

**Hastings Planning Strategy Examination**

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

**Statement by Rother District Council**

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## Introduction

This statement presents Rother District Council's evidence in relation to Matter 1: 'Requirements, Vision, Strategy, Objectives and Sustainability', namely:

***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?***

The statement is structured to address the specific issues for examination as identified by questions raised by the Inspector.

***1.1 What measures has the Council taken to comply with the duty to co-operate, with whom has that co-operation taken place and what has been the outcome of that co-operation?***

1.1a Hastings Borough Council has co-operated with this Council on an on-going basis, at both political and officer level, in the preparation of its Planning Strategy.

1.1b This co-operation has resulted in the joint vision for the regeneration of the Hastings and Bexhill area - '*A shared approach to future prosperity*' - which is contained in both our respective Strategy documents<sup>1</sup>.

1.1c The 'duty to co-operate' relates notably to working across housing market and labour market areas, as well as in relation to visioning. Locally, these areas extend beyond Hastings into Rother district. The two local planning authorities (LPAs) have worked together in developing their evidence base through the joint Strategic Housing Market Assessment (SHMA) and Employment Strategy and Land Review (ESLR).

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<sup>1</sup> Page 30, Rother District Proposed Submission Core Strategy – August 2011

1.1d In line with the recommendations of the joint ESLR, Rother DC is planning (in its Proposed Submission Core Strategy) for a scale and form of employment land that will contribute to the wider needs of the Hastings and Bexhill area<sup>2</sup>.

1.1e The LPAs have also worked together in relation to both development and conservation matters affecting the fringes of the Hastings urban area. This can be seen in:

- a) The consistent, strategic view of the role of the Combe Valley Countryside Park, in both the 'shared vision, the joint working as part of the Countryside Park Management Board and in respective policies<sup>3</sup>
- b) The cross-boundary approach to development and urban fringe management of land between Ivyhouse Lane and Rock Lane<sup>4</sup>
- c) Close liaison and co-operation in respect of potential development straddling the respective areas<sup>5</sup>

**1.2 *Does the Local Plan adequately set out the main characteristics of the Borough, its main assets, problems (including various aspects of deprivation), its attractions, challenges and opportunities? Is St Leonards given the attention which it deserves, particularly Burtons' St Leonards?***

1.2a It is noted that the Borough Council's Planning Strategy explicitly recognises the consideration of wider issues also affecting Rother district.

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<sup>2</sup> See [Hastings & Rother Employment Strategy and Land Review Update August 2011](#) paragraph 6.9

<sup>3</sup> See Hastings Proposed Submission Planning Strategy policy FA1 and [RDC Proposed Submission Core Strategy](#) Policies HF1 and EN5

<sup>4</sup> See Policy FA5 of the Hastings Planning Strategy and Policy HF1 of the [RDC Proposed Submission Core Strategy](#)

<sup>5</sup> See RDC [Hastings Fringes Background](#) Paper

**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?***

1.3a The Plan period coincides with that of the Rother Local Plan Core Strategy. Both provide for a period of approximately 15 years from the anticipated date of adoption, in line with the National Planning Policy Framework ('the Framework').

1.3b Achieving the vision will be assisted by policies in the Rother Local Plan Core Strategy, as noted in 1.1 above.

**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 allowed sufficient regard to be had to the Framework and, if not, what are the likely consequences?***

1.4a Rother District Council considers that the Borough Council has had due regard to the Framework. Indeed, it can be regarded as having applied the planning principles within the Framework throughout, on the basis that the Framework carries forward the vast majority of previous guidance, albeit in an abridged form, regarding planning for sustainable development.

1.4b An area of potential argument is around the Framework's requirement for planning to meet the 'objectively assessed need for housing'. This is considered more fully in response to Matter 1.5 below. However, in broad terms, the Councils are proposing to approximately meet<sup>6</sup> the housing need identified in the South East Plan (which distributes development around the region based on sustainability principles).

