

## **Lewes District Local Plan Part 2 Examination**

Further comments made by the Lewes District Branch of CPRE Sussex

John Kay

CPRE Sussex address: Brownings Farm, Blackboys, East Sussex, TN22 5HG

### **Matter 3 Housing Provision**

#### **Matter 3.1 New Homes Quantum**

- 3.1 Local Plan part 2 paragraph 2.2 notes correctly that Spatial Policy SP1 identifies a District-wide housing target of 6,900 new dwellings (345 p.a). It then notes, also correctly, that the delivery planned in policy SP2 totals 6,926 new dwellings, a very modest over-provision against the target. However, the conclusion drawn that subsequent calculations should be based on 6,926 rather than 6,900 is illogical and unjustified. The total requirement figure in Table 1 and the derived figures in Tables 2 & 3 should all be based on the requirement to deliver 6,900. [This comment relates to Inspector's Matters 3.1(i) & 3.1(ii).
- 3.2 CPRE Sussex has previously expressed concern about the rationale for the division of the overall housing target that should be 6,900 between the part of the District within the South Downs National Park (SDNP) and the remainder of the District covered by this Local Plan part 2. Because the rationale for this division is unexplained, it is unclear whether or not it is justified. It is also unclear whether it is in accordance with national policy. It is recognised that this division has been agreed with the SDNP Authority, and that the share here allocated to the SDNP matches that in the advanced SDNP Local Plan, which has completed examination and is expected to be adopted in 2019. [Inspector's matter 3.1(iii).
- 3.3 A key consideration is that within the District by far the best connected and most sustainable settlement is the town of Lewes, which lies entirely within the SDNP. The Lewes Neighbourhood Plan plans to deliver 283 new dwellings, all on very credible brownfield sites, against its planned target of 220 (excluding strategic sites). One additional large central brownfield site on Brooks Road, Lewes, now has full planning permission for an additional 42 new dwellings (approved since the Lewes Neighbourhood Plan completed its assessments, with development already underway). CPRE Sussex also notes that it is in the District's two longer-established towns, Lewes and Newhaven, that the most sustainably located urban brownfield sites have arisen in the past, and appear likely to continue to arise in the future. Since the publication of the Lewes Local Plan part 2 CPRE Sussex has become aware of additional large-scale brownfield regeneration opportunities in Cliffe, Lewes, that are very likely to materialise in the near future and have the potential to make a very significant contribution to housing delivery in the next five years.
- 3.4 It thus appears that the potential of the town of Lewes to make a contribution to new housing delivery within the Plan period has been substantially under-estimated. Because this contribution, entirely at highly sustainable locations and on urban brownfield land, is underestimated, the alternative proposal in the Lewes Local Plan part 2 to allocate new commuter housing to less-sustainable village countryside locations in Barcombe Cross, Chailey, Cooksbridge and Ringmer is unjustified and contrary to national policy (except insofar as such allocations are made to meet local village needs). The direct consequence of this under-estimation of the potential housing delivery in Lewes town could be described as a "greenfield first" policy.

