Wealden Local Plan Examination

MATTER 2
VISION, OBJECTIVES AND LOCAL PLAN GROWTH

Hearing Sessions:
Days 4 and 5
(Tues 28, Wed 29 May 2019)

HEARING STATEMENT
Prepared by:
Woolf Bond Planning LLP
On behalf of:
Croudace Homes Ltd

Representor ID No: 968148
May 2019
WBP Ref: 7336
**Executive Summary**

Croudace Homes Ltd maintain their objections to the soundness of the Submitted Local Plan for the following reasons:

- **The Plan is not positively prepared** having regard to the derivation of the OAN, the approach to housing needs and housing delivery generally, including having regard to the stepped trajectory.

- **The Plan is not justified** having regard to the spatial strategy and housing allocations, such that it cannot be said to be said to provide the most appropriate strategy when considered against the reasonable alternatives.

- **The Plan is not effective** and will fail to provide a five year supply of deliverable housing land and/or deliver the requisite amount of housing during the plan period.

- **The Plan is not consistent with national policy** having regard to the allocation and delivery assumptions relating to certain of the allocated sites, alongside the curtailed plan period.

In order for the Local Plan to provide an appropriate basis for the planning of the District to 2035 rather than 2028 as currently envisaged (thus covering a 15 year period from adoption), Croudace Homes Ltd identify a need to prepare and consult upon necessary modifications to the Local Plan in the form of amended policy wording that would, inter alia:

1. **Increase the OAN from 950dpa to at least 1,044dpa (plus unmet need from Eastbourne BC). This equates to a requirement for at least 22,968 dwellings during the period 2013 to 2035. The requirement should be applied as an annual target across the plan period to respond to longstanding unmet needs.**

2. **Additional sites should be allocated in order to meet the increased housing requirement; and to ensure sufficient housing delivery in the early part of the plan period**

3. **As a function of (ii) above, allocate land south of Bird in Eye, Uckfield for approximately 175 dwellings and associated open space (including a SANG if required)**

The above changes are necessary in order to ensure a sound Plan.

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1 We acknowledge the Inspector’s Guidance Note for the Stage 1 Hearings does not indicate when omission sites may be considered at the Examination. However, whether the Plan has assessed the reasonable alternatives is a matter of soundness, as is testing whether the spatial strategy (and hence site selection) is justified. In the event the Inspector identifies a need to increase the housing requirement and/or extends the plan period and/or identifies the need for additional housing allocations, the land south of Bird in Eye, Uckfield (Site Ref: 002A/1410) is one such location that must be considered by the Council. In this regard, we remain of the view that it represents an appropriate location for development having regard to the lack of technical constraints preventing its delivery.
In responding to the questions raised under Matter 2, our Statement seeks only to address questions 32 and 33 under Issue 1. For Issues 2 and 3 Croudace Homes Ltd rely upon the representations submitted by the Ashdown Forest Stakeholder Forum (“AFSF”).

**Issue 1: Whether the Spatial Vision for Wealden is justified, effective, consistent with national policy and positively prepared?**

32. Are the key local plan objectives which have been identified relevant; justified; and consistent with National Policy?

32.1. No. As explained in our response to question 33 below, the plan period is inconsistent with national policy.

32.2. The spatial vision and objectives discount the potential for Uckfield to accommodate significant growth. As detailed in our Regulation 19 representations, land south of Bird in Eye is unconstrained and represents an opportunity to accommodate development in a sustainable location on the edge of Uckfield. Including for the reasons set out in our Statements for Matters 1 and 3, the approach to the overarching spatial vision and distribution of growth, which fails to provide for sustainable housing growth at Uckfield (one of only five principal settlements within the District), cannot be said to be justified.

32.3. As articulated in our Statement for Matter 1, Croudace Homes Ltd (as member of the consortium of developers forming the AFSF) is of the view that the HRA is substantially flawed. As such, and for the reasons set out therein, the overall spatial strategy underpinning the approach to the distribution of housing growth within the District cannot be said to be sound. It is not justified and nor can it be said to be effective or consistent with national policy.

32.4. Furthermore, which matters are addressed in our Regulation 19 representations (see also our Matter 3 and 4 Statements) the over-reliance on growth within south Wealden fails to provide the flexibility and adaptability within the strategy that is otherwise required by paragraph 14 of the NPPF.
32.5. The Plan’s vision and objectives should be revised in order to emphasise that additional growth is appropriate at Uckfield\(^2\), particularly on land south of Bird in Eye as this will both provide greater resilience within the strategy and provide development in a sustainable location, adjacent to one of the District’s main towns. The failings arising from the HRA have resulted in a distribution strategy for the allocation of sites for housing growth that fails to take opportunities to enable growth to be at locations where future residents can access day to day needs by sustainable transport modes, thus reducing the need to travel by means other than the private car.

