



The Eastbourne Plan 2012 -2027
Comments from the
Sovereign Harbour Residents Association

March 2011

Table of Contents

Overview Page 1

Background Page 2

Section A: Identifying the Vision and Setting the Objectives Page 4

Section B: Establishing the Strategy Page 7

 Policy B1 Page 8

 Policy B2 Page 8

Section C: Introducing the Neighbourhoods..... Page 10

 3.15 Vision for Neighbourhood 14: Sovereign..... Page 10

Section D: Delivering the Strategy Page 16

Government Planning Policy Page 18

PPS1 Page 18

PPS3 Page 18

PPS15 Page 18

PPS25 Page 19

Conclusions..... Page 21

Appendix 1
Neighbourhood Map November 2009 Page 23

Appendix 2
Neighbourhood Map December 2010..... Page 24

Appendix 3
Petition..... Page 25

Overview

The purpose of this document is to register the serious anxiety of the members of the Sovereign Harbour Residents Association (SHRA) concerning the proposed strategy in the draft Eastbourne Plan for Neighbourhood 14 – Sovereign. This was highlighted by the very large number of residents who attended the local consultation event, and the comments they made.

This anxiety is shared by other harbour residents, other Eastbourne residents, and visitors to the harbour from outside of the town as demonstrated by the support given to the petition that is attached to this document.

It was significant that a very high proportion of those who attended the consultation event left feeling that their concerns would not be addressed, that the plan would be pushed through and that their aspirations would be totally ignored. Many felt that, based on past experience, there was little likelihood of the infrastructure ever being delivered, or of any enforcement action in event that it wasn't.

This view was supported by Cllr. Tutt's statement to the Eastbourne Herald that, "*A cash strapped council cannot provide the community facilities the residents deserve*". He went on to say, "*if residents want their long overdue amenities they must accept further housing over the next 17 years. If that's what they want, that's fine and as long as they understand there will be no more community facilities that's fine. But there needs to be a mechanism to unlock the means to get those facilities*" If this is the case, why was so much Council Tax payers' money wasted on what would seem to be a worthless exercise?

Sadly, very many people expressed the view that there had been widespread corruption throughout the Sovereign harbour development, and that ***this was still the case***. This is not the view of the SHRA committee, but it demonstrates just how little trust exists in the ability or will of the Borough Council to fight for the interests of harbour residents.

This document will demonstrate that:

- The plan does not meet the aspirations of the community, as reinforced by the attached petition containing over 1,550 signatures.
- The evidence on which the strategy was formed is, in part, neither robust nor credible.
- The plan does not conform to Government Planning Policy in a number of areas.
- The plan will not deliver a sustainable community in the Sovereign Neighbourhood, as defined in Policy B2.

It is recognised that there are elements of this strategy that are to be commended, but it is our view that the vision for Neighbourhood 14 does not reflect the enormous benefit that the Sovereign Harbour area, and the Waterfront in particular, could provide for the town, because it has been disproportionately influenced by the commercial imperatives of the owners of the remaining development land.

We believe that, with goodwill on all sides, the opportunity still exists to create a truly mixed use development that will significantly increase the sustainability of the harbour community, whilst still giving the land owner the opportunity to make reasonable additional profit.

This document will examine the plan section by section and comment where appropriate; the visions for the other Neighbourhoods will not be addressed, unless they have a direct influence on the Sovereign Neighbourhood.

Background

Past failures in planning control and a questionable priority given to developers' interests over those of Harbour residents, have led to housing densities already in excess of Government guidance without the provision of facilities essential to establish a sustainable community. Additionally, in allowing development to proceed as it has, Eastbourne Borough Council (EBC) has paid inadequate attention to flood risk and supporting infrastructure and has failed to both capitalise on the opportunity to provide 'clean jobs' in this area of Eastbourne and maintain the attractiveness of the Harbour as a tourist destination.

In 2005/2006, Sovereign Harbour Ltd., a subsidiary of Carillion plc, the owner of all the remaining harbour development land, sought to get the classification of some of its remaining land changed and submitted plans affecting four of the remaining development sites on the Harbour. The plans were for a further 282 homes of which 275 were to be flats. As had become usual with Harbour development, planning officers recommended acceptance of most of the plans to the Planning Committee. However, the attitude of residents had hardened against the apparent policy of appeasement shown by EBC and a vigorous campaign by SHRA and residents led to the planning applications being rejected at a well attended Planning Committee.

SHRA argued that no more "creeping", piecemeal residential development should be permitted and that an 'integrated plan' should be produced incorporating all the remaining harbour development land, which would show how the missing community facilities were going to be integrated and would balance the aspirations of the community, EBC and the developers. In 2006, all interested parties began work on a 'Master Plan for the Completion of the Harbour Development', which would be presented to Harbour residents for consultation before further development decisions were taken.

At a meeting with Carillion executives and the EBC Cabinet Committee, Carillion Construction's MD, Simon Eastwood, speaking of the sustainability of the harbour development said: "Yes, we got it wrong, and we are going to put it right". Later, in a quote for Waterlines, he said: "Sovereign Harbour has been shaped by a number of different house builders over a period of over 20 years. Our priority now, as the owner of the remaining land, is to ensure that all the various interests are taken into account and that we achieve the best possible outcome for all concerned."

This statement, and the commitment to a 'Master Plan' was seen by SHRA as a major opportunity to break out of the destructive relationship between EBC and the developers and get a focus on the needs of residents. This was backed by a cross-party motion by the elected EBC members, committing to a moratorium on any further residential development on the Harbour until these issues could be resolved.

Although the SHRA initially welcomed this initiative and was happy to participate in the process, it became apparent very early in the process that the land owner had no intention of giving any consideration to residents' aspirations and was only interested in high density, residential development on all of the remaining sites. It was also very obvious, and very disappointing, that the EBC representatives were fully supporting the land owners' position, The SHRA representatives were left with little option but to reluctantly withdraw from the process.

Unfortunately, since then the Master Plan disappeared from the EBC Forward Plan and no bulletins or progress reports have been issued. Although EBC has indicated that the plan will soon be made public, the current status is unclear. Given the commitments that have been made and the fact that there is no published Master Plan on which to consult, it is inappropriate to incorporate additional housing on Sovereign Harbour in the Local Development Framework (LDF). An agreed 'Master Plan' must be a pre-requisite of the LDF if Neighbourhood 14 is to be included in it. The Council and the land owner have had 3½ years to produce the Master Plan and present it to residents.

