of the ramps are amazing architecturally, they are like massive boat hulls, maybe they could be lit up at night as a feature (i am a fan of concrete!) I can't imagine the sailors are fans of the swing bridge idea from the eastern mole to the Boardwalk, but it would be an amazing draw for people having a full circular route to follow. Please build it! And could you make more of the inside water level of the eastern mole, could there be a floating walkway all the way from the lock to the

continued overleaf

harbour entrance, so visitors can actually feel a connection with the water and the harbour? As it is all silted up inside the arm it just looks a waste of space as boats cannot use it. You could put platforms along there for the cormorants to rest on, visitors love looking at wildlife. Could you think about having some maritime events, like a boat show, or a Navy Day, or historic ship day? We get regular visits from Navy patrol boats and people have always loved meeting the Navy, and also historic ships, I've seen Dunkirk little ships visiting. Could the new floating jetty alongside the Boardwalk, or the basin next to the Square in the inner harbour be used for visitors to visit ships, again to get that connection with the harbour. A permanent historic ship would be good, not HMS Cavalier size, but like a small sailing ship would look good in the inner harbour. I know this is fantastical but as the Marina covers the route of the old Daddy Long legs railway, it would be great to see a replica on display in the Marina. I live on the Boardwalk and the outside of the restaurants are far less utilised than the outsides of the restaurants on the south facing Mermaid Walk. The mobile planters look really tatty, the whole area looks a mess, could you consider making more permanent fixed outside areas for these new restaurants? You could have retractable awnings coming out from the buildings and you could move the walkway in from the railings and have seating areas next to the railings that would keep in the sun for longer each day and give a pleasant view for diners. I'm really not sure why you

didn't build a proper fully wraparound outside area for what used to be the Casa Brazil restaurant, that would've been so popular. I'm not totally sure if any of this is relevant to what you were asking, but i love living at the Marina, i feel like it is a proper neighbourhood of the city and a good destination, but it could be so much better! Oh, please please finish the steps next to the access ramp behind Wetherspoons, the amount of times I've been zig-zagging down the ramp and a bus has driven off!!! 9/24/2019 1:35PM

- 20.** Some of the derelict/shabby areas e.g. near the Black Rock entrance to the beach, need upgrading. Most people in the South East know of and have visited Brighton. However, based on our small sample (around a 100) less than 10% are aware of the Brighton Marina and its location. Need to improve visibility of Brighton Marina and the presence of boutique/independent shops and restaurants. Need to make the marina attractive for events such as conferences, cycling, marathon, walking and others to begin and/or end at the marina. It needs to be marketed as a place of interest for all age ranges. Anyone visiting Brighton city should be made aware of the Brighton Marina and offered incentives for a visit. Please make recycling of waste easier also. 9/22/2019 7:14PM
- 21.** Infrastructure for electric/hybrid car charging within the residential area. Use of renewable power sources for public areas. 9/22/2019 6:59PM

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- 22.** Contribute a float to PRIDE.  
*9/20/2019 6:17PM*
- 23.** It has always been a disappointment that the water and boats are not easily visible on arrival or from many areas in the Marina. This makes it feel more like a residential development than a marina. The development of the Marina to date seems to have been piecemeal. It is very important that an overall strategic plan is developed that can be the blueprint for ALL future development both residential and commercial. With luck the Neighbourhood Forum can be part of it.  
*9/19/2019 4:56PM*
- 24.** The architectural collection of building is a total mess but it is not too late to improve. The planting in the settled community is very attractive but the arrival into the Marina is terrible. The restaurants are all mostly chains so why would anyone take a bus or car to visit them. The big empty stores should be let to youthful IT companies staff and customers would have an unique place to work and wellbeing lunch walks during the day. The car park for Asda is a total eyesore. They tried planting a few sad trees totally unsuitable for their environment and the did not water them. Good look.  
*9/19/2019 12:55PM*
- 25.** The marina should be the forerunner in environmental concerns. Providing real ways to recycle, compost, cultivate green areas. A sense of community amongst residents should be encouraged as well as a mix of people from diverse backgrounds; ethnicities, income, age etc.  
*9/17/2019 7:47PM*
- 26.** Look at how visitors will contribute to the cost of the upkeep of the marina sea wall.  
*9/17/2019 6:17PM*
- 27.** Deleted. *9/16/2019 8:46PM*
- 28.** It's nice that the marina has activities in the marina square during the summer months. However, as I live in one of the flats facing the marina square, it can hard to rest during the the day if I am working night shifts. *9/16/2019 8:33PM*
- 29.** It is very important that the Marina is a safe place for both residents and visitors.  
*9/16/2019 3:47PM*
- 30.** Deleted. *9/15/2019 11:43AM*
- 31.** Energy efficiency is high on my list. Now that the new phases have been agreed and moving forward. It would benefit old and new residential areas to share upgrades in the latest lighting efficiency possible. Joint purchases to lower costs, whilst workforce is present on the new development making use of workforce to upgrade the Marina Village areas. Having lived in both examples of this would be as follows; All public areas in Marina Village to have the latest sensor lighting, at present we have permanent lighting. Refuse areas to avail of this system also and so on. *9/16/2019 12:48PM*
- 32.** Attract more retail businesses by reducing rents! *9/16/2019 9:44AM*
- 33.** Deleted. *9/15/2019 11:43AM*
- 34.** I would like the lights at night to be dimmer as the marina is very bright at night. *9/15/2019 9:22AM*

continued overleaf

- 35.** The Inner harbour is a complete disappointment with the rusty rat infested, seagull platform shipwrecks that are dumped in the residential area. The use of the word premier is a violation, they put the Marina to shame, Please compare it with Eastbourne Marina, It looks so tired here in comparison.  
*9/14/2019 4:51PM*
- 36.** Access to and from the marina needs to be considered in line with the development within the marina and black rock and other immediate neighbouring locations.  
*9/14/2019 4:02PM*
- 37.** Continued access for disabled people, enough disabled parking. Keeping it a relatively quiet place to live, i. e. no late night clubs or venues, just restaurants. Keeping it family friendly.  
*9/14/2019 2:35PM*
- 38.** It would be beneficial to all, if any future plans can consider the marina as a whole. Instead as it is now, which makes it feel very disjointed. I sometimes wonder if the powers that be have ever looked through the marina in its entirety.  
*9/14/2019 1:32PM*
- 39.** The development of the marina has to take into account that this is also a residential area and that late night or overly loud activities during the day and evening can seriously disrupt residents if not handled well. Any music or entertainment must take this into account. Security personnel should be present to ensure that residents rights are respected at all times and that anti-social behaviour is discouraged and not just notified for later attention.  
*9/14/2019 9:59AM*
- 40.** I may have missed the question but does the Plan include promoting an 'active land based community'? This was perhaps covered in the 'community use' question but I read that in terms of providing physical space for the wider community and not seeking to foster a good community spirit amongst the residents. Apologies if I got this wrong.  
*9/14/2019 8:31AM*
- 41.** The entrance to marina is a disgrace and has been for years! It would be so nice to have a smart, welcoming, modern entrance!  
*9/14/2019 5:47AM*
- 42.** See previous comments. Look at improving the access to the marina ..... paint or perhaps let Ivy grow up the walls on the public side of access to the Marina. Control Boat Working noise Weekends.  
*9/14/2019 5:25AM*
- 43.** Avoid social housing.  
*9/13/2019 6:47PM*
- 44.** More businesses signing up to the Marina Gold card.  
*9/13/2019 5:23PM*
- 45.** Just being as green as possible which I think you are doing.  
*9/13/2019 4:44PM*
- 46.** Adequate parking for non residents.  
*9/13/2019 4:18PM*
- 47.** Entrance to the Marina needs to look more inviting with better signage from the beach area.  
*9/13/2019 2:38PM*
- 48.** All the public events happening in Marina Square really disturb the residents in the area, Brighton Marina should consider this, sometimes very loud music, people shouting, the noise is unbearable, and it is not fair the residents in the buildings

continued overleaf

around the square has to suffer the annoyance, it is very unacceptable. Another location should be found for this that respect all residents. Also the security should be more alert during the night, in the square people getting out of the pub and other visitor sitting in benches and speaking really loud in the middle of the night. This is a resident area, not a tourist attraction venue.

9/13/2019 2:27PM

**49.** Deleted. 9/13/2019 12:43PM

**50.** Apart from a few chain restaurants, which are pretty bad, Brighton Marina has nothing to bring people to come down for. retail has been suffering for years, which is impacting independent restaurants and shops. I really don't understand how most of the retail shops can be left empty, it looks like a ghost town to tourists and it wont bring them back or want to tell their friends and family about their experience. its depressing for local residents as there is nothing to do!! there are no events anymore, apart from the bungie jump and the large screen, but even that had very few people this year. we need to get some really good shops in the Marina. I would like someone to please explain to me why the retail can't be like Gunwharf Quays?????? i could go on and on for quite some time about how poor the Marina is at the moment and has been for some time! reduce the rents to give the shops and independent restaurants a chance... big units don't stay long! 9/12/2019 5:25PM

**51.** The lighting around the Marina at night has become excessively bright. It's a

battle even with Blackout curtains. Otherwise its a lovely place to live, Village square has nice open spaces, the lawn deck chairs, bean bags and table tennis all great, It doesn't feel rammed or bleak like the news builds round the train station. The place is clean, nice landscaping, flowers, 24hr security team is a huge plus too. A quicker Bus (the X7 seemed a good idea) would be nice, also a taxi rank somewhere would be nice.

9/13/2019 11:00AM

**52.** If it is within the remit, better dispensers for poo bags, as the existing ones are very difficult to get bags out of. In France they have them on an upright flat surface, with a movable plastic flap over the front to prevent bad weather damaging them. Penalties to prevent cyclists from scything past dog owners and walkers with children and being forced by gates to dismount by the cafe, as most seem not to be able to read! Very dangerous, as often cannot hear them with wind in ones ears. Leaving the temporary access to the path behind the boatyard, as that cuts off a sizeable corner when there's a downpour! Installing cameras in public areas and The Strand for added safety.

9/13/2019 8:02AM

**53.** Can other members of the family at the same address complete the questionnaire or is it only one response per household?

9/12/2019 10:15PM

**54.** I think that the environmental impacts, especially with regards to the sea, should be the biggest priority. 9/12/2019 8:43PM

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- 55.** Improve the security install-more cameras all around especially in the carparks provide parking space for the employees of the marina improve the signage of our businesses. 9/12/2019 7:52PM
- 56.** I think it would be a good idea if all residents were given a pass to display on their dashboard to use when parking in a visitor space whether weekends or weekdays. The 'scratch' card could then be given to residents' visitors to use both weekdays and weekends. Ensuring that it is only residents and their visitors who park in the 'visitor' spaces. The majority of 2 bedroom properties have 2 cars. It would then ensure that the residents can park both of their cars easily all week and at weekends. 9/12/2019 7:45PM
- 57.** 1/ I would like to see more green space/ tree planting etc. 2/ The Asda / Shopping / Commercial area is ugly and gives a very poor impression. It feels cold, run down, neglected and low class. It's a terrible shame because there is so much untapped potential here. I over heard a visitor saying it was the most ugly Marina she had ever visited. 3/ The area next to McDonald's (bus stop) is particularly bad. Such a mess. Did anyone actually design this area? It doesn't look like it. What a dreadful lasting impression to give visitors using the bus – McDonalds associated anti social behaviour, dumpsters, junk from weather spoons, poorly created paving and steps area. Awful. 4/ Please consult with a decent town planner and image consultant. What are we trying to be here? What is our image? What is our purpose and function? The Marina needs an overall future plan and every decision made should fit with the plan otherwise it shouldn't happen. Some of the public areas are in very bad taste. The ever deteriorating fake palm trees for example. Why don't we just plant some real trees? The bins are plastic and ugly. Why not quality metal ones? The odd red / orange lighting. Why? The roundabout at times gets turned into a marketing car park with cars "for sale". So ugly and tacky. Such a shame. I think some design advice from somewhere like Gun Wharf Keys or Bicester Village would be a good idea during the planning stages. Thank you. 9/12/2019 5:25PM
- 58.** Provision of more late night open venues. After 11pm, the marina empties. 9/12/2019 4:48PM
- 59.** A doctors surgery Regular market not just a car boot. There used to be a very good Sunday market held in the car park. 9/12/2019 4:42PM
- 60.** Brighton Marina needs to become a "go to" area for any visitor to Brighton and for the local community. 9/12/2019 2:47PM
- 61.** I would like to see an attractive outdoor space that serves the residents of the marina. A sociable space that facilitates, picnics, sunbathing, fitness related activities (Yoga, pilates, outdoor all weather fitness machines), entertainment facilities (eg outdoor screen/small stage), that allows responsible use of alcohol amongst families and adults. The area

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would be attractively designed primarily to service the marina neighbourhood, with perhaps all weather artificial grass & sand to compliment the coastal setting. Also some mixed use sporting facilities, such as Tennis. 9/12/2019 2:39PM

- 62.** Keeping the Marina tidy, clean, and painting where necessary. Keeping pavements and walkway in good condition. Uphold the rules with cyclists on Boardwalk along with penalties for pet excrement too. Limit dogs in cafes and eating areas. The Marina is too dog friendly. Dogs don't swim or sail boats. 9/12/2019 12:49PM
- 63.** Asda the large supermarket brings in a certain demographic of people here from the working class to a certain calibre of immigrants to the drunk and homeless, in comparison to the amount of money boats cost to buy and the cost of rent this to us this doesn't make sense it also doesn't seem fair. We would like to see the marina with higher quality, more shrubs, colour, less restaurant chains and more independent restaurants and cafes along with unique shops -retail chains would destroy the spirit of the marina and attract certain people. The Marina is in need of a bit of identity and soul as does have a lot of potential with the correct management. Certainly not more large buildings. Just to add to my statement we regularly see homeless people who have urinated on themselves asleep outside Asda, along with a ton of rubbish left over because of the standard of people attracted to this supermarket. We would love to see a John Lewis or

even a Sainsbury's here. Please Please consider residents before building. Some of us have very important jobs and we dont need undisturbed sleep. 9/12/2019 11:44AM

- 64.** The limited bus stops issue is critical – it takes me about an hour to get to brighton walking to the bus and then on the bus which is ridiculous - as a result I drive unless I can't which is not good for the environment. 9/12/2019 11:12AM
- 65.** Security to be more active in silencing noisy, drunken revellers after 11pm. It would be beneficial if the Security Office were situated closer to the main residential area. 9/12/2019 10:32AM
- 66.** More variety of food shopping. To let the empty shops would be good for visitors as they used to be. More trees etc to look more green. Good security. 9/11/2019 4:59PM
- 67.** Nothing to add. 9/5/2019 10:41AM

## **Appendix 3**

# **Comments from City Council**

## **BHCC Officer Comments on the Regulation 14 Stage Draft Brighton Marina Neighbourhood Plan**

### **(Comments from BHCC were endorsed by the TECC Committee members on 9th March 2023)**

Brighton & Hove City Council welcomes the opportunity to comment on the Brighton Marina Neighbourhood Plan (NP) at the draft Regulation 14 stage. We would like to acknowledge the work that the Neighbourhood Forum has put into drafting the Plan and strongly encourage the Forum's ongoing neighbourhood plan work.

Officers have set out several general comments on the NP below. This is followed by a schedule of detailed comments cross-referenced to specific policies and paragraphs in the draft NP. The comments reflect the views of relevant officers from several different council services.

## **General comments**

The Plan should refer to the City Plan Part One and City Plan Part Two policies throughout, particularly where the policies are complementary. The Examiner will expect to see paragraphs numbered in the Plan to easily refer and make comment on different sections.

One of the Basic Conditions that the NP must meet is that it is in general conformity with the strategic policies in the City Plan. NP policies should therefore be presented as supporting and enhancing City Plan policies particularly, where policies have already been adopted in the City Plan Part One and Two and should not appear to conflict with adopted City Plan policies. Examples of where this appears not to be the case is NP Policy BM8 Community Facilities which repeats much of CPP2 policy DM9. The identified ASDA pharmacy would be difficult to safeguard as this is a section of the wider ASDA supermarket. The identification of the Master Mariner Public House would also not be appropriate as this would not be in conformity with the adopted CPP2 policy DM10 Public Houses.

