



Inspector's Matter 1  
(Savills for Mr S Lyons Ref 299)

**HASTINGS BOROUGH  
LOCAL PLAN  
EXAMINATION IN PUBLIC**

**EXAMINATION STATEMENT**

**Mr S Lyons**

**Submitted 18 January 2013**

**Matter 1: Requirements, Vision, Strategy, Objectives and Sustainability**

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### **Introduction**

This Examination Statement has been submitted by Mr S Lyons as part of the Examination in Public on the Hastings Local Plan. The Statement highlights and where necessary expands upon representations submitted by Mr S Lyons at the Proposed Submission (Regulation 27) stage of the Core Strategy process. It does not repeat representations.

### Referencing

Mr S Lyons has referred to the representations submitted on the Proposed Submission 'Publication' Core Strategy throughout the Examination Statement.

## **Matter 1: Requirements, Vision, Strategy, Objectives and Sustainability**

18 January 2013

**Issue 1: Has the council complied with all the legal requirements, and in particular the duty to co-operate, and are the Local Plan's proposals for sustainable growth deliverable, clear, sufficiently justified, effective and consistent with all relevant national policy?**

It is not considered necessary or relevant in this instance to respond to questions 1.1, 1.2, 1.6, 1.9, 1.10, 1.12, 1.13, 1.1.4 and 1.15 of this matter.

### **Issue 1.3**

**Is the vision for the Borough and the 7 Strategic Objectives realistic and achievable? Is the plan period 2011 – 2028 appropriate and is it consistently adopted throughout the Local Plan? Will the implementation of the policies in the Local Plan realise the vision?**

With regard to Objective 2 (a, c and d) and as set out in representations made in relation to Policy DS1 (paragraphs 4.21 to 4.23 and all other relevant references in the Planning Strategy with respect to the housing target) a housing target of at least 3,407 net new dwellings between 2011 - 2028 is not sufficient to meet the long term housing needs of the District which is set as 7,840 (until end of plan period 2028) in paragraph 4.11 of the Local Plan. It is understood that this figure has been revised to 7,493 in the 'An Assessment of Housing Need in the Hastings and Rother Housing Market Area, May 2012' paper).

As set out in the representations submitted in relation to policy DS1 it is considered that the Local Plan fails to set out an objectively assessed housing need for the Borough and as a consequence is not flexible in ensuring sufficient sites are identified over the plan period in order to deliver the required number and mix of property necessary to provide the long term housing need of Hastings Borough.

It is respectfully requested that clarification is sought on the calculations used in determining the housing requirement in accordance with paragraph 159 of the National Planning Policy Framework.

#### **Issue 1.4**

**In general terms, and subject to later discussions, does the Local Plan adequately take account of the National Planning Policy Framework (the Framework)? Has the timescale for the preparation of the Local Plan through its various stages allows sufficient regard to be had to the Framework and, if not, what are the likely consequences?**

We consider that there has been sufficient time for the Local Authority to reflect on the requirements of the National Planning Policy Framework. In respect of the identified housing requirement and the 5 year land supply these have not been met.

#### **Issue 1.5**

**Has the Local Plan been positively prepared and does it fully meet the objectively assessed development needs of the area? And does it do so with sufficient flexibility to adapt to change? And what might be the consequences of any insufficient flexibility?**

The objectively assessed housing need of 3,400 is an under provision of housing in relation to the SEP (South East Plan) housing targets and the 7,840 new homes which are identified to be needed by 2028 within paragraph 4.11 on the Local Plan (derived from the trend-based figure). The Council, in its letter to the Inspector dated 29 November 2012 identified that following an assessment of housing need based on different methods of assessment, the concluding housing figures take a 'reasonable approach having regard to the strategic objectives for the area'. For further detail and explanation of our opinion regarding this issue, I refer you to our representations made in relation to policy DS1 which set out why, in our opinion, the level of housing requirement fails to be justified and consistent with the National Policy test of soundness.



Policy DS1 identifies that to enable the identified housing figure to be met over the plan period, sites will be allocated in the Development Management Plan to meet this target. If the Annual Monitoring Report identifies that the five year housing land supply plus 20% cannot be met, the Council will take action to increase the supply of deliverable sites by way of a series of criteria set out within the policy text. It is known from the Council's own trajectory that it would exceed its requirements by as little as 31 dwellings over the plan period if all of the dwellings were to come forward. It is therefore likely that additional sites will need to be found in order to meet the housing requirement. The criteria set out in policy DS1 fails to identify the consideration of opportunities relating to the use of available Greenfield sites for future development and is therefore inflexible in ensuring that sufficient and suitable development sites can be brought forward to meet the projected housing need.

#### **Issue 1.7**

**Have any reasonable alternative options been assessed to achieve the economic, social and environmental objectives in a sustainable way? Has the correct balance been achieved between these 3 dimensions? Does the Local Plan set out the most appropriate strategy against reasonable alternatives?**

There is an opportunity through the development of Land at Rock Lane, to positively enhance the existing AONB through landscaping measures which could be incorporated into any proposals for the site. Such an approach would be beneficial in balancing the Council's objectives to enhance the AONB and provide additional sites for housing.

As set out in our representations made with regard to policy FA11, securing an appropriate amount of development along the frontage of Rock Lane would be consistent with the potential development on my client's land to the north within the administrative boundary of Rother, which has been allocated for development within the Rother District Council SHLAA.

### **Issue 1.8**

**How relevant to the Local Plan is survey material which informed the Regional Strategy? Is the Local Plan in general conformity with the Strategy?**

The survey material which informed the SEP must be taken into account in the writing of the Local Plan. The requirement to comply with the SEP is evidenced in the Inspector's letter to Rother District Council following the examination hearing (dated 13 December 2012), which addressed Rother District Council's failure to comply with the housing targets set out in the SEP.

As referred in Examination Statement 3, Issue 3.8 the SEP identifies a housing requirement of 4,200 dwellings for Hastings Borough. The 3,400 new homes target set out in paragraph 4.21 of the local plan is set at 800 dwellings below the SEP target over the plan period until 2028. With regard to the identified housing need for Hastings Borough Council, and in light of the Inspector's response to Rother District Council's Housing target, this in our opinion would fail to be justified and consistent with the National Policy test of Soundness and is in direct conflict with the housing targets set in the SEP.

### **Issue 1.11**

**Is there a clear vision for the future pattern of development with particular regard to housing, employment and transport proposals? Does the pattern of development promote the use of sustainable modes of transport? To what extent can the Council implement the various transport proposals and expectations?**

I refer you to our representations made with regard to policy FA11. The Council's more recent consideration of the potential development of Land at Breadsell Lane for development, and the potential allocation of a nearby site at Winchelsea Lane in the AONB (part of the focused consultation of the DMP), is indicative of the need for the Council to look beyond the use of Brownfield land



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and allocated Greenfield land to meet its development needs and suggested that the Local Plan does not set out a clear patter for future development.

**END OF STATEMENT**