

Please quote: HBC/27
Date: 31 July 2013
Please ask for: Tim Cookson
Telephone direct: 01424 783201
E-mail: tcookson@hastings.gov.uk
Web: <https://www.hastings.gov.uk/planning/policy/adoptedlocalplan/>
Your ref



Planning Policy Team
Aquila House, Breeds Place
Hastings, East Sussex TN34 3UY

Mr R Hollox
c/o Lynette Duncan, Programme officer

Dear Mr Hollox

Hastings & Rother Strategic Housing Market Assessment Update: Housing Needs Assessment, June 2013

Please find enclosed a copy of the Hastings & Rother Strategic Housing Market Assessment Update: Housing Needs Assessment, June 2013 and an accompanying report - Housing Delivery in Bexhill and Hastings, June 2013.

The need for this Update arises from the partial revocation of the South East Plan and on the subsequent advice from both yourself and Rother District Council's Local Plan Core Strategy Inspector, Mrs Laura Graham, that both Council's should continue to work together in undertaking an objective assessment of housing need across the Hastings and Rother housing market area.

I would therefore like to draw to your attention that this Update considers not only the 2011-based interim household projections, which have been highlighted in this Council's Proposed Main Modifications consultation (20 May – 1 July 2013), but the Update has also been able to draw on the very latest revised mid-year population estimates 2002-2010 released by the Office for National Statistics (ONS) on 30th April 2013. This is fully set out in the joint Update.

Both of these new documents will be available on the Council's website and clearly we would like to ensure that all participants at your additional hearing session scheduled for the 10th September are made aware of the new evidence documents particularly those participants wishing to speak under your item 13 – "New Demographic Household Projections". In this regard you may feel it will be helpful if Lynette was able to circulate a short note to participants regarding the Update work together with a weblink, and details of how to obtain hard copies direct from the Council and/or the opportunity to view the documents via the Examination library.

Finally, we do not believe the outcome of this new work fundamentally changes the situation for Hastings, and a report to the Council's Cabinet meeting on 5th August (copy attached) recommends to Council Members that in the light of the revocation of the South East Plan and the increased importance of carrying out an objective assessment of housing need, that the housing target of the draft Planning Strategy still remains robust. However, in line with the overall conclusions (chapter 4) of the SHMA Update and with regard to our obligations under the Duty to Cooperate, together with Rother Council we have jointly contacted 10 nearby boroughs and districts on the issue of meeting our housing shortfall (copy attached). It will be possible to update you on the outcome of both of these matters on or before the resumption of the Hastings Planning Strategy Hearing.



INVESTOR IN PEOPLE

Yours sincerely

Tim Cookson

Tim Cookson
Strategic Planning Manager



Agenda Item No: 5

Report to: Cabinet

Date of Meeting: 5 August 2013

Report Title: **Hastings Local Plan - Planning Strategy Main Modifications and impact of South East Plan revocation**

Report By: Monica Adams-Acton
Head of Regeneration and Planning Policy

Purpose of Report

1. To advise Cabinet of the impact the revocation of the South East Plan has had on Planning Strategy production.
2. To advise Cabinet of the outcome of the Planning Strategy Main Modifications consultation, and obtain agreement for submission to the Inspector.

Recommendation(s)

1. **That Cabinet consider the implications of the revocation of the South East Plan, and the effect this has had on the Planning Strategy**
2. **That Cabinet affirm the position taken with regard to a local housing target, taking into account the revocation of the South East Plan**
3. **That Cabinet agree the Proposed Main Modifications as set out in Appendix B, and consider the ongoing issues regarding the Duty to Co-operate**

Reasons for Recommendations

To enable progression of the Hastings Planning Strategy towards adoption

Introduction

1. This report is set out in two parts. Firstly it considers the implications of the revocation of the South East Plan, concentrating on the effect this has had on the Hastings Planning Strategy.
2. Secondly, it looks at the responses received to the Planning Strategy Main Modifications consultation, and advises on the likely next steps in proceeding towards adoption of the Plan.

The revocation of the South East Plan

Background

3. The South East Plan set the framework for growth and development across the South East region, which all Local Plans had to be in general conformity with. Development provisions in the Hastings Planning Strategy therefore were prepared broadly in the context of South East Plan requirements.
4. In March 2013, the Order from the Government to revoke the South East Plan (with the exception of policies relating to the Thames Basin Heath Special Protection Area and Oxfordshire saved Structure Plan policy H2 on the former RAF base at Upper Heyford) came into effect.
5. The implementation of this Order came just after the close of the hearing sessions into the soundness of the Hastings Planning Strategy. This meant that the Inspector still had to formally consider what effect the abolition of the South East Plan had in terms of the policies and proposals in the Planning Strategy, and whether they were still the most appropriate strategy in the absence of a regional planning framework.

