Land at Downlands Farm, Uckfield

Housing Land Supply and Affordable Housing

Proof of Evidence Prepared by:
Mr Dominick Veasey BA(Hons) DipTP MRTPI

PINS Ref: APP/C1435/W/23/3321979
LPA Ref: WD/2022/1637

September 2023

gleeson land

Contents

1. Qualifications, Experience and Declaration 3
2. Introduction and Scope of Evidence 4
3. The Development Plan and Other Material Considerations 5
4. Assessing Wealden's Housing Land Supply Position 10
5. Affordable Housing 24
6. Summary and Conclusions 29

1. Qualifications, Experience and Declaration

1.1 My name is Dominick Veasey and I am a Chartered Town Planner and member of the Royal Town Planning Institute. I hold a Batchelor of Arts (Honours) in Town Planning and a Diploma in Town and Country Planning from Sheffield Hallam University. I have over 20 years' professional experience as a town planner.

1.2 I appear at this Inquiry on behalf of Gleeson Land and John Allison Land and Research Ltd ("the Appellant") to provide housing land supply and affordable housing evidence in respect of its appeal against the refusal of hybrid planning permission by Wealden District Council comprising: outline application (with all matters reserved except for access) for the erection of up to 424 no. residential dwellings including affordable housing, the provision of vehicular, pedestrian and cycle access and separate emergency access from the Uckfield bypass (A22), pedestrian and cycle access from Snatts Road, open spaces including children's play space, sustainable urban drainage systems, associated landscaping, infrastructure and earthworks; and full application comprising creation of a strategic SANG, associated landscaping and car parking, and demolition of existing residential property and other buildings and provision of pedestrian and cycle access from rocks road, associated landscaping, infrastructure and earthworks ("the Appeal Scheme") at Land at Downlands Farm, Uckfield ("the Appeal Site").

1.3 I head up the Research and Analytics team at Gleeson Land. Prior to Gleeson Land, I was a Director at Nexus Planning Ltd where I led the research and analytics team and advised a range of developers and housebuilders on planning, housing, demographic, socioeconomic and infrastructure capacity matters. Before Nexus Planning, I was a town planner at the Department for Communities and Local Government and before that a regional planner at the South East England Regional Assembly / South East England Partnership Board.

1.4 I have given expert evidence in relation to housing matters at numerous appeal Inquiries and Hearings and Local Plan Examinations on a range of sites across England. Of particular relevance to Wealden District, I prepared (in my capacity of Director at Nexus Planning) the housing land supply evidence in respect of the recent Land at Old Nursery House, The Street, Framfield, appeal (APP/C1435/W/22/3301104) dated 5th January 2023 (**Appendix DV1**) where the Inspector concluded that Wealden's housing land supply position was closer to the Appellants (my) position of 2.78 years as opposed to the Council's 3.66 years position.

1.5 The evidence which I have prepared and provide to this appeal (Ref: APP/C1435/W/23/3321978) is true and I can confirm that the opinions expressed are my true and professional opinions.

2. Introduction and Scope of Evidence

2.1 There is common ground between the Appellant and the Council (as set out in the Appellant's Statement of Case and the Housing Land Supply Statement of Common Ground (HLS SOCG)) that Wealden District Council ("the Council") is unable to demonstrate the minimum 5-year housing land supply required by paragraph 74 of the National Planning Policy Framework ("the Framework") – with supply no more than 3.92 years and a shortfall of 1,579 dwellings on the Council's published case.

2.2 Although both parties agree that the extent of the HLS shortfall is significant and that the significant weight should be attached to the delivery of housing in the planning balance, there remains disagreement between the Appellant and the Council over the extent of the supply shortfall.

2.3 The importance of the extent of the shortfall when attributing weight as part of the planning balance was confirmed within the Hallam Land Management Ltd v Secretary of State for Communities and Local Government [2018] EWCA 1801 (**Appendix DV2**), and also the Gladman v SoS for Communities and Local Government [2019] EWHC 128 High Court judgement (**Appendix DV3**).

2.4 There is also disagreement over the weight to be attached to the shortfall of affordable housing delivery.

2.5 In considering the housing land supply position and the weight to be attributed to affordable housing, my evidence sets out the relevant planning policy context, including the Development Plan, relevant material considerations, including the Framework, the National Planning Practice Guidance ("PPG"), relevant case law and associated appeal decisions.

2.6 My evidence assesses the housing requirement and deliverability of the Council's identified components of housing supply. Following which, I set out my conclusion in relation to the housing land supply position – where I conclude that the Council's housing land supply position is materially worse than the Council's published position of 3.92 years supply of deliverable sites.

2.7 Following my consideration of housing land supply, my evidence turns to affordable housing and the weight to be afforded to it in light of the evidence of need.

2.8 In setting out my evidence, I rely upon a number of supporting documents. These are included in a separate bundle and are numbered DV1 to DV20.

3. The Development Plan and Other Material Considerations

3.1 The Development Plan consists of the adopted Wealden District Core Strategy Local Plan (February 2013), the 'saved' policies of the adopted Wealden Local Plan (1998) and the Affordable Housing Delivery Local Plan (May 2016).

Wealden Development Plan

3.2 Policy WCS1 makes provision to deliver 9,440 net additional dwellings over the 2006 to 2027 period. The supporting text (paragraph 5.5) outlines that the spatial strategy seeks to concentrate growth at the urban areas, but especially at Hailsham and Uckfield. Policy WCS2 apportions 1,742 dwellings to Uckfield over the 2006 to 2027 period.

3.3 However, given that the adopted Local Plan is more than 5-years old, it is agreed that the relevant housing requirement is that set through the Framework's Local Housing Need ("LHN"). As set out within the Wealden Five Year Housing Land Supply Statement – as of 1st April 2022 ("the 2022 HLS Statement") (CD7/2), the LHN figure for Wealden is 1,212 dwellings per annum (dpa).

3.4 Policy WCS8 of the Core Strategy Local Plan (CD6/4) and Policy AFH1 of the Affordable Housing Delivery Local Plan (CD6/7) require 35% affordable housing. Supporting text paragraph 7.11 refers to the Council's local housing needs survey in 2009, which concluded that Wealden's annual affordable housing need was 812 affordable homes per annum.

3.5 The Local Plan refers to the preparation of a Strategic Sites Development Plan Document (DPD) and a Delivery and Site Allocations DPD. As the purpose of these DPD's was to provide specific policies relating to the intended phasing and delivery requirements of identified site allocations they were essential to the successful delivery of the Local Plan's strategic housing policies. Unfortunately, these DPD's never materialised.

Other Material Considerations

National Planning Policy Framework 2021

3.6 The National Planning Policy Framework ("the Framework") (CD6/1) was republished in September 2023 and is a material consideration of particular importance in the determination of planning applications. As the Inspector is familiar with the Framework I will not repeat it in full within my evidence, but draw attention to the following paragraphs of particular relevance to the consideration of housing land supply and affordable housing matters:

(a) It provides a strong emphasis on achieving the three pillars of sustainable development (the economic, social and environmental objectives). In delivering sustainable development the social objective within paragraph 8 supports strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations.

(b) In relation to the presumption in favour of sustainable development and decision-making paragraph 11(d), provides that where there are no relevant development plan policies or the policies which are most important for determining the application are out of date (including where the local council cannot demonstrate a five year supply of deliverable housing land (as in the case in Wealden District)), permission should be granted unless (i) policies in the Framework provide a clear reason for refusing the development; or (ii) any adverse impact of doing so would significantly and demonstrably outweigh the benefits.

(c) Paragraph 60 identifies the Government's overarching objective to significantly boost the supply of homes, identifying the importance of a sufficient amount and variety of land coming forward where it is needed.

(d) Paragraph 62 is clear that local councils should deliver a mix of housing sizes, types and tenures for different groups, which include, but not limited, to those who require affordable housing.

(e) In relation to affordable housing delivery, paragraph 65 outlines that all major developments involving the provision of housing should provide at least 10% of the new homes to be available for affordable home ownership. The definition of affordable housing is set out within the glossary in Annex 2 of the Framework.

(f) Paragraph 68 sets out the need to provide a five year supply of deliverable sites for housing. The definition of what constitutes a 'deliverable' site is set out in the glossary in Annex 2 of the Framework. I have used this definition, alongside that set out in the National Planning Practice Guidance ("PPG") (ID 68-007-20190722), to inform my assessment of the Council's housing land supply position.

