

**Local Development Framework**

**Bridlington Town Centre Area Action  
Plan**

**DPD Examination**

**SCHEDULE OF  
MATTERS AND ISSUES  
FOR EXAMINATION**

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| <b>Pre-Hearing Meeting:</b> | <b>27 September 2011</b>   |
| <b>Hearings commence:</b>   | <b>5 December 2011</b>   |
| <br>Location:               | <br>The Spa<br>South Marine Drive<br>Bridlington<br>YO15 3JH   |
| <br>Inspector:              | <br>Siân Worden BA DipLH MCD MRTPI   |
| <br>Programme Officer:      | <br>Ms Carmel Edwards<br>c/o Town Hall<br>Quay Road<br>Bridlington<br>YO16 4LP<br>Telephone: 07969 631930<br>Email: <a href="mailto:bridlingtonaap@yahoo.co.uk">bridlingtonaap@yahoo.co.uk</a> |

**Local Development Framework  
Bridlington Town Centre Area Action Plan (AAP)**

**SCHEDULE OF MATTERS AND ISSUES FOR EXAMINATION**

1. This Schedule of Matters and Issues for Examination has been prepared by the Inspector to guide and focus the discussion at the hearing sessions of the Examination into the Bridlington Town Centre Area Action Plan (AAP). It has been prepared using the Planning Inspectorate's *Examining Development Plan Documents: Soundness Guidance (August 2009)*, having regard to the representations made to the AAP.
2. The Paper lists the main topics and issues which are likely to be discussed. For each topic, it sets out a series of questions on which the Inspector invites responses from the participants. A list of the relevant participants follows at the end of each topic. Participants are invited to respond to the questions raised in brief statements (no more than 3000 words per Matter), to be received by the Programme Officer **no later than 5.00pm on Monday 7 November 2011**. Responses can be made on the various topics and questions by all participants listed under that Matter and Key Issue, limited to the topics and issues raised in the original representation, both by those attending the hearing and those wishing to make further written representations.
3. Participants may wish to refer to information in previous representations and statements. In particular, the Council may wish to refer to information in the Self-Assessment of Soundness and Core Documents, to avoid unnecessary repetition. However, please note that the Inspector only has copies of the representations made at the formal publication stage. It is important that the representations and responses include all the evidence and supporting material, and for the Council, reference to the "core" evidence base, since the Inspector is unlikely to accept further/new information once the hearing sessions commence. All written statements which participants wish to put before the Inspector or refer to at the hearings or in writing should be submitted by the deadline indicated. This is to ensure the efficient running of the examination process and make sure that all the relevant material is available well before the hearing sessions commence. The submission of late information or evidence can seriously disrupt the hearing sessions and could disadvantage the participants, including the Inspector. If participants wish to rely only on their original representation, no further statement is needed, but this should be confirmed with the Programme Officer.
4. As a result of the responses received to the Matters and Issues for Examination, detailed agendas for the hearing sessions will be issued shortly before they commence. However, it is unlikely that the Inspector will introduce new issues or questions that do not arise from the topics and issues identified. Please note that not all matters and issues will be discussed at the hearing sessions; this will partly depend on those who wish to have an oral hearing, and some matters will be dealt with by written representations. The lists of those attending the hearing sessions are based on the latest information in the database. If participants wish to attend or not attend a particular session, they should let the Programme Officer know as soon as possible.
5. Participants are reminded that the Examination focuses on legal compliance and assessment of soundness as set out in PPS12 (¶ 4.48 – 4.52), with the starting point being the assumption that the local authority has submitted what it considers to be a sound plan. Participants are expected to explain why the plan is unsound in terms of a specific aspect of soundness and to specify how the plan should be altered, with clear evidence to support this course of action, where necessary.