32.6. The Submission Local Plan only covers an 8 year period from adoption (to 2028). In order to deliver the significant levels of growth that are planned within the South Wealden Growth area, the Plan allocates land for approximately 3,258 dwellings across the parishes of Hailsham, Hellingly, Polegate and Westham.

32.7. We question whether the challenging rates of house building that will be required in this narrow geographical/market area are justified, including having regard to market conditions and demand for housing in this location. We refer here to the evidence in the Nathaniel Lichfield & Partners (“NLP”) Report from November 2016 – “Start to Finish: How quickly do Large-Scale Housing Sites Deliver?” and references in the Letwin Review (Oct 2018)

32.8. Figure 4 contained in the NLP Report indicates that following identification of a site in the Development Plan, for locations proving at least 500 dwellings (as envisaged in the Plan for Stone Cross (Westham Parish) and around Hailsham) take at least 5 years until the first dwelling is completed.

32.9. With the identification of these sites not confirmed until the Wealden Local Plan was submitted in January 2019, this indicates the first completions might be expected from January 2024.

\(^2\) Uckfield is located on the strategic road and rail network, served by the A22 and A26, with direct main line services to and from London Bridge (1hr 20mins).
32.10. This would leave only four years remaining in the currently envisaged plan period within which to complete the sites. However, “Start to Finish” (figure 7) indicates that the average annual build rates then required to fully achieve the full completion of these allocations is unrealistic. This is notwithstanding the recognition in the submitted Plan (policy WLP12) that delivery in Hailsham particularly is dependent upon the timely provision of improvements to the water treatment works north and south of the town. This further supports our concerns over the robustness of the Council’s strategy to deliver the homes required to ensure the document is both justified and consistent with national policy.

32.11. The approach in policy WLP22 requiring a review of the Local Plan if the Hailsham treatment works improvements are not delivered by 2022 further reinforces our view that the submitted Plan is neither positively prepared nor is consistent with the flexibility required by paragraph 14 of the NPPF (2012).

33. **Is the Plan period effective, justified and consistent with national policy?**

33.1. No. The NPPF (2012) is clear (paragraph 157) that Local Plan should “be drawn up over an appropriate time scale, preferably a 15-year time horizon”.

33.2. This advice over providing a 15-year time horizon is reinforced by paragraph 47 which emphasises how sites or broad locations for year 6-10 and where possible years 11-15 should be identified.

33.3. In drafting a Local Plan for the period 2013-28, with submission in January 2019, the plan does not even provide for a strategy for 10 years, let alone the 15 years preferred by the NPPF.

33.4. With the current LDS (A.10) indicating adoption is envisaged during 2019, this would result in a plan providing a maximum of circa 8 years growth following this event.
33.5. Such a very limited time horizon is therefore inconsistent with the NPPF and it must be amended to provide for the preferred period of at least 15 years from adoption as expected in paragraph 22 of the 2018 or 2019 versions of the NPPF. The preparation of a plan to accommodate the 2018 version of the NPPF would demonstrate the flexibility of the submitted Plan to adapt the rapid change as required by paragraph 14 of the NPPF (2012). We therefore contend that to accord with the NPPF (2012), the plan period should extend until at least 2035 (providing for 15 years post submission (assuming adoption in 2020)).

33.6. In relation to this point, paragraph 8.5 of the Issues and Options Document (2015) (C1)) acknowledged that the Local Plan’s timeframe should be at least 15 years from adoption. This lends further support to our view that there is no sound basis for not achieving a Plan period which extends for a 15 year period from adoption.

33.7. Additionally, and as outlined in the representations and in the response to Matter 3, we do not consider that the stepped approach to the housing requirement is consistent with the obligations on the authority to significantly boost housing delivery, as required by paragraph 47 of the NPPF (2012). In addition to extending the Plan period as explained above, the housing requirement should be set at a level rate.
**Issue 2 - Does the significance attributed to air quality considerations present a positive framework which is consistent with national policy, justified and effective, and will contribute to the achievement of sustainable development within the District?**

**Issue 3 - Are policies EA1- EA3 positively prepared, consistent with national policy and justified?**

Qs34 to 41.

34.1 In responding to the points set out in Questions 34 to 41, Croudace Homes Ltd rely upon the on the submissions contained in the Statement submitted by the AFSF and it is considered that the HRA underpinning the Local Plan is flawed. This includes in relation to the conclusion in the HRA that there will be harm to the Ashdown Forest arising from housing growth in close proximity to it, such as at Uckfield, without mitigation is incorrect.

34.2 The wording contained in Policy AF1 effectively limits development until the Council implements mitigation measures, in terms of managing impacts arising from nitrogen deposition upon the Ashdown Forest, which the AFSF considers to be neither necessary nor justified. This view is supported by Tunbridge Wells Borough Council, the South Downs National Park Authority and Lewes District Council.

34.3 As such, we are of the view that policies AF1 and AF2 are unsound and we defer to the AFSFs position on this matter.

34.4 Policy EA2 also requires clarity; which matter the AFSF also address.

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