

A collage of photos showing children in costumes and at an outdoor event. The top left shows children in animal costumes near a tent. The top right shows children in a wooded area. The middle left shows a child with a hula hoop. The middle right shows a table with food. The bottom shows children in costumes in a garden.

**FRIENDS OF SPECKLED  
WOOD MANAGEMENT  
TRUST AND CHARITY.**

**STATEMENTS FOR THE  
PUBLIC EXAMINATION  
OF THE REVISED  
SUBMISSION  
HASTINGS BOROUGH  
COUNCIL DEVELOPMENT  
MANAGEMENT PLAN**

**2014**

**DOC ID: 1000-000010013**

**Date 5<sup>th</sup> November 2014**

**Friends of Speckled Wood  
Management Trust & Charity**

**Main Office**

**15 Valleyside Road, Hastings East  
Sussex TN355AD**

**Woodland Office**

**128 Frederick Road  
Hastings East Sussex TN35 5EU**

**Web:**

**[http://  
www.friendsofspeckledwoodmanagementtrust.o  
rg.uk/gb/](http://www.friendsofspeckledwoodmanagementtrust.org.uk/gb/)**

On behalf of First & Second Respondent.

No of Statement: 5 of 7.

Signed:

Filed:

IN THE HASTINGS PUBLIC INQUIRY –

MATTER NO 1, 5, 7.

PARTICIPANT REFERENCE NUMBER: REP2163.

IN THE MATTER OF THE HASTINGS REVISED DEVELOPMENT MANAGEMENT PLAN.

B E T W E E N:

Mr R. E. Hollox,

Planning Inspector

and

Hastings Borough Council

Applicant

and

Ms Lynette Duncan

Programme Officer

and

Mr M. NEWBOLD, Chair, Friends of Speckled Wood Trust & Charity

First Respondent

and

Friends of Speckled Wood Trust and Registered Charity EW02193

Second Respondent

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**POSITION STATEMENT OF MARTIN NEWBOLD, Chairman.**  
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This is the position statement of Mr. Martin Newbold, Chair, Friends of Speckled Wood Management Trust & Registered Charity EW02193 of 15 Valleyside Road, Hastings East Sussex TN35 5AD and at Friends of Speckled Wood Management Trust and Charity at Speckled Wood, 128 Frederick Road Hastings TN35 5EU consisting of, 08 Exhibits, 4 pages which are signed by me and is true to the best of my knowledge and belief. I make it knowing that it is to be placed before the Public Examination a Public Inquiry and or Court in evidence.

Signed..... Dated.....04 November 2014.....

## **Amendments / Corrections to Opening Statement 28<sup>th</sup> October 2014**

1. Page 9 point 1, Policy names in bracket should have read (CV01, CV03, CV04).

### **Statement**

NOTIFICATION 1: Fundamental issues with the Examination Process

**(Praecepte and new evidence not available at the time of Opening Statements)**

- 1.0. Legal procedural requirements have not been met.**
- 1.1. Sustainable Community Strategy for the Focus Area 12 has not been met.**
- 1.2. Community compliance involvement has not been met.**
- 1.3. NPPF Para 109 has not been met.**
- 1.4. 99% ( Ninety Nine percent) of the Respondents requested to remove Speckled Wood, from the Development Plan has not been met.**
- 1.5. Section 8.1-8.3 of the Planning Inspectorate - Examining Local Plans – Procedure Practice, have not been met.**
- 1.6. Page 6 and then Page 7, paragraphs 3, 4, and 5 of the DCLG Publications - Local Plan Consultation document ISBN 978 1 4098 3042 9 [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/8475/localplansconsultation.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/8475/localplansconsultation.pdf) have been not met.**
- 1.7. The Evidence database is not complete and has links to documents that do not exist HBC/DMP/92.**
- 1.8. HBC/DMP/160 May 2014 refers to Robsack 'A' Arboricultural implications Report May 2012 - when in fact this item refers to AO1 ORE VALLEY This was reported 3<sup>rd</sup> November 2014 and corrected same day. This error had existed prior to this point.**
- 1.9. Documents submitted to the Inspector as Responses Volume 1-4 were created and obtained outside the Consultation Period in 2014 after the Consultation had concluded.**
- 1.10. 99% ( Ninety Nine percent) of Volumes 1-4 do not in any shape or form represent the Public Responses. Emotional Content, Hand Writing, the Agent information, has all been lost. The Original Public Responses obtained 2014 should have been sent to Inspector redacted.**
- 1.11. Council Typed Volumes 1-4 supposed to be Public Representations have never been publically validated.  
Online submission material has been altered after the date it was submitted to the Inspector. Therefore supplying the Inspector with Responses derived from data taken after the Consultation had finished.**
- 1.12. “It is clear then that our Responses have been manipulated” Responses have been combined and translated into three separate Responses.**
- 1.13. There have been noted failures of the Council Consultation System. Other Authorities are also aware of these failures in shared software.**