(g) Paragraph 74 states that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement, including an appropriate buffer of 5, 10 or 20% depending on the specific circumstances.

National Planning Practice Guidance

3.7 I will not repeat in full the relevant sections of the National Planning Practice Guidance ("PPG"), namely the 'Housing and economic needs assessment' section and the 'Housing supply and delivery' section within my evidence. However, for ease of reference I have appended the PPG extracts / sections that I refer to within my evidence within **Appendix DV4**.

Government Statements and Commitments

3.8 Since the introduction of the Framework in 2012, paragraph 60 (previously Paragraph 59), which seeks to boost significantly the supply of housing has remained at the heart of one of the key domestic priorities successive Government administrations have sought to address over the preceding years – i.e., addressing the country's market and affordable housing crisis.

3.9 The 2011 Coalition Government's 'Laying the foundations: a housing strategy for England' set out a comprehensive package of reforms to get the housing market moving again following the 2008/09 global economic crash. The Strategy recognised the importance house building has for economic growth and recovery:

> *"Housing has a direct impact on economic output, averaging 3 per cent of GDP in the last decade. For every new home built, up to two new jobs are created for a year. Without building new homes our economic recovery will take longer than it needs to."*

3.10 The Conservative manifesto in 2015 made a commitment to deliver 1 million net additions to the housing stock by the end of Parliament (at the time expected to be in 2020). In 2017, the elected Conservative Government manifesto made the same commitment, but went further to deliver half a million mor by the end of 2022.

3.11 In 2016 the House of Lords Select Committee on Economic Affairs concluded within the 'Building More Homes' Select Committee report that delivering 1 million net additions to the housing stock by 2020 was insufficient as it amongst other things, did not take into account of the backlog of housing need. The Select Committee recommended the housing crisis required the development of at least 300,000 homes annually 'for the foreseeable future'.

3.12 February 2017 saw the publication of the Housing White Paper 'Fixing our broken housing market', which set out '*a comprehensive package of reforms to increase housing supply and halt the decline in housing affordability*.' The White Paper identified a threefold problem of:

(1) Not enough local authorities planning for the homes they need.

(2) Housebuilding that is simply too slow.

(3) A construction industry that is too reliant on a small number of big players.

3.13 Within the Autumn Budget 2017, the Government set out its pledge '*to put England on track to deliver 300,000 new homes a year*'.

3.14 The elected Conservative Government manifesto makes the commitment to '*continue to increase the number of homes built*' and refers to '*continuing to make progress towards our target of 300,00 homes a year by the mid-2020s. This will see up build at least a million more homes, of all tenures, over the next Parliament – in the area that really need them'*.

3.15 A central theme within the Planning White Paper, August 2020, was that the planning system has contributed to the long-term failure to deliver enough new homes in the places where the need for new homes is the highest.

3.16 The Government's June 2022 response to the Levelling Up, Housing and Communities Select Committee report on The Future of the Planning System in England reaffirms the commitment to deliver 300,000 homes per years on average and create a market that will sustain delivery at this level.

3.17 In July 2023 the Levelling Up Secretary of State Michael Gove made a speech about the Government's plans for housebuilding in England and again reconfirmed the commitment to build one million new homes in England by the end of Parliament.

Wealden District Strategic Housing Market Assessment, 2016

3.18 The Wealden Strategic Housing Market Assessment, 2016 ("SHMA 2016") identified an affordable housing need of 331 affordable homes per annum for the 2013 to 2033 period.

Wealden Local Housing Needs Assessment, August 2021

3.19 The Wealden Local Housing Needs Assessment ("the LHNA 2021") (CD6/10), dated August 2021 concludes that there is a need for 519 affordable homes per annum to rent and 335 affordable home ownership per annum over the 2019 to 2039 period. In view of this the LHNA 2021 states:

> *"Therefore the Council is justified in seeking to secure as much affordable housing as viability allows. Overall, the analysis identified a notable need for affordable housing generally, and it is clear that provision of new affordable housing is an important and pressing issue in the District."*

Housing Delivery Test

3.20 When the Housing Delivery Test was first introduced in 2018, Wealden District achieved a 112% outcome where no action was required. However, as I outline below, in all proceeding years Wealden District has only achieved an outcome of around 83%.

2018: 112% HDT outcome, no action required.

2019: 83% HDT outcome, 20% buffer action required.

2020: 83% HDT outcome, 20% buffer action required.

2021: 82% HDT outcome, 20% buffer action required.

3.21 Based upon the 2021 HDT results issued on 19th January 2021 (see footnote 41 of the Framework), the appropriate buffer to be applied in Wealden is 20%.

Historic Housing Delivery

Housing Completions

3.22 Sourced from Annual Monitoring Reports, I set out Wealden's housing delivery record from the start of the Local Plan period within Table DV3.1 below. The cumulative shortfall is currently -2,002 dwellings over the past 16-monitoirng years.

3.23 Although the substantial under-delivery is not factored into the housing land supply calculation under the Standard Method calculation, it remains an important material consideration in the context of Wealden's overall housing delivery performance and an appeal that can deliver much needed homes.

Table DV3.1. Housing Delivery 2006/07 to 2022/23

Year	Requirement	Actual Delivery	Over / Under Delivery	Cumulative Over / Under Delivery
2006/07	450	230	-220	-220
2007/08	450	415	-35	-255
2008/09	450	349	-101	-356
2009/10	450	337	-113	-469
2010/11	450	709	259	-210
2011/12	450	619	169	-41
2012/13	450	674	224	183
2013/14	450	560	110	293
2014/15	450	576	126	419
2015/16	735	520	-215	204
2016/17	946	564	-382	-178
2017/18	950	462	-488	-666
2018/19	950	828	-122	-788
2019/20	1,231	1,034	-197	-985
2020/21	1,212	722	-490	-1,475
2021/22	1,212	685	-527	-2,002
Total	17,346	9,284	-2,002	-2,002

3.24 Again, sourced from Annual Monitoring Reports and the Council's various housing needs assessments, I set out within Table DV3.2 Wealden's affordable housing delivery record over the 2013/14 to 2021/22 period. The cumulative shortfall against identified needs over this period is very substantial -2,993 affordable homes (-1,155 against the SHMA 2016 need (2013/14 to 2018/19) plus -1,838 against the LHN Assessment 2021 (2019/20 to 2021/22).

Table DV3.2: Affordable Housing Delivery

Year	Net Affordable Delivery	SHMA 2016 Need	LHNA 2021	SHMA 2016 Need Shortfall	LHNA 2021 Shortfall
2013/14	201	331		-130	
2014/15	193	331		-138	
2015/16	82	331		-249	
2016/17	81	331		-250	
2017/18	144	331		-187	
2018/19	130	331		-201	
2019/20	273		854		-581
2020/21	275		854		-579
2021/22	176		854		-678
Total	1,555	1,986	2,562	-1,155	-1,838
		4,548		-2,993	

Housing Land Supply Position

3.25 I summarise within Table DV3.3, Wealden's long and persistent 7-year track record in being unable to demonstrate a 5-year housing land supply position:

Table DV3.3: Wealden's HLS Position Conclusions June 2017 to January 2023

Date	HLS Position	Source
June 2017	2.65 years	Wealden Five Year Housing Land Supply as at 30th June 2017
December 2018	2.62 years	Wealden Annual Monitoring Report 2017-2018
December 2019	3.67 years	Wealden Annual Monitoring Report 2018-2019
December 2020	3.75 years	Wealden Five Year Housing Land Supply Statement – as of 1st April 2020
December 2021	3.66 years	Wealden Five Year Housing Land Supply Statement – as of 1st April 2021
September 2021	3.28 years	Deanland Wood Park Ltd, Deanland Road (APP/C1435/W/20/3265476)
December 2022	3.28 years	Land South of Buckham Hill farm, Station Road, Isfield, Uckfield (APP/C1435/W/21/3281859)
December 2022	3.92 years	Wealden Five Year Housing Land Supply Statement – as of 1st April 2022
January 2023	Between 2.78 and 3.66 years	Land at Old Nursery House, The Street, Framfield (APP/C1435/W/22/3301104)

4. Assessing Wealden's Housing Land Supply Position

4.1 My assessment of the five year housing land supply position within Wealden is set out within this section of my evidence.

4.2 Wealden's published housing land supply position is set out within the Wealden District Council Five Year Housing Land Supply Statement – as of 1st April 2022, dated December 2022 ("the Wealden HLS Statement 2022") (CD7/2) and covers the 5 year monitoring period between 1st April 2022 to 31st March 2027. It is agreed that this is currently the most appropriate period on which to assess housing land supply.

