



Lewes District Local Plan Part 2:
Site Allocations and Development Management Policies
Examination

Lewes District Council

Response to Inspector's Questions

Matter 3

March 2019

Matter 3 – Does the Plan deliver the strategic housing provision to meet the needs of the Plan area over the plan period in accordance with national policy?

Issue 3.1 – New Homes Quantum

Inspector's Question

- (i) The quantum of new homes provided for over the plan period (as set out in Table 3) appears to accord with the growth requirements as set out in Spatial Policy 1 in Part 1 of the Local Plan, i.e. meeting the residual requirement of the District outside the National Park of 1,660 dwellings. Do any parties wish to comment on the justification and effectiveness of the figures in Table 3?***

LDC Response

- 1.1 The Council only wishes to confirm that Table 3 is derived from Spatial Policy 2 of Local Plan Part 1 [CD/031, page 51]. Table 3 shows whether the housing requirements, distributed by settlement, are to be met through neighbourhood plans or Local Plan Part 2. It is not within the scope of Local Plan Part 2 to modify these minimum housing figures.

Proposed Modifications

None

Inspector's Question

- (ii) *Is there enough flexibility of housing land supply in the Plan over the plan period to ensure that the housing requirement in the plan area will be met in full? If the Plan is found to be insufficiently flexible in this regard, what further steps should the Council take to rectify this?***

LDC Response

- 1.2 The Council considers that there is sufficient flexibility in Local Plan Part 2 for the full housing requirement to be met over the plan period. This is evident in the wording of the housing allocations which set *approximate* numbers of dwellings. The wording provides some scope for proposals to deliver slightly higher numbers than allocated.
- 1.3 To date, a planning application submitted for the Glendene, North Chailey site proposes 10% more housing than the draft Policy CH01 identifies. A number of housing allocations identified within Local Plan Part 2 are also either at pre-application or design stages. Indications are that these sites could deliver above their draft allocation figures. For example, draft Policy NH02: The Marina, Newhaven allocates the site for approximately 300 net dwellings however, pre-application proposals indicate a scheme for 380 dwellings, a 27% uplift.
- 1.4 Where appropriate, Local Plan Part 2 has sought to allocate above the minimum housing figures set out in Spatial Policy 2 (*Distribution of housing*) [CD/031]. However, this has been limited to where there is suitable capacity; Barcombe Cross is the only settlement where this has been achievable. Here, draft housing allocations amount to 42 net dwellings (40%) above the settlement's minimum housing requirement (30 dwellings) as set out in Spatial Policy 2.
- 1.5 Supporting Local Plan Part 2 and the overall delivery of the housing requirement, a number of 'made' and emerging neighbourhood plans are planning positively and allocating beyond their individual minimum housing figures. Recently 'made', the Plumpton neighbourhood plan identifies 18 dwellings (36%) above the minimum 50 net additional dwellings set out in Spatial Policy 2. Newhaven and Seaford's emerging neighbourhood plans identify 40 dwellings (9%) and 218 dwellings (18%) above their minimum housing figures, respectively.
- 1.6 The below table summarises where sites / settlements are showing a planned, or potential, uplift in housing numbers when compared to Spatial Policy 2 requirements.

Table 1: uplift in housing numbers

| Site / Settlement | LPP2 / SP2 figure | Identified delivery | Difference |
|--|-------------------|---------------------|-----------------|
| Local Plan Part 2 | | | |
| Marina, Newhaven | 300 | 380 | +80 (27%) |
| Glendene, North Chailey | 10 | 11 | +1 (10%) |
| Layden Hall, North Chailey | 6 | 8 | +2 (33%) |
| Barcombe Cross | 30 | 42* | +12 (40%) |
| Total | 346 | 441 | 95 (27%) |
| Neighbourhood Plans | | | |
| Plumpton | 50 | 68 | +18 (36%) |
| Wivelsfield | 30 | 34 | +4 (13%) |
| Newhaven | 425 | 465 | +40 (9%) |
| Seaford | 185 | 218 | +33 (18%) |
| Total | 690 | 785 | 95 (14%) |
| Other | | | |
| Land at Western End of Riddens Lane (Policy 5.1) | 16 | 20 | +4 |
| * <i>Planning application approved for 6 rather than 7 dwellings</i> | | | |

- 1.7 In light of the above, the Council is confident that there is sufficient flexibility of housing land supply within Local Plan Part 2 to meet the housing requirement.

Proposed Modifications

None.

Inspector's Question

(iii) What is the rationale for the division of the housing provision between the National Park and rest of the District which comprises the Plan area?

LDC Response

- 1.8 Spatial Policies 1 and 2 of Local Plan Part 1 [CD/031] only sets out a district-wide housing requirement of 6,900 net additional dwellings¹ (345 dwellings per annum), albeit Spatial Policy 2 provides further detail with regards to distributing future planned housing to individual settlements.
- 1.9 While Local Plan Part 1 is a joint Plan with the South Downs National Park Authority (National Park Authority), Local Plan Part 2 only applies to the area of the district outside the South Downs National Park (National Park). The National Park Authority has produced a Park-wide Local Plan which will, once adopted, supersede Local Plan Part 1, relevant to the area of the National Park.
- 1.10 To enable Local Plan Part 2 to effectively and positively plan for housing growth within its Plan area it is necessary to separate the housing requirement figure. Table 2 of Local Plan Part 2, page 12, summarises the housing requirement figures for outside the National Park, reflecting the contributing housing components in Spatial Policy 2 of LPP1 [CD031].
- 1.11 Separating the housing requirement figure also facilitates the Council in calculating its five year housing land supply. This approach is considered appropriate as, going forward, it is only the area outside the National Park that the Council, as the local planning authority, will have direct influence on in terms of planning for, and delivery of, housing growth.
- 1.12 Further to the above, on 20 March 2017 Spatial Policies 1 and 2 were quashed so far as they related to the National Park following a challenge on the National Park Authority to the adoption of Local Plan Part 1². In his judgement [CD/075, paragraphs 123 and 125] Mr Justice Jay considered that the housing requirement and distribution could effectively be disaggregated between the areas outside and inside the National Park. The Council therefore considers that it is within its remit to separate the housing requirement on the above basis.

¹ However, the totality of Spatial Policy 2 is actually 6,926 dwellings.

² *Wealden District Council v Secretary of State for Communities and Local Government, Lewes District Council, South Downs National Park Authority v Natural England* [2017] EWHC 351 (Admin).

- 1.13 A Statement of Common Ground between the Council and SDNPA has been agreed on the above position and can be found in the Duty to Cooperate Statement [CD/007, Appendix 1, pages 11 to 12].

Proposed Modifications

None.

Issue 3.2 - Distribution of new homes

Inspector's Question

- (i) ***Does the proposed residual distribution of new homes (also set out in table 4.1) accord with the principles of sustainable development, and the parameters as set out in Spatial Policy of the Local Plan Part 1, including taking account of considerations such as: the proportion of new housing planned for urban areas/ most sustainable settlements; proximity to employment, sustainable transport and community facilities; and adverse impact on areas/ zones of environmental importance?***

LDC Response

- 2.1 Table 4 extracts the housing requirement figures from Spatial Policy 2 for those settlements requiring allocations to be identified through LPP2 (i.e. settlements outside the National Park where neighbourhood plans have not identified housing allocations, or a residual amount of housing requires allocating).
- 2.2 The quantum and distribution of housing to settlements within Spatial Policy 2 was directed by evidence at the time, including the Strategic Housing Land Availability Assessment (SHLAA), the Rural Settlement Study (RSS) and Sustainability Appraisal (SA) to ensure that housing growth was directed to the most sustainable settlements whilst also taking into account need and capacity. The spatial strategy of Local Plan Part 1 prioritises the towns, as the most sustainable locations, for housing growth. The level of housing growth within the rural areas followed the settlement hierarchy set out in the RSS. Section 10 of the 2014 Housing Background Paper to the Local Plan Part 1 provides further justification for the spatial distribution [CD/076, pages 36 to 43].
- 2.3 It is not within the scope of Local Plan Part 2 to alter the objectives of Spatial Policy 2 but to deliver the outstanding housing requirements of Local Plan Part 1. As such, the Council considers that the residual distribution of new homes remains in line with the principles of sustainable development and Spatial Policy.

