

**DRAFT**

# Hastings Borough Council Local Development Scheme

*A 3 year programme for preparation of local plan  
documents*

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How to contact us:

If you have any questions or queries regarding this document, please contact the Planning Policy team at:

Muriel Matters House Breeds Place Hastings  
East Sussex TN34 3UY

Email: [fplanning@hastings.gov.uk](mailto:fplanning@hastings.gov.uk)

Tel: 01424 451098

Web: [www.hastings.gov.uk/localplan](http://www.hastings.gov.uk/localplan)

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## Summary

The Local Development Scheme (LDS) sets out the Council's planned programme for the preparation of the local plan and other local development documents. Its main purpose is to provide a publicly available and up-to-date timetable for the preparation of these documents over the coming 3 years. Importantly it sets out the opportunities for contributing to plans for all interested parties. It is prepared in accordance with legal requirements.

The Hastings Local Plan currently comprises the following documents (shown in figure 1):

- [The Hastings Planning Strategy](#) (adopted 19 February 2014)
- [The Hastings Local Plan Development Management Plan](#) (adopted 23 September 2015)
- [Waste and Minerals Plan](#) (adopted February 2013)
- [Waste & Minerals sites Plan](#) (adopted February 2017)

The Council has also adopted a number of 'supplementary planning documents' which provide additional guidance for applicants on local plan policies:

<https://www.hastings.gov.uk/planning/policy/guidance/>

Other planning documents include:

- [Local Plan Monitoring Reports](#)
- [Statement of Community Involvement](#)
- [Brownfield Register](#)

The Council has started work on the Hastings Local Plan for the period 2019/20 – 2039/40. This will set out the spatial development strategy for the borough to deliver the Council's social, environmental and economic priorities. It will also set out development management policies and specific requirements for key development sites in the borough. It will replace the Hastings Planning Strategy (2014) and Hastings Development Management Plan (2015).

The **draft Local Plan** 2019/20 – 2039/40 will be consulted on in Quarter 2 2020/21. Responses to this consultation will be used to inform a **submission version local plan** which will be published for further comments in Quarter 4 2020/21. This submission version of the local plan and any comments received on it will be submitted to the Planning Inspectorate for independent examination. The independent examination is likely to take place in spring/summer 2021. Subject to the outcomes of the independent examination, the new local plan will be adopted later in 2021.

The Council will support and work with communities on any Neighbourhood Plans over the next 3 years. The Council will consider the need for any new supplementary planning documents along with the potential to introduce a Community Infrastructure Levy (CIL) as it progresses work on the Local Plan. The LDS will be updated to take account of this.

A risk assessment and mitigation measures for the LDS programme is included at appendix A.

Figure 1: The documents that make up the Hastings Local Plan



## Introduction

1. The Council is the local planning authority for Hastings and is responsible for preparing a Local Plan for its area to guide development in the borough in accordance with relevant Regulations<sup>1</sup> and in line with the National Planning Policy Framework (NPPF)<sup>2</sup> and national Planning Practice Guidance.<sup>3</sup>
2. The Hastings Local Development Scheme (LDS) has been produced to give local residents, statutory consultees / key stakeholders and any other interested parties information on the:
  - local development documents the Council is currently preparing, as well as those the Council intends to produce
  - subject matter of the documents, and the geographical area they cover
  - timetable for the stages of preparation and adoption of these documents
3. The LDS has been prepared in accordance with legal requirements<sup>4</sup> and updates the last version which was published in February 2019.
4. The previously published LDS set out the Council's intention to prepare a new local plan which would incorporate and replace the draft Area Action Plan for Hastings Town Centre and Bohemia which the Council consulted on in 2018. It also highlighted the potential for development of a supplementary planning document on design. The timeline for preparation of both of these documents is included in this LDS.

## Current Local Plan Documents

### Development Plan Documents

5. At present the 'Development Plan' for Hastings comprises the following documents.

#### The Hastings Planning Strategy

6. The [Hastings Planning Strategy](#) (HPS) was adopted in February 2014. The Planning Strategy is the principal development plan document for the borough and sets out the overall vision and strategic objectives for the delivery of growth in Hastings between 2011 and 2028. It also includes development management policies which will help shape new development over the lifetime of the Plan.

#### The Hastings Development Management Plan

7. The [Hastings Development Management Plan](#) (DMP) identifies sites proposed for development and protection in line with the HPS. It also included development management policies against which planning applications are assessed.

