

BODY: CABINET

DATE: 6 February, 2012

SUBJECT: Eastbourne Park Supplementary Planning Document

REPORT OF: Senior Head of Development and Environment

Ward(s): All

Purpose: For Cabinet to recommend that Full Council accepts the changes to the Eastbourne Park Supplementary Planning Document and approves the document for formal adoption.

Decision type: Budget and Policy Framework

Contact: William Nichols (Principal Planning Policy Officer), 1 Grove Road, Eastbourne, East Sussex.
Tel no: (01323) 415254
E-mail: william.nichols@eastbourne.gov.uk

Recommendation: Cabinet is asked to recommend that Full Council approves the Eastbourne Park Supplementary Planning Document.

1.0 Introduction and Background

- 1.1 The Eastbourne Park Supplementary Planning Document (SPD) has been prepared to set out a clear strategy for the future management of Eastbourne Park as an ecological, archaeological and leisure resource. It will be used as a guide to developers and as a material consideration in the determination of planning applications within the Park.
- 1.2 The decision to prepare an SPD for Eastbourne Park arose as a result of an increased recognition by the Council of the need to protect it for existing and future generations. Whilst the Park already functions as an important flood plain and an area of significant archaeology, ecology and leisure/recreation, it has been acknowledged that the Park is an under-utilised resource, which requires additional protection and a clear vision and framework for its future use.
- 1.3 The Eastbourne Park SPD seeks to provide details on the interpretation of Policy D11: Eastbourne Park, of the Core Strategy (The Eastbourne Plan). It aims to build on policies in the Core Strategy in order to provide a sustainable framework for the future management of the Park. It will play a vital role in conserving and enhancing the existing environmental, ecological and archaeological characteristics of Eastbourne Park SPD, whilst at the same time managing the area for appropriate leisure and recreational uses to help enhance the social and economic well-being of the local community and attract more visitors to Eastbourne. It will be used as a material consideration in the determination of planning applications within Eastbourne Park's boundaries.

- 1.4 Since the Eastbourne Park SPD is required to be in conformity with the Eastbourne Core Strategy Local Plan (ECSLP), it cannot be adopted until the ECSLP has been found by an independent inspector. In a letter dated 21 November, 2012, the inspector enclosed her final report on the ECSLP.
- 1.5 The inspector's report did not recommend any changes been made to Policy D11: Eastbourne Park or any other changes to the ECSLP that would have implications for the Eastbourne Park SPD. This has meant that no additional amendments are required, other than those recommended by Officers in Appendix 2: Consultation Statement.
- 1.6 The inspector confirmed (in paragraph 27 of her report) that she was satisfied sites in Eastbourne Park *"have been thoroughly tested through the SHLAA [Strategic Housing Land Availability Assessment] process"*. She stated that *"The park's capacity for flood storage, together with its archaeological, biodiversity and landscape sensitivity, justify its safeguarding for flood protection from the impact of development"*. She confirmed in paragraph 73 of her report that *"the SHLAA, together with the SFRA [Strategic Flood Risk Assessment] and the evidence that supports Policy D11: Eastbourne Park together provide robust evidence and demonstrate that none of the omission sites are suitable for housing or employment development"*.
- 1.7 In addition, the inspector also agreed with the approach that excluded wind turbines from Eastbourne Park SPD. Whilst she acknowledged (in paragraph 71 of her report) that *"A balance clearly needs to be struck between...maximizing the potential to deliver renewable energy installations...and conserving and enhancing the landscape and ecology of Eastbourne Park"*. On balance, however, the inspector considered that *"the Plan's vision for Eastbourne Park to provide a "green heart" for the town and contribute to the social, economic and physical well being of the community, is a unique opportunity for Eastbourne and will play a key part in supporting the spatial objectives of regeneration and community health"* and therefore considered *"that the robust protection of of Eastbourne Park's landscape character, as set out in Policy D11, is justified and consistent with national guidance"*.