EBC has said that it recognises the mistakes made with respect to the Harbour, but elected representatives as well as Council officers have frequently said that Sovereign Harbour residents should not keep focussing on the mistakes of the past, but look to the future. We had hoped that the Master Plan would allow us to do that and give residents an opportunity to help shape the future. However, the Master Plan is absent, and the Eastbourne Plan is yet again appeasing the developer by essentially making further residential development of Sovereign Harbour a Council policy. The Eastbourne Plan as proposed will effectively give the land owners a cast iron case to appeal any rejection of future planning applications for further residential development.

Set against this, the Eastbourne Plan acknowledges the vital requirement for more community facilities but, without the 'Master Plan', residents have no idea exactly what these will be, and even if they will ever be forthcoming. Given the failures of EBC and the developers to honour past commitments once they get what they want, residents' scepticism is perfectly understandable.

So much for forgetting the past and looking forward to the future! EBC has had every opportunity to demonstrate to Harbour residents that the future will be different, and that it will fight to make sure the Harbour has the facilities necessary to create a sustainable community, but it has chosen not to do so. SHRA has been left with no alternative but to oppose the proposed Eastbourne Plan for Neighbourhood 14, since this will be our final opportunity to secure what residents need.

Section A: Identifying the Vision and Setting the Objectives

This section, which sets the scene for the development of the strategy, begins with “A Portrait of Eastbourne”.

1.1.1 addresses improving and enhancing the cultural, leisure and tourism facilities that Eastbourne has to offer.

Significantly, nowhere in this section is any reference made to Sovereign Harbour, the largest sheltered marina in northern Europe, with an attractive Waterfront area containing shops and restaurants and surrounded by a community in excess of 3,500 dwellings.

With a sympathetic approach to the development of the remaining land, the Waterfront area could be expanded to become an important and economically valuable tourist attraction, as has been demonstrated at several other South coast marina developments.

The SHRA has produced plans showing its vision for the development of the area, which have been shared with the Borough Council and the land owners. These can be viewed on the SHRA website:

www.shra.co.uk/developmentvision.htm

1.1.6 recognises the structural economic weaknesses of seaside towns such as Eastbourne and the challenge of broadening the economic base of the Eastbourne-Hailsham Triangle. Jobs are at the heart of the challenge and Sovereign Harbour has 25% of the available employment land for the town; vitally important for the creation of high quality employment opportunities. The Neighbourhood 14 strategy, however allows for change of use for some of this land for residential development that will do nothing to strengthen the economy of the area and will further reduce the sustainability of the community.

1.1.13 highlights the “*generous quantity of outdoor recreational and amenity open space*” that is available, but the development of Sovereign Harbour was permitted without the provision of a single square meter of public open space.

In the “*What are the Key Issues affecting Eastbourne*” section, 1.3.2 highlights the need for “*a wider variety of housing, in particular for larger family accommodation.*”

The Sovereign Neighbourhood has a very high proportion of high density housing, mainly two bedroom, flats; anecdotal evidence suggests that in excess of 400 of them are empty or unsold. Despite this, of the 150 potential additional housing units identified for this area, 149 are one or two bedroom flats. It would seem that this has more to do with satisfying the demands of the land owner than meeting the objectives of the plan or the aspirations of the community.

1.3.6 highlights the over-reliance on the private car. The original concept for the Sovereign Harbour development was for a coordinated development of high quality housing, with associated leisure facilities, and a high quality business park that would provide a substantial number of well paid, non tourist related, jobs. In this environment, those employed in the business park would live in the associated houses, reducing travel and creating a truly sustainable community.

The reality is that, despite greatly exceeding the original plan for just 2,500 homes, the business land still remains undeveloped and the Eastbourne Plan

accepts that further housing on parts of this land is essential for the provision of the missing social infrastructure. However, 1.4.5 says that “*new land for the expansion of business will be provided*”, why is this necessary when sufficient land is abundantly available at Sovereign Harbour?

1.4.7 identifies the need for recreational and sporting facilities. The EBC publication, ‘*Outdoor Playing Space Provision – Supplementary Planning Guidance*’ is an addendum to the current Borough Plan.

In its introduction, it gives the National Playing Fields Association (NPFA) definition of outdoor playing space; “*Space which is available for sport, active recreation or children’s play, which is of suitable size and nature for its intended purpose, and safely accessible and available for the general public*”.

There are a number of land types which are specifically excluded from this definition, the most notable of which is, “*water used for recreation, except where it forms a play feature of an outdoor play area, such as a paddling pool.*” The document goes on to say, “*Under this definition, the marina areas of Sovereign Harbour would also not be included, as these are commercial areas for boats, and children would not be encouraged to play there*”.

Chapter Ten of the Borough Plan provides policies for the provision of open space, with particular specifications for playing fields and children’s play space.

Policy LE1: The council will maintain the provision of playing fields at a minimum of 1.21Ha (3.0 acres) per 1,000 of population.

Policy LE2: The council will require new residential development of 15 or more dwellings to contain open space in order to meet the needs generated by the new development, at a level which would satisfy the standards, together with a commuted sum for future maintenance. If such provision is not feasible, the council will seek a contribution towards the cost of providing or upgrading such facilities elsewhere in the vicinity.

These policies have been available for use in development control since October 1993. In the case of an outline planning application, the open space requirements must be secured at the same time as the grant of the outline consent. These policies cannot justify refusal or contributions at reserved matters stage.

On 12th August 1997, just one day before this consent was granted, a Section 106 agreement was signed between Sovereign Harbour Ltd and EBC. This agreement acknowledges the requirements of policy LE2, but states, ‘*The applicant has chosen to satisfy policy LE2 by paying a financial contribution.*’

Policy LE2 clearly states that a financial contribution will only be sought if the provision of space is not feasible. On a development that starts from a clean sheet, the provision of the required space clearly is feasible. Also, the policy makes no provision for the applicant to *choose* this option.

Even if it is accepted that this agreement satisfies the policy, which is difficult to even contemplate, we then need to look at what would be a suitable sum of money to compensate for the loss of about 30 acres of playing space which, as prime building land, would be worth many millions of pounds.

The Supplementary Planning Guide gives some assistance with this. Without going into all of the detail, there are some very significant line items.

- £110,000 for a pair of home and visitors separate changing and shower facilities.
- £10,118 per pitch for mowing and white lining.
- £25,848 per changing room for running costs, including cleaning and staffing,

There is very much more, and these amounts are “per 3 acres”, so they would need to be multiplied by about ten!

So how much did Sovereign Harbour Ltd (SHL) pay for the provision of all this very valuable building land? If we look at the numbers above, we could conservatively assume that it would be several million pounds.

The actual sum paid, was just a little over twenty-seven *thousand* pounds paid in two instalments, just a fraction of what is indicated in the guidelines and a real slap in the face for the residents of Sovereign Harbour.