Implications of the revocation

6. The most significant issue arising from the revocation of the South East Plan is the deletion of a Borough wide housing target for Hastings. Whilst the Planning Strategy was prepared with the potential revocation in mind and was supported by evidence to support a locally (rather than regionally) derived housing target, the implementation of the National Planning Policy Framework required local authorities to determine housing need and a subsequent housing target based on an "objectively assessed figure".
7. In the case of Hastings, the objectively assessed figure was based on trend based projections and would mean providing 7,840 new dwellings - significantly more new homes than proposed by the 3,400 target in the Planning Strategy.
8. Following the hearings examining the soundness and legal compliance of the Planning Strategy, the Inspector advised both Hastings and Rother Council's to give further consideration to assessing housing need. Specifically, he advised that we would need to demonstrate how we have fulfilled our requirements under the Duty to Co-operate, and explored with Rother District Council whether they can



meet all or part of our unmet housing need (in relation to the 7,840 figure). This necessitated a further update of the Strategic Housing Market Assessment (SHMA), prepared in partnership with Rother District Council.

Meeting housing need

9. Whilst it has been acknowledged by the Inspector that the town faces significant constraints that mean the level of housing need identified using government projections cannot be accommodated within the confines of the borough boundary alone, we are still obliged to look further afield and determine how or if this can be accommodated elsewhere.
10. Rother District Council has previously confirmed that they are not able to accommodate any further development within their area. This is currently being re-confirmed given the more recent work on the revised SHMA. This work considers that the 2011 Demographic Based Projections prepared by East Sussex County Council are the most reliable basis for the assessment of housing need arising out of demographic growth, and as a result, the original figure of 7,840 dwellings has been revised down to 6,863.
11. It is anticipated that accommodating housing need in other authorities, and the implications of not meeting the need within our own borough boundary will be topics for discussion at an additional hearing session as part of the Examination in Public (date yet to be determined). Working closely with officers at Rother Council, we are therefore in the process of investigating the revised SHMA report's conclusions that the housing deficit might be accommodated outside the Hastings and Rother Housing Market Area.
12. Taking the above into consideration, it is important that Cabinet affirms our position in relation to the housing target of 3,400 new homes over the Plan period and acknowledge that this is the most appropriate strategy for housing delivery in the borough.

Consultation on the revocation of the South East Plan

13. We do not consider that there are any other elements of the Planning Strategy that could be significantly affected by the revocation of the South East Plan, other than the local housing target discussed above. Policies around employment and retail growth, as well as other environmental and infrastructure issues are based on a substantial evidence base and in accordance with national policy in the NPPF. However, the Inspector recommended that we undertake further consultation with the public and key stakeholders on this issue, to ensure that any policy areas affected by the revocation would be highlighted (see below).

Main Modifications Consultation

Background

14. As a result of the hearing sessions and the issues outlined above, it was necessary for us to undertake an additional stage of consultation in relation to the Hastings Planning Strategy before it could proceed towards adoption.



The consultation

15. Consultation was undertaken for 6 weeks between 20 May and 1 July 2013, on the following issues:
- Main Modifications - significant changes to the Planning Strategy text that were needed to help ensure the Plan is found Sound and Legally Compliant by the Inspector
 - The revocation of the South East Plan and whether it affected the Planning Strategy (see part 1 of this report)
 - New Government demographic household projections - to determine which figures we use to identify our "objectively assessed" housing requirement
16. Collectively, these 3 parts made up the Hastings Planning Strategy: Proposed Main Modifications Consultation Document.
17. A total of 46 representations were received from 11 separate organisations/individuals/agents, and are listed in Appendix A.