## **SCHEDULE OF MATTERS AND ISSUES FOR EXAMINATION**

### **Matter 1: Legal requirements<sup>1</sup>**

#### **Key Issue:**

**Has the Bridlington Town Centre AAP complied with the relevant legislation?**

- Has the AAP been prepared in accordance with the current Local Development Scheme and have the relevant details in the LDS been met?
- Has the AAP been prepared in compliance with the Statement of Community Involvement and met the minimum consultation requirements in the 2004 Regulations?
- Has the AAP been subject to Sustainability Appraisal and is there a final report of the findings of the appraisal?
- Has the AAP had regard to national policy?
- Is the DPD in general conformity with the approved Regional Spatial Strategy? Is there sufficient local justification for any proposals which are not consistent with regional planning policy?
- Does the AAP have regard to the Sustainable Community Strategy for the area and give spatial expression to the priorities identified in that strategy?
- Has the AAP been screened for likely significant effects on any European Wildlife (Natura 2000) Sites within and near the plan area? If necessary, has an Appropriate Assessment under the Conservation (Natural Habitats, etc) (Amendment) (England and Wales) Regulations 2006 been carried out?
- Does the AAP state which policies are intended to supersede other saved development plan policies and identify the superseded policies in accordance Reg 13(5)? Is there a clear relationship with the submission Proposals Map?
- Does the AAP comply with the 2004 Regulations (as amended), specifically in terms of publication of prescribed documents, local advertisements and notification of DPD bodies?

#### **Attendance at hearing**

East Riding of Yorkshire Council

#### **Written representations**

Mr G Pickering (R37)

**Matter 2: Approach to the identification of the area and its boundary, the vision, the objectives and the principal development sites.**

#### **Key Issue:**

**Is the overall approach based on a clear and robust process, reflecting community views and leading to sustainable outcomes consistent with national policy?**

- How is the defined area appropriate for an Area Action Plan as specified by PPS12 *Local Spatial Planning*?
- How will the AAP fit within the LDF? At what stage is the Core Strategy and when is it likely to be adopted?
- Why was the area covered by the AAP scaled back following the Issues and Options? What evidence supported this decision? Why was it considered to be the more appropriate option?
- What were the principles and objectives behind the definition of the AAP boundary? What alternatives were considered? Why was the chosen boundary considered to be the most appropriate?

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<sup>1</sup> These issues should be covered in the Council's Self-Assessment of Soundness

- Does the vision address all of the identified challenges and will the strategic objectives enable that vision to be achieved?
- What is the relationship between the Regeneration Strategy, the vision and the AAP as a whole?
- What is the evidence that the Regeneration Strategy, and particularly the two major developments proposed, is the most appropriate approach and will achieve the vision?
- What alternatives were considered?
- Is Policy BridTC1 consistent with the rest of the AAP? How does Policy BridTC2 contribute to the overall strategy?
- Have sustainability considerations been taken into account in the development of the strategy and the selection of sites? What is the evidence?

#### **Attendance at hearing**

East Riding of Yorkshire Council  
 Bridlington Harbour Commissioners **(R04)**  
 Communities Against Toxics **(R10)**  
 Gordon Gresham **(R18)**  
 Barry Guildford **(R19)**  
 Hull Friends of the Earth **(R25)**  
 Lords Feoffees **(R31)**  
 Terry Morrell **(R34)**

#### **Written representations**

Shlomo Downen **(R12)**

### **Matter 3: The Principal Development Projects – Burlington Parade and the Marina**

#### **Key Issues:**

**Do the overall scale and type of the development projects at Burlington Parade and the Marina achieve the relevant objectives of the AAP in a sustainable manner consistent with national policy?**

**Is the identification of the principal development projects, and the mix, type and amount of potential uses proposed within them, based on robust and up-to-date evidence?**

**Are the development sites appropriate, feasible and deliverable, having regard to the provision of necessary infrastructure and services, and any environmental or heritage constraints? Are they available, suitable and viable? Are all stakeholders and landowners committed to the proposals?**

**Are the detailed requirements for each development project clear, reasonable and justified?**

#### **In addition:**

##### ***Burlington Parade***

- Why is it necessary to extend the town centre to such a degree?
- Why is it essential to the scheme to develop the Harbour Top? What evidence is there that this is the only suitable location for the development proposed?
- What are the implications of the 3a flood zone designation at parts of the development site?
- What will be the effect of the proposed development on the setting of listed buildings and the conservation area?
- How will the scheme be funded? Who are the delivery partners and are they all signed up? How will it be implemented?

