

<b>Report to:</b>	<b>Cabinet</b>
<b>Date:</b>	<b>2 November 2022</b>
<b>Title:</b>	<b>Eastbourne Local Plan – Growth Strategy Consultation</b>
<b>Report of:</b>	<b>Ian Fitzpatrick, Deputy Chief Executive and Director of Regeneration &amp; Planning</b>
<b>Cabinet member:</b>	<b>Councillor Colin Swansborough, Cabinet Member for Climate Change, Heritage Assets, Place Services and Special Projects.</b>
<b>Ward(s):</b>	<b>All</b>
<b>Purpose of report:</b>	<b>To seek Cabinet approval to publish the Eastbourne Local Plan Growth Strategy for public consultation between 11<sup>th</sup> November 2022 and 20<sup>th</sup> January 2023</b>
<b>Decision type:</b>	<b>Key Decision</b>
<b>Officer recommendation(s):</b>	<p class="list-item-l1">(1) That Cabinet approve the publication of the Eastbourne Local Plan Growth Strategy Consultation (Appendix 1) for public consultation between Friday 11<sup>th</sup> November 2022 and Friday 20<sup>th</sup> January 2023;</p> <p class="list-item-l1">(2) The Cabinet delegate authority to the Deputy Chief Executive and Director of Regeneration &amp; Planning, in consultation with the Cabinet Member for Climate Change, Place Services and Special Projects, to make any necessary editorial changes and minor amendments to the consultation document and supporting evidence prior to publication if necessary.</p>
<b>Reasons for recommendations:</b>	<p class="list-item-l1">(1) To meet the requirements of Regulation 18 of the Town &amp; Country Planning (Local Planning) (England) Regulations 2012 (as amended) in the preparation of a Local Plan</p> <p class="list-item-l1">(2) To ensure that any minor or typographical errors can be corrected prior to the Local Plan Growth Strategy Consultation being published for consultation</p>

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## 1. Introduction

- 1.1 The National Planning Policy Framework [NPPF] (2021) requires local planning authorities to prepare succinct and up-to-date plans that provide a positive vision for the future of their area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings (para 15).
- 1.2 Eastbourne Borough Council has commenced the preparation of a new Local Plan to replace the existing local plan, which is now considered 'out of date' in accordance with national planning policy. An 'Issues & Options' consultation took place over winter 2019/2020, which sought to understand the main issues that the Local Plan should address and views on potential options for addressing those issues.
- 1.3 This report seeks approval to undertake a public consultation on the Eastbourne Local Plan Growth Strategy (Appendix 1), which presents current thinking on the amount of development that could be provided in Eastbourne over the plan period between 2019 and 2039 and how this would be distributed across the town. This consultation builds on the previous Issues & Options consultation and will inform the next stages in the production of the Local Plan.

## 2. Background

- 2.1 The Eastbourne Core Strategy Local Plan, which contains the strategic planning policies for the Borough (excluding the area within the South Downs National Park, which is under the planning jurisdiction of the South Downs National Park Authority) was adopted in February 2013 following Public Examination by a Planning Inspector in May 2012.
- 2.2 Amendments to the Town and Country Planning (Local Planning) (England) Regulations in December 2017 require local planning authorities to undertake a review of a local plan every five years starting from the date of adoption.
- 2.3 The five-year anniversary of the Core Strategy was on 20th February 2018. A review conducted through the Authority Monitoring Report 2017/2018 identified that the Core Strategy requires updating due to the under-delivery of housing against the housing requirement set out in the plan, an increase in the housing

need calculated through the Local Housing Need standard method, and the lack of a five-year housing land supply.

- 2.4 In response to this, a Local Development Scheme (LDS) was prepared to set out a timetable for the preparation of a new Local Plan, which will supersede all existing planning policies for Eastbourne. An update to the LDS to reflect the current timetable is also subject to approval by Cabinet and subsequently Full Council in November 2022. This identifies the intention to have a new Local Plan adopted by the end of 2024.
- 2.5 There is a statutory process for the preparation of local plans that needs to be followed, which is set out through the Town & Country Planning (Local Planning) (England) Regulations 2012 (as amended). This includes gathering evidence, consulting with the community, and submitting the plan to the Secretary of State to arrange an independent examination by a Planning Inspector.
- 2.6 The examination process will determine whether the local plan is legally compliant and ‘sound’. Only after the Inspector has reported that the local plan is legally compliant and ‘sound’ can the local plan be adopted. Failure to follow the correct procedure could mean that local plan fails at examination or could be subject to legal challenge.