Proposed Modifications

None.

Inspector's Question

(ii) Does the total of 200 dwellings 'to be determined' in Table 3 refer to windfall sites, rural exception sites in Table 2 or from other sources? How are these figures reconciled?

LDC Response

- 2.4 The 200 net additional dwellings 'to be determined' are in addition to the allowance of 468 net dwellings on windfall sites and 77 net dwellings on rural exception sites, outside the National Park.
- 2.5 The 200 dwellings 'to be determined' are largely met through the approval of 183 net dwellings on the Former Newlands School, Seaford site³. This is a large, previously unidentified site that has come forward since the adoption of Local Plan Part 1 [CD/031] and before it could be identified as an allocation through Local Plan Part 2. Seaford is one of the most sustainable locations within the Plan area to accommodate growth. As such, had the Former Newlands School site not come forward as it did and Local Plan Part 2 had been required to distribute the 200 dwellings, it is reasonable to expect that Seaford would have been considered an option to help deliver the 200 dwellings. This approach would have been in line with the intention of Local Plan Part 1 [CD/031, the Spatial Strategy and paragraph 6.37, pages 51 to 52]. The emergence of the Former Newlands School site goes a significant way to meeting the 200 dwellings.
- 2.6 The remaining 17 dwellings 'to be determined' are met by the uplift in housing numbers elsewhere in the district, principally in Newhaven town. It is estimated that an additional 260 net dwellings will come forward in Newhaven, delivering approximately 1,940 net additional dwellings over the Plan period. This is compared to the total 1,677 dwellings set out in Table 5 of the LPP1 [CD/031, page 53].
- 2.7 The uplift is primarily from unidentified sites (office to residential permitted development) and anticipated increased delivery on land at Harbour Heights strategic site (Spatial Policy 7). The table below summarises the sources of additional housing.

³ LW/16/0800: Redevelopment of Former Newlands School for up to 183 residential dwellings, including up to 40% affordable housing, provision of a sports pitch and ancillary changing rooms, public open space, a children's play area, parking and landscaping.

Table 2: Uplift in housing in Newhaven

| | Number of Dwellings |
|---|----------------------------|
| Built on large unidentified sites (over and above LPP1 Table 5 commitment figure of 786) | 54 |
| Committed on large unidentified sites (over and above LPP1 Table 5 commitment figure and not emerging NP sites) | 72 |
| Identified in the emerging Newhaven Neighbourhood Plan above Spatial 2 figure of 425 | 40 |
| Additional dwellings planned at Harbour Heights | 100+ |
| Approximate potential over delivery on LPP1 Table 5 figure of 1,677 in Newhaven | 260 |

2.8 It is therefore considered that the small shortfall of 17 dwellings is reconciled by the uplift in housing at Newhaven.

Proposed Modifications

None.

Issue 3.3 – Housing Delivery

Inspector's Question

- (i) ***Does the Plan provide enough evidence to demonstrate that the proposed new homes total can be implemented over the plan period? For example, is there evidence to demonstrate the reasons why allocated sites with lapsed planning permissions are likely to be implemented in full within the remainder of the plan period?***

LDC Response

- 3.1 The draft housing allocations have been informed by the 'live' Strategic Housing and Economic Land Availability Assessment (SHELAA). Updated on an annual basis the SHELAA provides a reliable position on a site's deliverability. In addition, representations to the Council from site proponents have guided discussions in the development of the allocations. This is evident in the evolution of the allocations from Issues and Options to date.
- 3.2 It should also be noted that a number of the draft housing allocations have been submitted as planning applications, or are subject to pre-application discussions with the intention of submitting a planning application in the coming months. This includes:
- BA03: Bridgelands, Barcombe Cross → Approved planning application
 - CH01: Glendene, North Chailey → Planning application submitted (LW/19/0054)
 - CH02: Layden Hall, North Chailey → supporting work underway
 - RG01: Caburn Field, Ringmer → Planning application approved subject to section 106 legal agreement (LW/18/0808)
 - NH02: The Marina, Newhaven → Pre-application stage
- 3.3 Furthermore, the Council is developing Statements of Common Ground with all site proponents setting out areas of agreement, including deliverability and timeframes of delivery. These will be submitted to support the Council's position as part of the examination hearings.
- 3.4 Appended to this Matter Statement is the housing trajectory for Local Plan Part 2. It indicates the anticipated delivery of market and affordable housing over the Plan period (2010/11 – 2029/30). The trajectory reflects the housing trajectory position as at 1st October 2018 and consists of: housing completions (in the first eight and a half years of the Plan); commitments; strategic and non-strategic allocations; and allowances for windfall and rural exceptions sites.

3.5 With regards to allocated sites with lapsed planning permissions, this scenario only applies to the draft Policy NH02: The Marina, Newhaven site. The circumstances for the lapse in planning permission are considered specific to this proposed allocation. Originally, the site was in the ownership of Oakdene Homes. At the time, the site has planning approval subject to section 106 legal agreement (LW/07/1475). In 2009 Oakdene Homes went into administration and the site transferred to the Royal Bank of Scotland. Whilst in the ownership of RBS the section 106 was completed on 26 July 2012. The site was only acquired by Baron Homes Developments in 2015, the same year the permission expired. Over the last two years Baron Homes Developments has been developing its vision for the site and commissioning a suite of initial scoping assessments to support a new planning application, anticipated to be submitted this summer. Further information will be available in the forthcoming Statement of Common Ground.

Proposed Modifications

None.

Inspector's Question

- (ii) Are the implementation rates of the larger sites, at NH02 – Land at Newhaven Marina (331 dwellings) and Caburn Field (90 dwellings), fully deliverable within the plan period and are therefore realistic?**

LDC Response

- 3.6 The Council considers that both sites are deliverable within the plan period and therefore realistic.

Newhaven Marina

- 3.7 Draft Policy NH02 allows for the delivery of approximately 300 net dwellings. The Council acknowledges that it is a unique and potentially complex site, given its riverside location, history and current role in Newhaven's marine interests. It is also the last of three phases in the redevelopment of West Quay identified within the 2003 Lewes District Local Plan which have contributed to the regeneration of land west of the River Ouse.
- 3.8 Following a time of uncertainty, the NH02 site is now in the ownership of a developer who recognises the site's potential and contribution to Newhaven and the wider area. A great deal of work has been undertaken to get a proposal to the pre-application stage. This work includes: work around flood risk; initial heritage assessment; landscape visual impacts; highways and access; and air quality.
- 3.9 The design of the development is evolving as discussions progress with the Council and other key stakeholders. A planning application is anticipated to be submitted this summer with commencement to follow shortly after planning approval. The proponent has indicated in discussions with the Council that it is the intention for the development to be delivered within the Plan period and cannot at this stage identify any reasons why this is not achievable.
- 3.10 A Statement of Common Ground is being prepared between the Council and architects of the emerging proposals, Morgan Carn Partnership, which outlines a brief background, the latest position and areas of common ground for draft Policy NH02. The Council is therefore confident that the site is deliverable within the Plan period and realistic.

Caburn Field, Ringmer

- 3.11 Caburn Field currently accommodates Ringmer Football Club which has long held aspirations to relocate within the village. To this end, the developer, Bedford Park Developments, has in the last year submitted a number of planning applications to the Council in order to achieve this. The planning applications propose the relocation of the football ground and rifle club and the redevelopment of Caburn Field for residential use.

