Planning Potential

Planning Regeneration and Development

MATTERS 3 AND 8 / CHRIS LEES

WRITTEN REPRESENTATION ON NOTICE OF INDEPENDENT EXAMINATION OF THE CORE STRATEGY DEVELOPMENT PLAN DOCUMENT (DPD) REGULATION 34 THE TOWN AND COUNTRY PLANNING (LOCAL DEVELOPMENT) (ENGLAND) REGULATIONS 2004 AS AMENDED

In Respect of

The Oaks, Rattle Road, Stone Cross

On Behalf Of

Chris Lees

December 2011

CONTENTS

		Page
1.0	Introduction	1
2.0	Matter 3: Housing	2
3.0	Matter 8: Polegate and Willingdon and Stone Cross Area Strategy	8
4.0	Conclusion	11

1.0 INTRODUCTION

1.1 This statement has been produced on behalf of Chris Lees in conjunction with the landowner of The Oaks in respect of Wealden District Council's Core Strategy Development Plan Document (DPD). This written representation has been produced to be considered at the hearing commencing on the 15th of January 2012 to discuss the 'soundness' of the Core Strategy - based upon advice in Planning Policy Statement 12 (PPS12).

1.2 Previous representations on the Core Strategy have been submitted by the Landowner, in respect of the site ("The Oaks") (SD6) in line with the criteria set out within PPS12.

1.3 Since those initial representations were made, the Council have released the Strategic Sites DPD for comment to local Councillors. The document is expected to be released for consultation to the general public, including landowners, on the 16th of January 2012, with a target adoption date set for March 2014. It is important to note that this document represents the next phase of the Local Development Framework (LDF), and we fully support Wealden District Council in its conclusions. The document therefore represents a firm foundation to begin to consider detailed proposals for favoured sites for housing development – in line with the SHLAA and Core Strategy. It should be acknowledged that certain sites, such as those located within strategic area SD6, are considered more preferable for development than other identified sites, based on site circumstances and constraints.

1.4 In line with PPS12 and initial representations made on behalf of the landowner, please find below our final comments in respect of Matters 3 and 8, as set out in the Inspectorates 'Matters, Issues and Questions' – dated the 3rd of November 2011.

Matter 3/Chris Lees

2.0 MATTER 3: HOUSING

2.1 Matter 3 relates to issues surrounding housing growth as specified within Policies WCS1, WCS2 and WCS5. The main issue as highlighted by the Inspector is whether the overall level of housing provision, and its distribution, are justified and appropriate.

a) *Does the overall scale and distribution of housing provision accord with the requirements of the South East Plan (SEP) having regard to policies relating to infrastructure and the environment as well as those for housing? Is the Core Strategy in general conformity with the SEP in this regard?*

2.2 In 2010, a decision was passed by the High Court, which considered that the powers set out in section 79 [6] of the Local Democracy, Economic Development and Construction Act 2009 could not be used to revoke all Regional Strategies in their entirety. The effect of this decision was to re-establish Regional Strategies as part of the development plan – subject to the new localism bill.

2.3 The new localism bill received Royal Assent on the 15th of November 2011 - paving the way for the third set of fundamental reforms to the planning system in a decade. The localism act seeks to revoke the Regional Spatial Strategies in their entirety. However, the Secretary of State (SOS) has not passed a formal decision. Therefore the RSS remains a material consideration.

2.4 The housing targets for Wealden District Council under Policy WCS1 have remained constant over the Core Strategy period - provision of some 4,685 net additional dwellings in Wealden District to provide for 9,600 dwellings over the period 2006-2030.

2.5 In line with previous comments made on behalf of the landowner (made

by consultants Parker Dann), we consider Policy WCS1 unsound. Therefore our objection still stands - on the basis that the housing target presented by the council (9600) is significantly lower than that derived by the South East Plan (11,000). On this basis the Core Strategy does not accord with the SEP in respect of the identified scale and distribution of housing provision. As highlighted above the South East Plan remains a material consideration, and therefore provides a robust and credible evidence base which should be adopted by the Council.

b) Is there evidence since the SEP was adopted that would support a different level of housing provision in the Core Strategy from that in the SEP?

