Affordable Housing Delivery Local Plan Proposed Submission Representation Form (Regulation 19)

Please read the accompanying **'Guidance Notes for Respondents – Proposed Submission Affordable Housing Delivery Local Plan'** before completing this form.

Where possible, the Council would prefer that you submit your response using our online 'Objective' consultation system at http://wealden.objective.co.uk/portal/ or by following the links from the Council's website http://www.wealden.gov.uk/.

The period for representations runs from **9am on Monday 1st December until 5pm on Monday 12th January 2015.** Representations received after **5pm on Monday 12th January 2015** cannot be accepted.

Completed forms can also be returned to ldf@wealden.gov.uk or by post to Planning Policy, Wealden District Council, Vicarage Lane, Hailsham, BN27 2AX.

If you need further information or assistance, please contact the Planning Policy Team by email at ldf@wealden.gov.uk or by telephone on 01892 602007.

Part A - Personal Details

	Personal Details	Agent Details (if applicable)
Title	Miss	
First Name	Christine	
Last Name	Dadswell	
Job Title (where relevant)	Planning Assistant	
Organisation (where relevant)	ASP	
Address	Old Bank Chambers London Road Crowborough East Sussex	
Post Code	TN6 2TT	
Telephone Number	01892 610408	
Email Address	[redacted]	

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Part B – Representation (Please use a separate sheet for each representation)

When the Affordable Housing Delivery Local Plan is examined it will be tested for

1. Legal compliance – That it has been produced in accordance with Government Regulations. This includes the Duty to Cooperate.
2. Soundness – That the content is positively prepared, justified, effective and consistent with national policy

- If you wish to comment on the way Wealden District Council has **prepared** the Affordable Housing Delivery Local Plan, it is likely that your comments or objections will relate to a matter of **legal compliance**.
- If you wish to make a representation on the actual **content** of the plan, it is likely that your comments or objections will relate to a matter of **soundness**.

Further information on the test of soundness and legal compliance is provided in our accompanying **Guidance Notes for Respondents**.

Q1. To which part of the Affordable Housing Delivery Local Plan does this representation relate? *Please use a separate form for each separate Chapter, Policy, Paragraph, Figure or Table you wish to make a representation on.*

Chapter: 2	**Paragraph Number:**
Policy Number: AFH1	**Figure/ Table Number:**

Q2(a). Do you consider the Affordable Housing Delivery Local Plan to be Legally Compliant?

Yes ☑ *Please go to Question 3(a)*

No ☐ *Please go to Question 2(b)*

Q2(b) If you answered No to Question 2a please give details of why you consider the Affordable Housing Delivery Local Plan is not legally complaint

Continue on a separate sheet if necessary. Mark any additional pages with your name or organisation

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Q3(a). Do you consider the Affordable Housing Delivery Local Plan to be sound?

Yes ☐ *Please go to Question 4*

No ☑ *Please go to Question 3b*

Q3(b). If you answered No to Question 3a. Do you consider the Affordable Housing Delivery Local Plan to be unsound because it is not. (Please mark all you think apply)

(a) Positively prepared ☐

(b) Justified ☐

(c) Effective ☑

(d) Consistent with National Policy ☑

(e) Other (please specify) Ministerial Statement ☑

Q4. Please set out what change(s) you consider necessary to make the Affordable Housing Delivery Local Plan legally compliant or sound, having regard to your previous comments regarding legal compliance and soundness.

You will need to say why you believe this suggested change will make the Affordable Housing Delivery legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text.

These comments are made in relation to proposed Policy AFH1 which is considered to be unsound. Policy AFH1 relates to alterations to the thresholds for the requirement for affordable housing contributions. Whilst it is acknowledged that there are difficulties in affordable housing provision in Wealden it is not considered that the policy as proposed will create an effective mechanism for increasing affordable housing provision. Specifically there are concerns regarding the impact of the proposed policy on the viability of small sites and developments of small scale housebuilders.

Policy AFH1 seeks to maximise the potential for affordable housing contributions by decreasing the site area threshold for which affordable housing is required from 0.2 to 0.16 hectares. This threshold would apply to sites with less than 5 dwellings provided the development leads to a net increase in dwellings.

The DCLG Ministerial Statement in November 2014 set out measures aimed at removing barriers in the planning system for small housebuilders. By lowering the site area threshold for the requirement for affordable housing contribution Policy AFH1 is in direct conflict with the aim

Continue on a separate sheet if necessary. Mark any additional pages with your name or organisation

Please note your representation should cover all of the information, evidence and supporting information necessary to support/justify the representation and the suggested change. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

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Q5. If your representation is seeking any change to the Affordable Housing Delivery Local Plan, do you consider it necessary to participate at the oral part of the examination to help explain the need for the change proposed?