2.0 Eastbourne Park Supplementary Planning Document (SPD)

- 2.1 The Eastbourne Park SPD is divided into five main chapters:
- Introduction;
 - History, Context and Vision;
 - Key Principles for Eastbourne Park;
 - The Spatial Framework; and
 - Implementation and Monitoring.
- 2.2 Chapter 1: Introduction
Chapter 1 provides an overview of the document. It sets out the rationale for preparing an SPD and the consultation methods that have informed it.
- 2.3 Chapter 2: History, Context and Vision
Chapter 2 provides a concise history of Eastbourne Park describing how it has evolved and provides an overview of the Park's principal characteristics. It

sets the scene for the development of the strategy established in the subsequent chapters and describes the four sub-divisions of the Park:

- Broadwater;
- Southbourne;
- West Langney; and
- Shinewater.

2.4 It explains the need for the document to be in conformity with the Core Strategy and sets out the Vision for the Park:

"By 2027, Eastbourne Park will provide a unique, accessible and sensitively managed 'green heart', which makes a significant contribution to the social, economic, environmental and physical well-being of the community".

2.5 It identifies a number of key issues that need to be considered within the SPD. These include:

- The importance of the area for flood storage;
- The need for future enhancements to the Park to provide an effective balance between the need to preserve the environment and to provide social and economic benefits;
- The desire to increase tourism through the designation of a local nature reserve and provision of a visitor centre;
- Identify appropriate leisure and recreation uses within the Park;
- Protect the natural and historical environments; and
- Address the current lack of accessibility to the Park.

2.5 Chapter 3: Key Principles for Eastbourne Park

Chapter 3 describes how the Eastbourne Vision will be delivered through the implementation of ten key principles. These principles seek to provide an appropriate balance between the Park's different roles and functions:

- KP1: Conservation of the Natural Environment
- KP2: Flood Mitigation
- KP3: Improved Accessibility
- KP4: Agriculture and Allotments
- KP5: Conservation of the Historic Environment
- KP6: Healthy Communities
- KP7: Educational Awareness
- KP8: Sustainable Tourism
- KP9: Green Corridors
- KP10: Renewable Energy Generation

2.6 Chapter 4: The Spatial Framework

Chapter 4 sets out a spatial framework, which seeks to build on existing key structural elements within Eastbourne Park and helps define a clearer identity for each of the four sectors identified in paragraph 2.3 of this Cabinet Report. It sets out a key diagram for Eastbourne Park and then provides 'concepts' for each of the four sectors, together with maps for each.

2.7 Chapter 5: Implementation and Monitoring

Chapter 5 sets out the different mechanisms through which the Council will facilitate the delivery of key identified pieces of infrastructure and initiatives proposed in the SPD, which in turn help meet the aspirations and objectives for Eastbourne Park. The level of priority and tools required for delivering each item proposed are highlighted, providing practical guidance for what is

expected from developers.

3.0 Consultation on the Draft Eastbourne Park SPD

- 3.1 This draft document was presented to Cabinet on 19 October, 2011 and Planning Committee on 25 October, 2011. It was agreed at these meetings that the Draft Eastbourne Park Supplementary Planning Document (SPD) should be published for a 12-week consultation period commencing on 4 November, 2011 and continuing until 27 January, 2012.
- 3.2 During the representation period, businesses, organisations and individuals were given an opportunity to comment on the document. Other consultation events included a stakeholder workshop (described in paragraphs 3.7-3.10 of this report), a static exhibition in Eastbourne Central Library, and a staffed exhibition at the Arndale Centre.
- 3.3 Over the course of the consultation period, the Council received a total of 58 representations from 18 consultees. Respondents included landowners, developers, other statutory public sector organisations, local schools and local residents. The principal comments requesting substantive changes to the document related to the following:
- The exclusion of Hampden Park and requests that the Plan be amended to include it within the overall boundary (Friends of Hampden Park);
 - The boundary of Eastbourne Park, which does not reflect the extant planning permission at Bedfordwell Road Depot (Places for People);
 - Water quality and the need for a maintenance plan for flooding (Environment Agency);
 - Request to include land north of Hammonds Drive for a new police headquarters (Richard Maile); and
 - The possibility of wind turbines as a renewable energy source (Strutt & Parker on behalf of the Trustees of the Chatsworth Settlement).
- 3.4 The feedback received from this consultation exercise and the formal responses given, have helped informed the preparation of the SPD. Annex A of Appendix 2: Consultation Statement provides a summary of the representations received and sets out an officer's formal comment and response to each. It then sets out whether or not the Council is proposing to amend the document to take account of the representations received.
- 3.5 A comprehensive schedule of the changes being proposed is set out in Annex B of Appendix 2: Consultation Statement to the Eastbourne Park SPD. This includes the changes that have come about as a direct result of representations received during the formal consultation, together with other responses that the Council is proposing to make in order to take account of up-to-date legislation or national policy or to take account of other changes that have taken place since the original document was prepared. These changes have been incorporated (as tracked changes) into an update version of the Eastbourne Park SPD (see Appendix 1: Eastbourne Park SPD (with tracked changes)).