### **3. Eastbourne Local Plan**

- 3.1 The NPPF requires that local planning authorities (individually or in conjunction with other local planning authorities) prepare a plan that sets out the strategic policies for their area, with non-strategic policies being included in either the same plan or a separate plan. This is known as the Local Plan.
- 3.2 The new Eastbourne Local Plan will cover the period between 2019 and 2039 and will cover the area of the Borough outside of the South Downs National Park. It will ultimately contain both strategic policies that set out an overall strategy for the pattern, scale and quality of development, and non-strategic policies that will contain more detail for the determination of planning applications.
- 3.3 The local plan is important because it provides a clear strategy to shape future development in Eastbourne. It will set out policies to guide decisions on the location, amount and type of development that the Borough needs, whilst also protecting the natural and historic environment and addressing the challenge of climate change. It also enables future needs for infrastructure to be planned appropriately and ensures that the cumulative impacts of development over the plan period are properly assessed.

#### **4. Issues and Options Consultation**

- 4.1 Eastbourne's Direction of Travel: Issues & Options for the new Local Plan was published for consultation in November 2019, which invited comment on the main issues that the Local Plan should address and on potential options for addressing those issues.
- 4.2 In relation to housing growth, the consultation identified six broad options for how the local plan could seek to deliver homes in the future. These options were:
- A. Developing at a density based on prevailing character of the area surrounding the site;
  - B. Increasing the proportion of houses being delivered on sites;
  - C. Increasing the proportion of flats being delivered on sites;
  - D. Providing taller residential buildings in the Town Centre;
  - E. A 50% increase on the prevailing density on all sites within the existing build-up area; and
  - F. A 50% increase on the prevailing density on all sites of more than 0.5 hectares.
- 4.3 The question on options for housing growth generated a total of 17 responses. These were generally supportive of a hybrid approach to make the most efficient use of land and promote sustainable locations such as the town centre.
- 4.4 A further question asked if there were other options for the way that housing sites should be developed to deliver new homes, which generated another 10 responses. These suggested that housing should be encouraged in the town centre with the use of empty space above shops, space over car parks and reductions in car parking provision to create higher densities.

#### **5. Growth Strategy**

- 5.1 The NPPF requires that local plans have an overall strategy for the pattern, scale and quality of development, and make sufficient provision for housing, employment, retail, leisure and other commercial development needs. Therefore next stage in the plan making process following the Issues & Options consultation and undertaking Sustainability Appraisal on the options is to develop and consult upon a more detailed strategy for how much development the local plan should plan for.
- 5.2 The Growth Strategy consultation seeks views on the anticipated level of housing and employment growth over the period 2019-2039 and where it could be expected to take place, with particular emphasis on the large key development sites that could potentially deliver homes and/or employment space.

- 5.3 This Growth Strategy consultation is not a draft local plan. The scope of this consultation is limited to the amount and distribution of residential and employment development over the plan period, and as such does not address the full range of issues that will eventually form part of the local plan. Other issues, such as ensuring that new development contributes towards the town becoming carbon neutral, protecting what we value in terms of the environment and heritage of the area and creating thriving communities that meet the needs of residents, will be included in the local plan once prepared and this will be subject to further public consultation in the future.
- 5.4 The NPPF identifies that the minimum number of homes needed in a plan area should be determined through a local housing need assessment, conducted using the 'standard method'. As of 1st April 2022, the result of this assessment is that Eastbourne has a local housing need of 738 net additional homes per year.
- 5.5 In terms of employment space, the Eastbourne and Wealden Employment and Economic Study (2022) identifies a need for a minimum of 76,184 sqm of employment floorspace between 2021 and 2039 for Eastbourne.
- 5.6 Eastbourne has a number of constraints that limit potential for future development. These include the geographical constraints of the South Downs National Park to the west of the town, the English Channel to the south and a tight administrative boundary with Wealden District to the north that restricts the amount of developable land.
- 5.7 The amount of land available for development, and therefore the number of homes and the amount of employment space that can be provided, is heavily influenced by 'showstoppers' that provide a strong reason for restricting the overall scale, type or distribution of development in the plan area, as identified in the NPPF (para 11, footnote 7).
- 5.8 Due to these constraints, it is not considered that housing or employment need can be met in full. This means that the amount of new development identified in the local plan will be based on capacity in terms of land available for development, rather than being based on the amount of development that is needed over the plan period.
- 5.9 This being the case, the growth strategy is based on making the most efficient use of previously developed land within the built-up area through increasing the density of new development in locations that are highly accessible to services and public transport, whilst also respecting the character of the local area. This would include facilitating higher densities on development sites in the Town Centre through the provision of taller buildings where appropriate.