Table 3: Planning applications related to the development of Caburn field

| Planning application reference | Site proposal | Planning Status |
|---------------------------------------|---|--|
| LW/18/0808 | Caburn Field, Anchor Field Proposed residential development of a total of 77 dwellings of a mix of types, sizes and affordability to ensure that efficient use is made of the land, comprising of 10 x 2 bedroom flats, 12 x 2 bedroom houses, 23 x 3 bedroom houses, 9 x 4 bedroom houses, and 13 x 2 bed and 10 x 3 bed affordable houses (amended proposal). | Approved on 20 th February 2019 subject to section 106 sign off |
| LW/18/0789 | Ringmer Community College, Lewes Road Proposed relocation of Ringmer Football Club to land to the rear of King's Academy Ringmer School and Ringmer Community College | Approved 25 th January 2019 |
| LW/18/0790 | The Cheyney Field, Lewes Road Proposed relocation of Ringmer RBL Rifle Club to a new single storey building with shooting range and associated ancillary accommodation | Approved 29 th November 2018 |

- 3.12 Due to how the typical football season falls (August to May) it has been expressed to the Council that, from the perspective of Ringmer Football Club, it would be preferable to be at the new location from the start of the season. To this end, development on the new football ground is anticipated to start in the next year.
- 3.13 As adjoining landowners, the Council has been closely involved in the development of the proposals for Caburn Field and will be maintaining a close presence in its delivery.
- 3.14 The Council acknowledges that LW/18/0808 planning application proposes a total of 77 dwellings, less than the approximately 90 dwellings set out in draft Policy RG01. The higher housing figure is informed by discussions between the Council and developer, including pre-application discussions, and outcomes of the Strategic Housing and Economic Land Availability Assessment (SHELAA). As the planning application progressed and further detailed designs were available the capacity of the proposal reduced to the now approved 77 dwellings.

- 3.15 It should be noted that the reduced housing number in the approved scheme does not result in a shortfall against the minimum 215 dwelling housing requirement for Ringmer & Broyle Side in Local Plan Part 2. As drafted, Policy RG01 results in an additional 18 net dwellings. As approved, there remains a smaller (five net dwellings) uplift on the identified minimum 215 requirement in Spatial Policy 2 of Local Plan Part 1. Therefore Local Plan Part 2 is not required to identify additional allocations in Ringmer & Broyle Side.
- 3.16 As with draft Policy NH02, a Statement of Common Ground is being prepared for draft Policy RG01. The statements of common ground will be submitted as part of the examination. The Local Plan Part 2 housing trajectory provided in appendix 1 and responses to Issues 3.3(i) and 3.4: Housing Delivery, also demonstrate the anticipated delivery of the housing allocations.
- 3.17 In light of the above the Council considers the implementation rates of the above two site allocations fully deliverable within the Plan period and realistic.

Proposed Modifications

None.

Inspector's Question

(iii) Is the reliance in the Plan on Neighbourhood Plans (NPs) to deliver 75% of the residual need (1,250 dwellings) realistic? A brief progress note, outlining the housing allocations in each NP, the take up of these allocations to date and the realistic prospects for development during the remainder of the plan period, would be helpful.

LDC Response

3.18 The Council is supportive of neighbourhood plans within the Plan area, and District as a whole. The Council is encouraged by the number of groups taking the opportunity to produce neighbourhood plans and the strong support that the neighbourhood plans have had from their local communities, as can be seen from the referenda results summarised below:

Table 4: Neighbourhood Plan referendum results

| Town/Parish | 'Yes' vote | 'No' vote | % turnout |
|--------------------|-------------------|------------------|------------------|
| Hamsey* | 120 | 13 | 28 |
| Newick | 846 | 102 | 49 |
| Plumpton | 455 | 109 | 47 |
| Ringmer | 1444 | 128 | 42 |
| Wivelsfield | 555 | 23 | 34 |

**Hamsey is not allocating housing sites*

3.19 In the Plan area, seven neighbourhood plans are delivering 1,250 dwellings of the 1,660 residual housing requirement, outside the National Park. To date, four of the neighbourhood plans are 'made'⁴ and delivering over 30% of the 1,250 dwellings.

3.20 Of the three remaining emerging neighbourhood plans Newhaven is at Regulation 16 stage and Seaford is anticipated to reach Regulation 16 in the next month. Peacehaven & Telscombe are anticipated to reach Regulation 14 this autumn.

3.21 Neighbourhood plans have been prepared positively and with the intention of delivering the vision and requirements of the development plan, in line with paragraph 184 of the NPPF (2012) which states:

"The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan... [and] should not promote less development than set out in the Local Plan..."

⁴ Newick, Plumpton, Ringmer and Wivelsfield

- 3.22 The Neighbourhood Plans ‘made’ in the District have been found to be in general conformity with the strategic policies of Local Plan Part 1, promoting sustainable development and growth within their respective areas. Non-strategic site allocations in Neighbourhood Plans and Local Plan Part 2 play an important role in helping to maintain a sufficient supply of new housing, particularly in the more rural locations in the District, as the plan period progresses.
- 3.23 The remaining Neighbourhood Plans intending to allocate housing have support from the Council, SDNPA, Locality and private consultants, ensuring robust Neighbourhood Plans which will sit well alongside the Lewes Local Plan. Regular monitoring by the Council ensures that any risks associated with the Plans are identified every quarter, and to date the reports only highlight the on-going commitment the steering groups have to progressing their Plans and ensuring, as local residents, the right development is in the right place.
- 3.24 The below table highlights where housing is coming forward (i.e. built, with extant planning permission or awaiting a decision) within neighbourhood plan areas, demonstrating their effectiveness and contribution to the housing land supply.

Table 5: Housing delivery in neighbourhood plan areas

| Parish/Town | Minimum allocation set by Local Plan Part 1 | Allocation in Neighbourhood Plan | Housing coming forward to date |
|---|--|---|---------------------------------------|
| <i>Newhaven</i> | 425 | 465 | 115 |
| <i>Peacehaven & Telscombe</i> | 255 | 255 | - |
| <i>Seaford</i> | 185 | 218 | 56 |
| Newick | 100 | 100 | 32 (+68) |
| Plumpton | 50 | 68 | 36 (+12) |
| Ringmer | 215 | 183* | 83 (+6) |
| Wivelsfield | 30 | 34 | 31 |
| TOTAL | 1260 | 1323 | 353 (439) |
| <p>* see paragraphs 2.119 to 2.121 of Local Plan Part 2 [CD/001, pages 47-48] Figures in brackets indicate where either a decision on a planning application has been deferred or refused (but not on a point of principle). Italicised areas are emerging neighbourhood plans.</p> | | | |

Progress on neighbourhood plans

3.25 Under each of the seven neighbourhood plan area headings below, two tables are provided setting out firstly, the stage reached in the plan preparation process and secondly, the progress of any housing allocations.

Newhaven*Table 6: Stages of Newhaven Neighbourhood Plan*

| STAGE AND MILESTONES | PROGRESSION – DATE ACHIEVED |
|--|-----------------------------|
| Designation of Neighbourhood Area | ✓ 8 July 2013 |
| Pre-Submission Consultation (Regulation 14) | ✓ July 2017 |
| Newhaven Town Council approval of Regulation 14 amendments | ✓ January 2019 |
| Publicising of Plan (Regulation 16) | ✓ January 2019 |
| Submission to Independent Examination (Regulation 17) | April 2019 |
| Referendum | September 2019 |
| Formal Adoption | October 2019 |