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<sup>6</sup> Attention is drawn to the Council's [Proposed Modifications to its Core Strategy](#) which look to increase housing provisions to a level equivalent to the South East Plan target for the district.

1.4c A [joint assessment](#) of housing needs has been undertaken by the Councils in the absence of an agreed methodology. This effectively concludes that trend projections do not provide a proper basis for defining need, as it is dampened having regard to economic conditions and the regional priority for regeneration of the Hastings and Bexhill area. As discussed below, while the detailed results of the 2011 Census will yield more up-to-date information on which to base more up-to-date projections, it will take some time to assimilate and draw on these.

**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?***

1.5a The District Council has not commented on the extent to which it meets the need for retail development, but does comment, supportively, on the overall provision for employment land and housing.

1.5b The need for employment land is assessed in the joint [‘Employment Strategy and Land Review’](#), and its [‘Update’](#). The Councils have taken an “objective” view of the need for jobs in the sense that it looks to address low economic activity rates, high unemployment and limited opportunities locally, rather than rely on past development rates. If the Councils were to plan on the basis of past take-up rates or labour demand projections, they would not be able to facilitate the “step-change” in economic performance called for by the South East Plan.

1.5c Recent concerted regeneration efforts highlight the potential to stimulate demand to meet need. This is seen in the high occupancy of the ‘Media Centre’ and ‘Innovation Centre’, the inward investment by Saga to Hastings, as well the successful establishment of the University of Brighton in Hastings.



- 1.5d Therefore, the District Council's view is that the Hastings and Rother Local Plan Strategies, taken together, do meet the objectively assessed need for economic development in the area. Moreover, this approach clearly provides flexibility in the event of the market improving relative to past rates or market trends.
- 1.5e Unlike employment floorspace, for which the [South East Plan](#) has no District targets, there are targets for housing provision for each District (or Borough). These are regarded as being based on an objective assessment of need across the region, suitably distributed according to the particular circumstances of different parts of the region. In relation to Hastings (and Bexhill), the scale of housing growth was qualified by the need to ***“achieve a better balance between the provision of housing and the capability of both the local environment and economy to absorb this in a sustainable way...”*** (Policy SCT1).
- 1.5f Of course, the South East Plan was the subject of independent examination and is still in force and part of the 'development plan'.
- 1.5g In the context of the need to have regard to the wider 'housing market area', the Inspector is advised that the Rother Local Plan Strategy inspector has written to the Council advising of her "preliminary conclusions" on soundness issues, which relate to housing numbers. This is published on the Council's [website](#). In response to this, the District Council's Cabinet has resolved to recommend modifications to its Strategy to increase housing provisions to fully meet the South East Plan housing target (including provision for a slight shortfall in completions against the annual requirement 2006-2011). This is due to be considered by the full Council on 21<sup>st</sup> January. (A verbal update will be provided at the hearing.)
- 1.5h On this basis, it can be seen that the assessed need identified in the South East Plan will be essentially met across the Hastings and Rother housing market area by the respective LPAs.

- 1.5i While the Framework sets out a requirement to ‘objectively assess’ housing need at paragraphs 47 and 159, it is not clear how this should be undertaken. There is an apparent anomaly in the emphasis on assessing need for ‘*the local population*’ in the bullet point and the reference to ‘*caters for housing demand*’ in the sub-bullets.
- 1.5j The Councils scrutinised the Framework and undertook an assessment of need having regard to the various criteria<sup>7</sup>. This [Assessment](#) identified the trend-based ONS projection, which is increasingly being used as a starting point for such assessments. However, there are considered to be significant issues with applying this in the local context at this time, namely:
- a) it is designed for a planning system without RSSs, yet this is still extant and has already distributed housing, which in some cases will exceed a local ‘need’ and in some cases, as locally, is less;
  - b) there is a high variability in net migration, which makes the ONS figures fluctuate considerably, which questions their reliability. Also, the most recent (2010) projections relate to a period of very high housing market conditions which is now viewed as abnormal. To illustrate the variability, net in-migration to Rother was some 1,700 people in 2006-07, but fell by two-thirds to 600 people in 2010-11<sup>8</sup>;
  - c) there is an unresolved tension between “need” and “demand”. The Councils have favoured in their assessment a greater regard to the need for housing to support, and balance, economic growth. This assessment yields a ‘need’ of some 425 (350-500) dwellings/year.
- 1.5k Finally, in terms of whether the Strategy is “positively prepared”, the District Council acknowledges that the Borough Council has sought to accommodate new development requirements as far as it is able within economic and environmental constraints.

