

Jean Radley
Programme Officer
Eastbourne Core Strategy – Examination
1 Grove Road
Eastbourne
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29th February 2012

Dear Jean,

Eastbourne Borough Council Response to Questions from the Inspectorate

Eastbourne Borough Council [hereafter referred to as 'the Council'] welcomes the opportunity to clarify any uncertainties in relation to the submission of its Eastbourne Plan: Core Strategy. In a recent letter, the Inspectorate posed the following questions.

Procedural questions

Please will the Council notify me formally whether it is requesting modifications under section 20(7C) of the Planning and Compulsory Purchase Act 2004 [para 1].

1. The Council intends to formally request modifications under section 20 (7C) of the Planning & Compulsory Purchase Act 2004. Please see the separate letter attached.

Proposed changes in CS2 (it would be helpful if these changes were numbered). Most of the changes proposed are minor changes which, under the Localism Act, will not be considered at the examination [para 6].

2. It is appreciated that it is up to the Council to decide how and when to make these changes. The Council wishes the submitted plan, as amended by the proposed changes, to be considered as the plan for consideration at the examination. The Schedule of changes (CS2) has been re written as a numbered schedule and resubmitted accordingly excluding the 'major modifications which have been placed separately in document CS2A. A marked up copy of the Core Strategy including these changes has been prepared as CS1(A).

From initial reading CS2 includes a single Major Modification proposed by the Council which is in response to representation 115 and relates to deletion of reference to Sovereign Harbour as a District Centre in Policy D4 [para 8].

3. The Council understands the Inspectors consideration that the modifications in response to representation 115 constitute a 'major' change and which will therefore require further 6 weeks consultation. The reference to Appendix C: Sovereign Harbour Retail Park Shopping Designation was included in error as this was an internal briefing paper. However the Council does wish to supply information on the retail designation of Sovereign Harbour retail park and this will be sent as soon as possible. Is the fact that the Sovereign Harbour retail park is designated as 'Out of Centre' in the adopted Borough Plan alter the Inspector's interpretation?

This may be carried out immediately or, if the Council requests modifications as referred to in point 1 above, it could be undertaken together with consultation on any other major modifications that emerge from the examination.

4. The Council would like to formally invite the Inspector to consider the proposed Core Strategy as amended by the minor changes and accordingly would like the consultation on any major changes to follow on after the EIP has taken place.

If the Council wishes the examination to consider the CS as amended by the changes in CS2 (as in above) then this major modification should be omitted from CS2 and placed in a separate schedule of proposed Major Modifications.

5. This has been provided accordingly [CS2A].

The proposed changes to Figure 2: Neighbourhood 1: Town Centre are not clear as the changes refer to replacing some of the orange "residential opportunity sites" with blue "mixed use opportunity sites" However blue sites currently on this diagram refer to "landmarks" [para 7].

6. An illustrative example of how the Proposed Modification [ID25] would look is included for the Inspectors consideration.

The TCAAP appears to be mainly a suite of development management policies which relate specifically to the TC area. At this stage this document seems more akin to an SPD.

7. The Council will consider the Inspectors comments and prepare a full response to the issues raised shortly. Any change in TCAAP status would need to be made formally at a Council Cabinet Meeting. This is unlikely to be before April 18th.

In view of the concerns regarding housing supply and the AAP the council may wish to consider taking some time to prepare additional evidence or, if this would be helpful, arrange an exploratory meeting. In the meantime could you also let me know whether or not you wish to hold a PHM? [14]

8. The Council feels confident that it has already prepared sufficient evidence to support its Core Strategy at Examination in public. It is understood from recent correspondence with the Programme Officer that the Inspector will consider the evidence forwarded with this letter and make a decision as to whether a PHM or an Exploratory will be necessary. It is also the Council's intention to move forward as smoothly and quickly as possible to the main EIP.

Supporting docs/ evidence base

There seem to be no submitted documents such as the Preferred Options or CS spatial options which explain the options considered and how the spatial strategy evolved. The same applies to the TCAAP [para 2, 3, 4, 5 & 10], the AMR, Windfall Housing Delivery note, and the Housing Trajectory.