4.3 I summarise below the areas of agreement and disagreement of the Council's case that it has 3.92 years of deliverable housing supply:

Table DV4.1: Overview of Wealden's Housing Land Supply Position

DV Ref	Housing Land Supply Element	Dwellings	Agreement Position
Housing Requirement			
a	Baseline total housing requirement: 2022 to 2027 (1,212 x 5)	6,060	Agreed
b	20% buffer	1,212	Agreed
c	Total 5YHLS Requirement: 2022 to 2027 (a+b)	7,272	Agreed
d	Annual 5YHLS Requirement (c / 5)	1,454.4	Agreed
Components of Supply			
e	Sites with permission (small sites with 9 or less dwellings)	941	Not Agreed
f	Sites with detailed permission (major sites – 10 or more dwellings)	2,512	Not Agreed
g	Sites with either outline planning permission or a resolution to grant permission (major sites – 10 or more dwellings)	2,129	Not Agreed
h	Class C2 accommodation with detailed or outline planning permission (or resolution to grant)	111	Agreed
i	Total supply	5,693	Not Agreed
Housing Land Supply Position			
j	Supply in years	3.92 years	Not Agreed
k	Shortfall	1.579 1.08 years	Not Agreed

4.4 Although the Council's published position is 3.92 years supply I note that as part of the recent 27 June 2023 Land north of Jubilee Drive and Highgrove Crescent, Polegate appeal (APP/C1435/W/22/3310445) the Council's position was only 3.66 years supply (**Appendix DV5**). I also note that the Inspector as part of Land at Old Nursery House, The Street, Framfield appeal on 5th January 2023 (Appendix DV1) concluded that Wealden's housing land supply position was closer to the Appellants position of 2.78 years as opposed to the Council's 3.66 years position:

> *"63. Although I heard from an interested party that the Council has granted planning permissions in excess of requirements, the Council is currently unable to demonstrate a five year supply of deliverable housing. It suggests that the supply position is 3.66 years. The appellant considers the supply position to be 2.78 years, and asserts that a number of sites within the 'major development with outline planning permission' element of the Council's identified supply should be excluded as they were not permitted during the relevant base period, or would not be deliverable and should appropriately be considered*

> *as part of the identified supply, I lean towards the appellant's view. Even if I were to accept the Council's position though and find the supply to be 3.66 years, its is common ground between the main parties that the shortfall is substantial, and I agree with this assessment."*

4.5 The role and purpose of my evidence is to assess Wealden's published housing land supply position and to reach conclusions in relation to the extent of the shortfall. My assessment therefore covers the following aspects:

a) The housing requirement.

b) Deliverability of the components of supply.

c) Consideration of the housing land supply position in light of (a) to (c) above.

The Housing Requirement

4.6 As confirmed within Table DV1 (DV Ref a to d), the agreed housing requirement for calculating Wealden's housing land supply position is 7,272 dwellings between 2022/23 to 2026/27 period.

4.7 This housing requirement is consistent with the Framework (paragraphs 61 and 74), and the methodology for calculating Local Housing Need as set out within the PPG (ID 2a-004-20201216). A detailed overview of how the Local Housing Need figure for Wealden District has been calculated is provided within Figure 1 of the Wealden HLS Statement 2022 (CD7/2).

Components of Supply

4.8 As again confirmed within Table DV4.1 there are four components to Wealden's housing supply (DV Ref e to h). An assessment of the deliverability of the identified components of supply is set out within this section of my evidence.

Evidence of Deliverability

Clear and Cogent Evidence

4.9 My assessment is based on the requirements of the Framework (paragraph 74) to 'update annually a supply of specific deliverable sites'. What constitutes a deliverable site is defined within the Framework's Glossary:

> *"Deliverable: To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:*
>
> *a) Site which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans) ["Category A Sites"].*
>
> *b) Where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will being on site within five years. ["Category B Sites"]."*

4.10 The PPG also emphasises the importance of evidence to justify the deliverability of sites within the supply trajectory (ID: 68-007-20190722):

> *"In order to demonstrate 5 years' worth of deliverable housing sites robust, up to date evidence needs to be available to support the preparation of strategic policies and planning decisions. Annex 2 of the National Planning Policy Framework defines a deliverable site. As well as sites which are considered to be deliverable in principle, this definition also sets out the sites which require further evidence to be considered deliverable, namely those which:*
>
> - *Have outline planning permission for major development;*
> - *Are allocated in a development plan;*
> - *Have a grant of permission in principle; or*
> - *Are identified on a brownfield register.*
>
> *Such evidence, to demonstrate deliverability, may include:*
>
> - *Current planning status – for example, on larger scale sites with outline or hybrid permission how much progress has been made towards approving reserved matters, or whether these link to a planning performance agreement that sets out the timescale for approval or reserved matters applications and discharge of conditions;*
> - *Firm progress being made towards the submission of an application – for example, a written agreement between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start of buildout rates;*
> - *Firm progress with site assessment work; or*
> - *Clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for larger-scale infrastructure funding or other similar projects.*
>
> *Plan-makers can use the Housing and Economic Land Availability Assessment in demonstrating the deliverability of sites."*

4.11 The importance of having clear and cogent deliverability evidence has been highlighted within numerous planning appeal decisions over recent years[1]. For brevity, I will summarise below the pertinent points from only the June 2021 appeal decision (APP/Q3115/W/20/3265861) relating to Land at Little Sparrows, Sonning Common, Oxfordshire (**Appendix DV6**):

> *"20. I have also had regard to the PPG advice published on 22 July 2019 on 'Housing supply and delivery' including the section that provides guidance on 'What constitutes a 'deliverable' housing site in the context of plan-making and decision-taking.' The PPG is clear on what is required:*
>
> > *"In order to demonstrate 5 years' worth of deliverable housing sites, robust, up to date evidence needs to be available to support the preparation of strategic policies and planning decisions."*

[1] APP/W3520/W/3194926, APP/P1560/W/17/3185776, APP/C1950/W/17/3190821, APP/Z1510/W/18?3207509, APP/U2805/W/18/3218880, APP/Q3115/W/20/3265861, APP/D0121/W/21/3285624, APP/D3125/W/22/3297487

This advice indicates to me the expectation that 'clear evidence' must be something cogent, as opposed to simply mere assertions. There must be strong evidence that a given site will in reality deliver housing in the timescale and in the numbers contended by the party concerned.

21. Clear evidence requires more than just being informed by landowners, agents or developers that sites will come forward, rather, that a realistic assessment of the factors concerning the delivery has been considered. This means not only are there planning matters that need to be considered but also there are legal and commercial / financial aspects of delivery assessed. Securing an email or completed pro-forma from a developer or agent does not itself constitute 'clear evidence'. Developers are financially incentivised to reduce competition (supply) and this can be achieved by optimistically forecasting delivery of housing from their own site and consequentially remove the need for other sites to come forward".

4.12 With regard to preparing an annual housing land supply position statements the PPG (ID: 68-014-20190722) is clear that for sites with outline consent or allocated in adopted plans, information and clear evidence is expected demonstrating that there will be housing completions on site within 5-years, including current planning status, timescales and progress towards permission.

4.13 Despite this, I note that the Wealden HLS Statement contains no site-specific detail other than simply the site name, and the assumed number of annual housing completions. Indeed, the lack of substantive evidence from the Council has previously been raised within recent Appeal decisions, such as the Land at Old Nursery House Appeal (Appendix DV1):

"63. In the absence of further substantive evidence from the Council to demonstrate that these sites would be deliverable and should appropriately be considered as part of the identified supply, I lean towards the appellant's view".

4.14 I dispute the Council's reliance on a number of sites on the basis of my assessment of deliverability, including the application of the definition of deliverability as set out in the Framework, and the conclusions reached in appeals such as the Little Sparrows, Sonning Common (Appendix DV6) and Land at Old Nursery House, Framfield (Appendix DV1) decisions.

Delivery Rates

4.15 As I referred above, the Wealden HLS Statement 2022 does not provide any site-specific housing trajectory evidence. The Statement outlines (paragraphs 2.32 to 2.37) that the following delivery rates are applied within the Council's assessment:

- Sites comprising up to 100 dwellings: 30 dwellings per annum (dpa).
- Sites comprising between 100 and 200 dwellings: 50 dpa.
- Sites comprising more than 200 dwellings: 75 dpa.