Main issues

18. Some quite significant and strategic issues have been raised as a result of the consultation. These include:
- Kember Loudon Williams (representing landowners at Breadsell) do not consider we have demonstrated compliance with the Duty to Co-operate in terms of working with Rother District Council to assess potential at Breadsell Lane
 - Kember Loudon Williams, Keith Hollidge and David Lambourne (representing various land owners) argue that we should be proposing a higher level of new homes, in line with identified housing need, based on government projections.
19. There are several points that need to be considered as a result of these comments.
20. Kember Loudon Williams argue that Hastings and Rother Council's have not fulfilled their requirements under the Duty to Co-operate since the South East Plan was abolished. This is in the context of needing to adopt a higher housing target as a result of government projections (discussed above) and therefore needing to give further consideration to, and agreeing a way forward for development of Land at Breadsell Lane.
21. Rother District Council has supported our approach to the Main Modifications and agrees that Breadsell should not be included as part of the land supply at this time, However, it will be necessary for them to refer to the possibility of development on the Hastings Fringes in their Plan, should an acceptable scheme come forward and constraints overcome in the future. This is due to the added restraint of a development boundary in Rother, restricting development outside the defined urban area, which we do not have in Hastings. This difference in Plan approaches from each authority could give rise to further questions during the Examination, and it is likely that the Inspector will ask us to prepare further evidence to justify our compliance with the Duty in this regard.



22. In response to the landowners and their agents requesting the level of housing proposed is increased, we are confident that the proposed housing target and supporting text as set out in the Main Modifications is justified and the most appropriate Strategy for Hastings. However, it is important that the review of the Strategic Housing Land Availability Assessment (SHLAA) (currently ongoing) takes full account of the sites proposed by these landowners, and reasons for exclusion or inclusion in the housing land supply are well documented and transparent.
23. Several other comments were received relating to wording amendments and other suggestions, although these are not considered to be so significant that they cannot be resolved by the Inspector and our evidence submitted so far. It is also worth noting that the Highways Agency registered their general support for the Plan, although had no specific comments to make.

Next steps

24. The Proposed Main Modifications are set out in Appendix B. These represent the Council's final view on what the Planning Strategy will contain, when read in conjunction with the Proposed Submission Planning Strategy. It is important that the Cabinet agree these, as these are the Modifications that will be passed to the Inspector for consideration.
25. It is likely that that the Inspector will request an additional hearing session as a result of the representations made during this consultation. Whilst a date has not yet been confirmed, it is anticipated that this will take place early September (allowing enough time to advertise the date in accordance with the Regulations).
26. Should the issues raised be adequately resolved, it is anticipated the Inspector will publish his Final Report determining the Soundness and Legal Compliance of the Planning Strategy in December 2013. The Council can then proceed towards adoption by Full Council in February 2014.

Wards Affected

Ashdown, Baird, Braybrooke, Castle, Central St. Leonards, Conquest, Gensing, Hollington, Maze Hill, Old Hastings, Ore, Silverhill, St. Helens, Tressell, West St. Leonards, Wishing Tree

Area(s) Affected

Central Hastings, East Hastings, North St. Leonards, South St. Leonards

Policy Implications

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	No
Crime and Fear of Crime (Section 17)	No
Risk Management	No
Environmental Issues	No



Economic/Financial Implications	No
Human Rights Act	No
Organisational Consequences	No
Local People's Views	Yes

Background Information

Appendix A – List of people/organisations submitting representations
Appendix B – Proposed Main Modifications

Officer to Contact

Stephanie Roots
sroots@hastings.gov.uk
01424 783329



Appendix A

List of people/organisations submitting representations:

1. Nathaniel Lichfield & Partners on behalf of Bourne Leisure Ltd
2. Natural England
3. Mr Ade Cirket
4. Mr Keith Hollidge on behalf of Mr Andrew Lawson
5. Mr Aubrey Ingleton
6. Kember Loudon Williams on behalf of Mr Colin Simmons
7. Falaise Bowls Association
8. Mr Don Wise
9. Mr Keith Hollidge on behalf of Mr Michael Conn
10. Rother District Council
11. Mrs Patricia Stephenson



Appendix B - Schedule of Main Modifications for consultation following Examination in Public

Ref:	Page	Chapter	Policy/ paragraph number	Change needed
HBC/MM/ 1	28	Chapter 4: The Developmen t Strategy	New paragraph 4.2	<p>Insert additional text regarding the Duty to Co-operate [Insert:] Complying with the Duty to Co-operate</p> <p>4.2 The Council acknowledges the importance of ongoing co-operation with relevant bodies, particularly Rother District Council and East Sussex County Council¹. Co-operation will therefore continue with these authorities and with other bodies as appropriate, especially with regard to housing and employment development. This will take place as the Planning Strategy is monitored and reviewed in the light of such considerations as subsequent survey material, national planning policies and their implications for planning policies and proposals for the Borough, District and County. Of special relevance in this regard are likely to be the full, objectively assessed needs for market and affordable housing, explored further on in this chapter, and the implications for them of the completion of the Bexhill – Hastings Link Road.</p>
<p>Reason for Main Modification HBC/MM/1: The Duty to Co-operate was introduced by the Localism Act of 2011. It obliges neighbouring councils and other organisations to work together to understand shared issues and look for shared solutions. Following discussions at the Examination hearing sessions, it was agreed that specific text should be incorporated into the final version of the Planning Strategy to demonstrate our ongoing commitment to co-operation in line with the Duty to Co-operate.</p>				
HBC/MM/ 2	28	Chapter 4: The Developmen	New paragraph 4.3	<p>Insert additional text regarding the presumption in favour of sustainable development [Insert:]</p>