## Specific comments on the Draft Neighbourhood Plan

Paragraph/Policy	Comment
Page 13 “National Policies”	<b>Typo</b> “It comments that the purpose of the planning system is to contribute to the achievement of sustainable development.”
Page 14 “Local policies”	<b>Update text</b> “The City Plan Part 2 is now at an advanced stage. It was submitted for examination in May 2021 and the inspector’s report was received in July 2022. Was adopted in October 2022. It has been designed to complement Part 1 of the Plan and to provide more specific details site allocations and development management policies.”
<b>Introduction</b>	<b>Wording</b> “Further major development at the Marina is envisaged within the Brighton & Hove City Plan.” could be amended for clarity
<b>National policies,</b> page 15	<b>Typos:</b> “In comments that the purpose of the planning system is to contribute to the achievement of sustainable development”
Page 15 <b>Policy BM1: Design</b>	<p><b>Suggest wording amendment:</b></p> <p><b>Bullet 5</b> “any development must should retain and improve the setback distance from the water’s edge to improve pedestrian access and permeability adjacent to the waterside.”</p> <p><b>Suggest wording amendment:</b></p> <p><b>Para 4</b> “Proposals for major development should be designed so that they integrate into take into account the layout, form and density of the wider composition and layout of the Marina. Regard should be given to connectivity both within the development and as it relates to pedestrian and traffic flows in/ out of and around the marina.</p> <p><b>Suggest wording amendment to link to City Plan policies:</b></p> <p><b>Last Para</b> “The policy approach also takes account of the ongoing work of the Building Better, Building Beautiful Commission, National Design Guide and the National Model Design Code. More detailed area-specific design principles should be set out as part of a future masterplan and design code to support this Neighbourhood Plan as well as City Plan Policies CP12 Urban Design and DM18 High Quality Design and Places.”</p> <p><b>Comment:</b> Consider reference to SPD17 UDF</p>

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## Specific comments on the Draft Neighbourhood Plan

Paragraph/Policy	Comment
<p>Page 17</p> <p><b>Policy BM2: Public Realm / Open Spaces</b></p>	<p><b>Suggest wording amendment:</b></p> <p>“Safety and Surveillance: all new elements of public realm should be designed and laid out so that they would be safe to all users during the day and the night</p> <p><b>Suggest wording amendment:</b></p> <p>“Attractiveness: all new elements of Public realm should be designed and laid out in an also be attractive way to and meet the needs of both local residents, and boat owners using the Marina and other visitors. Proposed developments which do not demonstrate appropriate responses to these design principles will not be supported.”</p> <p><b>Suggest wording amendment:</b></p> <p>“This Plan recognises that new development does not necessarily need to address existing issues with the wider public realm. Nevertheless, n New developments which provide solutions which delivers improvements to public realm in the Marina to any such issues will be particularly supported. Proposals for incorporating public art within into the wider public realm will be welcomed.”</p> <p><b>Suggest wording amendment:</b></p> <p>“The policy approach also takes account of the ongoing work of the Building Better, Building Beautiful Commission, National Design Guide and the National Model Design Code.”</p> <p><b>Comment:</b> SPD17 Urban Design Framework (UDF) is applicable to all levels of design including the network of streets, open spaces, and public realm design (National Design Guide: Space Between Buildings).</p>

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## Specific comments on the Draft Neighbourhood Plan

Paragraph/Policy	Comment
<p>Page 18</p> <p><b>Policy BM3: Connectivity</b></p>	<p><b>Suggest wording amendment:</b></p> <p>“Connectivity: all new elements of public realm should be designed and laid out so that they are connected in a sensitive, legible and imaginative way both to and secure improved connectivity across the development and wider area and adjacent its related development and to other adjacent developments and associated public realms.”</p> <p><b>Suggest wording amendment:</b></p> <p>“Improving the pedestrian access from the beach and/ Black Rock site.”</p> <p>Could reference the Eastern Seafront Masterplan and links to this in NP.</p>
<p>Page 19</p> <p><b>Policy BM4 Residential Development</b></p>	<p><b>Suggest wording amendment:</b></p> <p>Proposals for new residential development will be supported where it delivers where they help to deliver the strategic allocation for the Marina as identified in City Plan Part One Policy DA2</p> <p><b>Suggest wording amendment:</b></p> <p>‘Access and Permeability’</p> <p>“new developments should secure improved legibility, should contribute towards improved legibility, permeability and connectivity for pedestrians within and to the Marina and the surrounding areas through high quality building design, townscape and public realm;</p> <p><b>Comment:</b></p> <p>Design terminology like ‘legibility’ and ‘permeability’ are quite technical, so these terms should be clearly defined and explained in a Glossary.</p>

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## Specific comments on the Draft Neighbourhood Plan

Paragraph/Policy	Comment
<p>Page 19 <i>continued</i>  <b>Policy BM4 Residential Development</b></p>	<p>Design terminology like ‘legibility’ and ‘permeability’ are quite technical, so these terms should be clearly defined and explained in a Glossary.</p> <p><b>Suggest wording amendment:</b>  ‘Housing Type and Mix’,  “new developments should provide for a mix of dwelling type, tenure and size to cater for a range of housing requirements, including affordable housing and to improve housing choice in accordance with City Plan Policies CP19 and CP20”</p> <p>As it currently stands, the policy wording is unhelpful for applicants as it doesn’t identify what types of housing are needed to improve housing choice or explain how applicants should go about demonstrating this</p> <p><b>Suggest deleting the final sentence</b> “Proposed developments which do not demonstrate appropriate responses to these design principles will not be supported.” as it is unnecessary to state this.</p> <p><b>In supporting text, 2nd paragraph, 1st sentence, suggest inserting</b>  Securing an appropriate mix of housing types, including affordable housing in new development at the Marina is an important element of the policy. It takes account of community feedback in Autumn 2019 and the range of housing and affordability issues in the City in general, and in the Marina in particular.</p> <p><b>Comment:</b> High Quality Design:  <b>Second bullet:</b> “excellent use of durable materials” – what does ‘excellent use’ mean?</p>

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## Specific comments on the Draft Neighbourhood Plan

Paragraph/Policy	Comment
<p>Page 20</p> <p><b>Policy BM5: Natural Environment / Marine Wildlife</b></p>	<p>Mitigation of Flood Risk:</p> <p><b>Comment:</b> Policy seems to be in general compliance with NPPF and CPP1 Policies DA2.11 and CPP2 policy DM39 but may need more clarity on sustainable urban drainage give surface water flooding issues and regard to CPP2 policy DM43.</p> <p>Should it be ‘comply’ or ‘have regard to’?</p> <p>Queries:</p> <p>“All new development should comply with the Sea Defence Management Plan of the Brighton Marina Estate Management Company*. A Flood Risk Assessment will be required for proposals for new build development”</p> <p>*Would suggest this part of the policy should also make reference to new development needing to have regard to the relevant Shoreline Management Plan and Brighton and Hove City Council Strategic Flood Risk Assessment and the council’s SUDs SPD?</p> <p>Note that the B&amp;H SFRA Level 2 Site Assessment is relevant and specified that at the planning application stage, a site-specific Flood Risk Assessment will be required if any development is located within Flood Zone 2 or 3 and/or Surface Water Flood Zones.</p> <p>Therefore query ‘all development’ – is FRA required for those small, isolated areas northwest corner that are within FZ1?</p> <p><b>Note:</b></p> <p>NPPF para. 164b specifies that development should be safe for its lifetime taking account of the vulnerability of its users...</p> <p>See also NPPF para 167 a)-e) also specifies that development should only be allowed in areas at risk of flooding, where it can be demonstrated that the most vulnerable development is located in areas of lowest flood risk; the development is appropriately flood resistant and resilient ...etc</p> <p>This is also expressed in DA2.1.d) for the Brighton Marina Inner harbour site allocation.</p>

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## Specific comments on the Draft Neighbourhood Plan

Paragraph/Policy	Comment
<p>Page 20 <i>continued</i>  <b>Policy BM5: Natural Environment / Marine Wildlife</b></p>	<p>Section on “integrity of the cliffs”.</p> <p><i>Suggested change as follows to ensure compliance with DM37:</i></p> <p>New developments should demonstrate that their proposals do not impact adversely on the visibility or stability of the cliffs avoid impacts on the cliffs located to the north of the Marina. The cliffs are protected noted for their unique and irreplaceable geological features, being designated as the Brighton to Newhaven Site of Special Scientific Interest and Friar’s Bay to Black Rock Marina Local Geological Site.</p> <p>Suggest including a new section on Biodiversity.</p> <p>New development should avoid adverse impacts on biodiversity in accordance with the mitigation hierarchy, conserves and enhances existing biodiversity, achieves a Biodiversity Net Gain and complements UNESCO Biosphere objectives.</p> <p>This section could also include a reference to the Brighton Marina Local Wildlife Site.</p>
<p>Page 21  <b>Policy BM6: Cafes, restaurants and other commercial facilities</b></p>	<p>Suggest changing the title of the policy to “Commercial &amp; Leisure Facilities”.</p> <p>Would suggest removing text that says, “in so far as planning permission is required”.</p> <p>Appreciate that this policy has specific reference to harbour/ marine activities however, not sure if the policy is required because it seems to repeat some of adopted CPP2 policy DM14 Commercial and Leisure Uses at Brighton Marina and CPP1 policy DA2.</p>

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## Specific comments on the Draft Neighbourhood Plan

Paragraph/Policy	Comment
<p>Page 22</p> <p><b>Policy BM7: Energy use, waste minimisation and recycling</b></p>	<p>“Development proposals should demonstrate the highest standards of energy use, waste minimisation and recycling.”</p> <p>Comment: It would be useful to say if this relates to the construction period, the completed buildings, or both.</p> <p>“which incorporate zero carbon construction energy initiatives”</p> <p>Comment: Fully support the intention here, but it is very difficult to identify “zero carbon” in construction and energy and it might be confusing to developers. Would suggest saying “low or zero carbon initiatives”. Again, it would be good to clarify if this relates to the construction period or the completed buildings, or both, and to separate out building fabric and energy systems / initiatives.</p> <p>Could include reference to CPP1 policy DA1.3 – opportunities for low and zero carbon decentralised and heat networks</p> <p>“All new residential development must include charging facilities for electric vehicles in all parking spaces provided”.</p> <p>This requirement is now incorporated in Building Regs Part S. No harm having it in the document</p>

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## Specific comments on the Draft Neighbourhood Plan

Paragraph/Policy	Comment
Page 23 <b>Policy BM8: Community Facilities</b>	<p>Policy seems to duplicate much of CPP2 policy DM9.</p> <p>Amended response Feb 23 for Clarification:</p> <p>In planning policy terms, it would be difficult to safeguard the pharmacy as this is an in-store facility, which is part of the wider ASDA supermarket. Whilst the identification of The Master Mariner Public House is supported in principle as an important community facility at the Marina, it is considered that its placement in draft policy BM8 would provide less protection than that afforded by the CPP2 policy DM10 Public Houses. The adopted local plan policy requires the demonstration of both a lack of viability and that the local community no longer needs the public house and that alternative provision meeting a similar need existing in the locality. Given that the policies of the Neighbourhood Plan, once made, would take precedence over non-strategic policies in the City Plan (e.g. CPP2 DM10), the protection of the Master Mariner pub could be weakened by the proposed Neighbourhood Plan policy.</p>
Page 25 <b>Community Action BMCA4: Air Quality</b>	<p>What is the highest possible standard? How will it be assessed?</p>

## Appendix 4

# Responses to comments from City Council

## Brighton Marina NDP

### Comments on City Council Responses

#### General Comments

The Plan should refer to the City Plan Part One and City Plan Part Two policies throughout, particularly where the policies are complementary. The Examiner will expect to see paragraphs numbered in the Plan to easily refer and make comment on different sections.

The Plan has been prepared to be in general conformity with the strategic policies in the City Plan. There is no need for a neighbourhood plan policy to make reference in a mechanical way to policies in the development plan. In any event this referencing is included in the Basic Conditions Statement.

*No change*

#### Specific Comments

Detailed changes and updates to pages 14/14/15/Introduction

*Agreed*

*Alter*

#### Policy BM1 Design

Changes to paragraph 4

*Agreed*

*Alter*

Change to final paragraph to broaden the scope of the policy and to produce a future master plan and design brief

*Not agreed.* A neighbourhood plan can include whatever policies it wishes. There is no need produce a future master plan and design brief and the Forum is satisfied that the combination of policies in the City Plan and the Neighbourhood Plan are sufficiently robust to allow planning applications to be determined in a plan-led fashion.

*No change*

#### Policy BM2 Public Realm/Open Spaces

Detailed word changes

*Agreed*

*Alter*

#### Policy BM3 Connectivity

Detailed word changes

*Agreed*

*Alter*

#### Policy BM4 Residential Development

Detailed word changes

*Agreed (in the main).* However, there is no harm in setting out the implications of a development which does not meet the required standards.

*Alter (in the main)*

continued overleaf

## **Policy BM5 Natural Environment**

Detailed word changes

Suggestions about broadening the policy

Some of the proposed word changes have been included in the policy. Others are not considered necessary.

The comments on an extended policy are noted. However the Forum is satisfied that the policy addresses the issues which it and the local community want to see addressed in the Plan

*Alter the relevant wording*

## **Policy BM6 Cafes and restaurants**

Detailed word changes

The policy has been designed to reflect the considerable flexibility which now exists in the Use Classes Order for the use of commercial premises without the need for planning permission

*No change*

## **Policy BM7 Energy Use**

Detailed Comments

Specific comments on charging facilities for EV in car parking spaces

The policy was designed to be general in nature. As such the detailed comments are not needed to allow the Plan to meet the basic conditions.

The addition of comments about EV charging points would be helpful and corresponds with best practice. The policy has also been revised

to take account of other comments about its relationship with Appendix 2 of the City Plan Part 2.

*No change generally*

Include an element in the policy about EV charging in car parking areas associated with new housing

## **Policy BM8 Community Uses**

Specific comments on the Asda Pharmacy and the Master Mariner PH

The policy has now been revised so that the reference is to community facilities in a general sense rather than to specific facilities.

## Appendix 5

# Comments from Outer Harbour Development Company Partnership (OHDCP)



65 Gresham Street  
London  
EC2V 7NQ, United Kingdom  
T: +44 20 7911 2500  
avisonyoung.com



Our Ref:

Your Ref:

22 December 2022

Brighton Marina Neighbourhood Forum  
c/o the Marina Administration Office  
Brighton  
BN2 5UF

Dear Brighton Marina Neighbourhood Forum

### **Representations to the Regulation 14 Consultation on the Brighton Marina Neighbourhood Plan**

We write on behalf of our client, the Outer Harbour Development Company Partnership LLP (OHDCP), to provide representations to the above consultation.

The OHDCP is supportive of the principle of preparing a Neighbourhood Plan (NP) for the area, however we have a number of comments, as set out below, which we hope the Forum find helpful.

#### 1. Role of the NP in the Framework of Existing Policy and Guidance

The Marina is subject to multiple layers of existing planning policy and guidance comprising: the National Planning Policy Framework (NPPF) (and associated Planning Practice Guidance (PPG)); the Brighton and Hove City Plan Part 1 (CPP1) and Part 2 (CPP2); The Brighton Marina SPG20 (Volumes 1 and 2); and Planning Advice Note (PAN) 4 (the Brighton Marina Masterplan). The various documents that make up this framework of policy and guidance are not entirely consistent with one another which creates uncertainty and confusion for applicants, decision-makers, and the public when trying to apply them together as a whole. The adoption of a NP with its own set of site-specific policies will add a further document (layer of policy) into this framework which risks adding further confusion, and prejudicing the effectiveness of the NP unless carefully managed.

In order to address this, we recommend that the Planning Policy Context section of the NP provides a much clearer explanation of how the NP will sit within this existing framework of policy/guidance, including its role in informing the SPD required by CPP1 Policy DA2. We recommend that the content in the supporting text to Policy BM4 regarding the new SPD (including that it will replace SPG20 and PAN04) should be brought forward to the Planning Policy Context section.

#### 2. Reference to the Part-Implemented Consent (Outer Harbour Site)

As referred to in CPP1 Policy DA2, the Outer Harbour site is subject to a part-implemented planning permission (ref. BH2006/01124), which, in total, allows the phased development of 853 homes in buildings ranging from 6 to 40 storeys alongside non-residential uses:

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continued overleaf

## Comments from Outer Harbour Development Company Partnership



- Phase 1 has been completed. This includes the 'Sirius' and 'Orion' buildings which accommodate ground floor commercial uses with residential above (195 homes) in buildings of up to 9-storeys with basement car parking; and
- Phases 2 and 3 have not yet commenced. These comprise 658 homes and associated non-residential uses in 9 buildings of 6-40 storeys.

This should be treated as a 'commitment' in planning terms which could be implemented in full and therefore is an important material consideration in the preparation/determination of any planning applications within the NP area. We recommend that for completeness, content that describes/explains this (as set out above) is added to the introductory sections of the NP.

### 3. Detailed Comments on Policies BM1 to BM8

In reviewing NP Policies BM1-8, our key consideration is whether they satisfy the Basic Conditions (as set out at paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990), particularly with regards to whether they are in general conformity with the strategic policies set out in the adopted City Plan.

We have also had regard to the importance of ensuring that the policy wording is clear, unambiguous, justified, and achievable in the interest of ensuring the effectiveness of the policies. Our comments are set out below:

- There is repeated reference throughout the document to '**adding value**' as being one of the main aims of the NP. This term is ambiguous in the planning sense. We recommend that this wording is revised or clarification is given as to its intended meaning for the purposes of the NP. For example, one interpretation would be that it seeks to secure gains against the 3 objectives of sustainable development (economic, social, and environmental).
- The roads within Brighton Marina are under multiple private ownerships which poses a constraint on the practical ability of individual landowners to improve connectivity/permeability (particularly for pedestrians and cyclists) across/within the Marina itself. As a consequence, we recommend the following minor amendments (shown as tracked changes):
  - o **Policy BM2** ..... '*should demonstrate good connectivity between buildings and spaces within the Marina and wider area **insofar as is reasonably practicable***'
  - o **Policy BM3**..... '*all new elements of public realm should be designed and laid out so that they are connected in a sensitive, legible, and imaginative way both to its related development and to other adjacent developments and associated public realms **insofar as is reasonably practicable**. Development proposals will be welcomed which address the difficulties for pedestrians getting around the Marina, in particular:*
    - *Joining up the coastal path through the marina*
    - *Making it possible to walk around the marina in a safe, pleasant environment*
    - *Improving the pedestrian access from the beach/Blackrock*
  - o **Policy BM4**..... '***insofar as is reasonably practicable**, new developments should secure improved legibility, permeability and connectivity for pedestrians within and to the Marina and the surrounding areas through high quality building design, townscape and public realm*

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## Comments from Outer Harbour Development Company Partnership



- **Policy BM5** states that '*new developments should demonstrate that their proposals do not impact adversely on the **visibility** ..... of the cliffs*'. CPP1 recognises that the cliffs are nationally important for their geological interest and that they form part of a designated SSSI, however there is nothing in the strategic policies that requires the **visibility** of the cliffs (an entirely different matter) to be maintained. We consider there to be no planning reason to protect the visibility of the cliffs, nonetheless if the NP is to retain this policy requirement, evidence should be provided to justify why visibility of the cliffs is necessary in planning terms. Furthermore, the wording is currently ambiguous – it should be revised to clarify from where (i.e. what viewpoint(s)) visibility should be maintained, which should be underpinned by the evidence referred to above.
- **Policy BM7** requires that '*development proposals should demonstrate the **highest standards** of energy use*'. The term 'highest standards' is ambiguous. We recommend that this is revised to clarify specifically what standards development proposals should demonstrate. For consistency purposes, we recommend signposting to CPP1 Policy CP8 which sets out clear city-wide standards.
- **Policy BM7** requires '*charging facilities for electric vehicles in all parking spaces provided*'. This is not in general conformity with the parking standards set out in CPP2 which requires 10% actual plus 10% passive provision, nor is any evidence provided to justify deviating from the city-wide policy. We recommend that this requirement is amended to tally with CPP2 Policy DM36 (Parking Standards at Appendix 2).

