Question 48

This question raises a number of points:

- Consistency of the plan period with national policy.
- The appropriateness of the Plan Period (2013 to 2028) for the provision of housing and whether it should be extended.
- The reasoning for a difference in time periods for housing, employment and retail matters.

Consistency of the plan period with national policy

1. NPPF 2012 contains a number of requirements for local plans at paragraph 157. The most important of those on the present context is that they should “be drawn up over an appropriate time scale, preferably a 15-year time horizon, take account of longer-term requirements, and be kept up to date”

2. There are two immediate problems in our view with the plan period:

3. The first is that the plan clearly will not relate to a 15-year period from its adoption, or anything close to that. Assuming the plan is adopted in late 2019 it will have only a nine-year period to run. That is not acceptable as a matter of principle, and in turn highlights a number of fundamental problems with the plan that, individually or in combination, result in a probable failure to deliver an appropriate level of development and associated infrastructure. There is no explanation of the reason for the plan period in the Submission Plan itself nor in any of the Background Papers.

4. The second is that the short time frame of the plan, coupled with its fractured approach to infrastructure, results in a degree of unsoundness that it is difficult to see could be overcome, even with major modifications to the plan, without profoundly changing its nature and approach.

The appropriateness of the Plan Period (2013 to 2028) for the provision of housing and whether it should be extended

5. Assessment of the history of the local plan process shows that the plan period has not been at all consistent through the various stages of the plan. The Regulation 18 'Issues and Options Plan' of 2015 had a planning horizon to 2033. The February 2017 'Wealden Objectively Assessed Need (OAN) Update Draft Paper related to a period of 2013 to 2037, which was the timescale of the Issues, Options and Recommendations Consultation Plan.

6. An amended OAN paper dated March 2017 reduced that period, without explanation, to 2013-2028, which was the plan period mooted in the version of the Wealden Local Plan that was presented to committee later in 2017 but never released formally to the public. The 2028 end-date was carried through to the Submission Plan.
7. The plan period is such a relatively short period it is not possible for the plan to take account of longer-term requirements. In fact, as will be debated elsewhere at the examination, the plan itself questions the possibility that the delivery of housing in the manner proposed will not be possible. The level of uncertainty with infrastructure provision, for instance, is such that Local Plan Policies WLP 12 and particularly WLP 13 amply emphasise the dangers in seeking to pursue a plan programme that projects housing growth only for an 8 to 9-year period following adoption. At one and the same time the plan proposes a significant increase in housing completions from the point at which it is likely it would be adopted (as shown by the ‘stepped approach’ to housing delivery shown on the housing trajectory [Doc A1, figure 3, page 71]) and emphasises the potential for non-delivery of housing as a result of a number of factors presently beyond the council’s control.

8. In our original representations we also highlighted to relationship between the delivery of housing in the first part of the plan period, from 2013 to the adoption of the plan, to the provision required by the adopted Core Strategy Local Plan (CSLP). The housing trajectory shows that in the first four years of the plan period the delivery of housing is known. The figures for the following two years (2017-2018 and 2018 to 2019) must be known by the council leading into the examination. The ‘projected’ figures are thus only for the remaining nine years of the plan period. It would appear that the utilisation of the period 2013-2028 is in some respects a device to seemingly provide a 15-year plan horizon and to reduce overall future requirements accordingly. The use of figures for 2013-2017 in the calculations effectively double-counts the provisions of the adopted CSLP 2013, in any event.

9. Within the remaining 9-year plan period that would result if the plan is adopted on the present basis the council anticipates delivery of the SWGA in its entirety, despite the fact that policy WLP 12 confirms “The release of land will be dependent on the timely provision of infrastructure necessary to deliver housing, including transport improvements in the South Wealden Growth Area (SWGA)” and policy WLP 13 ) includes reference to the need for “… a comprehensive off line A27 solution between Lewes and Polegate” and “a solution to the Hailsham North and Hailsham South [Waste Water Treatment Works] by 2022.”. Neither of these key elements of infrastructure is within the control of the council, and both could potentially result in delays in the provision for housing and employment growth in the SWGA.

