Comment

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Do you consider the Affordable Housing Delivery Local Plan to be Legally Compliant? Yes

If you answered No to the above question, do you consider the Affordable Housing Delivery Local Plan to be unsound because it is not: (please select all that apply)

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.

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.

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 in the places it is needed. Specifically there are concerns regarding the distinctions created by the policy between different areas of the district. Policy AFH1 seeks to create 'Affordable Housing Policy Areas' within which affordable housing contributions will only be sought on sites of 11 dwellings or above. Outside of these areas a lower threshold of 6 dwellings or more would be applied. On developments providing between 6-10 dwellings contributions would be made via commuted payment, any development above this will be expected to provide on-site delivery. The creation of the affordable housing policy areas is a response to the DCLG Ministerial Statement in November 2014 which outlined a separate threshold of 5 dwellings or more for 'very rural areas'. The purpose of the ministerial statement was to reduce development costs for small scale housebuilders whilst ensuring sufficient level of affordable housing provision in 'very rural areas'. Whilst this requires some distinction to be created between areas where sites of 5 dwellings or more need to provide affordable housing and areas where sites of this size do not, the manner in which the council are proposing the boundaries raises some concerns. Firstly, there is the question as to how the exact boundaries have arisen. The proposed plan states that Section 157(1) of the Housing Act defines designated rural areas and includes National Parks and AONBs. The council also refer to two orders which designate rural areas in the Wealden District including areas in the AONB and a number of parishes. Whilst it is not specifically stated within the proposed plan it is assumed that it is these area designations that the council have used as a basis for drawing up the boundaries. If this is the case it needs to be stated more clearly within the proposed plan and justification provided. Whilst acknowledging that there needs to be some form of criteria for identifying the boundaries of the 'Affordable Housing Policy Areas' it is considered that the manner in which the plans have been drawn up presents a compromised interpretation of the ministerial statement. It is also a pertinent point that the ministerial statement uses the term 'very rural areas' as opposed to the 'rural areas' that the aforementioned Act and Orders refer to. It is considered that an appropriate criterion for assessing where the boundaries should be drawn would be to use the level of affordable housing need in different areas of the district. If this was to be used as a criterion the lower threshold should only be applied in rural areas that have a significant affordable housing need. Background evidence on viability could also be used to direct the boundaries. Background evidence for the Core Strategy showed that sites in central and northern parts of district could support higher level of affordable housing than sites to the south of the district. The current proposed AFH1 policy areas do not reflect this evidence, for example Stone Cross is entirely washed over by the lower threshold area. As well as reflecting the areas where there is a higher need of affordable housing the threshold areas also need to reflect a consistent definition of 'very rural areas'. The proposed threshold areas have an inconsistent approach to defining 'very rural areas' in a number of respects. Firstly, the boundaries as proposed have in some settlements led to portions of distinctly urban areas (for example the south-east corner of Heathfield) being allocated outside of the higher threshold area. In contrast in some settlements portions of undeveloped land that is immediately adjacent to urban areas have been including within the higher threshold area (for example land to the west of Uckfied). Not only is this considered to be an inconsistent definition of what constitutes 'very rural areas' it also excludes a number of small scale sites directly adjacent to the settlements from the higher threshold area. It is these types of sites that the ministerial statement aims to reduce development costs on and thus they should be incorporated into the higher threshold area. As well as the consideration as to what land currently constitutes a 'very rural area' and thus where the boundaries of Policy AFH1 are drawn consideration needs to be given to the relationship between the proposed policy areas and the general pattern of development proposed adopted Core Strategy. The Core Strategy allocates a significant amount of housing outside the development boundary meaning that in some settlements areas adjacent to the development boundary will become significantly more urban in nature over the course of the plan period. Whilst some of the AFH1 boundaries incorporate these allocations there are a number of AFH1 boundaries that leave these housing allocations outside of the boundary. This approach needs to be made consistent. Consideration also needs to be given to the proposed method of delivery. The policy indicates that for sites between 6-10 dwellings a commuted payment will be made and for sites of 11 dwellings or more on site delivery will

be required. Whilst these methods are consistent with that proposed in the DCLG Ministerial Statement November 2014 it is considered that the commuted payment method needs to provide a stronger assurance that the payments will be spent on rural affordable housing provision to comply with the ethos of the ministerial statement. Overall the proposed Affordable Housing Local Plan is considered to be unsound in two respects. Firstly, the boundaries drawn have not been properly justified by a means of specific criteria for defining 'very rural areas'. Secondly, it is not considered that the resultant threshold areas and the lack of specific details as to where commuted payments would be spent are reflective of the aims of the ministerial statement to reduce development costs for small-scale housebuilders whilst maintaining sufficient affordable housing provision in 'very rural areas'. Overall it is not considered that the proposed policy in its current form represents a policy that has been positively prepared or that will be effective.

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

Do you wish to be notified of any of the following? (please select all that apply) We will contact you using the details you have given at the beginning of this form.

- The Affordable Housing Delivery Local Plan has been submitted for independent examination
- The Inspector's Report is published
- Wealden District Council adopts the Affordable Housing Delivery Local Plan