**The Council Regeneration and Planning Policy contacted the First and Second Respondent after serious problems were expressed using the Consultation system.**

# PUBLIC EXAMINATION STATEMENTS

The First and Second Respondent wrote to Mr Tim Cookson regarding these problems expressing an interest in being an Agent as they had in 2012. The Email from Ms S Roots Senior Planner – Project lead clearly stated on the 7<sup>th</sup> March 2014 that we would need to follow specific amendments to bring our electronic submissions inline.(Exhibit : **REP2163-40**).

1.14. Sewerage System built in 1886 was built for 50,000 people not 104360 people. The Outfall will soon become illegal under EEC Regulations.

1.15. Other organisations have been told they could not submit electronic documents as an Agent.

1.16. There were no Revised Submission Development Management Plan Documents in the meeting room during the PH.

**1.17. 2013/14 Consultation Communication was not carried out correctly:**

i. **Exhibition venues were not used.**

ii. **Revised Submission Development Management Plan (Local Plan) documents pertaining to the Plan have been locked in a cabinet behind the desk and are not freely available to the public.**

iii. **2013 Consultation Shaping Hastings Document Failures**

a) **2013 Shaping Hastings Consultation not sent to First or Second Respondent.**

b) **2014 Shaping Hastings Public Hearings not sent to address of First or Second Respondent.**

As a result even if a) , b) can be evidenced It is fact the Second Respondent acted as Agent obtained no Responses in for this Consultation 2013. Despite providing Consultation for 2012, DMP, & other Numerous Planning Applications. This proves comments by the Applicant are baseless.

iv. **A letter was sent into the Hastings Observer in reply to Mr Kevin Boormans' letter in which he stated he refuted the Trusts allegations. A letter was published the following week (Exhibit **REP2163-42**).**

v. **Issues with IT were again reported to the Program Officer 1<sup>st</sup> November 2014 (Exhibit **REP2163-43**)**

vi. **In a meeting with Program Officer to hand over Initial Statements 30<sup>th</sup> October 2014. The Program Office told First Respondent that Respondents were withdrawing the process. The First and Second Respondent believe this is because of the complexity of the process.**

1.18. No conversation has been recorded between Natural England and the Applicant after the Nov 2012 Cabinet Meeting, in relation to the correct designation for Focus Area 12, Speckled Wood.

**1.19. The Natural England Magic map Of Ancient Woodland**

**[http://magic.defra.gov.uk/MagicMap.aspx?startTopic=Designations&activelayer=InrIndex&query=REF\\_CODE%3D%271082986%27](http://magic.defra.gov.uk/MagicMap.aspx?startTopic=Designations&activelayer=InrIndex&query=REF_CODE%3D%271082986%27) . Has not been updated with OS maps or Sussex Wildlife data since 2010. This project was started 2008 by Mr**

**Philip Sansum. Mr David Phillips who has told us Ore Valley is referred to as Speckled Wood is a SSSI in a recent letter dated 30-th October 2014 (Exhibit REP2163-44) to our MP and as such is not protected on Applicants maps or an Update since 2010 by Mr Philip Sansum. Attempts to contact Mr Philip Sansum at his published email address on his reports have failed. There is an abundance of noted taxon that fit the profile of Ancient Woodland. There seems no way of updating the data-set.**

- 1.20. Program Officer has introduced error into online communications which has affected Deputy Council Leader and other councillors receiving important information.
- 1.21. Portfolio holder of Plan according to the Planning Officer is not able to speak at Hearings as he made no representations. Councillors can also not speak about Policy or Focus Area out of their own Constituency.(Exhibit REP2163-45)
- 1.22. The only reasons for these failures was given in a letter after a formal complaint was made of the handling of the matters pertaining to Focus Area 12- 26<sup>th</sup> March 2015 (Exhibit REP2163-47)
- 1.23. First and Second Respondents have been told that Respondents are tired of filling in countless Responses for the same matter, which is always unchanged are beginning to fail to communicate with Applicant.