2.6 Since the publication of the South East Plan in 2004 – the council have produced/ published the following documents with regards to identifying housing provision within the district:

- Strategic Housing Land Availability Assessment (March 2010 and amended October 2010) – the purpose of the SHLAA is to assess the potential supply of sites to meet the likely need for housing. The document does not identify need, however only seeks to identify a number of sites which the council consider are 'available', 'suitable' and 'achievable' to deliver the Council's housing needs target.
- Housing Need Survey (January 2010) – provides a detailed analysis of the extent of housing need in the parishes of Wealden - in terms of the type of dwellings (detached, bungalow or flats); owner occupied/ social rented or first time buyer houses; along with affordable housing targets. This does not assess specific levels of growth.
- Wealden Housing Viability Assessment (August 2009) -looks at the impact of affordable housing and other Section 106 contributions for the viability of housing schemes. The study is a response to the requirements within PPS3 that local authorities should consider viability when setting affordable housing targets. This study does

not specifically consider housing provision or need.

- Wealden Housing Market Assessment and Eastbourne and South Wealden Housing Market Assessment (2007) – provides details on socio-economic and population trends in line with future housing growth. The figures provided within these studies are in line with the South East Plan.

2.7 In light of the above, certainly in our view there is no further substantial evidence since the South East Plan was adopted to support a different level of housing provision in the Core Strategy. Indeed the Council's own analysis confirms the figures set out in the SEP, so there is no justification for promoting a lower provision. In light of this the SEP forms part of the development plan and is a material consideration - in the terms of the overall deliverability of housing. Indeed the Council should still be looking to deliver those targets.

c) How does the overall level of housing provision in the Core Strategy relate to the need for both market and affordable housing in the District?

2.8 Since 2006 WDC have failed to meet their annual housing targets. There is currently a shortfall of 585 dwellings to date in the plan period (2006 – 2026). This is supported by the evidence presented within the South East Plan which identifies a shortfall in provision for housing requirements in the district. Furthermore, the Local Authority has not met the required ratio of affordable housing as stipulated within the Core Strategy. For example it is stated within the Annual Monitoring Report (2009/10) that *'the number of affordable homes delivered is relatively low in relation to the total number of dwellings completed (337) and this is partly due to many of the housing schemes falling below the threshold required in order to trigger the provision of affordable housing (i.e. schemes of 10 dwellings or more in the towns of Crowborough, Hailsham, Heathfield, Polegate and Uckfield and schemes of 3 dwellings or more outside of these towns)'.* Therefore the shortfall will have to be made up.

d) Has the distribution of housing between the different types of settlement been justified by the evidence base and does it accord with national and regional policy?

2.9 Overall, we are fully supportive of Policy WCS2 '*Distribution of Housing Growth 2006-2030'* which identifies a need for 692 dwellings (this includes built or ready committed dwellings) at Stonecross and Westham. Although we would note that the focus is intended to be at Stonecross rather than Westham. In sequential terms, a number of urban extensions have been identified to accommodate future housing growth - in line with national and regional planning policy. It is important to note, that the approach has been fully researched via the SHLAA and this approach is being promoted through the Sites Specific DPD which informs the Local Development Framework. The distribution of housing between different types of settlement has, we believe, been fully justified.

e) Have reasonable alternatives to the distribution and location of housing development been considered? Has it been demonstrated that there are no reasonable options that would avoid the infrastructure and environmental constraints identified in the Core Strategy?

2.10 We agree that the Council have undertaken a thorough assessment with regards to the distribution of housing growth within the district. And it has been demonstrated that there are no other reasonable options that have been overlooked or not considered fully. This is evident by the production of the SHLAA and Sites Specific DPD - both of which evaluate each site against the criteria set within PPS3 in terms of being 'available', 'suitable' and 'achievable' for housing development.