¹ The Duty to Co-operate is required by Section 33A (1) of the Planning & Compulsory Purchase Act 2004 (introduced through the Localism Act 2011)

Ref:	Page	Chapter	Policy/ paragraph number	Change needed
		t Strategy		<p>The presumption in favour of sustainable development</p> <p>4.3 When considering development proposals, we will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. We will continue to 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 and the wider objectives of this Plan.</p> <p>Planning applications will be assessed in accordance with the policies in the Local Plan as a whole and will be dealt with promptly and approved unless material considerations indicate otherwise.</p> <p>Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:</p> <ul style="list-style-type: none"> • Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or • Specific policies in that Framework indicate that development should be restricted
<p>Reason for Main Modification HBC/MM/2: The model policy proposed by the Planning Inspectorate is considered to summarise the sustainability credentials of the Planning Strategy, in line with the requirements of the National Planning Policy Framework. This issue was discussed at the Examination hearing sessions and to further demonstrate the Council's commitment to the presumption in favour of sustainable development, we are proposing to include this in the final version of the Planning Strategy</p>				

Ref:	Page	Chapter	Policy/ paragraph number	Change needed
HBC/MM/ 3	32	Chapter 4: The Developmen t Strategy	Amend paragraph 4.22	Amend paragraph 4.22: 4.22 The target is equivalent to 200 net new homes per annum <i>[Delete:] (as compared to the 210 per annum target contained in the South East Plan).</i> This target will be achieved through the delivery of identifiable development sites between 2011 and <i>[Delete:] 2022 [Insert:] 2028. [Delete:] after this period some reliance on windfall development will be necessary. In addition, in line with the Council's Empty Homes Strategy, it is planned that the targeted return of long term empty homes back into residential use by this Council will occur across all years of the Strategy and that the re-use of these homes will contribute to meeting the overall housing target.</i> <i>(NB. Because of other amendments this paragraph will be renumbered to 4.25 – please see the appendix for details)</i>
Reason for Main Modification HBC/MM/3: Given the revocation of the South East Plan in March 2013, all references to it in the Plan should be removed. In terms of housing delivery over the Plan period, discussions at the Examination hearing sessions pointed to how it was inappropriate to use the return to use of Empty Homes as a source of housing supply. Hastings Borough Council does however; remain committed to bringing empty homes back into use.				
HBC/MM/ 4	32	Chapter 4: The Developmen t Strategy	Delete paragraph 4.23 and replace it with amended version of 4.28	Delete paragraph 4.23 and replace with amended text: <i>[Delete:]</i> <i>4.23 On the basis of the current Empty Homes Strategy (2009 – 2013), it is anticipated that approximately 255 long-term empty homes will be returned to use up to 2028</i> 4.2 <i>[Delete:]8[Insert:]3</i> Windfall development has made a significant contribution to housing delivery in the past. Small site windfalls (less than 6 dwellings) will continue to come forward over all years <i>[Insert:] of the Plan up to 2028. [Delete:]</i>