We hope that the above comments are helpful, however please do not hesitate to get in touch should you have any queries.

Yours sincerely

A handwritten signature in cursive script that reads "Nick Alston".

**Nick Alston**  
**Principal**  
**+44 (0)20 7911 2056**  
**nick.alston@avisonyoung.com**  
**For and on behalf of Avison Young (UK) Limited**

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## Appendix 6

# Responses to comments from OHDCP

## Brighton Marina Neighbourhood Plan

### Response to Comments from Outer Harbour Development Company Partnership

#### General Comments – Wording

The Plan has now reached an advanced stage. The purpose of the pre-submission Plan was to allow all concerned to comment on its proposed approach and policies. Earlier phases of the preparation of the Plan had allowed a broader debate on the role, purpose, content, and wording of the Plan.

The Forum acknowledges that the Plan will be considered against the basic conditions which include having regard to national planning policy and being in general conformity with the strategic policies in the development plan (The City Plan Parts 1 and 2). The wording of the Plan and its policies is one for local discretion and there is no prescribed format for a neighbourhood plan. In addition, the Basic Conditions Statement makes the connection between the policies in the submitted Plan and those in the City Plan.

#### General Comments – The application of policies

The representation suggests that Policies BM2-4 should be applied wherever practicable.

Both Policies BM2 and BM4 have been drafted to that they can be applied on a proportionate basis. However, for completeness, wording about the practicability of the policy will be included in the relevant elements of supporting text in the submission version of the Plan.

#### Reference to part implemented consent at the Outer Harbour

This information will be included in the submission version of the Plan.

#### Policy BM5

The comments are noted. Nevertheless, the Forum is satisfied that the policy has been properly prepared and meets the basic conditions. Several of the other representations have supported the approach taken.

*No change.*

#### Policy BM7

Both the comments are noted.

*The policy in the submitted Plan will be amended accordingly.*

**Note:** Additional changes are included in the submission version of the Plan based on comments received from other persons and organisations and as listed as separate appendices in this Consultation Statement.

## Appendix 7

# Comments from Local residents & workers/ responses

Table of responses to Regulation 14 Consultation on the Draft Neighbourhood Plan submitted using survey form online or on paper.

December-January 2023.

The number alongside each respondent comment refers to a specific respondent. Responses are anonymised and the forum retains a list matching the numbers shown here to specific respondents.

### Policy BM1: Design

- 1. Respondent comment:** The approach to the Marina is like a concrete jungle, and currently restaurants and shops are closing making the area less attractive for residents and visitors.

**Response to Comment:** Noted. Addressed in other policies.

**Action Taken:** None.

- 2. Respondent comment:** Too brief. Lacks sufficient details Should not allow skyscrapers or caravans in the neighbourhood.

**Response to Comment:** The Plan has been designed to address a specific range of issues.

**Action Taken:** None.

- 4. Respondent comment:** Particular attention should be paid to the density of residential development.

**Response to Comment:** Noted. Addressed in Policy BM1.

**Action Taken:** None.

- 7. Respondent comment:** There is no detail given. Having gone on line and looked at other Neighbourhood plans, this plan is vague and could lead to many different interpretations. Insufficient regard to the Brighton Marina Act and the paramount purpose of this neighbourhood is that it is a Marina. Further no mention has been given that the Marina has been neglected with poorly managed in that Landsec have failed to maintain and promote which has had a detriment effect on the viability of the Marina. This Plan could apply to any village, city or suburb in UK and is not specific to the Marina.

**Response to Comment:** The Plan has been designed to address a specific range of issues.

**Action Taken:** None.

- 14. Respondent comment:** Yes – Rather than reclaiming more land at the rear of David Lloyd, perhaps focus upon the existing poorly designed buildings at the Commercial end of the Marina for redevelopment. The David Lloyd building, Casino and Bowling Alley are poorly designed and poorly built yet take up a prime location within the Marina. Is there not an opportunity to re imagine that large area, remove the buildings and include a new gym and leisure facilities within the new development planned for this area?

continued overleaf

**Response to Comment:** Noted.

**Action Taken:** None.

- 15. Respondent comment:** The marina looks very disjointed and that each area of the marina looks different.

**Response to Comment:** Noted.

**Action Taken:** None.

- 16. Respondent comment:** There is no mention of the plan maintaining 'access to the sea' the main aim for a marina! There is no doubt that the changes to the marina entrance to allow the building of the residential blocks has affected the water flow into the marina and therefore the silting – seriously changing the depth of water within the marina.

**Response to Comment:** This is addressed in several of the policies.

**Action Taken:** None.

- 23. Respondent comment:** Can a greening up of the environment be included? It's been great to see the more interesting planting along the restaurant strip this last year, and the sunflowers by Asda's carpark. Asda is pretty lamentable at maintenance of its planting, especially by not watering during dry summers ie every summer. A few years ago, the lines of young trees planted in their carpark were allowed to die, again through lack of watering. Pretty unimpressive. The original planters etc around the entire marina are very few and very unimaginative. Much more, for example, could be made of the Laughing Dog Square (a very successful business) which has the fountain in the centre.

**Response to Comment:** Noted.

**Action Taken:** None.

- 25. Respondent comment:** Should be more about the residents than the public.

**Response to Comment:** Noted. The Plan is for all users of the Marina.

**Action Taken:** None.

- 31. Respondent comment:** I'm concerned about the 'Landmark building' and what that constitutes. Does it mean a tower block (not ideal) or something like the Spinnaker Tower in Portsmouth (which could be interesting). The older building past the barrier, is the nicest style – more like that, not the big blocks.

**Response to Comment:** Noted.

**Action Taken:** None.

- 44. Respondent comment:** No New buildings whatsoever.

**Response to Comment:** This would be contrary to national and local policies.

**Action Taken:** None.

## Policy BM2:

### Public realm/open spaces

- 1. Respondent comment:** Better lighting is required in some parts of the Marina.

**Response to Comment:** Noted.

**Action Taken:** None.

- 2. Respondent comment:** Need more details and clarification.

**Response to Comment:** The Plan has been designed to address a specific range of issues.

**Action Taken:** None.

- 5. Respondent comment:** The concrete that surrounds you when entering and

continued overleaf

leaving the Marina is ugly; whether by foot, or vehicle. It could do with a Jet Wash to return it to its original colour, which would also reveal the texture. The swift removal of any graffiti would also be welcome.

**Response to Comment:** Noted.

**Action Taken:** None.

- 7. Respondent comment:** No thought has been given to the public realm/open spaces - where are the ideas to move forward. How can the public vote on such vague concepts - of course we want safe and attractive. Does this mean you could put a caravan park in the middle of The Strand if it was safe and nicely parked?

**Response to Comment:** This is addressed in Policy BM2.

**Action Taken:** None.

- 9. Respondent comment:** Public Realm and the safety and security of any development is key to its future success.

**Response to Comment:** Noted and agreed.

**Action Taken:** None.

- 11. Respondent comment:** The roads within Brighton Marina are under multiple private ownerships which poses a constraint on the practical ability of individual landowners to improve connectivity/ permeability (particularly for pedestrians and cyclists) across/within the Marina itself. As a consequence, we recommend that the text in the first paragraph of the policy is amended to read as follows: " ... should demonstrate good connectivity between buildings and spaces within the Marina and wider area insofar as is reasonably practicable".

**Response to Comment:** This has been incorporated into the supporting text of Policy BM2.

**Action Taken:** Incorporated.

- 14. Respondent comment:** The Marina needs an overall design scheme / vision. Currently it is made up of lots of fragmented design ideas and as a result looks very messy. The residential area has achieved this well, however the commercial area is ugly. Many visitors walk around the area baffled as to where they are supposed to go and what they are supposed to do. There needs to be an overall master plan to pull the entire estate "together". This may include removing some of the less successful poorly designed/built buildings and starting again. The Harvester, The Greek Restaurant, gym, Casino, bowling alley. None of these are successful buildings and bring little to the overall look and feel of the place.

**Response to Comment:** Noted. The Plan looks to achieve high quality design in the future.

**Action Taken:** None.

- 16. Respondent comment:** Again no mention of the water ways and water access within the marina.

**Response to Comment:** See earlier comment.

**Action Taken:** None.

- 23. Respondent comment:** The design of public spaces could be so much more ambitious, both temporary and permanent features. Christmas decorations around the roundabout for example. Seating.

continued overleaf

**Response to Comment:** Noted. These are management issues rather than planning matters.

**Action Taken:** None.

31. **Respondent comment:** There should be a nice children's playground, like there used to be in the 90s.

**Response to Comment:** Noted.

**Action Taken:** None.

44. **Respondent comment:** The ramp up from Asda should be an all weather travelator 24/7. Safety and proper lighting is vital. Include large boulevards. Restore the arches from Brighton in rapid time as it does not feel safe especially for young girls and women. Uplifting positive murals. Gold statues of positive role models eg Sally Gunnell, Chris Eubank, Magnus Volk.

**Response to Comment:** Noted.

**Action Taken:** None.

## Policy BM3: Connectivity

44. **Respondent comment:** The very garish colour of the Glowballs retail site make the marina look downmarket.

**Response to Comment:** Noted.

**Action Taken:** None.

6. **Respondent comment:** A new welcoming pedestrian route into the Marina is much needed instead of being confronted by a massive concrete carpark. At present new visitors to the Marina find it hard to find the Village and Waterfront amenities. I propose a new tree lined boulevard from the newly built Black Rock Sea wall down past David

Lloyds, the Casino and McDonalds direct to the Waterfront shops and restaurants and Marina Village.

**Response to Comment:** Noted. This may be a detailed proposals for a review of the Plan.

**Action Taken:** None.

7. **Respondent comment:** You state that the Marina is an attractive part of the City and popular with residents and visitors. If this was correct why do people park in the multi store and walk into Brighton and why have four/ five restaurants shut in the last four months. Neither Brighton Council nor Brighton Marina Group have positively promoted the Marina. Restaurants have volunteered to run a minibus service. No one has listened.

**Response to Comment:** Noted.

**Action Taken:** None.

9. **Respondent comment:** Wayfinding is important for not only the enjoyment and ease of use of the area but also to keep people safe and not find their own routes which are not always as safe to use.

**Response to Comment:** Noted and agreed.

**Action Taken:** None. None

10. **Respondent comment:** As well as pedestrians, cycle access and routing should also be emphasised. The dominance of cars in the design of the Marina has been a negative thing and the balance needs to be redressed. Public transport is unlikely to mean anything other than buses and cycling into the City from the Marina generally takes around

continued overleaf

half as long as the bus, along one of the few cycle lanes in the city, so it would be appropriate to make the Marina good for cycling to join up with the Madeira Drive cycle lane and make cycling between the Marina and the City more attractive.

**Response to Comment:** Noted.

**Action Taken:** None.

- 11. Respondent comment:** The roads within Brighton Marina are under multiple private ownerships which poses a constraint on the practical ability of individual landowners to improve connectivity/ permeability (particularly for pedestrians and cyclists) across/within the Marina itself. As a consequence, we recommend that the text in the first paragraph of the policy is amended to read as follows: 'All new elements of public realm should be designed and laid out so that they are connected in a sensitive, legible, and imaginative way both to its related development and to other adjacent developments and associated public realms insofar as is reasonably practicable.

**Response to Comment:** Noted.

**Action Taken:** None.

- 14. Respondent comment:** The undercliff walk to the rear of Asda is very poorly maintained. It's not a great start to what is a very nice feature of the Marina. The rear of Asda is a total mess as is the rear of the boat yard. There is an area full of junk with no obvious purpose. It's detracts from what should be a very nice feature.

**Response to Comment:** Noted.

**Action Taken:** None.

- 17. Respondent comment:** Although there is a reference in BM1 to "visual appeal" and in BM2 to "connectivity" in general, I think it would be helpful for there to be a specific statement that future developments should seek to enhance the visual permeability within the Marina so that views of the boats, sea, cliffs, and beaches towards Brighton and Rottingdean are improved. These views are fundamental to recognising the unique location that the Marina is in and help to orientate everyone, especially visitors, using the Marina.

**Response to Comment:** Noted.

**Action Taken:** None.

- 23. Respondent comment:** The area giving access to the Undercliff is particularly bleak - and the back of Asda could be much less trash filled.

**Response to Comment:** Noted.

**Action Taken:** None.

- 25. Respondent comment:** More focus on residents instead of public

**Response to Comment:** The plan has been prepared to respond to the needs of all concerned.

**Action Taken:** None.

- 29. Respondent comment:** I agree with policy entirely but wish to see it extended to have active travel components. The marina has great potential for active travel improvement given its location next to a national cycle route (route 2) and integrating with the Madeira Drive cycle lane and proposed Marine

continued overleaf

Drive cycle lane. The Black Rock redevelopment will include a cycle lane in the access road being built and it would be great to see this integrated into existing active travel infrastructure. I'd like to see a bus stop in the middle of The Strand (restricted to buses that are quiet and low emissions or electric). It's a 10-minute walk from my property to the bus stop outside McDonalds. That is a significant distance for those with limited mobility and it significantly reduces the convenience of taking the bus.

**Response to Comment:** Noted.

**Action Taken:** None.

- 31. Respondent comment:** This is all very necessary. Also the East access to the wall should additionally be located where it was during the pandemic

**Response to Comment:** Noted.

**Action Taken:** None.

- 37. Respondent comment:** Would like the old access point to the beach by the boatyard to be re-instated.

**Response to Comment:** Noted.

**Action Taken:** None.

- 44. Respondent comment:** Not sure without seeing it, just please use silent machinery. Primarily for residents. Quiet as many residents work from home..

**Response to Comment:** Noted.

**Action Taken:** None.

## Policy BM4: Residential Development

- 1. Respondent comment:** There need to be more community resources here, ie a GP surgery, community centre and more events.

**Response to Comment:** Noted. This is addressed in Policy BM8.

**Action Taken:** None.

- 2. Respondent comment:** We should not allow skyscrapers built or let caravans in.

**Response to Comment:** Noted.

**Action Taken:** None.

- 4. Respondent comment:** The policy should make more specific reference to housing density (and keeping it within acceptable limits). Also the reference to mix of dwelling type is too vague and should be spelled out a bit more.

**Response to Comment:** Noted.

**Action Taken:** None.

- 5. Respondent comment:** This policy highlights the problems with the staged development, which does not provide the cohesive and attractive result we all wish for; and therefore, it specifically includes attractiveness as a requirement. The water lodges are extremely unsightly and certainly do not meet the aims of this policy. These are being used as residential properties (albeit for only 11 months of the year). This is a Marina, not a floating Caravan Park and it is destroying the very essence of this area; going against the Policy aims of retaining and encouraging the boating element.

continued overleaf

**Response to Comment:** Noted. Many of these issues are commercial/managerial issues rather than land use matters.

**Action Taken:** None.

7. **Respondent comment:** Reference has not been given to the very protracted court case restricting new build to Cliff Height. What does improved legibility and permeability mean in connection with new developments.

**Response to Comment:** Noted.

**Action Taken:** None.

9. **Respondent comment:** Any areas of mix should be stressed that mix is exactly what the development offer is to manage future expectations

**Response to Comment:** Noted.

**Action Taken:** None.

11. **Respondent comment:** The roads within Brighton Marina are under multiple private ownerships which poses a constraint on the practical ability of individual landowners to improve connectivity/ permeability (particularly for pedestrians and cyclists) across/within the Marina itself. As a consequence, we recommend that the first bullet of Policy BM4 should be amended to read as follows: 'Access and Permeability: insofar as is reasonably practicable, new developments should secure improved legibility, permeability and connectivity for pedestrians within and to the Marina and the surrounding areas through high quality building design, townscape and public realm'

**Response to Comment:** Noted. The policy has been revised based on these and other comments

**Action Taken:** Policy revised.

12. **Respondent comment:** Please see the next Policy BM5.

**Response to Comment:** Noted.

**Action Taken:** None.

16. **Respondent comment:** Density and mass are important and need to be considered – as does the issue of building a community not just beds!

