

Chapter 3

Natural Environment

Corporate Aims

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

Corporate Objectives

- F1: Promote and implement the principles of sustainability.
- F2: Reduce waste and develop and promote recycling and energy conservation.
- F3: Promote and enhance our natural environment.

Policy Objectives

1. To conserve and efficiently use the natural resources vital to life;
2. To seek improvements to the quality of natural resources;
3. To conserve and enhance local habitat and species biodiversity.

Introduction

3.1 The Government expects development plans to make a major contribution to achieving their objectives for sustainable development, and in PPG12² recommends a range of environmental considerations that development plans should address. The considerations for the natural environment can be classified under the following headings:

- Natural resource considerations: efficient use of the resources vital to life;
- Global sustainability considerations: maintaining and improving the quality of natural resources for future generations;
- Local environmental considerations.

For clarity these headings will be used as the structure for this chapter.

3.2 The policies and proposals of this chapter will be a major factor in facilitating the Plan's key development principle of providing for sustainable development. Sustainable development is important both in global terms and on the local scale as Eastbourne's environment is greatly valued by residents and visitors and it is important that it is retained and enhanced for future generations.

3.3 This chapter looks at considerations relating to the natural environment. Considerations associated with the built environment are discussed in the Urban Heritage and Townscape Chapter. Coastal protection, flood defence and land drainage are discussed in Chapter 13: Utilities and Services.

Natural Resource Considerations

3.4 Natural resources such as land, water, minerals and other organic materials are vital to life, but are not infinite in supply. It is, therefore, important to ensure that they are used efficiently and that recycling measures are adopted, where appropriate.

Land

3.5 The United Kingdom's land resource is under increasing pressure and there is a clear recognition that there is a need to minimise the demand for development on the remaining greenfields. Government Guidance in PPG3³ promotes an urban renaissance which will make urban living more desirable. It advocates higher residential densities alongside an improved quality and vitality of urban life. This guidance is considered further in chapter 6 (Housing) where predominantly residential areas are identified to which residential development will be directed. However taking into account all the planning considerations discussed elsewhere in this document there is no justification for development outside the built-up area over and above that identified under relevant policies of this Plan, and the Council will resist any such application. Only in exceptional circumstances will proposals for agricultural and other uses outside of the built-up area be permitted where they can demonstrate that they require a non-urban location. Any such proposal will be expected to be designed in a manner that is sensitive to the rural location.

² Planning Policy Guidance Note 12: Development Plans (DETR December 1999)

³ Planning Policy Guidance Note 3: Housing (DETR March 2000)

- 3.6 In particular the Council is supportive of the countryside gap between Eastbourne and Pevensey/Pevensey Bay/Westham (see Plan 2) and supports the policy adopted by Wealden District Council of resisting development that would encroach on this 'gap'. Only a small section of the 'gap' lies within Eastbourne and the Council will resist development in this area.

Policy NE1: Development Outside the Built-up Area Boundary

Development will not be permitted outside the built-up area boundary as defined on the Proposals Map. Exceptions will only be made where:

- a) the proposal is specifically identified elsewhere in this Plan; or**
- b) the need for a non-urban location can be satisfactorily demonstrated and the proposed development complies with the following considerations:**
 - (i) the development reflects the countryside setting and character, and would be appropriate to the location. In particular developments within the Area of Outstanding Natural Beauty (AONB) will be required to comply with Policy D1 of this Plan. Planning approval for developments in Downland areas outside the AONB will be subject to the same constraints as those within it;**
 - (ii) any buildings are designed to a high standard in terms of siting, scale and materials wherever possible reflecting local distinctiveness and locally sourced materials; would not be visually intrusive; and would include appropriate landscape screening;**
 - (iii) the development does not have an adverse transport impact;**
 - (iv) any nature conservation and archaeological interests on the site are protected;**
 - (v) the development does not adversely affect residential, visual or environmental amenity (see Policies HO20, UHT4 and NE28).**

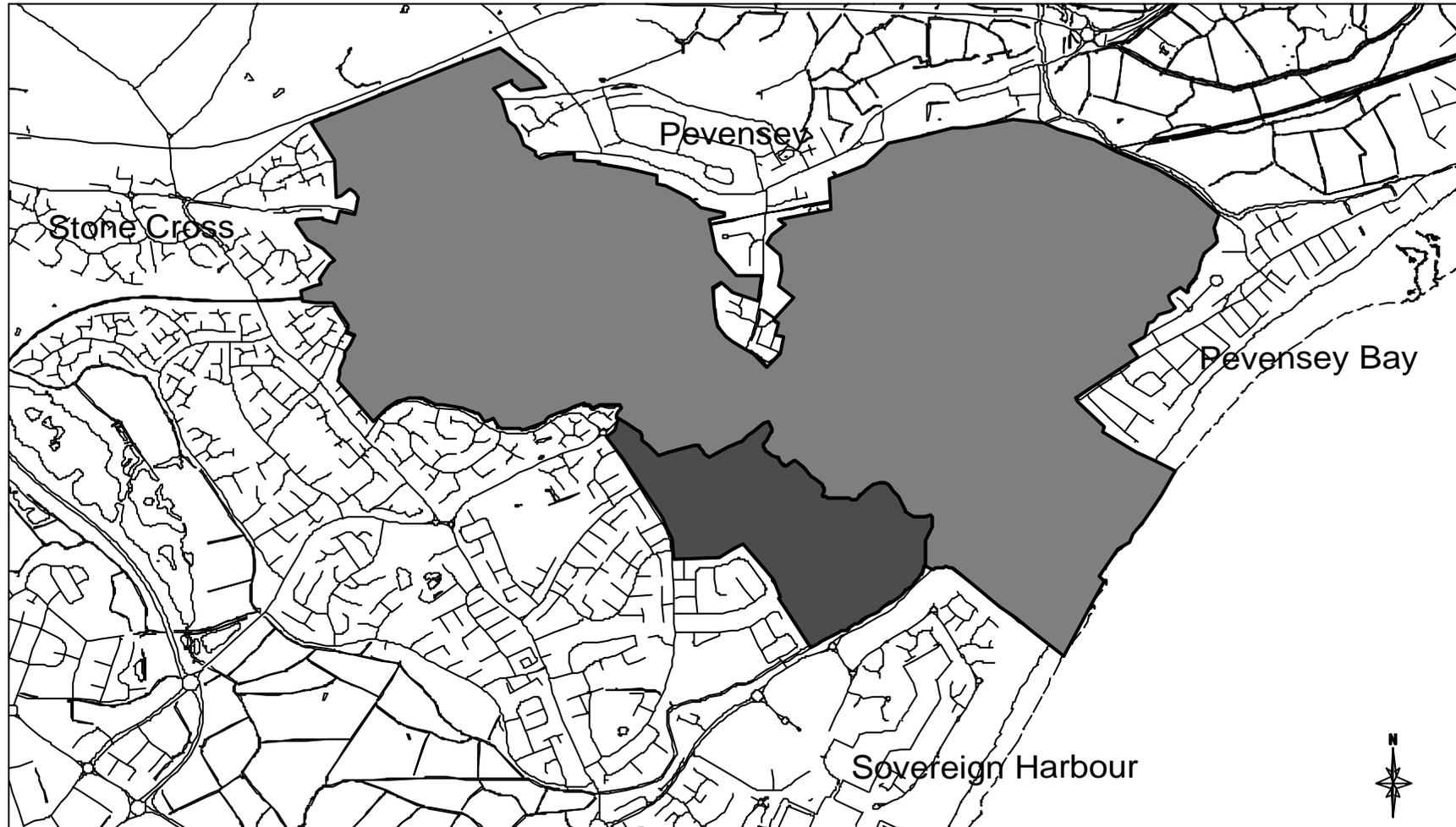
Planning approval will not be granted for development, other than for the needs of agriculture and recreation use, within the countryside gap between Eastbourne/Westham/Pevensey/Pevensey Bay subject to no adverse effect on residential, visual or environmental amenity.