Ref:	Page	Chapter	Policy/ paragraph number	Change needed								
				<p><i>although it is not necessary to rely on windfall delivery in the first 10 years of the Planning Strategy period. Between 2023 and 2028, an [Insert:] An average of [Delete:] 40 [Insert:] 35 windfall dwellings per year has been assumed [Insert:] between 2016/17 and 2027/28, this potential supply can be seen as providing the necessary flexibility around meeting the housing target which is a minimum, by either increasing the total amount of house building, or as a contingency if allocated sites do not come forward as planned for any reason.</i></p> <p><i>(NB. Because of other amendments this paragraph will be renumbered to 4.26 – please see the appendix for details)</i></p>								
<p>Reason for Main Modification HBC/MM/4: Discussions at the Examination hearing sessions pointed to the potential to allow for an increase in the allowance for windfall, and the need to remove the reliance on Empty Homes as a source of housing supply. This is reflected in the amendments to text above. Hastings Borough Council does however; remain committed to bringing empty homes back into use.</p>												
HBC/MM/5	32	Chapter 4: The Developmen t Strategy	Amend paragraph 4.24 and table 1	<p>Amend paragraph 2.24 and replace the contents of table 1 as shown:</p> <p>4.24 The new homes will be delivered primarily through private development, but there will be considerable partnership working with Registered Providers (RPs) in the delivery of affordable housing.</p> <table border="1"> <thead> <tr> <th>Sources of new homes likely to come forward by 2028</th> <th>Net number of units</th> </tr> </thead> <tbody> <tr> <td>[Delete:] Units completed 2011/12</td> <td>[Delete:] 195</td> </tr> <tr> <td><ins>[Insert:] Units completed 2011/12 - 2012/13</ins></td> <td><ins>[Insert:] 371²</ins></td> </tr> <tr> <td>[Delete:] Sites under construction and/or with</td> <td>[Delete:]</td> </tr> </tbody> </table>	Sources of new homes likely to come forward by 2028	Net number of units	[Delete:] Units completed 2011/12	[Delete:] 195	<ins>[Insert:] Units completed 2011/12 - 2012/13</ins>	<ins>[Insert:] 371²</ins>	[Delete:] Sites under construction and/or with	[Delete:]
Sources of new homes likely to come forward by 2028	Net number of units											
[Delete:] Units completed 2011/12	[Delete:] 195											
<ins>[Insert:] Units completed 2011/12 - 2012/13</ins>	<ins>[Insert:] 371²</ins>											
[Delete:] Sites under construction and/or with	[Delete:]											

² Note 1: this includes completion figures for the first 3 quarters of 2012/13 and an estimation of completions for quarter 4.

Ref:	Page	Chapter	Policy/ paragraph number	Change needed
				<p><i>unimplemented planning permission as at 1 April 2012</i></p> <p>[Insert:] Commitments – sites under construction, with planning permission or resolution to grant planning permission</p> <p>[Insert:] Small site (5 or less net dwellings) commitments 2013/14 – 2015/16</p> <p>[Delete:] <i>Additional dwellings indicated by the Strategic Housing Land Availability Assessment (not included in the above)</i></p> <p>[Insert:] Existing Local Plan allocations (excluding those without an extant permission)</p> <p>[Insert:] Other sites potentially developable sites - no planning status (informed by the SHLAA and the merging Development Management Plan document)</p> <p>[Delete:] <i>Small site (less than 6) windfall allowance 2023/24 to 2027/28</i></p> <p>[Delete:] <i>Long term empty homes brought back into residential use, 2011/12 to 2027/28</i></p> <p>[Insert:] Small site (less than 6 dwellings) windfall allowance 2016/17 – 2027/28 (12 years x 35dwellings)</p> <p>TOTAL</p>
				<p>1,379</p> <p>[Insert:] 1,181</p> <p>[Insert:] 157</p> <p>[Delete:] 1,378</p> <p>[Insert:] 747</p> <p>[Insert:] 771</p> <p>[Delete:] 200</p> <p>[Delete:] 255</p> <p>[Insert:] 420</p> <p>[Delete:] 3,407</p> <p>[Insert:] 3,647</p>

Table 1: Housing Delivery as at 1April 2013

Ref:	Page	Chapter	Policy/ paragraph number	Change needed
				<i>(NB. Because of other amendments this paragraph will be renumbered to 4.27 – please see the appendix for details)</i>
Reason for Main Modification HBC/MM/5: The changes to table 1 of the Planning Strategy (as shown above) are a reflection of changes to the sources of supply discussed at the Examination hearing sessions. It also updates the position to reflect the most up-to-date information.				
HBC/MM/6	42	Chapter 5: Spatial Areas	New paragraph 5.19	<p>Replace paragraph 5.19 with new text:</p> <p><i>[Delete:]</i> 5.19 <i>The Hastings Renewable and Low Carbon Energy Study (2009) has shown some potential for wind energy at Combe Valley Countryside Park (in both the Hastings and Rother areas). We will work with Rother District Council to explore this opportunity further, and identify the potential for renewable energy provision to offset the town’s carbon emissions resulting from implementation of the whole development strategy for the town.</i></p> <p><i>[Insert:]</i> 5.19 The Hastings Renewable and Low Carbon Energy Study (2009) has shown that there may be some potential for wind energy along the urban fringe areas, which may include Combe Valley Countryside Park. We intend to take a positive approach to delivering renewable energy development in the town, and will work in partnership with Rother District Council in considering and identifying sites in urban fringe areas. Any consideration of sites that do come forward within Combe Valley Countryside Park will need to give due consideration to the Parks objectives and purpose of its designation, in line</p>

