

COMMITTEE	CABINET
DATE	9 November 2016
SUBJECT	Employment Land Local Plan
REPORT OF	Director of Regeneration and Planning

Ward(s)	All
Purpose	To seek Cabinet endorsement of the Eastbourne Employment Land Local Plan in order to allow formal adoption at Full Council on 16 November 2016
Contact	Matt Hitchen, Senior Strategy & Commissioning Officer (Planning Policy) 1 Grove Road, Eastbourne Tel no: (01323) 415253 E-mail: matt.hitchen@eastbourne.gov.uk
Recommendations	<ol style="list-style-type: none">1. That Cabinet endorse the Eastbourne Employment Land Local Plan and recommend that at Full Council it is approved for adoption along with the revised Policies Map.2. That any minor or technical adjustments found necessary in the Employment Land Local Plan are delegated to the Director of Regeneration and Planning in consultation with the Cabinet portfolio holder.

1.0 Introduction

- 1.1 In May 2012, the Eastbourne Core Strategy Local Plan was subject to Public Examination by a Planning Inspector. The Inspector expressed concerns over the evidence that supported Core Strategy Policy D2: Economy, particularly relating to the employment land supply. In order to address this issue without delaying the adoption of the Core Strategy, the Inspector recommended that Core Strategy Policy D2: Economy be the subject of an early review, leading to its replacement with an additional Local Plan to deal specifically with the employment land supply.
- 1.2 In order to meet this requirement, an Employment Land Local Plan (ELLP) has been produced. The ELLP will guide job growth and economic development in Eastbourne up to 2027 by identifying an appropriate supply of land to meet project needs for future employment development, in order

to achieve a sustainable economy and make Eastbourne a town where people want to live and work. It specifically relates to land and buildings within the B1 (Offices and Light Industry), B2 (General Industry) and B8 (Storage and Distribution) Use Classes.

- 1.3 In order to enable the adoption of the ELLP by Eastbourne Borough Council, it must have been found 'sound' by a Planning Inspector through Public Examination. Once adopted, the ELLP will be used alongside the Core Strategy and other adopted planning policy to assist in the determination of planning applications relating to employment development.

2.0 Background

- 2.1 The Employment Land Local Plan was prepared and subjected to consultation in December 2013 (Proposed Draft), December 2014 (Proposed Submission) and December 2015 (Revised Proposed Submission). It was subsequently submitted to the Secretary of State for Examination in February 2016.
- 2.2 The Examination into the ELLP considered whether the Plan is 'sound' and whether it is compliant with legal requirements. In order to be found sound, a Local Plan should be: positively prepared; justified; effective; and consistent with national policy.
- 2.3 The Examination hearings took place on 12 and 13 May 2016, with an additional hearing session taking place on 30 June 2016.
- 2.4 Objections to the ELLP were maintained by Sovereign Harbour Ltd (SHL) and Richard Maile, and both parties appeared at the Examination Hearings.
- 2.5 The ELLP was supported by SeaChange Sussex, who appeared at the Examination Hearings, and the Eastbourne Chamber of Commerce and Locate East Sussex, both of whom submitted written representations to the Inspector.
- 2.6 The main issues that the Inspector identified as being key to soundness and were investigated through the Examination were:
- Whether the ELLP strategy is sound in that it is likely to meet an objectively assessed need for office development.
 - Whether Policy EL2 is likely to meet an objectively assessed need for non-office business development, and whether the Policy is clear about the development of other B1 employment uses.
 - Whether Policy EL3 Town Centre is likely to be effective in securing the delivery of office floorspace.
 - Whether the allocation of the Policy EL4 Sovereign Harbour sites is justified and would be effective as worded.

- Whether the EELLP strategy is sound without the allocation of additional employment land.
- Whether the proposed monitoring and review arrangements would be effective.

3.0 Inspector's Report

3.1 The Inspector's Report was formally received by the Council on 24 October 2016, and publicised in line with regulations on 25 October 2016.

3.2 The Inspector concluded that the ELLP provides an appropriate basis for the planning of employment land provisions in the Borough, provided that a number of modifications are made to it, and that with the recommended modifications the Employment Land Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

3.3 In summary, the Inspector found that:

- The overall requirement for employment floorspace has been adequately justified;
- The provision of 3,000 sqm (NIA) of office space in the Town Centre is appropriate, and additional provision is unlikely to be deliverable;
- Although there remains uncertainty about how much office floorspace will be delivered at Sovereign Harbour during the lifetime of the Plan, the lack of alternative locations in Eastbourne means that Sovereign Harbour retains strategic importance in order to deliver a type of employment for which there is an identified need;
- There is a lack of evidence of a greater need for alternative employment generating uses (e.g. hotel or care home uses) on Site 7a than for the employment sought by the ELLP, and therefore it would be premature to allocate Site 7a for alternative uses, nor logical to delete the office allocation of Site 7a on viability grounds whilst maintaining that allocation on Site 6;
- The requirement for industrial and warehouse uses can be met through the intensification and redevelopment of existing industrial estates, and there is a lack of evidence to justify an overriding need to allocate additional sites.

3.4 Modifications

3.4.1 The modifications recommended by the Inspector all concern matters that were discussed at the examination hearings. Following the hearings, the modifications were subject to consultation before the Inspector finalised them.

