

Gladman Developments Ltd

Matter 3 Hearing Statement

Lewes Local Plan Part 2

Site Allocations and Development Management

Housing Provision



March 2019

Matter 3 – Does the Plan deliver the total housing provision set out in Part 1 of the Plan to meet the needs of the Plan area over the Plan period in accordance with national policy?

1.1. Q3.1 New Homes Quantum

- 1.1.1. Gladman welcome the Council's commitment to deliver the housing requirement set out in Policies SP1 and SP2 of the Part 1 Local Plan. The full delivery of this requirement is critical for ensuring that the housing needs of communities within the district are met.
- 1.1.2. However, noting figures contained in Table 3 of the Submission Plan, Gladman hold some concern over the reliance made by the Council on emerging Neighbourhood Plans to meet residual housing need.
- 1.1.3. According to Table 3, 865 dwellings remain to be delivered through emerging Neighbourhood Plans, which is over 50% of the outstanding residual housing requirement of 1,660 dwellings.
- 1.1.4. Whilst Lewes has a reasonable record of securing made Neighbourhood Plans and these, in most cases, allocate sufficient or slightly in excess of the Local Plan requirement, to place significant emphasis on allocating further housing sites in emerging Neighbourhood Plans adds a considerable element of risk to the Local Plan's overall delivery.
- 1.1.5. This issue will be discussed in greater detail in response to the Inspector's Question 3.3(iii) below. However, this is one of the reasons why Gladman consider that there needs to be additional flexibility built into the supply allocated through the Part 2 Local Plan to ensure that the overall housing requirement is met or surpassed.
- 1.1.6. Once recent commitments and completions have been taken into account, the Part 2 Local Plan is left to allocate sufficient sites to meet the residual requirement of 105 dwellings. However, the Part 2 Local Plan seeks to allocate a total of 132 dwellings thereby providing only a very small element of flexibility above and beyond the Part 1 requirement.
- 1.1.7. Whilst flexibility is welcomed, 27 additional dwellings is considered to be totally insufficient flexibility so as to be almost meaningless. 27 dwellings represents just a 1.6% increase on the residual requirement of 1,660 dwellings which was identified as the starting point for the Part 2 Local Plan.
- 1.1.8. The Home Builders Federation (HBF) always suggest that an appropriate buffer of up to 20% additional dwellings above the housing requirement should be allocated in Local Plans to ensure that the overall requirement is met or superseded. This is mirrored in the LPEG Report which

proposed that *“the NPPF makes clear that local plans should be required not only to demonstrate a five-year land supply but also focus on ensuring a more effective supply of developable land for the medium to long term (over the whole plan period), plus make provision for, and provide a mechanism for the release of, developable Reserve Sites equivalent to 20% of their housing requirement, as far as is consistent with the policies set out in the NPPF”*

- 1.1.9. Given that such a small contingency in housing land supply is currently provided in the Part 2 Local Plan, coupled with the facts that a significant numbers of dwellings are still to be allocated through emerging Neighbourhood Plans, the Council also include a windfall allowance of 468 dwellings and a rural exceptions allowance of 77 dwellings, it is considered that the risk of slippage and delay in delivery is considerable with no flexibility built in to address any shortfalls expediently.
- 1.1.10. This issue is further exacerbated by the fact that the Part 2 Local Plan has been prepared in the context of a recognised shortfall in housing provision established within the Part 1 Local Plan, with no means identified as to how this shortfall will be addressed, apart from through a full review of the Part 1 Local Plan.
- 1.1.11. With the delivery uncertainties highlighted above, alongside the lack of flexibility identified within the Part 2 Local Plan, it is considered highly likely that the Plan will fail in its early years and that the Council’s housing land supply to drop below 5 years. To avoid this occurring, additional flexibility needs to be built into the Part 2 Local Plan to ensure it is responsive to rapid change and to avoid the need for local people to have to await a Local Plan Review to be completed before their housing needs are met.
- 1.1.12. It is suggested that this flexibility could be built into the current plan through a number of Main Modifications before the Part 2 Local Plan is adopted, as set out below.
- 1.1.13. First, there is the need to allocate further land through the Part 2 Local Plan. Gladman consider that an additional supply of up to 20% (above the residual housing requirement) should be planned for subject to compliance with other policies of the NPPF. This approach aligns to the recommendations of the HBF and LPEG and would provide greater certainty that the minimum requirements of the Local Plan can be met in full. It would also ensure that the Local Plan is more adaptable to change which may be experienced during the remaining years of the plan period.
- 1.1.14. Secondly, the Council should adopt a flexible and positive policy framework for the determination of applications submitted on sites which are not allocated for development within the Local Plan. Such a policy would provide scope for proportionate and appropriately scaled development to come forward on sites which are located on unidentified sites beyond the settlement boundary, provided they are well related and adjacent to existing specified settlements, and subject to meeting other local and national planning policy requirements. The adoption of this approach would prove a boost to sustainable housing delivery.