Ref:	Page	Chapter	Policy/ paragraph number	Change needed
				with part b) of Policy SC6.
Reason for Main Modification HBC/MM/6: This modification is intended to give clarity to the consideration of the use of wind energy at the edges of Hastings' Borough boundary and that if and when it is considered in the Combe Valley Countryside Park, the objectives of the Park will be considered. This also reinforces the Duty to Co-operate cited in HBC/MM/1				
HBC/MM/ 7	59	6: Sustainable Communities	New paragraph 6.17	<p>Replace paragraph 6.17 with new text:</p> <p>[Delete:] 6.17 The Council will therefore take a positive approach to delivering renewable energy developments within the town, and will work in partnership with Rother District Council in considering and identifying sites in urban fringe areas.</p> <p>[Insert:] 6.17 The Council will therefore take a positive approach to delivering renewable energy developments in the town, and will work in partnership with Rother District Council in considering and identifying sites in urban fringe areas. Any consideration of sites that do come forward within Combe Valley Countryside Park will need to give due consideration to the Parks objectives and purpose of its designation, in line with part b) of Policy SC6.</p>
Reason for Main Modification HBC/MM/7: This modification reflects HBC/MM/6 and will give clarity to the consideration of the use of wind energy at the edges of the borough boundary and that the objectives of Combe Valley Countryside Park will be considered if such provision is taken forward in that location. This also reinforces the Duty to Co-operate cited in HBC/MM/1				
HBC/MM/ 8	66	7: Protecting our Environment	New paragraphs 7.20, 7.21 and new policy EN4	<p>Insert the following text and policy:</p> <p>[Insert:] 7.20 Ancient Woodland is a nationally important and threatened habitat which is irreplaceable. Most ancient woodlands have been in existence since the end of the last Ice Age. They are of special cultural, heritage and biodiversity value. National guidance and legislation protects Ancient</p>

Ref:	Page	Chapter	Policy/ paragraph number	Change needed
				<p>Woodland from development. Development in the vicinity of such woodland, however, may also impact upon it and these impacts will be considered.</p> <p>7.21 Across Hastings Borough there are many areas of Ancient Woodland. These are an important wildlife habitat, have great amenity value for the community and are an asset to the wider heritage landscape. Further information on Ancient Woodland is also set out in background document “Ancient Woodland Inventory of Hastings” (2010), available on our website at https://www.hastings.gov.uk/planning/policy/adoptedlocalplan/supportingdocs_evidencebase/evidencebasedocuments/. These areas of Ancient Woodland, as shown on the Policies Map, are therefore, protected from the adverse impact of development by policy EN3 and also as described in policy EN4.</p> <p>POLICY EN4: Ancient Woodland</p> <p>Planning permission will only be granted for development near or adjacent to an area of ancient woodland, shown on the Policies Map, if it can be convincingly demonstrated that the proposals will not adversely affect that ancient woodland and the need for development outweighs the importance of them. The layout of any development encroaching into, or close to, such woodland must take account of the designation and be designed so as to minimise the impact upon it.</p> <p>The Council may impose conditions on any planning permission and/or seek to enter into legal agreement(s) to secure the protection, enhancement and management of ancient woodland affected, directly or indirectly, by development proposals</p>

Ref:	Page	Chapter	Policy/ paragraph number	Change needed
Reason for Main Modification HBC/MM/7: This modification gives clarity to the protection of Ancient Woodland as required by Policy EN3 of the Planning Strategy and it will give guidance for the consideration of applications that may have an impact upon them				
HBC/MM/9	67	7: Protecting our Environment	New paragraphs 7.22, 7.23, 7.24 and New Policies EN5 and EN6	<p>Insert the following text and policies:</p> <p>[Insert:]</p> <p>7.22 Some areas of the Borough that are particularly important for their contribution to wildlife habitat should be protected. Local Nature Reserves (LNR) protect wildlife habitats and the natural heritage, but they also have a broader community role:</p> <ul style="list-style-type: none"> • To forge partnerships between the local authority, local nature conservation organisations and local people. • To provide an ideal environment for children to learn about nature. • To increase people’s awareness and enjoyment of wild plants and animals. <p>7.23 Local Wildlife Site (LWS) is a non-statutory designation applying to a site of Borough-wide importance. The designation seeks to provide recognition of the wildlife value of these sites to the local community and, where possible, to prevent significant damage arising from development.</p> <p>7.24 Both LNR and LWS, as displayed on the policies map, will be protected managed and enhanced as described in policies EN5 and EN6.</p> <p>POLICY EN5: Local Nature Reserves (LNR)</p> <p>Areas designated or proposed as Local Nature Reserves (LNR) will be safeguarded and protected. Proposals for development within Local Nature</p>