Table 7: Newhaven Neighbourhood Plan housing allocations

| Address | Units in NP | Planning Ref | Stage |
|---|-------------|--------------|---|
| H2 - Former police station site, South Road | 18 | N/A | |
| Eastside sites | | | |
| HO3a - Seahaven Caravans | Min 22 | N/A | |
| HO3b - Land east of Reprodux | 80 | LW/16/0831 | Awaiting decision – has resolution to approve subject to S106 |
| HO3c - Bevan Funnell | Min 60 | N/A | |
| HO3d - Beach Road | Min 60 | N/A | |
| HO3e - Land at Clinton Road | Min 28 | N/A | |
| HO4 - Robinson Road depot, Robinson Road | 40 | N/A | |
| Town centre sites | | | |
| HO5a - Lower Place car park | 110 | N/A | |
| HO5b - Multi-storey, Dacre Road | | N/A | |
| HO5c - Co-op Building, Newhaven Square | | N/A | |
| HO5d - Seahaven Swimming Pool | | N/A | |

| | | | |
|---|------------|------------|---|
| HO6 - Former LDC offices, Fort Road | 8 | LW/19/0012 | Awaiting decision - has resolution to approve subject to S106 |
| HO7 - Grays School, Western Road | 27 | LW/17/608 | Under construction. Completion 2019. |
| HO8 - Old Conservative Club, South Way | 12 | N/A | |
| Total | 465 | | |
| <i>Housing figures taken from Pre-Submission Consultation and Publicity (Regulation 16 Consultation) document</i> | | | |

Peacehaven & Telscombe

Table 8: Stages of Peacehaven & Telscombe Neighbourhood Plan

| STAGE AND MILESTONES | PROGRESSION – DATE ACHIEVED |
|---|-----------------------------|
| Designation of Neighbourhood Area | ✓ 17 June 2013 |
| Call for sites completed | ✓ November 2019 |
| Screening Opinion issued confirming SEA requirement | ✓ January 2019 |
| Steering group meeting – Scoping Report with 10 week lead-in time by Aecom agreed | ✓ 11 February 2019 |
| Scoping Report completed | Summer 2019 |
| Pre-Submission Consultation (Regulation 14) | Autumn 2019 |
| Publicising of Plan (Regulation 16) | Spring 2020 |
| Submission to Independent Examination (Regulation 17) | Late spring 2020 |
| Referendum | Early 2020 |
| Formal Adoption | Late summer 2020 |

Seaford

Table 9: Stages of Seaford Neighbourhood Plan

| STAGE AND MILESTONES | PROGRESSION – DATE ACHIEVED |
|---|-----------------------------|
| Designation of Neighbourhood Area | ✓ 13 January 2016 |
| Pre-Submission Consultation (Regulation 14) | ✓ November 2017 |
| Second pre-Submission Consultation (Regulation 14) | ✓ December 2018 |
| Aecom report issued confirming potential viability for Dane Valley site | ✓ February 2019 |
| SSG meeting with Dane Valley landowners to discuss land sales and commitment | ✓ February 2019 |
| Seaford Town Council approval of amendments according to Regulation 14 consultation | ✓ February 2019 |
| Publicising of Plan (Regulation 16) | April 2019 |
| Submission to Independent Examination (Regulation 17) | June 2019 |
| Referendum | October 2019 |
| Formal Adoption | November 2019 |

Table 10: Seaford Neighbourhood Plan housing allocations

| Address | Units in NP | Planning Ref | Stage |
|-----------------------------------|-------------|--------------|---------------------------------|
| Dane Valley | 74 | N/A | Early design stage |
| 10 Claremount Road | 20 | N/A | |
| 10 Homefield Place | 19 | N/A | |
| Brooklyn Hyundai | 13 | N/A | |
| Holmes Lodge, 72 Claremont Road | 12 | LW/07/0832 | Approved 2009. |
| Station Approach/ Dane Road | 12 | N/A | |
| Seven Sisters pub, Alfriston Road | 9 | N/A | |
| Old House Depository | 35 | LW/12/0857 | Completed |
| Elm Court, Blatchington Road | 9 | LW/18/0404 | Start anticipated later in 2019 |
| Downs site | 8 | N/A | |
| Florence House | 7 | N/A | |
| Total | 218 | | |

Newick

Newick Neighbourhood Plan was 'made' on the 16th July 2015.

Table 11: Newick Neighbourhood Plan housing allocations

| Address | Units in NP | Planning Ref | Stage |
|---|-------------|--------------|---|
| HO2 - Cricketfields | 30 | LW/14/0924 | Completed |
| HO3 - Land east of the Telephone Exchange | 30 | N/A | |
| HO4 - Woods Fruit Farm | 38 | LW/18/0351 | Application for 69 units – deferred at 20/02/19 Planning Application Committee. |
| HO5 - Land at The Rough and Vernons Road | 2 | LW/18/0048 | Approved. Not yet started. |
| Total | 100 | | |

Plumpton

Plumpton Neighbourhood Plan was 'made' on the 2nd May 2018 by Lewes District Council and on the 12th April 2018 by the South Downs National Park Authority.

Table 12: Plumpton Neighbourhood Plan housing allocations

| Address | Units in NP | Planning Ref | Stage |
|-----------------------------|-------------|--------------|---|
| 5.1 - Riddens Lane | 16 | LW/18/0472 | Outline application for 20 dwellings. Awaiting decision |
| 5.2 - Wells Close | 12 | LW/18/0259 | Refused, further information needed |
| 5.3 - The Glebe | 20 | N/A | |
| 5.4 - Land rear of Oakfield | 20 | LW/17/0873 | Construction to begin 2019 with completion 2020 |
| Total | 68 | | |

Ringmer

Ringmer Neighbourhood Plan was 'made' on the 25th February 2016 by Lewes District Council and on the 21st January 2016 by South Downs National Park Authority.

Ringmer Neighbourhood Plan allocates 33 housing sites. Below are the known housing allocations which have come forward through the planning application process to date.

Table 13: Ringmer Neighbourhood Plan housing allocations

| Address | Units in NP | Planning Ref | Stage |
|--|-------------|--------------|---|
| RES1 – Westbourne | 12 | LW/16/0703 | Approved, 4 dwellings. |
| RES3 – north-west and south-east of Anchor Field | 8 | LW/18/0808 | Coming forward as part of larger scheme. Approved subject to section S106 |
| RES4 - Diplocks Business Park | 10 | LW/16/0704 | Approved 2018 |
| RES5 - Behind Old Forge Pine | 21 | LW/16/0177 | Under construction - 5 Completed (as at 1 October 2018) |
| RES8 - Sunnymede, Norlington Lane | 9 | LW/17/1057 | Reserved matters approved 2018 |
| RES9 – Careys Cowshed | 3 | LW/15/0173 | Completed |
| RES10 – Parcels of land at Broyle | 6 | n/a | Pre application stage for part of site |

| | | | |
|---|-----------|-------------------------|-----------------------------|
| Close | | | |
| RES11 - Lower Lodge Farm, Laughton Road | 30 | LW/15/0542 | Approved 2016 |
| RES12 – Upper Broyle farmhouse | 1 | LW/16/0151 | Completed |
| RES15 – Red Barn Farm | 1 | LW/15/0906 | Approved |
| RES18 – Broyle Mill Farm | 3 | LW/16/0519 | Approved for 4 dwellings |
| RES24 – Neaves House Paddock | 6 | LW/17/1000 & LW/18/1011 | Refused. Awaiting decision. |
| RES32 – Barnfield conversions | 2 | LW/15/0085 | 1 unit Approved |
| Total | 92 | | |

Wivelsfield

Wivelsfield Neighbourhood Plan was ‘made’ on the 7th December 2016.

Table 14: Wivelsfield Neighbourhood Plan housing allocations

| Address | Units in NP | Planning Ref | Stage |
|--------------------------------------|-------------|--------------|--|
| 2(i) - Springfield Industrial Estate | 30 | LW/14/0790 | Outline planning application Approved. |
| 2(ii) – Hundred Acre Lane site 1 | 2 | n/a | |
| 2(iii) – Hundred Acre Lane site 2 | 2 | n/a | |
| Total | 34 | | |

Proposed Modifications

None.

