

Chapter 4

Downland

Corporate Aims

We will protect and enhance the Borough's environment, sympathetically developing it for future generations.

Corporate Objectives

F3: Promote and enhance our natural environment.

Policy Objectives

1. Promoting, conserving and enhancing the areas' natural beauty and biodiversity;
2. Providing for essential local social and economic needs, including the needs of agriculture;
3. Promoting the quiet informal enjoyment of the area as is consistent with the objective of protecting, conserving and enhancing the area's natural beauty.

Introduction

- 4.1 This chapter departs from the topic-based approach of much of the rest of the Plan because the Council attaches significant importance to the Downland as a valued public asset. Borough-wide policies which have relevance to the Downland are not duplicated in this chapter but are cross-referenced to the relevant topic chapter.
- 4.2 Some 1700 hectares of Eastbourne's Downland was purchased by the Council in the 1920's to preserve an area of high landscape beauty and make it accessible to the public at large in perpetuity. However the Downland also includes some land in private ownership, including the Willingdon and Royal Eastbourne Golf Courses.
- 4.3 For the purposes of this chapter the Downland is taken to be the area defined as lying within the Area of Outstanding Natural Beauty. However this boundary was established some years ago and in some places there are gaps between the boundary and the edge of the built-up area. Development within these gaps would clearly erode the Downland setting and will be resisted under Policy NE1.
- 4.4 The Council-owned land known as the 'Eastbourne Downland Estate' has two principal land uses: agriculture (arable/pasture) and public open space (predominantly a recreational and ecological resource). Almost a third of all visitors to Eastbourne are understood to have visited Beachy Head, the Downland's best known beauty spot, in 1998.
- 4.5 The Downland as we know it today is a product of management over a 5000 year period, and the Council has a clearly defined management plan for the area reflecting both the need to conserve the natural beauty of the area, and reconcile the needs of agriculture and recreation. The Management Plan¹⁵ (Spring 2000) has been taken into account in preparing this chapter of the Plan.
- 4.6 In April 2000 the Countryside Agency announced that they had started the process of designating the South Downs as a National Park and a Public Inquiry will commence in November 2003. Until the National Park has been formally constituted it is appropriate that the Borough Council should continue to exercise clear planning policies for the Downland. However in reviewing planning policy for the Downland the opportunity has been taken to incorporate appropriate planning policy guidance from the Sussex Downs Conservation Board, so that the Borough's policies more closely reflect those of other authorities with responsibilities for the South Downs¹⁶.

Conserving the Beauty of the Downland

- 4.7 The Sussex Downs Area of Outstanding Natural Beauty (AONB), which includes all the Downland within Eastbourne, was established in 1966. AONB designation confers formal recognition that the natural beauty of the area is of national importance and that the area's

¹⁵ Downland Management Plan, Eastbourne Borough Council, Spring 2000

¹⁶ South Downs Planning Guidelines: Sussex Downs Conservation Board and the East Hampshire AONB Joint Advisory Board. Adopted April 2000

flora, fauna, geological and physiographical features are worthy of protection. PPG7¹⁷ states that planning policy in AONB's should favour conservation of the natural beauty of the landscape, and that only in exceptional circumstances, of national interest, should major developments be permitted. Where a major development in the national interest is permitted Policy EN2(f) of the East Sussex and Brighton & Hove Structure Plan 1991-2011 provides that the Planning Authority may seek provision of compensatory environmental measures.

- 4.8 Within the AONB small scale development may be acceptable for specific needs. This might include accommodation for back-packers which has been identified as a specific need in the Council's Downland Management Plan and provision for the needs of agriculture (see Policy D4), but any proposal will need to be sensitive to the area's natural beauty in terms of siting and design. Where appropriate opportunities will be taken to improve and enhance the qualities of the landscape by, for instance, seeking removal of eyesores. The Sussex Downs Conservation Board has produced a Landscape Assessment of the Sussex Downs AONB¹⁸ which provides a means of understanding the characteristics of the different landscapes that planning policy is seeking to protect.

Policy D1: Area of Outstanding Natural Beauty

Within the Area of Outstanding Natural Beauty planning permission will only be granted for development in exceptional circumstances. Proposals will be required to protect and enhance the area's character and visual quality.

