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Your Ref:

Our Ref: PINS/T1410/429/5 & 6

Date: 19th April 2012

Dear Iona and Lisa

National Planning Policy Framework:

Planning for Traveller Sites:

Housing supply as discussed in inspector letter of 13.03.12 and the Council's response of 27.03.12.

The Programme Officer's letter of 3 April refers to the recent publication of the National Planning Policy Framework (the Framework) and Planning Policy for Traveller Sites, with a date for submission of representations on these documents, so far as they relate to the Eastbourne Plan, of 4 May 2012.

I am sure that the Council will already be in the process of considering any changes that need to be made to the Plan to ensure that it is consistent with the Framework and the new traveller policy. However it may be useful draw to your attention some key issues. The following is clearly not an exhaustive list, but it highlights significant policy changes, especially where they relate to the issue of housing supply and windfall sites, as discussed in my letter of 13.03.12 and the Council's response of 27.03.12.

National Planning Policy Framework

1. The Framework is underpinned by a presumption in favour of sustainable development. Paragraph 15 requires all plans to be based upon and reflect this presumption, with clear policies that should guide how the presumption will be applied locally. A model policy which addresses this matter has now been placed on the Planning Portal and can be reached through the following link:

http://www.planningportal.gov.uk/wps/portal!/ut/p/c4/04_SB8K8xLLM9MSSzPy8xBz9CP0os3gjtXBnJydDRwP3IA8LA0_ngJAALwt_YwMjI_2CbEdFACgDI6k!/?PC_7_2FTCB1A004810IIHTVFM010C5000000_WCM_CONTEXT=/wps/wcm/connect/portals2liveenvironment/portal2site/planning/planninginspectorate/presumption

It is highly likely that I will need to recommend a main modification to include such a policy.



2. Paragraphs 47 – 55 of the Framework deal with housing supply. In particular paragraph 47 requires Local Plans to meet (my underlining) the full, objectively assessed needs for market and affordable housing in the housing market area as far as is consistent with the policies in the Framework. This differs from PPS3 which merely required the level of housing provision to take into account evidence of need and demand.

The Eastbourne Plan is supported by a SHMA which covers the Eastbourne and South Wealden housing market area. The SHMA recognises that when compared to projected household growth Eastbourne's housing target shows significant restraint. In this context the examination will need to consider whether continued reliance on the South East Plan housing target will achieve the objective, set out in paragraph 47 of the Framework, of boosting the supply of housing.

Following on from this but also relevant to the examination, the Council will be aware that the South East Plan may be revoked before the examination concludes. If this is the case the Council will need, in any event, to provide its own justification for the planned housing provision.

Paragraph 47 of the Framework introduces the requirement for an additional buffer of 5% for the first five years' supply. It also requires local planning authorities to set out a housing implementation strategy for the full range of housing, describing how they will maintain delivery of a five year supply of housing land to meet their housing target. Paragraph 159 sets out the need for the SHMA to identify the scale and mix of housing and the range of tenures needed over the plan period.

The Council may need to undertake additional work to address these policies and any main modifications to amend the Plan will be considered at the examination Hearings.

3. Paragraph 48 of the Framework introduces the potential for an allowance for windfall sites to be made in the five year housing supply. In view of the Council's heavy reliance on windfall sites this is clearly helpful as it will allow the Council to plan for a more balanced trajectory with windfall provision spread more evenly through the plan period. However the Framework states that to make an allowance for windfall sites there should be "compelling evidence that such sites have consistently become available in the local area and will continue to provide a source of supply" (my underlining).

The Council's evidence base and its letter of 27.03.12 demonstrate that windfall sites have consistently become available in recent years. Furthermore Appendix B of the Council's letter shows a continuing supply of windfall sites in recent months. However there is little evidence to support the assertion that such sites, particularly conversions, will continue to provide a reliable source of supply. To comply with the Framework further evidence will be needed to demonstrate that there is real potential for the windfall supply to continue throughout the plan period.

Additional evidence could take the form of a survey of a sample area within an area such as the town centre, where there is heavy reliance on windfall conversions. It would need to show that there are sufficient small

sites and large houses with potential for conversion to enable windfall sites to continue to provide a reliable source of supply. Any projections should exclude residential gardens, as required in the Framework (paragraph 48).

4. Paragraph 22 of the Framework states that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose and that land allocations should be regularly reviewed. The Council may need to revisit the SHLAA to identify whether any such sites have been dismissed for housing use and it should be able to demonstrate that any allocations for employment use have been subject to review.

Planning policy for traveller sites

5. Paragraph 2 of this policy states that it must be taken into account in the preparation of development plans. Policy B sets out the requirement for Local Plans to set pitch targets and to identify and update annually a supply of specific deliverable sites.

Policy D6 of the Eastbourne Plan acknowledges that appropriate provision will be made for a site(s) for Gypsies, Travellers and Travelling Showpeople, but it does not identify a site. This matter is programmed to be addressed at the examination Hearings (items 4.12 and 4.13).

In view of the new policy I will amend the agenda to include the following questions:

- What is the assessment of need up to 2016, when a further review is proposed?
- If there is no assessment what are the implications for the Plan? and
- If a need is identified why does the Plan not identify site/s?

Housing supply and windfall sites – Council’s letter of 27.04.12

6. Appendix B of the Council’s letter of 27 March 2012 includes a list of previously unidentified housing sites which have recently come forward, subdivided into various categories. Not only are these identified sites, but they are each given a potential year of delivery. These sites can therefore now form part of the Council’s identified housing land supply and should be incorporated into the housing trajectory as such.

Appendix B demonstrates that the Council has effectively commenced an update of the SHLAA. This, if followed through as an examination Topic Paper or an addendum to the SHLAA, would be a useful addition to the evidence base. It would present a clearer and more up to date picture of identified housing supply. Any further work that the Council is able to undertake in this area would be useful in helping to reduce reliance on windfall provision and refine the matters for discussion at the examination Hearings.

Conclusion

7. It is clear from the above that the Council will need to undertake additional work and make some changes to the Plan in order to ensure

soundness. I suggest that any changes that are proposed in order to ensure conformity with the Framework can be put forward as Main Modifications, considered at the examination Hearings and subject to consultation after the Hearings.

The examination Hearings are programmed to commence in less than four weeks. In view of work the Council has to undertake to address consistency with the new policies in the Framework and the traveller policy, it may have difficulty in achieving this timescale. Therefore if it is felt that the Hearings need to be postponed this should be brought to the attention of the Programme Officer as soon as possible.

Yours sincerely,

Steve Carnaby on behalf of Sue Turner