**Response to Comment:** Noted.

**Action Taken:** None.

23. **Respondent comment:** Absolutely crucial to legislate against cynical investors with no connection to the area or interest in actually providing housing, to avoid both empty properties and lack of decent and ethical management.

**Response to Comment:** Noted. It is not the role of the Plan to comment on the way in which properties have been bought and used.

**Action Taken:** None.

23. **Respondent comment:** No more new buildings.

**Response to Comment:** This would conflict with national and local planning policies.

**Action Taken:** None.

30. **Respondent comment:** Please use Plain English. I have no idea what is meant by 'improved legibility, permeability and connectivity for pedestrians'

**Response to Comment:** Noted. A degree of refinement has been made to the policy wording.

**Action Taken:** Revised policy.

continued overleaf

**44. Respondent comment:** NO! we have enough noise and disruption already. We don't require any more residential properties whatsoever. These have already violated the original promises made when the marina was built. There has been illegal development already.

**Response to Comment:** This would conflict with national and local planning policies.

**Action Taken:** None.

## Policy BM5: Natural Environment/ Marine Wildlife

**1. Respondent comment:** The environment here could be badly damaged by the development of the gas works site, with dangerous chemicals making their way into the water system

**Response to Comment:** Noted.

**Action Taken:** None.

**4. Respondent comment:** More emphasis should be placed on water quality both in and around the Marina and the amelioration of the unhealthy discharges plaguing this part of the Brighton coast, due in large part to the water companies.

**Response to Comment:** Noted.

**Action Taken:** None.

**1. Respondent comment:** Given recent droughts and hosepipe bans which are going to become common due to climate change I propose changing the planting policy for the Marina. At present there is labour and very water intensive annual bedding planting throughout

the residential marina. This should be changed for drought resistant and evergreen shrubs and trees. The loss of trees on the Strand is particularly noticeable. The olive trees seem successful and are used to dry conditions.

**Response to Comment:** Noted.

**Action Taken:** None.

**7. Respondent comment:** Again this says the right words but does not take into account existing failures such as - Surfers Against Sewerage taking action against Premier through the MMO on water contamination (23.11.22), does not take account of the failure to dredge reducing access for larger boats, failure to desilt which means that the Marina is no longer open 24 hours per day, no mention made of sewerage in outer/ inner harbours, the admission of water lodges which are not vessels as defined in the leases or bylaws of the Marina and which do not uphold the integrity of the Marina as a sailing/boating venue or tourist venue. The Marina needs to address historic problems. Further the wording regarding protecting the Cliffs is again vague and open to contradicting interpretation. Further when considering the environmental issues, no comment has been made with regard to the impact of the gasworks redevelopment which could lead to devastating contamination of the Marina - health hazards at similar sights include breathing difficulties, migraine, nausea and increase in carcinogenic illness. Further it is a huge disappointment that the Marina has not made any comment with regard

to new green renewables. The Marina would be an ideal location for a solar farm and further wind farms should be investigated. Again, far too vague. Most of the matters raised are not land use matters which can be addressed in a Plan of this type.

**Response to Comment:** Noted.

**Action Taken:** None.

- 11. Respondent comment:** Policy BM5 states that ‘new developments should demonstrate that their proposals do not impact adversely on the visibility ... of the cliffs’. City Plan Part 1 recognises that the cliffs are nationally important for their geological interest and that they form part of a designated SSSI, however there is nothing in the strategic policies that requires the ‘visibility’ of the cliffs (an entirely different matter) to be maintained. We consider there to be no planning reason to protect the visibility of the cliffs, nonetheless if the Neighbourhood Plan is to retain this policy requirement, evidence should be provided to justify why visibility of the cliffs is necessary in planning terms. Furthermore, the wording is currently ambiguous – it should be revised to clarify from where (i.e. what viewpoint(s)) visibility should be maintained, which should be underpinned by the evidence referred to above.

**Response to Comment:** Noted.

**Action Taken:** None.

- 12. Respondent comment:** In addition to the consideration of ‘Mitigation of Flooding Risk’, we would strongly support the inclusion of sustainable

design principles in this policy. The risk assessments completed for the Adur and Ouse catchment wastewater systems as part of our Drainage and Wastewater Management Planning\* show that climate change is expected to have an impact on the risk of flooding in the Brighton area of this catchment. The risk of flooding is likely to increase with climate change and ‘urban creep’ (the gradual expansion of impermeable areas from development) in all wastewater systems by 2050 unless measures are taken to manage and reduce these risks. <https://www.southernwater.co.uk/dwmp/adur-and-ouse-catchment/problem-characterisation-adur-and-ouse> Well-designed sustainable drainage systems help to reduce the volume of surface water entering the foul sewer system – which could help to reduce localised flooding and, in turn, help to reduce the risk of pollution events. Sustainable drainage systems will therefore be key to enabling neighbourhoods to respond to the impacts of climate change into the future. Through our work with stakeholders on the Drainage and Wastewater Management Plan process, we have considered the following options to address surface water flooding:

1. Continuously upsizing the sewer network to accommodate existing and new development as well as surface water for future climates, whilst working to address the impact of CSOs by removing these from the network – all of which will require bigger treatment works to treat the greater volumes of

at times highly diluted wastewater. This option would be expensive, inefficient, disruptive and unlikely to future-proof our society from evolving climate change challenges. 2. Reduce the amount of rainfall getting into the sewer system, to create more capacity for foul sewage. This is the adaptation required in urban developments and environments in order to manage surface water differently, and to respond to the impacts of climate change in a sustainable way. We will need to move away from impermeable surfaces, tiled roofs and rapid rainfall runoff, towards permeable paving, green roofs and measures to “slow the flow” at source. Making space for water in the urban environment will be critical too – green spaces, urban forests etc – will reduce the need for drainage infrastructure whilst at the same time creating places for people to access to improve their health and wellbeing. Drainage should therefore be considered at the planning application stage for all developments. Please find our guidance on SuDS here. Also, the south east is classified as an area of ‘serious water stress’, and a variety of factors such as an increasing need to limit surface and groundwater abstractions, increase drought resilience, meet the needs of a growing population and adapt to climate change, all combine to present both challenges and opportunities to change the way we manage water. Where conditions allow it, SUDs can be designed to safely infiltrate surface water back into groundwater reserves, thus protecting the natural water cycle.

Whilst tackling the water resources challenge will require a multi-faceted approach, there is an opportunity for all levels of the planning system to play their part, by ensuring through policy that new development is required to meet higher standards of water efficiency. High standards of water efficiency in new developments equate to greater long-term sustainability – with the potential to delay or reduce the need to increase abstraction or find new water resources. We therefore recommend as a minimum the tighter Building Regulations optional standard for water efficiency of 110 litres per person per day be incorporated within your Neighbourhood Plan, as appropriate to the ‘serious water stress’ status of the South East. Accordingly, we propose the following additional wording to policy BM5: • Sustainable urban drainage systems (SuDS) will be required unless evidence shows a specific reason preventing their use (eg ground contamination). Development is encouraged to demonstrate a wide range of SuDS solutions, for example through the provision of SuDS as part of green spaces, rain gardens and permeable surfaces. • Reduce water consumption using water re-use measures including rainwater harvesting, surface water harvesting and/or grey water recycling systems. Meet, as a minimum, the Building Regulations water efficiency standard of 110 litres per person per day that is suggested for water stressed areas.

continued overleaf

**Response to Comment:** Noted. The Forum is satisfied that the policy strikes the correct balance

**Action Taken:** None.

- 14. Respondent comment:** The water quality within the inner harbour is poor and not looked after. When the water is clear (rare) it is possible to see build up of silt along with dumped shopping trolleys, planks of wood, traffic cones etc. I have never seen any effort made by Premier Marina to clear up the inner harbour. Alarming, the inner harbour is now rented to inexperienced paddle boarders. The entry place for this activity is where a young man drowned only a few years ago - allegedly having been caught on debris within the water after jumping in. Small children learning to paddle board are now using the inner harbour but is it safe? If they fall in, will they be caught on debris? This needs to be addressed.

**Response to Comment:** Noted.

**Action Taken:** None.

- 17. Respondent comment:** The Marina should be a good place for our local Universities to have a Marine Biology study facility. Perhaps the potential for such a facility could get a mention.

**Response to Comment:** Noted.

**Action Taken:** None.

- 19. Respondent comment:** Quote: "and where possible, will reduce the overall flood risk profile at the Marina". Delete 'where possible' and read 'and will reduce the overall flood risk profile at the Marina'

**Response to Comment:** Noted.

**Action Taken:** None.

- 23. Respondent comment:** This could go much further. This seems to be only about maintaining the current (rather depleted) natural environment. Could we please see an ambition actually to encourage wildlife and make habitats? The bird life in the Marina is very special - I have seen a pair of black swans, a pair of white swans nest building, cormorants using structural columns as viewing posts, and, in the inner harbour/lagoon, a gannet eating an eel. The inner pools especially, where there is little water traffic, are ideal for floating plant platforms such as have so successfully been cultivated along the canal near the new Kings Cross development. There are plenty of birds round the Marina despite lack of encouragement - think how fantastic that part of the Undercliff walk could be if there were active encouragement and creation of habitats.

**Response to Comment:** Noted. The Plan has been designed to address a specific range of issues.

**Action Taken:** None.

- 30. Respondent comment:** You need to tighten up the wording of the Sustainability objective in the 'Vision Statement'.

**Response to Comment:** Noted.

**Action Taken:** None.

- 44. Respondent comment:** The cliffs are crumbling and losing their integrity already by overbuilding. Please stop building.

**Response to Comment:** Noted.

**Action Taken:** None.

continued overleaf

## Policy BM6: Cafes, restaurants, retail facilities and other commercial facilities

- 1. Respondent comment:** The restaurants that are currently empty could be developed into pop ups to draw in more people. Non chain restaurants should be encouraged here  
**Response to Comment:** Noted.  
**Action Taken:** None.
- 2. Respondent comment:** Please provide more details.  
**Response to Comment:** Noted.  
**Action Taken:** None.
- 4. Respondent comment:** The text of Policy BM6 is missing on this page. The current state of the Marina in this regard is very poor. Businesses focused on comparison purchases and services where the availability of parking is a real boon should be encouraged as the Marina is far from achieving its potential in this regard. Also noise caused by businesses needs to be taken into account more, monitored and sanctions enforced eg restaurants that blare their music out across the inner Marina.  
**Response to Comment:** Noted.  
**Action Taken:** Now included.
- 5. Respondent comment:** Covid and the current cost of living crisis should not make us short-sighted with respect to Restaurant and Cafe businesses doing well in the future; especially those units facing the water. I believe that they are a huge asset to the Marina and they should

be encouraged; to attract new visitors and keep the local population supporting businesses within the Marina. I am concerned that any change of use for the units overlooking the water to non hot-food business (offices for example), would create a downward spiral. Local people would be forced to eat and socialise elsewhere and visitor numbers would be reduced. This would put more pressure on the existing restaurants. David Lloyd a huge asset for the health and fitness of local people and its location prevents people having to use vehicles. I believe that any plan for the Marina should include a gym of at least the size of David Lloyd.

**Response to Comment:** Noted.

**Action Taken:** None.

- 6. Respondent comment:** The units are too big and would be better split up to allow for small start-up companies, independent restaurants and bars.

**Response to Comment:** Noted. They are mainly commercial rather than planning issues.

**Action Taken:** None.

- 7. Respondent comment:** Everyone wants to see busy, buzzing cafes and restaurants. However, no reference has been made to the fact that the premises are mainly too large and need to be subdivided. Why are businesses not allowed to advertise to gain customers? Landsec has failed to promote and protect the commercial businesses on the Marina including engaging with prospective tenants. Surely Brighton

continued overleaf

Marina Group Ltd must ensure that their tenants are proactive. As well as stating what we would like in an ideal scenario, consideration must be given under BM6 as to what action can be taken to remedy the Marina which is failing and turning into a ghost town.

**Response to Comment:** Noted. As above.

**Action Taken:** None.

9. **Respondent comment:** To become a destination and succeed and survive the development needs a mix.

**Response to Comment:** Noted.

**Action Taken:** None.

9. **Respondent comment:** The policy is not listed here.

**Response to Comment:** Noted.

19. **Respondent comment:** BM6 should be more explicit ensuring food outlets provide a majority of sustainable, local and plant-based options. Encourage local, non-multinational, outlets.

**Response to Comment:** Noted. They are mainly commercial rather than planning issues.

**Action Taken:** None.

23. **Respondent comment:** More individual small businesses and fewer chain restaurants would be great.

**Response to Comment:** As above.

**Action Taken:** None.

25. **Respondent comment:** No more new buildings.

**Response to Comment:** Noted.

**Action Taken:** None.

29. **Respondent comment:** I'd like to see this policy restrict "drive-thru" businesses such as McDonalds and the KFC that is currently in planning (BH2021/04067). If possible, it would be great for this policy to champion independent businesses over larger businesses.

**Response to Comment:** As 19 above.

**Action Taken:** None.

31. **Respondent comment:** There are too many empty places, these need to be filled. Maybe temporary start-up grants could be given to kick start this.

**Response to Comment:** Noted.

**Action Taken:** None.

44. **Respondent comment:** We need jacuzzis and relaxation spaces & gold buddha statues & healing herbs & fragrant flowers & green space. Please bring calm romantic restaurants back eg Chinese boat restaurant overlooking the swans majestically floating past. The marina needs way more vegan veggie restaurants, needs a Wagamama and a Chinese restaurant and healthy wholefoods.

**Response to Comment:** Noted.

**Action Taken:** None.

continued overleaf

## BM7: Energy use, waste minimisation and recycling

1. **Respondent comment:** Plans to provide electric charging points for residents and visitors must be accelerated  
**Response to Comment:** Noted.  
**Action Taken:** None.
4. **Respondent comment:** The fact plastic can't be recycled at the Marina (and in the city) is a travesty that needs to be rectified urgently.  
**Response to Comment:** Noted.  
**Action Taken:** None.
6. **Respondent comment:** Could the Marina be part powered by wind turbines on the breakwater ?  
**Response to Comment:** Noted.  
**Action Taken:** None.
7. **Respondent comment:** Again too vague. We need specifics such as: solar farm, windfarm, more electric charging points in the flats, limiting street lights but maintain safety, buses direct from Marina to Station. We need ideas.  
**Response to Comment:** Noted. The Plan has sought to address a specific series of issues.  
**Action Taken:** None.
10. **Respondent comment:** Provision of secure, covered bicycle parking at the Marina is presently very limited and should be a priority  
**Response to Comment:** Noted.  
**Action Taken:** None.

11. **Respondent comment:** Policy BM7 requires that 'development proposals should demonstrate the highest standards of energy use'. The term 'highest standards' is ambiguous. We recommend that this is revised to clarify specifically what standards development proposals should demonstrate. For consistency purposes, we recommend signposting to City Plan Part 1 Policy CP8 which sets out clear city-wide standards. Policy BM7 requires 'charging facilities for electric vehicles in all parking spaces provided'. This is not in general conformity with the parking standards set out in City Plan Part 2 which requires 10% actual plus 10% passive provision, nor is any evidence provided to justify deviating from the city-wide policy. We recommend that this requirement is amended to tally with City Plan Part 2 Policy DM36 (Parking Standards at Appendix 2).  
**Response to Comment:** Noted.  
**Action Taken:** Revised in submission version.
14. **Respondent comment:** Electric vehicle charging points can be extremely unattractive. Thought needs to be give as to the design and how this can be incorporated subtly and sympathetically. Charging points are now being installed within conservation areas throughout the UK so it is possible to roll this out thoughtfully.  
**Response to Comment:** Noted.  
**Action Taken:** None.

continued overleaf

- 19. Respondent comment:** Mandatory “Proposals which incorporate zero carbon construction energy initiatives... etc.” NOT ‘particularly supported’.  
**Response to Comment:** Noted.  
**Action Taken:** None.
- 23. Respondent comment:** The Marina is usually very clean . Thanks.  
**Response to Comment:** Noted.  
**Action Taken:** None.
- 25. Respondent comment:** Woke rubbish  
**Response to Comment:** Unclear.  
**Action Taken:** None.
- 29. Respondent comment:** Suggest to also require all new residential development to include secure cycle storage.  
**Response to Comment:** Noted.  
**Action Taken:** None.
- 31. Respondent comment:** Existing car parks should also have charging points, this could be funded by the new developments.  
**Response to Comment:** Noted.  
**Action Taken:** None.
- 37. Respondent comment:** Improved and electric charging could be incorporated now - not just with new development proposals.  
**Response to Comment:** Noted.  
**Action Taken:** None.
- 44. Respondent comment:** Please halt and ban all future residential building works the Marina is already big enough there is already dredging boat for almost half the year enough people live here already.

**Response to Comment:** Noted.  
 However such an approach would conflict with national and local policy.  
**Action Taken:** None.

## BM8: Community Facilities

- 1. Respondent comment:** The Master Mariner needs greater support to keep the pub going!  
**Response to Comment:** Noted.  
**Action Taken:** Format of policy revised.
- 4. Respondent comment:** Master Mariner is a very average pub and does not need to be protected.  
**Response to Comment:** Noted.  
**Action Taken:** As above.
- 6. Respondent comment:** A GP surgery in the Marina is urgently needed even before any new residential development is started. Brighton already has one of the lowest GP to patient ratio’s in the country. The Master Mariner is badly managed, in need of renovation and should become a destination pub and kitchen due to its excellent location.  
**Response to Comment:** Noted.  
**Action Taken:** None.
- 7. Respondent comment:** Under no circumstances should the pubic house or pharmacy be removed from the Marina. Further, I believe we were promised a GP surgery which is critical. Consideration could also be given to a communal work space unit – where people can take their computers and work in a

continued overleaf

nice area with heating and lighting for a couple of pounds per day. Further community areas are essential. I would like consideration given to a sports hub – one of the outdoor fitness groups taking classes on the Green with the provision of a lock up storage area for them. We think buskers/open mic should be sought and encouraged onto the Marina regularly - even paid, more community events such as Badminton nets on the green in summer or bowls. Currently there are no community facilities. Further many of the events that finish on Madeira Drive could be invited into the Marina – such as the Marathon, Veteran cars – provision of light refreshments etc.