Major development proposals will not be permitted, except where an assessment shows that:

- a) **there is a clearly demonstrable need for the development, in terms of national considerations;**
- b) **the cost and scope of developing outside of the area has been fully explored and there are no suitable alternative methods of meeting the need available;**
- c) **any detrimental effect on the environment and landscape can be minimised. Where appropriate provision of compensatory environmental resource may be required for any necessary loss that it is accepted.**

Small scale development will only be permitted where it is essential to meet local social, economic or other needs and is of a scale and type appropriate to the area, is sympathetic in terms of its siting, design and materials used, and has an acceptable transport impact.

See Policy UHT3 in respect of development outside the AONB which would damage its quality or setting.

Note: In assessing planning applications for small scale development within the AONB the Council will have regard to the 'Landscape Assessment of the Sussex Downs AONB' and 'The Landscape Design Guidelines for the Sussex Downs AONB', prepared by the Sussex Downs Conservation Board.

- 4.9 Policy UHT3 sets out policy in respect of development outside of the Downland which may cause harm to the setting and character of AONB.
- 4.10 PPG20¹⁹ identifies particular coastal zones for planning purposes. The Downland coast falls within the category 'undeveloped coast' which is to be conserved for its landscape value and nature conservation interest. The Downland's Coastal Scenery, including Beachy Head, is also recognised as being of national importance and is designated as Heritage Coast. This designation is non-statutory but again confers responsibility for conserving the great landscape value whilst recognising that such coasts should be accessible for public enjoyment. Any proposal which would increase visitor numbers to the Heritage Coast would require very careful consideration as the Downland coast is a highly sensitive location,

¹⁷ Planning Policy Guidance Note 7: The Countryside, DoE (February 1997)

¹⁸ Landscape Assessment of the Sussex Downs: Sussex Downs Conservation Board, March 1996

¹⁹ Planning Policy Guidance Note 20: Coastal Planning DoE (September 1992)

including designation as a Site of Special Scientific Interest (see paragraph 4.11 below).

Policy D2: Heritage Coast

The coast between Holywell and the western boundary of the Borough is designated as Undeveloped and Heritage Coast. Planning permission will not be granted for development within this designated area. However in exceptional circumstances proposals which facilitate and enhance public access to the Coast will be permitted provided that:

- a) there is no harm to the nature conservation interest (see Policies D3, NE20, NE22, NE23 and NE26);
- b) the development would not be detrimental to the landscape and that any building required should be to a high standard in terms of siting, scale and design and should not be visually prominent;
- c) the development would be sustainable and not result in additional road traffic use.

Nature Conservation

4.11 The Eastbourne Downland includes four Sites of Special Scientific Interest:

- Seaford to Beachy Head (part only); including Kiln Combe and Bulling Dean.
- Willingdon Down.

Such sites are designated under the terms of the Wildlife and Countryside Act 1981 for their special interest in terms of their flora, fauna or geological/physiographical features; and confer specific obligations on the landowner.

Policy D3: Sites of Special Scientific Interest

Development which adversely affects the nature conservation interests of a Site of Special Scientific Interest, either directly or indirectly, will not be permitted.

Note: This Policy also applies to the foreshore between the high and low water marks from Helen's Cliff to the Wish Tower which is included within the Cuckmere Haven to Beachy Head SSSI. This area lies outside the boundary of the Downland.

4.12 The remainder of the Downland is considered to be of Nature Conservation Importance and Policy NE20 of this Plan will apply. A voluntary marine conservation area exists to protect the marine habitats and wildlife beyond the low water mark of the Downland coast.

Agriculture

4.13 Agriculture remains an important land use on the Downs, and planning policy should reflect this local need. Small scale agricultural buildings do not usually require planning approval, although there is a requirement to notify the planning authority of the intention to build a new agricultural building. The authority can only approve the building's siting, design and external appearance. Larger buildings may need planning approval. Modern agricultural buildings can be visually intrusive in such a sensitive location as the Downs. It is important that their need is properly justified and that they are located and designed to minimise visual intrusion. Any permission for an intrusive building will be subject to a condition requiring the removal of the building if it ceases to be used for agricultural purposes.