Inspector's Question**(iv) Is the reliance on windfall sites in the Plan realistic?**LDC Response

3.26 Spatial Policy 2 (*Distribution of Housing*) of Local Plan Part 1 [CD/031] includes a windfall allowance of 600 net additional dwellings. These are dwellings to be delivered across the whole district on small (five or less dwellings) sites. This equates to 50 dwellings per annum (dpa) over 12 of the remaining 15 years⁵, from 1st April 2015 (the timeframe of Spatial Policy 2). As at 1st April 2018, the windfall allowance for the remaining Plan period is 450 net additional dwellings reflecting the three years that have passed.

3.27 The windfall allowance was determined on the rate of past small site completions, excluding residential gardens (in line with paragraph 48 of the NPPF). The 50dpa figure is based on the average rate of small site completions between 2004/05 and 2008/09. This five year period is prior to the economic downturn and reflective of the district's usual housing delivery performance and potential. This approach was supported by the Local Plan Part 1 examining Inspector in his 10th March 2015 Interim Findings letter:

"I am prepared to accept that a slightly less cautious assessment of the total number of new homes reasonably likely to be delivered through "windfalls" over the plan period might reasonably be applied, such as 50 per year. This would take into account the evidence of previous delivery and realistic prospects in an improving national and local economy."

3.28 As can be seen from the below table small sites continue to form an important and consistent part of the district's housing supply and delivery. The lower level of windfall completions between 2010/11 and 2013/14 is likely to be a consequence of the uncertainty around building out small sites following the economic downturn. However, the situation improved from 2014/15.

Table 15: Past housing delivery through windfall

| | Net completions (large & small) | Total small site net completions | Net windfall completion exc. garden land | Percentage of total completions on windfall excl. garden land sites |
|---------|---------------------------------|----------------------------------|--|---|
| 2004/05 | 170 | 65 | 45 | 26.47 |
| 2005/06 | 265 | 85 | 65 | 24.53 |
| 2006/07 | 296 | 65 | 40 | 13.51 |
| 2007/08 | 415 | 88 | 61 | 14.70 |

⁵ The windfall allowance is not applied to the full remaining Plan period to avoid double counting with small sites with extant planning permission.

| | | | | |
|---------------------------------------|-------------|------------|------------|-------|
| 2008/09 | 247 | 49 | 39 | 15.79 |
| 2009/10 | 175 | 61 | 39 | 22.29 |
| 2010/11 | 161 | 47 | 25 | 15.53 |
| 2011/12 | 257 | 45 | 23 | 8.95 |
| 2012/13 | 218 | 46 | 31 | 14.22 |
| 2013/14 | 113 | 44 | 30 | 26.55 |
| 2014/15 | 277 | 65 | 63 | 22.74 |
| 2015/16 | 286 | 82 | 77 | 26.92 |
| 2016/17 | 204 | 48 | 39 | 19.12 |
| 2017/18 | 341 | 87 | 80 | 23.46 |
| Total completions since 04/05 | 3425 | 877 | 657 | |
| Completions in past 5 years | 1221 | 326 | 289 | |
| Completions in the Plan period | 2990 | 727 | 547 | |

3.29 From 2014/15 windfall completions significantly increase and remain strong reflecting the wider increased housing delivery seen across the district. In fact, the average windfall, excluding residential gardens, in the last five year period increased to 58dpa.

3.30 The 600 windfall allowance has been separated between the areas inside and outside the SDNP as part of the wider housing requirement disaggregation. The proportioning of the windfall allowance attributed to each area was based on the distribution of small site completions between 2010/11 and 2014/15 (as shown in Row A).

3.31 As a comparison, the below table repeats the disaggregation using the distribution of small site completions if the proportioning is based on the last five years (Row B) or the Plan period so far (Row C). It illustrates that there is little difference to the apportioned 600 net dwellings when considering delivery on small sites within the three periods. The 468 net dwellings, to outside the National Park, is therefore accurate.

Table 16: Disaggregation of windfall allowance

| Proportioning of windfall allowance in Lewes (outside of SDNP) | Completions | | Windfall | | |
|---|--------------------|-----------------------------|-----------------|------------|----------|
| | District | Lewes (outside SDNP) | No. | DPA | % |
| A. Separated windfall allowance based on small site completions in <u>first 5 years</u> of the Plan (2010/11 to 2014/15) | 247 | 192 | 468 | 39 | 78 |
| B. Separated windfall allowance based on small site completions in <u>last 5 years</u> (2013/14 to 2017/18) | 289 | 228 | 474 | 40 | 79 |
| C. Separated windfall allowance based on small site completions in <u>first 8 years of Plan</u> (2010/11 to 2017/18) | 373 | 290 | 468 | 39 | 78 |

3.32 In conclusion, the above demonstrates that small sites continue to be a strong and consistent contribution to the Council's housing delivery, both across the whole district and Local Plan Part 2 Plan area. Therefore, the Council considers that windfall sites remain a reasonable and realistic form of housing land supply for the remaining Plan period.

Proposed Modifications

None

Inspector's Question

- (v) *Additional sites: Bearing in mind the above considerations, and the requirement of paragraphs 47[2] and [3] of the Framework, should the Plan identify an increased number of specific, deliverable sites in the form of housing allocations?***

LDC Response

3.33 For reasons provided in responses to questions 3.1(ii), 3.2(ii), 3.3 (iv) and (vi), and 3.4 the Council does not consider it necessary to identify further housing allocations in Local Plan Part 2.

3.34 In summary, unidentified housing sites, such as the uptake in office to residential permitted development, are delivering housing above minimum numbers identified in Spatial Policy 2. 'Made' and emerging neighbourhood plans are allocating housing sites with an uplift on their requirement; a number of proposals being developed on draft housing allocations are anticipated to deliver above *approximate* figures; and windfalls remain a strong and reliable source of housing delivery.

3.35 Overall, the Council is confident that housing requirements can be met through the above mechanisms, therefore negating the need for additional housing allocations within Local Plan Part 2.

Proposed Modifications

None.

Inspector's Question

(vi) *Has an allowance been made for non-delivery of planning permission, and if so, what is it?*

LDC Response

- 3.36 For the purpose of calculating the Council's five year housing land supply a 25% discount rate is applied to small sites (five dwellings or less) to allow for non-implementation of planning permissions. The percentage discount was established as part of the evidence gathered for Local Plan Part 1 [CD/031] and was determined by examining how many units on small sites, granted planning permission between 2004/05 and 2011/12, were delivered.
- 3.37 The deliverability of large sites is, instead, considered on a site by site basis. When calculating the five year housing land supply contact is made with the appropriate case officer and/ or developer. This enables an informed judgement to be made on a site's contribution to the housing land supply based on the circumstances of the individual site, which can be more complex on larger sites. Given the significant number of small sites that form the Council's supply at any one time, it is not reasonable to replicate this individual site approach, hence a blanket percentage discount is considered appropriate.

Proposed Modifications

None.

3.4 Five Year Housing Land Supply

Inspector's Question

Would the Plan at adoption be able to demonstrate that it has a five-year supply of specific, viable and deliverable sites to achieve the Plan's housing requirements?