4.16 The delivery rate assumptions for sites comprising more than 100 dwellings appear to be based on the Council's review of four sites with extant planning permission of 200 or more dwellings and six sites with extant planning permission of between 100 and 200 dwellings.

4.17 Based on my analysis of these 10 sites, I do not understand how the Council has reached its delivery rate assumption conclusions. As I set out with **Appendix DV7**, my analysis of these 10 sites indicates the following lower annual average delivery rates:

- Sites comprising between 100 and 200 dwellings: 37 dpa.
- Sites comprising more than 200 dwellings: 54 dpa.
- All sites: 46 dpa.

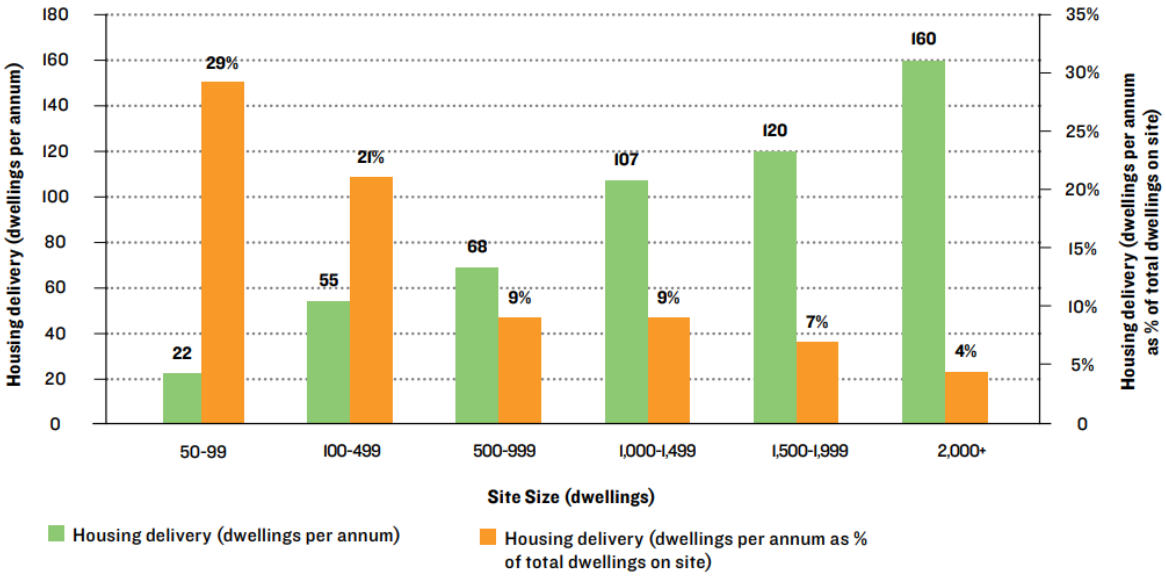
4.18 With regard to delivery rates and lead-in times I note the Royal Town Planning Institute (RTPI) award winning empirical evidence studies prepared by Lichfields that are national recognised and have informed numerous Section 78 inquiries, local plan examinations and local planning authority land supply evidence:

(a) Start to Finish: How Quickly do large-scale housing sites deliver? Lichfields, November 2016).

(b) Start to Finish (second edition), Lichfields, February 2020 (**Appendix DV8**)

4.19 The Start to Finish evidence looks at local council evidence on the speed and rate of delivery of large-scale housing sites. Figure DV4.1, summarises the Second Edition update average build-out rates based on site size.

Figure DV4.1: Build-out rate by size of site (dpa)



Source: Lichfields analysis

4.20 In view of the above, I conclude that the following delivery rates reflect local circumstances and will be applied as part of my assessment of Wealden's housing land supply position:

Table DV4.2: Housing Delivery Rates

Development Size	Council's Position	Appellants Position	Difference
Up to 100 dwellings	30 dpa	30 dpa	0 dpa
100 and 200 dwellings	50 dpa	50 dpa	0 dpa
200+ dwellings	75 dpa	54 dpa	-21 dpa

Small Sites with Permission

4.21 The Council contends that 941 dwellings will be delivered within the 2022/23 to 2026/27 period from 519 small sites with planning permission. This representing 17% of the total housing supply over the HLS period.

4.22 It is accepted that small sites with planning permission are Category A sites. However, it is common practice for local councils to apply a lapse rate to small sites in recognition that not all such permissions are implemented. Small site permissions are typically obtained by private individuals or small scale house builders rather than medium to large housebuilders. In view of this, these planning permissions often lapse before implementation, or are not progressed as they are superseded by revised planning applications. Indeed, I note that the neighbouring authority of Lewes District applies a 25% lapse rate and Mid Sussex applies a 40% lapse rate.

4.23 The council has not provided any trend analysis evidence demonstrating that 100% of small sites with permission are implemented within Wealden District.

4.24 In view of the above I apply a modest 10% lapse rate adjustment to the supply from small sites with permission. As a consequence the Council's position of 941 dwellings should be reduced by 94 dwelling to 847 dwellings.

Major Sites with Detailed Permission

4.25 The Council contends that 2,512 dwellings over the 2022/23 to 2026/27 period will be delivered from 34 sites within this supply element. This representing 44% of the total housing supply over the HLS period.

4.26 Having reviewed the 34 sites in detail, I dispute the delivery assumptions applied by the Council for the following four sites:

Brodricklands & Hamlands Farm, Willington

4.27 A development comprising 390 residential dwellings (WD/2016/0986/MAO). I note that this Site is not one of the four analysed within Table 3 of the Wealden HLS Statement 2022 (CD7/2). Based on my analysis of local housing delivery rate evidence I therefore cap annual delivery to 54 dwellings.

Table DV4.3: Brodricklands & Hamlands Farm, Willington Housing Trajectory

Trajectory Position	2022/23	2023/24	2024/25	2025/26	2026/27	HLS Period Total
Wealden Council Delivery	75	75	75	61	0	286
The Appellant Delivery	54	54	54	54	54	270
Difference	-21	-21	-21	-7	54	-16

Cuckoo Fields and Ersham Park, South of Hailsham

4.28 A development comprising 400 residential dwellings. Based on my analysis of local housing delivery rate evidence I cap the annual delivery to 54 dwellings.

Table DV4.4: Cuckoo Fields and Ersham Park, Land South of Hailsham Housing Trajectory

Trajectory Position	2022/23	2023/24	2024/25	2025/26	2026/27	HLS Period Total
Wealden Council Delivery	0	30	75	75	75	255
The Appellant Delivery	0	30	54	54	54	192
Difference	0	0	-21	-21	-21	-63

Land West of Park Road, Hailsham

4.29 Outline planning permission for 240 dwellings (WD/2013/1294/MEA) was approved on 02/10/2013. The inclusion of this site within the 2022/23 HLS period appears to be an error as the Wealden HLS 2022 statement (Table 3) (CD7/2) confirms that the final 7 dwellings were completed in the 2021/22 monitoring year.

Table DV4.5: Land West of Park Road, Hailsham Housing Trajectory

Trajectory Position	2022/23	2023/24	2024/25	2025/26	2026/27	HLS Period Total
Wealden Council Delivery	7	0	0	0	0	7
The Appellant Delivery	0	0	0	0	0	0
Difference	-7	0	0	0	0	-7

Land West of Uckfield

4.30 Outline application for up to 1,000 dwellings (WD/2015/0209) was approved on March 2016. Reserved matters for phases 1a and 1b for 250 dwellings was approved in September 2017. A copy of the illustrative phasing plan is included as **Appendix DV9**. An application to modify the s106 agreement associated with the outline permission was submitted in February 2022 (WD/2022/0299/PO) is still pending. There are also two applications for non-material amendment applications associated with phases 1a and 1b (WD/2023/1219/NMA validated in June 2023 and (WD/2023/1220/NMA validated in September 2023). Both of these non-material amendment applications are pending.

4.31 Land Registry records confirm that the land associated with phases 1a and 1b is owned by Taylor Wimpey. Land Registry also confirms that the land associated with phases 2 to 5 is controlled by Welbeck Strategic Land LLP, who is the master-developer for the Land West of Uckfield (**Appendix DV10**). The land associated with the remaining phases of the outline planning permission neither owned by a housebuilder, nor at this point in time is there any evidence planning activity associated with bringing forward phases 2 to 5.