Note: Where development is proposed which would affect the Area of Outstanding Natural Beauty the "Landscape Assessment of the Sussex Downs AONB" and the "Sussex Downs AONB Landscape Guidelines" should be consulted for guidance.

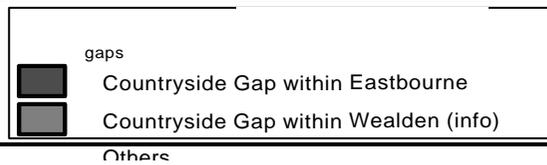
3.7 **Soil**

PPG⁴ requires local planning authorities to take into account the quality of any agricultural land that would be lost through development proposals. The best and most versatile agricultural land falls between grade 1 (excellent) and grade 3a (good quality) under the Ministry of Agriculture Fisheries and Food Agricultural Land Classification System. The Downland and East Langney Levels are likely to include good quality agricultural land that should be protected but detailed survey work has not been

⁴ Planning Policy Guidance Note 7: The Countryside (February 1997)



Plan 2: NE1 Countryside Gap



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undertaken in recent years. Any application for development of agricultural land will, therefore, require submission of detailed Agricultural Land Classification Data to assess agricultural land quality. The Council will seek the assistance of the National Land Use Team of the Department of Environment, Food and Rural Affairs in appraising such data. Where the data suggests it is agricultural land that should be protected, planning permission will be refused, unless it can be demonstrated that there is an over-riding need for the development. This agricultural land quality data will be used as one factor in determining the location of development in line with Policy NE2 below.

Policy NE2: Protection of High Grade Agricultural Land

Detailed Agricultural Land Classification Data will be required to identify agricultural land quality for all proposals for the development of agricultural land.

Non- agricultural development on the “best and most versatile” agricultural land (grades 1, 2 and 3a of the Ministry’s Agricultural Land Classification) will not be granted planning permission, unless opportunities for developing previously developed sites and on land within the boundaries of existing urban areas have been investigated. Where development on agricultural land is unavoidable, it should be directed to land of the lowest possible grade unless sustainability considerations indicate otherwise. These considerations will include:

- a) the biodiversity and natural resource value of the land;**
- b) the quality and character of the landscape;**
- c) the amenity or historical value of the land; and**
- d) the accessibility of the land to infrastructure, the workforce and markets.**

Water

3.8 Reference should be made to Policy US2 which sets out policy in respect of development and the adequacy of water resources.

3.9 There are clear indications that per capita demand for water is increasing, placing additional pressures on existing resources. It is, therefore, important to encourage new development to introduce measures to reduce the demand for water, including water efficient devices.

Policy NE3: Conserving Water Resources

Planning permission will not be granted for development schemes which do not incorporate measures to conserve and make the best use of existing water resources, including reducing wastage.

3.10 Surface water in urban areas presents particular problems both due to the creation of large impermeable areas which speed up the rate of runoff which potentially increases the risk of flooding downstream; and affects water quality due to the potential contamination of the water with oil, silt, leaves, bacteria etc. It is, therefore, important that new development does not worsen the situation or lead to land drainage water entering the public sewage system resulting in hydraulic overloading and flooding of properties downstream. The Environment Agency recommend that consideration should be given to the use of flow attenuation facilities such as grass swales, wetlands, and detention ponds, for a more effective management of water resources. Such facilities are more sustainable than conventional drainage systems in that they promote infiltration, reduce the rates and volumes of runoff to the receiving watercourse and hence reduce the risk of off-site flooding. They can also enhance biodiversity and create ‘green’ areas within the community. (Reference should be made to the

Environment Agency publication "Sustainable drainage systems : An Introduction" for further information on this matter).

Policy NE4: Sustainable Drainage Systems

Sustainable drainage systems, for the management of surface water both in terms of quantity and quality of runoff and which ensure that land drainage water does not enter the public sewerage system, will be required where appropriate. Proposals for the long term management of such works must be included in any scheme submitted.

Minerals and Aggregates

- 3.11 Minerals and, most especially, aggregates are widely used in the construction industry but are becoming increasingly difficult and environmentally costly to exploit. It is, therefore, important to encourage the construction industry to substitute the use of raw materials for the use of secondary aggregates, to use more sustainable construction methods, including refurbishment and/or renovation, and to recycle its waste. This waste consists of excavated soils and rock together with materials arising during the construction, demolition and maintenance of buildings and roads and there is significant scope for its recycling. This is the single largest waste stream and takes up valuable capacity at landfill sites. The East Sussex and Brighton & Hove Structure Plan, 1991-2011, Policy W10 and the deposit draft of the Waste Local Plan, therefore, recommend that local planning authorities adopt policies to reduce the amount of construction waste.