- What evidence is there that the Burlington Parade development will not result in the decline of the retail, leisure and tourism functions of the existing town centre?
- Will existing uses and occupiers be relocated?

### ***The Marina***

- In the absence of a Core Strategy what is the strategic/policy basis for the Marina proposal?
- How does the Marina allocation address the matters which contributed to the refusal of the earlier planning application?
- What evidence is there that the Marina scheme, particularly its scale and form, would be the most appropriate for the town?
- Has an appropriate site been identified to replace the operational land lost through development of the Harbour Top? Is it a realistic, deliverable alternative?
- What will be the effect of the proposed Marina on the setting of listed buildings and the conservation area?
- How will the scheme be funded? Who are the delivery partners and are they all signed up? How will it be implemented?
- When is a detailed Habitat assessment to be carried out? Could its results have significant implications for the viability of the scheme?

### **Attendance at hearing**

East Riding of Yorkshire Council  
 Bridlington Harbour Commissioners (R04)  
 Bridlington Town Council (R05)  
 Collette Tyler School of Dance (R09)  
 Gordon Gresham (R18)  
 Barry Guildford (R19)  
 Lords Feoffees (R31)  
 Terry Morrell (R34)  
 Tesco Stores Ltd (R40)  
 Anthony Western (R43)

### **Written representations**

ASDA Stores Ltd (R01)  
 East Yorkshire Chalk Rivers Trust (R14)  
 Richard Hudson (R22)  
 Richard Hunter (R26)  
 John Bull Confectioners (R27)  
 Peter Jordan (R29)  
 Peter Masters (R32)  
 Mr G Pickering (R37)  
 RSPB (R38)  
 WSSARG (R42)  
 Michael and Sandra Wheeler (R44)

## **Matter 4: Supporting Initiatives**

### **Key Issues:**

**Do the overall scale, type and location of the other initiatives, namely the Strategic Public Realm, the Town Centre Seafront, the Access and Movement Strategy, and the Town Centre Parking Strategy, contribute towards a coherent strategy for the town centre consistent with the AAP vision and objectives and with national policy?**

**Are they based on robust and up-to-date evidence?**

**Strategic Public Realm (BridTC5)**

- How will this be funded? Is it deliverable?

**Town Centre Seafront (BridTC6)**

- What will be the relationship between the Burlington Parade/Marina developments and the Seafront area? How will they work together to achieve the AAP vision?
- Are the types of development encouraged by BridTC6 likely to come forward? Are they essential for the regeneration of the town centre and, if so, what measures can be taken to ensure that they are delivered?

**Access and Movement Strategy (BridTC7)**

- What evidence is there that the proposed changes would fulfil the AAP objectives? Why are they necessary? Are they deliverable?
- Is sufficient consideration given to access by public transport and non-car modes to fulfil the objectives?

**Town Centre Parking Strategy (BridTC8)**

- On what evidence is the parking strategy based?
- Will there be sufficient parking spaces – short and long stay - in suitable locations to serve the needs of all users and promote the vitality and viability of the town centre?
- What arrangements will be made for loading/unloading to service existing shops?
- Is the policy sufficiently clear?

**Attendance at hearing**

East Riding of Yorkshire Council

Pamela Austin (R02)

Bridlington Harbour Commissioners (R04)

Bridlington Town Council (R05)

Phyllis Foster (R17)

Gordon Gresham (R18)

Barry Guildford (R19)

Lords Feoffees (R31)

Tesco Stores Ltd (R40)

**Written representations**

Britannia Court Residents Association (R06)

Richard Hudson (R22)

John Bull Confectioners (R27)

Gordon Sykes (R39)

G Veitch (R41)

WSSARG (R42)

**Matter 5: Development Management Policies****Key Issues:**

**Is each policy necessary? How does it support the strategy and contribute to the overall effectiveness of the AAP?**

**Are the detailed requirements of each policy clear, reasonable and justified?**

**In addition:*****BridTC9 Sequential approach for major development***

- What is the evidence on which this policy is based? Are there likely to be sufficient new developments and uses to ensure each part of the town centre benefits from them?
- Why is the policy necessary? Is it consistent with Policy BridTC6?

