

Shaping Hastings
Hastings Local Plan
Development Management Plan
Submission Version

Statement of Compliance with the
Duty to Co-operate

July 2014



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1.0 Introduction

- 1.1 This paper is a Statement of Compliance with the 'Duty to Co-operate and is published to accompany the Submission of the Hastings Development Management Plan put forward for Examination in Public (July 2014). It updates and replaces earlier versions published for the Planning Strategy and Consultation Stages of the Development Management Plan.
- 1.2 The Council is legally obliged by Section 33A (1) of the Planning & Compulsory Act 2004, [introduced through the Localism Act 2011], to demonstrate how it has co-operated with other authorities and statutory agencies in relation to cross boundary strategic matters. This requirement has been supplemented by policy requirements in the NPPF (National Planning Policy Framework - paragraph 156) as well as a recent Planning Practice Guide 'Duty to Co-operate' published by the Department of Communities and Local Government on 6th March 2014.
- 1.3 The Hastings Local Plan is made up of several documents the key one being the Planning Strategy which was adopted in February 2014. The Development Management Plan which follows on, identifies site allocations to meet the targets set out in the Planning Strategy as well as the planning policies that must be applied to guide that development.
- 1.4 The Planning Inspectors Report for Hastings Planning Strategy published on 31st October 2012, confirmed [paragraph 9] that the Borough Council has provided "*good evidence of effective and continuing partnership*" through long standing good relationships with other Local Authorities, particularly East Sussex County Council and Rother District Council, as well as other statutory providers.
<https://www.hastings.gov.uk/planning/policy/adoptedlocalplan/strategy/earlierstages/finalinspectorsreport/>
- 1.5 Hastings Borough Council continues to have a high level of co-operation with other authorities, in particular East Sussex County Council and Rother District Council, and has been major partner in the implementation of a number of cross boundary projects regarding strategic planning matters. This sustained and on-going approach to co-operation has resulted in a robust evidence base that underpins both the Hastings Local Plans, as well as the specific Site Allocations and Planning Policies proposed in the Development Management Plan.
- 1.6 'Shaping Hastings' has been an interactive process and many methods of engagement have been used to enable the community, as well as other local authorities and our statutory partners to influence on the final version of this key document. Further details on how and who the authority has consulted with, as well as the main issues raised are provided in the Regulation 22 (C) Consultation Statement which also accompanies the Submission of the Development Management Plan.

2.0 Legal requirements and government guidance

- 2.1 With the abolition of the South East Plan, the Government envisages that in future regional planning issues will be dealt with through the co-operation of local authorities on strategic priorities.
- 2.2 A 'Duty to Co-operate in relation to planning of sustainable development' was thereby introduced by Section 110 of the Localism Act 2011 and applies to all local planning authorities, national park authorities and county councils in England, as well as to a number of other prescribed public bodies. Specifically the duty:
 - a) relates to sustainable development or use of land that would have a significant impact on at least two local planning areas or on a planning matter that falls within the remit of a county council;
 - b) relates to the activities involved in the preparation of Local Plan documents;
 - c) requires councils and public bodies to 'engage constructively, actively and on an ongoing basis'; and
 - d) requires councils to consider joint approaches to plan making.
- 2.3 The National Planning Policy Framework (NPPF) published in 2012, builds on concerns that abolition of regional planning has created a hiatus in plan making and affirms the requirements of the Localism Act, that:

"Public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to the strategic priorities....Local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly co-ordinated and clearly reflected in Local Plans" (Paragraphs 178 & 179, NPPF).
- 2.4 Strategic priorities specified in the NPPF (Paragraph 156) are the following:
 - The houses and jobs needed in the area;
 - The provision of retail, leisure and other commercial development;
 - The provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
 - The provision of health, security, community and cultural infrastructure and other local facilities;
 - Climate change mitigation and adaptation, conservation & enhancement of the natural and historic environment, including landscape.
- 2.5 Local planning authorities must demonstrate how they have complied with the duty at the independent examination of their Local Plans. The Planning Practice Guidance also clarifies that local planning authorities must take a

positive approach to co-operating for effective outcomes on strategic cross boundary planning matters.

3.0 Evidence of engagement and co-operation

- 3.1 Hastings Borough Council has undertaken a wide range of engagement exercises and discussion with relevant local authorities and public organisations to ensure that there has been in the past, and will be in the future, a high level of effective cooperation in the plan making process. These are set out in the Consultation Statement that accompanies this report as well as Appendix A.
- 3.2 With regards to the Duty to Co-operate, the Town and Country Planning (Local Planning) (England) Regulations 2012 prescribe the following specific bodies to engage constructively with, when relevant:
 - a) Rother District Council (as the adjoining authority)
 - b) East Sussex County Council (as the County Council)
 - c) The Environment Agency
 - d) English Heritage
 - e) Natural England
 - f) The Mayor of London
 - g) The Civil Aviation Authority
 - h) The Homes and Communities Agency
 - i) Primary Care Trust (Now NHS Sussex representing NHS Hastings and Rother)
 - j) The Office of Rail Regulation
 - k) Transport for London (N/A – not a London Authority)
 - l) Integrated Transport Authority
 - m) Highway Authority (East Sussex County Council and Highways Agency)
 - n) The Marine Management Organisation
 - o) Local Enterprise Partnership (South East Local Enterprise Partnership)
- 3.3 Paragraph 180 of the National Planning Policy Framework (NPPF) adds Local Nature Partnerships to the list of collaborators and consultees as well as other relevant private sector bodies, utility and infrastructure providers. The Consultation Statement (Reg 22) that accompanies the Submission of the Development Management Plan also lists the other organisations listed on the 'consultee' database that have been contacted during the preparation of the Local Plans.
- 3.4 New guidance issued by the Secretary of State in March 2014, set out in PPG: 'Duty to Co-operate' advises that a thorough but pragmatic approach should be taken to the Duty to Co-operate:

"The duty to cooperate is not a duty to agree. But local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination. It is important to adopt a pragmatic approach in deciding the area over which cooperation is needed and who to work with. For some strategic matters the most effective outcomes may be achieved through cooperation by a small number of neighbouring local planning authorities while

for other matters there may be a need for cooperation over a wider functional area involving both neighbouring and other local planning authorities and bodies."

4.0 About Hastings

4.1 Hastings is a community of approximately 90,000 people with 8 miles of coastline, surrounded by the district of Rother. It is situated in the South East of England, 36 miles from Brighton and 71 miles from London.

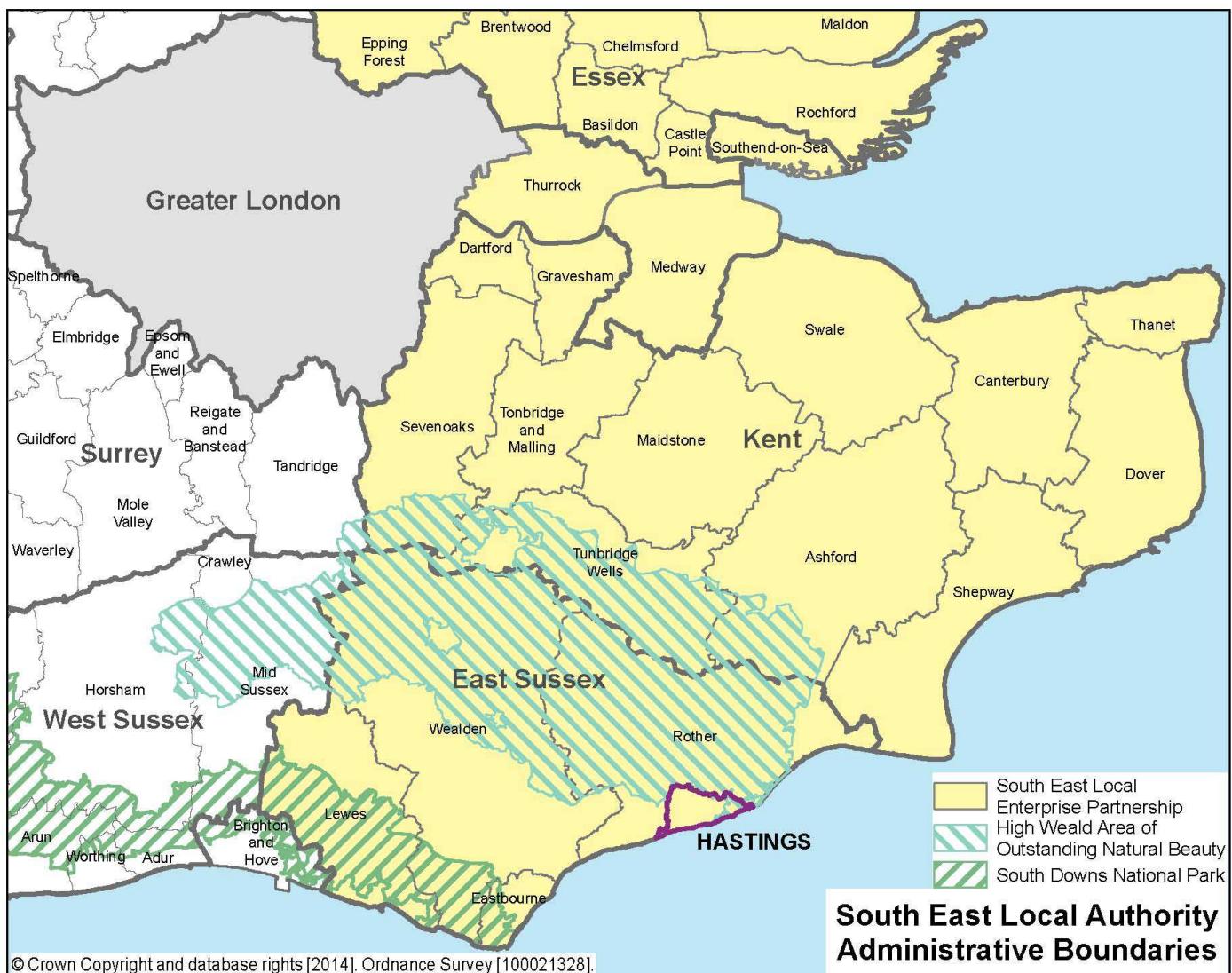


Figure 1: Map showing South East Authority administrative boundaries

4.2 The town of Bexhill forms an almost continuous urban area with Hastings and the smaller town of Battle to the north. This combined urban area of approximately 135,000 people also serves a wider area of rural communities in Rother in terms of employment, leisure, health, education and other services. Hastings and Rother have also been identified as a single housing market area and Hastings is at the centre of the travel-to-work which covers all of Hastings

Borough and most of Rother District. Improvements to the A21 and A259, as well as the rail links to London and Ashford, are however vital to make Hastings a more attractive place for businesses to locate from.