4.32 In view of the above, only phases 1a and 1b, which comprise 250 dwellings, meet the deliverability test for the HLS period. The Wealden HLS Statement 2022 confirms within Table 3 that 133 of the 250 phase 1a and 1b dwellings were completed between 2018/19 to 2021/22. There are therefore 117 dwellings to be delivered under the approved phases 1a and 1b.

4.33 The Council's housing delivery evidence for this site (Wealden HLS Statement 2022, Table 3) shows peak delivery to date of 50 dwellings per annum. The average delivery of the past 3 monitoring years being 43 dwellings per annum.

Table DV4.6: Land West of Uckfield Housing Trajectory

Trajectory Position	2022/23	2023/24	2024/25	2025/26	2026/27	HLS Period Total
Wealden Council Delivery	50	50	50	75	75	300
The Appellant Delivery	50	50	17	0	0	117
Difference	0	0	-33	-75	-75	-183

HLS period summary of disputed major sites with detailed planning permission

4.34 A combined summary of the disputed 'major sites with detailed permission' supply site differences over the HLS period is summarised within Table DV4.15 below:

Table DV4.7: Disputed major sites with detailed permission supply trajectory differences

Site Name	The Council's Position	The Appellants Position	Difference
Undisputed Sites Supply	1,664		0
Disputed Sites Supply			
Brodricklands and Hamlands Farm Willingdon	286	270	-16
Cuckoo Fields and Ersham Park, Land South of Hailsham	255	192	-63
Land West of Park Road, Hailsham	7	0	-7
Land West of Uckfield	300	117	-183
Disputed Sites Supply Total	848	579	-269
Total Supply	2,512	2,243	-269

Major Sites with Outline Permission or Resolution to Grant

4.35 The Council contends that 2,129 dwellings over the 2022/23 to 2026/27 period will be delivered from 28 sites within this supply element. This representing 37% of the total housing supply over the HLS period.

4.36 Having reviewed the 28 sites in detail, I dispute the delivery assumptions applied by the Council for the following seven sites:

Brook View, Land North of Walshes Road, Crowborough

4.37 An outline planning permission for a development comprising up to 130 dwellings (WD/2020/0596/MAO) was granted in November 2021. In May 2022 an application to discharge conditions 3 and 4 relating to an archaeological Written Scheme of Investigation (WSI) (Condition 3) and a geophysical survey report and trial trench evaluation (Condition 4) was submitted.

4.38 In July 2022 the Council issued a split decision approving the Written Scheme of Investigation, but refusing the Condition 4 element on the basis that the survey results demonstrate that the site has archaeological interest warranting the implementation of a further phase of archaeological investigation (mitigation). This requires the production of an updated / addendum WSI, undertaking further fieldwork ahead of development commencing and the production of a post-excavation assessment report.

4.39 At this point in time, there is no submission for the discharge of Condition 4.

4.40 There is also no evidence of planning activity associated with discharging any of the other conditions associated with the outline consent, nor have the reserved matters submissions been submitted. A copy of the condition discharge decision notice is included as **Appendix DV11**.

4.41 The site can only be considered deliverable where there is clear and cogent evidence that housing completions will begin on site within five years. In the absence of such evidence, I conclude that the site fails the deliverability test and should be excluded from the HLS trajectory.

Table DV4.8: Brook View, Land North of Walshes Road Housing Trajectory

Trajectory Position	2022/23	2023/24	2024/25	2025/26	2026/27	HLS Period Total
Wealden Council Delivery	0	0	25	35	35	95
The Appellant Delivery	0	0	0	0	0	0
Difference	0	0	-25	-35	-35	-95

Friday Street Farm, Oak Tree Lane, Stone Cross

4.42 An outline planning permission for a development comprising up to 250 dwellings (WD/2020/1391/MAO) was granted in July 2022. At this point in time, there is no evidence of any planning activity associated with discharging any of the conditions attached with the outline consent, nor have the reserved matters submissions been submitted. A copy of the decision notice is included as **Appendix DV12**.

4.43 The site can only be considered deliverable where there is clear and cogent evidence that housing completions will begin on site within five years. In the absence of such evidence, I conclude that the site fails the deliverability test and should be excluded from the HLS trajectory.

Table DV4.9: Friday Street Farm, Oak Tree Lane Housing Trajectory

Trajectory Position	2022/23	2023/24	2024/25	2025/26	2026/27	HLS Period Total
Wealden Council Delivery	0	0	50	50	50	150
The Appellant Delivery	0	0	0	0	0	0
Difference	0	0	-50	-50	-50	-150

Land adjoining 154 Station Road, Hailsham

4.44 An outline planning permission for a development comprising up to 12 dwellings (WD/2020/1596/MAO) was granted in December 2022. To date there has been no planning activity associated with associated with discharging any of the conditions associated with the outline consent, nor have the reserved matters submissions been submitted. A copy of the decision notice is included as **Appendix DV13**.

4.45 Furthermore, I note that the site with the outline approval for 12 dwellings has been successfully marketed by Lambert and Foster. In March 2023 an outline planning application was submitted on the site for a development comprising up to 9 dwellings (WD/2023/0699/O). This application for 9 dwellings was approved in July 2023. It is evident from the Planning Statement submitted in support of the 9 dwelling outline planning application (relevant extracts included as **Appendix DV14**) that the development comprising up to 12 dwellings is neither viable nor deliverable:

> *"Planning Permission was recently granted (06.12.2022) under WD/2020/1596/MAO for outline planning permission for the erection of up to 12 no. dwellings, including access with all other matters reserved, which included a change of use of land to residential. This indicative design of this scheme included a higher density of development with terraced properties also being identified on the indicative site layout.*
>
> *Unfortunately, the prevailing market conditions have meant that the site with the extant scheme is unviable. The site has been marketed for nearly 12 months, including whilst the application was under consideration, but has failed to attract much interest or achieve a sale from potential buyers or developers. To date there have been two successive below valuation price offers accepted, but both withdrawn by the purchasers before exchange of contracts. There has been some interest from potential buyers keen to deliver only 9 units.*

On the basis of the above, the site is being reimagined for an improved scheme for up to 9 unts, which is more deliverable and desirable in the current market conditions"

4.46 The site it can only be considered deliverable where there is clear and cogent evidence that housing completions will begin on site within five years. In view of the clear evidence that the 12 dwelling development is demonstrably unviable it fails the deliverability test and should be excluded from the HLS trajectory.

4.47 Notwithstanding the 9 dwelling approval was granted after the 1 April 2022 HLS period base date so cannot be included within the trajectory, it is noted that there is no evidence of any planning activity associated with discharging any of the conditions associated with the outline consent, nor have the reserved matters submissions been submitted. The site will also need to be sold before any conditions or reserved matters will be progress. I note that the site is still being actively marketed by Lambert and Foster.

Table DV4.10: Land adjoining 154 Station Road Housing Trajectory

Trajectory Position	2022/23	2023/24	2024/25	2025/26	2026/27	HLS Period Total
Wealden Council Delivery	0	0	0	6	6	12
The Appellant Delivery	0	0	0	0	0	0
Difference	0	0	0	-6	-6	-12

Land at Straight Half Mile, Maresfield

4.48 An outline planning permission for a development comprising up to 25 dwellings (WD/2017/0694/MAO) was granted in June 2022. At this point in time, 15-months later, there is no evidence of any planning activity associated with discharging any of the conditions associated with the outline consent, nor have the reserved matters submissions been submitted. A copy of the decision notice is included as **Appendix DV15**.

4.49 The site it can only be considered deliverable where there is clear and cogent evidence that housing completions will begin on site within five years. In the absence of such evidence, I conclude that the site fails the deliverability test and should be excluded from the HLS trajectory.

Table DV4.11: Land at Straight Half Mile Housing Trajectory

Trajectory Position	2022/23	2023/24	2024/25	2025/26	2026/27	HLS Period Total
Wealden Council Delivery	0	0	10	15	0	25
The Appellant Delivery	0	0	0	0	0	0
Difference	0	0	-10	-15	0	-25

Land East of North Street, Lower Horsebridge

4.50 An outline planning permission for a development comprising up to 130 dwellings (WD/2019/1575/MAO) was granted in August 2021. At this point in time, 2-years and 1 month later there is no evidence of any planning activity associated with discharging any of the conditions associated with the outline consent, nor have the reserved matters submissions been submitted. A copy of the decision notice is included as **Appendix DV16**.

4.51 The Site it can only be considered deliverable where there is clear and cogent evidence that housing completions will begin on site within five years. In the absence of such evidence, I conclude that the site fails the deliverability test and should be excluded from the HLS trajectory.