10. Additionally, Policy SWGA 8 restricts the release of land for development to take account of the availability of waste water treatment capacity and upon there being capacity within the strategic transport network.

11. It is simply not possible to promote the SWGA in its entirety in such a relatively short period, in a manner that falls into the category of all the council’s eggs being in one basket. The ‘flexibility’ that the council claims is inherent in WLP 13, which lists the reason why the plan may need to be reviewed, is in reality simply a demonstration of the fact that the proposals of the plan are so
uncertain, and the timescale for provision of development so short as a result of the plan period that little weight can, in reality, be placed on the plan to successfully bring forward the proposed level of housing and supporting infrastructure required.

12. In conclusion on this point, the plan period does not cover an appropriate time frame for provision of housing. There is seemingly no reason why the plan period could not be 2015-2033, having regard to the plan period of the initial Regulation 18 plan and the date of the draft plan considered by the council in 2017, which is stated by the council to be the basis for the present Regulation 19 plan).

**Questions 52 and 54 – OAHN and level of housing**

13. Because the plan period includes the six years prior to the submission of the local plan, and because the housing supply figure for those years was set much lower than the present OAHN figure by the CSLP, the council’s presentation of housing supply, and thus its approach to the OAHN, is flawed.

14. As I have said elsewhere, it would appear that the utilisation of the period 2013-2028 is in some respects a device to seemingly provide a 15-year plan horizon and to reduce overall future requirements (i.e. from adoption of the plan) accordingly. The housing trajectory shows provision in the first six years of the plan period at 3169 dwellings, which the council states in paragraph 8.3.3 of the Housing Background Paper (Doc A30) is above the previously adopted annualised housing target.

15. The fact remains, however that the figure is well below the present plan period requirement. By using the CSLP annual figure the submission plan potentially under-provides for the future. The first six years of the plan period, at 950 dpa, would have required a total of 5700 dwellings. Actual delivery was 3169, so there was a deficit of 2531. The anticipated ‘step change’ in housing provision is thus critical but is insufficient. If the deficit of 281 dwellings per annum in the first six years (2531/6) is added to provision for the following nine, at the 950 per annum, the actual housing provision of the plan if the plan period runs from 2018 would need to be 1231 dpa. For reasons I have mentioned earlier, such increase in provision for the remainder of the plan period is in significant doubt, not least because of the significant reliance on ‘windfall’ sites.

16. That reliance is most acute in the northern part of the District, where there are no strategic allocations and only a small number of dwellings allocated overall. The level of growth that would result would mean that the northern part of the District would effectively be provided with no affordable housing at all during the plan period.
17. Paragraph 5.3.4 of the Housing Background Paper (Doc A30) notes that “if the full net affordable housing needs were to be met (i.e. 331 dwelling per annum) through the delivery of the OAN figure, then this would amount to approximately 35% of the new homes needing to be affordable. As already discussed, national planning guidance confirms that smaller housing sites (dependent on their location and quantum) will not all be subject affordable housing requirement.”

18. Two points are relevant here. Although it may be a function of the spatial strategy of the plan rather than of the overall OAHN, simple reliance on a figure of 35% of OAHN to produce the required level of affordable housing is a calculation that does not take into account the geographical location of the affordable housing requirement. My initial representations showed the complete failure of the plan to make provision for affordable housing in the north of the District. Of more relevance to the effectiveness of the OAHN figure, the significant reliance on windfall as an element of housing provision would not produce affordable housing at the required level of 35%, since smaller sites – that are generally windfall sites – would not include any affordable housing.

19. Whether the solution to this problem is to increase the overall level of housing provision in the plan to enable additional development in the north of the District or to ensure more equitable distribution of development (or, for that matter, a combination of the two) is a matter for decision. In my view the housing supply figure in the plan is too low and the most appropriate means of securing a suitable level and distribution of housing, but particularly of much needed affordable housing, is to increase the planned level of housing.