- 3.5 In addition CPRE Sussex is aware that at least two SDNP rural communities (Firle and Glynde-Beddingham) within Lewes District are planning in association with a newly formed Community Land Trust to develop Whole Estate Plans that will provide additional village housing to meet local village needs. The likely scale of this development is 30-50 new dwellings. This new housing is not anticipated in either the Lewes Local Plan part 1 or the SDNP Local Plan. Whole Estate Plans are provided for by SDNP policy 25.3. For the scheme see: <https://www.southdowns.gov.uk/national-park-authority/supporting-communities-business/whole-estate-plans/producing-a-whole-estate-plan>.
- 3.6 The 2012 NPPF appears silent on the partition of a District housing target in Districts partly within and partly outside a National Park, so the principle of the partition of the Lewes District target as proposed in both the examined SDNP Local Plan and in the draft Lewes Local Plan part 2 does not appear to be excluded. However the technical note published alongside the results of the Housing Delivery Test in February 2019 appears to make an LPA responsible for the part of the District outside a National Park also responsible for the full delivery of the District's overall target. This approach, which appears to make one LPA responsible for the performance of a different LPA over whose policies it has no evident control, might appear unreasonable in principle and is too new to have been tested in the courts. However, it might be considered to be relevant in principle to the target partition proposed in Table 1.
- 3.7 It is relevant to note that the projected outcome of the Housing Delivery Test in paragraph 30 of the December 2018 assessment of the District's housing land supply as at 1 October 2018 (87%) is radically different from the MHCLG assessment of this District's performance published in February 2019 (50%). CPRE Sussex has been unable to understand the basis for this discrepancy, which appears far too large to be accounted for in any simple way. The low MHCLG assessment appears surprising given the marked recent improvement in delivery of new housing in the area for which Lewes District Council retains responsibility as LPA. CPRE Sussex notes that the number of new homes that Lewes D.C. claims to have delivered in 2017-8 in the part of the District for which it is the LPA (317) is lower than the total number of new homes recorded by MHCLG as delivered in the entire District in the same year (311). There was certainly a positive delivery of new homes in the SDNP part of Lewes District in that same year. It is important that the reasons for this discrepancy are resolved.

**Matter 3.2      Distribution of New Homes,**  
**Matter 3.3      Housing Delivery, and**  
**Matter 3.4      Five Year Housing Land Supply**

- 3.8 CPRE Sussex believes that the importance of identifying sustainable urban locations for as high a proportion of new housing as possible (inside and outside the SDNP) has not been given sufficient priority in site selection. This is contrary to national policy [2012 NPPF paragraphs 17 & 111]. This approach has been facilitated by the SA used to assess the sustainability of development failing to identify or give any weight to the additional private car ownership and private car use associated with allocation of village sites. Site selection and over-reliance on the developer-led SHELAA approach has led to excessive allocation of countryside sites. Promoters of greenfield sites in the countryside participate enthusiastically in the SHELAA, while the owners of brownfield sites or sites within planning boundaries do not see any need to do so, so unsustainable countryside sites are always over-represented.
- 3.9 The 2018 and 2019 NPPFs give a new role to LPAs in driving housing delivery, and penalise them where delivery is below target. This is a new feature compared to the 2012 NPPF, which penalised LPAs only if they failed to maintain a 5-year housing land supply. While it perhaps unfair to criticise a Local Plan that had reached an advanced stage prior to the publication of

the 2018 NPPF on this basis, there is no evidence within the Plan that the Council is rising to the new challenge that it is now required to meet. Unless it does meet both of the twin challenges of the Housing Delivery Test and maintaining a 5 year housing land supply, its policies will be considered out-of-date and thus will not be effective.