Planning Officers have attempted to justify this by saying that the developers provided 42 acres of open space in the form of the marina. But as we’ve seen, their own planning guidelines specifically exclude the marina as it is a “commercial area for boats”.

1.4.11 states: “Growth in each neighbourhood will be sustainable and will only occur where adequate infrastructure and community facilities are provided.

The Sovereign Harbour Neighbourhood has no social infrastructure and the limited amount that the Eastbourne Plan will deliver is totally inadequate for the size of the community. Because of numerous past failures by the Borough Council to enforce planning conditions, residents have no confidence that, even if the plan is adopted, the infrastructure will be provided.

Section B: Establishing the Strategy

This section sets out the overall spatial development strategy for Eastbourne and seeks to ensure that future growth is delivered at an appropriate level and in a sustainable manner.

In 2009, EBC put four options to Eastbourne residents in consultations across 14 Neighbourhoods within Eastbourne and the Senior Head of Development Strategy reported his conclusions in ‘LDF: Core Spatial Development Strategy’ of 20th May 2010. Over the scope of the Plan, EBC adopted the requirement of the South East Plan (May 2009) to build 4,800 dwellings over the period 2006 to 2026. It is understood that EBC considered this to be based on the fact that “the evidence underpinning it was robust and justified”. The four options were:

- **Option 1: Urban Intensification.** The involved developing available brownfield sites and a small number of urban Greenfield sites of low quality or value. Involving Greenfield considerations one would not expect this to be particularly popular in public consultation.
- **Option 2: Creating Sustainable Centres.** This was the one option that amongst other things required more dwellings on Sovereign Harbour. As **one of the least sustainable developments**, with no ‘Master Plan’ for Sovereign Harbour to underpin the provision of the missing community facilities, this might be expected to be unpopular in a consultation with residents.
- **Option 3: Sustainable Neighbourhoods.** This concentrated future housing development in the Boroughs most sustainable neighbourhoods, which have the best access to services and facilities. As the most sustainable option this might be expected to be a more favoured option in a consultation with residents.
- **Option 4: Greenfield Urban Extensions.** Once again with the sensitivity of building on Greenfield sites one would not expect this to be supported in public consultation.

In the consultations held within each of the 14 Neighbourhoods in 2009, taking the straight number of comments from residents, the most favoured (least objected to option) was Option 3 as intuitively one might expect, even though Option 2 had been actively promoted by Council Officers at consultation events. The outcome was not acceptable to the Council, and as a consequence it chose to ignore the comments received from the Neighbourhood 14 consultation.

The report states: “Discounting the responses received at the ‘Neighbourhood 14 – Sovereign’ consultation event significantly reduces the level of opposition to Option 2, making it the most supported and least opposed option by the rest of the Borough”. The reason given was that more people attended the Sovereign Harbour consultation than in other Neighbourhoods, so this had unbalanced the results. In other words, because more residents in Neighbourhood 14 were more committed to taking part in the consultation, their views were going to be disregarded. However, when very few residents attended the event in another Neighbourhood, homes were individually leafleted and a second consultation event was organised.

The whole point of public consultation is to engage residents and identify their aspirations for their Neighbourhoods. Ignoring one group and actively encouraging another to skew the data so as to achieve the pre-determined outcome can only be

described as a cynical manipulation that undermines the whole consultation process and flies in the face of democracy.

The plan recognises that future development “*should meet the needs of local communities, including the necessary supporting facilities and services.*”

Economic growth, it says, will be stimulated by an improved range, flexibility and quality of employment and mixed use business space in its existing industrial and employment areas, for use by local firms and speculative investors. It will be supported by providing homes that not only meet the needs of the local community but that also attract workers and their families into the Borough.

The 150 units that the strategy suggests will be provided in Sovereign are all one and two bedroom flats, which would appear to be totally at odds with the strategy.

2.1.5 states “*Culture and Leisure are vitally important to people’s quality of life. It is important that Eastbourne offers a level of cultural and leisure facilities that meet the needs of its growing population.*”

The plan, however, then concentrates on the cultural and arts areas and seems to ignore the leisure area and the huge potential of the Sovereign Harbour Waterfront.

2.1.9 shows that 150 housing units will be delivered at Sovereign Harbour. Initial examination would suggest that this is a relatively modest requirement, but it must be considered in the light that Sovereign Harbour has already delivered 52% of the town’s housing requirement over the past ten years.

Policy B1 states that future housing will be delivered “*in accordance with the principles of sustainable development and will include creating sustainable centres where adequate services and facilities would be provided by balanced housing led growth.*”

The policy identifies Sovereign Harbour as one of two sustainable centres for new residential development. Considering that there are currently in excess of 3,500 dwelling at Sovereign Harbour, with absolutely no social infrastructure, it is inconceivable that the envisaged sustainable centre can be provided from the provision of just 150 new homes.

It seems likely that either the social facilities provided as a result of this development will be totally inadequate for the needs of the wider community or that the Borough Council will be forced to allow consent for considerable greater numbers of homes. Considering the limited availability of land, it is likely that this additional housing will be provided at the expense of employment and leisure opportunities.

Policy B2 establishes the concept of a network of sustainable communities and demonstrates ways in which the views of local communities will be taken into account.

The policy outlines the concept of dividing the town into “*fourteen neighbourhoods, in consultation with local stakeholders, based on resident perception and an analysis of the built character.*” Neighbourhoods are said to have been created in line with boundaries established by Sussex Police to define Neighbourhood Panel areas. In reality, there are twenty-one Neighbourhood Panels, so this implied relationship does not exist.

2.3.4 provides five criteria for the definition of a sustainable neighbourhood; the Sovereign Harbour neighbourhood does not fully meet any one of the criteria.

2.3.5 outlines the process of establishing a series of sustainable neighbourhoods through a “*Sustainable Neighbourhood Assessment*”. As a result of the assessment, the fourteen Neighbourhoods were ranked in order of sustainability. Sovereign, the most recently built neighbourhood, was surprisingly low in the ratings, twelfth of fourteen.

However, even this low rating had been enhanced by redrawing the neighbourhood boundary to include the relatively very small Kingsmere and Kings Park developments with their two Community Centres and abundant open spaces. (*See Appendices 1 and 2*).

Although Sovereign Harbour and Kingsmere are physically adjacent, there are absolutely no synergies between the developments and no easy, or direct, means of travelling between them. Indeed, the Conqueror Hall in Kingsmere has recently been replaced as the Polling Station for North Harbour residents because of the difficulty of access.

It is not unreasonable to presume that this was a cynical manipulation of the Neighbourhood boundaries to artificially lift Neighbourhood 14 from the bottom of the table.

Section C: Introducing the Neighbourhoods

Under the banner “*Localism: A Neighbourhood Approach*” the plan seeks to establish Eastbourne’s commitment to the Government’s “Localism” policies.