Ref:	Page	Chapter	Policy/ paragraph number	Change needed
				<p>Reserves, or likely to have an adverse effect on them directly or indirectly, will only be permitted if:</p> <p>(a) the need for development outweighs the importance of the site for nature conservation; and</p> <p>(b) any harm to the nature conservation interest of the site is clearly and demonstrably kept to a minimum.</p> <p>Where development is permitted, the Council may attach planning conditions and/or may seek to enter into legal agreement(s) to ensure the continuing protection and enhancement of the nature conservation interest and to provide compensatory measures and/or site management.</p> <p>POLICY EN6: Local wildlife Sites (LWS) Development proposals within or adjacent to Local Wildlife Sites (LWS) will only be permitted where there is a local need which outweighs any harm to the nature conservation interest.</p> <p>The Council may attach conditions to any planning permission and/or may seek to enter into agreement(s) to minimise the harm and/or secure the protection, enhancement and management of the nature conservation interest.</p>
<p>Reason for Main Modification HBC/MM/8: This modification gives clarity to the protection of Local Nature Reserves and Local Wildlife Sites as required by Policy EN3 of the Planning Strategy and it will give guidance for the consideration of applications that may have an impact upon them</p>				
HBC/MM/10	79	Chapter 9: Local Economy	E4: Tourism and	Amendment to Policy: POLICY E4: Tourism and Visitors

Ref:	Page	Chapter	Policy/ paragraph number	Change needed
			Visitors	<p>The Council will work to promote and secure sustainable tourism development in the town. A more diverse and high quality tourism offer will be encouraged that seeks to lengthen the tourism season, increase the number of visitors, provide job opportunities and sustain the tourism economy.</p> <p>Visitor Attractions:</p> <p>New visitor attractions will be encouraged and those that already exist will be protected, unless it can be demonstrated they are no longer economically viable either in existing or adapted form. The upgrading of provision will be encouraged where it increases the range and/or quality of tourist facilities. Proposals for new visitor attractions will be considered sympathetically anywhere within the Borough subject to other policies. The seafront is seen as the core resort area and particular support will be given to measures and proposals which are well related to the seafront.</p> <p>Visitor Accommodation:</p> <p>New visitor accommodation will be directed to the Seafront, the main arterial routes, and close to other generators of demand. Extension to existing visitor accommodation will also be supported, subject to design and location policies.</p> <p>The priority areas for retention of [Insert:] serviced visitor accommodation are the Seafront (including Warrior Square), the Old Town and the Town Centre. In these areas, there will be a presumption against a change of use away from existing facilities unless the facility is no longer viable or is incapable of improvement to a good standard. [Insert:] Outside these areas, change of use away from visitor accommodation (including camping, caravan and chalet sites) will be resisted, unless the criteria of the Visitor</p>

Ref:	Page	Chapter	Policy/ paragraph number	Change needed
				<p>Accommodation Supplementary Planning Document (SPD) are adhered to, and the unviable nature of the business can be demonstrated. The SPD contains guidance in support of this policy approach.</p> <p>Proposals for upgrading caravan and camping facilities will be encouraged where it increases the range and/or quality available to the tourist.</p> <p>Language Schools:</p> <p>In recognition of their importance to the local economy, the Council will also support proposals that improve, protect or make new provision for language schools in suitable locations. Proposals for changes of use of language schools to other uses will be resisted unless it can be demonstrated that the use is no longer economically viable.</p>
<p>Reason for Main Modification HBC/MM/9: This modification will provide some clarity for the use of the Visitor Accommodation SPD outside of the core zone defined in the policy, and reinforces Hastings Borough Council's commitment to retaining visitor accommodation across the town as a whole.</p>				
HBC/MM/11	90	Key Diagram	Key Diagram	Move western Renewable Energy opportunity area to a site within Hastings borough boundary
<p>Reason for Main Modification HBC/MM/10: The original draft of the Planning Strategy contained a production error showing the Renewable Energy opportunity area the wrong side of the western boundary of Hastings' Borough boundary. This modification will put right that error</p>				
HBC/MM/12	92	Part Six – Monitoring and Implementation	New paragraphs 12.3, 12.4 and 12.5	<p>Insert additional text about a monitoring group:</p> <p>[Insert:] 12.3 Continuing monitoring will be essential if the policies of the Local Plan are to be effective and its proposals delivered in a timely manner. Frequent re-assessment of the Infrastructure Delivery Plan and its Schedule will take place, and will assist in securing these objectives. The Council will</p>