- 4.3 Hastings is within a two-tier area, with East Sussex County Council providing public services such as education, highways and social services. For these reasons, it has been particularly important for Hastings Borough Council to sustain its close co-operation with both Rother District Council and East Sussex County Council.
- 4.4 Hastings' challenges are substantially urban, and like many coastal towns it has only now begun to reverse a long period of decline, which means the town has an important role as a centre of economic activity and transport services. Today the town faces a challenge in terms of how best to achieve the growth and regeneration aims in light of potential environmental, economic and social constraints that include:
 - a changing population;
 - addressing the causes of deprivation;
 - limited space for growth and development;
 - achieving a step change in the economy;
 - providing suitable levels of housing, including affordable housing;
 - improving accessibility to the town.
- 4.5 In April 2013, the Government approved the final funding bid for the Hastings – Bexhill Link Road, construction is expected to be completed by Spring 2015. This will provide an alternative link road between the two towns relieving the most congested road on the local network. The Link Road will open up land for housing and major employment development in North East Bexhill and is much needed strategic infrastructure investment to continue the economic revival of the two towns. Close working relationships between the local Highways Authority, East Sussex County Council, and Rother District Council have been essential in getting to this stage.
- 4.6 A number of the Employment and Housing Allocations in the Development Management Plan are situated on connecting roads such as Queensway and the 'Ridge' will benefit from the new infrastructure investment. The Key Diagram on page 94 of the Planning Strategy, shows where the link road will enter Hastings (north of Crowhurst Road) at the junction with Queensway. The Environment Impact Statement and detailed design are currently being undertaken and a Planning Application is likely to be submitted later this summer. The South East Local Enterprise Partnership has provisionally allocated funding, subject to a business case, to deliver the scheme and subject to the LEP approving the business case and receipt of a planning approval, construction could start as early as 2015/16.
- 4.7 Hastings and Rother are increasingly being considered together in a planning and regeneration context. Cross boundary working is now formalised in meetings of the Hastings and Rother Task Force (previously the Hastings and

Bexhill Task Force) which meets regularly to move forward its stimulation objectives for the two planning areas. Members of the Task Force include both officers and lead members from each of the authorities, as well as local representatives from other organisations such as the Chamber of Commerce. In collaboration with Network Rail, the Hastings and Rother Task Force is currently providing financial support for much needed rail network improvements, in particular the economic case for an extension of the HS1 Rail Link from St. Pancras to Ashford, stopping at Hastings and Rye and Bexhill.

- 4.8 In addition to the Task Force, 'Sea Change Sussex' a (not-for-profit) standalone regeneration company, has been assisting with the implementation of large scale regeneration and developments across the Hastings and Bexhill areas. (Previously Sea Change Sussex was part of the Regional Development Agency and known as 'Sea Space'). Examples of their recent cross boundary joint work include the promotion and development of employment allocations at North Queensway LRA6 & 9. <http://www.seachangesussex.co.uk/our-programme/north-queensway/>
- 4.9 'Sea Change Sussex' are also behind the proposed strategic highways improvements to relieve congestion at 'Ridge West & Queensway' through the development of the Development Management Plan - Site Allocations 'LRA7 - *Land at the junction of Ridge West and Queensway*' & 'LRA8 - *Land at Whitworth Road, Ridge West*'. ESCC have undertaken an assessment of traffic along the 'Ridge' and funding improvements are being sought from the South East Local Enterprise Partnership (LEP) (See section 4.17 below).
- 4.10 The Southeast LEP European Structural & Investment Fund Strategy (Final submission – January 2014) (ESIF) proposed that £165 million be made available from EU Funds for the SE region in the period 2014 - 2020. The EU funds are made available through the European Regional Development Fund (ERDF) and the European Social Fund (ESF) European Programmes. However the final funding for the strategies depends on the outcome of negotiations with the European Commission on the UK Partnership Agreement and Operational Programmes. Confirmation of the total funding available for the South East is expected shortly.
- 4.11 A study by Sheffield Hallam by Professor Steve Fothergill, 'Coastal Communities', was commissioned by SELEP in 2012 as part of the evidence base to inform the prioritisation of future investment and activity. The review put forward a six-fold classification of coastal settlements in the LEP area. Hastings was classified as one of the 'Larger seaside towns with substantial problems'. The town has since been designated as having 'Assisted Area Status'.
- 4.12 Community-Led Local Development (CLLD) has been included in the ESIF submission and could benefit the more deprived wards in Hastings, along with the deprived wards in Bexhill Town, and North East Bexhill and part of Rye. The focus of the programme would be:

- community led regeneration in St Leonards and Bexhill (neighbourhood focused);
- economically active over 50's;
- cultural economy;
- digital by choice;
- ethnic minority business support;
- linking business and education; and,
- community leadership/programme support.

4.13 The Hastings wards proposed will be principally those within the Assisted Area. A number of investments have already been made including a new fund 'SUCCESS' for creative industries. In addition to national financing schemes, there are about 20 local schemes offering finance to businesses in the area covered by the SE LEP. Most of these local schemes are small with a fund size of only a few hundred thousand pounds. For example the Hastings FLAG (Fisheries Local Action Groups) has committed a programme worth c£1.5m, as well as private and public funding to develop a sustainable and resilient future for the UK's largest beach launched fishing fleet.

4.14 The SE LEP also has access to the UK Growth Deal. This allows SELEP to combine resources from both Europe and national government to deliver economic growth in the South East.

4.15 The SELEP submitted it's '*Strategic Economic Plan*' to HM Government in March 2014, and secured an allocation of £442 million from the government's 'Local Growth Fund' as part of the 'Growth Deal'. This funding includes £81.4 million for 2015/16 which is available to the LEP from April 2015. A list of all the projects including £6million for Hastings & Bexhill junction improvements as well as £6million for walking and cycling package, is provided below.

5.0 Co-operation on strategic planning matters

5.1 The engagement with relevant bodies listed under the Duty to Co-operate has assisted in the development of a wide range of strategic matters in producing both the Planning Strategy and Development Management Plan. Most particularly, this includes housing and employment growth, strategic site allocations including a site for renewable energy generation, transport and the environment. Appendix 1 provides a summary by strategic theme of how those bodies prescribed under the Duty have had influence on the outcomes in the Planning Strategy. Table 1 below also lists the type of co-operation by organisation.

Housing, Employment and Transport

Local Plan Evidence Base

5.2 Various joint studies (with both Rother District Council and East Sussex County Council input) have taken account of the Hastings Travel to Work area that encompasses all of Hastings and most of Rother, and the reliance on the same road and rail infrastructure.

5.3 These are all available on our website at:
http://www.hastings.gov.uk/environment_planning/planning/localplan/evidence_base.

- The **Hastings and Rother Employment Strategy and Land Review** and its **Update** (2008) was produced by a team of officers from both Hastings and Rother councils, with additional help from East Sussex Council's demographers and economic development officers. Both Councils are thus in agreement about the provision of the major employment sites proposed at North-East Bexhill to meet their joint strategic requirements.
<http://www.rother.gov.uk/CHandler.ashx?id=8188&p=0>
- The **Hastings and Rother Housing Market Assessment** (2006) was also jointly commissioned. The two Councils have jointly prepared a further background papers updating the above and setting out in more detail the reasoning behind the scale of housing development proposed in their respective Strategies, having due regard to the guidance in the National Planning Policy Framework. The findings of the above studies have directly informed the Hastings Planning Strategy and subsequent allocations in the Development Management Plan.
http://www.hastings.gov.uk/environment_planning/planning/localplan/evidence_base/shma/
- **Local Plan Sensitivity Assessment (Traffic Modelling)** also with East Sussex County Council - provided an assessment of the levels and broad distribution of development both Hastings and Rother's Planning Strategies.
http://www.hastings.gov.uk/environment_planning/planning/localplan/evidence_base/modellingnote/

- Further work with the Highway Agency and the County Council has also been required to support the feasibility of options for improving traffic conditions and flows along The Ridge and, in particular, for increasing capacity of the A21 Baldslow junction.

5.4 Where appropriate, Rother District Council and East Sussex County Council have been kept closely informed of the progress and outcomes of other studies where they are likely to have an interest, for example, the Strategic Flood Risk Assessment and Renewable and Low Carbon Energy Study.

5.5 Organisations such as the Environment Agency and Natural England are also involved in terms of preparing the terms of reference for background studies that affect their specific area of responsibility. For example the Strategic Flood Risk Assessment, and subsequent Sequential Test of Site Allocations, as well as the completion of the Habitats Regulations Assessment (HRA).

