

Chapter 13

Utilities and Services

Corporate Aims

1. We will make Eastbourne a safe place to live, work and visit.
2. We will protect and improve health and reduce inequalities within Eastbourne.
3. We will protect and enhance the Borough's environment sympathetically, developing it for future generations.

Corporate Objectives

- F3: Protect and enhance our natural environment.
- F4: Provide effective sustainable management and protection of the built environment.

Policy Objectives

1. Ensure adequate infrastructure is provided for development within the Town and ensure that the built environment is developed safely.
2. Ensure the built environment is compatible with the natural environment and prevent visually harmful development in the Town.

Introduction

- 13.1 This chapter considers the utilities and services which comprise the infrastructure for development in Eastbourne and gives advice on the consultation requirements of the utility suppliers and regulatory bodies.
- 13.2 Some developments by utility companies, statutory undertakers and telecommunication code system operators are permitted by the Town and Country Planning (General Permitted Development) Order 1995 and as such are not subject to control under the Planning Acts.

Electricity

- 13.3 The lines and cables carrying electricity in and around Eastbourne are owned by SEEBOARD. The main transmission lines are found in the Eastbourne Park area. SEEBOARD advises that there is sufficient capacity within its 132 kilovolt (kv) and 33kv networks to meet anticipated demand over the next ten years. However, some work will be required to reinforce and extend the lower voltage networks to accommodate specific new loads. Development close to overhead transmission lines may be affected by SEEBOARD's safety and access requirements. Proposals for development within 15 metres of high voltage overhead power lines (132kv and 33kv) or within 9 metres of an electricity carrying wooden pole (33kv and 11kv) will be referred to SEEBOARD for comment and proposals will normally be expected to comply with its requirements. Furthermore, SEEBOARD recommends that it is consulted prior to finalising industrial and commercial developments and residential developments of more than six houses.

Gas

- 13.4 Proposals for development adjoining high pressure gas mains or land owned by BG Transco plc will be referred to the company for comment and the proposals will be expected to comply with the requirements of the Institute of Gas Engineers.
- 13.5 The Council will take account of advice from the Health and Safety Executive in determining applications for planning permission for development within the vicinity of the BG Transco plc high pressure gas storage holders at Finmere Road, Eastbourne and District Calor Gas supplies at Hargreaves Road and the high pressure natural gas transmission pipelines.

Policy US1: Hazardous Installations

Planning permission will be refused if there is a significant risk to the development from the installations storing hazardous substances or proposals for new installations.

Water

- 13.6 South East Water is responsible for Eastbourne's water supply, whilst the Environment Agency has responsibility for water quality and the overall management of water resources. Reference should also be made to policies in Chapter 3: Natural Environment which are

concerned with water quality.

- 13.7 Planning applications for 10 or more houses, industrial/commercial development of more than 500 square metres and for development adjoining main pipelines, reservoirs and other installations, will be referred to South East Water for comment and proposals will normally be expected to comply with the company's requirements. Adequate measures need to be taken to protect surface water and groundwater resources. The provisions of the Environment Agency's "Policy and Practice for the Protection of Groundwater" must be followed. Furthermore, regard will be given to the Agency's Regional Strategy for the Sustainable Management of Water Resources, the aim of which is to protect the long term future of the environment while addressing sustainable development.

Policy US2: Water Resource Adequacy

Development will only be permitted where it is considered, in consultation with the Environment Agency and water companies, that adequate water resources are available or can be provided through infrastructure improvements. Phasing of development would be required to ensure any improvements are undertaken prior to development being occupied.

Sewerage

- 13.8 Southern Water Services has completed a major new wastewater treatment works and long sea outfall at Langney Point that now provides a high standard of wastewater treatment that meets the current European Union Urban Wastewater Directive. This facility treats all wastewater from Eastbourne and the surrounding built-up areas of Westham and Pevensey Bay. Southern Water has recently completed installation of a 'secondary' level of biological treatment within the existing treatment works to achieve an even higher water quality standard.
- 13.9 Southern Water has a Sewer Drainage Area Plan for Eastbourne and this Plan will be used to assess spare capacity in the public foul sewerage for new development. Southern Water Services wishes to be consulted on a wide range of planning applications to ensure that new developments are effectively serviced. All large developments (currently six domestic units or more) including buildings over or close to public sewers or rising mains will be commented on. Where spare capacity is not available for new development in the public sewer system, developers will need to connect to a point where capacity exists or can be provided through infrastructure improvements. In some cases it may be necessary for developers to provide off-site sewers through the Water Act requisition procedures. No occupation of development shall take place until adequate infrastructure is provided.
- 13.10 New developments will generally require new surface water sewers discharging to the local land drainage ditches or the larger surface water sewers. In some locations soakaway drainage is effective but this needs to be determined by soil permeability tests. An assessment is normally required of the surface water drainage of development proposals and the capacity of surface water sewers and land drainage systems to ensure flood risk is not increased elsewhere. For this reason there is normally a requirement for planning conditions on drainage.