Policy D4: Agricultural Development

Development which is required to meet the reasonable needs of agriculture will be permitted, provided that:

- a) the agricultural need for that size of building is satisfactorily demonstrated, including demonstrating that there are no existing farm buildings capable of

- utilisation or conversion for the proposed use within the vicinity;**
- b) the building is associated with the beneficial management of the surrounding land in keeping with the landscape character of the area;**
- c) the building is located to minimise landscape impact, where possible grouped with existing buildings and is of a high standard of design and materials;**
- d) any planning permission for a visually intrusive building will be conditional on the removal of the building should its use for agricultural purposes cease;**
- e) the proposal includes an appropriate scheme for landscaping.**

Note: The Landscape Assessment of the Sussex Downs AONB, and 'The Landscape Design Guidelines for the Sussex Downs AONB', prepared by the Sussex Downs Conservation Board will be used to assess the landscape context for developments proposed under this Policy.

- 4.14 The agricultural industry has been experiencing many difficulties and farmers are exploring a number of ways of supplementing farm incomes. Re-use of under-used or redundant farm buildings for more profitable purposes is one option available to them. Indeed the England Rural Development Programme has funds available to enable agriculture to adapt to changing circumstances and to develop. Using farm buildings for business or other uses can have a significant effect on the rural environment so it is important to establish stringent criteria for such development so that the valued qualities of the Downland are not undermined. It is, therefore, appropriate to seek confirmation that the proposed use requires a countryside location and to ensure that the proposed development is of an appropriate scale to the rural location. The Council, may, therefore request details of the whole farm or enterprise plan so that the ultimate extent of the venture can be seen in its entirety and in relation to its setting. Significant importance is attached to the retention of traditional farm buildings in the landscape, however careful assessment will be required as to the suitability of the change of use of more intrusive modern farm buildings.
- 4.15 The Council will normally condition any approval for the change of use of agricultural buildings so that subsequent permitted development rights are removed, to ensure that control is maintained over future alterations and extensions to the premises which could harm the character of the building or its setting. In such instances the Planning Authority may also seek to remove permitted development rights for new agricultural buildings to avoid over-proliferation of the built-form on the Downland.

Policy D5: Change of Use of Agricultural Buildings

Proposals for the change of use and adaptation of existing structurally sound agricultural buildings, within the Downland, for business, recreational or nature conservation purposes will be permitted provided that:

- a) it has been satisfactorily demonstrated that the building is structurally sound;**
- b) in terms of scale, intensity, and appearance, the use would not be harmful to other policies, especially nature conservation, within this Plan;**
- c) the form, bulk, materials and design of the alterations are in keeping with their surroundings and any ancillary changes to the surrounding land do not cause harm to the character of the countryside;**
- d) the quantity and type of traffic generated by the proposed use will not have an adverse effect on the highway network;**
- e) in the case of buildings which have been erected with the benefit of permitted development rights, it has been satisfactorily demonstrated that it has been used for the purposes claimed for it;**
- f) the scale of the use and the cumulative effect of the proposals within the site, or together with nearby sites, do not cause harm to the character of the Downland;**
- g) appropriate provision is made for the continued use or future use of the building(s) by bats, owls or other appropriate species;**
- h) appropriate provision is made for the underground ducting of any new or existing services to the building(s).**

Planning permission will not be granted for the change of use or adaptation of

structurally unsound agricultural buildings.

Note: in interpreting this Policy regard will be made to the South Downs Planning Guidelines (2000) prepared by the Sussex Downs Conservation Board and the East Hampshire AONB Joint Advisory Committee.

Leisure and Recreation

- 4.16 The Downs are primarily regarded as a scenic and environmental resource, but they have also become an extremely important asset for leisure and recreation, whether this be for sightseeing, picnicking or more active pastimes. They include Beachy Head, the World renowned beauty spot and two long distance walking routes: the South Downs Way (a National Trail and bridleway) and the Wealdway. However, this recreational role is ancillary to the Downs' continued protection as an Area of Outstanding Natural Beauty and an environmental resources and these should always be the primary considerations when considering development proposals. Proposals for motor based recreation, for example, would be strongly resisted.

Policy D6: Recreation and Leisure

Recreation and leisure activities in the Eastbourne Downland based on and relating to its qualities will be permitted, provided they are consistent with:

- a) the designation as an Area of Outstanding Natural Beauty and Heritage Coast (see Policies D1 and D2);
- b) the nature conservation interest of the area (see Policies D3 and NE20, NE22, NE24 and NE25).

Archaeology

- 4.17 Policy UHT21 applies to archaeologically sensitive areas within the Downland.