3.1.1 states: “*The concept of engaging with local communities and seeking to take account of their views has been at the heart of decision-making in Eastbourne for many years. The Government’s commitment to ‘localism’ therefore helps to embed a philosophy that is already being implemented across the Borough. Localism seeks to support the creation or consolidation of local culture and identity by devolving greater powers to councils, and giving local communities more control over decision that affect their environment.*”

3.1.2 states: “*Neighbourhoods are the building blocks of localism and planning at a local level is important as it enables communities to express a vision for the future of the area in which they live. No two communities are the same and different communities require alternative approaches and varied solutions.*”

Considering the massive opposition mounted by the Borough Council to the attempt to establish a Community Council for Sovereign Harbour, and its disdain for the residents’ aspirations, residents might have difficulty in believing it is committed to this principle.

3.15 Vision for Neighbourhood 14: Sovereign

The neighbourhood map is an immediate indication that the evidence used to justify the strategy for Sovereign Harbour has been manipulated. The inclusion of the Kingsmere/Kings Park development in the Neighbourhood is strange, because there are absolutely no synergies between the two areas. It should be noted that, until the start of the sustainability appraisal Kingsmere/Kings Park was part of Neighbourhood 8. The only reason for this sudden and illogical change to the neighbourhood boundaries would seem to be to artificially inflate the sustainability index of Sovereign Harbour.

It should also be noted, that the social facilities in Kingsmere/Kings Park are not easily accessible to Sovereign Harbour residents and are, in any case, privately owned by the Housing Associations that operate in the area, and funded by contributions of local residents.

Kingsmere and Kings Park both enjoy community centres, a surfaced games area, a play area and green space. These developments were not built as part of Sovereign Harbour and, unlike the Harbour, they were provided with the necessary community facilities as part of the development, and these were commensurate with the size of the community of about 400 homes. Consequently, they are totally inadequate to provide the needs of an additional community in excess of 3,500 homes.

3.15.1 recognises that the Sovereign Neighbourhood has experienced a high level of development over the last ten years and puts the number of dwellings at 3,300.

However, at consultation meetings, a housing density of 79 dwellings / hectare (dph) has been quoted, based on a total number of dwellings of 3,100 within Sovereign Harbour, against Government guidance of 80 dph, maximum. This significantly underestimates the actual number of dwellings in the area. On 9th March 2007, in response to enquiries from the SHRA, EBC stated there were 3,356 dwellings on the harbour paying Council Tax. Since then about 250 additional

dwellings have been completed (in Midway Quay and San Diego Way). The actual total of about 3,600 dwellings corresponds to an actual housing density of over 91 dph, showing that the housing density at Sovereign Harbour is already significantly above Government guidance.

Independent confirmation of the actual number of Sovereign Harbour dwellings is given by the number of copies of the SHRA newsletter, "Waterlines", which are delivered. The reality of over-crowding is clear to anyone walking the Harbour but, if evidence were needed, these figures support the conclusion that it is inappropriate to continue residential development in Neighbourhood 14.

Given that the producers of the Eastbourne Plan would have had access to all of the latest data it is difficult to understand how these errors occurred. It is not unreasonable to conclude that these "mistakes" were actually a deliberate attempt to conceal the fact that the housing density at Sovereign Harbour was at a level that would prohibit further residential development.

3.15.3 states that the public areas are generally clean and well maintained, but this is because their upkeep is funded by residents through resident management companies, with no contribution from taxation. This section also states that there is a good mix of housing types and sizes but this contradicts the previous section 3.15.2, which states the housing is mainly flats.

3.15.4 acknowledges that "*the neighbourhood suffers from a lack of services and facilities and the deficiency in community facilities is an important issue that needs to be addressed.*" It fails, however, to examine just how severe these deficiencies are, and how little the Borough Council has done to address them.

This section also acknowledges that "*access to public transport and connections to other areas is also limited and there are a lack of employment opportunities for the local community.*"

Bus services in the area are restricted by the lack of a through route between the North and South harbours. It was realised at the planning stage that this would present problems and a s106 agreement was completed to provide a "Bus Gate" that would allow buses to pass through but no other traffic. Despite the money having been available for over 15 years, it is only recent resident pressure that has forced progress. Even so, resolution still seems a remote possibility and the bus operating company has indicated that even the sparse service currently offered could be withdrawn if the issue is not speedily resolved..

A lack of employment opportunities is identified, yet the plan allows for the loss of employment land for residential development.

The Sovereign Vision states "*Sovereign will increase its levels of sustainability through the delivery of community infrastructure and employment development, ensuring that a holistic view is taken of development across the remaining sites.*"

It says the vision will be achieved by:

Developing community facilities in order to meet the needs of local residents;

These facilities should have been developed in parallel with the residential development. It is a disgrace that the developers were allowed to ignore the needs of their customers and outrageous that residents should now be expected to pay the price for those failures.

In the Plan, need for a community centre, children's play areas and open space for residents are described as "issues that should be addressed". However, implying to readers that this is in some way a firm commitment is cynically misleading. The Council has had from 1999 until the present day to 'address these issues', but it hasn't done so, and the Master Plan that was going to deliver this has disappeared.

Referring to these essential issues as if they've just come to light, and suggesting that they will be rectified this time is just another distraction from the real ambition of the land owner to maximise profit by building more flats. The Council must get its act together, stop wasting time and get concrete assurance that adequate community facilities will be provided. No further residential development should even be considered until employment requirements have been satisfied and the facilities necessary to develop the tourist amenities have been provided.

Providing extensive employment opportunities through the development of a Science Park;

The report outlines the Borough Council's ambition to develop a Science Park at Sovereign Harbour to provide 'clean', skilled jobs. SHRA fully supports the need for clean, well paid, jobs in Eastbourne and would welcome them at Sovereign Harbour. However, it is a fact Science Parks form in conjunction with, and in close proximity to, prestigious universities. Eastbourne does not have, and is never likely to have, a prestigious university, so the Science Park does not fit the vision.

The original ambition for the site in question was for an office park, which makes much more sense. The only problem is that, despite being designated for this purpose from the concept stage of the development, this site has only been marketed for that use for the past six years. It is probable that the lack of success is in direct proportion to the enthusiasm of the marketing effort. We would welcome the development of a Business Park, but feel the ambition for a stand-alone Science Park is unrealistic and is designed to distract attention from the key ambition of EBC and the developer for more flats, which unlike employment opportunities are totally unjustified.

Although a Science Park would be a prestigious development, it should only be considered as an element of a Business Park. Businesses that would use it would tend to be either specialised or "start-up" companies, neither of which would offer significant employment opportunities.