Table DV4.12: Land East of North Street Road Housing Trajectory

Trajectory Position	2022/23	2023/24	2024/25	2025/26	2026/27	HLS Period Total
Wealden Council Delivery	0	0	25	40	40	105
The Appellant Delivery	0	0	0	0	0	0
Difference	0	0	-25	-40	-40	-105

Land Off Bexhill Road, Ninfield

4.52 An outline planning permission for a development comprising up to 65 dwellings (WD/2021/2454/MAO) was granted in September 2022. At this point in time, there is no evidence of any planning activity associated with discharging any of the conditions associated with the outline consent, nor have the reserved matters submissions been submitted. A copy of the decision notice is included as **Appendix DV17**.

4.53 The site it can only be considered deliverable where there is clear and cogent evidence that housing completions will begin on site within five years. In the absence of such evidence, I conclude that the site fails the deliverability test and should be excluded from the HLS trajectory.

Table DV4.13: Land off Bexhill Road Housing Trajectory

Trajectory Position	2022/23	2023/24	2024/25	2025/26	2026/27	HLS Period Total
Wealden Council Delivery	0	0	0	25	30	55
The Appellant Delivery	0	0	0	0	0	0
Difference	0	0	0	-25	-30	-55

Land to the East of Benhall Mill Road, Tunbridge Wells

4.54 A full planning application for a development comprising 159 dwellings (WD/2017/0143/MAJ) was validated in February 2017 and remains pending a decision.

4.55 Whilst the Council resolved to grant planning permission at the 17 December 2020 Planning Committee (North) subject to (a) confirmation from Kent County Council Highways that the local highway impacts could be satisfactorily mitigated; and (b) a s106 Agreement, its inclusion as a deliverable site is inconsistent with the approach adhered to in the Land off Ashmead Drive, Gotherington appeal (APP/G1630/W/20/3256319) decision (**Appendix DV18**). The exclusion of sites with only a resolution to grant should be followed in Wealden District, especially as they do not accord with any of the categories listed in the Framework or PPG.

4.56 Since the December 2020 Planning Committee, no further information in relation to local highway impacts has been submitted to the Council. Furthermore, it is noted in April 2021 Network Rail requested the applicant to contact Network Rail's Asset protection and Optimisation (ASPRO) team to discuss the sites proximity to Network Rail's land and the operational railway (**Appendix DV19**). It is therefore clear that there are numerous and potentially significant outstanding matters which require additional information and consideration by consultees.

4.57 I conclude that the site fails the deliverability test and should be excluded from the HLS trajectory.

Table DV4.14: Land to the east of Benhall Road Housing Trajectory

Trajectory Position	2022/23	2023/24	2024/25	2025/26	2026/27	HLS Period Total
Wealden Council Delivery	0	0	20	40	40	100
The Appellant Delivery	0	0	0	0	0	0
Difference	0	0	-20	-40	-40	-100

HLS period summary of disputed major sites with outline planning permission

4.58 A combined summary of the disputed 'major sites with outline permission or resolution to grant' supply site differences over the HLS period is summarised within Table DV4.15 below:

Table DV4.15: Disputed major sites with outline permission or resolution to grant supply trajectory differences

Site Name	The Council's Position	The Appellants Position	Difference
Undisputed Sites Supply	1,587		0
Disputed Sites Supply			
Brook View, Land North of Walshes Road, Crowborough	95	0	-95
Friday Street Farm, Oak Tree Lane, Stone Cross	150	0	-150
Land adjoining 154 Station Road, Hailsham	12	0	-12
Land at Straight Half Mile, Maresfield	25	0	-25
Land East of North Street, Lower Horsebridge	105	0	-105
Land Off Bexhill Road, Ninfield	55	0	-55
Land to the East of Benhall Mill Road, Tunbridge Wells	100	0	-100
Disputed Sites Supply Total	542	0	-542
Total Supply	2,129	1,587	-542

Housing Land Supply Position

4.59 Wealden's position is that it has a deliverable supply of 5,693 dwellings between the 2022/23 to 2026/27 period. However, in view of my evidence above I conclude that when assessed against the requirements of the Framework, the accompanying PPG and other associated guidance (including the Appeal decisions I have referenced) the Council's published supply should be reduced by 976 dwellings. I therefore conclude that the position for the 2022/23 to 2026/27 period is therefore a maximum supply of 4,717 dwellings.

4.60 Informed by the assessment above, the respective housing land supply position for the 2022/23 to 2025/26 period are provided below:

Table DV.4.15: Housing Land Supply Positions

DV Ref	Housing Land Supply Element	Council Position	Appellant Position	Difference
Housing Requirement				
a	Baseline total housing requirement: 2022 to 2027 (1,212 x 5)	6,060	6,060	0
b	20% buffer	1,212	1,212	0
c	Total 5YHLS Requirement: 2022 to 2027	7,272	7,272	0
d	Annual 5YHLS Requirement	1,454	1,454	0
Components of Supply				
e	Small sites with permission	941	847	-94
f	Major sites with detailed permission	2,512	2,243	-269
g	Major sites with outline permission or resolution to grant	2,129	1,587	-542
h	Class C2 accommodation with detailed or outline permission	111	111	0
i	Total supply	5,693	4,746	-905
Housing Land Supply Position				
j	Supply in years	3.92	3.29	-0.62
k	Shortfall	-1,579	-2,484	-905

Housing Land Supply Summary and Conclusions

4.61 The Council's case on housing land supply is set out within the Wealden District Council Five Year Housing Land Supply Position Statement at 1st April 2022 (CD7/2) and covers the five year period between 1st April 2022 and 31st March 2027.

4.62 The Council's published position, dated December 2022, is that it has 3.92 years supply of deliverable housing land. This resulting in a significant shortfall of 1,579 dwellings. In view of this the Council accepts that it is unable to demonstrate a 5-years supply of deliverable housing sites for the 2022/23 to 2026/27 period.

4.63 Having assessed the housing land supply based upon the requirements set out in the Framework, the PPG and the approach adopted in numerous appeal decisions, I also conclude that the Council is unable to demonstrate a 5-years supply of deliverable housing land and therefor the presumption in favour of sustainable development at paragraph 11(d) of the Framework is triggered.

4.64 However, my assessment of the 5-year housing land supply position differs from the Council's published position primarily due to the application of the definition of what constitutes a deliverable site from the 2021 Framework (and accompanying PPG) definition. The respective housing land supply positions are as follows:

Table DV4.16: Housing Land Supply Positions

Housing Land Supply Element	Council Position	Appellant Position	Difference
Total Housing Requirement (2022/23 to 2026/27)	7,272	7,272	0
Annual Requirement	1,454	1,454	0
Total Housing Supply	5,693	4,788	-905
Supply in Years	3.92	3.29	-0.62
Shortfall (Dwellings)	-1,579	-2,484	-905

4.65 In conclusion on housing land supply matters, I am of the view that the housing land supply shortfall and the weight to be attached to the delivery of housing is **significant**. Indeed, the Wealden Core Strategy Local Plan being adopted back in 2013 and now with no firm timetable to bring forward a Local Plan review, there is little prospect of an improving situation within the foreseeable future.

5. Affordable Housing

5.1 This section of my evidence considers affordable housing and the weight to be afforded to it in the planning balance in light of the evidence of need in the area.

5.2 The Appeal Scheme seeks outline permission for up to 424 residential dwellings, of which 35% (148 dwellings) are proposed to be affordable homes. The provision of up to 148 affordable homes meets the requirements of the adopted development plan. These will be secured in the s106 agreement.

5.3 Section 3 of my evidence has already demonstrated the importance of affordable housing as material planning consideration. Within this section, my affordable housing evidence comprises the following aspects:

a) Affordable Housing Delivery and Supply.

b) Future Affordable Housing Delivery.

c) The weight to be attached to the proposed affordable housing provision.

Affordable Housing Delivery and Supply

5.4 I set out within Section 3 of my evidence, the Council's latest local housing needs evidence (the LHNA 2021) concludes that over the 2019 to 2039 period there is an annual need for at least 854 affordable homes per annum within Wealden (519 affordable homes per annum to rent + 335 affordable home ownership per annum).

5.5 However, over the past 9 years, the Council's annual monitoring shows delivery of only 173 affordable homes per annum (Table DV3.2). The cumulative affordable housing delivery shortfall against the Council's identified affordable housing needs over the 2013/14 to 2021/22 period -2,993 affordable homes. A very substantial shortfall.