- 3.10 CPRE Sussex is well aware that, given a free choice, developers give priority to developing poorly sustainable new greenfield developments in the countryside. Intervention is necessary to divert delivery towards urban brownfield sites. Interventions can involve carrots or sticks, but neither is evident in the current Plan. Identifying and allocating additional countryside greenfield sites is exactly the opposite of the right approach to remedy this problem – it simply further diverts market delivery from sustainable brownfield to unsustainable greenfield. Policies to accelerate delivery on stalled sites not being progressed for market housing are also essential for the Plan to be effective. There is no evidence for such policies in the Local Plan part 2. It is not too late for this Plan to include new policies to drive brownfield delivery and thus meet the required challenge. To be fair CPRE Sussex is aware that significant recent action has been taken to aid delivery of specific large brownfield sites in both Lewes and Newhaven but there should be Local Plan policies to reflect this and drive future housing delivery on the most sustainable sites.
- 3.11 It is challenging for an LPA to increase the demand for market housing contrary to market forces, and there was clear evidence in 2018 of the demand for new high value market housing in at least some parts of the District failing to match the increased supply. However, there is a ready and unmet demand for smaller inexpensive market houses and affordable housing throughout the District. Additional policies to drive delivery towards meeting the types of housing actually needed are thus required for the Plan to drive delivery and thus be effective.
- 3.12 CPRE Sussex has been concerned (and has shared its concerns with council officers) about what we see as a passive approach to delivery evident in the Council's assessment of its housing land supply. We regard the assumed assessments of likely future delivery, especially on the larger strategic sites, as unreasonably pessimistic, and responsible for unacceptably low published housing land supply data for a District that has a relatively newly adopted Local Plan part 1 that includes a strong supply of strategic sites. It seems that the more sustainable the site, the slower the projected delivery! Without the more dynamic approach required there is a serious risk that brownfield housing delivery will be ineffective.
- 3.13 We have also expressed concern that the published housing delivery data have not included the delivery of new care home accommodation. Inclusion of such provision is legitimate and explicitly required by the MHCLG Housing Delivery Test Measurement Rule Book (July 2018).
- 3.14 CPRE Sussex has noted in particular the excellent delivery of sites identified through neighbourhood planning. We have expressed surprise that only a very low proportion of the delivery planned through the Ringmer Neighbourhood Plan is included in the 5-year housing land supply.
- 3.15 Lewes District Council has an ambitious plan to develop new affordable housing using its own resources and primarily on its own land. We are surprised that this ambitious plan, advertised to the public on its website, is not reflected in the Council's published housing land supply.

### **Matter 3.5      Qualitative Aspects of Housing Supply**

- 3.16 To be effective and to be in accordance with national policy a Local Plan must deliver not only the right number of new homes but also the right types of homes to meet the assessed need [paragraph 50 of the 2012 NPPF; paragraph 61 in the 2019 NPPF]. The Lewes Local Plan part 2 fails this test completely. It relies on the market to reach the correct conclusion, despite all the evidence that such an approach will not be effective. It needs to be amended to follow the example of policy SD27 of the SDNP Local Plan, assess the types of new homes that are needed and include policies to ensure that the right types of new housing are delivered.
- 3.17 The new policies should recognise that the needs may vary across the District. In particular it is essential that the new policies should defer to, and not over-ride, adopted neighbourhood plans where such plans have identified the types of new housing required by that community.
- 3.18 The most recent ONS household projections demonstrate that a very high proportion of new households across England will be headed by older people. It is very likely that this need is especially strongly reflected in Lewes District, as the District has a particularly high proportion of older residents. The present Local Plan shows no evidence of its having identified this need. Older residents are more likely to have disabilities, and they will require adapted or adaptable accommodation to enable them to live independently for as long as possible. An increasing proportion will require supported living or care home accommodation. Because the draft Local Plan part 2 has not recognised the scale of this need and currently includes no plans to meet it, it cannot be considered positively prepared, it will not be effective and it is not in accordance with national policy. Inclusion of new policies is essential.

### **Matter 3.6 Affordable Housing**

- 3.19 There is a strong demand for all types of affordable housing across the District. This includes especially housing for older residents with limited means, housing for single people with disabilities and housing for lower income families. Statistically the highest level of need is for 1-bed accommodation. Many of those needing 1-bed accommodation are the poorest members of our community, and the least well served by the benefits system: people of working age who are unable to work for health reasons. They may have to live on as little as £73 per week, from which they have to cover food, fuel, living expenses and a contribution towards their council tax. For this group in particular high rural transport costs and the high prices in village shops are unaffordable. It is essential that most new housing for this group is provided primarily in urban areas, where the need to travel and transport costs are minimised.
- 3.20 The policies on rural affordable housing should thus ensure that the mix provided is suitable for those who are better able to afford rural transport costs, including those seeking intermediate housing, retired people and families with children.
- 3.21 Again it is essential to ensure in the Local Plan that District-wide policies do not over-ride local policies in adopted neighbourhood plans.