We are told the employment land is not viable because of the cost of making it available for development. Much of the problem is that segments of the land are contaminated by actively gassing landfill. However, it is unreasonable for the land owner to use this as an excuse, as the contamination was of its making. Landfill that existed on the site at the start of development was consolidated and re-buried in the current locations, instead of exporting it from the site. It is also unreasonable for the land owner to be allowed consent for further residential development to compensate for its own failures.

Increasing the amount of usable open space and the number of children's play areas;

Although the plan identifies a limited opportunity to provide open space and play areas, this space should have been secured at the planning stage. We have seen, however, that the land owner was allowed to "buy-out" of the obligation to provide playing fields for a pittance.

There was also a condition (no, 21) of the planning consent for the North Harbour development (EB/95/0267) that *“Each phase of the development shall provide play facilities for children and other casual informal space for children in accordance with the Borough Plan standard or as otherwise agreed by the planning authority.”*

In the event, only two such areas were provided. There is no record of any attempt to enforce this condition, nor is there any record of any agreement to change the terms of the consent. Now, however, we are told that further housing is essential in order to secure just a small part of what should have been provided.

Delivering a limited amount of residential development (150 units), including affordable housing, in order to provide community infrastructure;

This statement is disingenuously accompanied by a photograph of an area of detached family homes. The council’s own appraisal of development opportunities for this area identifies that all 150 units will be one or two bedroom flats.

It is not reasonable to suggest that the Sovereign Harbour neighbourhood can be made sustainable from the planning gain that would be derived from 150 flats. It seems obvious that, having been granted change of use for part of the employment land, the land owner will return again and again with further applications until the whole site has been secured for residential development.

It is interesting to see how the proposed numbers are derived. The latest LDF Proposed Core Strategy (December 2010) makes it clear that the Strategic Housing Market assessment has identified a need for larger family accommodation, but this is not EBC’s target for the Harbour, even though it has a younger age cross-section than most of Eastbourne and a growing population of children. It appears that this is not the ambition of EBC and presumably the land owner as far as Sovereign Harbour is concerned, since it is unlikely to bring in sufficient income.

In June 2010, EBC commissioned Baker Associates to produce a report, “A Strategic Housing Availability Assessment – External Review of Sites with Residential or Employment Potential”.

The report concludes that an additional 150 dwellings are financially viable on Sovereign Harbour. It considers that these should be spread around seven of the nine sites owned by Carillion. However, it recommends only flats for 149 of the 150 dwellings. This maximises profit for the land owner and income for the Council, but does not provide the ‘larger family accommodation’ that the Plan quotes as a priority. It also takes no account of the anecdotal evidence that 400 flats are currently unsold or unoccupied on the Harbour; rents have never been lower, but still they are not being occupied.

Although the report was commissioned by EBC, there was considerable input from agents employed by the land owner. It is not surprising, therefore, that residential development is considered viable on three sites on which, in 2006, in the face of extensive resident opposition, planning applications for residential development were unanimously rejected by the Planning Committee.

Referring to Site Seven, the report states *“£500k uplift in value (x 2.0) is sufficient to motivate a landowner to dispose. Therefore the site can be concluded to be viable, despite very high abnormal development/S.106 costs. Other sites in*

Sovereign Harbour in waterfront locations will be viable with a higher uplift factor due to higher sales values. No employment element has been factored into this appraisal.”

This is surprising, as Site Seven, in its entirety, has been designated for employment use. However, it underlines EBC’s shameful commitment to put the aspirations of the land owner before those of residents, for purely financial considerations.

At present there is no extant planning consent for more dwellings on the Harbour, but if the Eastbourne Plan is approved, with the Baker Associates Report as a prime reference, then the land owner will be in a position to submit planning applications for flats on six of the remaining sites. As this will then be EBC policy, any rejection of these applications by the Planning Committee will almost certainly be granted on appeal.

The whole history of the Harbour has been one of the developers being appeased by the Council. There is a real fear that with a stated council policy of more residential development on the Harbour, and change of use on six of the sites having been agreed to allow this, then 150 flats will be the tip of the iceberg. Experience has shown that precedents having been set, further applications, for even more flats, will inevitably follow.

At the Neighbourhood 14 consultation event council officers told residents that there had been no decision by the Council on what the 150 proposed dwellings will be, or where they will go. It is difficult to accept this when the Baker Associates Report has identified six viable locations for exactly 150 homes, 149 of which are flats. Residents can be excused for finding this incredible and they can certainly be justified in doubting the openness and honesty of those who should be serving their best interests.

Increasing the importance of the Waterfront as a leisure and tourist centre;

When contesting previous planning applications for residential development in the waterfront areas, we put forward proposals for sympathetic alternatives. These proposals were shared with the land owner and the Borough Council and are still available to view on our website www.shra.co.uk.

Although Sovereign Harbour is an important residential area, SHRA and residents generally recognise its importance to the tourism of Eastbourne and it was felt that this is one area that the local aspirations of residents and EBC would overlap. It was, therefore, surprising that EBC supported the Baker Associates recommendations on harbour sites viable for further residential development.

It has always been the ambition of the SHRA that the potential of the Waterfront area should be fully exploited. However, the amount of available land is limited and it is our view that it would be outrageous for residential development to be even considered on this land.

Of the six remaining development sites EBC has identified for more flats, four are absolutely fundamental to the character of the Harbour as a tourist attraction (Sites one, three, four and eight). Site one is at the Eastern end of Eastbourne’s promenade and includes an historic Martello tower. The obvious use is a continuation of the promenade across the site to join up with the harbour promenades and provide a safe pedestrian through-route to the Waterfront. The

remainder of the site should accommodate a park and gardens for visitors to enjoy, and a restaurant /shop to service the extensive tourist and residential pedestrian and cycle traffic, as well as passengers from the 'Dotto Train'.

Giving consent for more flats would serve no purpose other than to provide greater profit for the land owner and would be to the detriment to the sustainability of the community and to the tourist potential of the Neighbourhood.

Site three is one of the few areas of opportunity to extend the limited commercial appeal of the existing "Waterfront" area of shops and restaurants. Sites four and eight are relatively small, but important to both the marina business and to tourism, since they are the only two open vistas that impact tourists entering the Harbour.

It is a concern that EBC apparently holds these sites to be so unimportant as to allow and support the developer using them for more flats. Is it felt to be a serious indication that EBC is putting the short term interests of the land owners and itself before the attractiveness, and long term viability of the Harbour as a tourist destination.

Encouraging opportunities to improve the provision of public transport through improvements to bus routes;

This was addressed in the response to 3.15.4

Enhancing the provision of cycle and walking routes to improve connections within the neighbourhood and to other parts of the town.