9. All of the above background evidence reports have been added to the Core Strategy Submission documentation and supplied with this letter to the Programme Officer. An updated reference list is also provided with the revised or new submission documents identified in red. A separate list will be forwarded for the Town Centre Area Action Plan if the Council decides to continue with the AAP process.

Please could a summary explanation of the iteration be provided for the examination? [para 3]

10. An explanation of how the Core Strategy has evolved is included in the accompanying additional background documentation [CS43].

Housing Supply

Please could the Council provide an explanation of how the figure of 222 dwellings per year is arrived at? [Para 9]

11. The South East Plan target for Eastbourne Borough Council is to provide 4,800 net dwellings over the twenty year plan period from 2006-2026. As the Core Strategy is planned to be adopted in 2012, the Council has anticipated that it will be required to provide a 15 year housing land supply from adoption of the Core Strategy in line with Planning Policy Statement 3. This has therefore meant extending the planning period of the Plan by a year to 2027.

12. The Council oversupplied against its housing delivery targets in the first four years of the plan period (2006/7, 2007/8, 2008/9, and 2009/10).

Figure 1 Housing Delivery in the First 4 Years of the Planning Period

Monitoring Year	Annual Housing Requirement	Total Net Additional Dwellings	Net Annual Requirement for remaining years of the Plan period *
2006/2007	240	367	233
2007/2008	240	280	231
2008/2009	240	387	222
2009/2010	240	222	222

* To meet South East Plan target of 4,800 net dwellings by 2026.

13. Figure 1 shows that as of the end of the 2009/10 monitoring year, the Council was therefore only required to deliver 222 net units per annum for the remaining years of the plan period to meet the overall SE Plan housing target. An additional 222 net units was thus agreed as a suitable requirement for the 2026/2027 year, which extended the overall housing requirement to a total 5,022 net additional dwellings for the planning period 2026/2027.

14. The revised housing requirement of 5,022 net dwellings was agreed by the LDF Steering Group following the consultation on the Spatial Development Options and subject to full public consultation as part of the Proposed Core Strategy (17 December 2010 – 11 March 2011).

Please provide a housing trajectory which shows when and where new housing development will take place. [Para 10.]

15. A residential development schedule and trajectory has been prepared and is provided as an additional submission document [CS38 and CS38(A)].

There appear to be inconsistencies between the housing provision for neighbourhood 1 on Table 2 of the CS and the number of dwellings proposed in the TCAAP. Please explain. [Para 11]

16. The Proposed Submission Version of the Town Centre AAP was published for representations from 21 July – 22 September 2011. This was just before final amendments had been made to the overall housing figures in the Core Strategy to reflect the latest position on housing commitments and identified sites. These figures were presented in the Proposed Submission Core Strategy during the representation period of 16 September – 9 December 2011. The housing figures listed in Table 2 of the Submission Core Strategy are the correct and up to date figures. The revised figures were omitted from the schedules of changes/modifications to the Town Centre AAP and will be added as further modifications as an amendment to TCAAP2 'Schedule of Proposed Changes to the Town Centre AAP' in due course.

Reliance on windfall sites is "built in" to both the CS and the SHLAA, rather than emerging from a rigorous assessment of the situation. The

SHLAA seems to leap to a windfall analysis before summarising the number of identified sites and identifying the shortfall. [Para 12]

17. Due to the nature of land supply in the Borough and its tight confinement as a mainly urban local authority, it was imperative that the SHLAA assessed all land opportunities, at all sizes and scales. The SHLAA therefore assessed all land and sites that are capable of achieving at least 1 net additional dwelling. In line with Stage 2 of the CLG SHLAA Guidance, the Council determined a comprehensive list of the types of site it should assess in the SHLAA. These are presented sequentially in page 10-11 of the SHLAA to reflect the need to identify firstly existing opportunities, brownfield land, and development outside flood risk zones as required under Planning Policy Statement 25: Development and Flood Risk. The sequential assessment ensured that all land and site opportunities were assessed before consideration of any windfall development.

18. The chapter that proceeds the site identification process in the SHLAA 'Section 2: Background to Housing Delivery in Eastbourne' refers to windfall development only as a historical look at past and recent trends in housing development and delivery, not as a mechanism to predetermine the strategy that the Council should use to identify future land supply.

