

COMMITTEE: PLANNING & LICENSING
DATE: 11 DECEMBER 2001
SUBJECT: DESIGNATED SITES OF NATURE CONSERVATION IMPORTANCE
REPORT OF: HEAD OF PLANNING

Ward(s): ALL

Purpose: To adopt the document as Designated Sites of Nature Conservation Importance.

Contact: Lisa Rawlinson, Senior Planning Officer, Telephone 01323 415255 or internally on extension 5255.

Recommendations : That the document on Designated Sites of Nature Conservation Importance be adopted and authorised for publication.

1.0 Introduction

1.1 As part of the ongoing work of reviewing the Eastbourne Borough Plan (1998), it was decided to appoint consultants to update the Nature Conservation Survey which was carried out in 1990. This survey was undertaken during Summer 2000 and the consultants reported to an independent expert panel who decided what sites within the Borough should be recognised as Sites of Nature Conservation Importance (SNCI), where planning policy should seek to protect the nature conservation value.

1.2 Details of the Sites of Nature Conservation Importance were published in summary form as Supplementary Planning Guidance (SPG) and at a meeting of the Planning and Licensing Committee on 23rd January 2001, members approved the SPG for public consultation. The boundaries of the sites were drawn to identifiable features on the ground. Therefore, not all of the land within the sites is of nature conservation importance.

1.3 The document will ensure prospective developers are aware of the nature conservation value of a site at an early stage in the preparation of development proposals. The document will also be likely to have a wider interest for local people and organisations interested in Eastbourne's natural environment.

1.4 It is considered important to bring this document forward for early adoption because it supplements Policy NE12 of the adopted Borough Plan (1998) and Policy NE19 of the Revised Deposit Draft of the Eastbourne Borough Plan (2001-2011).

2.0 Consultations

2.1 A copy of the document was sent to individuals and companies with an interest in one or more of the sites or with an interest in land adjacent to a site of nature conservation importance.

- 2.2 In addition, letters were sent to 24 organisations which included Tenants Associations, East Sussex County Council, Environment Agency, Council for the Protection of Rural England and numerous bodies interested in wildlife issues.
- 2.3 The date for receipt of comments was 20 July 2001 and as a result of the consultations undertaken letters were received from 14 individuals/organisations.
- 2.4 Details of the 14 representations received during the consultation together with the officer response are included in Appendix 1. The consequential amendments that follow from the consultation are summarised in Appendix 2. I would draw your attention to some of the amendments :-
- a) Site E1 Langney Levels – The owners of the land disagreed with the findings of the consultants report and commissioned their own survey. This required reconvening the expert technical panel who had originally debated the consultants report. They welcomed the more detailed report of Site E1 but decided not to change their original recommendation to include the whole site as an SNCI. Reconvening the panel allowed all the representations received to be discussed and the panels views have therefore been taken into account in all the officers responses.
- b) Title – The other main point to be drawn out of the consultation exercise was amendment of the title. It is accepted that the document is not sufficiently detailed to be as all embracing as our usual Supplementary Planning Guidance publications. Resources do not allow the officers to undertake this work and it is not strictly necessary at this time. The purpose of the document is to show clearly definable boundaries of the SNCI in the borough. Thus the title of the document has been amended to reflect this.

3.0 Human Resource Implications

- 3.1 There are no staffing implications as a result of this report.

4.0 Environmental Implications

- 4.1 Maintaining the nature conservation value in Sites of Nature Conservation Importance will make a significant contribution to retaining local bio diversity.

5.0 Other Implications

- 5.1 There are no financial, youth, anti-poverty, community safety or human rights implications as a result of this report.

6.0 Conclusion

- 6.1 The document on Designated Sites of Nature Conservation Importance has been prepared to assist implementation of Policy NE12 of the adopted Borough Plan (1998) and Policy NE19 of the Revised Deposit Draft of the Eastbourne Borough Plan (2001-2011). Members are therefore recommended to adopt the document as amended by the consultation exercise and authorise its publication.

Author Lisa Rawlinson
Title Senior Planning Officer

Background Papers:

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

Eastbourne Borough Plan (1998)
Eastbourne Borough Plan Revised Deposit Draft 2001-2011
Eastbourne Biodiversity Survey, September 2000
Minutes of the Meeting of the SNCI Panel dated 13 September 2001

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

LR/TP11/5

SUMMARY OF SITE SPECIFIC OBJECTIONS/REPRESENTATIONS RECEIVED

Representation from: Mr. J. Barry

Site: E1 – Langney Levels

Objections/comments:

Eastbourne Biodiversity Survey September 2000 is incorrect. Site E1 should not be designated as a SNCI. Mr. Barry commissioned his own botanical survey.