- 5.10 The consultation document identifies a ‘growth strategy’ based on delivering 6,401 new homes (equivalent to an average of 320 new homes per year) and 53,000sqm of employment floorspace (consisting of 13,000sqm of office use, and 40,000sqm of industrial and warehouse uses) over the plan period between 2019 and 2039.
- 5.11 This would result in meeting just under half of Eastbourne’s local housing need (as calculated by the standard method) and two-thirds of Eastbourne’s employment land need over the plan period.
- 5.12 The provision of 6,401 homes over the plan period would represent an increase of 13% in the number of homes in the town over 20 years. Population forecasts suggest that it would result in a population increase of 8,300 people (8%) over 20 years.
- 5.13 Overall, 80% of the new homes would be delivered on previously developed ('brownfield') sites. However, there are also some 'greenfield' sites that are not currently identified as being subject to a 'showstopper' constraint where development needs to be considered. This includes some sites on the fringes of the town where the built-up area can be extended such as sites located on the fringes of Eastbourne Park, and the expansion to the east of the town into the East Langney Levels.
- 5.14 The consultation will identify a number of ‘key development sites’ that could accommodate relatively large-scale development for Eastbourne. The broad threshold for these strategic sites is sites that have been initially assessed as being about to accommodate more than 25 homes and/or 3,000sqm of commercial floorspace. These are the sites that are likely to be considered for allocation in the local plan.
- 5.15 These ‘key development sites’ are not currently subject to any ‘showstopper’ constraints, but it is recognised that some do have other issues that would require mitigation if they were to come forward for development. The consultation will seek views on these sites, and further evidence and assessment will be undertaken to identify whether any issues can be appropriately mitigated. If they cannot be mitigated on a particular site, this site is then unlikely to be taken forward into the next stage of the local plan process.
- 5.16 The consultation will also identify the current understanding in terms of the infrastructure implications of the growth strategy and new and improved infrastructure that will be required over the plan period to support growth.

## **6. Consultation**

- 6.1 The Growth Strategy has been informed by representations made to the Issues & Options consultation over winter 2019/2020, and has been prepared in consultation with the Local Plan Steering Group. It has also been informed by technical evidence studies and discussions with stakeholders including infrastructure providers.
- 6.2 If approved, the public consultation on the Local Plan Growth Strategy will take place between Friday 11<sup>th</sup> November 2022 and Friday 20<sup>th</sup> January 2023. Consultation will be undertaken in accordance with the Council's Statement of Community Involvement (SCI), which was revised and adopted in February 2019. The SCI identifies a minimum consultation period of 8 weeks; however this has been extended to include an additional two weeks to compensate for the consultation period running over the Christmas period.
- 6.3 The consultation will seek views on the growth strategy, including key development sites, and representations made during the consultation period will be used to inform the next stages in the plan making process. The consultation document has purposely been made as concise as possible in order to make it more accessible to local communities, with further information provided within background papers supporting the consultation.
- 6.4 All statutory bodies and individuals and organisations who have asked to be informed of the progress of the Eastbourne Local Plan will be notified directly about the consultation. The consultation will be hosted via the Council's on-line consultation portal that allows comments to be made directly via the website, and will be further publicised on the Council's website, and through press releases and social media.
- 6.5 A number of other background and supporting documents will be published alongside the Growth Strategy consultation, including background papers on housing and employment, a Strategic Environment Assessment and Sustainability Appraisal Report, a summary of consultation responses received on the Issues & Options report that are relevant to this consultation, and relevant evidence documents including the Land Availability Assessment, Economy Study and Strategic Flood Risk Assessment.
- 6.6 There will be further rounds of consultation during the preparation of the local plan, including on a full draft of the plan, which is currently anticipated for winter 2023.