Policy US3: Infrastructure services for Foul Sewage and Surface Water Disposal

Development will only be permitted where adequate sewage treatment, fouled sewerage and surface water drainage infrastructure are available, or can be made available with appropriate phasing of development. In seweraged areas, new development will be expected to connect to mains drainage. New sewers will be constructed to a standard adoptable by Southern Water.

Land Drainage/Floodplain Protection

- 13.11 PPG25⁵⁹ explains how flood risk should be considered at all stages of the planning and development process and “sets out the importance the Government attaches to the management and reduction of flood risk in the land use planning process, to acting on a precautionary basis and to taking account of climate change.”
- 13.12 The Environment Agency will be consulted on planning applications which raise flooding issues. “In response to consultation, the Agency will consider the risk of flooding at the proposed site, the impact on flooding elsewhere or the impact of the flood alleviation works on other property or nature conservation interests.” (paragraph 64 PPG25). Proposals for development within areas at risk of flooding should be supported by a flood risk assessment, in accordance with advice in PPG25.
- 13.13 At present, in the Willingdon Levels floodplain, proposals for raising existing land that is below 2.3 metres Above Ordnance Datum (AOD) will have to provide compensatory flood storage elsewhere. The Council has established a compensatory flood storage scheme for the Willingdon Levels and any development within the area is required to contribute to it. Contribution can be in the form of direct provision (eg Sainsbury's provided the Broadwater Lake) or as an in lieu payment to the Council. In lieu payments are amalgamated to provide further storage capacity, either in the form of lakes or improvements to the efficiency of the system. In addition to the land raising element the compensatory flood storage scheme also requires that development within the wider catchment area which creates an impervious surface, resulting in runoff to the Levels, should also make a contribution.
- 13.14 Discussions have taken place with the Environment Agency regarding the new Government guidance on development and flood risk and they have agreed that the existence of an established flood compensatory scheme is an exceptional circumstance which which has enabled development within the Eastbourne Park area to go forward. However, it was agreed that the basic assumptions on which the scheme is based would be revisited to take into account climate change, in order to facilitate future development. The Council is committed to monitoring the operation and effectiveness of the scheme as part of the review process for this Plan or at no less than five yearly intervals. Developments will also have to be assessed in respect of the increased rate of surface water runoff caused by the proposal and proposed compensatory measures. The Council will require floor levels for new developments to be a minimum of 2.9 metres AOD and garden levels at least 2.3 metres AOD.
- 13.15 The major drainage and flood mitigation scheme which is ongoing in the Eastbourne Park area involves major improvements to the drainage system so that any development within the Willingdon Levels Catchment Area does not create flooding and surface water runoff problems in the future. The main components of the scheme include a series of artificially created flood storage lakes which can also be used for recreation and nature conservation purposes. Responsibility for the drainage scheme rests with the Borough Council. The Crumbles Sewer will be improved from the Willingdon Levels in Eastbourne Park to the sea via Princes Park in order to increase its outlet capacity and meet the requirements of the Eastbourne Park compensatory flood storage scheme.
- 13.16 Where information is presently unavailable, the extent of the 1 in 100 year flooding of the floodplains of watercourses within or adjacent to a proposed development site in the East Langney and Mountney Levels would need to be determined by the developer. Development within the identified floodplain would not be permitted unless compensatory flood storage and/or flood waterway area can be provided with no overall detriment to the natural environment.
- 13.17 Surface water attenuation facilities are also likely to be required to ensure flooding is not increased by surface water runoff. Consideration should be given to the use of sustainable drainage systems such as open wetlands/ponds, infiltration basins and porous surfaces as alternatives to conventional drainage where appropriate. Such facilities are more

⁵⁹ Planning Policy Guidance Note 25: Development and Flood Risk, DTLR (July 2001)

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 create "green" areas within the community, particularly where surface water attenuation facilities are provided in the form of open wet ponds which can, if appropriately designed, be utilised to enhance the conservation and recreation values within the developed environment. However sustainable drainage systems must be designed having regard to climate change in accordance with advice in PPG25.