3.4.2 The Modifications can be summarised as follows:

- A change to use of Gross External Area (GEA) for the office floorspace requirement instead of Net Internal Area (NIA), based on a GEA to NIA conversion rate of 80%, to ensure consistency in how the employment floorspace requirement is quantified. This modification does not affect the actual amount of floorspace that should be provided.
- Changes to Policy EL2: Industrial Estates to accommodate the 1,500 sqm (NIA) of office space within the Industrial Estates, re-allocated from Sovereign Harbour as a result of the need to accommodate the Alternative Community Hall Site on Site 7a, and to make the criteria for consideration of non-business development within Industrial Estates more effective.
- Changes to Policy EL3: Town Centre to make provision of 3,750 sqm GEA (3,000 sqm NIA) a mandatory requirement for Town Centre Site DO2 (land adjoining the railway station and Enterprise Centre) as part of a mixed use development but with added flexibility on layout, and to remove Town Centre Site DO3 (land between Upperton Road and Southfields Road) from any mandatory requirement to provide office floorspace.
- Changes to Policy EL4: Sovereign Harbour to reduce the allocation from 20,000 sqm NIA to 18,500 sqm NIA as a result of the Alternative Community Hall Site, and to remove Site 4 from the Policy to avoid prejudicing the delivery of a mixed use development on that site.

4.0 Summary of ELLP for Adoption

4.1 Following the incorporation of the modifications, the Employment Land Local Plan strategy to meet an employment land requirement of 48,750 sqm GEA is:

- 20,000 sqm (GEA) of Industrial and Warehouse use and 1,875 sqm (GEA) of Office use to be provided within the existing Industrial Estates through redevelopment and intensification
- 3,750 sqm (GEA) of Office use to be provided in the Town Centre on Development Opportunity Site 2 (land adjoining the railway station and the Enterprise Centre)
- 23,125 sqm (GEA) of Office use to be provided at Sovereign Harbour, predominantly on Sites 6 and 7a.

4.2 The Policies Map identifies the areas of the Borough that are subject to policies and proposals contained within the Core Strategy, Town Centre Local Plan and saved policies from the Eastbourne Borough Plan. The Policies Map was first adopted in February 2013, and then revised in November 2013 following the adoption of the Town Centre Local Plan.

4.3 As a result of policies contained in the Employment Land Local Plan there will be some changes to the Policies Map. The revised Policies Map will need to be

adopted alongside the ELLP.

- 4.4 A Local Employment & Training Supplementary Planning Document (SPD) has been prepared alongside the ELLP to provide additional detail on how local labour agreements will be secured as part of development. The Local Employment & Training SPD will need to be adopted alongside the ELLP.

5.0 Next Steps

- 5.1 In order for the ELLP to be adopted, it must be 'sound', which means incorporating the Inspector's modifications into the ELLP. It is not considered that there is any reason why the Inspectors modifications should not be accepted.
- 5.2 If approved by Cabinet, the ELLP (incorporating modifications) and the revised Policies Map will be presented to Full Council on 16 November for formal adoption.
- 5.3 Once adopted, the policies in the ELLP can be used in the determination of planning applications. The ELLP will replace Core Strategy Policy D2: Economy and other specific policies in the Eastbourne Borough Plan identified in the appendix of the ELLP, which will be deleted and no longer used.

6.0 Implications

6.1 Legal Implications

- 6.1.1 If adopted, The ELLP will become a Development Plan Document. Local Authorities (Functions and Responsibilities) (England) Regulations 2000 require that the creation of Development Plan Documents are a function of Full Council, therefore the ELLP cannot be adopted until it is approved by Full Council.
- 6.1.2 Following adoption, there is a 6 week period where any person aggrieved by the decision to adopt the Eastbourne Employment Land Local Plan may make an application to the High Court for Judicial Review on the grounds that the document is not within the appropriate powers or that a procedural requirement has not been complied with. Any application for Judicial Review should be made not later than 6 weeks after the date of adoption (i.e. Wednesday 28 December 2016).

6.2 Financial Implications

- 6.2.1 There are no direct financial implications to the Council of this report. The cost of the publication and publicity for the formal adoption of the ELLP will be met from within the existing service budget.

6.3 Human Resource Implications

6.3.1 There are no direct human resource implications to the Council of this report. Officers will manage the publicity arrangements for the publication of the ELLP, which will include an Adoption Statement.

6.4 Equalities and Fairness Implications

6.4.1 An Equalities and Fairness Impact Assessment was undertaken during the scoping stage in the production of the Employment Land Local Plan, and the assessment demonstrates that the Employment Land Local Plan is unlikely to have any significant impacts on equalities and fairness.

7.0 Conclusion

7.1 The Employment Land Local Plan has been through the Examination process and has been found 'sound' by the Planning Inspector.

7.2 Cabinet are requested to recommend to Full Council that the Eastbourne Employment Land Local Plan and revised Policies Map are formally adopted.

Background Papers:

- Inspector's report on the Eastbourne Employment Land Local Plan (October 2016)
- Employment Land Local Plan Submission Version (February 2016)
- Employment Land Local Plan Revised Sustainability Appraisal Report (November 2015)
- Revised Policies Map (November 2016)
- Employment Land Local Plan Adoption Statement (October 2016)
- Employment Land Local Plan Post Adoption Sustainability Appraisal Statement (October 2016)

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

Appendix 1 – Eastbourne Employment Land Local Plan