Matter 3: Objectively Assessed Needs for Housing and Employment Land

Issue 1: Whether the Council’s approach to calculating its full, objectively assessed needs is justified, based on up-to-date and reliable evidence, effective, positively prepared, and consistent with national policy?

Objectively Assessed Need- Housing

Question 51. Should the recently published 2016-based household projections be taken into account in setting the OAHN? If so, what would be the consequence?

The NPPF (2012) para 158 requires that each local planning authority should ensure that the Local Plan is based on ‘adequate, up-to-date and relevant evidence.’ Clearly, the 2016 projections are more ‘up to date’ and ‘relevant’ than the 2014 projections.

The natural rate of population change in the District is negative, as it is in East Sussex. Thus, the real local need is very modest and mainly consists of small homes for those downsizing, or families dividing, or new households forming.

The 2014 household projections give a figure of 892 dpa over the plan period, whereas the 2016 projections reduce this to 848 dpa.

Question 54. Is the level of housing planned appropriate? Should it be increased or decreased? If so, to what level and on what basis?

To comply with the Habitats Regulations, the level of housing should be commensurate with that causing no harm to Ashdown Forest.

The evidence that the Council has assembled indicates that the emissions from traffic generated from development anywhere within the District may have an adverse effect on Ashdown Forest SAC. However, the Council is proposing to proceed with development on the basis of a mitigation strategy that has not been shown to be effective in causing no increase in emissions. Until an effective mitigation strategy can be guaranteed to be implemented, and this should include negating the effect of any increase in traffic emissions arising from any source e.g. other plans or projects, to comply with the Habitats Regulations, no development within the District can progress.

Furthermore, the Council has shown that any increase in visitor numbers to the Ashdown Forest SPA will increase the likelihood of disturbance to the protected bird species. The Council has proposed mitigation measures in the form of SANGS and SAMM, but again is unable to demonstrate that these measures will be effective. Therefore, until the mitigation
can be shown to be effective, the Habitats Regulations do not permit the progression of any
development that may result in an increase in the number of visitors to the SPA.

Should the Council devise mitigation that avoids harm to the protected sites and enables
development to proceed, we believe that due to the quantity of protected landscapes
within the District, the Council should be seeking to achieve a far lower level of housing than
it has stated in the Plan.

The High Weald AONB, which covers 58% of the Plan area, is given by paragraph 115 of the
NPPF the same protection as National Parks in conserving landscape and scenic beauty.
Much of the south of the District, is occupied by the sizeable Pevensey Levels, which is a
Ramsar site, a SAC, a SSSI and a LWS (although for development, the Levels is in Flood Zone
3 and even without the protection, is undevelopable)

Policy WLP 7 proposes that 93% of the total allocations are to be provided in the Low Weald
on green field sites despite the Low Weald being an attractive landscape and consisting of
less than 34% of the Council’s planning area.

It is noted that the adjacent SDNP’s OAHN is 447 dpa but their accepted housing target is
250 dpa (56% of the OAHN), a reduction clearly arising due to a wish to minimise the effect
of development on the landscape. The SDNP is fortunate to have two large brownfield sites
where 14% of their housing target can be accommodated. Thus, the examiner has accepted
SDNP’s proposal to deliver 48% of its OAHN on green field sites and 8% of its OAHN on
brownfield sites.

Wealden District Council does not have any large brownfield Sites and relies on allocations
on greenfield sites. We consider the Council’s approach of concentrating development on
the smaller area of the District without landscape restrictions does not respect the intrinsic
beauty of the countryside (NPPF 2012 para 17) and fails to recognise the landscape
character of the Low Weald and urbanises this largely rural area. In his ‘Report to Lewes
District Council and the South Downs National Park Authority’ (22nd March 2016) Inspector
Nigel Payne notes in para 15 that;

“I am entirely satisfied that this is the most suitable and appropriate strategy for the district
up to 2030 and that no reasonable alternatives exist that would be more so. For example,
the suggestion that with the NP covering 56% of the district and the sea to the south the
majority of new development needed to meet the full OAN of the district should instead be
concentrated in the villages of the Low Weald is neither reasonable nor realistic. It would
lead to an unsustainable pattern of development as well as unnecessary and unacceptable
impacts on local services, facilities and infrastructure, including the largely small-scale road
network of that area.”

We believe that the quantum of development proposed by the Wealden Local Plan would
lead to a similar unsustainable pattern of development.

There is a further area to consider when determining the level of housing and that is
whether the market is willing to deliver a number that is far above the current target and
also the maximum level that has ever been historically achieved.
There is little evidence of developers reducing prices when house sales slow, but there is considerable evidence that completions slow when sales start falling in order to protect the price.

It is a fallacy to consider that increasing the number and availability of sites will automatically result in an increased number of completions, instead, more sites enable developers to cherry pick the most profitable ones. The rate of housing completions depends solely on the number of buyers willing to pay the market price fixed by the developer. Unfortunately, this market price has been inflated by the Help to Buy scheme, which has had the effect of reducing the number of those buyers who do not qualify for the scheme.

In order to retain a plan led system, the housing target should be distinctly achievable by the market. Setting a target that is considerably higher than historical delivery levels, as most developers will strongly argue is what is needed, runs the risk that the Council will fail the housing delivery test resulting in the easing of the planning considerations affecting developers thereby creating a developer-led system.