Infrastructure and Delivery

5.6 The Infrastructure Delivery Plan is one of the most important background documents to the Local Plans. It has assessed the infrastructure capacity of the town as being able to accommodate the proposed levels of new development, as well as the new infrastructure required to support it.

5.7 East Sussex County Council, Southern Water and the Environment Agency have been particularly significant partners in this respect. Issues such as flooding, sewerage capacity, school provision, library services, adult social care facilities, public transport provision, cycling and highway improvements have been key to identifying the sites, where the housing target can be accommodated.

5.8 The IDP is available to view or download at https://www.hastings.gov.uk/planning/policy/adoptedlocalplan/supportingdocs_evidencebase/delivery_plan/

Environment

5.9 One of the Strategic Objectives of both the Planning Strategy and the Development Management plan is to 'safeguard and improve the town's environment'. In particular Objective 3(a) states that this will be achieved by:

"protecting, enhancing and improving the quality of the town's biodiversity, and in particular its sites of international, national, regional and local conservation importance through better habitat management" (p23 of the Planning Strategy)

5.10 Many of the important sites referred to above are covered by multiple environmental designations, for example the AONB, SSSIs, Ancient Woodland and Local Nature Reserves and are to be found on the western, northern and eastern fringes of the Borough, stretching across the administrative boundaries with neighbouring Rother District.

5.11 Policies in the Development Management Plan, in particular Policies HN7 through to HN10, build on the environmental guidelines in the Planning Strategy. These have been formulated through a similar approach to the other strategic matters and the Infrastructure Delivery plan, i.e. from a combination of informal liaison, joint working groups, specialist studies as well as formal comments on policies and suggested wording for inclusion in the published plans. Hastings Borough Council has responded positively to the representations made on the first 'Proposed Submission Version' of the Development Management plan. The outcome is that there is now a range of Environmental Policies and designations in the revised Development Management Plan such as *HN9 - Areas of Landscape Value*, which are supported by the relevant authorities with a direct interest in this field. Continued partnership working with statutory agencies is essential, if the strategic environmental objectives are to be consistently reached.

Table 1: Summary table – influence on the Hastings Planning Strategy and Development Management Local Plans

Organisation	Influence on the Local Plan
Rother District Council	<ul style="list-style-type: none"> Joint evidence base studies to underpin policies (housing, employment, transport assessment) Overall housing target and exclusion of strategic site at Breadsell Lane, and discussion of suitability of other sites on the urban fringes Employment growth (and impact of North East Bexhill development in Rother) Delivery of Bexhill-Hastings Link Road Developed a "Shared Approach to future prosperity" as part of the vision Input to Infrastructure Delivery Plan to underpin and support policies. Consideration of site for renewable energy generation, and the need to undertake further work to determine the most suitable location, landscape and ecological impacts. Joint work in the Implementation of Combe Valley Countryside Park
East Sussex County Council	<ul style="list-style-type: none"> Input into joint Hastings and Rother evidence base studies, including the use of demographic projection data fed into housing target and relevant policies Input to Infrastructure Delivery Plan to underpin and support policies, particularly in terms of education and transport requirements, particularly through work on the Local Transport Plan, Community Infrastructure Levy and the Infrastructure Delivery Plan
East Sussex County Council (Cont.)	<ul style="list-style-type: none"> Influenced community infrastructure and transport and accessibility chapters of the Plan, and other related sections Delivery of Bexhill-Hastings Link Road Landscape appraisal used to determine suitability of sites on the urban fringes

Organisation	Influence on the Local Plan
	<ul style="list-style-type: none"> Help in ensuring historical and archaeological accuracy of planning focus area spatial portraits Collaboration in the drafting of policies and decisions taken regarding proposed site allocations
Environment Agency	<ul style="list-style-type: none"> Input into key evidence base documents, particularly Strategic Flood Risk Assessment and Sequential Test, Shoreline Management Plan, Surface Water Management Plan – influences spatial area policies and locations for development Influenced development of Sustainability Appraisal objectives to assess the social, economic and environmental effects of the Plan Input into Planning Strategy flood risk policies, and helped determine our approach to coastal change Input into Infrastructure Delivery Plan to underpin and support policies, particularly in terms of infrastructure needed to support level of new development. Influenced Planning Strategy policy: Overall Strategy for Managing Change in terms of water efficiency, and helped in developing strategic objectives relating to climate and change and improvement to biodiversity. Input to, and feedback on, the Sequential Test of potential site allocations to avoid flood risk Commented on many proposed site allocations regarding contamination and flood risk issues, which influenced decisions taken regarding these sites
Natural England	<ul style="list-style-type: none"> Influenced development of Sustainability Appraisal objectives to assess the social, economic and environmental effects of the Plan Exclusion of strategic site at Breadsell Lane Approval and input into Appropriate Assessment Inclusion of Green Infrastructure Policy and Green Infrastructure Study Influenced vision, and resulted inclusion of “natural environment” in final vision Influenced Planning Strategy policy: Overall Strategy for Managing Change in terms of considering biodiversity and the built environment and helped in developing strategic objectives relating to climate and change and improvement to biodiversity. Commented on several proposed site allocations regarding nature conservation and ecological issues, which influenced decisions taken regarding these sites
NHS Sussex	<ul style="list-style-type: none"> Input into Infrastructure Delivery Plan – coordinated approach to health care provision Influenced housing policies in terms of recognising the need to provide a mix of dwellings to cater for different needs of the community and clarifying our approach to on site contributions for Affordable Housing
Network Rail	<ul style="list-style-type: none"> Input into Infrastructure Delivery Plan in terms of strategic rail schemes and service improvements

Organisation	Influence on the Local Plan
	<ul style="list-style-type: none"> Transport chapter reflects the requirements of LTP3 which reflects these schemes and services
Highways Agency	<ul style="list-style-type: none"> Input into Transport Capacity Assessment Delivery of Bexhill-Hastings Link Road Comments and dialogue contributed to the decision to remove Breadsell Lane as a strategic site Highlighted issues regarding Strategic Road Network in terms of many individual site allocations, and need for Transport assessments and measures to reduce potential impacts
South East Local Enterprise Partnership	<ul style="list-style-type: none"> Strong support for delivery of Hastings-Bexhill Link Road and employment floorspace to deliver regeneration and growth objectives.

6.0 Site specific outcomes

- 6.1 The NPPF Paras 178 & 179 makes it clear that Local Authorities have a 'Duty to Co-operate' where there are potential cross boundary issues that might affect two or more local authorities. Being a small urban area, the Hastings Development Management Plan has a number of site allocations close to its administrative boundaries, in particular Housing, Mixed Use and Employment Allocations along 'The Ridge' and 'Queensway' which will potentially gain from the new Bexhill- Hastings Link Road.
- 6.2 Hastings Borough Council has also allocated a site for Wind Turbines to offset its carbon emissions on Land South of Upper Wilting Lane (FB12). The site is situated in the 'Combe Valley Countryside Park' which is also a joint project between Hastings Borough Council, Rother District Council and East Sussex County Councils`.
- 6.3 Co-operation with other agencies such as Natural England has led to the addition of further site specific studies for Land Upper Wilting Farm as well as the de-selection of earlier allocated proposals in the 'Proposed Submission version' at Breadsell Lane. (See *Section 6.8 of this report for further details*).
- 6.4 The Planning Strategy and Policies Map, have divided the Borough into three broad spatial areas – Western Area, Central Area, and Eastern Area. [The Seafront has also been identified as a broad area of change but development has been set out in the three spatial areas]. The Planning Strategy Chapter 5: Spatial Areas provides a helpful strategic planning policy for each of the spatial areas as well as some of the Focus Areas such as central St. Leonards and Hastings Town Centre. The supplementary text for each of the spatial areas, particularly the Western area in the Planning Strategy describes well, the type and level of joint working between Hastings and Rother and East Sussex in shaping the resulting policies in the Development Management Plan.

6.5 Figure 5: [p30] of the adopted Hastings Planning Strategy 2014, shows the location of each the 13 Planning Focus Areas within the three Western, Central and Eastern Areas. (This should be referred to with Figure 6 of the Revised Proposed Submission Version of the Development Management Plan [p53]).

6.6 Evidence of successful collaborative working on the policies for the site allocations is presented in Appendix 2. It lists the representations made by Rother and other prescribed statutory partners, on the sites that have the greatest potential for cross boundary issues given their proximity to Rother District Council's administrative boundary. Appendix 2 also includes the sites that are most likely to benefit from the new Bexhill - Hastings Link Road. *[A full summary of all the comments made in relation to these sites are available to view in the Consultation Statement as well as the online Consultation page]*:

6.7 The sites listed in Appendix 2, are listed as they are shown on the policies map progressing in a west to easterly arc. The colour coding, and reference numbers for each of the sites listed directly relate to the proposed land use and the colour of the site allocations on the key of the Policies Map. .
<https://www.hastings.gov.uk/planning/policy/adoptedlocalplan/policies/>

6.8 The new Link Road, meets with the existing 'Queensway' in the Western Spatial Area which then in turn leads onto the 'The Ridge' along the northern boundary of the Borough. It is therefore of little surprise that these Focus Areas have the greatest number of sites with potential for cross boundary issues. Out of the potential 25 sites listed in Appendix 2, Rother District Council have only made formal representations on 5 sites in the published Revised Proposed Submission version (2014), and East Sussex County Council, none at all. All of the representations from Rother District Council support the policy allocation subject to amendments which have been addressed through minor (focussed) changes to the Plan.