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<sup>7</sup> Link to the [joint assessment](#) of housing needs

<sup>8</sup> Viewable on the [East Sussex in Figures](#) website

**1.6 What are the environmental constraints to development in the Borough?**

1.6a The environmental constraints that bear upon development of the fringes of Hastings extending into Rother district include:

- Sites of Special Scientific Interest, notably the Marline Valley SSSI
- The High Weald Area of Outstanding Natural Beauty
- Sites of Nature Conservation Importance (SNCIs)
- Ancient Woodland
- The topography of the landscape, with the urban area essentially contained by the ridgeline extending from Fairlight to Battle

1.6b As they affect sites in Rother, these are shown on relevant maps in the Council's adopted Local Plan.

**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?**

1.7a Attention is drawn to the fact that the development potential of land straddling the Borough boundary, specifically in relation to land at Breadsell Farm and Wilting Farm, have been the subject of [Sustainability Appraisal](#) as part of the Rother Local Plan Core Strategy.

1.7b Land at Breadsell Farm was considered in detail through the plan-making process but discounted due to concerns over deliverability with regards to the likely adverse impacts on the adjacent Marline Valley Site of Special Scientific Interest (SSSI). The District Council makes further comment on this topic in the Matter 7 statement.

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

1.8a The fundamental economic conditions of the wider Hastings labour market area that underpin the priority to regeneration of the Hastings and Bexhill area in [South East Plan](#) policy SCT3, remain applicable today. If anything, the on-going recessionary state, and outlook for slower than previously expected growth, nationally is likely to have greatest impact on less buoyant areas; hence, the priority may be seen as even greater.

1.8b The District Council is satisfied that the Borough Council is being proactive to stimulate economic growth in line with the principles for economic improvement in [South East Plan](#) policies SCT1-4.

1.8c In terms of housing, the District Council supports the provision of 200 net additional new homes a year. It notes that this approximates (95%) to the South East Plan target.

**1.9 Does the Local Plan seek to meet any unmet requirements of neighbouring authorities and to what extent do neighbouring authorities meet the Borough's unmet needs, particularly in terms of housing?**

1.9a The Hastings Planning Strategy is not asked to meet any employment or housing need from Rother– see responses to issues 1.1 and 1.5 above.

**1.10 Should the model policy concerning sustainable development be incorporated into the Local Plan? If not, why not?**

1.10a Even though the model policy essentially repeats paragraph 15 of the Framework, the District Council believes that there is value in incorporating the 'model policy' (in a form consistent with the form and style of its own policy wording) in order to be explicit to the presumption in favour of development.

1.10b A copy of this Council's Proposed Modification, and its reasoning, is attached as Appendix 1, for information.

**1.14 Are the proposed measures to tackle climate change justified, effective and adequately in line with the policy in the Framework of meeting the challenge of climate change, flooding and coastal change? In particular:**

**a) Does the Local Plan set enough and sufficiently specific targets, for example in respect of sustainable building requirements?**

1.14a (i) Rother District Council does not wish to make a specific comment in relation to this question raised by the Inspector.