There is an extensive network of cycle and walking routes throughout the harbour, which are well used by residents from all over the town and beyond. However, the undeveloped land adjacent to the Martello Tower on the South Harbour presents a significant gap that prevents a through route to the town.

Once again, we are told that residential development on the site is essential to provide funding for the completion of the harbour promenade.

In summary, the vision for Sovereign Harbour is more about appeasing the land owners than meeting the aspirations of the community and does little to redress the abject failure of Eastbourne Borough Council to control the development.

Section D: Delivering the Strategy

Policy D1 sets out the Council's approach to sustainable development and is said to demonstrate how this principle will underpin all future growth within the Borough. The Council's commitment to promoting the principles of sustainability is confirmed, with particular emphasis on the impact of Climate Change.

Amongst other objectives the policy states that new development will take into account of the principles of sustainable development by:

- *Delivering economic, social and environmental well-being.*
- *Conserving scarce resources, making efficient use of land and infrastructure.*
- *Ensuring a balanced mix of uses that work together encouraging sustainable living.*

4.1.10 notes that the Eastbourne Landscape Character Assessment (2007) indicates that *"Eastbourne is likely to be disproportionately affected by climate change resulting in rises in river levels, frequent summer droughts and winter flooding, changes in habitats and species composition, habitat fragmentation and changes in soils, agricultural land use, recreation and tourism and cultural heritage. It is therefore imperative for schemes to consider the potential effects of climate change and other environmental damage from the outset."*

The Sovereign Harbour development was built, contrary to the advice of the Environment Agency, in an area in danger of coastal flooding. Although sea defences have been provided, these did not take into account the impact of Climate Change. Current Government guidance is that all new development in coastal areas should take flood risk into account and that a sequential approach should be taken when identifying sites for development. Under this approach, further development at Sovereign Harbour should only be permitted if no other site at less risk can be identified.

4.2.1 states that *"Eastbourne's economy is strongly influenced by tourism, with over 10% of local jobs in this sector. There are higher numbers of jobs in the service industries (distribution, hotels and restaurants) compared with other parts of the South East and the UK more generally. The proportion of jobs in the manufacturing and construction industries is lower than the regional, but the construction sector has shown good growth in recent years. The strongest employment growth has been in the sports, arts and leisure activities sector"*

The need for quality employment is a key theme of the Eastbourne Plan and the employment land at Sovereign Harbour is a valuable resource that should be used to its maximum potential. It is certainly too valuable to be squandered on providing unwanted residential development, just to provide maximum profit for the land owners.

4.2.6 identifies that *"Some previously identified employment sites are considered to be of poor quality and/or viability, or are in locations where residential use is more appropriate, and have therefore been identified in the Strategic Housing Land Availability Assessment (SHLAA) as potential sites to meet the housing target."*

This reappraisal of the viability of sites identified for employment is a further example of the Council's policy of appeasing the owners of the remaining Sovereign Harbour development land.

When seeking permission to develop the Crumbles, the poor viability of the land was taken into consideration. Because the difficulties of developing the land were identified, the land owners were given consent to develop the "Crumbles Retail Park". It was understood that the profits from this development would be used to "pump-prime" the remaining development.

However, having made the profit, the land owner did not use it as intended and the employment land remains undeveloped to this day. Now, the land owner is once again seeking to not only get change of use for the land, but also to use the poor viability of the land as justification whilst failing to take the profits from the Crumbles development into account.

Although it is promised that social infrastructure will be provided as a result of the proposed change of use, there is little confidence that it will be provided or, if it is, that it will be anywhere near sufficient to significantly raise the sustainability of the community. Taking past experience into consideration, it is surprising that EBC has given the proposal such whole-hearted support.

Government Planning Policy

Whatever the local situation, the Eastbourne Plan is still subject to the requirements of the Government's Planning Policy Statements (PPS).

PPS1 Delivering Sustainable Development

One of the key principles of PPS1 is that *“Community involvement is an essential element in delivering sustainable development and creating sustainable and safe communities. In developing the vision for their areas, planning authorities should ensure that communities are able to contribute to ideas about how that vision can be achieved, have the opportunity to participate in the process of drawing up the vision, strategy and specific plan policies, and to be involved in development proposals.”*

In drafting the Eastbourne Plan, the preferred approach (Option 2) was selected by analysis of the responses to the neighbourhood consultations. However, the analysis only identified Option 2 as the preferred option by eliminating the responses from the Sovereign event.

This is clearly contrary to the requirements of PPS1.

PPS3 Housing

Strategic housing policy objectives

The Government's key housing policy goal is to ensure that everyone has the opportunity of living in a decent home, which they can afford, in a community where they want to live. To achieve this, the Government is seeking:

- *To achieve a wide choice of high quality homes, both affordable and market housing, to address the requirements of the community.*
- *To widen opportunities for home ownership and ensure high quality housing for those who cannot afford market housing, in particular those who are vulnerable or in need.*
- *To improve affordability across the housing market, including by increasing the supply of housing.*
- *To create sustainable, inclusive, mixed communities in all areas, both urban and rural.*

PPS 3 requires that a proportion of new housing development must be “affordable housing”, and its provision is considered to be “planning gain”

Therefore, over a third of the proposed 150 housing units for Neighbourhood 14 must be affordable, or provision must be provided to build them elsewhere. This further reduces the possibility of the required social infrastructure being provided from this development.

It also further reduces the possibility of achieving the objective of creating a sustainable, inclusive and mixed community.

PPS15 Planning and Flood Risk

The primary aim of this policy is to prevent future development that may be at risk from flooding or that may increase the risk of flooding elsewhere.

Amongst the measures highlighted are:

- *Considering the implications of climate change*
- *Taking a precautionary approach and minimising building developments in areas considered to be at risk from flooding, coastal erosion, and land instability*

PPS15 requires planning authorities to take “A precautionary approach”. It says that:

- *The development of land susceptible to flooding carries with it the potential to increase risks to the safety and well being of people, to property and the infrastructure necessary for a healthy economy together with the threat of irreversible environmental damage.*
- *Because of these risks and the uncertainties associated with climate change and flood estimation the Department considers that actions to address these matters through the planning system should be based upon a precautionary approach. This approach is embodied in the policies set out in this Statement.*
- *Proceeding from the known facts and taking a precautionary approach to the uncertainties inherent in the decision-making process, will enable more open and better informed decisions to be made. This will improve the safety of people, the protection of property, reduce adverse environmental impacts and help avoid the need for costly retrospective action in the future.*

The risk of flooding in the Sovereign Neighbourhood was identified at an early stage in the development Process. The Environment Agency opposed the development and it was only after protracted negotiations with the land owner that development was sanctioned.