6.9 Further evidence of successful joint working is the lack of representations from most of the relevant Infrastructure providers in Appendix 2. These were consulted for the IDP and were also closely involved in preparation of all proposed sites for development. Their comments, both formally through consultation and as part of ongoing dialogue have also informed the infrastructure requirements for each site, as well as whether or not to continue to include sites. Appendix D of the Development Management (DM) Plan, presents the 'Changes' introduced after the earlier publication of the Proposed Plan in January 2013. The Appendix D includes the sites that have since been deselected from the Revised Version published in March 2014. For those sites that remain, the identified site specific needs and constraints have subsequently been included in the Policies (although requirements will also need to be investigated again at the time of a planning application).

Strategic Site DeAllocation – Land at Breadsell Lane

6.8 Land at Breadsell Lane was identified at an earlier stage of the Planning Strategy as a possible a major greenfield site in the northwest part of the Borough. This had estimated potential to provide up to 1000 new dwellings, with approximately 200 in Rother District and 800 in Hastings Borough. Hastings and Rother Council's have therefore worked closely together in considering this site for allocation.

6.9 Natural England strongly objected to the identification of this site for housing development. Their main concern was the potential impact on the adjacent Marline Valley Woods Site of Special Scientific Interest (SSSI), and particularly how this might affect the rare bryophyte populations associated with the Marline Stream. As a result of this objection, the Council subsequently undertook both design and impact studies agreed with Natural England to determine feasibility and scope for mitigation of development in this location.

6.10 In March 2010 the decision was taken not to proceed with the inclusion of this strategic site in the Planning Strategy on the basis that Natural England would not be in a position to withdraw their objection without the results of a further 1 to 3 years of monitoring work. Other constraints to developing the site also relate to highways and access; lack of public transport and no certain prospect of a viable bus service; landscape impact and relative remoteness from shops, services and the centre of St Leonards or Hastings. Dialogue and engagement with service providers such as Stagecoach and the County Council in this respect were also been essential to the decision taken not to proceed with Breadsell Lane as a strategic allocation.

6.11 With regard to the potential for large scale development at Breadsell, neither Hastings nor Rother Councils believe there is a fundamental difference in terms of the respective approaches taken by each authority. For Hastings, the net new homes target is for “at least” 3,400 new homes over the Plan period. Rother's approach is somewhat different because the draft Core Strategy sets a range of housing numbers for each of their identified geographies. It also relies on the definition of development boundaries to identify areas of development potential.

6.12 Any possibility of housing development at Breadsell coming forward within Rother would have been excluded without the Main Modifications now being put forward by Rother (Rother District Council Local Plan Core Strategy Schedule of Main Modifications August 2013, MOD numbers - 7.10, 7.14, 9.1, 9.2 & 9.3 <http://www.rother.gov.uk/corestrategy>). This is not the case for Hastings. The key point is that both authorities agree that the potential for development at Breadsell cannot be relied upon in the light of the evidence already presented to the Hastings (and Rother) Planning Strategy Examination; that is, the objections raised by Natural England and the other issues raised to ensure overall sustainable development.

6.13 Hence, it can be seen that there is a consistent approach, based on co-operation between the Councils, in that neither Authority is reliant on the

development potential at Breadsell, but the possibility of development at this location has not been ruled out.

Potential area for Renewable Energy generation (*FB12: Land South of Upper Wilting Farm*)

6.14 The Hastings Renewable and Low Carbon Energy Study 2009 first identified the area around Wilting Farm (FB12), across both Hastings and Rother areas as having some potential for renewable energy generation. Whilst this document was commissioned by Hastings alone, Rother District Council were consulted during the process, and briefed on the outcome.

6.15 Hastings Borough Council has also undertaken some additional work to determine whether development of this area for renewable energy purposes is feasible. Whilst it was not a joint study, Rother District Council were involved in drafting the Consultants' Brief, attended the study inception meeting and attended other meetings to discuss the matter.

6.16 The resulting Policy for *FB12 – Land South of Upper Wilting Farm*, at the edge of Combe Valley Countryside Park, also lists a number of further surveys and assessments that are required to be undertaken at the time of preparing the planning application. The wording and references have been included a direct consequence of discussions and representations received from prescribed organisations such as the Environment Agency, Utility providers and Rother District Council. Whilst there is still considerable local opposition, there are only a very few outstanding objections from other statutory partners such as Natural England.

Land at Ivyhouse Lane – Northern Extension (HOV11)

6.17 Similar criteria are included in the Policy HOV11: for Ivyhouse Lane. This site is identified in the Hastings Development Management Plan as a greenfield extension for employment development (7,000m²). The eastern boundary of the proposed extension is defined by the Borough's administrative boundary, rather than physical divisions on the ground. It has been agreed that joint working will take place between Hastings Borough Council and Rother District Council to adopt a joined up approach to the management of the urban fringe in that area, with particular emphasis on landscape protection and impact on the High Weald Area of Outstanding Natural Beauty.

6.18 East Sussex County recently completed a Landscape assessment of the Ivyhouse/ Rock Lane area (October 2013) commissioned by both Hastings and Rother District Councils. Its purpose was to provide a landscape appraisal of the defined study area to form a sound basis for considering the landscape setting and capacity for potential residential and employment development across both Hastings and Rother administrative areas."The output from this study is to assist in the selection of development sites from the Study Area provided". The study concluded that the existing informal open access in much of the Study Area could be formalised and properly managed to resolve the current urban fringe problems which are detracting from the AONB landscape.

6.19 A Design brief for the site is included in the Appendix A of the DM Plan which shows a clearer definition of the urban boundary as well as the landscape expectations for the site's development. More detailed guidance (in the form of Supplementary Planning Document) on joint urban fringes management is expected to further inform the development requirements for the site (paragraph 6.279 p198 of the DM Plan).

6.20 Further details can be found on the Hastings Borough Council website below:
http://www.hastings.gov.uk/environment_planning/planning/localplan/evidence_base/additional/#ivyhouse

Little Ridge Housing Allocations (LRA 1-3 & 10)

6.21 The combination of the three housing sites with an estimated potential for 322 new homes, near to the Conquest Hospital and close to the junction of the Queensway and the Ridge has the potential to have a strategic impact for all the authorities responsible for the area. Therefore Development Management Plan Polices require a Transport Assessment and Travel Plan be completed to take account of the proximity of the Ridge and if necessary improvements may be required. In addition these sites will also be expected to provide walking and cycling links to reduce the reliance on the car and improve local connectivity as well as investigate the potential for combined heat and power.

Queensway North & Marline Fields, Enviro 21 Business Park (LRA6 & 9)

6.22 Site LRA6 Queensway North, is allocated for employment use. Its partner site Queensway South (LRA9) has been partially developed as part of the Enviro 21 Business park scheme and could form the next phase. The Site adjoins the Marline Valley Site of Special Scientific Interest. The clauses inserted into the Policy Criteria that require appreciation of the impacts from the development on the Marline Valley are supported by Natural England (NE), however they remain concerned about the potential impact of development allocations in this area. An appropriate assessment has recently been completed by 'Applied Ecology' in accordance with the Habitats Regulations, and concluded that there are not any significant adverse effects from these sites.

Queensway/ Ridge Employment Allocations (LRA 7&8)

6.23 Similar to the Housing Allocations above these employment sites if taken together have the potential to create a high quality employment estate up to 12,000m² with a prominent frontage onto the Ridge - a key corridor when the Bexhill Hastings Link Road is open. Road infrastructure is required to release these sites and this is being brought forward through Sea Change Sussex (see earlier paragraph 4.8 of this statement of compliance). East Sussex will still require a Transport Assessment and Travel Plan to take account the sites proximity to the Ridge which has been reflected in the both the sites policies (p70 & p72 of the DM Plan).

7.0 Evidence of past meetings

- 7.1 A schedule was prepared to provide firm evidence of the discussions and meetings that have taken place with the prescribed bodies, in response to requests from the Inspector at the Hastings Planning Strategy Examination in Public (2013). Following more recent advice in the Duty to Co-operate PPG (March 2014), this information is now incorporated into Local Plan Monitoring Report. The schedule demonstrates the type of meetings that have taken place with key organisations to discuss the strategic matters as defined by the Duty to Co-operate. It also shows the range of informal working with all the other authorities within East Sussex that has taken place as well as relevant organisations such as the High Weald AONB Management Board and the Local Nature Partnership, through Sussex Wildlife Trust.
- 7.2 Whilst such meetings have been ongoing since work on the Local Plan began in 2006, the information presented in this report begins from the date of enactment of the Duty, and will be built on through future monitoring reports to demonstrate ongoing compliance in relation to the Hastings Local Plan.

8.0 Ongoing joint working arrangements

- 8.1 In the Inspectors report for the Planning Strategy (2103), Main Modifications (MM) were specified to ensure that the plan could be found sound. These MM included an emphasis that there should be continued efforts to co-operate with Rother and East Sussex County - particularly on the housing and employment implications of the Bexhill link road [MM1]; as well as the identifying of sites for renewable energy in the urban fringes, taking account of the objectives of the Combe Valley Countryside Park [MM6&7].
- 8.2 Planning Practice Guidance published in March 2014, also stresses that the Duty to Co-operate is something that should be 'ongoing', collaborative and 'diligent' and focused on outcomes. Feedback from other recent Local Plan examinations suggests that in order to meet the legal requirements the Statement of Compliance, Authorities should set out the 'latest state of play', particularly in relation to strategic matters such as housing.
- 8.3 Hastings and Rother Councils have jointly produced an update to earlier Strategic Housing Market Assessment (SHMA) work which provides an assessment of the objectively assessed housing need within the housing market area. The respective Core Strategies (the Hastings Planning Strategy) of the 2 Councils respond as much as they are able to meeting objectively assessed housing needs.
- 8.4 As a result of the revocation of the South East Plan and advice from both Hastings and Rother Planning Inspectors, Hastings and Rother Council officers agreed in April 2013, that several actions would be required to determine and test housing needs and provision in line with the requirements of the National Planning Policy Framework. These actions were to:

- i) work jointly with East Sussex County Council's Research and Information Team to merge the ONS projections with the local understanding of household formation rates, migration trends, etc.;
- ii) extend the previous work on the Strategic Housing Market Assessment to give further consideration of the findings of i) above, together with additional work on the housing market potential of Bexhill and Hastings
- iii) engage a specialist consultant to work with both Councils in order to ensure robustness;
- iv) consult nearby authorities on their ability to accommodate any unmet need, having due regard to their own assessed need and plan-making timetables.