**Response to Comment:** Noted.  
Addressed generally in the policy

**Action Taken:** None.

9. **Respondent comment:** Only that a post office would certainly be of benefit and add to the services within the marina

**Response to Comment:** Noted and agreed.

**Action Taken:** None.

10. **Respondent comment:** I am not clear as to why the Master Mariner should be prioritised as a community facility ahead of other licensed premises, for example the Yacht Club, West Quay or Katarina. I think it may just be proportionately used more by Marina residents because it is in a poor location in terms of footfall, so visitors to the Marina do not find it!

**Response to Comment:** Noted. Policy format has been revised.

16. **Respondent comment:** There are 3 pubs in the marina and more bars – why does the Master Mariner get singled out?

**Response to Comment:** Noted.

**Action Taken:** As above.

17. **Respondent comment:** Not sure why the master Mariner gets a specific mention when West Quay and Yacht Club don't.

**Response to Comment:** Noted.

**Action Taken:** As above.

23. **Respondent comment:** It's a pity that the first view the visitor gets of the Marina is a huge carpark. Could it be softened by decent and well-maintained landscaping?

**Response to Comment:** Noted.

**Action Taken:** None.

31. **Respondent comment:** Also we would benefit from a bakers shop and a Newsagents

**Response to Comment:** Noted.

**Action Taken:** None.

33. **Respondent comment:** Not sure why West Quay (Weatherspoons) wasn't included as in my view it has equal standing to Master Mariner.

**Response to Comment:** Noted. Policy format has been revised.

44. **Respondent comment:** Maybe it could be like Venice with beautiful gondolas and boats that go out to sea that you can eat lovely plant-based food on, or beautiful soothing harp music playing on a boat. Angel statues. Post Office. VIP Lounge for residents.

continued overleaf

**Response to Comment:** Noted. Sounds rather idyllic.

**Action Taken:** None.

## Community Action BMCA1: Access/Transport

- 1. Respondent comment:** The Express service would be very welcome. Also, this could run more frequently backed by advertising boards at Brighton station to alert visitors that the Marina is a great place to visit

**Response to Comment:** Noted. This aspiration is deliberately wide-ranging

**Action Taken:** None.

- 4. Respondent comment:** An express bus service is urgently needed to make us an integrated part of the city

**Response to Comment:** Noted.

**Action Taken:** None.

- 5. Respondent comment:** I understand that the City bikes are being changed to a new provider, but more spaces (and possibly more locations), would be preferred as there were often no bikes available.

**Response to Comment:** Noted.

**Action Taken:** None.

- 6. Respondent comment:** See earlier comments on Marina access

**Response to Comment:** Noted.

**Action Taken:** None.

- 7. Respondent comment:** Express Bus direct to Station essential. Further proper bike access onto the Marina from the Rottingdean Undercliff Walk. The walkway by the boatyard is not sufficient.

**Response to Comment:** Noted.

**Action Taken:** None.

- 14. Respondent comment:** An Express Bus service would be a game changer for the Marina

**Response to Comment:** Noted.

**Action Taken:** None.

- 16. Respondent comment:** Though should go into extending the Volks railway into the marina - or making use of the track infrastructure in the winter to provide a fast connection to the city

**Response to Comment:** Noted.

**Action Taken:** None.

- 19. Respondent comment:** All new and future transport must be carbon neutral

**Response to Comment:** Noted.

**Action Taken:** None.

- 29. Respondent comment:** I'd like to see bus services better integrated into the residential part of the marina by introducing a bus stop in the middle of The Strand (restricted to buses that are quiet and low emissions or electric).

**Response to Comment:** Noted.

**Action Taken:** None.

- 31. Respondent comment:** Please re-open the steps into the marina from the front, so we don't have to take our lives in our hands walking up the slope with bicycles flying down it at you.

**Response to Comment:** Noted.

**Action Taken:** None.

- 37. Respondent comment:** Improved lighting is essential

**Response to Comment:** Noted.

**Action Taken:** None.

continued overleaf

**44. Respondent comment:** Just get the buses to turn up please. More buses. I waited 50 minutes in dark and cold outside Brighton station for a bus to turn up. Please ensure buses run every 7 minutes to the Marina day and night, this is why I brought my flat.

**Response to Comment:** Noted.

**Action Taken:** None.

## **Community Action BMCA2: A Valued resource and an Active destination for visitors**

**1. Respondent comment:** See previous comments.

**4. Respondent comment:** The perception of the Marina is very poor and needs countering. It feels nothing like the rest of Brighton and that needs to be addressed.

**Response to Comment:** Noted. This aspiration is deliberately wide-ranging.

**Action Taken:** None.

**5. Respondent comment:** Does this mean the encouragement of AirBnB's? I have been forced to move a number of times in Brighton due to the rise of AirBnB's. They cause a great deal of noise, often into the early hours, as people are on holiday and want to party (not just stag and hen parties). I do not believe that these should be encouraged and in fact limits should be placed on any such activity for the benefit of the people who actually live here. Short term lets are destroying communities within Brighton and Hove

and have forced people who have lived here for generations to have to move.

**Response to Comment:** Noted. The issue of Airbnb lets is complex.

**Action Taken:** None.

**16. Respondent comment:** The marina should be promoting marine use - an annual regatta - encouraging visiting yachts - making the entrance safe and attractive for visiting boats etc etc

**Response to Comment:** Noted.

**Action Taken:** None.

**31. Respondent comment:** I think the concorde is fine as a local venue as long as you improve access to the front, and light it well.

**Response to Comment:** Noted.

**Action Taken:** None.

**33. Respondent comment:** The importance of the provision of short break holidays in "private" accommodation should not be overlooked.

**Response to Comment:** Noted.

**Action Taken:** None.

**44. Respondent comment:** No short breaks, Marina should be for residents' enjoyment. I want peace and quiet, not drunk idiotic festivals here. You are risking ruining the heart and soul of this marina with endless flats building and noise, it's supposed to be a village.

**Response to Comment:** Noted.

**Action Taken:** None.

continued overleaf

## Community Action BMCA3: Public Art

- 2. Respondent comment:** More details of the projects should be provided  
**Response to Comment:** Noted.  
**Action Taken:** None.
- 4. Respondent comment:** This would be very welcomed to counter the tackiness of the piecemeal development to date.  
**Response to Comment:** Noted and agreed.  
**Action Taken:** None.
- 5. Respondent comment:** I welcome the idea of public art. I do reject the idea that graffiti is art (as proposed by one council member).  
**Response to Comment:** Noted and agreed  
**Action Taken:** None.
- 7. Respondent comment:** The universities may wish to use the space or we could sponsor wall art competitions.  
**Response to Comment:** Noted.  
**Action Taken:** None.
- 9. Respondent comment:** I think personally that there are far better and greater things that could benefit a development and bring more value to a development than art  
**Response to Comment:** Understood. Others seem to disagree  
**Action Taken:** None.
- 14. Respondent comment:** A pop-up art gallery or changing gallery space would be amazing. Also creating affordable studio space for artists would be good. The Marina has many empty retail spaces

that could incorporate this idea. I do not support graffiti. There is a significant issue with this type of “art” around the black rock area and roadways in and out of the Marina. I do not think it’s a good idea to encourage it into the Marina itself.

**Response to Comment:** Noted.

**Action Taken:** None.

- 17. Respondent comment:** The harsh environment here needs to be recognised and ongoing maintenance charges should be mitigated.

**Response to Comment:** Noted.

**Action Taken:** None.

- 19. Respondent comment:** As a photographer I encourage expression, but, inappropriate or poor-quality graffiti should be discouraged

**Response to Comment:** Noted.

**Action Taken:** None.

- 23. Respondent comment:** One thing the Marina does not have is a playground. Perhaps the further reaches of the car park could be used, and incorporate art?

**Response to Comment:** Noted.

**Action Taken:** None.

- 25. Respondent comment:** What nonsense.  
**Response to Comment:** Noted.  
Understood. Others seem to disagree

**Action Taken:** None.

- 31. Respondent comment:** I’m already making public art works for the Black Rock Development so please keep me informed!

**Response to Comment:** Excellent.

**Action Taken:** None.

continued overleaf

**33. Respondent comment:** This must be used to improve the looks of the very 60s concrete jungle that currently greets visitors and residents alike as they enter the Marina. Something must be done to make the concrete jungle more appealing. In my view this should be the top of the list to improve. Currently it is very off putting.

**Response to Comment:** Noted.

**Action Taken:** None.

**44. Respondent comment:** Good. Happy uplifting murals by children please. Animals cats kittens unicorns angels places around the world fish dolphins

**Response to Comment:** Noted.

**Action Taken:** None.

## Community Action BMCA4: Air Quality

**7. Respondent comment:** This is in direct conflict with the proposed Gasworks redevelopment. We would like to see positive suggestions not just vague ideas.

**Action Taken:** None.

**16. Respondent comment:** The burning of solid fuels within the e marina and among the immediate coast should be banned

**Action Taken:** None.

**19. Respondent comment:** I am concerned that this is non-specific. BMCA4 should have more teeth. Car and fossil fuel emissions appear not to be abating. Set a specific 'ppm' target on obnoxious, toxic and Green House Gases

**Action Taken:** None.

**29. Respondent comment:** To reduce emissions from the A259 by lowering the speed limit to 40 or 30mph at the marina boundary.

**Action Taken:** None.

**44. Respondent comment:** Stop building unnecessary residential buildings and then the air quality will not decrease as the volume of traffic will stay as it was instead of more and more pollution and congestion this is common sense don't overpopulate a small area.

**Action Taken:** None.

## Community Action BMCA5: Boundary Review

**1. Respondent comment:** The recent reorganisation twinning us with Whitehawk makes no sense

**Response to Comment:** Noted.

**Action Taken:** None.

**4. Respondent comment:** This would be very much welcomed as our community is distinct from the rest of the current ward.

**Response to Comment:** Noted.

**Action Taken:** None.

**9. Respondent comment:** I feel we want to integrate the marina with the city but this boundary aspiration says the opposite. We should be cited within a boundary that covers our closest neighbours.

**Response to Comment:** Noted.

**Action Taken:** None.

**16. Respondent comment:** Not enough residents – and why want to be separated from the city?

continued overleaf

**Response to Comment:** Noted.

**Action Taken:** None.

**25. Respondent comment:** Be serious

**Response to Comment:** Noted. Others disagree.

**Action Taken:** None.

**30. Respondent comment:** Not for 1,600 residents. There would need to be a considerable increase in the number of residents for this to be fair.

**Response to Comment:** Noted.

**Action Taken:** None.

**31. Respondent comment:** Yes I very much agree, it's very different to the other locations in the ward.

**Response to Comment:** Noted.

**Action Taken:** None.

**44. Respondent comment:** An interesting idea. Will this mean we payless maintenance and council tax Cos it's very very high tax considering a tiny tiny noisy flat please lower the council tax rates of the properties as they are very expensive

**Response to Comment:** Noted.

**Action Taken:** None.

## **Please make any other comments which you have on the proposed plan**

**1. Respondent comment:** A proactive approach needs to be taken to seek alternatives for empty shops and restaurants.

**Response to Comment:** Noted.

**Action Taken:** None.

**4. Respondent comment:** This plan is very much welcomed and we would like our home area to be made to feel much more like the rest of the city, more colourful and progressive. More should be made of the fact it is surrounded by sea and indeed reclaimed from the sea.

**Response to Comment:** Noted.

**Action Taken:** None.

**7. Respondent comment:** The plan is not being promoted adequately and most residents have no idea about the proposed Plan or issues effecting them such as the gasworks. The emails are not being opened and there is no signage up on your notice boards . Further this plan is far far less detailed than others we have googled online and is too vague to be appropriate for such important decision making and will lead to arguments later. Why has no detail been given. We have considered other Plans prepared by Andrew Ashworth which are very detailed. Further who is the Examiner who will be reviewing the plan. We strongly believe that too much has changed (including occupants) since questionnaires were sent out (due to the pandemic) and more time must be taken to gather responses from the residents. We have spoken to a number of residents who are clueless. I believe Resident Assns must have 60% of the residents aboard before taking action. This is not happening and it may well be necessary to push letters through doors or get a loudspeaker out on the weekends! The residents are poorly informed and not ready to vote.

continued overleaf

**Response to Comment:** Noted. There will be a final period for consultation once the Plan has been submitted. If the Plan is then considered to meet the basic conditions (following examination) it will be presented to the wider community at the referendum stage.

**Action Taken:** None.

- 11. Respondent comment:** The Outer Harbour Development Company Partnership LLP (OHDCP) is supportive of the principle of preparing a Neighbourhood Plan (NP) for the area, however we have a number of comments, as set out in our comments to earlier questions and as set out below, which we hope the Forum find helpful.
- (A) Comments on Policies BM1-8 In reviewing NP Policies BM1-8, our key consideration is whether they satisfy the Basic Conditions (as set out at paragraph 8(2) of Schedule 4B to the Town and Country Planning act 1990), particularly with regards to whether they are in general conformity with the strategic policies set out in the adopted City Plan. We have also had regard to the importance of ensuring that the policy wording is clear, unambiguous, justified, and achievable in the interest of ensuring the effectiveness of the policies. Our comments on these policies are set out in the response to the specific earlier questions.
- (B) General Comments
- (1) Adding Value There is repeated reference throughout the document to 'adding value' as being one of the main aims of the NP. This term is ambiguous in the planning sense. We recommend that

this wording is revised or clarification is given as to its intended meaning for the purposes of the NP. For example, one interpretation would be that it seeks to secure gains against the 3 objectives of sustainable development (economic, social, and environmental).

(2) Role of the NP in the Framework of Existing Policy and Guidance: The Marina is subject to multiple layers of existing planning policy and guidance comprising: the National Planning Policy Framework (NPPF) (and associated Planning Practice Guidance (PPG)); the Brighton and Hove City Plan Part 1 (CPP1) and Part 2 (CPP2); The Brighton Marina SPG20 (Volumes 1 and 2); and Planning Advice Note (PAN) 4 (the Brighton Marina Masterplan). The various documents that make up this framework of policy and guidance are not entirely consistent with one another which creates uncertainty and confusion for applicants, decision-makers, and the public when trying to apply them together as a whole. The adoption of a NP with its own set of site-specific policies will add a further document (layer of policy) into this framework which risks adding further confusion, and prejudicing the effectiveness of the NP unless carefully managed. In order to address this, we recommend that the Planning Policy Context section of the NP provides a much clearer explanation of how the NP will sit within this existing framework of policy/guidance, including its role in informing the SPD required by CPP1 Policy DA2. We recommend that the content in the supporting text

continued overleaf

to Policy BM4 regarding the new SPD (including that it will replace SPG20 and PAN04) should be brought forward to the Planning Policy Context section. (3) Reference to the Part-Implemented Consent (Outer Harbour Site) As referred to in CPP1 Policy DA2, the Outer Harbour site is subject to a part-implemented planning permission (ref. BH2006/01124), which, in total, allows the phased development of 853 homes in buildings ranging from 6 to 40 storeys alongside non-residential uses: – Phase 1 has been completed. This includes the ‘Sirius’ and ‘Orion’ buildings which accommodate ground floor commercial uses with residential above (195 homes) in buildings of up to 9-storeys with basement car parking; and - Phases 2 and 3 have not yet commenced. These comprise 658 homes and associated non-residential uses in 9 buildings of 6-40 storeys. This should be treated as a ‘commitment’ in planning terms which could be implemented in full and therefore is an important material consideration in the preparation/determination of any planning applications within the NP area. We recommend that for completeness, content that describes/explains this (as set out above) is added to the introductory sections of the NP.

**Response to Comment:** Addressed separately.

**Action Taken:** None.

- 12. Respondent comment:** New Policy to support the provision of infrastructure: Southern Water may have to provide additional water or

wastewater infrastructure to serve new and existing customers or meet stricter environmental standards. It is likely that there would be limited options with regard to location, as the infrastructure would need to connect into existing networks. Planning policies should therefore support proposals that come forward in order to deliver necessary infrastructure. The NPPF (2019) paragraph 28 establishes that communities should set out detailed policies for specific areas including ‘the provision of infrastructure and community facilities at a local level’. Also the National Planning Practice Guidance states that ‘Adequate water and wastewater infrastructure is needed to support sustainable development’. Although the Neighbourhood Forum is not the planning authority in relation to water or wastewater development proposals, support for essential infrastructure is required at all levels of the planning system. To ensure consistency with the NPPF and facilitate sustainable development, we propose an additional policy as follows: New and improved utility infrastructure will be encouraged and supported in order to meet the identified needs of the community subject to other policies in the plan.

**Response to Comment:** The Forum has the ability to include whatever matters it sees fit in the Plan. Unlike a Local Plan a neighbourhood plan can include as much or as little as it sees fit.

**Action Taken:** None.

continued overleaf

**14. Respondent comment:** Overall, very positive.

**Action Taken:** None.

**16. Respondent comment:** The plan does not consider water users enough and does not do enough to promote nautical activity.