No, I do not wish to participate at the oral examination ☑ *Please go to Question 6*

Yes, I wish to participate at the oral examination ☐ *Please go to Question 5(b)*

Q5(b). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

Continue on a separate sheet if necessary. Mark any additional pages with your name or organisation

Please note the Inspector will determine the most appropriate procedure to hear those who have indicated that they wish to participate at the oral part of the examination.

Q6. Finally, do you wish to be notified of any of the following? Please mark all that apply.
We will contact you using the details you have given at the beginning of *this form.*

a) The Affordable Housing Delivery Local Plan has been submitted for independent examination ☑

b) The Inspector's Report is published ☑

c) Wealden District Council adopts the Affordable Housing Delivery Local Plan ☑

Data Protection Act 1998 and Freedom of Information Act 2000
Representations cannot be treated in confidence and copies of all representations will be made publicly available. The Council will also provide names and associated representations on its website but will not publish personal information such as telephone numbers, emails or private addresses. By submitting your views on the document you confirm that you agree to this and accept responsibility for your comments.

Signature	Christine Dadswell	Date 09/01/2015

Please print name if submitting electronically

If you, or somebody you know, would like the information contained in this document in large print, Braille, audio tape/ CD or in another language please contact Wealden District Council on 01323 43322 or info@wealden.gov.uk.

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AS Planning Affordable
Housing Delivery Local Plan Proposed Submission – Additional Text on Representation Form

Q3 (b). Ministerial Statement November 2014

Q4. These comments are made in relation to proposed Policy AFH1 which is considered to be unsound. Policy AFH1 relates to alterations to the thresholds for the requirement for affordable housing contributions. Whilst it is acknowledged that there are difficulties in affordable housing provision in Wealden it is not considered that the policy as proposed will create an effective mechanism for increasing affordable housing provision. Specifically there are concerns regarding the impact of the proposed policy on the viability of small sites and developments of small scale housebuilders.

Policy AFH1 seeks to maximise the potential for affordable housing contributions by decreasing the site area threshold for which affordable housing is required from 0.2 to 0.16 hectares. This threshold would apply to sites with less than 5 dwellings provided the development leads to a net increase in dwellings.

The DCLG Ministerial Statement in November 2014 set out measures aimed at removing barriers in the planning system for small housebuilders. By lowering the site area threshold for the requirement for affordable housing contribution Policy AFH1 is in direct conflict with the aim of the Ministerial Statement. The lower threshold is likely to impact on the viability of the sites of small housebuilders by bringing more of their sites into the threshold for affordable housing contributions and thus affecting the development costs of smaller housebuilders. The justification for the lower site area threshold is to prevent developers from submitting smaller sites to avoid the site area threshold. It is not considered that merely reducing the threshold will necessarily prevent this from occurring.

The potential impact of the proposed policy on viability is increased by the requirement for on-site delivery. The requirement for on-site delivery is in direct conflict with the delivery mechanisms set out in the Ministerial Statement which state that for sites below 10 dwellings the affordable housing contribution should be via payment once the development is completed.

There also needs to be consideration as to which areas of the district the lower threshold should be applied in. The ministerial statement outlines a separate threshold of 5 dwellings or more for 'very rural areas'. The blanket application of the 5 dwellings or more threshold across the whole of the Wealden District needs to be reviewed in light of this distinction. A number of factors are relevant to this issue.

Firstly, the current core strategy seeks to focus the bulk of future housing development within existing urban areas to which the classification 'very rural area' would not apply. Secondly, the current restrictions to residential development in the north of district due to the Ashdown Forest Protection

Zone focuses development to the south of the district which is arguably more urban than the north of the district. Saddled with this is the fact that the council's research into affordable housing for the core strategy concluded that it was the sites to the centre and north of the district that were capable of supporting a higher proportion of affordable housing further making the application of a lower threshold inappropriate in the south of the district. Finally, in terms of delivery trends in Wealden over the last 10 years the Affordable Housing Local Plan Issues and Options Paper outlined the fact that small sites delivery was more significant in town parishes than rural parishes which arguably would not be classed as 'very rural'. Due to all these factors it is considered that the use of the lower 5 dwellings or more threshold across the whole district is inappropriate.

Overall the continued application of the lower threshold of 5 dwellings across the whole of the Wealden District, the requirement for on-site delivery and the decreased site area threshold make this policy unsound in respect of national policy. In order to comply with national policy we believe it should be altered to ensure the lower 5 Dwellings threshold is only applied in 'very rural areas' and a wider range of options for delivery should be provided. We also believe the lower site area threshold will be ineffective in preventing developers from submitting smaller sites to avoid the threshold and alternative options should be considered.