LDC Response

- 4.1 The Council considers that it is able to demonstrate a five year housing supply of deliverable housing against the Plan's housing requirement of 5,494 net additional dwellings over the Plan period. As at 1st October 2018 the Council is able to demonstrate a five year housing land supply [CD/061], this is the latest published position.
- 4.2 It is considered that a five year housing land supply will continue to be maintained through the delivery of Local Plan strategic sites, extant planning permissions, non-strategic housing allocations in 'made' and emerging neighbourhood plans, Local Plan Part 2 housing allocations as well as allowances for windfall and rural exceptions sites.
- 4.3 This is supported by the fact that all but one of the strategic housing sites (Greenhill Way, edge of Haywards Heath; North of Bishops Lane, Ringmer; and Lower Hoddern Farm, Peacehaven) within the Plan area are now under construction, with a planning application anticipated to be submitted for the remaining strategic site (Harbour Heights, Newhaven) in 2019. Likewise, as highlighted in the response to Issue 3.3 (iii) above, housing allocations from neighbourhood plans are also already coming forward and delivering on the ground.
- 4.4 Furthermore, it should be noted that over the last couple of years the Council has become increasingly active in delivering housing within the district and continues to explore opportunities where it can support a range of development projects which either directly, or indirectly, unlock housing. Below is a table of the housing projects that the Council is currently involved in:

Table 17: Current LDC housing projects

| Site Name | Town | Current Status (Design stage, Pre-app, Planning Submitted, Planning Achieved) | Total Resi | Affordable Housing Units | 2018/19 | 2019/20 | 2020/21 | 2021/22 | 2022/23 | 2023/24 |
|----------------------|----------|--|---------------|--------------------------------|---------|---------|---------|---------|---------|---------|
| Over 6 Units | | | | | | | | | | |
| Robinson Road | Newhaven | Design stage | 20 | 8 | | | | | | 20 |
| 20 Fort Road | Newhaven | Planning Submitted | 13 | 13 | | 13 | | | | |
| Valley Road | Newhaven | Pre-app | 6 | 6 | | | 6 | | | |
| Seaford Health Hub | Seaford | Pre-app | 12 | 12 | | | | | 12 | |
| Sub-total | | | 51 | 39 | | | | | | |
| Under 6 Units | | | | | | | | | | |
| Broyle Close | Ringmer | Pre-app | 5 | 5 | | | 5 | | | |
| Western Road 1 | Newhaven | Pre-app | 4 | 4 | | | | 4 | | |
| Western Road 2 | Newhaven | Pre-app | 4 | 4 | | | | 4 | | |
| Mill Road | Ringmer | Pre-app | 3 | 3 | | | 3 | | | |
| Kiln Road | Ringmer | Pre-app | 3 | 0 | | | 3 | | | |
| Neills Close | Newhaven | Pre-app | 3 | 3 | | | | 3 | | |
| Sub-total | | | 22 | 19 | | | | | | |
| TOTAL | | | 73 | 58 | | | | | | |

- 4.5 The Council is also working proactively with proponents of both housing allocations and planning applications to overcome any potential concerns and progress proposals to ensure the timely delivery of housing. As required by the Housing Delivery Test, the Council will be preparing an Action Plan outlining reasons why delivery has fallen below 95% and highlight actions to improve delivery going forward.
- 4.6 A housing trajectory has been produced to demonstrate how and when housing is anticipated to be delivered over the Plan period.

Proposed Modifications

None.

3.5 Qualitative aspects of housing supply

Inspector's Question

Is there a need for any qualitative parameters for housing provision in the Plan, such as provision for affordable housing, self-build, older persons' accommodation, care homes, accessible housing and student housing?

LDC Response

- 5.1 The Council recognises that the above accommodation types can play an important role in delivering a mix of housing reflecting the needs of the community. It is considered that the above are either incorporated in existing Policy or are strategic in nature and, as such, will need full and proper consideration through a review of the Local Plan. This is to ensure that any new policy requirements are properly tested and the viability implications on the Plan and/or individual sites are understood and weighed against other priorities of the Plan.
- 5.2 The viability testing carried out for Local Plan Part 1 tested a limited range of accommodation provision, including affordable housing and older persons' provision. Both accommodation types are incentivised through zero rates against the Council's Community Infrastructure Levy (CIL).
- 5.3 Core Policy 1 (*Affordable Housing*) of Local Plan Part 1, updated to take into account recent changes to national policy⁶, sets out the strategic approach to affordable housing across the district. Developments of 10 or more homes are required to provide 40% affordable housing. Core Policy 1 and strategic housing sites were tested for viability as part of the Local Plan Part 1 preparation stage.
- 5.4 With regards to self-build and custom housebuilding the Council holds a Self-Build and Custom Housebuilding Register⁷. The below table summarises the number of individuals and associations, by base period, that have registered as at 26 February 2019.

⁶ Page 17, Paragraph 63 of the 2018 National Planning Policy Framework.

⁷ As required by Self-Build and Custom Housebuilding Act 2015

Table 18: Self Build and Custom Housebuilding Register numbers

| Lewes Self-Build and Custom Housebuilding Register | Individuals | Groups | Total applicants |
|---|--------------------|---------------|-------------------------|
| Base period 1 (1st April 2016 - 30 Oct 2016) | 38 | 0 | 38 |
| Base period 2 (31 Oct 2016 - 30 Oct 2017) | 81 | 1 | 82 |
| Base period 3 (31 Oct 2017 - 30 Oct 2018) | 43 | 2 | 45 |
| Total over Base periods 1, 2 and 3 | 162 | 3 | 165 |
| Current Base period 4 (31 Oct 2018 - 30 Oct 2019) | 17 | 0 | 17 |
| Total over Base periods 1, 2, 3 and 4 | 179 | 3 | 182 |

5.5 From the opening of the Register (1st April 2016) to date the level of demand has varied. As self-builds are exempt from CIL it is possible to monitor the supply through the Council's monitoring of CIL. In the first base period 13 dwellings were granted self-build reliefs.

5.6 To help boost the provision of suitable self-build plots the Council is examining its own suite of sites to establish if there are any opportunities to deliver such plots. The Council has also amended its call-for-sites form, as part of the Strategic Housing and Economic Land Availability Assessment (SHELAA), to allow people to identify whether land they are submitting for assessment might be appropriate for self-build. This will be live from 1st April 2019.

5.7 In the case of student housing there is currently no evidence to justify a policy requirement to provide this type of accommodation within the Plan area.

Proposed Modifications

None

3.6 Affordable Housing

Inspector's Question

- (i) Is Policy DM2 justified and in accordance with national policy?**
- (ii) Should it apply across the Plan area or just in rural communities?**

LDC Response

- 6.1 National planning policy encourages local planning authorities to develop policies for affordable homes on 'rural exception sites' where appropriate (NPPF para.54). Such policies can support the development of affordable housing on small sites that would not normally be available for open market housing. The aim is to address local housing needs and sustain rural communities within areas that are otherwise subject to restrictive planning policies.
- 6.2 In Lewes District, the affordability of rural housing continues to be a significant challenge for the Council and its rural communities. The views of parish councils and local residents during the preparation of the Local Plan have consistently highlighted the importance of providing more housing to meet local needs in the rural area, where local households are often unable to afford to remain within the communities in which they have grown up and have support networks.
- 6.3 The Lewes District Local Plan Part 1 (LPP1) recognises that the social mix and vitality of villages is being undermined by shortage of affordable housing and identifies a need to improve the amount and availability of affordable housing as a key issue that needs to be addressed in planning for the area (CD031, pages 28-29). It acknowledges that the need for rural affordable housing is so important that it justifies an exception to be made to the normal planning policy constraints outside of the defined settlement planning boundaries (CD031, para.7.18, page 84).
- 6.4 Accordingly, Core Policy 1 of LPP1 states that, inter alia, "...*Rural Exception Sites for local needs affordable housing outside the planning boundary of rural settlements will continue to be considered according to the requirements of Policy RES10 carried forward from the Lewes District Local Plan 2003*" (CD031, page 86). Policy RES10 was 'saved' by direction of the Secretary of State on 25 September 2007 (CD037, page 9) and continues to be applied to successfully deliver affordable housing schemes to meet local needs in the rural areas of the district