**b) Are its climate change measures clear, effective and adequately justified?**

1.14b (i) Rother District Council wish to draw the Inspector's attention to the fact that it is satisfied that Minor Amendments HBC/MA/10, HBC/MA/11, HBC/MA/20, HBC/MA/22, HBC/MA/34 and HBC/MA/35 address the objections made at the Proposed Submission stage in relation to renewable energy generation (Representations 3848, 3847, 3850, and 3860) - while appreciating that the Inspector is not charged with formally considering the Minor Amendments.

**1.15 Does the Local Plan provide a basis for the delivery of a sustainable future that balances economic, social and environmental interests (including a radical reduction in greenhouse gas emissions and air pollution, minimising vulnerability and providing resilience to the impacts of climate change) and does it support the delivery of renewable and low carbon energy and associated infrastructure (Framework paras 6, 8, 17 & 93)?**

1.15a Rother District Council wish to draw the Inspector's attention to the fact that it is satisfied that Minor Amendments HBC/MA/10, HBC/MA/11, HBC/MA/20, HBC/MA/22, HBC/MA/34 and HBC/MA/35 address the objections made at the Proposed Submission stage in relation to renewable energy generation (Representations 3848, 3847, 3850, and 3860) - while appreciating that the Inspector is not charged with formally considering the Minor Amendments.

## **Appendix 1**

### **Rother Local Plan Core Strategy Examination**

#### **Proposed Modification – RDCMod 1**

#### **Additional Policy – Presumption in favour of sustainable development**

## Nature of Proposed Modification

1. In response to the National Planning Policy Framework's (NPPF's) presumption in favour of sustainable development, the Council has put forward a Minor Amendment (MA2.1) that includes a prominent textual cross-reference to the relevant paragraph of the NPPF (paragraph 14).
2. The Council is aware that the Planning Inspectorate has recommended a 'model policy' that reflects the NPPF's presumption in favour of sustainable development for inclusion in Local Plans. While this recommendation came too late for inclusion in the Council's 'Focused Amendments', the Council would be supportive of the inclusion of such a policy in its Local Plan Core Strategy as an addition to MA2.1.
3. If the Inspector is minded to include a new policy, the Council asks that the 'model policy' be refined, as proposed in Appendix 1. The Council's reasons for the refinements are:
  - a) Removal of references to '*the Council*' is proposed as the policy should apply to all decision makers. Indeed, generally policies in the Core Strategy are written without reference to the determining body for this reason.
  - b) The reference to any Neighbourhood Plan should be in the singular, as only one will exist in any given geographic area, and capitalised.
  - c) The second paragraph is a "process" rather than a "policy" matter, although still worthy of emphasis; hence, it is proposed as supporting text.
  - d) The reference to approval "*without delay*" may be interpreted as implying hasty approval, so a formulation that relates more to the promptness of consideration, against a background of the presumption in favour of development, is considered to be preferable for the integrity of the LPA.



- e) As regards the final element, there will always be policies relevant to an application (general development considerations, access, often AONB). Reference to the currency of policies is considered reasonable, although the bullets in the model policy simply confirm the presumption already given in relation to plan-making, and referred to in MA2.1. However, it is considered worth highlighting the important role of monitoring policies to determine whether they remain up-to-date, as Council's are obliged to do via their Monitoring Reports.
4. As a local policy, it is believed that there is discretion on the exact wording without changing the sense of the 'model policy', which is attached as Appendix 2 for reference.

**Proposed additional policy – Presumption in favour of sustainable development**

**Add the following policy and text after paragraph 2.4 in the Proposed Submission Core Strategy (incorporating the focused amendments):**

**When considering development proposals, a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework will be taken.**

**Planning applications that accord with the policies in the Local Plan (and, where relevant, with policies in a Neighbourhood Plan) will be dealt with promptly and approved unless material considerations indicate otherwise.**

**Account will be taken of whether policies are up-to-date, having regard to most recent monitoring information, as well as policies of the NPPF.**

*The Council will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.*