2.11 With regards to the phasing of development, it is important to ensure that those sites identified through the process which are most 'suitable', 'acceptable', and 'deliverable', and those which will have the least

environmental impact and strain on infrastructure, should come forward first for development. Therefore, in line with current policy guidance SD6 should be considered a preferable site for development, ahead of others.

f) Does the Core Strategy assist in providing a continuous supply of deliverable sites so that the housing requirements of the next 5 years can be delivered?

2.12 The Wealden Annual Monitoring Report (2009/10) summarises recent house-building performance. During 2009-10, the RSS required an average net increase of 550 dwellings per year. The actual net output in this period totalled 337 - 39% below the requirement. Looking forward (year 2015/16), the projected annual delivery is 352 units per annum. This figure is below the average annual provision of 400 dwellings per annum. However, it is also important to note that due to the recession and the economic downturn, house building rates nationally as well as within Wealden have fallen.

2.13 Furthermore as Wealden has a diverse population with a wide social economic profile there is a need to provide a range and choice of sites for new housing to ensure that the housing needs of the district are properly met.

2.14 It is also important to note that more recently, paragraph 109 in the new 2011 Draft National Planning Policy Framework (NPPF) states 'To boost the supply of housing, local planning authorities should identify and maintain a rolling supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements. <u>The supply should include an additional allowance of at least 20 per cent to ensure choice and competition in the market for land.</u>

2.15 On this basis there is a serious and demonstrable risk that a continuous supply of deliverable sites toward a 5 year supply may not be achieved. In essence the Core Strategy does assist in providing towards this target

but needs to go further.

g) *Is the Core Strategy likely to result in an adequate supply of developable sites in the plan period beyond 5 years?*

2.16 As highlighted above, an adequate supply of developable sites in the plan period may not be achieved. The South East Plan identified a larger housing need than that currently being promoted by the Council. The Core Strategy needs to go further in this respect and allow for greater housing provision, whilst focusing on those identified sites which are most suitable, acceptable and deliverable.

h) Is there an adequate strategy for bringing previously developed land into housing use? Should there be a local previously developed land trajectory? Is the Core Strategy sufficiently clear about an overall target for the proportion of new housing on previously developed land and should this be included in a policy?

2.17 The SHLAA has identified brownfield sites which can contribute towards future housing growth within the district. However, it is important to note that housing targets cannot be met on brownfield land alone. On this basis, Wealden District council are correct in their approach to assess which alternative greenfield sites are most suitable and acceptable to accommodate housing growth. It should also be noted by the Council that certain greenfield sites are more suitable than others – dependant on their relationship to the existing built environment, impact on current infrastructure, impact on the environment and surrounding uses – in terms of residential amenity. In addition, the Council should also consider the deliverability of sites. Therefore, in line with the criteria set above it is evident that 'The Oaks' and SD6 are preferable in this respect. This has been recognised by Wealden District Council themselves through the SHLAA and Sites Specific DPD process.

Matter 8 / Chris Lees

3.0 MATTER 8: POLEGATE AND WILLINGDON AND STONECROSS AREA STRATEGY

3.1 The main issue that surrounds Policies WCS2, WCS3 and WCS4 is whether the strategy for the Polegate and Willingdon and Stonecross area, including the Strategic Development Areas, is soundly based and deliverable.

a) Have reasonable alternatives to the strategy been considered?

3.2 Overall, we fully support the evidence based approach taken by Wealden District Council in respect of the Core Strategy – i.e. the Strategic Housing Land Availability Assessment (SHLAA) and the emerging Site Specific Development Plan Document (DPD). We also fully support the Council's conclusion that Stonecross is an important strategic settlement to accommodate new housing development within the district.

b) Is there a clear audit trail showing how and why the preferred strategy was arrived at?