Ref:	Page	Chapter	Policy/ paragraph number	Change needed
				<p>establish a working group to monitor the progress of the Local Plan, working with infrastructure providers and developers as appropriate. This working relationship will thereby ensure that the Local Plan keeps on target, and its progress is reported through regular Local Plan Monitoring reports. Recommendations will be made where necessary to the Council's Cabinet should there be any significant failures in performance and/or delivery.</p> <p>12.4 These arrangements demonstrate the Council's commitment to the delivery of infrastructure at such time as is practicable in current circumstances. Some infrastructure will continue to be provided by developers through, for example, S106 Agreements, in accordance with the NPPF, and the working group will also want to be assured that developers (of major schemes) adhere to S106 Agreements and planning conditions.</p> <p>12.5 In these ways, the Council will continue to co-operate with its partners and the private sector in ensuring that the Local Plan is effective, and that the development which it promotes is carried out as agreed.</p>
<p>Reason for Main Modification HBC/MM/11: This modification will provide for a working group in the Council to monitor the progress of the Local Plan; its delivery and effectiveness. This will allow the monitoring that is described in Part Six of the Planning Strategy to be efficient and its reporting to be transparent and accessible for all interested parties</p>				

Please quote:
Your reference:
Date: 19 July 2013
Please ask for: Monica Adams-Acton
Telephone direct: 01424 451749
E-mail: Adams-acton@hastings.gov.uk
Web: www.hastings.gov.uk/regeneration



Regeneration and Community Services
Aquila House, Breeds Place
Hastings, East Sussex TN34 3UY

Dear,

Duty to Co-Operate - Housing Provision for Hastings Borough and Rother District

Both Hastings Borough Council and Rother District Council are currently at Examination in relation to their respective Local Plan Strategies. Following the partial revocation of the South East Plan, the Councils have undertaken further work in relation to the objectively assessed need for market and affordable housing, as required by the National Planning Policy Framework. The outcome of this work has been the assessment that both Districts' housing needs are in excess of the housing requirements contained in the former South East Plan.

Both Councils have further reviewed their potential to accommodate additional development. However, Hastings is physically constrained, having virtually built up to its administrative boundary and is therefore only able to accommodate some 3,400 additional dwellings, this being about half of its assessed need. Rother has increased its housing provisions by approximately 25% to be very close to its assessed housing need, but is heavily constrained by virtually all of the District outside of Bexhill and Rye being within the High Weald Area of Outstanding Natural Beauty. Significant growth is proposed at Bexhill, as much as market conditions are expected to allow. Rye is proposed to grow as much as possible consistent with its enveloping international nature conservation designations and significant flood risk issues. In summary, up to 3,463 additional dwellings cannot be accommodated in Hastings and up to 480 in Rother, making a combined under provision of 3943 additional dwellings over the period to 2028.

Therefore, our purpose in writing, on behalf of both Councils, is to ascertain the housing position of neighbouring local planning authorities and others for which Hastings and Rother have, in recent years, provided homes for out-migrants.

In order for us, and our Inspectors, to determine the respective implications of not providing more housing locally, I would be grateful if you could advise of the following:

(i) Is your current housing target as set out in the most recent adopted Local Plan likely to deliver less than / same as / more than the annualised housing target of the South East Plan? Can you please confirm the relevant figures?

(ii) Has there been an objective assessment of housing need subsequent to publication of the NPPF? (If so, please can you provide a link to your assessment)



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(iii) Does your authority have a 5-year supply, including an appropriate buffer, of deliverable housing land within your District and what level of supply is this?

(iv) If there has not been a recent objective assessment of housing need, when is this expected to be undertaken and when do you expect a review of your current Local Plan housing targets? Please confirm when the assessment of housing need was last undertaken?

(v) If there has been a recent objective assessment of housing need, is this more or less than currently being planned for?

Finally and most importantly, in the light of paragraph 182 of the Framework, can you let me know to what extent your Authority's plans could assist in meeting our Councils' unmet housing requirements?

I would appreciate a response by 12 August.

If you wish to discuss the matter please contact David Marlow, Planning Strategy and Environment Manager, (David.Marlow@rother.gov.uk 01424 787635) or Tim Cookson, Strategic Planning Manager at Hastings Borough Council (tcookson@hastings.gov.uk 01424 783201).

Yours sincerely,

Monica Adams-Acton
Head of Regeneration and Planning Policy
Hastings Borough Council

Tim Hickling
Head of Planning
Rother District Council



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