## **EXHIBITS**

FOSWMT Exhibit REP2163-40 2014-04-01 - Email to Tim Cookson -Gmail - Revised Proposed Submission Development Management Plan.pdf

FOSWMT Exhibit REP2163-42 2014-10-11 - Letter to editor the Hastings Observer.pdf

FOSWMT Exhibit REP2163-43 2014-11-01 -Email to Lynette Duncan - Gmail - DMP (Local Plan) Revised Submission internet access problems.pdf

FOSWMT Exhibit REP2163-44 30th Oct 2014 email from MP Gmail - Hastings Borough Council.pdf

FOSWMT Exhibit REP2163-45 2014-Oct-29 Full thread regarding email communication issue to date Gmail - Bouncing back emails.pdf

FOSWMT Exhibit REP2163-47 Email April2, 2014 00600 Letter of Complaint.pdf

# PUBLIC EXAMINATION STATEMENTS

On behalf of First & Second Respondent.

No of Statement: 6 of 7.

Signed:

Filed:

IN THE HASTINGS PUBLIC INQUIRY –

MATTER NO 2, 4, 5.

PARTICIPANT REFERENCE NUMBER: REP2163, Focus Area 12.

IN THE MATTER OF THE HASTINGS REVISED DEVELOPMENT MANAGEMENT PLAN

B E T W E E N:

Mr R.E. Hollox,

Planning Inspector

and

Hastings Borough Council

Applicant

and

Ms Lynette Duncan

Programme Officer

and

Mr M. NEWBOLD, Chair, Friends of Speckled Wood Trust & Charity

First Respondent

and

Friends of Speckled Wood Trust and Registered Charity EW02193

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**STATEMENT OF MARTIN NEWBOLD, Chairman**  
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This is the statement of Mr. Martin Newbold, Chair, Friends of Speckled Wood Management Trust & Registered Charity EW02193 of 15 Valleyside Road, Hastings East Sussex TN35 5AD and at Friends of Speckled Wood Management Trust and Charity at Speckled Wood, 128 Frederick Road Hastings TN35 5EU consisting of, **08 Exhibits, 6 pages** which are signed by me and is true to the best of my knowledge and belief. I make it knowing that it is to be placed before the Public Examination a Public Inquiry and or Court in evidence.

Signed Signed..... Dated.....04 November 2014.....

## Statement

NOTIFICATION 2 Fundamental issues with inclusion of Speckled Wood in the Revised DMP.  
(Praeipce and new evidence not available at the time of Opening Statements.)

2.1. 99% ( Ninety Nine percent) of the Respondents replied that they wished Speckled Wood to be removed from the Plan.

**2.2. There has been a long List of Planning Failures on this site which have meant Planning has never been feasible**

The planning site is a mess and this data is not in chronological order and the files attached are wrong date for the Application that was put before the Planning Committee.

First Respondent has tried to obtain as much complete data as possible within these limits:

### Focus Area 12, CVO1

Feb 2014

[Outline application for a residential development of 31 houses and 4 flats with garaging, car spa...](#)

Ref. No: HS/OA/13/00600 | Status: Report Drafted

- i. The First and Second Respondent wrote to Chief legal 28<sup>th</sup> October 2014 in Respect to withdrawing this Outline Application for CV01, Focus Area 12 (Exhibit **REP2163-53**).
- ii. The s.106 has not been signed. This is due to issues with land ownership.
- iii. The Screening report (Exhibit: **REP2163-54**) does not inform the committee of Pervasive Species Japanese Knotweed which is over abundant in the Woodland and this site.
- iv. Applicant of this Outline Plan signed the Outline Application to state he owned the entire site. In addition under s.14 of the Application the Applicant said he knew of no contamination on the site.
- v. EA not informed of extent of pervasive species on the plan.
- vi. [HBC/DMP/153](#) Policy DM3 g, DG11 has not been met.