3.3 We consider that a clear and logical evidence base has been produced by Wealden District Council in respect of the distribution of housing and the specifically identified sites. We have already, however, raised reservations in respect of the actual level of growth identified in that it does not confirm with the SEP.

c) Have the infrastructure implications of the strategy clearly been identified and supported by the evidence base? Is it clear who is going to deliver the required infrastructure and by when?

3.4 Although infrastructure requirements for individual sites are assessed within the Sites Specific DPD, we consider that individual infrastructure requirements for particular sites should be assessed at the planning

application stage. It is important to note that SD6 forms a natural extension to the urban boundary to the east of Stonecross and would not raise strategic infrastructure issues. As such, a planning application coming forward for SD6 should not be delayed on this basis.

d) Has the impact of the strategy on the Strategic Road Network been adequately assessed and is there a reasonable prospect that the transport infrastructure required is deliverable?

3.5 Following on from point (c) above, we consider that the implications in respect of highway improvements in the form of Section 106 agreements/ Section 278 works need to be realistic and relate to the actual development itself on any particular site.

e) Is the strategy sufficiently flexible to respond to an unexpected change in circumstances?

3.6 In light of the above, we consider the council's strategy flexible to respond to unexpected changes in circumstance. However consideration of potential housing numbers for each site, and particular requirements such as infrastructure requirements, can only be realistically assessed at the application stage.

f) Is SD4 justified and deliverable?

3.7 Strategic Area SD4 'Land at South Polegate and East Willingdon' is being promoted within the Core Strategy as an area which will accommodate future residential, employment, leisure, recreation and community uses. A number of sites have been identified within the SHLAA to accommodate future housing growth in this area. However, a number of these sites are (i) isolated from the urban form; (ii) are greenfield sites; (iii) have ownership constraints; (iv) moderate market demand; and (v) located within a flood zone (2 and 3). Therefore development at Stone Cross is considered more sequentially preferable, in particular

development at 'The Oaks' as the development would square of the settlement and it partly constitutes brownfield land.

g) Is SD5 justified and deliverable?

3.8 Strategic area SD5 is being promoted for employment land within the Core Strategy. It is important for the council to maintain a healthy population figure through housing growth, but to also to encourage economic growth by promoting future employment sites.

h) Is SD6 justified and deliverable?

3.9 In sequential terms, a number of urban extensions have been identified to accommodate future housing growth at Stonecross this includes allocation SD6 – land to the east and south of Stone Cross. We consider strategic site SD6 the most suitable, acceptable and deliverable area to accommodate future housing growth within Stonecross and that this has been fully justified by Wealden District Council through extensive research. To the best of our knowledge the site is entirely deliverable.

i) Is SD7 justified and deliverable?

3.10 It is apparent that the sites located to the west of Stone Cross which are located within SD7, are less suitable for development, than those to the east as a number of constraints are apparent. As such we consider potential future development at should be considered a preference.

j) Is there appropriate justification for the phasing of housing at SD4 from 2019?

3.11 We consider the phasing for Strategic Area SD4 appropriate, given that it is being promoted as an area for a mixed use development.

k) Have reasonable alternatives to SD4, SD5, SD6 and SD7 been

considered – omission sites?

3.12 In line with current planning policy (PPS3), the council have been thorough in their approach in identifying sites through the SHLAA process assessing each based on the criteria of 'suitability', 'availability' and 'achievability'. This enabled the council to identify a range of sites to accommodate future housing growth in the district. Overall, we have no concerns with the approach taken.

4.0 CONCLUSION

4.1 It has been highlighted within this statement that Wealden District Council cannot demonstrate an up to date 5 year land housing supply. In addition we consider Policy WCS1 unsound as the housing target presented by the council is substantially lower than that of the South East Plan which remains a material consideration.

4.2 In terms of the Council's approach to identifying suitable and flexible sites to accommodate future housing growth, we support the Councils evidence base which identifies a wide range of sites. However, we consider urban extension SD6 the most logical area for development, given its relationship with the current urban form and the positives associated with its development, lack of constraints and overall deliverability.