Policy US4: Flood Protection and Surface Water Disposal

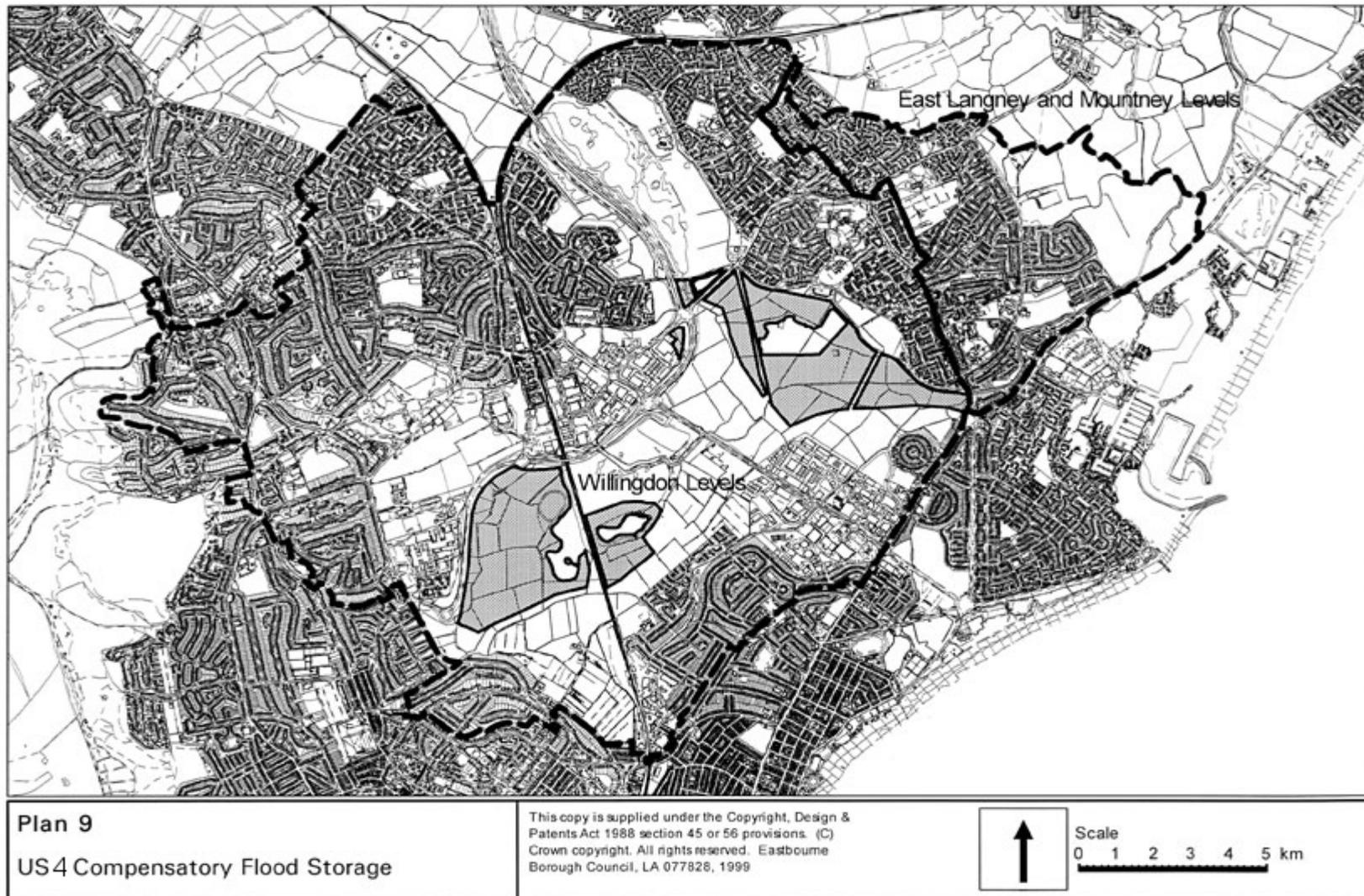
All development should make adequate provision for floodplain protection and surface water drainage, in order to ensure that:

- a) no overall reduction in flood storage capacity and flood waterway area occurs;**
- b) measures are provided to manage increased surface water runoff to minimise the risk from flooding, whilst not increasing the risk of flooding elsewhere.**

Within the Willingdon Levels planning permission will be contingent upon satisfactorily demonstrating that:

- c) appropriate compensatory flood waterway and flood storage measures will be provided on site or a commuted sum will be paid to the Eastbourne Park scheme in lieu of on site provision;**
- d) where a development involves the raising of land, flood storage provision will be made and completed before any development begins on site;**
- e) ground floor levels for new buildings are to be a minimum of 2.9 metres OD with garden levels at 2.3 metres OD.**

- Note:**
- a) Policy NE4 applies to sustainable drainage systems;
 - b) Supplementary Planning Guidance will be prepared for development in Eastbourne Park;
 - c) Plan 9 indicates the area in which the flood compensatory lakes will be located.



Coastal Protection

- 13.18 Many parts of Eastbourne are below sea level and are protected from flooding by sea defences maintained either by the Borough Council or by the Environment Agency (EA). These defences comprise primarily shingle beaches and/or embankments. To ensure that such maintenance works or future improvements can be undertaken, it must be ensured that access to and along the sea defences is retained. It must also be ensured that no development takes place or no works are undertaken which would in any way reduce the integrity of the sea defences and hence the protection afforded to Eastbourne from flooding from the sea.
- 13.19 The consent of the Environment Agency would be required prior to any works being undertaken by a third party on a sea defence under the jurisdiction of the Agency, from low water mark to a line measured 15 metres from the landward toe of a shingle embankment. Additionally, any excavation up to a distance of 200 metres from the landward toe may require the Agency's approval. Furthermore, any coast protection work along Eastbourne's Seafront will require the consent of the Borough Council under the Coast Protection Act 1949.
- 13.20 In some areas of Eastbourne, the Environment Agency advises that there may be a risk of flooding and/or tidal inundation. As a consequence, the Council, in consultation with the Agency, may impose requirements in relation to floor levels, construction standards and height of development.

Policy US5: Tidal Flood Risk

Development will not be permitted in areas considered to be in consultation with the Environment Agency, at an unacceptable risk of flooding from the sea.

In areas which are at risk from flooding, where, in consultation with the Environment Agency, planning permission is granted development will be required to comply with construction standards and minimum floor levels.