3.6 Whilst Annex B of Appendix 2: Consultation Statement provides the complete breakdown of all the changes being made, this Cabinet Report seeks to draw attention to some of the key changes being made to the document. These include:

- Reference to the National Planning Policy Framework and the Technical Guidance to the National Planning policy Framework, which have replaced Planning Policy Statements and Planning Policy Guidance Notes, since the draft SPD was originally prepared;
- An update to include reference to the consultation events that took place between 4 November, 2011 and 27 January, 2012;
- Minor amendments to the boundary of Eastbourne Park to reflect an extant planning permission at the Bedfordwell Road depot site;
- Clarification that the proposed pedestrian and cycle routes set out in Figure 7 are indicative and that the detailed route planning of these will involve landowners and stakeholders;
- Amendments to the text in recognition of the recent designation of the Bronze Age settlement at Shinewater as a Scheduled Monument;
- Deletion of reference to the need for increasing the capacity of outfalls to the sea following advise from the Environment Agency;
- Clarification of the status of the St Anthony's Link Road to reflect the fact that no financial resources have been allocated to it;
- Deletion of Table 4: Monitoring Framework as this is not required and replicates the detail set out in the Core Strategy's monitoring framework.
- Amendments to the Glossary to reflect recent changes in national legislation, policy and guidance.

3.7 The cross-party LDF Steering Group has endorsed the revised document.

4.0 Resource Implications

4.1 Financial

There are no direct financial implications to the Council of this report. Any on-going and future costs of publication and will be met from within the existing service budget.

4.2 Legal

There is no requirement for the SPD to undergo a formal examination before adoption. However, the Town and Country Planning (Local Planning) Regulations 2012 state that once the SPD has been adopted, any person with sufficient interest in the decision to adopt the Supplementary Planning Document may apply to the High Court for permission to apply for judicial review of that decision, and that any such application must be made promptly and in any event not later than 3 months after the date on which the SPD was adopted.

4.3 Staff Resources

Officers in the Planning Policy Team will manage the publicity arrangements for the formal adoption of the document.

4.4 Equalities and Fairness

An Equalities and Fairness Analysis has been undertaken on the document, which confirms that no major change is needed, as the document is robust and evidence shows no potential for discrimination and that all opportunities to advance equality and foster good relations between groups have been taken. The analysis has been considered by the Corporate Equality and Fairness Planning Group and no adverse comments have been received.

5.0 Conclusion

5.1 Having considered this report and its attached appendices, Cabinet is asked to support the proposed amendments to the Eastbourne Park SPD and recommend that it is approved by Full Council.

Jefferson Collard
Senior Head of Development & Environment

Background Papers:

The Background Papers used in compiling this report were as follows:

*National Planning Policy Framework (NPPF); and
Town and Country Planning (Local Planning) (England) Regulations 2012.*

To inspect or obtain copies of background papers please refer to the contact officer listed above.

Appendix 1: Eastbourne Park SPD (with tracked changes)

Please note that in the interests of economy appendix 1 to the report has not been printed with the agenda. Copies have been placed in the Members' Room, at the Town Hall Reception and on the Council's website at <http://www.eastbourne.gov.uk/council/meetings/cabinet>

Appendix 2: Consultation Statement including:

- **Annex A: Table Showing Summary of Representations, Officer's Comment and Council's Proposed Response**
- **Annex B: Table Providing a Schedule of Proposed Changes to the Eastbourne Park SPD**

Please note that in the interests of economy the Consultation Statement has not been printed with the agenda (only annexes A and B have been printed). Copies have been placed in the Members' Room, at the Town Hall Reception and on the Council's website at <http://www.eastbourne.gov.uk/council/meetings/cabinet>