8.5 The Hastings and Rother Strategic Housing Market Assessment Update: Housing Needs Assessment, June 2013 (HBC/PS/156), and Housing Delivery in Bexhill and Hastings, June 2013 (HBC/PS/157) documents are available on our website at http://www.hastings.gov.uk/environment_planning/planning/localplan/evidence_base/shma/

8.6 Following completion of this work, Hastings and Rother Council's jointly contacted 10 authorities in June 2013 to determine their ability to accommodate unmet need. The authorities were selected following an analysis of proximity to the Hastings & Rother Housing Market Area and the level of in-commuting and out commuting to Hastings and Rother.

8.7 The ability to determine whether there is capacity for other authorities to accommodate unmet need is largely dependent on where these authorities are in terms of plan preparation and identifying their own objectively assessed housing target. A summary of the information collated is set out in Table 2 below:

8.8 The responses received demonstrated clear commitment to future cooperation in terms of strategic issues. More specifically:

- Most of the Local Planning Authorities contacted have recently adopted Local Plans based on South East Plan/London Plan;
- Evidence, often through examination, is cited as limiting potential for higher growth;
- The evidence gathered means that we must advise that we have not identified a clear prospect of help in meeting our unmet housing needs;
- This may be explored further, but Local Plan reviews are either not programmed or at least some time off.

8.9 However, there is a willingness to engage on future reviews in light of the National Planning Policy Framework. All but 2 of the Local Planning Authorities that have replied have at least a 5- 7 year housing land supply, suggesting that there are not obvious pressing housing demand pressures in the areas from which most in-migration to Hastings and Rother has previously come.

Table 2: Scope for meeting unmet housing needs

Authority	Response received	Stage in plan preparation	Objective assessment of housing need?	Comments
Ashford	Interim	Adopted Core Strategy 2008	SHMA update underway	Identified 5 year supply, although unimplemented permissions
Tunbridge Wells	Yes	Adopted Core Strategy 2010	No	Welcome continued working
Wealden	Yes	Adopted Core Strategy 2013	No – planned as part of review	Cannot assist with unmet housing need. Current under provision against South East Plan
Brighton & Hove	Yes	Submitted City Plan (June 2013)	Yes	Cannot assist with unmet housing need. Current under provision
Eastbourne	Yes	Adopted Core Strategy 2013	Yes - above and beyond what can be delivered	Cannot commit to assisting with unmet housing need
Maidstone	No	Draft Plan	Unknown	N/A
Tonbridge & Malling	Yes	Adopted Core Strategy 2007. Currently under review	No	Too early in plan preparation but indicate cannot assist with housing need
Croydon	Yes	Adopted Strategic Policies 2013	No	Cannot assist with unmet housing need. Recent Inspector's report recognises future capacity constraints
Bromley	Yes	Draft Plan	No	N/A
Shepway	Yes	Core Strategy found Sound and due for adoption Sept 2013	No intention to review given recent adoption	Lack of scope in any event for the issue to be addressed by Shepway for the foreseeable future

Working with other authorities in East Sussex

8.10 In addition to the work outlined above we have continued dialogue on a spatial and countywide basis through Local Plan officer meetings as well as the East Sussex Member Group of respective Portfolio Holders for strategic planning and Chief Executives Group.

8.11 Of significance is the:

Hastings and Rother Task Force.

Councillors, and Senior Management of both Councils meet quarterly with other relevant organisations such as the Chamber of Commerce to discuss ways of successfully moving forward a 6 point plan for the towns' combined urban renaissance;



East Sussex Strategic Planning Members Group

Lead Councillors from all the local authorities across East Sussex including the SDNP (and possibly Brighton and Hove) will consider updates on progress with common policy issues such as infrastructure and housing. This group is at early stage but have recently agreed a Memorandum of Understanding which has been approved by all the respective authorities (See Appendix 3);



East Sussex Local Plan Managers Group

Senior Planning Officers are seeking the development of a common evidence base, as well as policy direction for Local Plans and the above Members Group. This group are currently reviewing and scoping the coverage of policy themes across East Sussex;



Other county wide groups such as **Planning Liaison Group** (attended by Planning Directors) and the **Local Plan Officers Group** also meet on a regular basis to discuss planning issues of strategic importance.

8.12 Most of these groups have also discussed the work of the spatial planning work of 'SELEP' with particular reference to the 'Coastal Communities' but the SE-LEP have not made any comments to date on the emerging plans.

8.13 Opportunities to address the cross boundary implications from site development proposals, as recommended in the Main Modifications to the Planning Strategy will be taken through these groups as and when relevant. Appendix 4 provides a report to the ESSPMG from the ESLPMG which highlights progress on the common policy evidence base for future Local Plan reviews.

9.0 Conclusion

- 9.1 Hastings Borough Council has had a high level of co-operation with other authorities and public bodies, particularly Rother District Council and East Sussex County Council, and had participated in a number of joint studies. This is reflected in the Hastings Planning Strategy and the Development Management Plan.
- 9.2 This report is an update to the Statement of Compliance with the Duty to Co-operate for the Hastings Planning Strategy, in that it relates more specifically to the Development Management Plan. It demonstrates the continued compliance with the Duty to Co-operate. In the future this will be presented through Local Plan Monitoring Reports.
- 9.3 The Consultation Statement that accompanies this report shows how the Council has actively engaged with local organisations, the community as well as those prescribed in the Act. This report pays particular attention to strategic cross boundary matters as defined in the Localism Act, and highlights the significant role that East Sussex County Council, as the county authority, and Rother District Council as the adjoining authority, have had in developing the Local Plan documents up to this stage.
- 9.4 Hastings Borough Council has therefore fulfilled its requirements under the Duty, as well as those in the National Planning Policy Framework and will continue to do so. This is clearly explained in this report and confirmed in Inspectors Report for the Hastings Planning Strategy.

Appendix 1 – Influence on the Hastings Planning Strategy

Organisation	Key Strategic Matter	Result/outcome	Influence on Local Plan
Rother District Council (adjoining authority)	Transport Housing Employment Renewable energy Flood Risk Community Infrastructure Levy Infrastructure Combe Valley Countryside Park	Regular meetings between Hastings and Rother Officer working groups – Planning Liaison, Local Plan Officers Group, Infrastructure Delivery Plan, Community Infrastructure Levy, Monitoring, Housing Delivery (with East Sussex County Councils and other East Sussex Authorities) Hastings and Rother Joint Members Briefing Housing Needs Survey (County wide) Housing Market Assessment Strategic Housing Market Assessment The Assessment of Housing Need in Hastings and Rother Transport Capacity Assessment (with ESCC and Highways Agency) Hastings and Rother Employment Strategy and Land Review	Developed a joint strategic vision for the future of Hastings and Rother Council's – The Shared Approach to Future Prosperity. Commissioned a housing market assessment (SHMA) to provide an assessment of the housing market area in order to inform housing policy requirements. Re-assessed housing need across the Hastings and Rother local housing market area, as required by the NPPF in support of the respective planning strategies for the two authority areas. Transport capacity of the town assessed to enable overall housing target to be assessed (with and without Link Road scenario). Fed into housing target and decision regarding strategic sites. Established level of employment growth required across the Travel to Work Area and subsequent floorspace needs to deliver regeneration objectives. Release of strategic employment land at North East Bexhill is as critical to Hastings as it is to

Organisation	Key Strategic Matter	Result/outcome	Influence on Local Plan
		<p>Appropriate Assessment of impact on Pevensey Levels</p> <p>Joint work regarding potential area for renewable energy generation on urban fringe (current)</p> <p>Assessment of viability of Community Infrastructure Levy, including implementation of a CIL Charging Schedule (with ESCC and other authorities)</p> <p>Development of Combe Valley Countryside Park (with Sussex Wildlife Trust)</p> <p>Rother kept informed of results of Strategic Flood Risk Assessment and Low Carbon and Renewable Energy Study</p> <p>Input into the "5 Point Plan" (Hastings and Bexhill Task Force)</p> <p>Close working regarding potential housing sites on Urban Fringes and strategic housing site at Breadsell Lane</p> <p>Acknowledgement of potential joint work</p>	<p>Rother, in view of the fact that this site will meet some of the employment needs arising in Hastings.</p> <p>Work together on lobbying for timely delivery of the Bexhill-Hastings Link Road. Inclusion in Planning Strategy.</p> <p>Political agreement on strategic issues and Local Plan preparation (from Hastings and Rother Joint Members Briefing).</p> <p>Shared evidence base regarding potential area of search for renewable energy generation, as well as potential in-combination impact of the Planning Strategy on Ashdown Forest (Appropriate Assessment).</p> <p>Decision taken not to include Breadsell Lane as a strategic housing site.</p> <p>Inclusion of Combe Valley Countryside Park in Planning Strategy Strategic Policy for Western Area.</p> <p>Decision to remove Wilting as a preferred option for development at this time.</p>