Policy NE5: Minimisation of Construction Industry Waste

Planning permission will only be granted for developments which minimise construction industry waste arising from new developments or the redevelopment of existing sites. Developers should satisfactorily demonstrate that:

- a) **consideration has been given to the re-use of existing buildings;**
- b) **sites are selected and schemes designed to minimise the amount of excavation required;**
- c) **appropriate construction wastes have been incorporated into landscaping schemes;**
- d) **recycled construction materials are used wherever possible;**
- e) **on-site facilities for sorting waste arising from the construction will be provided; and**
- f) **arrangements have been made for the disposal for re-use of interesting and traditional features and materials salvaged from buildings where re-use under a) has proven to be uneconomic.**

Other Natural Resources

- 3.12 Many of the goods we consume use natural resources. Generally these resources are renewable over a period of time but consumption is so great that the supply of some resources has diminished significantly. It is appropriate, therefore, to consider ways in which this consumption might be reduced, or look to ways in which these resources may be re-used or recovered. Efficiently using resources in these ways will also have a significant effect on the amount of waste going to landfill and help conserve the land resource.
- 3.13 East Sussex County Council have responsibility for waste planning and disposal, but general land use planning policies can assist their objectives of seeking a reduction in the amount of waste going to landfill. In particular the deposit draft of the Waste Local Plan has a policy requiring local planning authorities to seek provision of recycling facilities within proposals employing or attracting a large number of people. In Eastbourne this will generally be interpreted as major development schemes⁵. In addition new development affords the opportunity for recycling facilities to be provided in locations which are currently poorly served.

Policy NE6: Recycling Facilities

⁵ For definition of major development see Appendix B: Glossary

All development proposals employing or attracting a large number of people will be required to make provision for the following as an integral part of the development:

- a) facilities for the public to recycle/compost waste; and**
- b) facilities within individual or groups of properties or premises for the source separation and storage of different types of waste for collection or on-site re-use or composting.**

Recycling facilities will also be required in smaller development schemes in locations with inadequate existing provision.

- 3.14 Encouragement of domestic recycling is a vital component of reducing the waste stream to landfill. There are a range of facilities which can be included within individual or groups of residential properties or premises to minimise the amount of domestic waste, including facilities for source separation and storage of waste for collection or on-site re-use. Greater home composting, could also make a valuable contribution if all new housing were to include facilities. Therefore all new schemes will show evidence of the introduction of domestic recycling measures. Composting has the potential to generate bioaerosols, exposure to which can cause harm to human health, for example, by causing respiratory problems. Consequently, planning applications for composting facilities should be supported by a site specific risk assessment in order to demonstrate that if bioaerosol levels arise they can be maintained at an appropriate level at any dwelling or workplace within 250 metres of the boundary of the facility.

Policy NE7: Waste Minimisation Measures in Residential Development

Planning applications for residential development will be required to demonstrate appropriate waste minimisation measures.

- 3.15 Emphasis on the re-use and recovery of waste requires provision of modern plant for transferring and reprocessing materials. The second deposit draft of the Waste Local Plan makes a specific site allocation (Policy WLP8) for material recovery facilities/waste transfer facilities at Tutts Barn on land which is allocated in this plan for general industrial use (use class B2) However greater commitment to recycling within the period of this plan may also require local facilities to be provided. Existing sites, and those committed or allocated within this Plan for B1, B2 and B8 uses may be suitable for both local recycling facilities and for reprocessing industries where need can be demonstrated and the development is acceptable in environmental terms. (Note applications for materials recycling facilities will be considered by East Sussex County Council as waste planning authority).

Policy NE8: Reprocessing Industries

Planning permission will be granted for reprocessing industries on sites allocated for B2 (general industry) use within this Plan (see Policies BI 2, BI 4, BI 5), subject to compliance with other policies in this Plan.

- 3.16 The Council is committed to the relocation of the Household Waste Site from Roselands Avenue as it presents problems, particularly in terms of traffic generation on residential roads, for local residents. However the decision on the future of the Roselands site rests with the County Council so they will be encouraged to identify a site for the relocation of the depot. The Borough Council have not specified a site for the relocated depot but the preferred location would be on one of the town's industrial estates, and residential use would be supported on the vacated site. Given the greater need for re-use and recovery of materials the requirement for a modern purpose-built facility for household waste seems paramount during the period of this Plan.

Policy NE9: Roselands Avenue Household Waste Site

In the event that the use ceases at the Roselands Avenue Household Waste Site it should be used for residential purposes.

- 3.17 Bedfordwell Road Depot is also an operational waste site. The site is affected by the proposed Tutts Barn Link road (see Policy TR16) and land is allocated next to the Depot in the event that land compensation is required when the design work is completed on the proposed road. Residential use of the site is considered appropriate if the depot should cease to be operational.

Policy NE10: Bedfordwell Road Depot

A site is reserved for the extension of the Bedfordwell Road Depot. In the event that the depot use ceases at this location, the existing or extended depot site should be used for residential purposes with the retention of the engine and boiler house building provided there is no requirement for any other waste use.

Satisfactory arrangements to ensure retention, future maintenance and use of this building will be material to favourable consideration of redevelopment of any part of the site.

Global Sustainability Considerations

- 3.18 The following section explores ways in which planning policy can conserve and improve the quality of the natural resources vital to life. The decisions taken locally for Eastbourne are an essential 'building block' of the wider global effort for sustainable development.

Energy Efficiency/Renewable Energy

- 3.19 Energy in Britain is primarily derived from fossil fuels (coal, gas, oil) which produce harmful environmental emissions, including carbon dioxide, that contribute to global warming and hence to possible climatic changes. In addition fossil fuel reserves are being depleted and cannot be replaced so it is important that non-renewable energy is used wisely and that alternative renewable energy sources are developed. The Government's current target is to see 5% of UK electricity requirements being met from renewables by the end of 2003, with 10% being achieved by 2010, subject to the costs on consumers being acceptable.
- 3.20 Land use planning can contribute to the efficient use of energy in a number of ways. Policies elsewhere in this Plan which seek to promote alternative means of transport to the private car will clearly have a beneficial effect, as will the policies which seek

minimisation of waste. However specific design considerations are also relevant. For instance changes in site layout (orientation, location on slope, landscaping) can reduce the energy requirements of a typical dwelling by 20%, through the 'free' ambient sources

created by passive solar gain, and microclimate improvements⁶. The Council has, therefore, adopted Supplementary Planning Guidance on Energy Efficient Development to promote much greater awareness of the issue and this will continue to be relevant during the period of this Plan.