19. [It should be noted that the Windfall Delivery analysis identified from paragraphs 4.38 to 4.50 of the SHLAA have been superseded by the accompanying submission document CS31 Windfall Housing Delivery Briefing Note. This briefing note provides an up to date assessment of the delivery of housing on windfall sites over the last 5 years, compared to allocated and identified sites, along with an updated windfall methodology which ensures that identified sites in the SHLAA are discounted from any future assessment of windfall delivery.]

20. The SHLAA 'Method of Approach' statement was published for consultation in October 2008 [CS28(C)] Feedback indicated that the Method of approach was widely supported. A full SHLAA was then undertaken in accordance with the proposed methodology. The summary spreadsheet at the start of Appendix C to the SHLAA summarises all the sites that have been assessed as deliverable and developable, and those that have been assessed as undevelopable. The SHLAA has been available to view on the Councils website since December 2010.

21. The Core Strategy and SHLAA reflect the significant constraints that prevent sites from being assessed as deliverable and developable in Eastbourne. Environmental constraints include flood risk, Sites of Nature Conservation Interest (SNCI) and the South Downs National Park (SDNP) designation. Flood risk is also a severe constraint to development in Eastbourne, due to the extent of the tidal and fluvial Flood Zone 3a. Only development within the existing urban areas have been endorsed in the exception test because of their sustainability benefits in providing social and economic regeneration opportunities within their wider neighbourhoods. Other greenfield sites outside the development boundary (identified in Policy B1 and the Key Diagram of the Core Strategy) are

significantly constrained by fluvial flood risk, and are therefore also not deliverable.

22. Fortunately Paragraph 59 PPS3: Housing advises that “ *Allowances for windfalls should not be in the first 10 year of Land Supply unless Local Planning Authorities can provide robust evidence of genuine local circumstances that prevent specific sites from being identified. In these circumstances an allowance should be included but should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends.*”

23. The Housing Figures in the Core Strategy therefore reflect the outcome of a rigorous assessment of land supply across the whole Borough for future residential development. The preparation and production of a Strategic Housing Land Availability Assessment (SHLAA) took place alongside the development of the Core Strategy at its key stages including the Preferred Options Report, through to Spatial Development Options and the Proposed Strategy Report.

24. Please see separate Briefing note on SHLAA approach [reference number CS28(F)] for additional information.

Is the SHLAA up to date?

25. The SHLAA was published in December 2010 as an evidence document in support of the Spatial Development Strategy. It is as up to date as possible, published after a four year comprehensive review of potential residential development sites. Consultation on various stages of the Core Strategy and the preparation of key pieces of evidence such as the Strategic Flood Risk Assessment, Financial Viability Assessment of SHLAA sites, Landscape Character Assessment and Biodiversity Assessment have all help inform the assessment of sites, and this evidence remains valid and robust.

26. A detailed review of the financial viability of SHLAA sites (submission document CS18) was also undertaken by the consultants Baker Associates (published in June 2010) to assess the ‘achievability’ assessment of the sites in accordance with the SHLAA practice guidance (Stage 7c). The financial viability assessments of sites were undertaken during a period of economic downturn therefore presents a currently realistic view of the deliverability of sites to inform overall housing land supply and housing numbers for the Core Strategy.

27. The Housing land supply position (up to September 2011), and the housing numbers, have been updated at the end of each quarter, including any additional sites that have been granted planning permission, not previously identified in the SHLAA. These additional sites are listed in the 5 Year Housing Land supply and in the schedule of development sites which makes up the overall housing delivery in the Submission Core Strategy.

Is the SHLAA process consistent with the CLG Practice Guidance - particularly Figure 3 on Page 9? [Para 12]

28. The CLG Practice guidance was a central consideration in the production of the SHLAA and its methodology and preparation mirrors its requirements. Evidence of this is provided in the accompanying briefing note, [reference CS28(F)] .

I hope this letter and the accompanying Housing Briefing note address the Inspectors concerns, however we would be happy to provide any further information required.

Kind regards,

Iona Cameron
Planning Policy Manager (Job Share)