#### Policies Map

8. In parallel with the development of the Hastings Planning Strategy and Hastings Development Management Plan, a Policies Map was developed. This shows the location of designated policy areas in the adopted Local Plan (HPS & DMP) on an

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<sup>1</sup> [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#)

<sup>2</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf)

<sup>3</sup> <https://www.gov.uk/government/collections/planning-practice-guidance>

<sup>4</sup> <http://www.legislation.gov.uk/ukpga/2004/5/section/15>

ordnance survey based map. The interactive Policies Map is available to view on the Council's website at: <http://www.planvu.co.uk/hbc2015/>

### **Waste and Minerals Plans**

9. East Sussex County Council, the South Downs National Park and Brighton & Hove City Council are the responsible authorities for preparing the Minerals and Waste Local Plans. [The East Sussex, South Downs, and Brighton & Hove Waste and Minerals Plan](#) was adopted in 2013.
10. A 'part 2' document – the Waste and Minerals Sites Plan was adopted in February 2017. The document can be found at <https://new.eastsussex.gov.uk/environment/planning/development/mineralsandwaste>

### **Neighbourhood Plans**

11. Regulations<sup>5</sup> concerning neighbourhood planning came into force in April 2012 and were revised in 2017. These make provision for:
  - Neighbourhood Development Plans
  - Neighbourhood Development Orders
  - Community Right to Build
12. There are no Neighbourhood Plans at present, when such plans come forward and are adopted, they will form part of the Statutory Development Plan.

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<sup>5</sup> The Neighbourhood Planning (General) Regulations 2012, [revised in 2017](#)

## Supplementary Planning Documents (SPDs)

13. Other local plan documents include Supplementary Planning Documents (SPDs) which provide more detailed guidance on the application of policies and proposals in the statutory development plan. SPDs are not part of the development plan – and as such do not create new policies - but can be a material consideration in determining planning applications. The Council has prepared six SPDs so far:
  - Roof Materials for Listed Buildings and Conservation Areas SPD (July 2005)
  - Replacement Doors and Windows for Listed Buildings and Conservation Areas SPD (July 2005)
  - Householder Development SPD (February 2007)
  - Shopfronts and Advertisements SPD (September 2007)
  - Employment Land Retention SPD (December 2015)
  - Visitor Accommodation SPD (December 2015)
14. Copies of these SPDs are available on our [website](#)

## Local Plan Monitoring Report

15. The Council also publishes an annual monitoring report. The role and purpose of this report is to publish data on housing, employment and other development statistics; plan making progress against the LDS; consultations on planning forums and duty to cooperate matters. The Local Plan Monitoring Report is published annually. The most recent monitoring report can be viewed at:  
<https://www.hastings.gov.uk/planning/policy/localplanmonitoring/>
16. It assesses whether or not targets and milestones related to the production of the Local Plan have been met. As a result of monitoring, the Council will decide what changes, if any, need to be made to the Local Plan and will bring forward any such changes through a review of this LDS.

## Brownfield Land Register

17. The Housing and Planning Act (2016) places a duty on local planning authorities to prepare, maintain and publish a register of brownfield land (also known as previously developed land) which the Council has assessed as being potentially suitable for residential development. The register is used to monitor the Government's commitment to the delivery of brownfield sites. This register can be accessed on the Council's website: <https://www.hastings.gov.uk/planning/policy/BrownfieldRegister/>

## Local Plan Documents to be prepared over the next 3 years

### Updating the Existing Local Plan: Hastings Local Plan 2019/20 – 2039/40

18. The Council is updating its local plan following changes to National Planning Policy Framework (NPPF 2019), also known as the Framework, as indicated in the LDS published in February 2019. The new local plan will cover a 20 year period from 2019/20 – 2039/40. Before it can be adopted it will need to be subject to an independent examination (which is held in public) by the Planning Inspectorate. This independent examination will 'test whether the local plan is:
- **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the areas objectively assessed housing and other development needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
  - **Justified** – an appropriate strategy, taking into account reasonable alternatives, and based on proportionate evidence;
  - **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
  - **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the Framework.