- 3.21 The town's sunny climate offers opportunities to exploit the use of solar energy and the Council is looking at ways to actively promote the greater use of solar technology. However it is recognised that current solar technology, including photovoltaic cells, may be inappropriate on historic buildings and other sensitive locations⁷.
- 3.22 Wind turbines and harnessing wave and tidal action could also be used to generate electricity but in considering any such proposal the Council would wish to be assured that there would not be an unacceptable environmental impact. In particular the Council will take fully into account the impact on specific features and qualities of the Downland when considering any proposal for renewable energy schemes in the Area of Outstanding Natural Beauty, and will require evidence that the cost and scope of developing outside the area has been fully explored and there are no suitable alternative methods available. Given the speed of new technological developments it would be inappropriate to preclude the possible development of other sources of renewable energy up to 2011 provided that they do not conflict with other policies in this Plan. In particular small-scale energy saving proposals for individual dwellings or groups of dwellings would be strongly supported, subject to amenity considerations.

Policy NE11: Energy Efficiency

Designs for new development schemes, including extensions and changes of use should incorporate energy saving measures. Where appropriate alternative and renewable sources of energy should be considered provided that they are compatible with the quality and character of the local area.

In deciding planning applications the following will be sought where appropriate:

- a) the use of heat recycling, solar energy and passive solar gain; and**
- b) layouts, landscaping and buildings which reduce wind chill and maximise the efficient use of natural light.**

Note should be made of the following in respect of Policy NE11:

- a) particular attention is drawn to Policies TR1 (reduction in the need to travel by car) NE6 and NE7 (waste minimisation measures) which will also contribute to greater energy efficiency;
- b) Supplementary Planning Guidance on Energy Efficient Development has been adopted by the Council to assist implementation of this Policy.

Policy NE12: Renewable Energy

Proposals for renewable energy projects will be permitted subject to no detrimental effect on residential amenity (Policy HO20); visual amenity (Policy UHT4) and environmental amenity (Policy NE27) and that there is no conflict with other policies in this Plan.

⁶ Source "Energy, Planning and Urban form" Owens, 1986 quoted in "Planning for Sustainable Development: Towards Better Practice" (DETR 1998)

⁷ For information on Regional Energy Assessment and targets for the South East contact www.go-se.gov.uk

In particular the special features and qualities which contributed to the Downlands' designation as an Area of Outstanding Natural Beauty will be taken fully into account when assessing proposals in this area, including the high quality landscape and the areas' environmental and nature conservation value. The impact of any proposals will be balanced against the government's policy on renewable energy. Any such proposal should include evidence that there are no alternative locations available. All renewable energy projects within the AONB will be required to comply with Policy D1 of this Plan.

Note: "The Landscape Assessment of the Sussex Downs AONB" produced by Sussex Downs Conservation Board (March 1996) should be consulted in respect of Policy NE12.

Pollution Control

- 3.23 Maintaining air, land and water quality is essential for human health and safety, and for the ecological well-being of the environment but pollution can arise from a variety of sources, including vehicular traffic and particular industrial and construction activities. Responsibility for pollution control rests with a number of different agencies but PPG23⁸ advises that the land use planning interest must focus on any potential for pollution arising from a proposed development, and the extent that it may affect the current and future use of land. It is, therefore, appropriate to resist development which would pose an unacceptable risk of noise, smell, dirt, soot, smoke, light, vibration, radiation and other harmful emissions. Where it can be demonstrated that pollution risks can be mitigated the Council will impose a planning condition or a legal obligation that appropriate measures are put in place.
- 3.24 The Council has recently reviewed and assessed air quality within the Borough in relation to national air quality objectives. Results show that the Town's air quality meets these objectives and that there is no requirement to identify air quality management action areas. Regular review and assessment of air quality objectives will be made but it is important that further development within the Borough should maintain or contribute to an improvement in air quality. Assessment will be made of development in relation to its impact on existing air quality and national air quality objectives.

Policy NE13: Pollution Mitigation Measures

Planning approval for developments which pose a risk of pollution to air, land or water, will be required to incorporate adequate pollution control measures. Planning permission will be refused where it is considered that a development poses an unacceptable risk of pollution.

⁸ Planning Policy Guidance Note 23: Planning and Pollution Control (DOE 1994)

Water Quality

- 3.25 A Source Protection Zone is shown on the Proposals Map. Within this zone are aquifers supplying some of Eastbourne's drinking water. It is vitally important that these aquifers are protected from pollution. The Environment Agency and South East Water will be consulted on the likely impact of proposed developments within this area. Planning permission will be refused where an adverse impact on the aquifer, that cannot be mitigated, is identified. It is also important to ensure that development does not impact upon water quality or potential yield of surface and groundwater resources.

Policy NE14: Source Protection Zone

Within the Source Protection Zone shown on the Proposals Map planning permission will be refused for developments that pose an unacceptable risk of pollution to the aquifer.

Note: For indicative consultative purposes the Source Protection Zone is shown on Plan 3.

Policy NE15: Protection of Water Quality

Planning permission will be refused for development which will result in an unacceptable risk to the quality or potential yield of surface and groundwater resources.

Land Quality

- 3.26 It is essential that proper safeguards are in place to ensure that development does not take place on contaminated land or former landfill sites (unless remedial action has taken place to an extent suitable to allow the proposed use to take place) because of the risk to health, the dangers of subsidence, or migrating methane gas. The Environment Agency is consulted on developments within 250 metres of identified landfill sites for advice about whether the development or occupiers could be at risk. With regard to new residential development and former landfill sites which are known to be gassing Government advice is that 'no house, garden shed, green house or domestic extension should be constructed within 50 metres of the boundary of infilled wastes, and no garden shed within 10 metres of wastes'.