**Action Taken:** None.

**17. Respondent comment:** 1. Developments that contribute to a visual improvement or softening of the harsh concrete access routes, both vehicular and pedestrian, could be encouraged. 2. Very surprised under Demographics to see that the Marina has a higher-than-average crime rate as we are often told by Security reports that our rate is low. Is this because we have Security team and are rightly encouraged to report all “crimes”. Which category of crime is considered? what are the rates nationally and in UK? 3. Page 13 National Policies, second sentence “In comments that the purpose of the planning system is to contribute to the achievement of sustainable development” does not make sense for me.

**Response to Comment:** Noted.

**Action Taken:** None.

**19. Respondent comment:** I applaud the intention of this plan but let it not waver in the face of large development companies’ proposals that seek profit only solutions.

**Response to Comment:** Noted.

**Action Taken:** None.

**23. Respondent comment:** I agree with all the negative comments made about the Marina’s truly awful architecture. Brighton deserves housing more along the line of Peter Barber’s designs ... The position of Asda is a disaster in terms of first impressions. If future developments could in some way unify all the mock, codswallop units into an overarching idea it would be a major improvement. I am very much against the proposed tower block, which will be a bully of a building, and ruin the entire seafront landscape, as well as having the potential to turn into an underused ghetto. Absolutely nobody I meet locally wants it. However I live five minutes away and I often use the Marina. My husband moors a small boat there and is very satisfied with the facilities of the actual Marina. The shops are mostly a bit impractical, if not weird, so my use of the site is leisure based. I walk along the Undercliff behind Asda and make a circuit around the moorings, usually ending up in the Laughing Dog. I enjoy the Sunday market, which could be supported further by the Marina management - maybe included in their advertising? The bird life is a big draw. Asda is an emergency destination only. The cinema is just too dispiriting and corporate to use, even though it’s so near...ditto the restaurants. My ideal would be an urban landscape that fully uses its fantastic setting and actively greens up to provide habitats for the sea life it originally usurped. There are many potential areas waiting for an imaginative approach – the green bank alongside

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the carpark (drought tolerant plants like lavender and rosemary etc), the quieter lagoons, the wide pavements ... but a new policy of proper maintenance would need to be implemented - I mean the blinking obvious fact that in dry summers plants need water.... It would be lovely too if art were used not just for commissioned pieces, but for the street furniture like benches, planters, pavement surfaces. The paved areas could be so much more interesting. I am very grateful for being given this opportunity to voice my opinions. This is a great initiative.

**Response to Comment:** Noted.

**Action Taken:** None.

**25. Respondent comment:** Waste of time

**Response to Comment:** Noted.

However, the Forum has sought to address many of the issues facing the Marina.

**Action Taken:** None.

**29. Respondent comment:** Much appreciation for the development of such a detailed and well thought out plan. As mentioned I'd like to see the potential for active travel unlocked by making the marina an attractive place to get around by cycling.

**Response to Comment:** Noted.

**Action Taken:** None.

**30. Respondent comment:** Elements of this plan are vague and incomprehensible. Eg, the Sustainability objective of the Vision Statement says you are 'Aiming' to have a positive effect and... minimise negative effects on wildlife and the environment. 'Aiming' to do this is not good enough.

You need to say how you expect this to be achieved, otherwise developers only have to be seen to try and are off the hook if they fail. Eg, you frequently use the word 'permeability'. This is a scientific term relating to the passage of liquids and gases through membranes. What is it supposed to mean in this document? p. 19 states 'legibility, permeability and connectivity' - is that pedestrian routes and signage or is it something else? Either way, use Plain English.

**Response to Comment:** Noted.

**Action Taken:** Revisions have been made to some policies.

**31. Respondent comment:** I generally like it. I hope it does not put up prices and that there are enough resources for visitors. Also the restaurant formally known as Skara needs to be re-opened. We do not have enough restaurants now.

**Response to Comment:** Noted.

**Action Taken:** None.

**33. Respondent comment:** One thing that is currently missing from the marina is a public slipway. Compared to the south west where slipways are plentiful, they are as rare as hens' teeth on the Sussex coast. Incorporation of such a facility in the black rock area to me would be a very good addition to the marina.

**Response to Comment:** Noted.

**Action Taken:** None.

**39. Respondent comment:** We are writing as concerned residents of Brighton Marina. We are alarmed to see that the Neighbourhood Plan lacks any depth of information about the future direction

continued overleaf

of the marina. Brighton Marina was built for leisure craft, which should be seaworthy and able to travel under their own power, not for static, waterborne caravans, which are neither seaworthy nor able to move under sail or engine. We would like to see all interested parties and stakeholders go back to the drawing board for a constructive discussion that will hopefully result in the marina being used for its true purpose and flourishing as an attraction in its own right.

**Response to Comment:** The comments are noted. However, the Plan provides a vision and objectives for the Marina up to 2030 and includes a series of land use policies and a series of community aspirations.

**Action Taken:** None.

- 41. Respondent comment:** I read this proposal. It does not say anything that is earth-shattering. There is heaps of empty commercial space in the “Village” area if you call it that. Making a big deal about getting a GP, or some sort of NHS facility should not be a drama with the vacancies in this dust bowl of commerce. The same applies to the second on commerce. There are numerous spaces for potential restaurants/cafes/bars. Attracting business needs to be addressed. Connectivity? Within the Marina, I see no problems. The access from Black Rock to the Marina can be improved, but so can the development in that area which is informal at best. I walked past today (Monday at 1:00 PM) there was nobody working! Needless fencing is up. Old vandalised fences remain. Rubbish all

over the place. It is hardly “welcoming” to anyone. Perhaps extend the Volk railway actually into the Asda car park if possible, connecting the parking structure, then extend it to the Brighton Pier. Make it useful, not just some seasonal tourist tap where anyone with feet can walk in 30 minutes to view the local weeds. My suggestion is that someone in the Steering Group flies to the south of France and visits Golfe Juan. There you will find a proper working marina which houses superyachts. Something that Brighton Marina needs to attract, along with the money, for it to evolve. Not these ridiculous houseboats, barges permanently moored, and tinnies. The dustbowl of Village Square is awful. What happened to the master plan of putting the Asda undergone and residential towers over it and the massive parking lot? Focus on that to bring new residents and money. This is the largest marina in the UK? Given the quality of seafaring vessels that might make it out to sea, I would hate to see a smaller marina. There is a Post Office in Kemptown, Churchill Square, and Rottingdean. One is not needed in the Marina, but if one was to occupy any of the numerous free spaces in the “Village Square” it would be better than tumbleweeds and cobwebs. Get rid of that daft “swap meet” every Sunday morning too.

**Response to Comment:** As 39.

**Action Taken:** Noted.

- 42. Respondent comment:** I don't see any mention of fishing, yet this is clearly and activity for which the Marina is

continued overleaf

known. It is after all by the sea. By fishing I mean: anglers using the arms, small inshore boats taking anglers to sea and of course the inshore fishing boats. The latter of these should be encouraged and supported as their methods are sustainable and preferable to large trawlers which take vast quantities and damage the seabed. I am surprised fishing is not given some clear recommendations, why the omission?

**Response to Comment:** Noted.

However, fishing is not a land use matter.

**Action Taken:** None.

**43. Respondent comment:** Some questions/ comments:

- identify whether residents in the marina (either in boats or purpose-built 'houseboats') are included in the Demographic (p9) figures. Are they classed as 'residents'?
- clarify who is responsible for (and maintains) what - eg housing area, harbour wall, dredging etc
- on p14 is 'inner harbour' misnamed as its just buildings? 'outer harbour' is not on the map
- the interests of boat users (marine activity is hopefully more than just window dressing) don't seem to have been considered explicitly - despite it being listed on the community survey. These need to be listed with responses to each point.

Some key examples are:

- dredging - what is the official policy - eg to keep entrance at Chart datum by annual dredging, pontoons x - y at chart datum +0.1 ... etc

- access to parking - on the west side the short term and small longer-term parks are often full
- commercial needs - trips, sail-training, fishing?
- increase in house boats (puts pressure on facilities, and space for sailing craft)
- impact of policies on marina fees
- Wi-Fi provision improved
- improved toilet/wash facilities in boatyard.

**Response to Comment:** All Noted.

**Action Taken:** None.

**44. Respondent comment:** In a nutshell:

1. no more residential building should be allowed ever, it's illegal.
2. the noisy dredge boat should only be daytime and staff must be put in on land accommodation because the generator on the boat stops me sleeping.
3. we need murals flowers fairy lights uplifting positive art and design beautiful gold statues of Magnus Volk Chris Eubank Sally Gunnell etc.

**Response to Comment:** Noted.

However, there are extant planning permissions at the Marina.

**Action Taken:** None.

## Appendix 8

# Comments from respondent no. 45

### Brighton Marina Neighbourhood Plan Consultation Draft 2022

## Response

### A. General Comments

- (i) The consultation document (“Condoc”) itself does not pose any questions. These can only be accessed via the online response portal. The online response portal does not allow detailed responses or invite comment on matters that have been omitted from the condoc. The online response portal does not allow partial responses to be “saved” and then returned to at a later time – meaning that all responses have to be written at one sitting. This is a missed opportunity.
- (ii) The condoc also fails to discuss those areas that may have been discussed and then not further pursued – with reasons why these haven’t been further pursued. Again, this is considered to be a missed opportunity.
- (iii) Consequently, it is possible that responses will be unstructured and comment on random aspects. Moreover, it is uncertain where responses are desired so that they can make a meaningful difference.
- (iv) The condoc doesn’t seem to recognise that Brighton Marina is a

working marina. There is reference to reflecting maritime setting, water’s edge development and the marine environment – but fundamentally, it is a working marina. All development needs to be designed, coordinated and integrated against the backdrop of a working marina.

- (v) The condoc fails to mention the Brighton Marina Act 1968 which is prime legislation setting out what can and cannot be done on the marina.

- (vi) It is not easy to source contemporaneous evidence outlining the original vision behind the design of the marina but we do have Hansard which sets out debate on the Brighton Marina Act. The MP for Brighton Kemptown stated the following when the Brighton Marina Bill was introduced to the House of Commons in 1967 (see [here](#)):

*I want to draw attention to the other reasons for which I and the supporters of the marina scheme believe that it is essential that the Bill should go forward. First, there is the urgent need to provide additional boating accommodation on the South Coast. That these facilities are urgently required no yachtsman or boat owner would ever dare, or could, deny, and it is necessary to point out that ten years ago there were fewer than 100,000 people enjoying the sport of yachting and boating, whereas now there are more than 500,000.*

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*I want, too, to draw attention to the fact that the South Eastern region in which the marina will be situated contains the overwhelming proportion of people interested in yachting and boating, and it is also pertinent to point out that in almost all local yacht harbours there are long waiting lists. This is confirmed by the inquiry inspector's conclusions in paragraph 489 of his report where he says: "... because of the present unmet and ever-increasing demand for yacht moorings, the need to provide new harbours such as that proposed is now urgent and will intensify in the future."*

The driving intention behind the marina was therefore a safe harbour marina for boats and yachts.

- (vii)** However, it was always recognised that boating and yachting was never going to be the sole use and the MP continued thus:

*This marina will have a tremendous effect on life in Brighton during the next few years if it comes to pass. It will enable Brighton to enhance its position as a leading holiday resort. Apart from this development and the provision of an icerink, an oceanarium, and other amenities, there will be provision for 800 units of permanent residential accommodation. The main purpose of the marina scheme is to provide boating facilities, but no scheme to provide purely boating facilities would be a viable economic proposition, and therefore the marina has to be backed with other developments.*

The other intentions were therefore tourism ("leading holiday resort"), housing ("permanent residential accommodation") and employment ("viable economic proposition").

All these priorities continue today and need to be referenced.

The Vision Statement referenced these needs and this is our only opportunity to ensure the policies support the vision.

- (viii)** The condoc fails to mention how the Neighbourhood Plan will fit in with the Brighton Marina Act.

## **Neighbourhood Plan Policies**

### **B. BM1: Design**

- (ix)** The current policies are supported but with following comments need to be added.
- (x)** Clearly, compliance with general planning policy remains critical (access, sensitive development, scale and massing etc) but questions need to be asked about whether the marina should allow development that is contrary to the original intentions.
- (xi)** The original development referenced permanent residential accommodation. Should we allow the erection of temporary residential structures? The two concourses and the waterlodges are temporary. The concourses have been part of the site since original construction but are now 10 – 15

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years away from lease termination. Given tight building timelines and likely construction costs involved we need to give a steer for what sort of development, if any, would be acceptable once the concourse and residences thereon reach end of their useful life.

- (xii) Likewise, the waterlodges add a further dimension. They are more recent but do detract from the original boating and yachting intentions of the marina. Their development is not controlled and is solely subject to corporate objectives. We should consider whether a policy is needed to control further expansion of waterlodges on the marina.
- (xiii) All development should also include conditions covering visual appearance and ongoing maintenance. There are too many buildings, especially in the commercial zone that are visually tired and need investment. It is a known fact that tired and poor quality buildings can contribute to the “Broken Window” theory behind crime and anti-social behaviour and is therefore a factor in the decline of neighbourhoods. Clearly, we are not at this point yet but it is critical that further degradation can be avoided by early mitigation. Every building within the marina is subject to a lease and the head-lessee is likely to either have enforcement powers or at worst, “making good” powers that can be activated. The marina needs

to ensure that these powers are enforced in all circumstances.

- (xiv) Best ESG practice is now a key factor behind corporate decision making. Many corporations – whether private or public now have stakeholder representation as part of best corporate governance processes. Maybe we should consider including local resident/ worker representation on all local decision making bodies to further social and corporate governance.
- (xv) A good visual appearance will itself contribute to higher demand for all marina facets – whether tourism, residential and boating/ yachting – thereby increasing employment and overall vitality.

## C. BM2: Public realm/open spaces

- (xvi) All development on the marina should meet “designing out crime” quality standards.
- (xvii) The importance of “attractive” development is to be highlighted. The marina should be welcoming to visitors whether arriving by sea, road or walkway. The de-silting programme needs to be enhanced so the marina remains accessible to boats and yachts even at low tide (unlike now – which is already a breach of the Brighton Marina Act and existing Marina By-Laws).

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**(xviii)** The mass of concrete is not welcoming to road users and is visually unattractive. We will need a policy so the effect of the concrete mass can be softened.

**(xix)** The main access to the marina is at the western end where there are two pedestrian walkways entering into the Asda car park and one of these is essentially the continuation of the Undercliff Walk. The eastern access (adjacent to the boatyard) is not signposted, is very narrow and usually covered in dog poo. Action is being taken to improve the western access through the Blackrock development. No action is being taken to improve the eastern access which is overdue and a policy is required for this. Clearly, the space here is very narrow and may require an additional strip of land from the boatyard.

**(xx)** Despite the marina's focus on leisure and hospitality and the number of cyclists in Brighton, cycle access to the marina is pitiful. The proposed Blackrock development should allow some cycle access but this is located at the western end and will merge into the Asda car park which has its own safety implications particularly for younger cyclists. As stated the eastern access isn't easy for cyclists to access.

**(xxi)** Ideally a new access could be created which could cater for pedestrians and cyclists. This could start at the roundabout servicing

the Asda goods entrance and Starboard Court and then slope upwards along the hard surface until it meets the Undercliff Walk. This would be better signposted and allow pedestrian and cycle access nearer the commercial heart of the marina and provide an opportunity to create new income generation opportunities for the marina's commercial operations.

### **D. BM3: Connectivity**

**(xxii)** Policies regarding connectivity are critical. The current entrances into the marina are very poor – road traffic enters and leaves via a series of concrete blockwork. There have been Road Traffic Accidents as cars switch lane to enter the top floor of the multi-storey car park or the mandatory left filter for the Asda car park. These need to be made safer.

**(xxiii)** Cyclists and pedestrians can either enter or leave using the Asda car park (or if they know about it – the narrow entrance at the eastern end).

**(xxiv)** New entrances are required for pedestrians and cyclists that bypass the Asda car park and this can only be achieved through a new entrance directly into the marina from the Undercliff Walk using a ramp down towards the Asda service depot and the rear of Starboard Court.

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## E. BM4: Residential development

- (xxv) Comments relating to access, design and housing type and mix are supported.
- (xxvi) Notwithstanding the extant planning consent for the tower block behind the David Lloyd shed, we should seek to control new development so that development exceeding cliff height is prevented. This requirement was a core provision within the original plans and was only overturned recently on planning appeal.

## F. BM5: Natural environment/ marine wildlife

- (xxvii) ESG is a core issue in corporate planning.
- (xxviii) The policy relating to mitigation of flood risk is supported.
- (xxix) The integrity of the cliffs need to be supported.
- (xxx) The water quality policy needs to be supported.
- (xxxi) The quality of the outer and inner harbour needs to be maintained. We need to prevent development that contributes towards the build up of silt. Regular desilting is a core requirement of the leases over marina usage and the current state of silting is likely to represent a serious breach of lease. Moreover, the build up of silt compromises the ability of yachts and/ or boats to enter the marina thereby further

compromising the viability of the commercial operations. Generally, boats and yachts are easily moved and dredging operations are easy but consideration needs to be given to the ease of de-silting under the waterlodes. Should we safeguard development against watercraft that are less capable of being moved?

- (xxxii) Similarly, the inner and outer harbours should provide a greater amount of leisure activity than at current. There are health issues caused by effluent and other pollutant leakage from watercraft into the marina. We need better controls that safeguard this sort of contamination. In time, it may be possible to allow events such as dragon races again.