### Hastings Local Plan 2019/20 – 2039/40– the content it will cover

19. The preparation of a new Hastings Local Plan provides an opportunity to refresh the existing statutory development plan to deliver on Council objectives and community priorities. It will set out the Council's spatial strategy for growth and new development in Hastings along with specific requirements for strategic (typically larger sites and/or critical sites for infrastructure delivery). It will also include detailed development management policies setting out the form development in Hastings will need to take and any measures required to mitigate the impact of development.
20. The vision, objectives and approach of the plan will be informed by evidence, engagement and consultation with key stakeholders but some of the priority themes and issues that it will respond to include:
- addressing climate change and the low carbon agenda
  - supporting a diverse thriving economy
  - increasing the delivery of housing and sustainably designed homes including responding to the Government's new annual target figure of 430 net new homes per year
  - maximising delivery of affordable housing that meets local need
  - promoting more sustainable transport
  - creating healthy places with opportunities for more active lifestyles
  - achieving growth while mitigating any impacts on and enhancing valued natural environment assets
21. Several of these issues overlap and are complementary; but in some cases balanced approaches will need to be taken where these priorities conflict. These balanced policy approaches will need to be clearly set out through the Local Plan. In addition, the Local Plan cannot undermine the viability of developments and must be deliverable – if the plan is not deliverable it will fail the independent examination.

22. Balanced policies; developing a robust evidence base including related to viability and deliverability; considering the sustainability impacts of the plan and effective community engagement, are all critically important to the development of the new Plan. These aspects of plan making process are explained below.

### **Hastings Local Plan 2019/20 – 2039/40 – the process for plan preparation**

23. Evidence gathering to support the development of the new plan is well underway and will continue into 2020. This evidence will be used to inform the strategy and policies contained in the plan. Further information on the evidence base prepared so far is available on the Council [website](#).
24. The Local Plan will be subject to Sustainability Appraisal (SA) and, where required, Strategic Environmental Assessment (SEA). Assessment of the sustainability implications of the policies will be prepared and published at the key stages of the Plan's preparation. This is in line with the Regulations<sup>6</sup> and the starting point for this is a technical consultation with Natural England, Historic England and the Environment Agency which is scheduled for early 2020. This will help the Council develop a framework for assessing the sustainability impacts of the development.
25. The Council will engage with these statutory agencies, neighbouring Rother District Council and East Sussex County Council and use the sustainability appraisal process and the evidence based to develop a draft local plan for public consultation in summer 2020. In preparing the draft Local Plan the Council will also draw on previous consultation including comments received on the draft Area Action Plan for Hastings Town Centre and Bohemia which the Council consulted on in 2018.
26. During the formal consultation period in summer 2020 – and as far as practicable in the run up to it - the Council will engage with a range of parties including residents, businesses, developers and other local groups to capture the diversity of views on key issues for the Local Plan. This consultation will be undertaken in line with the [Statement of Community Involvement](#).
27. Comments received on draft Local Plan will be used to develop, refine and improve the Local Plan which will be submitted to the Planning Inspectorate for an examination which is known as the 'submission version local plan'. The **submission version local plan** which be published for comments in winter 2020. This submission version of the Plan and any comments received on it are then submitted to the Planning Inspectorate for an independent examination likely to take place in spring/summer 2021.
28. When adopted, the Hastings Local Plan 2019/20 – 2039/40, will replace the Hastings Planning Strategy (2014) and the Hasting Development Management Plan (2015). It will also replace the draft [Area Action Plan for Hastings Town Centre and Bohemia](#) which the Council consulted on in 2018 – and the comments received on the latter are being used to inform the plan.
29. A summary of the planned scope of the document and timeline for its production is provided in the table below.

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<sup>6</sup> Section 19 of the Planning and Compulsory Purchase Act 2004 requires a local planning authority to carry out a sustainability appraisal of each of the proposals in a plan during its preparation.