As a result of the negotiations, the protection of the coastal defences was guaranteed by a 25 year PPF operated by Pevensey Coastal Defences. Although it was originally intended that this contract would be funded by the developer, the burden was mysteriously shifted onto purchasers of the properties and their successors. This contract is now more than half way through its lifetime.

Since the original objections were raised, much more is known about the effects of climate change and it is likely that the risk has increased. The Government’s requirement for a “precautionary approach”, and the requirements of PPS25, indicate that further residential development of the area would be unwise and therefore not allowed.

PPS25 Development and Flood Risk

PPS25 addresses the risks of flood associated with development in coastal areas. The Government’s aim is to ensure that our coastal communities continue to prosper and adapt to coastal change. This means planning should:

- *ensure that policies and decisions in coastal areas are based on an understanding of coastal change over time*
- *prevent new development from being put at risk from coastal change by:*
 - *avoiding inappropriate development in areas that are vulnerable to coastal change or any development that adds to the impacts of physical changes to the coast, and*

- *directing development away from areas vulnerable to coastal change*

One of the keystones of PPS25 is the “sequential test” that requires Local Planning Authorities to “*demonstrate that there are no reasonably available sites in areas with a lower probability of flooding that would be appropriate to the type of development or land use proposed.*”

In essence, this means that further development at Sovereign Harbour should only be allowed if no other land can be identified that is at less risk of flooding.

Clearly this is not the case so, until all the available land at less risk has been developed, no further residential development should be permitted at Sovereign Harbour.

Conclusions

The 2010 edition of the publication “In and around Sovereign Harbour” (*issue 18*), which has been used for many years by developers to sell properties, and is still being used today says, under the heading “Concept and Design”,

- *Alongside Pevensey Bay Road there is a high quality office campus development suitable for prestigious new headquarters buildings with easy access to major trunk routes.*
- *The dream of one place for living and working can be a reality at Sovereign Harbour*
- *Within Sovereign Harbour marina, over a mile of waterways behind the lock gates connect the central amenities with the leisure facilities and outlying waterside homes. This means that a trip to the shops and other facilities can be made by water taxi.*
- *The final result combines the key elements of successful maritime developments from around the world, encompassing the charm of Honfleur, the quality of Port Grimaud and the variety of Baltimore Harbourside, USA*

This concept, if followed through, would have delivered a truly sustainable, mixed-use community that would surely have merited the title of “The Jewel in the Crown” of Eastbourne. However, what this publication serves to do is to reinforce residents’ concerns about the widespread and systemic miss-selling that occurred at every stage of the harbour development.

What has actually been delivered bears little comparison to the concept. The development of Sovereign Harbour would make an ideal case study for future town planners to show what can happen when developers are given *carte blanche* and planners fail to control them. It would also highlight the “knock-on” effects of bad planning and the future that would be presented as a result.

The vision for Sovereign Harbour as expressed in the Eastbourne Plan fails to acknowledge past failures and in so doing does little to rectify them. It certainly does not reflect the reality of the current situation and clearly does not meet the aspirations of the community. The evidence presented is, in many instances neither credible nor robust; indeed, it is so badly, and so obviously, flawed that it brings the whole Eastbourne Plan into disrepute.

We are told we must accept that “we are where we are” and must not hark back to the past, but this is to say that we cannot learn from past mistakes, and those responsible for the failings should not be held responsible for their actions. We are also told that the Borough Council has no cash; therefore the only way that social facilities can be provided is to capitulate to the excesses of the developers. This failure to accept accountability, and abdication of responsibility, is unacceptable, and is to be deplored, and serves to reward the land owner for its failure to provide the sustainable community for which it was given planning consent.

Had the current Government Planning Policies been in force at the time the Sovereign Harbour development was started, the current situation would not have been reached. The proposed additional development is contrary to those policies in a number of areas and is certainly unsustainable. The Plan acknowledges the

requirements of the policies, and then attempts to infer compliance with them when actually ignoring them.

This is both immoral and unacceptable, Sovereign Harbour residents are at a social disadvantage compared to the rest of the town and this is a result of systemic failures within the council's planning processes. It is incumbent on the council to find the necessary funding in such a way as not to further disadvantage harbour residents.

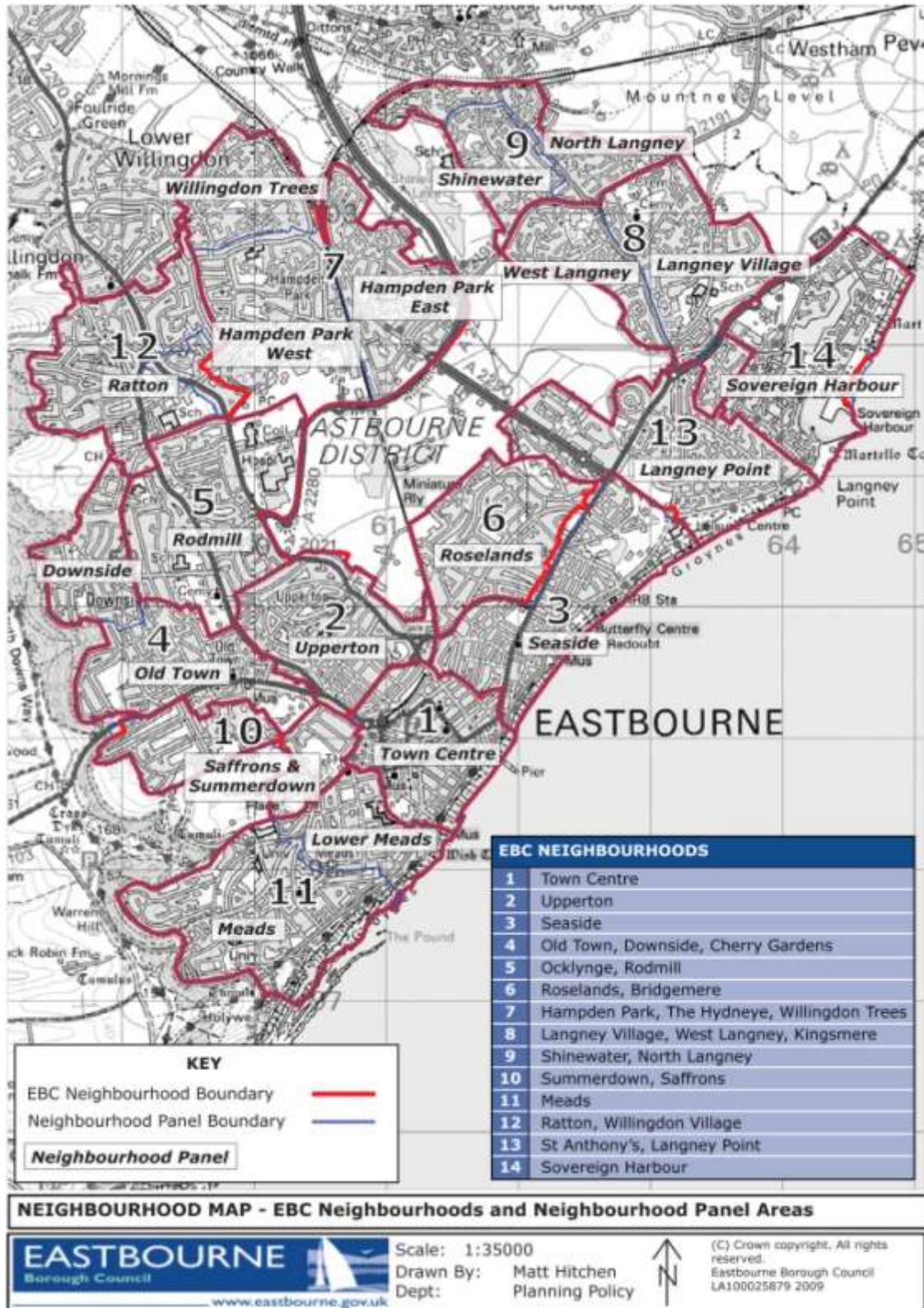
Sovereign Harbour is an important Neighbourhood of Eastbourne and, taking into consideration how little it receives from the council, probably is the greatest nett contributor to its coffers. Too often the argument is used that we cannot expect "Eastbourne" to pay for our facilities.