- 6.5 It is apparent that the wording of Core Policy 1 seeks to give effect to national planning policy for delivering affordable rural housing, as set out in paragraph 54 and Appendix 2 of the NPPF. However, Policy RES10 was adopted in 2003, prior to the publication of the NPPF. Policy DM2 therefore amends and updates Policy RES10 in the light of both national planning policy in the NPPF and also the views of District Council planning and housing officers with experience of applying the policy through the development management process.
- 6.6 Criteria 1, 4 and 5 of Policy DM2 seek to ensure that affordable housing provided on rural exception sites will meet the needs of local communities and will be retained in perpetuity for households with a local connection, in accordance with the NPPF. The policy also allows an element of open market housing where required for the viability of an affordable housing scheme on a rural exception site, as encouraged by the national policy.
- 6.7 Criteria 2 and 3 of Policy DM2 seek to deliver the Local Plan's vision for the rural areas of the Low Weald (CD031, page 35) and Strategic Objective 6 (CD031, page 38). These criteria are also considered to be consistent with national policies recognising the intrinsic character and beauty of the countryside, (NPPF para 17), avoiding isolated homes in the countryside (NPPF para.55), and responding to local character (NPPF para.58).
- 6.8 Criteria 6 was included in response to the recommendations of the consultants commissioned to undertake the LPP2 Habitats Regulation Assessment, although it is acknowledged that the wording repeats the requirements for mitigating the potential impact of development on the Ashdown Forest set out in the Core Policy 10 of LPP1.
- 6.9 The supporting text to Policy DM2 explicitly states that the policy will be used to release sites to deliver affordable housing in rural communities where such land would not otherwise be used for housing (CD001, para.4.9). The policy is, exceptionally, relaxing planning constraints on development outside of the planning boundaries so as to meet the needs of small rural communities, not to meet the needs of neighbouring towns or conurbations.
- 6.10 This approach is wholly consistent with national planning policy and the definition of Rural Exception Sites set out in the Appendix 2 of the NPPF. No justification can be seen for extending Policy DM2 to cover the entire plan area. To deploy the policy as a means of alleviating the shortage of affordable housing in non-rural areas would be entirely at odds with the NPPF and Core Policy 1 of LPP1, both of which are clear that the rationale of rural exception

sites is to address local housing need and sustain rural communities within areas that are normally subject to restrictive planning policies.

- 6.11 In order to improve the clarity of the document, the Council proposes a minor modification to change the description of Policy DM2 from “Affordable Homes Exception Sites” to “Rural Exception Sites”.

Proposed Modifications

- 6.12 Delete the title “**Affordable Homes Exception Sites**” insert the title “**Rural Exception Sites**” on pages 65 and 66.

3.7 Gypsies and Travellers

Inspector's Question

Is policy GT01, which allocates a site for the provision of 5 net additional permanent Gypsy and Traveller pitches on land south of The Plough, to the north of Plumpton Green village, justified and in accordance with national planning policy?

LDC Response

- 7.1 It is considered the draft Policy GT01 is consistent with Government's aims to ensure fair and equal treatment for Travellers through understanding and planning for the accommodation needs of the local Gypsy and Traveller community whilst respecting the interests of the settled community.
- 7.2 In line with national Planning Policy for Traveller Sites, the Council, with other East Sussex local planning authorities including the South Downs National Park, undertook an assessment of Gypsy and Traveller Accommodation needs in 2015 to understand local accommodation needs.
- 7.3 The Gypsy and Traveller Accommodation Assessment [CD/049] informed Core Policy 3 (*Gypsy and Traveller Accommodation*) of Local Plan Part 1 [CD/031] which sets permanent pitch targets to serve the needs of the area outside the National Park.
- 7.4 Draft Policy GT01 has been assessed against PPTS, as well as policies within Local Plan Part 1 and the Plumpton Neighbourhood Plan. The Council has sought to engage the Plumpton Parish Council and East Sussex County Council at the earliest stages of developing draft Policy GT01, consistent with Policy A of PPTS.
- 7.5 Policy GT01 proposes a site for five net additional permanent pitches in line with the requirements of Core Policy 3 and Policy B of PPTS to identify a five years' supply of specific deliverable sites.
- 7.6 In assessing the suitability of draft Policy GT01, the Council has sought to ensure that the site is acceptable in terms of sustainability and its relationship with the existing community. The site is considered to be proportionate and has reasonable access to local services and facilities available within Plumpton Green, commensurate with adjacent properties. Further detail on the assessment of the draft Policy GT01 is provided within the Gypsy and Traveller Background Paper [CD/048, pages 6 to 9].

Proposed Modifications

None.

Inspector's Question

Bearing in mind the guidance contained in the National Planning Policy Traveller Sites 2015 (PPTS2) and in Section 41 of the PPG on the relationship between Local Plans and Neighbourhood Plans:

- (i) Firstly, is policy GT01 in conformity with the requirements of Core Policy 3 (Gypsy and Traveller Accommodation) of the Lewes Joint Core Strategy 2010-2030?***

LDC Response

7.7 The Council considers that draft Policy GT01 is in conformity with Core Policy 3 (*Gypsy and Traveller Accommodation*) [CD031, page 92]. Core Policy 3 requires the provision of five net additional permanent pitches to serve the needs of the area outside the National Park. Draft Policy GT01 proposes a site for five net additional permanent pitches.

7.8 Core Policy 3 also contains a number of criteria to guide allocations and/ or used in determining planning applications. The Gypsy and Traveller Background Paper 2018 [CD048, pages 6 to 9] considers policy GT01 against the requirements of Core Policy 3. Furthermore, at Appendix C of the Background Paper [CD048, page 19] correspondence from the Gypsy and Traveller Team Manager at East Sussex County Council has reviewed policy GT01 against Core Policy 3, concluding, in his opinion, that the proposal meets the policy criteria.

Proposed Modifications

None

Inspector's Question

(ii) If policy GT01 does not accord with Core Policy 3, has the Council considered alternative sites as part of the preparation of the Plan?

LDC Response

- 7.9 The Council considers draft Policy GT01 to be accordance with Core Policy 3. Draft Policy GT01 is the culmination of a number of call-for-sites and assessments whereby numerous sites have been considered for permanent Gypsy and Travellers pitches.
- 7.10 The initial 2011 and 2012 Gypsy and Traveller Site Assessments [CD/077 & CD/078] were undertaken to identify a potential site allocation within Local Plan Part 1. The two Assessments together considered 30 sites across the district. However, a suitable deliverable site was not identified. Consequently, Core Policy 3, a criteria based policy was incorporated into Local Plan Part 1, to guide future allocations and/ or determine planning applications against.
- 7.11 The need to deliver permanent Gypsy and Traveller pitches has been clear from the early preparation stages of Local Plan Part 2. The 2013 Issues and Options Housing Topic Paper [CD/024, paragraphs 1.70 t 1.78, pages 38 and 39] outlined the then emerging policy requirement in Local Plan Part 1. It also invited comments on the sites assessed to date and provided an opportunity for additional sites to be submitted.
- 7.12 With no further sites submitted, the Council wrote to a number of proponents of filtered Strategic Housing and Economic Land Availability Assessment (SHELAA) sites to establish if any would be available for consideration as potential Gypsy and Traveller use. A further call-for-sites ran alongside the 2017 Local Plan Part 2 Consultation Draft consultation, to no avail. No positive responses were received.
- 7.13 As can be seen from the above, the Council has assessed numerous alternative sites and proactively sought to explore possible sources of potentially suitable sites as part of the Plan preparation process.

Proposed Modifications

None.