- (xxxiii) It is also critical that the marina and all the parties who have an interest in the marina, including leaseholders, work together in monitoring planning applications in the immediate vicinity of the marina, such as the gasworks site, where there are serious concerns that the groundwater has already been compromised (documents submitted by the applicant refer) and that the water entering the Channel and the marina already exceeds published Environmental Quality Standards. Other soil-based contaminants on that site include, inter alia, lead, zinc, cyanide, asbestos, benzopyrene all of which are carcinogenic and can easily compromise the health

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of marina residents, workers and visitors.

- (xxxiv)** The current marina dredging programme will need to be reviewed in this regard as we should comply with the spirit of the rules which we set. Currently, all dredged silt is dumped at sea outside the marina. This dumping is compromising other local uses and groups such as Surfers Against Sewage are seeking the Marine Management Organisation (MMO) to take action against the marina.

## **G. BM6: Cafes, restaurants, retail and other commercial facilities**

- (xxxv)** Whilst proposals for the use of land and/ or buildings for boating, leisure and recreational activities would be supported, it would be useful to add town planning use classes that are ancillary to a high density of residential use. This could include but is not restricted to a doctor surgery, general store shop, retail etc to include uses that support footfall entering the marina.

We are aware that contractual obligations regarding these sort of facilities were entered into by the developers of Sirius and Orion under Section 106 agreements but much time has elapsed since these were built and none of the Section 106 obligations appear to have been provided. The status of these contractual obligations should be

examined.

- (xxxvi)** Consequently, it is clear that other use classes will be less supported. The sort of commercial activities that would be less supported are those revolving around more office-based activities. Consideration should be given to distinguishing between those uses which are preferred to those which are less preferred through front-of-site versus rear-of-site locations – effectively some sort of zoning. Offices should ideally be within the “Neilsons” block or at the most remote part of the commercial zone.

- (xxxvii)** Many of the current commercial units, particularly those that are vacant, are overly large. The commercial lessee should be supported if requests are made to subdivide these units.

- (xxxviii)** The marina desperately needs a magnet store – ie a retail unit of sufficient magnitude that it will entice other retailers to locate at the marina. The existing Asda store is insufficient for this. The commercial lessee should be encouraged to recruit such a magnet store.

- (xxxix)** Pop-ups and box stores are indicative of a popular, thriving modern, commercial zone. The commercial lessee should be encouraged to find somewhere on the marina for such outlets for these to be located.

continued overleaf

- (xl) Existing marina by-laws preventing or mitigating successful commercial operations should be reviewed to determine whether they remain fit for purpose. An example of such a puzzling by-law is the “no busking” rule on the Boardwalk.

## **H. BM7: Energy use, waste, minimisation and recycling**

- (xli) This is also important for ESG compliance.
- (xlii) The marina is ideal for a solar farm. The roof space and development rights of every residential unit (other than those in Trafalgar Gate) is owned by Brighton Marina Group and are ideal for south facing solar panels. The Brighton Marina Group should be encouraged to seek planning consent for such a solar farm. It should be stressed that there are grants currently available for this sort of project which would ease financial considerations and delays may see these sort of grants come to an end.
- (xliii) The main recycling drop off points are in the Asda car park. These are frequently overflowing and indicative of poor management. Moreover, there is a rat infestation problem in the Asda car park. Asda should be reminded they are part of the marina community and should ensure that the recycling drop off points are kept clean, tidy and that the car park generally should be kept clear of waste.

## **I. BM8: Community facilities**

- (xliv) These objectives are supported.

## **Non-Land Use Community Actions**

### **J. BMCA1: Access/ transport**

- (xlv) This is supported.
- (xlvi) It should be stressed that the former express bus 7X was never successful. This was because it operated a direct route to the station between 9.00 and 6.00. Commuters to London would need to arrive in London from 9.00 and generally return home after 5.00. Express buses should therefore cater for these hours of operation.

### **K. BMCA2: A valued resource and an active destination for visitors**

- (xlvii) These are supported.
- (xlviii) The earlier comment regarding the current banning of busking needs to be considered.
- (xlix) Specialist marine facilities and office-related activities should ideally be located at the boatyard end of the marina. More leisure and hospitality activities should ideally be located along the Boardwalk and adjacent areas. More retail and residential focused activities should be zoned more inland away from the Boardwalk.

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- (I) Specialists in social media should be engaged to reverse the current negative reviews prevalent on tourist review websites such as Tripadvisor (see here).
- (II) Short break operators should be encouraged – although with safeguards such as registration to provide safety for the local community.
- (lii) The marina should seek to participate with other Brighton-wide events many of which end on Madeira Drive and not just those listed. We need to coordinate with the operators of the proposed new event space at Blackrock.
- (liii) Specialists devoted to visitor engagement and user experience need to be engaged.

### **L. BMCA3: Public Art**

- (liv) The mass of concrete forming the entrance and exit ramps to the marina and the cliff space would be ideal canvases for public art. An annual competition could be held whereby one canvas area at a time is made available for winning designs. The art itself will, in time, create a visitor attraction.

### **M. BMCA4: Air quality**

- (lv) The marina needs to actively consider and engage with the wider non-marina community on environmental quality issues – air and sea. This means engagement with the Council for land-based

issues and the Marine Management Organisation for sea-based issues. This would cover amongst other aspects pollutants, dredging issues, land contamination and water contamination. The current gasworks planning application is an example of a relevant widercommunity issue as is the dredging of silt from the marina.

### **N. BMCA5: Boundary review**

- (lvi) Brighton Council has recently completed a boundary review whereby the marina is being transferred from the Rottingdean Coastal ward to the Kemptown ward. Whilst Kemptown is admittedly nearer to the marina, it remains a poor choice as issues facing the marina are not the same as those facing the rest of Kemptown. We need to actively promote a single-seat ward of our own for the next Boundary review.

### **O. Concluding comments**

- (lvii) Reflecting why there are so many comments within this response, we have compared this Draft consultation document to others that have been published on the internet and it appears that our draft is not as complete as others that have been published (see attached Ashwell example here where reference is made to a number of meetings, surveys and drafts). Most other consultation documents are

continued overleaf

much more detailed setting out the sort of development they want to see and the development they do not want to see. Maybe this document should have been longer too. It looks as if delays arising from the pandemic lockdown mean that our original residential and worker surveys may need to be revisited and we take additional time to get this right.

**(lviii)** Because of this the role of the examiner is critically important. The examiner's role appears to be to confirm that the consultation meets the criteria set out within the Localism Act – and is not some form of safety net to spot issues which have been omitted etc. Consequently, we need to ensure that the final document is as full and complete as possible.

Current NPIERS guidance appears to support this approach (see here). This was confirmed by Andrew Ashford in his conclusion to his report on the West Grinstead Neighbourhood Plan “It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements”.

**(lix)** We have spent a lot of time going through the document and whilst there is much to support, there is

also a fair amount excluded, not discussed etc. Our fear is that marina residents will not engage with this consultation, that workers will not know it exists and that visitors will be oblivious.

**(lx)** Finally, we need to ensure that the final document meets the vision of our residents and our workers. We need to be transparent with consultation responses including numbers of respondents so we know we are reflective of intentions. Is there a better way to communicate with everyone? Maybe reliance on email communications alone isn't appropriate. Maybe we need face to face consultation too.

## Appendix 9

# Responses to comments from respondent no. 45

## Brighton Marina Neighbourhood Plan

### Response

#### General Comments – Process

The Plan has now reached an advanced stage. The purpose of the pre-submission Plan was to allow all concerned to comment on its proposed approach and policies.

Earlier phases of the preparation of the Plan had allowed a broader debate on the role, purpose, and content of the Plan.

The Forum acknowledges the importance of the Brighton Marina Act 1968 to the overall role and purpose of the neighbourhood area. However, the Plan will be considered against the basic conditions which include having regard to national planning policy and being in general conformity with the strategic policies in the development plan (The City Plan Parts 1 and 2).

#### General Comments – The details of the Plan

The representation suggests that the matters addressed in the Plan should be more comprehensive.

The Forum has considered the format and content of the Plan for several years. It has chosen to focus on a sharp range of policies where the Plan will be able to bring added value to existing policies in the development plan. It also includes five non-land use

community actions. The Forum will monitor the effectiveness of the Plan and undertake a review if necessary. This will provide the opportunity to include any additional policies in the Plan. It will also allow the Forum to address the significance of any changes which may take place to national and local planning policies once the Plan has been 'made'.

#### Comments on the policies

The general level of support for the policies included in the pre-submission Plan is noted.

#### Policy BM1

The various comments are noted.

The overall ambition of the policy is to contribute to a good visual appearance of new and existing buildings as recommended in (xv)

No changes proposed.

#### Policy BM2

The various comments are noted.

The condition of various buildings and structures is well-known to the Steering Group. However, a neighbourhood plan cannot require building owners to restore/repair/improve the buildings and structures concerned.

Designing out Crime is a helpful comment. The Forum will include it within the supporting text to the policy.

#### Policy BM3

The various comments are noted.

The condition of various buildings and structures is well-known to the Steering Group. However, a neighbourhood plan

continued overleaf

cannot require building owners to restore/repair/improve the buildings and structures concerned.

No changes proposed.

## **Policy BM4**

The various comments are noted.

The height of buildings in relation to the adjacent cliffs is an important issue for the wider integrity and appearance of the Marina. The Forum considers that it can be addressed in the wider context of Policies BM1 and 5 of the Plan.

No changes proposed.

## **Policy BM5**

The various comments are noted.

The very specific matters raised on water quality, silt, dredging, and environmental quality are controlled by other agencies and cannot realistically be included in a neighbourhood plan.

No changes proposed.

## **Policy BM6**

The various comments made overlap with the issues with which the Steering Group has grappled in recent years. Based on the requirement for a neighbourhood plan to address land use issues the Steering Group has prepared a land use policy on the matter.

It is recognised that the broader enhancement of the Marina and its retail and commercial facilities will require input from commercial and business owners and the Brighton Marina Group.

No changes proposed.

## **Policy BM7**

The various comments are noted.

Any proposal for a solar farm could be pursued based on the existing policies in the City Plan and on the policies proposed for the neighbourhood plan. The inclusion of a policy on a solar farm at the Marina would be technical in nature, time-consuming and potentially-divisive.

No changes proposed.

## **Policy BM8**

No response required.

## Appendix 10

### Summary of level of support for policies

Graphs shown below are taken from the responses to the online survey tool which asked respondents whether they supported the plan policy or community action.

Do you agree with  
**Policy BM1: Design?**

Answered: 28 Skipped: 10



Do you agree with **Policy BM4: Residential Development?**

Answered: 28 Skipped: 10



Do you agree with  
**Policy BM2: Public realm/open spaces?**

Answered: 26 Skipped: 12



Do you agree with  
**Policy BM5: Natural environment/ Marine Wildlife?**

Answered: 24 Skipped: 14



Do you agree with  
**Policy BM2: Connectivity**

Answered: 25 Skipped: 13



Do you agree with **Policy BM6: Cafes, restaurants, retail facilities and other residential facilities?**

Answered: 22 Skipped: 16



continued overleaf

## Summary of level of support for policies continued

Graphs shown below are taken from the responses to the online survey tool which asked respondents whether they supported the plan policy or community action.

Do you agree with  
**Policy BM7: Energy use, waste  
minimisation and recycling?**

Answered: 23 Skipped: 15



Do you agree with **Community Action  
BMCA2: A valued resource and an  
Active destination for visitors?**

Answered: 22 Skipped: 16



Do you agree with  
**Policy BM8: Community facilities?**

Answered: 21 Skipped: 17



Do you agree with **Community Action  
BMCA3: Public Art?**

Answered: 21 Skipped: 17



Do you agree with  
**Community Action BMCA1:  
Access/Transport?**

Answered: 22 Skipped: 16



Do you agree with  
**Community Action BMCA4:  
Air Quality?**

Answered: 21 Skipped: 17



continued overleaf

## Summary of level of support for policies continued

Graphs shown below are taken from the responses to the online survey tool which asked respondents whether they supported the plan policy or community action.

Do you agree with **Community Action**  
**BMCA5: Boundary Review?**

Answered: 20      Skipped: 18



## Appendix 11

# Responses from statutory consultees who raised no comment or offered support. (Natural England, Historic England, National Highways, West Sussex County Council, Environment Agency)

Date: 04 January 2023  
Our ref: 412994  
Your ref: Brighton Marina Neighbourhood Plan



Mr Andrew Knight  
Chair  
Brighton Marina Neighbourhood Forum

Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

**BY EMAIL ONLY**  
[neighbourhoodforum@brighton-marina.co.uk](mailto:neighbourhoodforum@brighton-marina.co.uk)

T 0300 060 3900

Dear Mr Knight

### **Brighton Marina Neighbourhood Plan – Regulation 14**

Thank you for your consultation on the above dated 09 November 2022.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

**Natural England does not have any specific comments on the Brighton Marina Neighbourhood Plan.**

However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.

For any further consultations on your plan, please contact: [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Sally Wintle  
Consultations Team

## Response from Natural England continued

# Annex 1 - Neighbourhood planning and the natural environment: information, issues and opportunities

## Natural environment information sources

The [Magic](http://magic.defra.gov.uk/)<sup>1</sup> website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: **Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, National Parks (England), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of Special Scientific Interest (including their impact risk zones)**. Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available [here](#)<sup>2</sup>.

**Priority habitats** are those habitats of particular importance for nature conservation, and the list of them can be found [here](#)<sup>3</sup>. Most of these will be mapped either as **Sites of Special Scientific Interest**, on the Magic website or as **Local Wildlife Sites**. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

**National Character Areas** (NCAs) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found [here](#)<sup>4</sup>.

There may also be a local **landscape character assessment** covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a **National Park** or **Area of Outstanding Natural Beauty** (AONB), the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the [Magic](http://magic.defra.gov.uk/)<sup>5</sup> website and also from the [LandIS website](http://www.landis.org.uk/)<sup>6</sup>, which contains more information about obtaining soil data.

## Natural environment issues to consider

The [National Planning Policy Framework](#)<sup>7</sup> sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](#)<sup>8</sup> sets out supporting guidance.

**Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.**

<sup>1</sup> <http://magic.defra.gov.uk/>

<sup>2</sup> <http://www.nbn-nfbr.org.uk/nfbr.php>

<sup>3</sup> <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

<sup>4</sup> <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

<sup>5</sup> <http://magic.defra.gov.uk/>

<sup>6</sup> <http://www.landis.org.uk/index.cfm>

<sup>7</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/807247/NPPF\\_Feb\\_2019\\_revised.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/807247/NPPF_Feb_2019_revised.pdf)

<sup>8</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>

## Response from Natural England continued

### Landscape

Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

### Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed [here](#)<sup>9</sup>), such as Sites of Special Scientific Interest or [Ancient woodland](#)<sup>10</sup>. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

### Priority and protected species

You'll also want to consider whether any proposals might affect priority species (listed [here](#)<sup>11</sup>) or protected species. To help you do this, Natural England has produced advice [here](#)<sup>12</sup> to help understand the impact of particular developments on protected species.

### Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 171. For more information, see our publication [Agricultural Land Classification: protecting the best and most versatile agricultural land](#)<sup>13</sup>.

## Improving your natural environment

Your plan or order can offer exciting opportunities to enhance your local environment. If you are setting out policies on new development or proposing sites for development, you may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development. Examples might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Think about how lighting can be best managed to encourage wildlife.
- Adding a green roof to new buildings.

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<sup>9</sup><http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

<sup>10</sup><https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

<sup>11</sup><http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

<sup>12</sup><https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

<sup>13</sup><http://publications.naturalengland.org.uk/publication/35012>

## Response from Natural England continued

You may also want to consider enhancing your local area in other ways, for example by:

- Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community.
- Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision.
- Identifying green areas of particular importance for special protection through Local Green Space designation (see [Planning Practice Guidance on this](#) <sup>14</sup>).
- Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks, changing hedge cutting timings and frequency).
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition, or clearing away an eyesore).

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<sup>14</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/>

## Response from Historic England



By e-mail to [neighbourhoodforum@brighton-marina.co.uk](mailto:neighbourhoodforum@brighton-marina.co.uk)

Our  
ref:PL00791646  
Your ref:  
Date: 15/12/2022

Direct Dial:  
Mobile: 01223 582746

Dear Mr Knight ,

### Draft Neighbourhood Plan for Brighton Marina

Thank you for consulting Historic England about your Regulation 14 draft Neighbourhood Plan. This is the first opportunity Historic England has had to review your neighbourhood plan. As the Government's adviser on the historic environment, Historic England is keen to ensure that the protection of the historic environment is fully considered at all stages and levels of the local planning process.

Neighbourhood Plans are an important opportunity for local communities to set the agenda for their places, setting out what is important and why about different aspects of their parish or other area within the neighbourhood area boundary, and providing clear policy and guidance to readers – be they interested members of the public, planners or developers – regarding how the place should develop over the course of the plan period.

We welcome the production of this neighbourhood plan however at this point we don't consider there is a need for Historic England to be involved in the detailed development of the strategy for your area, but we offer some general advice and guidance below, which may be of assistance where relevant to your plan . The conservation officer at Brighton Council will be the best placed person to assist you in the development of the Plan with respect to the historic environment and can help



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Telephone 01223 58 2749 [HistoricEngland.org.uk](http://HistoricEngland.org.uk)

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## Response from Historic England continued

you to consider and clearly articulate how a strategy can address any of the area's heritage assets.