This is, in essence the root of the problem; Sovereign Harbour is only considered to be part of Eastbourne when it comes to income. Where expenditure is concerned, we are on our own.

In producing the "Vision for Neighbourhood 14", Eastbourne Borough Council has totally abdicated its responsibilities to the residents of the area, and appears to have sold its soul to the developers in the hope of rescuing itself from the financial difficulties caused by its own mismanagement of the local economy.

By expecting the residents of Sovereign Harbour to once again bear the burden of its failures and further reduce the sustainability of their community, it has shown itself also to be morally bankrupt.

Appendix 1 – Neighbourhood Map November 2009



Appendix 2 – Neighbourhood Map December 2010

2 SECTION B: Establishing the Strategy

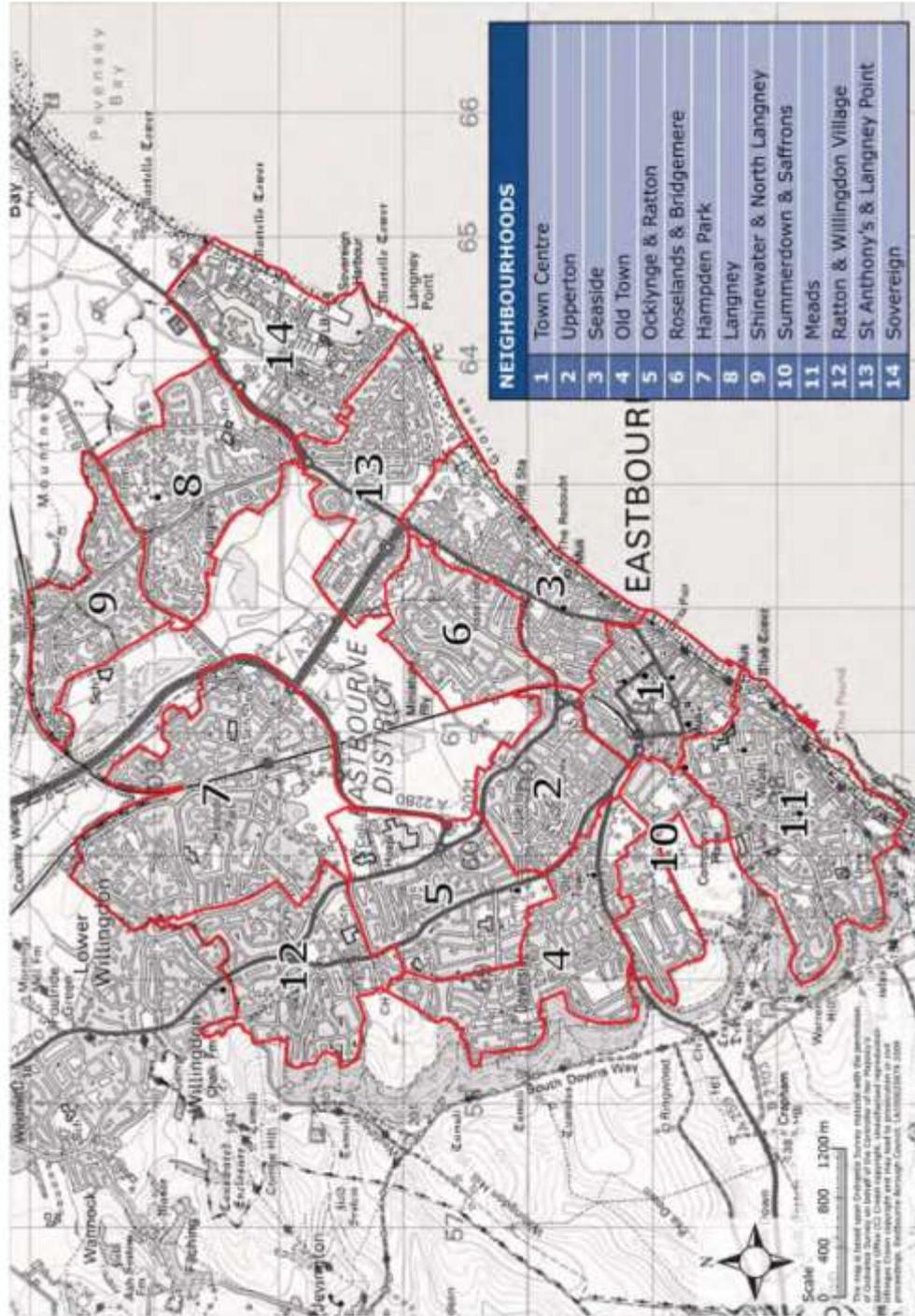


Figure 2 Eastbourne's Neighbourhoods

Appendix 3

The attached petition was signed by over 1,550 people. Although these were mainly harbour residents, significant support was given by residents from other areas of Eastbourne and by visitors to the harbour from outside of the town.

The text of the petition was:

We, the undersigned, believe that there are no grounds for further residential development at Sovereign Harbour, and that any such development would be unsustainable. Further we believe that the remaining development land at Sovereign Harbour should be used to provide the facilities necessary to create a sustainable community.

We call on Eastbourne Borough Council to amend the Local Development Framework to exclude the 150 further homes recommended for Sovereign Harbour.