<b>Table 1: Hastings Local Development Plan</b>		
<b>Purpose and subject</b>	To set out the vision, objectives and strategy for the type, scale, and priority locations for development. This will include strategic policies, development management policies and site allocations.	
<b>Coverage</b>	Borough-wide	
<b>Status</b>	Local Plan document – part of the statutory development Plan	
<b>Conformity</b>	National Planning Policy Framework 2019	
<b>Key milestones</b>	<b>Plan Stage</b>	<b>Date</b>
	Consulting statutory bodies on the scope of the Sustainability Appraisal	Quarter 1 2020/21
	Public participation in the preparation of the Local Plan (Local Plan Regulations, Regulation 18 Stage)	Quarter 2 2020/21
	Publication of the Proposed Submission of the Local Plan (Local Plan Regulations, Regulation 19)	Quarter 4 2020/21
	Independent Examination	Quarters 1-2 2021/22
	Adoption of the Local Plan	Quarters 3-4 2021/22
<b>Arrangements for production</b>	<p><b>Organisational lead</b> – Assistant Director Regeneration &amp; Culture</p> <p><b>Political management</b> - Executive decision (Cabinet), Full Council resolution required for publication and adoption stages</p> <p><b>Internal resources</b> - Planning Policy team with wide ranging input across the Council</p> <p><b>External resources</b> – Statutory consultees and other key stakeholder including: East Sussex County Council, Natural England, Environment Agency and Historic England, infrastructure and other service providers, specialist contractors where required to help develop the evidence base.</p> <p><b>Community engagement and involvement</b> – To be undertaken in compliance with the Statement of Community Involvement.</p>	

### Neighbourhood Plans

30. The Council will also be working closely with communities to bring forward any Neighbourhood Plans and continue work on monitoring and implementation of the Local Plan documents that are already in place.

## **Work on other planning documents**

31. The Council will consider the need for further supplementary planning documents as the new Local Plan is progressed including any specific design guidance requirements. This LDS will be updated and re-published to reflect any proposed new SPDs, setting out the timetable for production and including consultation and adoption dates.
  
32. The potential to introduce a community infrastructure levy (CIL) is also being revisited by the Council. CIL is a standard charge that can be used to pay for infrastructure that supports development. The rates that apply to development are set out in a Charging Schedule which must be the subject of consultation and an independent examination. No decision has been taken on whether to adopt a CIL at this stage. Again, an updated LDS will be published if the decision is taken to move forward with a CIL, setting out the timetable for production including consultation and adoption dates.

## Appendix A - Programme management and risk assessment

The Council's Cabinet, which meets monthly, oversees the preparation of planning policy documents. It is authorised to approve documents for public consultation. However, in accordance with the Council's Constitution, statutory development plan documents that are to be published or adopted as Council policy are determined by Full Council.

The Portfolio Holder for Regeneration & Culture oversees the preparation of planning policy documents and is involved throughout, from the early stages of the process.

Management is overseen by the Assistant Director Regeneration & Culture. Day-to-day management of the production of the planning policy documents is undertaken by the Planning Policy Manager.

### Resources

The main responsibility for the Local Plan preparation lies with the Planning Policy Team. Beyond the expertise in the team, the support of other Council officers will be provided at key stages in the preparation process, notably in the production of detailed development management policies, where capacity exists.

External expertise will be required to assist with the preparation of specialist studies and assessments.

The resource requirements will be regularly monitored in line with the Council's existing budgetary processes

### Timeframe and contingencies

A risk assessment is presented in the table below, with potential responses.

<b>Risk factor</b>	<b>Likelihood / Scale of impact</b>	<b>Contingency actions and response</b>	<b>Impact</b>
Work demands that are not programmed notably Neighbourhood Plans	High / High	Manage inputs to neighbourhood plans and strictly prioritise inputs to re-work demands  Short-term extra resources  Review programmes for priority policy documents	Delay  Possible financial cost
Changes to Planning Policy and Guidance	Medium / High	Monitor emerging guidance, consultations etc.  Reassess priorities through review of LDS	Delay

<b>Risk Factor</b>	<b>Likelihood / Scale of impact</b>	<b>Contingency actions and response</b>	<b>Impact</b>
Staff shortages e.g. unable to recruit, long term sick leave etc.	Medium / High	Consideration with HR of recruitment and retention issues  Subject to timing of absence, purchase expertise on short term basis via consultancy	Delay  Financial cost
Requisite expertise or capacity not available in- house	Medium / Medium	Staff training/CPD. Identify evidence needs with other Local Planning Authorities (LPAs)  Train staff  Purchase expertise on short term basis  Sharing expertise with other LPAs	Financial cost
Budgetary limitations	Medium / High	Council budgetary management processes Monitor grant potential Advanced appraisal of future costs  Reassess department priorities through review of both the LDS and the department's work programme	Delay  Non-achievement of other Department priorities
Longer process times, especially due to high level of responses	Medium / Low	Encourage online representations Early engagement  Secure administrative assistance  Review programme and priorities	Delay