Organisation	Key Strategic Matter	Result/outcome	Influence on Local Plan
		<p>required in relation to the land between Rock Lane and Ivyhouse Lane</p> <p>Joint work regarding feasibility of Wilting as a development site, including provision of a station</p>	<p>Comments taken into account in determining suitability of site allocations on the urban fringes in Development Management Plan.</p>
East Sussex County Council	Transport Community Infrastructure Levy Infrastructure	<p>Officer working groups – Planning Liaison, Local Plan Officers Group, Infrastructure Delivery Plan, Community Infrastructure Levy, Monitoring, Housing Delivery, Green Infrastructure (with other East Sussex Authorities)</p> <p>Input into the joint Hastings and Rother housing and employment studies</p> <p>County wide Housing Needs Survey</p> <p>Landscape Appraisal</p> <p>Transport Capacity Assessment (with Rother District Council and Highways Agency), including transport modelling scenarios.</p> <p>Local Transport Plan 3</p> <p>Pooling of information in Development monitoring database</p>	<p>Development of Community Infrastructure policy setting out approach to Development Contributions and the potential impact of CIL and how it might be implemented in the future.</p> <p>Transport assessment (with and without Link Road scenario) used to inform overall housing target and associated work.</p> <p>Likely implementation of Link Road used to determine employment and housing growth in the town and subsequent Planning Strategy policies.</p> <p>Implementation strategy included within Planning Strategy Policy DS1: Housing Growth.</p> <p>Local Transport Plan 3 and Quality Bus Partnership influenced transport chapter of the Planning Strategy.</p> <p>Development of Policy CI1 of the Planning</p>

Organisation	Key Strategic Matter	Result/outcome	Influence on Local Plan
		<p>Quality Bus Partnership (with Stagecoach)</p> <p>Ongoing parking review (with other East Sussex authorities)</p> <p>East Sussex Open Spaces Strategy</p> <p>Timely delivery of the Bexhill-Hastings Link Road</p> <p>Employment monitoring data through East Sussex in Figures.</p>	<p>Strategy, setting out the most appropriate approach to community infrastructure, including securing Development contributions.</p> <p>Preparation of an Infrastructure Delivery Plan.</p> <p>Joint working helped prepare the Green Infrastructure policy and evidence base study to support it.</p> <p>Demographic projection data used in housing target analysis and information on future work force and Employment Strategy and Land Review used to development employment growth policies.</p> <p>Landscape appraisal used to determine suitability of sites on urban fringes for allocation.</p> <p>Amendment of Policy FA3: Hastings Town Centre to include criteria relating to ensuring development is accessible by public transport, people with disabilities and walking and cycling, and Policy FA4: Central St Leonards to require improvements to pedestrian and cycle routes.</p> <p>Comments made on many of the proposed site</p>

Organisation	Key Strategic Matter	Result/outcome	Influence on Local Plan
			<p>allocations influenced the decision taken as to whether they were included in the Development Management Plan. Comments also influenced design briefs and allocation details as appropriate.</p> <p>Collaborated in the drafting of policies, particularly on environmental and heritage issues in Section Three of the Development Management Plan</p>
The Environment Agency	<p>Flood Risk Sustainability Appraisal Coastal Change</p>	<p>Strategic Flood Risk Assessment (SFRA)</p> <p>Surface Water Management Plan (SWMP)</p> <p>Sequential Test of Site Allocations</p> <p>Sustainability Appraisal Scoping Report</p> <p>Sustainability Appraisal of Core Strategy Issues and Options and Preferred Approaches</p> <p>Sustainability Appraisal of the Hastings Planning Strategy</p> <p>South Foreland to Beachy Head Shoreline Management Plan</p>	<p>Studies have been used to analyse locations for development and each of the Spatial Area policies, including specific reference to areas where flood risk, surface water and water quality issues need to be taken into account.</p> <p>Developed Planning Strategy Flood Risk policy.</p> <p>Sustainability objectives used to assess the social, environmental and economic effects of the Planning Strategy.</p> <p>Shoreline Management Plan influenced our approach to coastal change, and helped determine that a Coastal Change Management Area was not required.</p> <p>Influenced Planning Strategy Policy SC3:</p>

Organisation	Key Strategic Matter	Result/outcome	Influence on Local Plan
		<p>Input into policy wording around flood risk and water quality issues</p> <p>Regular correspondence (telephone and formal comments) about policy development</p> <p>Sequential Test of Site Allocations</p>	<p>Promoting Sustainable and Green Design, to refer to water efficiency measures.</p> <p>Strategic objective included in Planning Strategy in relation to climate change and improvements to biodiversity.</p> <p>Feedback to the Sequential Test that has informed site allocations.</p> <p>Comments made on many of the proposed site allocations influenced the decision taken as to whether they were included in the Development Management Plan. Comments also influenced design briefs and allocation details as appropriate.</p>
English Heritage	Heritage and Conservation	English Heritage has been consulted as a statutory consultee but has not requested any input, or provided any feedback on the development of the Planning Strategy or the Development Management Plan.	No policies influenced as a result of specific engagement with English Heritage.
Natural England	Breadsell Lane Nature Conservation and Biodiversity	<p>East Sussex Green Infrastructure Group</p> <p>Appropriate Assessment of Core Strategy Preferred Approaches (Consultation version)</p> <p>Final Appropriate Assessment of the Planning</p>	Studies and dialogue influenced the decision to remove Breadsell as a strategic housing site on the basis that Natural England would not be in a position to withdraw their objection without the results of a further monitoring work.

Organisation	Key Strategic Matter	Result/outcome	Influence on Local Plan
		<p>Strategy</p> <p>Supplementary Habitats Regulations Assessment for Ashdown Forest</p> <p>Sustainability Appraisal Scoping Report</p> <p>Sustainability Appraisal of Core Strategy Issues and Options and Preferred Approaches</p> <p>Sustainability Appraisal of the Hastings Planning Strategy</p> <p>Green Infrastructure Study</p> <p>Formal comments and letters regarding Breadsell Lane</p> <p>Design and impact studies to determine feasibility and scope for mitigation of development on land at Breadsell Lane.</p> <p>Regular correspondence (telephone and formal comments) about policy development</p>	<p>Sustainability objectives used to assess the social, environmental and economic effects of the Planning Strategy.</p> <p>Appropriate Assessment and subsequent updates used to ensure that any effects on Natura 2000 sites were properly assessed and mitigated against.</p> <p>The inclusion of a Green Infrastructure policy within the Environment Chapter, and preparation of a Green Infrastructure Study as evidence to support it.</p> <p>Natural environment included in the overall Vision.</p> <p>Objective included in relation to climate change and improvements to biodiversity</p> <p>Biodiversity in building design considered in Planning Strategy Policy: Overall Strategy for Managing Change. Influenced environmental policies and reference to international nationally designated sites.</p> <p>Green Infrastructure Study identifies a number of potential site allocations in the Development</p>

Organisation	Key Strategic Matter	Result/outcome	Influence on Local Plan
			<p>Management Plan to contribute to open and green space provision in the Borough.</p> <p>Comments made on many of the proposed site allocations influenced the decision taken as to whether they were included in the Development Management Plan. Comments also influenced design briefs and allocation details as appropriate.</p>
The Mayor of London	N/A – not a London Authority	No action required in relation to Duty to Co-operate	No policies influenced
The Civil Aviation Authority	N/A – no airports within the borough	No action required in relation to Duty to Co-operate	No policies influenced
The Homes and Communities Agency	Housing Affordable Housing	No action required in relation to Duty to Co-operate	No policies influenced as a result of specific engagement with the Homes and Communities Agency.
Primary Care Trust (Now NHS Sussex representing NHS Hastings and Rother)	Infrastructure Housing	<p>Input into, and frequent contact regarding the Infrastructure Delivery Plan.</p> <p>Formal comments submitted regarding housing mix and types of housing, and affordable housing</p>	<p>Assessment of need for healthcare facilities to support level of new development proposed, as shown in the Infrastructure Delivery Plan and Schedule.</p> <p>Housing mix policies recognise the need to provide a mix of dwelling sizes, recognising site specific circumstances.</p> <p>Affordable housing policy makes clearer that on site provision is considered in the first instance for relevant developments.</p>

Organisation	Key Strategic Matter	Result/outcome	Influence on Local Plan
The Office of Rail Regulation (Network Rail)	Transport	<p>Network Rail have had input into the Infrastructure Delivery Plan</p> <p>Schemes and services identified that are required over the Plan period</p> <p>Local Transport Plan 3</p>	Transport chapter reflects the requirements of Local Transport Plan 3 and the need for additional schemes and services are identified in Policy T1.
Transport for London	(N/A – not a London Authority)	No action required in relation to Duty to Co-operate	No policies influenced.
Integrated Transport Authority	N/A – The Department for Transport requested to be deleted from Local Plan database	No action required in relation to Duty to Co-operate	No policies influenced.
Highway Authority (East Sussex County Council and Highways Agency)	<p>East Sussex – see above</p> <p>Highways Agency – Transport Housing Employment</p>	<p>Input into Transport Capacity Assessment</p> <p>Link Road</p>	<p>Impact of development on Highway Network assessed through the capacity assessment – contributed to overall housing target.</p> <p>Delivery of Link Road supports overall strategy.</p> <p>Influenced decision to remove Breadsell Lane as a strategic site.</p> <p>Ensured need for transport assessments and measures to reduce impact on strategic road network included within the Development Management Plan.</p>

Organisation	Key Strategic Matter	Result/outcome	Influence on Local Plan
			Influenced Development Management Plan Access Policy.
The Marine Management Organisation	Infrastructure	The Marine Conservation Zone (MCZ) of the Borough's coast, was first identified as part of the Development Management Plan consultations	Policy DM7: Water Resources in the Development Management Plan now refers to Marine Conservation Zone.
South East Local Enterprise Partnership	Economic Development Transport	Support for Link Road Growing Places Funding allocated to Hastings Supporting regeneration and growth in coastal communities	Delivery of Link Road supports overall strategy. Supports delivery of employment space as part of overall employment allocation and strategy objectives. Supports regeneration and growth objectives.
Local Nature Partnership (led by Sussex Wildlife Trust	Environment	No action required in relation to Duty to Co-operate – being set up as at January 2013	No policies influenced. However, Sussex Wildlife Trust in their original capacity has had influence over delivery of Combe Valley Countryside Park in particular.