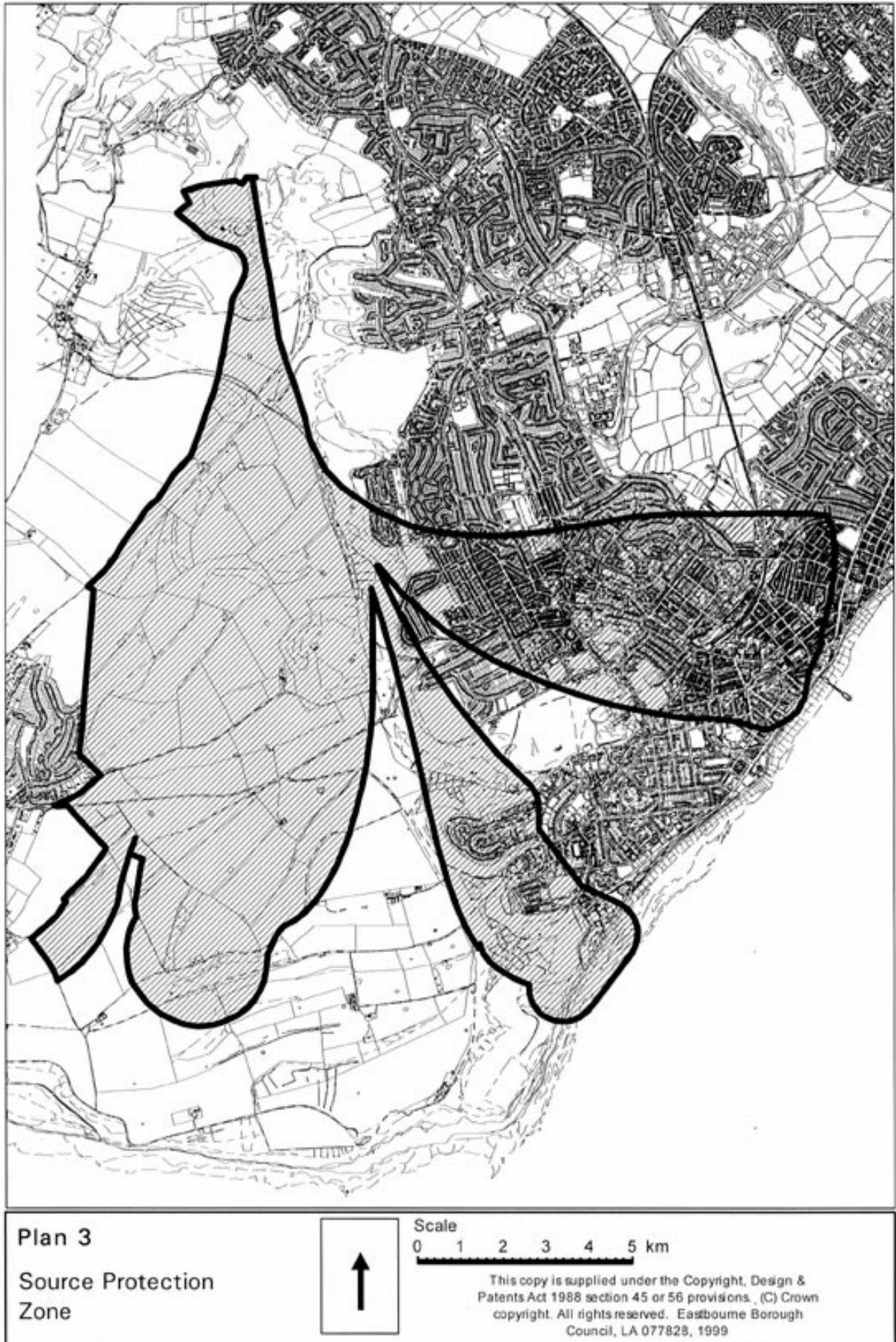
Policy NE16: Development Within 250 Metres of a Former Landfill Site

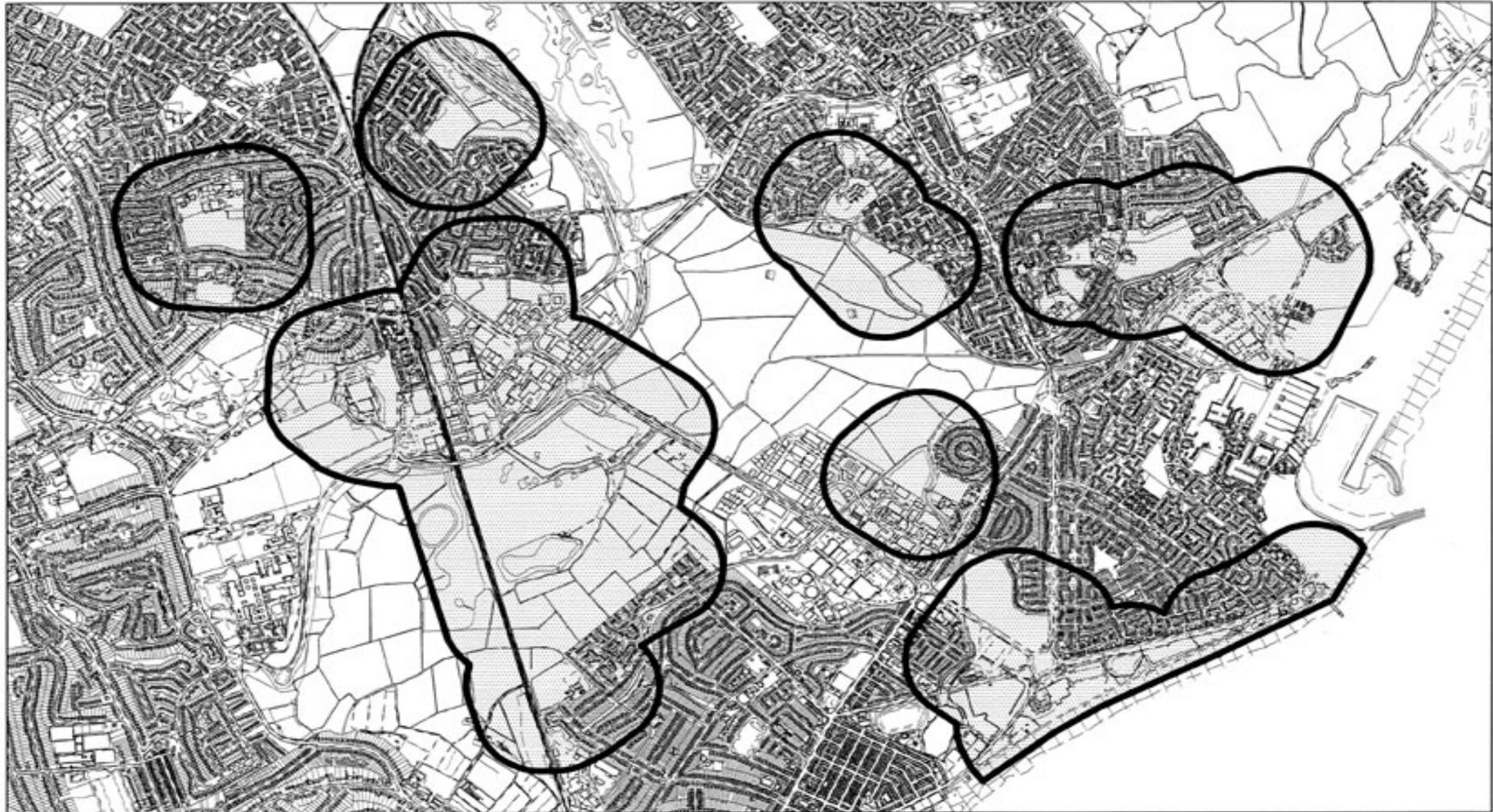
Planning permission will be refused for developments within 250 metres of a known former landfill site where a risk has been assessed and identified unless remedial action appropriate for the proposed development can be taken.