## **7. Corporate plan and council policies**

- 7.1 The Eastbourne Borough Council Corporate Plan 2022-2026 identifies a key priority to regenerate and deliver housing through agreeing a new Local Plan that sets delivery targets that meet local housing needs; and identifying sustainable locations for development. The Local Plan will also assist in delivering a number of priorities set out in the Council's Corporate Plan, including:
- delivering new homes;
  - transitioning to the delivery of new carbon neutral & environmentally friendly homes
  - helping to maintain the heritage environment;
  - encouraging cycling and using public transport more through improved infrastructure,
  - enhancing the biodiversity of public and open spaces; and
  - efficient processing of planning applications.

## **8. Financial appraisal**

- 8.1 The financial implications of undertaking public consultation on the Local Plan Growth Strategy are expected to be minimal, and as such it is considered that these costs will be covered within the existing budget.

## **9. Legal implications**

- 9.1 The Growth Strategy consultation is being undertaken in order to comply with Regulation 18 of the Town & Country Planning (Local Planning) (England) Regulations 2012, and with regard to the requirements of the National Planning Policy Framework. The Council must also comply with Section 33A, of the Planning and Compulsory Purchase Act 2004 (as amended) which imposes a duty to co-operate with other local planning authorities on issues which are likely to have a significant effect on more than one planning area.

Legal Implications checked 05.10.22 - 011458-EBC-JCS

## **10. Risk management implications**

- 10.1 The risk of not undertaking a public consultation on the Local Plan Growth Strategy at this time is that the preparation of the Local Plan will be delayed. As the Local Plan will play a key role in helping to reduce carbon emissions, a delay in the Local Plan may also have the effect of delaying the Council's objective of being a carbon neutral town by 2030. It will also prolong uncertainty around the amount and location of development, which could have negative impacts on communities and compromises the realistic planning of new and improvement infrastructure to accommodate growth.

## **11. Equality analysis**

- 11.1 It is not considered that an Equalities and Fairness Analysis is required for the Local Plan Growth Strategy consultation because it does not contain policy and only asks for comment on the future direction of the local plan.
- 11.2 The new Local Plan itself will need to undergo an equalities and fairness analysis, and this will be undertaken during the preparation of the plan.

## **12. Environmental sustainability implications**

- 12.1 The NPPF identifies that the purpose of the planning system is to contribute to the achievement of sustainable development, and when the Local Plan undergoes examination by a Planning Inspector, it will be assessed in these terms. It will also undergo Strategic Environmental Assessment (SEA) to assess its environmental impact throughout its preparation and compliance with the SEA Regulations will be assessed at the examination of the Local Plan.
- 12.2 The local plan will have a role to play in helping the Council meet its climate change ambitions to be a carbon neutral town by 2030, and the local plan would be expected to have specific policies to address this. Although this Growth Strategy is not a draft local plan and does not contain any specific policies, climate change mitigation and adaptation have been key considerations in assessing sites, and further evidence work will be undertaken following the growth strategy consultation to scrutinise policies, proposals and development sites in the draft local plan.

## **13. Appendices**

- Appendix 1 – Eastbourne Local Plan Growth Strategy

## **14. Background papers**

The background papers used in compiling this report were as follows:

- Planning and Compulsory Purchase Act 2004 - <https://www.legislation.gov.uk/ukpga/2004/5>
- Town & Country Planning (Local Planning) (England) Regulations 2012 (as amended) - <http://www.legislation.gov.uk/uksi/2012/767/made>
- National Planning Policy Framework (2021) - <https://www.gov.uk/government/publications/national-planning-policy-framework--2>
- Eastbourne Statement of Community Involvement (2019) - <https://www.lewes-dc.gov.uk/documents/eastbourne-statement-of-community-involvement-2019>

[eastbourne.gov.uk/planning-policy/statement-of-community-involvement/](http://eastbourne.gov.uk/planning-policy/statement-of-community-involvement/)

- Equalities and Fairness Screening Report