1.1.15. Such a policy has been prepared relatively locally by Ashford Council through Policy HOU5 of the Ashford Local Plan 2030 (recently adopted). The policy text (as modified) reads:

“Proposals for residential development adjoining or close to the existing built up confines of [listed] settlements will be acceptable.. provided that each of the following criteria is met:

- a) The scale of development proposed is proportionate to the size of the settlement and the level, type and quality of day to day service provision currently available, and commensurate with the ability of those services to absorb the level of development in combination with any planned allocations in this Local Plan and committed development, in liaison with service providers;***
- b) The site is within easy walking distance of basic day to day services in the nearest settlement, and/or has access to sustainable methods of transport to access a range of services;***
- c) The development is able to be safely accessed from the local road network and the traffic generated can be accommodated on the local and wider road network without adversely affect the character of the surrounding area;***
- d) The development is located where it is possible to maximise the use of public transport, cycling and walking to access services;***
- e) Conserve and enhance the natural environment and preserve or enhance any heritage assets in the locality; and***
- f) The development (and any associated infrastructure) is of a high-quality design and meets the following requirements:***
 - i) It sits sympathetically within the wider landscape;***
 - ii) It preserves or enhances the setting of the nearest settlement;***
 - iii) It includes an appropriately sized and designed landscape buffer to the open countryside;***
 - iv) It is consistent with local character and built form, including scale, bulk, and the materials used;***
 - v) It does not adversely impact on neighbouring uses or a good standard of amenity for nearby residents;***
 - vi) It would conserve biodiversity interests on the site and/or adjoining area and not adversely affect the integrity of international and national protected sites in line with Policy ENV1.***

- 1.1.16. Gladman consider that a similar policy should be implemented in the case of Lewes. Safeguards relating to size, location and impacts included within the policy would ensure that the overall spatial strategy as defined in the Part 1 Local Plan would be safeguarded and reflected in decision making when applying the policy. The policy would be beneficial in enabling additional development not otherwise provided by the development plan, ensuring that sustainable housing delivery in maximised within the district.

1.2. Q3.3 Housing Delivery

- 1.2.1. Gladman has some concerns over the deliverability of certain sites that are included within the Part 2 Local Plan. It is not considered that there is sufficient evidence provided to justify the Council's confidence that all of these sites will be delivered within the Plan period.
- 1.2.2. The site Land South of Valley Road (NH01) is carried forward from the 2003 Local Plan and has a history which extends into the 1970s. Whilst parts of the site have come forward for development over this period, development of the site has been taken at a considerably slow pace, with a further capacity for 24 dwellings yet to be completed. Despite being available and suitable for development for a period of at least 35 years, this part of the site has thus far not come forward. No clear evidence has been produced by the Council to confirm what has altered in the site conditions and market which means that this site is now likely to be developed.
- 1.2.3. The site at Newhaven Marina (NH02) was a previously allocated site and has been subject to a previous and now lapsed planning consent for a mixed-use development which included some 331 dwellings (lapsed in May 2015). Beyond this lapsed planning permission, there is little evidence that the site could be developed for 300 dwellings during the plan period. The Site is subject to multiple constraints and planning issues such as its small area, proximity to heritage assets, active use as a marina, and site pollution issues.
- 1.2.4. The site Land at Hillside Nurseries (BA01) is known to have access constraints which require third party land in order to be suitably addressed. The 2018 Housing Site Options Background Paper illustrates that there is currently disagreement about the availability of this land as providing the solution for safe and sufficient means of access to the site. The Paper reveals a dispute on whether an agreement has been reached for this land to be used. The agent of this land disputes the claim that an agreement on this matter has now been reached. It is unclear, whether the site could be developed without this third-party land.
- 1.2.5. The site Land at Caburn Field (RG01) is in active use as the home of Ringmer Football Club. The club's owners wish to relocate the club to an alternative site, however, despite being allocated for housing development within the previous Local Plan, the site has not yet come forward. The allocation requires the relocation of the football club to an alternative site, ahead of permitting its development for housing. Gladman has concerns about the deliverability of this site as an alternative site has yet to be identified.

- 1.2.6. As set out in Table 3 of the Part 2 Local Plan, there is a heavy reliance being placed on the delivery of sites through the Neighborhood Planning process. The table highlights that 1,250 units of the total 1,660 unit requirement will be delivered through Neighbourhood Plans which is 75% of the total requirement. Of these, 865 dwellings are yet to be identified in emerging Neighbourhood Plans and there is a concern that this introduces a considerable element of uncertainty into the deliverable supply of units contained in the Plan.
- 1.2.7. The Council is not in control of the Neighbourhood Planning process and cannot determine when and if emerging Neighbourhood Plans will be brought forward. Additionally, there is no guarantee that if they are brought forward, they will find sufficient sites to meet the requirement set out in the Local Plan Part 2.
- 1.2.8. The Council must therefore closely monitor the implementation of Neighbourhood Plans and ensure that the appropriate policy mechanisms are in place should allocated sites not come forward as and when envisaged within the Neighbourhood Plans. This adds further weight to the need for additional flexibility to be identified within the Local Plan Part 2.
- 1.2.9. Considering all of the issues highlighted above in relation to Matter 3, it is considered essential that the Part 2 Local Plan includes additional allocations to provide flexibility in housing supply and to cater for unforeseen circumstances and delay in the delivery of sites identified in the Plan.
- 1.2.10. Gladman is promoting sites which it considers are available and deliverable which could be allocated in the Part 2 Local Plan to help provide an element of flexibility. We will cover these sites in our response to Matter 10.3.