Inspector's Question

(iii) How does policy GT01 relate to the Plumpton Neighbourhood Plan (PNP) (including the spatial plan for the parish) and the advice in the Government's National Planning Policy for Traveller Sites 2015

LDC Response

- 7.14 Draft Policy GT01 is responding to the permanent pitch requirements identified within Core Policy 3 (*Gypsy and Traveller Accommodation*) of Local Plan Part 1 [CD/031]. Core Policy 3 clearly enables the need to be met through future allocations within Local Plan Part 2 or neighbourhood plans.
- 7.15 To date, no 'made' or emerging neighbourhood plans, including Plumpton Neighbourhood Plan, have sought to deliver a site(s) for permanent pitches. It therefore falls to Local Plan Part 2 to identify an allocation to meet the requirement of Core Policy 3.
- 7.16 The 'made' Plumpton Neighbourhood Plan now forms part of the development plan. It does not allocate a site for Gypsy and Traveller use, nor does it set out specific criteria by which such a site might be determined against, it is therefore silent on the issue.
- 7.17 Draft Policy GT01 has been developed in the context of Core Policy 3 and policies within the Plumpton Neighbourhood Plan. The Gypsy and Traveller Background Paper [CD/048, Section 5, pages 10 to 14] provides further explanation around the relationship between the Plumpton Neighbourhood Plan and draft Policy GT01.
- 7.18 Once adopted, Local Plan Part 2 will sit alongside the Plumpton Neighbourhood Plan. Future proposals and planning applications will need to be determined against policies in both plans, as well as the development plan as a whole and national policy.
- 7.19 Planning Policy for Traveller Sites 2015 (PPTS) sets out national policy on Gypsies and Travellers, including around Plan-making and Decision-taking. Draft Policy GT01 is considered to be in conformity with PPTS.
- 7.20 Draft Policy GT01 seeks to meet the identified needs for permanent Gypsy and Traveller pitches, based on a robust assessment of local need. A Gypsy and Traveller Accommodation Assessment for East Sussex, including the South Downs National Park was undertaken in 2015. Allocating a site through Local Plan Part 2 aims to meet local accommodation needs and reduce the

risk of unauthorised encampments. It will also help identify a 5 year supply of sites as required by paragraph 10 of PPTS.

- 7.21 With regards to working with the local settled and traveller communities and stakeholders, the Council has sought to involve and inform each of the groups at the appropriate development stages as soon as practicably possible. At the initial stages of considering its suitability in principle, consultation was undertaken with East Sussex County Council, as the Local Lead Flood Authority and highways authority, and specialists in ecology, landscape, archaeology and Gypsy and Traveller liaison (including provision and management). Further information regarding the suitability of the site can be found on pages 6 to 9 of the Gypsy and Traveller Background Paper [CD/048].
- 7.22 Once the suitability of the site was established in principle and consent from the landowner was confirmed (on the 31st August), the Council contacted the clerk of Plumpton Parish Council and a follow up meeting held to advise them of the early developments around Policy GT01. This meeting was just three working days after confirmation of availability.
- 7.23 The Council has also sought to work with neighbouring local planning authorities. Whilst Local Plan Part 2 identifies sufficient pitches to meet Core Policy 3 outside the National Park, there is a shortfall of one permanent pitch against the South Downs National Park Authority's requirement. To this end, the Council wrote to neighbouring local planning authorities to ascertain if the remaining permanent pitch could be met within their area. Wealden District Council has provisionally confirmed that they can assist subject to their own needs not being revised during their own Local Plan examination.

Proposed Modifications

None.

Inspector's Question

- (iv) Given the national policy requirement to provide for the needs of the gypsy and traveller community, in the event of policy GT01 being found unsound and no alternative sites currently "on the table", how should the Plan be modified to address this issue? One possible option would be to commit to an early review of the Plan to address the need for gypsy and traveller sites; in addition, another modification could comprise a set of development management criteria to give the Council a consistent set of parameters to assess any future planning applications for gypsy and traveller sites.**

LDC Response

- 7.24 In the first instance, the Council considers that draft Policy GT01 is sound. It also considers that, in the absence of a neighbourhood plan allocating a site(s) for permanent Gypsy and Traveller pitches, Local Plan Part 2 should deliver the requirements of Local Plan Part 1, in line with national policy and Core Policy 3.
- 7.25 Should draft Policy GT01 be found unsound then the issue of provision will need to be addressed through the forthcoming review of Local Plan Part 1 which is anticipated to commence in 2020. Until this time any planning applications would need to be determined against the existing criteria based policy; Core Policy 3, national policy Planning Policy for Traveller Sites (2015) and relevant neighbourhood plan policies.
- 7.26 Another possibility is that a site for permanent pitches might be considered and allocated through an emerging neighbourhood plan, or through a review of a neighbourhood plan. However, Core Policy 3 does not distribute the need to the town or parish level; therefore it is considered difficult and unlikely that a neighbourhood plan will deliver a site. As such, the issue is deemed to be of a strategic nature and should be addressed through the Local Plan.

Proposed Modifications

None.

3.8 Appropriate level of detail

Inspector's Question

Does the Plan provide enough detail in relation to the larger housing and employment allocations to satisfy the requirements of the “what, how and when” provisions as set out in the PPG and The Framework?

LDC Response

8.1 Yes, the Council considers that there is sufficient detail within the site allocations, including supporting text, to meet the provisions of PPG and the Framework.

Proposed Modifications

None.

3.9 Other Housing Issues

Inspector's Question

Are there any other housing issues which need to be considered in this Examination?

LDC Response

No.

Proposed Modifications

None.

Appendix 1:

Local Plan Part 2 housing trajectory as at 1st October 2018

| | 2010/ 11 | 2011/ 12 | 2012/ 13 | 2013/ 14 | 2014/ 15 | 2015/ 16 | 2016/ 17 | 2017/ 18 | Q1&Q2 2018 | Oct 2018/ 19 | Oct 2019/ 20 | Oct 2020/ 21 | Oct 2021/ 22 | Oct 2022/ 23 | Oct 2023/ 24 | Oct 2024/ 25 | Oct 2025/ 26 | Oct 2026/ 27 | Oct 2027/ 28 | Oct 2028/ 29 | Q3 & Q4 2029/30 | Total | |
|--|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|---------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|-------------|------|
| Local Plan Part 2 annualised requirement | 274 | 274 | 274 | 274 | 274 | 274 | 275 | 275 | 137 | 275 | 275 | 275 | 275 | 275 | 275 | 275 | 275 | 275 | 275 | 275 | 275 | 138 | 5494 |
| Residual Local Plan Part 2 requirement with past completions | 104 | 205 | 197 | 89 | 214 | 256 | 160 | 317 | 329 | 165 | 329 | 329 | 329 | 329 | 329 | 329 | 329 | 330 | 330 | 330 | 165 | 5494 | |
| | 2010/ 11 | 2011/ 12 | 2012/ 13 | 2013/ 14 | 2014/ 15 | 2015/ 16 | 2016/ 17 | 2017/ 18 | Q1&Q2 2018 | Oct 2018/ 19 | Oct 2019/ 20 | Oct 2020/ 21 | Oct 2021/ 22 | Oct 2022/ 23 | Oct 2023/ 24 | Oct 2024/ 25 | Oct 2025/ 26 | Oct 2026/ 27 | Oct 2027/ 28 | Oct 2028/ 29 | Q3 & Q4 2029/30 | | |
| Affordable housing plus rural exception allowance | 30 | 52 | 38 | 0 | 49 | 24 | 22 | 76 | 0 | 19 | 31 | 81 | 167 | 169 | 145 | 81 | 80 | 122 | 121 | 91 | 87 | 1485 | |
| Completions | 119 | 153 | 159 | 89 | 165 | 232 | 145 | 245 | 83 | | | | | | | | | | | | | 1390 | |
| Market housing on Commitments | | | | | | | | | | 96 | 87 | 100 | 121 | 234 | 166 | 157 | 128 | 8 | 8 | 22 | 8 | 1135 | |
| Market housing being delivered on Strategic allocations | | | | | | | | | | 21 | 28 | 45 | 65 | 85 | 72 | 72 | 72 | 72 | 72 | 44 | 35 | 683 | |
| Market housing on Non strategic allocations | | | | | | | | | | 26 | 45 | 121 | 75 | 56 | 112 | 68 | 58 | 57 | 57 | 116 | 113 | 904 | |
| Windfall allowance | | | | | | | | | | | 12 | 24 | 39 | 39 | 39 | 39 | 39 | 39 | 39 | 15 | 8 | 332 | |
| Sites with approval subject to Section 106 | | | | | | | | | | | | 10 | 45 | 16 | | | | | | | | 71 | |
| Total | 149 | 205 | 197 | 89 | 214 | 256 | 167 | 321 | 83 | 162 | 203 | 381 | 512 | 599 | 534 | 417 | 377 | 298 | 297 | 288 | 251 | 6000 | |