Note: For indicative consultation purposes the zones within 250 metres of a former landfill site are shown on Plan 4.

- 3.27 Landfill sites are only one source of contaminated land. Other sources of contamination may include former gas works, railway land and scrap yards as well as other uses. PPG23⁹ makes it clear that the onus is on the developer to identify the contamination and to eliminate the source, although the Council will ensure that prospective developers are aware of potential contamination where known to them. The Council has put in place a strategy for the identification and remediation of contaminated land

⁹ Planning Policy Guidance Note 23: Planning and Pollution Control (DOE 1994)





Plan 4

NE16 Development near landfill site

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Scale
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and will maintain a Public Register all in accordance with the Environmental Protection Act 1990 (as amended) and relevant statutory guidance.

Policy NE17: Contaminated Land

Planning permission will be refused for developments on land identified as contaminated, unless remedial action appropriate to the proposed development is undertaken.

Note: "Contaminated land" is defined by the Environmental Protection Act 1990.

Noise

- 3.28 Noise can have a significant effect on the environment and on the quality of life enjoyed by individuals and communities. PPG24¹⁰ advises that planning controls should be used to minimise the adverse impact of noise without placing unreasonable restrictions on development or adding unduly to the costs of business. Advice will be sought from the Council's Environmental Health Division on developments likely to cause noise, particularly in relation to the noise exposure categories for assessing noise levels set-out in PPG24. Where appropriate, planning conditions or section 106 agreements will be used to control noise levels or seek provision of specific noise attenuation measures, such as sound-proofing or earth bunds for the site. The Council would also wish to see appropriate noise insulation measures included for developments in the vicinity of known noise sources. To understand better those areas of the South Downs which offer opportunities for tranquillity, the Sussex Downs Conservation Board and the East Hampshire AONB Joint Advisory Committee, have produced a Tranquil Area Map. This map shows that even close to major conurbations there are deep hidden valleys which offer opportunities for remoteness which should be retained and protected from urban noise. East Sussex County Council have also produced Supplementary Planning Guidance on Tranquil Areas.

Policy NE18: Noise

Attenuation measures will be required where development is considered likely to generate inappropriate noise and/or vibration levels for residential and other noise sensitive areas. Planning permission will be refused for developments where the likely noise and/or vibration cannot be attenuated to acceptable levels.

Where planning permission is sought for developments in the vicinity of a noise/vibration source appropriate insulation measures will be required.

Local Environmental Considerations

- 3.29 Valuing and protecting the best of the Borough's natural environment, together with enhancement of the remaining areas, will provide a valuable legacy for future generations. It will also make a major contribution to sustaining the variety of life (known as 'biodiversity') within the Borough. Three components to 'biodiversity' are recognised:
- habitat diversity;
 - species diversity; and
 - genetic diversity.

¹⁰ Planning Policy Guidance Note 24: Planning and Noise (DOE 1994)

The latter is not discussed further here, but maintaining local species and habitat diversity will clearly make a contribution to maintaining genetic diversity.

- 3.30 It is clear that all three components have received irreparable damage during modern times. It is now widely recognised that one measure of environmental well-being is the level of biodiversity present. A reduction in biodiversity signifies that environmental damage is occurring. A Biodiversity Survey has been undertaken as part of the preparation of this Plan and it is anticipated that this will assist much greater understanding of local biodiversity and provide a base-line for future objective measurements of the state of the local environment.
- 3.31 There is strong government guidance on the importance of safeguarding biodiversity and both National and Sussex-wide Biodiversity Action Plans have been prepared. The Borough Council acknowledges the existence of these biodiversity plans and will support their implementation through the application of the policies for nature conservation set-out in this Plan. However planning policy, whilst a major contributory factor to achieving greater biodiversity by seeking conservation of important habitats, cannot necessarily achieve expansion and enhancement of key habitats unless opportunities present themselves through developer contributions on major schemes (see Policy IR2), or by requiring smaller schemes to incorporate integral suitable measures in their design/layout and compensating provision.

Habitat Diversity

- 3.32 There are a number of important habitats within the Borough. These include the Downland and the associated Heritage Coast which are of national importance and are, therefore, treated separately in Chapter 4. However the wetland areas and their associated habitats are also of major importance and are considered under the policies of this chapter.

Nature Conservation Sites

- 3.33 There are four Sites of Special Scientific Interest (SSSI) within the Borough. These are discussed more fully in the Downland Chapter, but it should be noted that the Helen Cliff and part of the Foreshore, south-west of the Grand Hotel, fall within this designation and Policy D3 would apply to any development proposals in this area.
- 3.34 At the present point in time there are no national nature reserves, marine nature reserves or local nature reserves within the Borough, although there is a voluntary marine conservation area off Beachy Head and Ham Shaw Wood in Hampden Park is managed as an informal local nature reserve. However, in appropriate circumstances, the Borough Council will consider designating local nature reserves. Designation of a local nature reserve can be made by the Borough Council at any time based upon its substantive nature conservation value to the local community and would not need to be carried out under the auspices of this Plan. Where designated, local nature reserves should be protected from inappropriate development, and opportunities made available for controlled public access to prevent damage to the habitat. Wherever possible opportunities should also be taken to enhance and improve the wildlife habitat to ensure its continued value as an important biodiversity resource for the local community (e.g. public wildlife viewing facilities and wildlife habitat enhancement).

Policy NE19: Local Nature Reserves

Where a local nature reserve has been designated planning permission will not be granted for development which has an unacceptable impact on the nature conservation interest of the site, either directly or indirectly.

Sites of Nature Conservation Importance (SNCI)

- 3.35 The following section has been informed by the Eastbourne Biodiversity Survey undertaken by independent consultants in Summer 2000. This survey reconsidered sites previously identified in an earlier Nature Conservation Survey¹¹ of the Borough. It also included a sample survey of Eastbourne Park and surveys of possible new nature conservation sites.
- 3.36 The Eastbourne Biodiversity Survey indicated that there are many sites of nature conservation importance (SNCI) in the Borough, and these are identified symbolically on the Proposals Map. A summary description of each SNCI has been published as Supplementary Planning Guidance. SNCIs should be maintained wherever possible and development will only be permitted where it can be demonstrated that the nature conservation interest can be maintained. In such circumstances planning conditions or a section 106 agreement will be imposed to maintain the nature conservation interest. It will also be a requirement that effective management of the SNCI takes place to ensure that the nature conservation interest is maintained for future generations. Particular habitats where development is unlikely to be acceptable or where replacement provision will be sought are set-out in Policy NE22 below.