Appendix 2 Sites with potential for cross boundary issues (Revised Submission Version 2014)

Spatial Area & Policy	Focus Area	Site Ref:	Site Name and Allocation (homes/ gross floorspace m ²)	Representations from Rother District Council	Representations from ESCC and prescribed Partners	Outcomes
Western FA1: Strategic policy for the Western Area	Focus Area 1: Little Ridge & Ashdown	LRA 1	Holmhurst St. Mary (Residential 165)	-	-	-
		LRA2	Harrow Lane Playing Fields (Residential 140)	-	-	-
		LRA3	Land Adjacent to the 777 Ridge (Residential 10)	-	-	-
		LRA5	Former Workplace Health & Fitness Centre, The Ridge West (Residential 11)	-	-	-
		LRA6	Queensway North, Queensway (Employment 9,700)	-	OBJECT: Natural England (John Lister) The clauses in the policies for LRA6 and LRA9 (that requires consideration of impact on the Marline Valley SSSI) are supported, but is there a case for wider screening of the potential impact of development of allocations in this part plan area (alone and in combination) on SSSIs.	As part of the planning application for this employment site, the ecological impact of the development was surveyed and assessed in consultation with Natural England. Natural England considered that the impact of future development on the site will not result in a significant adverse impact on the integrity of the SSSI alone or in combination with the Marline Fields development (LRA9) and no further assessment is considered necessary or reasonable in the circumstances.

Spatial Area & Policy	Focus Area	Site Ref:	Site Name and Allocation (homes/ gross floorspace m ²)	Representations from Rother District Council	Representations from ESCC and prescribed Partners	Outcomes
		LRA7	Land at junction of the Ridge West and Queensway <i>(Employment 6,000 up to 12,000 if combined with LRA8)</i>	<p>SUPPORT Rother District Council (Mr Roger Comerford)</p> <p>Support provided HBC work with ESCC to deliver improvements to the local highway network (in particular the connection between The Ridge junction and the Bexhill-Hastings Link Road) in accordance with the Hastings Planning Strategy Policy T2 on this site, if necessary.</p>	-	Minor (Focussed) Modifications to confirm that Hastings will continue to work with ESCC to deliver improvements to the local highway network and in ensuring appropriate connections are made between Queensway and the A21.
		LRA8	Land in Whitworth Road, The Ridge West <i>(Employment 6,000 up to 12,000 if combined with LRA9)</i>	<p>SUPPORT Rother District Council (Mr Roger Comerford) same as LRA 7 above</p>		
		LRA9	Marine Fields, Enviro 21 Business Park, Land West of Queensway <i>(Employment 5,600)</i>	-	<p>Object: Natural England (John Lister) The clauses in the policies for LRA6 and LRA9 (that requires consideration of impact on the Marline Valley SSSI) are supported, but is there a case for wider screening of the potential impact of development of allocations in this part plan area (alone and in combination) on SSSIs.</p>	As part of the planning application for this employment site, the ecological impact of the development was surveyed and assessed in consultation with Natural England. Natural England considered that the impact of future development on the site will not result in a significant adverse impact on the integrity of the SSSI alone or in combination with the Queensway North development (LRA6) and no

Spatial Area & Policy	Focus Area	Site Ref:	Site Name and Allocation (homes/ gross floorspace m ²)	Representations from Rother District Council	Representations from ESCC and prescribed Partners	Outcomes
						further assessment is considered necessary or reasonable in the circumstances.
Focus Area 2: Greater Hollington	GH8	Sites PX & QX, Churchfields (Employment 6,900)	-	-	-	-
	GH9	Site NX2 Sidney Little Road, Churchfields (Employment 770)	-	-	-	-
	GH10	Site RX2 Sidney Little Road, Churchfields (Employment 910)	-	-	-	-
	GH11	Site NX3 Sidney Little Road, Churchfields (Employment 920)	-	-	-	-
	GH2	Mayfield E Bodium Drive (Residential 37)	-	-	-	-
	GH4	Mayfield J, Mayfield Lane (Residential 36)	-	-	-	-
	GH6	Mayfield Farm (Residential 8)	-	-	-	-
Focus Area 3: Filsham Valley and Bulverhythe	FB10	Land South of Crowhurst Road (Permanent Site for Gypsies & Travellers 2 pitches)	-	-	-	-
	FB12	Land South of Upper Wilting Farm (Wind Turbines)	SUPPORT Rother District Council (Mr Roger Comerford) Policy supported subject to the supporting text being supplemented to explain that	OBJECT Natural England (Mr John Lister) It is unclear whether Policy FB12 - Land south of Upper Wilting Farm (for wind turbines)	Suggested Changes to the supplementary text are accepted and included in the Minor (focussed) modifications which will be sent to PINS with the Submission of the Plan.	

Spatial Area & Policy	Focus Area	Site Ref:	Site Name and Allocation (homes/ gross floorspace m²)	Representations from Rother District Council	Representations from ESCC and prescribed Partners	Outcomes
				the acceptability of any scheme will depend upon demonstrating that it respects the range of environmental factors related in the policy criteria.	has been assessed for its impact on the birds (inter alia) associated with the adjoining SSSI. The SSSI is important for a number of breeding birds and also supports waders and wildfowl such as lapwing, teal and snipe during winter. The latter species, in particular, must be considered vulnerable to displacement and collision impacts.	Minor (focussed) modification has been made to the policy and supplementary text based on the outcome of ecological appraisal undertaken further to Natural England representations.
		FB13	Hastings Garden Centre, Bexhill Road (<i>Residential 12</i>)	-	-	-
Central FA2: Strategic Policy for the Central Area	Focus Area 4: St. Helens	SH1	Land adjacent to Sandrock Park, The Ridge (<i>Residential 80</i>)	-	-	-
		SH2	Land at Osbourne House, The Ridge (<i>Residential 55</i>)	-	-	-
		SH3	Hurst Court, The Ridge (<i>Residential 20</i>)	-	-	-
		SH4	Mount Denys, Pinehill & Ridgeway (<i>Residential 31</i>)	-	-	-
		SH7	191 The Ridge (<i>Residential 8</i>)	-	-	-
Eastern Area	Focus Area 11: Hillcrest	HOV11	Ivyhouse Lane, northern extension (Employment 7,000)	SUPPORT Rother District	-	Suggested Changes to the Policy criteria are accepted and included in

Spatial Area & Policy	Focus Area	Site Ref:	Site Name and Allocation (homes/ gross floorspace m ²)	Representations from Rother District Council	Representations from ESCC and prescribed Partners	Outcomes
FA5: Strategic Policy for the Eastern Area	& Ore Valley			<p>Council (Mr Roger Comerford) New policy supported subject to amendments requested. More detailed guidance should be given to ensure the siting and access arrangements to help minimize the industrial character of the site and any adverse impact on the AONB.</p>		<p>the Minor (focussed) modifications which will be sent to PINS with the Submission of the Plan. This will also help to clarify on their concerns that both the supporting text and the design brief pre-judge the approach which is yet to be revealed from the ongoing joint work. Rother Council have however recognised that the related 'design brief' does largely reflect the outcome of the joint work between the two councils.</p>
	HOV12		Land east of Burgess Road, Ivyhouse (Employment 1,400)	<p>SUPPORT Rother District Council (Mr Roger Comerford) Support site allocation.</p>		

Appendix 3

Memorandum of Understanding

BETWEEN

MEMBERS OF

East Sussex Local Authorities

July 2013

Introduction

1. This is a Memorandum of Understanding between the local authorities with responsibility for planning which combine to form the administrative area of East Sussex whose administrative boundaries and responsibilities necessitate constructive, active and on-going co-operation in their planning and delivery of key strategic objectives principally for planning, economic development and regeneration matters, but also other relevant strategic issues that may be identified, not least in respect of Section 110 of the Localism Act 2011.
2. In addition, the National Planning Policy Framework (NPPF) states that local planning authorities will be expected to demonstrate evidence of having effectively co-operated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. It goes on to state that co-operation should be a continuous process of engagement from initial thinking through to implementation (paragraph 181).
3. The Memorandum sets out a shared framework through the creation of a Joint Portfolio Holder Members Group to underpin that co-operation and collaboration, and, where necessary and / or appropriate, joint working between relevant parties on specific projects.
4. The Memorandum sets out matters of agreement, reflecting the spirit of co-operation between the parties to the memorandum. It is not legally binding nor is it intended to cover every detailed aspect of their relationships; rather it is a statement of principles to guide relations between the parties and provide a set of workable ground rules for early discussion and co-operation in addressing strategic and cross-boundary issues.
5. The memorandum does not override the statutory duties and powers of the individual parties.

