

Agenda item:

**Title of meeting:** Cabinet

**Date of meeting:** 10<sup>th</sup> April 2013

**Subject:** Seafront masterplan – Supplementary Planning Document (SPD)

**Report by:** Assistant Head of Planning Services

**Wards affected:** St Thomas, St Jude and Eastney & Craneswater

**Key decision:** No

**Full Council decision:** No

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**1. Purpose of report**

1.1 The purpose of this report is to formally adopt the Seafront masterplan as a Supplementary Planning Document (SPD).

**2. Recommendations**

**The Cabinet is recommended to:**

- **note the summary of comments received during public consultation (attached as Appendix 1) and approve the city council's responses to the issues raised;**
- **adopt the Seafront masterplan (attached as Appendix 2) as a Supplementary Planning Document (SPD);**
- **note the Sustainability Appraisal (SA) and Habitats Regulations Report (HRA) report which accompany the SPD (attached as Appendix 3), and**
- **authorise the Assistant Head of Planning Services to make editorial amendments to the SPD prior to publication, in consultation with the Cabinet Member for Planning, Regeneration and Economic Development (PRED). These amendments shall be restricted to correcting errors and formatting and shall not alter the meaning of the document.**

**3. Background**

3.1 The city council's Planning Service has prepared an SPD (masterplan) for the Seafront area. Once adopted, the SPD will provide further detailed guidance about how Policy PCS9 (The Seafront) of the Portsmouth Plan will be implemented. The SPD will be used as a material consideration when the council is determining planning applications relating to land and buildings at the Seafront.

- 3.2 The SPD has been prepared in conjunction with other services across the city council, including the Seafront Manager, Asset Management, Transport and Street Management and coastal engineers (the Eastern Solent Coastal Partnership).
- 3.3 Public consultation on a draft SPD took place for a seven week period starting on Monday 30<sup>th</sup> July 2012 and ending on Friday 14<sup>th</sup> September 2012. Late responses were received (and accepted) until November 2012.
- 3.4 Publicity and promotion was undertaken via the local media, local mailing lists and community groups (including neighbourhood forums), and at public meetings and open 'drop-in' sessions. A large public meeting was held at the Royal Beach Hotel, chaired by a panel of elected members. Public meetings and open 'drop-in' exhibitions were also held at various locations across the city to provide residents and other stakeholders with an opportunity to discuss the draft masterplan with council officers. Neighbourhood forums, residents' associations and community groups were offered a visit / presentation by council officers to discuss the proposals contained in the plan. Targeted consultation was also undertaken with other stakeholders, such as the Shaping the Future of Portsmouth Development Group. A detailed list of events and meetings attended is set out in the consultation report (Appendix 2).
- 3.5 Printed copies of the draft masterplan were made available in the city's libraries, at the Civic Offices, city council Area Housing Offices and council run community centres. Printed copies of the document were also available to purchase.
- 3.6 A leaflet highlighting some of the proposals in the masterplan (together with those in the City Centre masterplan which was subject to consultation at the same time), was distributed to all households in the city and made available on the city council's website. A letter was also sent to all residential properties and businesses within the area covered by the SPD notifying them of consultation on the document and setting out where they could see a copy of the plan and how they could submit their views. The Seafront Manager also notified traders in the area about the impending consultation.
- 3.7 Comments on the draft SPD were invited via an online questionnaire, hard copies of which were also made available, by email or by post.

#### **4. Reasons for recommendations**

- 4.1 The purpose of the SPD is to establish a framework of principles that will guide development proposals and other improvements (such as coastal defence work) at the Seafront, in particular to:
  - articulate a vision for each of the Seafront's six unique character areas;
  - set out the background and context for development opportunities (including redevelopment and re-use of existing buildings) and public realm improvements;

- provide a framework of guidance within which to assess proposals for development and improvements to public spaces, and
- act as a guide for future city council investment at the Seafront and provide a framework for future bids for public funding.

4.2 The SPD highlights a number of development sites as well as opportunities to improve the public realm. It provides guidance on issues such as development aspirations, design principles that should be taken into account within any proposals for new / re-use of buildings and public spaces, appropriate land-uses, access points and entrances, the height of new buildings, parking and servicing of development.

## 5. Changes made to the draft SPD following consultation

5.1 The city council received 488 responses to consultation on the draft Seafront masterplan (SPD). This included 257 online questionnaires and 231 written responses (letters and emails). Written responses included two petitions against moving the bandstand to the Rose Garden (one with 186 signatures and one with 37 signatures).

5.2 Responses indicated that generally, the masterplan was very well received. The nature of comments ranged from general points about the plan to specific comments on proposals and a range of other issues.

5.3 Comments were received from city residents, land owners at the Seafront, local interest groups / bodies (including Portsmouth Cycle Forum, the Hampshire Chamber of Commerce and Hampshire & Isle of Wight Wildlife Trust) and statutory agencies (including English Heritage, Natural England and the Environment Agency). A summary of these comments, and the council's response to issues raised (including changes to the masterplan), is attached as Appendix 1.

5.4 Key changes that have been made to the masterplan, following consultation, are:

- **Clarence Pier** - two design options have been included in the final masterplan (Appendix 2). Option 1 involves the comprehensive redevelopment of the area involving all landowners, while Option 2 involves less extensive change, largely respecting different land ownership boundaries.