Paragraph 190 of the National Planning Policy Framework (2021) sets out that Plans, including Neighbourhood Plans, should set out a positive strategy for the conservation and enjoyment of the historic environment. In particular, this strategy needs to take into account the desirability of sustaining and enhancing the significance of all types of heritage asset where possible, the need for new development to make a positive contribution to local character and distinctiveness; and ensure that it considers opportunities to use the existing historic environment to help reinforce this character of a place.

It is important that, as a minimum, the strategy you put together for your area safeguards those elements of your neighbourhood area that contribute to the significance of those assets. This will ensure that they can be enjoyed by future generations of the area and make sure your plan is in line with the requirements of national planning policy, as found in the National Planning Policy Framework.

The government's [National Planning Practice Guidance](#) on neighbourhood planning is clear that, where relevant, Neighbourhood Plans need to include enough information about local heritage to guide local authority planning decisions and to put broader strategic heritage policies from the local authority's local plan into action but at a *neighbourhood* scale. Your Neighbourhood Plan is therefore an important opportunity for a community to develop a positive strategy for the area's locally important heritage assets that aren't recognised at a national level through listing or scheduling. If appropriate this should include enough information about local non-designated heritage assets, including sites of archaeological interest, locally listed buildings, or identified areas of historic landscape character. Your plan could, for instance, include a list of locally important neighbourhood heritage assets, (e.g. historic buildings, sites, views or places of importance to the local community) setting out what factors make them special. These elements can then be afforded a level of protection from inappropriate change through an appropriately worded policy in the plan. We refer you to our guidance on local heritage listing for further information: HE Advice Note 7 - local listing: <https://www.historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7>

The plan could also include consideration of any Grade II listed buildings or locally designated heritage assets which are at risk or in poor condition, and which could then be the focus of specific policies aimed at facilitating their enhancement. We would refer you to our guidance on writing effective neighbourhood plan policies,



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## Response from Historic England continued

which can be found here: <https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/policy-writing/>

If you have not already done so, we would recommend that you speak to the staff at local authority archaeological advisory service who look after the Historic Environment Record and give advice on archaeological matters. They should be able to provide details of not only any designated heritage assets but also non designated locally important buildings, archaeological remains and landscapes. Some Historic Environment Records may be available to view on-line via the Heritage Gateway ([www.heritagegateway.org.uk](http://www.heritagegateway.org.uk)). It may also be useful to involve local voluntary groups such as a local Civic Society, local history groups, building preservation trusts, etc. in the production of your Neighbourhood Plan, particularly in the early evidence gathering stages.

Your local authority might also be able to provide you with more general support in the production of your Neighbourhood Plan, including the provision of appropriate maps, data, and supporting documentation. There are also funding opportunities available from Locality that could allow the community to hire appropriate expertise to assist in such an undertaking. This could involve hiring a consultant to help in the production of the plan itself, or to undertake work that could form the evidence base for the plan. More information on this can be found on the My Community website here: <http://mycommunity.org.uk/funding-options/neighbourhood-planning/>.

The Conservation Area if relevant may have an appraisal document that would ordinarily set out what the character and appearance of the area is that should be preserved or enhanced. The neighbourhood plan is an opportunity for the community to clearly set out which elements of the character and appearance of the neighbourhood area as a whole are considered important, as well as provide specific policies that protect the positive elements, and address any areas that negatively affect that character and appearance. An historic environment section of your plan could include policies to achieve this and, if your Conservation Area does not have an up to date appraisal, these policies could be underpinned by a local character study or historic area assessment. This could be included as an appendix to your plan. Historic England's guidance notes for this process can be found here: [HE Advice Note 1 - conservation area designation, appraisal and management](#), and here: <https://historicengland.org.uk/images-books/publications/understanding-place-historic-area-assessments/>. The funding opportunities available from Locality discussed above could also assist with having this work undertaken.



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## Response from Historic England continued

The NPPF (paragraphs 124 - 127) emphasises the importance placed by the government on good design, and this section sets out that planning (including Neighbourhood Plans) should, amongst other things, be based on clear objectives and a robust evidence base that shows an understanding and evaluation of an area, in this case Brighton Marina. The policies of neighbourhood plans should also ensure that developments in the area establish a strong sense of place and respond to local character and history by reflecting the local identity of the place – for instance through the use of appropriate materials, and attractive design.

Your neighbourhood plan is also an opportunity for the community to designate Local Green Spaces, as encouraged by national planning policy. Green spaces are often integral to the character of place for any given area, and your plan could include policies that identified any deficiencies with existing green spaces or access to them or aimed at managing development around them. Locality has produced helpful guidance on this, which is available here:

<https://mycommunity.org.uk/resources/neighbourhood-planning-local-green-spaces>.

You can also use the neighbourhood plan process to identify any potential Assets of Community Value in the neighbourhood area. Assets of Community Value (ACV) can include things like local public houses, community facilities such as libraries and museums, or again green open spaces. Often these can be important elements of the local historic environment, and whether or not they are protected in other ways, designating them as an ACV can offer an additional level of control to the community with regard to how they are conserved. There is useful information on this process on Locality's website here: <http://mycommunity.org.uk/take-action/land-and-building-assets/assets-of-community-value-right-to-bid/>.

Communities that have a neighbourhood plan in force are entitled to claim 25% of Community Infrastructure Levy (CIL) funds raised from development in their area. The Localism Act 2011 allows this CIL money to be used for the maintenance and on-going costs associated with a range of heritage assets including, for example, transport infrastructure such as historic bridges, green and social infrastructure such as historic parks and gardens, civic spaces, and public places. As a Qualifying Body, your neighbourhood forum can either have access to this money or influence how it is spent through the neighbourhood plan process, setting out a schedule of appropriate works for the money to be spent on. Historic England strongly recommends that the community therefore identifies the ways in which CIL can be used to facilitate the conservation of the historic environment, heritage assets and their setting, and sets this out in the neighbourhood plan. More information and guidance on this is available from Locality, here:



Historic England, Brooklands, 24 Brooklands Avenue, Cambridge CB2 8BU  
Telephone 01223 58 2749 [HistoricEngland.org.uk](http://HistoricEngland.org.uk)

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## Response from Historic England continued

<https://mycommunity.org.uk/resources/community-infrastructure-levy-neighbourhood-planning-toolkit/>

If you are concerned about the impact of high levels of traffic through your area, particularly in rural areas, the “Traffic in Villages” toolkit developed by Hamilton-Baillie Associates in conjunction with Dorset AONB Partnership may be a useful resource to you.

Further information and guidance on how heritage can best be incorporated into Neighbourhood Plans has been produced by Historic England, including on evidence gathering, design advice and policy writing. Our webpage contains links to a number of other documents which your forum might find useful. These can help you to identify what it is about your area which makes it distinctive, and how you might go about ensuring that the character of the area is protected or improved through appropriate policy wording and a robust evidence base. This can be found here: <https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/>.

Historic England Advice Note 11- Neighbourhood Planning and the Historic Environment, which is freely available to download, also provides useful links to exemplar neighbourhood plans that may provide you with inspiration and assistance for your own. This can be found here: <https://historicengland.org.uk/images-books/publications/neighbourhood-planning-and-the-historic-environment/>

The following general guidance also published by Historic England may also be useful to the plan forum in preparing the neighbourhood plan or considering how best to develop a strategy for the conservation and management of heritage assets in the area. It may also be useful to provide links to some of these documents in the plan:

HE Advice Note 2 - making changes to heritage assets:  
<https://historicengland.org.uk/images-books/publications/making-changes-heritage-assets-advice-note-2/>

HE Good Practice Advice in Planning 3 - the setting of heritage assets:  
<https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/>

If you are considering including Site Allocations for housing or other land use purposes in your neighbourhood plan, we would recommend you review the following two guidance documents, which may be of use:



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Telephone 01223 58 2749 [HistoricEngland.org.uk](http://HistoricEngland.org.uk)

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## Response from Historic England continued

HE Advice Note 3 - site allocations in local plans:

<https://historicengland.org.uk/images-books/publications/historic-environment-and-site-allocations-in-local-plans>

HE Advice Note 8 - Sustainability Appraisal and Strategic Environmental Assessment

: <https://historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/>

We recommend the inclusion of a glossary containing relevant historic environment terminology contained in the NPPF, in addition to details about the additional legislative and policy protections that heritage assets and the historic environment in general enjoys.

Finally, we should like to stress that this advice is based on the information provided by Brighton in their correspondence. To avoid any doubt, this does not reflect our obligation to provide further advice on or, potentially, object to specific proposals which may subsequently arise as a result of the proposed neighbourhood plan, where we consider these would have an adverse effect on the historic environment.

If you have any queries about this matter or would like to discuss anything further, please do not hesitate to contact me.

Yours sincerely,

Louise

Historic Places Advisor,

Louise.Dandy@HistoricEngland.org.uk



Historic England, Brooklands, 24 Brooklands Avenue, Cambridge CB2 8BU

Telephone 01223 58 2749 [HistoricEngland.org.uk](https://historicengland.org.uk)

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# Response from National Highways

## Andrew Knight

---

**From:** Elizabeth Cleaver <Elizabeth.Cleaver@nationalhighways.co.uk>  
**Sent:** 09 December 2022 17:54  
**To:** neighbourhoodforum  
**Cc:** Planning SE; Spatial Planning  
**Subject:** National Highways response: Brighton Marina Neighbourhood Plan: Regulation 14 Consultation

<b>For attention of:</b>	Mr Andrew Knight
<b>Consultation:</b>	Brighton Marina Neighbourhood Development Plan Regulation 14 Consultation
<b>National Highways Reference:</b>	Tracker #18420; (JSJV SB557)

Dear Mr Knight,

Thank you for your notification of 9 November 2022 inviting National Highways to comment on the Neighbourhood Plan Regulation 14 Consultation by 4 January 2023.

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

We will therefore be concerned with proposals and policies that have the potential to impact on the safe and efficient operation of the SRN. In this case our interest relates primarily to the A27.

We do not wish to make any comment on the Neighbourhood Plan, however please continue to consult us as the plan progresses.

If you have any queries regarding this response, please contact us via [PlanningSE@nationalhighways.co.uk](mailto:PlanningSE@nationalhighways.co.uk).

Kind regards

**Elizabeth Cleaver, Assistant Spatial Planning Manager**

National Highways | Bridge House | 1 Walnut Tree Close | Guildford | Surrey | GU1 4LZ

Web: <http://nationalhighways.co.uk/>

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## Response from National Highways continued

**National Highways Limited | General enquiries: 0300 123 5000 | National Traffic Operations Centre, 3 Ridgeway, Quinton Business Park, Birmingham B32 1AF | <https://nationalhighways.co.uk> | [info@nationalhighways.co.uk](mailto:info@nationalhighways.co.uk)**

*Registered in England and Wales no 9346363 | Registered Office: Bridge House, 1 Walnut Tree Close, Guildford, Surrey GU1 4LZ*

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# Response from West Sussex County Council

**Andrew Knight**

---

**From:** Eloise Witty <Eloise.Witty@westsussex.gov.uk>  
**Sent:** 10 November 2022 10:41  
**To:** neighbourhoodforum  
**Subject:** Reg 14 Consultation - WSCC no comments

Good morning,

Thank you for consulting WSCC on the Reg 14 Brighton Marina Neighbourhood Plan. To confirm, WSCC have no comments to make on the draft plan.

Please continue to consult us on any future consultations.

Kind regards,

The Planning Policy and Infrastructure Team

**Planning Policy and Infrastructure**  
Planning Services  
West Sussex County Council  
**Location:** Ground Floor, Northleigh, Chichester, West Sussex, PO19 1RH  
**E-mail:** [planning.policy@westsussex.gov.uk](mailto:planning.policy@westsussex.gov.uk)

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# Response from Environment Agency

## Andrew Knight

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**From:** Oxley, Marguerite <marguerite.oxley@environment-agency.gov.uk>  
**Sent:** 12 December 2022 17:04  
**To:** neighbourhoodforum  
**Subject:** Brighton Marina Neighbourhood Plan: Regulation 14 Consultation - Comments from the Environment Agency

Dear Andrew,

Thank you for consulting the Environment Agency on the Regulation 14 consultation for the Brighton Marina Neighbourhood Plan.

We are pleased to see the policies relating to “Mitigation of Flood Risk” and “Water Quality” within Policy BM5: Natural Environment/Marine Wildlife and also pleased to see Policy BM7: Energy Use, Waste Minimisation and Recycling.

Because the plan is not allocating sites for development but the Neighbourhood Plan area should in any case fall under policies in City Plan Parts 1 and 2, we have no further comments to make for areas within our remit.

Kind regards

Marguerite Oxley

Marguerite Oxley|Technical Specialist|Sustainable Places|Solent and South Downs Area|  
Environment Planning and Engagement|Environment Agency|Guildbourne House|Chatsworth Road| Worthing|West  
Sussex|BN11 1LD

Tel external: 02030257171|Tel internal: 57171|Mobile:- 07733077926|  
Email :- [marguerite.oxley@environment-agency.gov.uk](mailto:marguerite.oxley@environment-agency.gov.uk) (or [PlanningSSD@environment-agency.gov.uk](mailto:PlanningSSD@environment-agency.gov.uk))  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)

My pronouns are She/Her  
([why is this here?](#))

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**From:** neighbourhoodforum <[neighbourhoodforum@brighton-marina.co.uk](mailto:neighbourhoodforum@brighton-marina.co.uk)>  
**Sent:** 09 November 2022 16:48  
**To:** neighbourhoodforum <[neighbourhoodforum@brighton-marina.co.uk](mailto:neighbourhoodforum@brighton-marina.co.uk)>  
**Subject:** Brighton Marina Neighbourhood Plan: Regulation 14 Consultation.

You don't often get email from [neighbourhoodforum@brighton-marina.co.uk](mailto:neighbourhoodforum@brighton-marina.co.uk). [Learn why this is important](#)

Notice to Statutory Consultees.

Dear Consultee,

Brighton Marina Neighbourhood Forum has prepared a draft Neighbourhood Development Plan to set policies for development and to create a shared vision for Brighton Marina. Consultation (Regulation 14) on the draft plan commences on 9<sup>th</sup> November, full details are provided in the attached Notice. You can find the draft plan here: [www.bmnf.org.uk](http://www.bmnf.org.uk) Consultation is open on the draft plan from 9<sup>th</sup> November 2022 until 4<sup>th</sup> January 2023. Any questions or enquiries should be addressed to [neighbourhoodforum@brighton-marina.co.uk](mailto:neighbourhoodforum@brighton-marina.co.uk)

Kind regards,

## Response from Environment Agency continued

Andrew Knight,  
Chair, Steering Committee.

On behalf of The Brighton Marina Neighbourhood Forum

This email has been sent to you as a member of the Brighton Marina Neighbourhood Forum. When you completed your membership application form you consented to be contacted by us regarding the Neighbourhood Forum. We confirm: that we will not use your contact details for any other purposes; that we will store your details securely; and that we will not pass your details onto any third parties. If you would like to cease to be a member and therefore for your details to be removed from our records, please email [NeighbourhoodForum@brighton-marina.co.uk](mailto:NeighbourhoodForum@brighton-marina.co.uk) or telephone 01273 628627.

Information in this message may be confidential and may be legally privileged. If you have received this message by mistake, please notify the sender immediately, delete it and do not copy it to anyone else. We have checked this email and its attachments for viruses. But you should still check any attachment before opening it. We may have to make this message and any reply to it public if asked to under the Freedom of Information Act, Data Protection Act or for litigation. Email messages and attachments sent to or from any Environment Agency address may also be accessed by someone other than the sender or recipient, for business purposes.

## Appendix 12

# Regulation 14 consultation invitation letter delivered to all Marina addresses

Brighton Marina Neighbourhood Forum

## Have your say on future development at Brighton Marina.

Brighton Marina Neighbourhood Forum has prepared a draft Neighbourhood Development Plan to set policies for development and to create a shared vision for the Marina.

Find the plan here: [www.bmnf.org.uk](http://www.bmnf.org.uk)

What do you think of the proposed plan?

All Marina workers and residents are invited to comment.

Consultation is open on the plan from 9<sup>th</sup> November 2022  
until 4<sup>th</sup> January 2023.

Please visit [www.bmnf.org.uk/consult](http://www.bmnf.org.uk/consult) to respond or use this QR code to go straight to the consultation.



If you would like a paper copy of the plan and response form, please contact the forum c/o the Marina Administration Office, BN2 5UF, tel. 01273 628627 or email [neighbourhoodforum@brighton-marina.co.uk](mailto:neighbourhoodforum@brighton-marina.co.uk)

If you would like to discuss the plan with a member of the forum steering committee in person, we are holding a drop-in session at the Marina Administration Office on Wednesday 23<sup>rd</sup> November 4pm – 7pm.

All responses received will be considered in revising the plan which will then be put to a vote of Marina workers and residents.

**Make your voice heard.**

Brighton Marina Neighbourhood Forum  
Brighton Marina Estate Office, Brighton Marina, Brighton, BN2 5UF  
[neighbourhoodforum@brighton-marina.co.uk](mailto:neighbourhoodforum@brighton-marina.co.uk)

# Brighton Marina Neighbourhood Forum

c/o Brighton Marina Administration Office,  
Brighton Marina, Brighton, BN2 5UF

Email: [neighbourhoodforum@brighton-marina.co.uk](mailto:neighbourhoodforum@brighton-marina.co.uk)

Website: [www.bmnf.org.uk](http://www.bmnf.org.uk)