***(BridTC10 Risk and impact is considered under Matter 6)******BridTC11 Design for the built and natural environment******BridTC12 Development statements in the town centre***

- What is the purpose and status of development statements? What will be their relationship with the AAP and how will they be used?

***BridTC13 Shopping, leisure and hotel development***

- On what evidence is the retail requirement based?
- How have sites for new or redeveloped retail use been identified? Did the approach include a sequential assessment?
- Is the mix of convenience and comparison shopping satisfactory? Will it meet the requirements of the catchment area? Is there scope for an additional food store within the town centre?
- Is the definition of the Primary Shopping Area and Primary Retail Circuit appropriate? Is the policy consistent with BridTC9?
- Why is it necessary to give priority to Burlington Parade and the Marina for new hotel development?
- Overall, will the retail provision contribute to promoting a competitive town centre and provide consumer choice, in line with PPS4?

***BridTC14 Offices and office workspace***

- Will Policies BridTC3 and BridTC14 enable the AAP objectives to be met? On what evidence are these policies founded?
- Is there sufficient requirement through the AAP for the provision of additional office space?
- How will proposals for other types of employment development in the town centre be considered?

***BridTC15 Housing***

- Is there sufficient encouragement through the AAP for the provision of new housing including affordable?
- Will Policies BridTC3 and BridTC15 enable the AAP objectives to be met? On what evidence are these policies founded?
- Will the provision of the majority of residential development within Burlington Parade disadvantage the remainder of the town centre?

***BridTC16 Mixed use development***

- Is the policy consistent with others in the AAP?

***BridTC17 The evening economy******BridTC18 Tourism attractions*****Attendance at hearing**

East Riding of Yorkshire Council  
 Bridlington Harbour Commissioners (R04)  
 Bridlington Town Council (R05)  
 Barry Guildford (R19)  
 Lord Feoffees (R31)

**Written representations**

ASDA Stores Ltd (R01)  
 John Bull Confectioners (R27)  
 Peter Jordan (R29)  
 RSPB (R38)

## **Matter 6: Overall Effectiveness**

### **Key Issue:**

**Taken as a whole, does the AAP provide satisfactorily for the delivery of development, is it flexible, and does it enable adequate monitoring of its effectiveness? Do the structure of the AAP and the format of policies result in a deliverable strategy?**

- Is there a clear and coherent structure to the AAP to enable delivery of the strategy through the development projects, other initiatives and policies?
- Are all the policies necessary and clearly worded? Will they give sufficient and clear guidance to developers and decision makers? Are they internally consistent?
- Are the delivery mechanisms for the principal developments and other schemes clearly identified?
- Is it clear who is intended to deliver the allocated development, and are the key stakeholders signed up?
- Are the developer contributions envisaged appropriate, feasible and consistent with national policy including the Community Infrastructure Levy Regulations?
- Is any necessary infrastructure likely to be publicly funded? Has it been identified in relevant programmes and are the essential partners committed to delivery within the required timescale?
- How will the AAP work with the Town Centre and Marina SPD (CD06)?
- Is the AAP sufficiently flexible to respond to variations to the proposals or other changes in circumstances?
- How does Policy BridTC10 contribute to the overall strategy set out in the AAP? Is it necessary? Is it clear?
- What remedial actions will be taken if either of the main development projects does not go ahead? Have the main risks to delivery been identified, and how will contingencies be handled?
- Are Policies BridTC19 and BridTC20 necessary? Are they clear and do they contribute towards the overall delivery of the strategy?
- Are clear targets and measurable outcomes in place for effective monitoring of delivery of the development and allocated sites and achievement of the AAP objectives?
- Are clear arrangements in place for monitoring and reporting the results?
- How will any likely significant effects identified by the sustainability appraisal be monitored?
- Is the Proposals Map sufficiently clear?

### **Attendance at hearing**

East Riding of Yorkshire Council  
 Gordon Gresham **(R18)**  
 Lord Feoffees **(R31)**  
 Tesco Stores Ltd **(R40)**

### **Written representations**

ASDA Stores Ltd **(R01)**  
 John Bull Confectioners **(R27)**