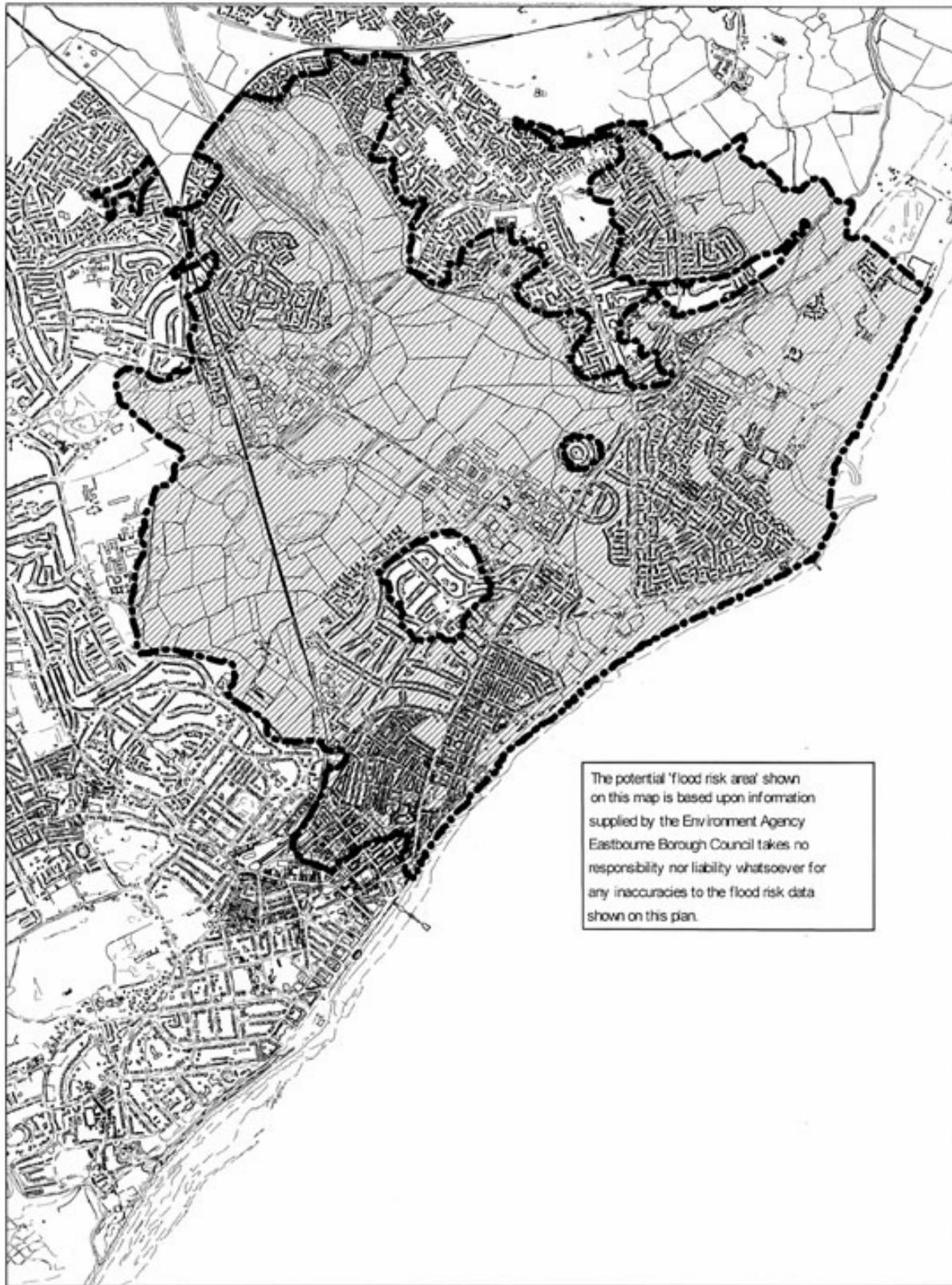
Note: Plan 10 indicates the areas which the Environment Agency have identified to be below an extreme sea level.

Policy US6: Integrity of Flood Defences

Development which would be detrimental to the integrity of fluvial, tidal and sea defences will not be permitted.

Telecommunications

- 13.21 At present all telecommunications development in England and Wales requires a code system operator to apply to the planning authority for either full planning permission, or prior approval of the siting and appearance under Part 24 of the Town and Country Planning (General Permitted Development) Order 1995 (Amendment) (England) Order 2001. In line with Government Policy there is a commitment to facilitate telecommunications development providing, any environmental impacts are kept to a minimum.



The potential 'flood risk area' shown on this map is based upon information supplied by the Environment Agency. Eastbourne Borough Council takes no responsibility nor liability whatsoever for any inaccuracies to the flood risk data shown on this plan.

Plan 10
US5 Areas at risk from flooding



Scale
0 800 1600 2400 3200 4000 m

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- 13.22 There is a perception of a health risk by some members of the public regarding the effects of electromagnetic fields that emanate from the apparatus. Government guidance in PPG8⁶⁰ indicates that radiation safety is a matter for the Health and Safety Executive and the Government's statutory adviser, the National Radiological Protection Board (NRPB). The NRPB has concluded that there is no convincing evidence that there are harmful effects of exposure to electromagnetic fields associated with either the use of cellular phones or transmission equipment. In May 2000, the Independent Expert Group on Mobile Phones (IEGMP), published a report on mobile phones and health (the Stewart Report). The report found that "the balance of evidence does not suggest that mobile phone technologies put the health of the general population of the UK at risk". However the report recommended that a precautionary approach should be adopted until more robust scientific information becomes available.
- 13.23 There are numerous telecommunications masts, control equipment and antennae sited throughout the urban area of the Town. In addition, there are radio masts on Eastbourne Downland. The two most prominent are at Beachy Head and Butts Brow, both of which are used by a variety of operators. Further cellular antennas may be permitted on the existing or any replacement masts on the Downland. The height of the existing masts on the Downland should remain unaltered but the profile of the masts could be altered provided there is no significant detrimental visual effect (Policy UHT4 applies). The Council would not wish to see any further new installations on the Downland as it is an Area of Outstanding Natural Beauty. The Downland also has considerable areas designated as Heritage Coast and Sites of Special Scientific Interest as well as 24 Scheduled Monuments.