Parties

6. The East Sussex Local Authorities with responsibility for planning are:

East Sussex County Council

Eastbourne Borough Council

Hastings Borough Council

Lewes District Council
Rother District Council
Wealden District Council
South Downs National Park Authority

Purpose

7. The purpose of the Joint Portfolio Holder Members Group is to underpin effective co-operation and collaboration between the authorities and other bodies, including, but not limited to, those bodies prescribed in the Town and Country Planning (Local Planning) (England) Regulations 2012 to help oversee and deliver the essential strategic planning, infrastructure and regeneration responsibilities of the constituent partners to provide optimal synergy of delivery across boundaries.
8. The Group is intended to further existing good practice in cross-boundary co-operation, to share understanding and promote priorities for investment to support the future development growth and the regeneration of the wider area.
9. A key area where the Group will add value will be to facilitate the early alignment of cross-boundary infrastructure issues and other strategic Local Plan matters which extend across the county and beyond.
10. This purpose will be achieved through two primary activities:
 - i. To raise awareness in general about current and future activity and issues
 - ii. To explore key matters of concern to understand how these are affecting development and / or delivery of plans

Limitations

11. The parties to the Memorandum recognise that there will not always be full agreement in respect of all the issues on which they have a duty to co-operate. For the avoidance of doubt this agreement shall not fetter the discretion of any of the parties in relation to any of their statutory powers or duties, and is not intended to be legally binding.

Roles and Responsibilities

12. There are a number of roles and responsibilities which shall be carried equally by the member authorities of the Joint Portfolio Holder Members Group.
13. Signatory authorities to this Memorandum will
 - i. Provide regular meetings and effective levels of member and officer representation so as to allow the participating authorities to interact effectively in the working and progress of the Joint Portfolio Holder Members Group;
 - ii. Ensure that, where official representatives of the Group commit to the provision of manpower or other resources, or to undertake specific tasks, these are fulfilled within appropriate, agreed time scales;
 - iii. Contribute, with the appropriate resources, to requests received from partners for responses and support on matters which impact across

administrative boundaries, for example through joint consultation exercises, public exhibitions and delivery programmes;

- iv. Receive, through their official representatives, a range of information, presentations and reports, including any necessary formal reports to provide input for local decision making purposes, so that agreed programmes of work in relation to strategic planning, infrastructure and regeneration matters can be taken forward.

12. In addition to the shared roles and responsibilities set out above, each partner of the Joint Portfolio Holder Members Group will have discrete roles and responsibilities which reflect their own mandatory and discretionary duties and powers as they may relate to any project overseen by the Joint Portfolio Holder Members Group.

13. Each authority shall be represented by their Strategic Planning / Economic Development Portfolio Holder / Lead Member (or appointed equivalent) supported as appropriate by a suitably senior officer.

14. Meetings of the group shall be arranged on a quarterly basis with appropriate, but light touch arrangements made for calls for reports, agenda items and discussion papers. Meetings will be briefly minuted, with action points.

Liaison with other relevant groups

15. Senior Officers of each party to this Memorandum will liaise formally through existing county-wide officer groups. As appropriate they will ensure that this Memorandum and the activities and interests of the Joint Portfolio Holder Members Group are formally discussed at those other meetings, with actions recorded in the minutes.

16. Informal liaison will continue between officers will continue to take place about the matters contained in this Memorandum.

Timescale

17. This Memorandum of Understanding will run for a period of three years from July 2013.

18. It will be reviewed annually by the parties to establish how effective it has been and whether any changes are required. The results of this review will be reported to the relevant internal body of each party and made publicly available.

General

19. The terms of the Memorandum may be amended at any time by agreement in writing between all the parties.

20. The parties agree that this Memorandum and any disputes arising under or in any way connected with the subject matter or formation of this Memorandum shall be governed by and construed in accordance with English law and to the exclusive jurisdiction of the English courts.

Signatures

For and on behalf of -

East Sussex County Council:	Dated
	10/06/2014

Rupert Clubb, Director of Communities, Economy and Transport	
Eastbourne Borough Council:	
Rob Cottrill, Chief Executive	11/04/2014
Hastings Borough Council:	
Simon Hubbard, Director of Regeneration	24 April 2014
Lewes District Council:	
Jenny Rowlands, Chief Executive	23/4/14
Rother District Council:	
Anthony Leonard, Executive Director of Business Operations	11/4/14
Wealden District Council:	
Charlie Lant, Chief Executive	11/04/2014
South Downs National Park Authority:	
Trevor Beattie, Chief Executive	23/4/14

Appendix 4

Report to	East Sussex Strategic Planning Members Group
Date	21st July 2014
Report by	East Sussex Local Plan Managers Group
Title of report	Development of a common evidence base and policy direction in relation to topic-based policies
Purpose of report	To update Members on the progress of the common policy issues work programme

Recommendations:

East Sussex Strategic Planning Members Group is recommended to note the progress of work on the development of a common evidence base and policy direction for local plans.

Introduction

1. The duty to co-operate work programme was circulated in January 2014, resulting from a request from the inaugural meeting of the East Sussex Strategic Planning Members Group (ESSPMG) in September 2013. This report covers progress on the third area of work identified, which relates to the development of a common evidence base and policy direction in relation to specific topics areas for which detailed policies are required.

Background

2. The duty to co-operate has primarily been an issue for local planning authorities at public examination in respect of meeting unmet development requirements. However, the duty is also becoming an issue in relation to development management policies and Inspectors are increasingly looking for policy consistency between local authorities facing similar planning issues. As most of the local planning authorities within East Sussex are currently developing topic-based development management policies to replace existing 'saved' Local Plan policies following approval of their Core Strategies, this presents an opportunity for cross-boundary co-operation at an early stage in order to improve the effectiveness and efficiency of policy formulation across the County.

Progress

3. The progress made to date and current findings for the individual topic areas is set out below:

Development in the High Weald AONB

4. This work is being taken forward for the entire AONB through the High Weald Officer Steering Group. Scoping of the work has been completed, a shared list of current policies and evidence base collated, and a sub-group formed specifically to advise on best practice in relation to both planning and design issues. This sub-group includes representatives of East Sussex County Council, Rother District Council and Wealden District Council and intends to report in Autumn 2014.

Biodiversity and Green Infrastructure

5. This work is being taken forward by the East Sussex Landscape & Biodiversity Working Group. The Working Group has produced a Green Infrastructure Study which provides:
 - A review of best practice guidance and case studies across the UK
 - A review of case studies in East Sussex, using Wealden District Council as a case study
 - Production of a comprehensive set of maps bringing together all available data sets
 - Assessment of the key functions that the mapped green infrastructure assets currently fulfil
 - Mapping of the potential to enhance the multifunctional benefits provided by the above assets
6. The next steps that will be considered by the Working Group are:
 - Mapping existing networks, partnerships and projects across East Sussex
 - Using the guidance and mapping to inform green infrastructure policies in Local and Neighbourhood Plans
 - Identifying opportunities from new development for the enhancement of existing and creation of new green infrastructure
 - Developing design briefs for key development sites once Local Plan allocations have been determined
7. The Working Group will report back on progress on the above issues in Autumn 2014

Sustainable Transport

8. ESCC is leading on this work and confirms that all the Core Strategies generally have good basic policies on sustainable transport which are consistent with the East Sussex Local Transport Plan. ESCC officers are working in partnership with individual authorities to develop detailed policies for development management and individual site allocations. The Eastbourne Town Centre Local Plan and the Wealden Strategic Sites Local Plan are good examples of how this partnership approach has worked in practice and ESCC are currently working with Rother and

Hastings on walking and cycling strategies which will link into their respective site allocations plans.

9. It is therefore not considered that a project team approach would be particularly beneficial in terms of ensuring consistency of transport policy across the County. Instead, ESCC will continue to work with individual authorities to ensure that local plan policies are developed to take account of local circumstances and will continually review the partnership work being undertaken with the aim of informing other authorities if there are common themes that they should be aware of or need to take into account. ESCC will also continue to engage in the development of Local Plans to ensure that there is consistency across the County and that plans accord with the Local Transport Plan.

Renewable Energy

10. A project team comprised of all the local planning authorities is taking forward the work on renewable energy developments. The identification of existing policies and evidence base in the relevant local plans has been completed. Meetings are being held to scope the project, determine the main issues to be addressed, and identify further evidence requirements for specific types of renewable energy developments. A report reflecting the shared understanding of the project team will then be produced which will provide a background paper for emerging detailed planning policies in Autumn 2014.

Community Facilities

11. Hastings Borough Council is taking forward this work and will be sharing its findings with other East Sussex authorities. Scoping of the work and identification of the existing policies and evidence base in the relevant local plans has been completed. It has been initially concluded that there is currently no common policy definition of 'community facilities' across the County and this is an issue that may need to be addressed. Any further discussion between the local authorities on future policy direction will be reported back in Autumn 2014

Older Persons Housing

12. Wealden District Council is leading this work and will be sharing its findings with other East Sussex authorities. Scoping of the work and identification of the existing policies and evidence base in the relevant local plans has been completed. Further analysis has yet to be undertaken and the finding will be reported back in Autumn 2014.

Tourism Facilities

13. Eastbourne Borough Council is leading this work and will be sharing its findings with other East Sussex authorities. Scoping of the work and identification of the existing policies and evidence base in the relevant

local plans has been completed. It has been initially concluded that all the authorities have differing approaches to tourism developments. Further analysis has yet to be undertaken and the finding will be reported back in Autumn 2014.

Equestrian Development

14. Lewes District Council I is leading this work and will be sharing its findings with Rother and Wealden. Scoping of the work and identification of the existing policies and evidence base in the relevant local plans has been completed. It has been concluded that all the relevant local plan policies are well-aligned in their individual approaches to equestrian development, but there are some inconsistencies which may need to be resolved. Further discussion between the respective authorities will be undertaken, together with any additional evidence gathering that may be appropriate, and the finding reported back in Autumn 2014.

Recommendation

15. It is recommended that the current work progress on the development of a common evidence base and policy direction for local plans is noted and that the outcomes of this work are the subject of a further report to ESSPMG later in the year.