Officer Response

Reconvened the expert panel to discuss Mr. Barry's survey. Panel recommended that the original boundary is retained with some clarifying amendment to the text.

Representation from: Mr. G. Gribble

Site: E1 – Langney Levels

Objections/comments:

Could survey be more specific about the importance and use of each part of the site. Site E1 is about 200 acres of which 50 acres is set aside. Document does not represent a true and accurate record in its present form. The site includes Langney Sports Club bit is not even mentioned.

Officer Response

The site description is limited due to the number of sites needing to be surveyed. The designation acts as a trigger for a more in depth survey should a proposal come forward for the land.

Representation from: T. F. Watson on behalf of Mrs. R. M. Abbott and Mrs. I. H. Lamport

Site: E1 – Langney Levels

Objections/comments:

Site is extremely close to existing residential development and if Council is not in favour of future residential development, strongly suggest land be designated as a Site of Special Scientific Interest.

Officer Response

Expert panel considered the suggestion of a SSSI status but did not recommend this was put forward as being of national interest.

Representation from: The Trustees of the Chatsworth Settlement

Objections/comments:

Could there be a change of name for the “sewers”?

Officer Response

This is the name on the Ordnance Survey Maps and is the original name of these waterways.

Representation from: Smith and Ouzman Ltd.,

Site: E38 – Highfield Industrial Estate

Objections/comments:

Site includes areas of concrete, tarmac and grass verge in front of building line of properties in Marshall Road.

Officer Response

The expert panel reconsidered the boundary and agreed that it had been incorrectly shown on the plan.

Representation from: Bevan Funnell Ltd.,

Site: E18 – Crumbles Sewer

Objections/comments:

Factory site in Birch Close/Maple Road abuts Crumbles Sewer. Grass at rear is mown fortnightly which seems to meet the management proposals detailed in report. Need to be informed in advance if Environment Agency need to work on waterway.

Officer Response

Representation noted and Environment Agency informed of the request for advanced notification.

Representation from: Strutt & Parker on behalf of Eastbourne College of Arts & Technology

Site: E101 – Ocklynge Pit

Main contention is proposed abolition of ranking system in adopted Borough Plan.

Officer Response

The original biodiversity survey was a new idea at the time and a ranking system was used. Since 1990 many more surveys have been carried out and a standard assessment system has been developed. The new survey is now consistent with others across the county.

Representation from: Council Members

Sites: E1 108 – Royal Eastbourne Golf Course, E 109 – Upland Road Chalk Grassland, E113 – Willingdon Golf Course, E115 – Priory Heights Horse Paddock

Objections/comments:

All sites are located on Downland, along edge of urban area. Why have these only been designated as SNCI's? Whole of Downland is designated as a SNCI. It is, therefore, confusing to pick out separate sites.

Officer Response

Expert panel agreed with representation, so sites removed from document, but whole of Downland designated as a SNCI as part of the Borough Plan process.

Representation from: Mr. B. Ashman

Site: E109 – Upland Road Chalk Grassland.

Objections/comments:

Site should not be included as it was originally allocated for housing.

Officer Response

This site is located in the AONB and therefore is part of the Downland SNCI. Existing policies in the Borough Plan prevent the use of this site for housing development.

Representation from: Willingdon Golf Club

Site: E113 – Willingdon Golf Course

Objections/comments:

Appreciate golf course is an area of conservation importance and will do all we can to co-operate with any proposals Council may have.

Officer Response

Comments noted.

Representation from: J. W. Stratton House Builders

Site: E118 – Sovereign Harbour East and West Beaches

Objections/comments:

Removal and replacement of shingle along foreshore means that there has been no static beach front; a new walkway is required to the foreshore; access is required at all times for the Environment Agency to maintain sea defences; surviving species are extremely limited and camping ground to north east has no species of any importance to a marine or coastal setting. It is, therefore, considered that the site should not be designated a SNCI.

Officer Response

Expert panel agree that the boundary was incorrectly shown. Boundary redrawn around specific sites of known interest.