5.6 Despite the Framework (paragraph 62) requiring local councils to address the needs of groups with specific housing requirement specific, which includes those who require affordable housing, the Council's housing register consistently shows a high number of households in affordable housing need.

5.7 As I illustrate within Table DV5.1 below, on 1 April 2022 there were 553 households on Wealden's Housing Register. The Council's failure to deliver against its identified affordable housing need being a contributing factor to the high number of households registered.

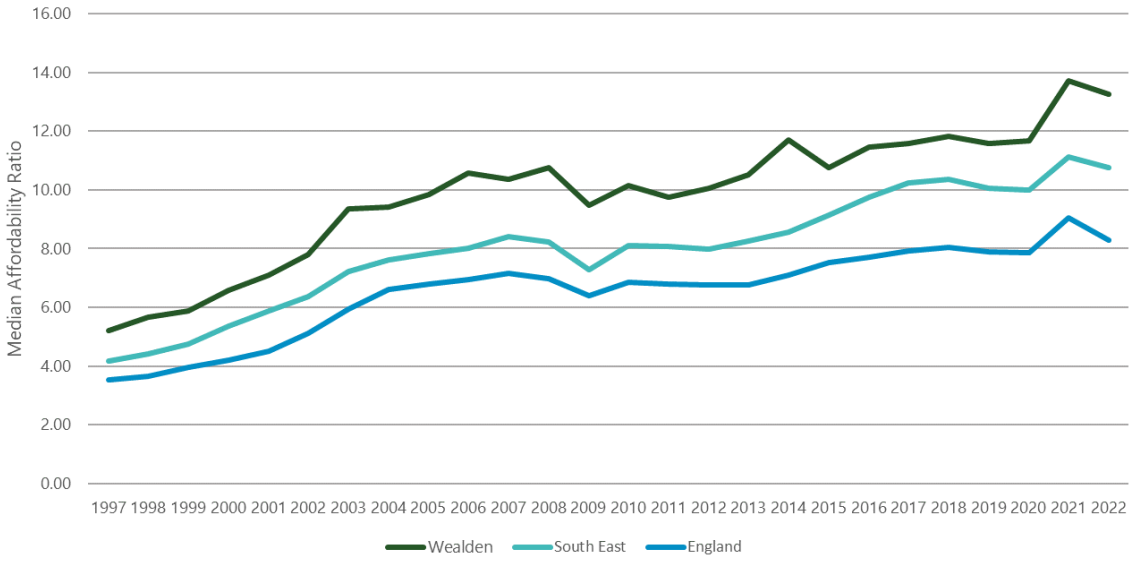
Table DV5.1: Wealden Housing Waiting List

Category	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
Total households on the waiting list	1,130	1,012	962	1,013	794	671	796	629	552
Households in a reasonable preference category	492	506	388	537	407	347	448	371	252
Homeless	89	51	58	51	20	0	5	11	13

Source: MHCLG Local authority housing data

5.8 Continued under delivery of affordable housing has in part contributed to Wealden's worsening affordability ratios. As illustrated within Figure DV5.1, the median workplace based affordability ratio used when calculating Standard Method local housing need figures has increased by over 150% between 1997 to 2022. In 2022, the median affordability ratio for Wealden is 13.25, compared to 10.75 for the South East and 8.28 for England.

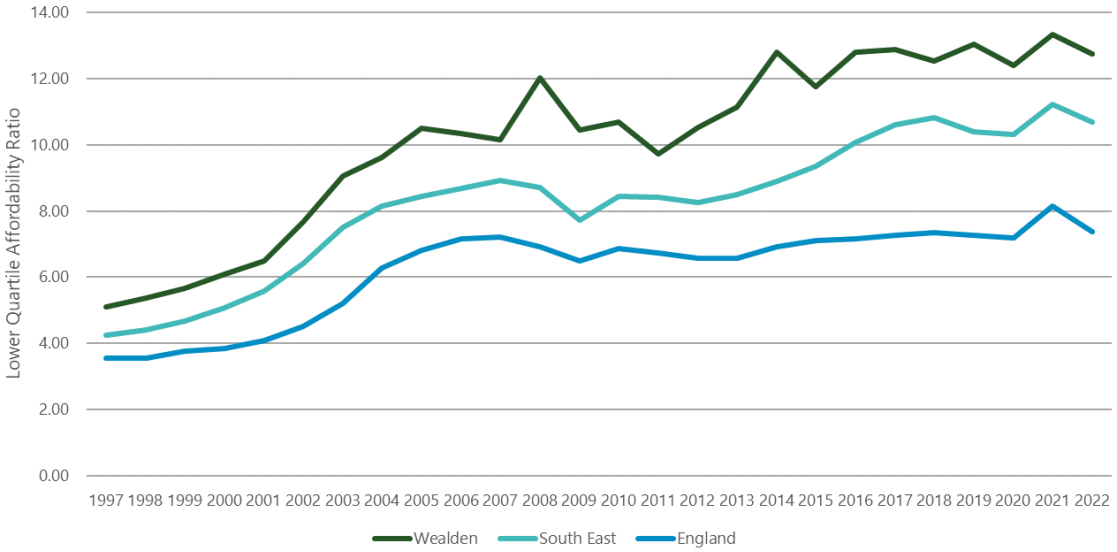
Figure DV5.1: Ratio of median house price to median workplace-based earnings



5.9 In addition to median affordability ratios consideration should also be given to lower quartile incomes seeking lower quartile priced properties, as those lower quartile priced properties are typically considered to the 'more affordable'.

5.10 As illustrated within Figure DV5.2, lower quartile house prices in relation to lower quartile incomes in Wealden has increase by 150% over the 1997 to 2022 period. In 2022, the lower quartile affordability ratio for Wealden is 12.75, compared to 10.69 for the South East and 7.37 for England.

Figure DV5.2: Ratio of lower quartile house price to lower quartile workplace-based earnings



Future Affordable Housing Delivery

5.11 Ascertaining future affordable housing is inherently uncertain. As seen within Table DV3.2 and DV5.3, Wealden's annual affordable housing delivery annual fluctuates. Delivery of a higher number of affordable homes in one or more monitoring years does not guarantee the same or higher levels of delivery for the future. The supply of affordable homes is affected by local market factors, including the number of sites with planning permission, the sites of the sites coming forward; and also wider regional and national factors, including availability of public funding.

5.12 Under the Sedgefield Methodology advocated within the PPG (ID:68-031-20190722) any shortfall in housing delivery should be dealt with within the next five years. I consider this approach equally applies when addressing any affordable housing shortfall. Wealden's affordable housing delivery shortfall should therefore be addressed within the next five years. As I outline within Table DV3.2, Wealden's delivery shortfall over the 2013/14 to 2021/22 period is -2,993 affordable homes.

5.13 I set out within Table DV5.2 Wealden's affordable housing need over the next five year period (2022/23 to 2027/28):

Table DV5.2: Affordable housing need 2022/23 to 2027/28

Ref	Element	Affordable Homes
a	Total shortfall (Table DV3.2)	2,993
b	Annualised shortfall (a / 5)	599
c	Annual affordable housing need (LHN 2021)	854
d	Five Year affordable housing need (c x 5)	4,270
e	Total 5-Year affordable housing need (a+d)	7,263
f	Annualised 5-Year affordable housing need (e / 5)	1,453

5.14 The scale of the affordable housing challenge now faced by Wealden District Council is plainly clear from Table DV5.2, particularly given it has only achieved an average of 173 net additions to the affordable housing stock per annum over the past 9-monitoirng years (see table DV5.3).

Table DV5.3: Affordable Delivery 2013/14 to 2021/22

Monitoring Year	Net Total Delivery Completions	Net Affordable Delivery	Proportion of Affordable Delivery
2013/14	560	201	36%
2014/15	576	193	34%
2015/16	520	82	16%
2016/17	564	81	14%
2017/18	462	144	31%
2018/19	828	130	16%
2019/20	1,034	273	26%
2020/21	722	275	38%
2021/22	685	176	26%
Total	5,951	1,555	26%
Annual Average	661	173	

5.15 Although the adopted development plan policy seeks 35% affordable housing, as I illustrate within Table DV5.3 in practice the Council has achieved on average 26% affordable housing over the past 9-years. A reason for this partly being that only sites comprising 10+ dwellings are not captured by national and local affordable housing policy requirements. Indeed, over the next 5-years the Council contends that 17% (921 dwellings) of its housing supply will be from sites comprising up to 9 dwellings (Table DV4.4.1 Ref e).