The masterplan (Appendix 2) states that some residential development may be considered where it can be clearly demonstrated that this would assist the financial viability of comprehensive development of the area. It is anticipated, however, that there will remain considerable challenges to be overcome in respect of securing planning permission for such use of the site e.g. the impact of noise from adjacent land uses and the environmental sensitivity of replacing / strengthening the pier deck (if required).

- The location of the proposed **Watersports Hub** has been changed from the end of St George's Road to the far eastern end of Eastney Beach - the new proposal is titled Eco Cafe / Watersports Hub and text has been added to provide more explanation about the type of facilities / sports that could be accommodated at the Hub.
- Guidance relating to the **Pyramids** site has been expanded to include information about appropriate land-uses if this site were to be redeveloped in the future. These include hotel, conference facilities and publicly accessible leisure facilities e.g. a swimming pool. This additional guidance also clarifies that the site is not appropriate for residential development.
- The masterplan has been amended to remove the suggestion of placing the bandstand in the **Rose Garden** and to state that if a larger performance area at bandstand field is pursued in the future, an alternative location in the city should be explored for this structure. The suggested use of the Rose Garden as a place for small scale performances (in keeping with the character of this location) will remain in the plan.
- A review of the Habitats Regulations Assessment (HRA) was carried out following consultation on the Seafront masterplan (and subsequent changes to the document). This review identified that the location of the proposed new **Beach huts at Eastney Beach** is close to an important winter roost site for Dunlin and Ringed Plover, both of which are internationally protected bird species. The HRA identified that people using the new beach huts could cause disturbance to birds and reduce the effectiveness of this location as a roost site. The masterplan has subsequently been amended to note that a strategy for avoiding / mitigating against this impact must form part of any planning application for new beach huts in this location. Possible avoidance / mitigation measures have been identified and are now set out in the masterplan.

The masterplan also notes that in order to ensure that the construction of new beach huts and the Eco Café / Watersports Hub at Eastney does not impact on the birds' ability to use the nearby roost site, building work will need to take place outside of the November - February period.

- Other changes include removing the suggestion of demolishing the **former Visitor Information Centre** (this building is now operating as a cafe / restaurant - Rock n Sole), identifying opportunities to improve the open space / boundary to the rear of the **Blue Reef Aquarium** and the **Ferry Road** area, identifying sponsorship as a funding opportunity (in the Implementation section) and clarification that it is not intended that the new **Watersports Hub** would be used to launch jet skis.

- A number of other changes have been made to the plan (in response to comments received during public consultation). These are set out in the table contained in Appendix 2 - Summary of consultation responses.

## **6. Equality impact assessment (EIA)**

- 6.1 A full EIA has been carried out on the SPD.

## **7. Head of legal, licensing & registrars' comments**

- 7.1 Preparation of the Council's supplementary planning documents, including the process of public consultation, is regulated in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. Publication, consultation with appropriate stakeholders, and receiving and considering relevant representations are necessary steps towards adoption, and the report and recommendation support compliance with the Council's statutory obligations as Local Planning Authority.

In regard to some parts of the Seafront area, and some elements of the Masterplan proposals, as a responsible local planning authority, the Council must comply with national and international legal obligations for the protection of species and habitats. This obligation includes compliance with the principle that where an activity such as development may cause harm to protected species or habitat, it is for the proposer of the development to show that no harm will be caused, [or development may not proceed] Relevant European Directives have been transposed into the U.K. (most recently by the Conservation of Habitats and Species Regulations 2010) which provide that where an appropriate assessment indicates that relevant harm may occur, the Council is prohibited from granting permission under the Town and Country Planning Act 1990 (Part 3) unless satisfactory avoidance or mitigation measures are included in the proposals.

Some content of the Masterplan has been appropriately amended during the consultation to give additional guidance where such conservation issues may arise to inhibit development which may cause harm.

## **8. Head of finance's comments**

- 8.1 The recommendations contained in this report will not result in any direct financial implications for the council.

Work associated with future development on the seafront in line with the Seafront masterplan will be managed from within existing cash limited resources.

Signed by: .....  
Assistant Head of Planning Services

**Appendices:**

- Appendix 1: Summary of consultation responses
- Appendix 2: Seafront masterplan – Supplementary Planning Document
- Appendix 3: Sustainability Appraisal and Habitats Regulations Assessment

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

<b>Title of document</b>	<b>Location</b>
The Portsmouth Plan - Portsmouth's Core Strategy	<a href="http://www.portsmouth.gov.uk/living/7923.html">www.portsmouth.gov.uk/living/7923.html</a>
Southsea Seafront Strategy 2010-2026	<a href="http://www.portsmouth.gov.uk/living/17346.html">www.portsmouth.gov.uk/living/17346.html</a>
Draft Seafront masterplan - July 2012	<a href="http://www.portsmouth.gov.uk/living/25964.html">www.portsmouth.gov.uk/living/25964.html</a>

The recommendation(s) set out above were approved / approved as amended / deferred / rejected by Cabinet on 10<sup>th</sup> April 2013.

Signed by: .....  
Leader of City Council]