Representation from: Mr. P. N. Avann on behalf of Mr. N. J. Avann

Site: E118 – Sovereign Harbour east and west beaches

Objections/comments:

Site to the west of Old Martello Road is currently used by Bay View Caravan Park as an overflow park during the summer months. The field is not an original feature of the Crumbles environment, it is on a former landfill site.

Officer Response

Field was incorrectly shown on plans and has been deleted.

Representation from: Sovereign Harbour Ltd.,

Site: E118 – Sovereign Harbour east and west beaches

Objections/comments:

Area identified as West Beach includes land which has planning permission for residential development and proposals for commercial uses associated with the marina. Would not, therefore, wish to see designation preventing potential and established development proposals. Outline planning permission also exists and is being implemented for development on part of east beach area. Again, would not wish to see designation preventing established development proposals. Large proportion of site is foreshore where there will be no building work. However, sea defence work will need to be carried out from time to time which will lead to disturbance in area.

Officer Response

Expert Panel agree that the boundary was incorrectly shown. Boundary redrawn around specific sites of known interest. The shingle designated continues to be disturbed but this has always been the case and yet it retains a significant amount of interest. Therefore the redrawn boundaries should be designated as SNCI.

Representation from: Sussex Downs Conservation Board

Objections/comments:

Document does not offer much in way of planning guidance. Is there an opportunity to explain more about the potential detrimental effects of development on any of sites, particularly, given working of Borough Plan Policy NE12? Furthermore, could mention be made of need to avoid development works at certain times of year, avoid discharge directly from parking areas into watercourses etc., This would, perhaps, need to be done on a site by site basis.

Officer Response

This is a valid comment on the original document. The purpose of the document was not as clear as it should have been. It was primarily to show defined boundaries at a scale that made them identifiable with features on the ground. The Borough Plan map is at a scale of 1:10,000 and therefore specific site boundaries are not discernable. The resources are not available to include the detail suggested in this representation. Therefore the title has been amended to read “Designated Sites of Nature Conservation Importance” which better reflects the purpose of the document.

Representation from: Environment Agency

Objections/comments:

Agency supports majority of recommendations. However, request that recommended watercourse or riverbank maintenance be quantified to ensure optimum management of sites and their ecology.

Combined impacts of agricultural and industrial run off from all adjacent land and that upstream of designated sites should be mitigated against in order to attain a degree of sustainable development and to further the biodiversity of an area, designated urban sites cannot be considered in isolation. A range of linked habitats is essential to enable a diverse ecosystem to survive.

Seek clarification as to why much of the Downland was excluded. As the area is of nature conservation value, it is important it is afforded some level of protection and has a clear management system in place in order to retain its value.

Officer Response

This is a valid comment on the original document. The purpose of the document was not as clear as it should have been. It was primarily to show defined boundaries at a scale that made them identifiable with features on the ground. The Borough Plan map is at a scale of 1:10,000 and therefore specific site boundaries are not discernable. The resources are not available to include the detail suggested in this representation. Therefore the title has been amended to read “Designated Sites of Nature Conservation Importance” which better reflects the purpose of the document.

With regard to the point about the Downland designation it is confirmed that all the Downland is a SNCI. For clarity no specific sites have been separately delineated and removed from the original document.

SUMMARY OF AMENDMENTS MADE TO DOCUMENT

- Site E1 – Langney Levels
 - sentence added to summary text “some of grassland is agriculturally improved and of low intrinsic nature conservation value”.

- Site E7 – Prince William Parade
 - site boundary amended

- Site E86 – Ocklynge Cemetery
 - site boundary amended

- Site E94 – Upper Dukes Drive
 - site boundary amended to include Elm trees

- Site E78 – Cliffs below the Helen Gardens
 - text amended be consistent with Biodiversity Survey September 2000.

- Site E118 – Sovereign Harbour east and west beaches
 - site boundary and text amended to just include beaches. Title of site amended to “Sovereign Harbour Beaches”

- Site E108 – Royal Eastbourne Golf Course
 - deleted from document as site is within Downland SNCI

- Site E109 – Upland Road
 - deleted from document as site is within Downland SNCI

- Site E113 – Willingdon Golf Course
 - deleted from document as site is within Downland SNCI

- Site E115 – Priory Heights - Horse Paddock
 - deleted from document as site is within Downland SNCI.

- Site E38 – Highfield Industrial Estate
 - site boundary amended with highway land removed.

- Name of document has been changed to “Designated Sites of Nature Conservation Importance”.