Oct 2010

[Extension of time limit for implementation on planning permission HS/FA/06/00663 - 51 residential...](#)

Ref. No: HS/FA/10/00719 | Status: Decided

Feb 2007

[RESIDENTIAL DEVELOPMENT COMPRISING 4 X 3 BEDROOM, 21 X 2 BEDROOM AND 13 X 1 BEDROOM FLATS](#)



# PUBLIC EXAMINATION STATEMENTS

Ref. No: HS/FA/91/00256 | Status: Withdrawn

## Focus Area 12, CVO1

**Apr 2006**

[51 residential units with 37 garages, 4 car ports and 10 car parking spaces plus 14 visitors' car...](#)

Ref. No: HS/FA/05/00633 | Status: Appeal Decided

- i. The Environment Agency note pervasive species Japanese Knotweed on site (Exhibit [REP2163-55](#)).
- ii. WSP Map reports Japanese Knotweed.(Exhibit [REP2163-56](#))
- iii. Organization report missing paperwork in transfer .(Exhibit [REP2163-57](#))
- iv. Applicant signs s.106 stating he is owner of the site and under section 9 of the Application that land was contaminated.
- v. The report by the Officer Mr C Samson to the Planning Committee 20<sup>th</sup> June 2007 failed to address the large abundance of Japanese knotweed.

**Jul 2005**

[Housing development of 12 houses and 61 flats in 7 blocks together with access roads, car parking...](#)

Ref. No: HS/FA/05/00572 | Status: Withdrawn

**Feb 1991**

[RESIDENTIAL DEVELOPMENT OF 87 FLATS \(32 ONE,BEDROOM FLATS 55,TWO BEDROOM FLATS\) LANDSCAPED ZONE T...](#)

Ref. No: HS/OA/90/00228 | Status: Appeal Decided

**May 1981** (Exhibit [REP2163-20](#))

[Siting temporary site offices for six month](#)

Ref No: HS/FA/31/347/5585 | Status Decided

**Feb 1983** (Exhibit [REP2163-20](#))

[Erection of 70 flats and 70 garages](#)

Ref. No: HS/OA/82/00700 | Status: Decided

**Jun 1979** (Exhibit [REP2163-20](#))

[Erection of 70 flats and 70 garages \(renewal of OA/75/264\).](#)

Ref. No: HS/OA/79/00296 | Status: Decided

**Feb 1976** (Exhibit [REP2163-20](#))

[Erection of 70 flats and 70 garages \(Renewal of OA/72/156\)](#)

Ref. No: HS/OA/75/00264 | Status: Decided

**May 1972**(Exhibit [REP2163-20](#))

[Erection of 70 flats and 70 garages \(covered\)](#)

Ref. No: HS/OA/72/00156 | Status: Decided

**Nov 1971** (Exhibit [REP2163-20](#))

[Erection of pair of semi-detached houses with integral garages.](#)

Ref. No: HS/OA/71/00807 | Status: Decided

**Focus Area 12, CVO1**

**Apr 1970**

[Site for erection of garages and stores.](#)

Ref. No: HS/OA/70/00180 | Status: Decided

**Dec 1966**

[Erection of three storey block of 12 one bedroom self-contained flats](#)

Ref. No: HS/66/01148 | Status: Decided

**Oct 1966**

[Site for the erection of one 4 storey block of 16 self-contained one room flats.](#)

Ref. No: HS/OA/66/01026 | Status: Decided

**Mar 1966** (Exhibit [REP2163-20](#))

[Site for the erection of block of 4 flats and 4 garages.](#)

Ref. No: HS/OA/66/00232 | Status: Decided

**Jun 1965**

[Site for residential development.](#)

Ref. No: HS/OA/65/00083 | Status: Decided

**Focus Area 12, CV03**

**July 1955**

[Use of Land as Builders yard – renewal permission](#)

Ref.No HS 51/418A/1567 | Status Decided

**Focus Area 12, CV04**

**October 2014.**

[Development of site to provide five dwellings.](#)

Ref. No: HS/OA/14/00876 | Received: Tue 28 Oct 2014 | Validated: Tue 28 Oct 2014

| Status: Registered

**July 1987** (Exhibit [REP2163-20](#))

Erection of 5 Houses, 5 Parking spaces and new access Road

Ref.No HS/OA/87/488 | Decided

**Nov 1987** (Exhibit [REP2163-20](#))

Erection of 5 Houses, 5 Parking spaces and new access Road

Ref.No HSDS/87/783 | Decided

**Focus Area 12**

**July 1980**(Exhibit [REP2163-20](#))

# PUBLIC EXAMINATION STATEMENTS

## [Use of land as private tip for landfill](#)

Erection of 5 Houses, 5 Parking spaces and new access Road

Ref.No HSDS/87/783 | Decided

Land at Church Street (Between Sites of No's 48 & 76), Hastings

Ref. No: HS/EU/80/00437 | Received: unknown | Validated: unknown | Status: Decided