Policy NE20: Sites of Nature Conservation Importance

Development which has an unacceptable adverse effect, directly or indirectly, on the nature conservation interest of a site identified as a Site of Nature Conservation Importance will not be permitted. Where proposals are permitted the Planning Authority will require the proper conservation management of Sites of Nature Conservation Importance. (See Policy NE22).

Note: Supplementary Planning Guidance has been prepared setting out detailed information on the Sites of Nature Conservation Importance in the Borough.

- 3.37 A comprehensive biodiversity survey of the Eastbourne Park area was not undertaken for the purposes of this Plan, although it is the Council's intention that such a survey should be completed. Nevertheless the samples taken in the area indicate that the nature conservation importance of some areas is significant and should be maintained. It is, therefore, appropriate to require all planning applications for development within the Eastbourne Park area to be accompanied by a survey undertaken by an appropriately qualified professional consultant indicating the nature conservation interest of the site, including an assessment of the wider importance of the site within the area. This assessment should take into account any conservation strategy set-out in the comprehensive biodiversity study of the area. A clear statement will be required of the ways in which the nature conservation interest of the site will be maintained, including an indication of management measures that will be adopted. Planning conditions or a section 106 agreement will be used to secure the nature conservation interest and management of sites of nature conservation importance in Eastbourne Park.

¹¹ Nature Conservation Survey of Eastbourne, Chris Blandford Associates, 1990

Policy NE21: Nature Conservation in Eastbourne Park

A detailed assessment of the nature conservation value of the site, including consideration of:

- a) the site's wider importance within the area; and
 - b) how the nature conservation interest will be maintained and managed,
- will be required for all planning applications within the Eastbourne Park area, defined on the Proposals Map.

Planning permission for development of sites of importance for nature conservation within the Eastbourne Park will be contingent upon measures to maintain the sites nature conservation value and to secure effective nature conservation management. Planning permission will be refused where a valuable habitat would be lost or significantly damaged and suitable compensatory provision is either not proposed or would be inappropriate. (see Policy NE22 below).

3.38 In interpreting policies NE19 and NE20 above the Council attaches significant importance to the maintenance of specific local habitats which cannot be replicated elsewhere. There are also habitats where replacement of equivalent habitats would be required either within existing site boundaries, or close by. The emerging Local Biodiversity Action Plan (LBAP) for Sussex identifies reed beds as a habitat of great importance in the Borough and it is possible that other habitats will be identified as part of on-going work on the LBAP. This work will be kept under review and any additional habitats that emerge for the Eastbourne area will be identified in Supplementary Planning Guidance and protected under Policy NE22.

3.39 As part of the Eastbourne Biodiversity Survey the promotion of 'green' links within the Borough were examined. The Survey indicated that there are 4 principal habitat areas within the town:

- wet ditches, ponds, wet and dry pasture within Eastbourne Park and the remains of the Levels to the east;
- chalk grassland on the western side of the Borough extending approximately as far as King's Drive and Willingdon Park Drive and abutted on the western side by very high quality chalk habitats within the Downland;
- fragments of shingle along the foreshore with chalk cliffs descending from the edge of the urban area to King Edward's Parade;
- small areas of woodland, most of which are secondary between Ratton Drive and Ham Shaw.

Within these habitat areas are SNCI's and other areas of green space, including some private gardens, which are essential components of local biodiversity. The Survey identifies some important links between these components which should be maintained and enhanced wherever possible. For instance, the Langney Shopping Centre Pond (an SNCI) can be seen as part of a mosaic of wetland and grassland habitats ultimately linking to grassland and scrub along Willingdon Drive to Eastbourne Park.

3.40 The Survey did not recommend the adoption of wildlife "corridors" as it is generally accepted that large continuous areas of habitat are better for wildlife than several small ones. However it did recognise that links can have value for public enjoyment and access. The survey indicated the wildlife importance of the Horsey, Crumbles and Langney Sewers and suggested that the paths alongside could be developed and improved in terms of surfacing and width to allow greater public access. It is, therefore, proposed that these paths should be developed as part of the pedestrian and cycle routes for the town to which Policies TR5 and TR8 will apply.

Policy NE22: Wildlife Habitats

Development will not be permitted that will destroy or has an unacceptable adverse effect on the following habitats which are considered to be of particular nature

conservation value in Eastbourne and cannot be satisfactorily moved or replaced under any circumstances:

- a) flower-rich old grassland (acid or neutral);
- b) flower-rich chalk grassland;
- c) ancient species-rich hedgerows;
- d) ancient coastal shingle ridges;
- e) wave-cut platform.

Development proposals which would result in the loss of any habitats listed below will be required to provide for their relocation or for the creation of equivalent habitat of sufficient size to fully compensate for the loss elsewhere within the site or local area.

- a) ponds and reed beds;
- b) floodplain grasslands;
- c) wet drainage ditches;
- d) secondary broad-leaved woodland;
- e) scrub of value to breeding birds;
- f) semi-improved grassland;
- g) disturbed but naturally re-vegetated shingle.

Planning permission will be refused where proposals for relocation or creation of equivalent habitats are considered to be unsatisfactory.

Note: In determining planning applications which affect wildlife habitats regard will be made to the wider impact of the proposal on the Borough's biodiversity, in order to protect and maintain connections between habitat areas.

Other Sites

- 3.41 Biodiversity is not just confined to particular designated sites, so it is important that the full nature conservation value of any site is taken into consideration and the views of appropriate nature conservation bodies sought where appropriate. The Council will be supportive of any proposal that would result in an additional SNCI, subject to other policies in this Plan.

Policy NE23: Nature Conservation of Other Sites

Planning permission will be refused for developments which would have a significant adverse effect, either directly or indirectly, on a habitat and/or species of flora and fauna of demonstrable nature conservation importance.

Proposals which would increase the number, size and diversity of areas of nature conservation interest will be permitted subject to compliance with other policies in this Plan.

Eastbourne Park

- 3.42 The Council has been committed to development within Eastbourne Park for many years¹². Housing, business and leisure allocations for the Park area are discussed elsewhere in this Plan. However it has never been the Council's intention that such developments should go ahead in isolation. A vision of quality built-form within a parkland setting guides the development of the area, and the natural environment is accorded significant priority. Indeed the development of the Park affords considerable opportunity to provide additional habitats and increase the biodiversity of the area.