Policy US7: Telecommunications Development on the Eastbourne Downlands

No new telecommunications apparatus will be permitted on the Eastbourne Downlands within the AONB, unless it can be demonstrated that:

- a) no suitable alternative site is available to meet that need, and**
- b) the natural beauty and amenity of the area would be conserved.**

- 13.24 Before installing certain telecommunications apparatus under permitted development rights, a code system operator must apply to the Council for a determination as to whether approval of the siting and appearance of the development is required. The Council has 56 days to consider such an application. Where apparatus has been installed under permitted development rights and the Council consider that its siting materially affects the external appearance of the building on which it has been installed, then a breach of condition notice may be served requiring the apparatus to be re-sited. Technical and safety considerations will be taken into account in deciding whether any such notice is to be served.

Policy US8: Prior Approval for Telecommunications Development

Developers for those types of telecommunications development that are permitted under the provisions of The General (Permitted Development) Order as amended in 2001, but are subject to the 56 day approval procedure, must apply to the local planning authority for a determination as to whether prior approval of the siting and appearance of the proposed development is required.

⁶⁰ Planning Policy Guidance Note 8: Telecommunications, DTLR (2001)

If no decision is made, or the local planning authority fails to notify the developer of its decision within the 56 days, permission is deemed to have been granted.

- 13.25 Proposals for telecommunications apparatus should not be detrimental to the environment, as a result of insensitive siting. The Council will protect the special interest and settings of conservation areas, listed buildings, scheduled monuments and buildings of local interest. It is also important to protect the character and visual amenity of the open areas of land inside and outside the boundary of the built-up area, as these tend to be subject to long vistas. It is, therefore, important that the possibility of using existing telecommunications apparatus has been thoroughly examined before proposing apparatus in new locations. The Council is mindful of health considerations associated with such apparatus and will require all proposals to meet ICNIRP guidelines on the limitation of exposure of the general public to electromagnetic fields. Schools and colleges will be consulted where the proposed siting is in or near their premises. However the Council recognises that there are positive economic benefits to be had for the Town from an effective telecommunications network. Nevertheless, all planning permissions should be conditioned, to require removal of all apparatus when it becomes redundant (this is an automatic condition of the permitted development rights of Part 24 of the Town and Country Planning (General Permitted Development) Order 1995 (Amendment) (England) Order 2001.

Policy US9: Telecommunications Development

Proposals involving a telecommunications mast, base station or apparatus will be permitted provided that:

- a) **the possibility of using an existing mast, building or other structure has been thoroughly investigated and proved to be unsuccessful;**
- b) **the siting, height and design of the equipment will not cause unacceptable harm to the character or appearance of the area or be visually intrusive within the street scene;**
- c) **apparatus to be mounted on an historic building or structure will not harm the character or appearance of the building or its setting;**
- d) **the visual impact of the development can be minimised by the use of screening by trees or other appropriate landscaping;**
- e) **the equipment will meet ICNIRP guidelines on the limitation of exposure of the general public to electromagnetic fields;**
- f) **the relevant body has been consulted where the proposed siting of the development is on or near a school or college.**

In considering applications for development, the local planning authority will have regard to any technical constraints on the location and proposed development.

- 13.26 National guidance in PPG8 considers that developers should be encouraged to provide adequate ducting for telecommunications cables at the outset of new developments, both underground and in the structure of the buildings. This will help to minimise disruption and expense if provision has to be made later and will reduce the need for new telecommunications apparatus above ground.
- 13.27 The South East of England Development Agency's (SEEDA) Consultation Draft on Regional Economic Strategy proposes that the South East develops into a "wired region", in which businesses and communities can trade and communicate through an effective electronic network.

Policy US10: Underground Ducting

The provision of appropriate underground ducting for telecommunications, television cables and other services on all major new developments will be sought and planning permission will be granted for new development which has the ability to trade and communicate electronically, in order to establish Eastbourne as a thriving hub of enterprise and therefore contribute to the creation of a "wired region".

