

## **Lewes Local Plan Part 1/Joint Core Strategy**

Dear Mrs Jack and Mr Reed,

As advised on the last day of the recent hearings sessions, I am now writing to set out my initial findings on the submitted Local Plan, having taken into account all the written evidence and all the contributions from those attending the discussions.

First, I can confirm that, in my opinion, the Lewes District Council and the South Downs National Park Authority (the Councils) have essentially met all the statutory requirements, including those arising from the Duty to Co-operate (DtC) and those relating to legal compliance, including in relation to public consultation etc.

Second, I consider that, at the top of the range identified, the figures agreed by the Councils represent the full, objectively assessed, needs (OAN) of the district for the plan period, including taking account of the need for affordable housing and "market signals", in respect of the present state of the housing market locally etc, as required by the NPPF.

Third, I accept that the agreed OAN figures in relation to new housing cannot be met in full in the district over the plan period. This is so, even at the lowest end of the range identified, without unacceptable consequences that would be contrary to the NPPF and PPG, taking into account the National Park (NP), the flood risks locally and other significant constraints, including coastal erosion.

This conclusion is reinforced by the essentially common ground between the Councils, the HBF, the CPRE and others, including numerous Parish Councils and major house builders active in the locality, as represented at the hearings, on this matter.

I also acknowledge that, notwithstanding the overall compliance with the DtC, there is no realistic prospect of any material help in achieving new housing delivery being received from adjoining or nearby Councils in the near future, pending further work on a sub-regional basis and a potential plan review.

However, despite the foregoing, I am not at all convinced that "no stone has been left unturned" by the Councils, in terms of seeking as many suitable and appropriate sites for new housing as possible that are realistically deliverable in sustainable locations across the plan area. This is evidenced in the various iterations of the Strategic Housing Land Availability Assessment (SHLAA) and as put forward in representations to the examination in some cases.

In the light of the above, I cannot find sound a plan that is so far short of even the lowest end of the agreed OAN range and does not provide even enough new dwellings on an annual average basis to maintain the present levels of employment in the district. As a consequence, my initial view is that the balance

between the three elements of sustainable development, as set out in the NPPF, has not been properly struck in terms of the level of new housing in the plan in relation to the area's needs. This is particularly so for affordable housing, given the area's relatively strong housing market currently and the attractions of the district for in-migrants and retirees.

My preliminary conclusion is that the new housing provision in the plan has to go up to a minimum of 6,900 in total (from 5,790 as now), or at least 345 dwellings a year on average over the plan period. This is still only equivalent to zero employment growth across the district, but at least not "planning for failure" in economic terms. It would represent essentially Option F in the submission Sustainability Appraisal (para 10.11c, p.60 CD 002) and not a great increase on the total in the submitted plan (just less than 20%), but an important and critical one in this instance for the reasons given. Nor would it automatically mean that additional strategic land allocations have to be made in this Part 1 plan, but clearly that would be likely to help significantly in bringing forward additional new housing delivery on the scale required.

I am also not persuaded that, acknowledging the primary purpose of NP designation in relation to the protection of the landscape character and assets, the right balance has been found in this plan regarding the town of Lewes, in relation to new housing provision, not least due to local affordable housing needs. This is the economic, service and transport hub of the district and agreed by all to be the most sustainable settlement in the district. Accordingly, I consider that there is a strong case for the Old Malling Farm site; clearly the most sustainable alternative of the potential additional allocations, to be identified as a further strategic site to be developed over the plan period.

This would help provide a better balance in respect of meeting the social and economic needs of the town and the district, as well as the NP, given that it is agreed to be viable and deliverable in accord with all other relevant LP policies. On the evidence before me, the overall public benefits that would arise weigh heavily in favour of providing more housing in Lewes in particular than presently proposed, given the clear and significant level of need for affordable housing in the town that will not be met by the re-development of the North Street Quarter (Policy SP 3) alone.

In this context it is my preliminary view that this proposal passes the strict tests of exceptional circumstances for major development in the NP set out in para 31 of the 2010 Circular (LDC 008) and would be demonstrably in the public interest (also para 31), as well as in accord with the guidance in paras 76 and 78.

Elsewhere in the district, I am firmly convinced that the plan needs to provide clarity about all the strategic sites, which means formally allocating those identified in Newhaven and Ringmer in full. Similarly, I consider that land at Lower Hoddern Farm in Peacehaven, the most sustainable and only reliably deliverable strategic scale site in the settlement, should also be allocated in the

plan now that there are “reasonable prospects”, as agreed by East Sussex County Council (ESCC) at the examination hearings, of the necessary public transport and other improvements proving deliverable as part of the overall package. Of course, the necessary accompanying policy should require the approval of an appropriately detailed Travel Plan and related financial contributions to sustainably address these matters in a suitable and viable scheme as part of any planning permission.

Such further clarity should assist the delivery of all of the strategic sites in full within the plan period by facilitating an earlier start than might otherwise prove possible. Given their relative importance to the overall delivery of new housing, it would not be appropriate or justified for their formal allocation/designation, including the identification of their boundaries, to be delegated to neighbourhood plans, some of which are not likely to be completed for some time, despite the progress made elsewhere in the district and the good local examples at Ringmer and Newick that are soon to be subject to referendums.

Regarding Ringmer, the formal allocation in the plan of land north of Bishops Lane (Policy SP 5) as a strategic site for about 110 dwellings is necessary to facilitate an early start to delivery and help meet the overall needs of the district. But, beyond that, and taking into account the progress of the comprehensive Ringmer Neighbourhood Plan that allocates some further non-strategic sites, I see no necessity for any further strategic sites in the village (or parish) to be allocated.

This acknowledges the constraints that currently apply locally in respect of highway capacity on the route into Lewes, notably but not exclusively at Earwig Corner (A26/B2192 junction) post the currently planned improvements there and despite the imminent completion of the new dedicated cycleway/footpath link between the two settlements. It also recognises the recent pressures on primary school places in Ringmer and the improvements needed at the Neaves Lane WWTW. Similar conclusions apply in respect of Newick.

Therefore, if the Old Malling Farm site in Lewes is allocated, I do not anticipate any need to materially alter the minimum indicative figures for new housing in these or other villages in the district. Nor is it necessary to apply even estimates of the very limited levels of new housing expected to come forward within each of the smaller settlements in the NP, as the totals are unlikely to be significant.

However, bearing this in mind, 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. In addition, it might also be reasonable in principle to make allowance for a small number of new homes, say 150 in total, principally for local needs/affordable

housing, to continue to come forward on rural exception sites over the plan period as the recent "track record" of delivery indicates.

In respect of all other elements of the draft Local Plan I am provisionally satisfied that it is essentially sound, subject to the proposed modifications already published by the Councils and those discussed at the Examination hearings, none of which materially alters the basic strategy or overall objectives of the plan.

I therefore invite the Councils to prepare a list of the additional main modifications to address the above points, which, together with those already published by the Councils and those discussed at the Examination hearing sessions would be made subject to sustainability appraisal and public consultation and potentially enable me to find an amended Local Plan sound in due course.

Please advise the Programme Officer by no later than Friday 20 February 2015 of your response to the above, including whether or not the Councils are able to prepare a list of modifications along the lines set out and by what date(s) they might then be subject to a refreshed SA/SEA/HRA process and a 6 week public consultation period.

Yours sincerely,

Nigel Payne, Inspector

10<sup>th</sup> February, 2015