- 3.43 Considerable progress has been made on some elements of the parkland. Lakes, for

¹² Eastbourne Park District Plan adopted February 1990

example, have been constructed as part of compensatory flood storage measures in all four sectors of the park: South Broadwater, Southbourne, Shinewater and West Langney; and are an increasingly important habitat that will support and encourage biodiversity. However less progress has been made on achieving the extensive tree and woodland planting envisaged for the area to screen obtrusive features, provide shelter belts and add diversity to the landscape, as well as providing further wildlife habitats. This Plan affords an opportunity to reaffirm the commitment to this extensive screen planting and seek a commuted sum, from appropriate new development within the Park toward this element of the parkland to mitigate the visual intrusion of individual developments within a very sensitive location. Contributions sought will be directly, fairly and reasonably related in scale and kind to the proposed development.

- 3.44 It would not be appropriate for the Plan to set-out detailed design guidance on the ways in which the Council's vision for Eastbourne Park can be realised. Supplementary Planning Guidance (SPG) will be prepared to include a master plan for the area as a whole, reflecting the need to retain the open character of the landscape but, where appropriate, providing for a high quality of built form within a parkland setting. The SPG will cover such matters as landscaping, protection of biodiversity, boundaries of development areas, lakes, roads, footpaths and cycleways. It will also inform developers of their wider responsibilities to contribute to the infrastructure requirements resulting from their development.

Policy NE24: New Development in Eastbourne Park

New developments within Eastbourne Park which are in accordance with the designated use for the site, as set-out on the Proposals Map, and which conform to other plan policies, particularly those for nature conservation, will be permitted provided that the following criteria are met:

- a) where changes are proposed to the existing landform these should provide a more distinctive landscape with areas of parkland, woodland, lakes (and other flood storage areas) and watercourses;
- b) existing woodland and trees should be retained;
- c) landscape features and other materials (e.g. top-soil, turf and reeds) should be conserved;
- d) extensive tree and woodland screen planting should be included within the development;
- e) appropriate landscaping, including earth mounding and screen planting, should be provided to limit the visual intrusiveness of the built form;
- f) appropriate provision is made to enable and improve public access, including provision for the pedestrian, people with disabilities, cyclists, equestrians and those with mobility problems.

Note: Supplementary Planning Guidance will be prepared setting out detailed design guidance for development within Eastbourne Park.

Policy NE25: Tree and Woodland Planting in Eastbourne Park

New development and extensions to existing premises over 1000 square metres within Eastbourne Park will be expected to contribute to the wider tree and woodland screen

planting schemes envisaged for the Park. Contributions sought will be directly, fairly and reasonably related in scale and kind to the development proposed.

Note: Details of the wider planting schemes will be set-out in the detailed design guidance prepared for Policy NE24.

Species Diversity

- 3.45 Certain species are protected under statute because of their rarity. Many of these have

specialised habitat requirements and survive in only a few localised areas. It is, therefore, essential that these species are adequately protected, even where they are found in relative abundance, to ensure their welfare and to encourage their continued survival. Planning applications for development that could affect a species protected under national legislation, will need to include a nature conservation survey undertaken by an appropriately qualified professional consultant.

Policy NE26: Protected Species

Where a proposed development could affect a species protected under national legislation or a species of local rarity, the applicant will be required to survey the site and to consult with relevant conservation bodies. Planning permission will be refused where it is considered that the development would be damaging to a species of acknowledged importance.

Note: The advice of relevant nature conservation bodies will be sought in implementing this Policy.

The Coast

3.46 PPG20¹³ advises local authorities to consider carefully the coastline within their area and reconcile development requirements with the need to protect, conserve and, where appropriate, improve the landscape, environmental quality, wildlife habitats and recreational opportunities of the coast. As recommended in the guidance the Council has identified three coastline zones:

- Undeveloped Coast: the coast west of Holywell (further details in the Downland chapter, Policy D2 applies).
- Developed Coast: from the Wish Tower to the Sovereign Centre, and east of Langney Point.
- Part Developed Coast: from the Wish Tower to Holywell, and east of the Sovereign Centre to Langney Point.

These zones are consistent with the Strategic Coastal Defence Option identified in the Shoreline Management Plans covering Eastbourne¹⁴.

¹³ Planning Policy Guidance Note 20: Coastal Planning, DOE (1992)

¹⁴ The two Shoreline Management Plans (SMP) covering the coastline in Eastbourne are:

- The Selsey Bill to Beachy Head SMP, June 1997, includes the stretch from the western Borough boundary to Holywell and the identified Strategic Coastal Defence Option is “do nothing”. Within the overall context of the Do Nothing strategy, the ground water source at Holywell requires local protection;
- The Beachy Head to South Foreland SMP, June 1996, includes the remainder of Eastbourne’s frontage, from Holywell to the eastern Borough boundary. The identified Strategic Coastal Defence Option along the coastline is “hold the line”.

- 3.47 In order to reconcile development requirements with other considerations it is appropriate to resist development outside the developed coast zone. Within the developed coast zone, tourism, leisure and recreational uses will be supported where they contribute to the tourist offer. Other developments which do not require a coastal location will not be acceptable within this area.

Policy NE27: Developed/Partly Developed Coast

Proposals for development which require a coastal location will be directed towards the Developed Coast Zone identified on the Proposals Map. Proposals for development within the Partly Developed Coast Zone, also identified on the Proposals Map, will not be permitted unless there are overriding factors which overcome countryside, landscape and nature conservation policies in these areas, although some minor developments ancillary to recreational uses may be permitted.

Proposals for development which does not require a coastal location will not be permitted and will be directed to inland locations. Any proposals for development in coastal zones should include provision for public access to the coast and for access for the maintenance of existing coastal protection works and sea defence, where such protection would be in accordance with the Shoreline Management Plan.

See Policy US5 for development within areas at risk from tidal flooding.

Environmental Standards

- 3.48 In order to provide for sustainable development it is important that environmental amenity is protected. Development proposals which would detrimentally affect environmental amenity should be resisted as they would prejudice the key development principle of this Plan: that development should be sustainable.

Policy NE28: Environmental Amenity

Development proposals will be judged on their effect on environmental amenity using the following criteria:

- a) the amount of pollution created by reason of noise, vibration, light, smell, fumes, soot, ash, dust or grit;
- b) the existing biodiversity on the site is not adversely affected and preferably enhanced;
- c) the reuse of existing natural features on the site;
- d) the removal of natural features that adversely affect the site;
- e) the contribution to combating climate change or reducing greenhouse gas emissions.

Planning permission will be granted for developments that can show neutral or positive benefits to the environmental amenity of an area, subject to the other policies and proposals of this Plan.