## **Focus Area 12**

### **Feb1952**

## [Erection of three pig-pounds and a greenhouse.](#)

Ref. No: HS/FA/52/00050 | Status: Decided

This makes a case that the site would have been built on if it was feasible over the course of 50 years. It should also be noted that the IT is a mess and the basic housekeeping to ensure files are available on this public system, are poor. There are missing links throughout, even when the data is not missing and is supposed to be there.

- 2.3. If Speckled Wood, Hastings is known as Upper Ore Valley as detailed in all correspondence within Council (Exhibit **REP2163-42**), then Speckled Wood additionally has SSSI status.
- 2.4. There is extensive overabundance of Japanese Knotweed on the whole area. This has been known about since 2005.(Exhibit **REP2163-60**)
- 2.5. Any pollution from the sites on steep slopes will quickly affect bio-systems in connected areas.
- 2.6. The site shares notarised species in common with Ancient Woodland yet it has been mis-mapped, de-marginalised and digitally-felled.
- 2.7. A full site survey has never been done. The only taxon survey was done in a few months this year by members of Sussex Bio Centre. This has not been recognised.
- 2.8. The water quality in stream has improved and now encompasses life with newts and frogs returning in areas demarked for new housing.
- 2.9. There is a blanket TPO Order on this site.
- 2.10. There is no current access to this site by road connections which are adopted by highways.
- 2.11. The entire Woodland should be kept for use by the public as designated by Management Plan in 1930. Local organizations have a strong plan for the area which is consistent with its use for over 84 years.
- 2.12. Registered Footpaths and events in the Woodland have met no legal challenges by Land Owners.
- 2.13. The Woodland Trust is supplying trees to the Woodland in a programme to help remove the Japanese knotweed.
- 2.14. There has been extensive use of Rights of Way by Local Walking groups

- 2.15. Organizations have been managing Woodland, removing fallen trees, removing waste, and generally keeping Woodland in good health as part of its Management Plan which was submitted to Hastings Cabinet Nov 2012.
- 2.16. The owners have failed to maintain their land allowing pervasive Japanese knotweed to infest the sites.
- 2.17. Parts of the Woodland were removed from designated Open Space as part of a local school Playground.
- 2.18. Council has failed to highlight the comprehensive activities that take place on this site. This is questionable premise.
- 2.19. Speckled Wood nomenclature has been hidden to disguise the fact it is beautiful wet woodland appreciated by the whole community.
- 2.20. Speckled Wood is one of the last remaining Woodland Ghylls located in the town.
- 2.21. It is noted that if Focus Area 12, Speckled Wood had been in the centre of the borough, when it was designated open space along with the rest of the open space in Hastings, The Applicant would have taken due care to ensure reporting and mapping was done.

## **EXHIBITS**

FOSWMT Exhibit **REP2163-20** - 2014-010-15 - Historical Planning Failures - 13 Applications in 49 Years .pdf

FOSWMT Exhibit **REP2163-42** 2014-10-11 - letter to editor the Hastings Observer.pdf

FOSWMT Exhibit **REP2163-53** 2014-10-28- letter to mrs Christine barkshire Jones.pdf

FOSWMT Exhibit **REP2163-54** HS\_OA\_13\_00600--320403 - Screening Report.pdf

FOSWMT Exhibit **REP2163-55** 2007 Mar 22 EA Helen T.pdf

FOSWMT Exhibit **REP2163-56** 2006-53 07-07 - WSP Group JK Drawing-3678037.pdf

FOSWMT Exhibit **REP2163-57** OVA pc letter Mr Aubrey Ingleton 2007.pdf

FOSWMT Exhibit **REP2163-60** 2014-11-13 - Ashfield Knotweed Report 41914-01.pdf

# **APPENDIX AND EXHIBITS**

**All exhibits are prepared by  
Friends of Speckled Wood  
Management Trust & Charity**

**Friends of Speckled  
Wood Management  
Trust & Charity**

**Main Office**

15 Valleyside Road, Hastings East  
Sussex TN355AD

**Woodland Office**

128 Frederick Road  
Hastings East Sussex TN35 5EU