5.16 The respective positions regarding the future deliverable housing supply over the next 5-years is set out within Table DV4.15. The Council purports 5,693 dwellings and I conclude 4,746 dwellings.

5.17 Based on the respective housing supply positions, I calculate within Table DV5.4 that Wealden's potential affordable housing delivery over the next 5-years to be, at best, only between 1,480 (the Council's position) and 1,234 (my position) affordable homes.

Table DV5.4: Future Potential Affordable Housing Delivery @ 26% Affordable Housing: 2022-2027

Ref	Supply Element	Council's Position	Appellant Position
a	Total affordable housing need (Table DV5.3 e)		7,263
b	Annualised affordable housing needs (Table DV5.3 f)		1,453
c	Total housing supply (all sites) (Table DV5.4 i)	5,693	4,746
d	Total potential affordable housing delivery @ 26% of total net housing delivery (c x 0.26)	1,480	1,234
e	Total potential affordable housing delivery shortfall (d -a)	-5,783	-6,029
f	Annualised potential affordable housing delivery (d / 5)	296	246
g	Annualised potential affordable housing delivery shortfall (f – b)	-1,184	-1,207

5.18 Although future affordable housing is uncertain, it is clear from my analysis above that affordable housing delivery over the next 5-years, using either the Appellants or the Council's housing land supply positions, will be significantly lower than Wealden's identified affordable housing need over this period.

Affordable Housing Weight

5.19 Affordable housing is a clear part of the social element of the Framework's Presumption in Favour of Sustainable Development; and therefore an important material planning consideration. The importance of affordable housing delivery is widely understood, so too is the significant weight that should be attached to it as part of the planning balance.

5.20 There is an increasing body of s78 Appeal Inspectors reports, Secretary of State decision letters, and Court Judgements that have attached significant weight to affordable housing delivery[2]. For brevity, I will summarise below the pertinent points from two recent appeal decisions within Wealden District:

Land at Old Orchard House, Horebeech Lane, Horam

5.21 In the 4 August 2022 appeal decision associated with a proposal comprising 38 dwellings at Land at Old Orchard House, Horebeech Lane, Horam (APP/C1435/W/22/327371) (**Appendix DV20**) the Inspector attached very significant weight to the delivery of 13 affordable homes (35% affordable housing):

> *"Paragraph 60 of the Framework refers to the Government's objective of significantly boosting the supply of homes. In the light of this and the substantial and long-standing shortfall in housing*

[2] PINS ref: APP/K3415/A/14/2224354; APP/K3415/A/14/225799; APP/R1038/W/17/3192255; APP/W1715/W/22/3292580. Eastleigh Borough Council v Secretary of State [2019] EWHC 1862 (Admin)

land supply in Wealden, with no imminent prospect of plan-led resolution, the up to 38 dwellings proposed is a social benefit to which I attach very significant weight. This is particularly as the scheme is of a scale which could come forward relatively quickly in response to meeting current housing needs." [para 21].

Land at Old Nursery House, The Street, Framfield

5.22 In the 5 January 2023 appeal decision associated with a proposal for 58 dwellings at Land at Old Nursery House, The Street, Framfield (APP/C1435/W/22/3301104) (Appendix DV1) the Inspector attached significant weight to the delivery of up to 20 affordable homes (35% affordable housing):

"In addition to In addition, the evidence before me shows that delivery of affordable housing in the district has been substantially below the level of identified need for at least the last few years, and the main parties agree that there is an acute need for more affordable homes in Wealden. The proposal includes 35% affordable housing which would provide for up to 20 affordable homes, and I afford substantial weight to this benefit. I also give significant weight to the provision for 5% of dwellings as self-build or custom-build which would contribute to meeting needs." [para. 68]

Affordable Housing Summary and Conclusions

5.23 The Appeal Scheme will provide up to 148 affordable homes, which equates to 35% of the total homes proposed. This fully complies with the Council's adopted affordable housing policy.

5.24 The Council's latest local housing needs evidence concludes that there is an annual need for at least 854 affordable homes per annum. However, over the past 9-monitoring years the Council has averaged delivery of only 173 affordable homes. The current affordable housing delivery shortfall against the Council's identified need over the 2013 to 2022 period is very substantial at -2,993 affordable homes.

5.25 Although the adopted affordable housing policy seeks 35% affordable housing, the Council has achieved on average 26% affordable housing delivery. Using the respective housing land supply positions (Table DV4.15) I calculate there is potential to deliver at best between 241 (the Council's position) and 197 (the Appellants position) affordable homes per annum over the next 5-years. A level of potential future housing delivery very significantly lower than the 854 affordable homes per annum needed over the same period.

5.26 In conclusion on affordable housing matters, I am of the view that as part of the planning balance, significant weight should be attached to the delivery of up to 148 affordable homes. This view was also reached by the Inspector in the recent Land at Old Nursery House, The Street, Framfield appeal decision (Appendix DV1).

6. Summary and Conclusions

Housing Land Supply

6.1 The Council's case on housing land supply is set out within the Wealden District Council Five Year Housing Land Supply Position Statement at 1st April 2022 (CD7/2) and covers the five year period between 1st April 2022 and 31st March 2027.

6.2 The Council's published position, dated December 2022, is that it has 3.92 years supply of deliverable housing land. This resulting in a significant shortfall of 1,579 dwellings. In view of this the Council accepts that it is unable to demonstrate a 5-years supply of deliverable housing sites for the 2022/23 to 2026/27 period.

6.3 Having assessed the housing land supply based upon the requirements set out in the Framework, the PPG and the approach adopted in numerous appeal decisions, I also conclude that the Council is unable to demonstrate a 5-years supply of deliverable housing land and therefore the presumption in favour of sustainable development at paragraph 11(d) of the Framework is triggered.

6.4 However, my assessment of the 5-year housing land supply position differs from the Council's published position primarily due to the application of the definition of what constitutes a deliverable site from the 2021 Framework (and accompanying PPG) definition. The respective housing land supply positions are as follows:

Table DV6.1 Housing Land Supply Positions

Housing Land Supply Element	Council Position	Appellant Position	Difference
Total Housing Requirement (2022/23 to 2026/27)	7,272	7,272	0
Annual Requirement	1,454	1,454	0
Total Housing Supply	5,693	4,788	-905
Supply in Years	**3.92**	**3.29**	-0.62
Shortfall (Dwellings)	-1,579	-2,484	-905

6.5 In conclusion on housing land supply matters, I am of the view that the housing land supply shortfall and the weight to be attached to the delivery of housing is **significant**. Indeed, the Wealden Core Strategy Local Plan being adopted back in 2013 and now with no firm timetable to bring forward a Local Plan review, there is little prospect of an improving situation within the foreseeable future.

Affordable Housing

6.6 The Appeal Scheme will provide up to 148 affordable homes, which equates to 35% of the total homes proposed. This fully complies with the Council's adopted affordable housing policy.

6.7 The Council's latest local housing needs evidence (LHNA 2021) concludes that there is an annual need for at least 854 affordable homes per annum. The previous SHMA 2016 identified an annual need for at least 331 affordable homes.

6.8 There are currently 533 households on Wealden's housing register.

6.9 Over the past 9 monitoring years, the Council has averaged delivery of only 173 affordable homes. A level of affordable housing delivery significantly below the annual needs identified within either the LHNA 2021 or the superseded SHMA 2016.

6.10 The current affordable housing delivery shortfall against the Council's identified need over the 2013 to 2022 period is very substantial at -2,993 affordable homes.

6.11 Using the Sedgefield Method for addressing housing shortfall, over the next five years the Council's housing affordable need is 7,263 homes (2,993 shortfall + 4,270 (854 x 5) current need).

6.12 Although the adopted affordable housing policy seeks 35% affordable housing, the Council's monitoring data shows a track record of achieving 26% affordable housing from total net housing delivery.

6.13 Using the respective housing land supply positions for the next five year (Table DV4.15) I calculate there is potential to deliver at best between 1,480 (the Council's position) and 1,234 (the Appellants position) affordable homes over the next 5-years. A level of potential future housing delivery significantly lower than the 7,263 affordable homes per annum needed over the same period.

6.14 In conclusion on affordable housing matters, I am of the view that as part of the planning balance, **significant weight** should be attached to the delivery of up to 148 affordable homes. This view was also reached by the Inspector in the recent Land at Old Nursery House, The Street, Framfield appeal decision (Appendix DV1).