



PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN

Position statement on behalf of Deansmoor Properties R232

Matter 2 Strategy (policy SD26) and Overall Housing Need

Introduction

1. This statement addresses the approach taken by the SDNPA in its strategy for housing and in particular policy SD26 and the housing provision figure of 4,750 new homes during the plan period.
2. In this position statement I have taken it as read that everyone associated with the Examination is familiar with the extent and boundaries of the SDNP and the geographical and administration relationships with the local authorities that embrace or adjoin the SDNP.

General Approach

3. It is important to recognise that the SDNPA housing background documents - the HEDNA in particular - point to objectively assessed need (OAN) figures of:
 - 424 - 447 dwellings per annum (demographic led housing need);
 - 458 - 566 dpa (economic led housing need), and
 - 276 - 350 dpa (zero employment growth housing need).

The SDNPA LP has not proceeded on the basis of the latter but instead focused on the former and adopted 447 dpa (total 8,493) as the basis of its housing requirement. In other words no account has been taken of the economic led factors for housing development.

4. There is a strong case, based on the duty of an NPA, to take a mid-point between the lowest demographic led need and the highest economic led need figure in the SDNPA's HEDNA. This would indicate that the average OAN requirement is 495 dpa or a total of 9,405 dwellings for the 19 year plan period. That represents a pragmatic figure to address/meet the economic and social well-being of SDNP communities. Thereafter the figure would be moderated by landscape considerations. The SDNP LP housing provision figure is 4,750 for the plan period leaving 4,655 dwellings unplanned for. Or put another way,

4,655 households to be accommodated by other authorities if economic factors are taken into consideration.

5. An analysis of the Duty to Cooperate (DtC) Statements of Common Ground (see table and extracts attached as [Appendix 1](#)) - shows that across the 11 district planning authorities there is currently an unmet housing need of 226 dpa for the SDNP. The sum for all 11 districts shows a current shortfall of 1,906 dpa although four districts clearly have a housing supply that meets their OAN including that part of the NP in their administrative area. I accept that the district planning authorities are working on review Local Plans and that the overall shortfall figure will change in time. But the shortfall for the NP will not, as the planned housing provision of 4,750 dwellings is almost half of the mid-point average OAN figure of 9, 405 dwellings.

6. The principle issue for my client is whether the approach being taken by the SDNPA is consistent with the NPA duty to:

“foster the economic and social well-being of the local communities within the National Park”.

That duty is backed up by paragraph 78 of the 2010 Circular¹ that says:

“through their Local Development Frameworks they should include policies that pro-actively respond to local housing needs”

and,

“The Government expects the Authorities to maintain a focus on affordable housing and to work with local authorities and other agencies to ensure that the needs of local communities in the Parks are met”

The second issue for my client is whether the SDNP has fully and properly embraced all housing opportunities to achieve or get close to the OAN housing figure.

7. It is considered essential in the interests of the economic and social well-being of NP communities that the OAN for development is planned for. The overall housing provision figure of the SDNP LP should aim to deliver the OAN figure for housing by taking every reasonable opportunity for development and if it does not, then the supporting documentation and evidence base for the LP should demonstrate how and where the shortfall will be met. That simply hasn't been done. Nevertheless the OAN figure is the target that the SDNPA should be seeking to achieve in all aspects of the SDNP LP.

¹ [English National Parks and the Broads UK Government Vision and Circular 2010](#)

8. The argument about housing need and provision often boils down to a plan period figure for housing and annual permission/ completion data and reliance on windfalls. What is overlooked is that the reality is it is real people and households who need real homes and not simply a debate about mathematics. In addition, where there is an extant planning permission for development, there will be viability factors to consider.
9. Turning back to the calculation of an OAN figure in the SDNP HEDNA Statement, this is flawed and unsound. In particular the approach taken has not robustly tested Housing Market Areas or come up with a figure for OAN for housing across the NP based on up-to-date data. As far as can be established, the basis of the HEDNA is the following housing market area documents:

Central Hampshire

- Winchester DTZ 2007 based on 2001 census
- EHDC SHMA - Nat Litchfield April 2013

Sussex Coast HMA

- GL Hearn 2014

Eastbourne

- Arc4 2012 and reworking of the DTZ SHMA 2007

Northern West Sussex

- GVA SHMA 2009. Selectively updated in 2012

None of the above constitutes up-to-date assessment of housing need - the latest published document is already five years old and the remainder range from six to twelve years old. The HEDNA simply does not provide a full up-to-date OAN figure for housing across the NP. It has recycled dated previous work for other local authorities and their development plans. It did not consider whether there were development sites with planning permission that could be renegotiated to achieve a greater number of dwellings. Worryingly the HEDNA did not consider whether any historic shortfall in provision has occurred to be factored that into the OAN assessment. Currently there is an under delivery of 226 homes per annum across the SDNPA.

10. The HEDNA should have been prepared on a 'policy off' basis to arrive at a full objectively assessed housing need for the planning authority area and thereafter a 'policy on' basis² should have been used to derive the new housing requirement for the Local Plan. A site with an extant planning permission for development would have qualified to be considered under both 'policy on' and 'policy off' basis. Whilst the HEDNA acknowledges that is what is

² Policy off is where the implications of planning policy are not taken into consideration and policy on is where the constraints of planning policy area applied.

required, it fails to deliver as nowhere in the HEDNA is there any evidence of a 'policy off' OAN as the constraint of the NP Circular 2010 is one of the first paramount considerations. The housing requirement and approach taken thereto, as set out in the SDNPA HEDNA Report September 2017, is thus flawed and unsound.

11. The SHMA and HEDNA produced on behalf of the SDNPA has served to unnecessarily complicate the process in that it fails to provide the necessary integration with other authorities which is at the heart of the duty to cooperate. It is unclear for example how the analysis on behalf of the NPA relates to and aligns with other Housing Market Assessments. The SDNP LP supporting evidence should have included an assessment of the opportunities that could stem from extant permissions could be pursued and how unmet needs could be addressed given constrained housing numbers. This is a failure to positively prepare and justify an effective LP that is consistent with national Framework policy.
12. The duty of an NPA and the statutory purposes for a NP will throw up tensions between the two but it is nevertheless for the SDNPA to prepare and submit a positive plan and identify sufficient sustainable housing developments to meet the needs of the local community so far as it is consistent with NP policy as a whole.
13. There is a national Housing crisis and a primary objective of the Framework is to '*boost significantly the supply of housing*'. The SDNPA seemingly has little regard for that objective in that it hasn't striven to make the best of the opportunities sites with extant permissions could make. Other aspects of Framework policy have been ignored.
14. This representation, therefore, returns to the proposed housing provision figure and the strategy in policy SD26. It is a fundamental planning principle that the OAN figure should be robustly calculated but it simply hasn't been the case. More importantly the actual provision to be made is some 55% of the OAN figure and justified solely on "*limited landscape capacity*"³ But that assessment of 'limited landscape capacity' lacks any consideration of the planning balance in assuming that if landscape capacity is a limiting factor then there is no need to go on to meaningfully considering if there any planning circumstances that might outweigh that. For this reason policy SD26 is unsound and as the basis for delivering the housing requirement figure, it and the supporting text lacks credibility.
15. The deficiencies and opaqueness of the HEDNA need to be replaced by a robust, transparent and up-to-date analysis of OAN. This is so that the full implications of the proposed housing requirement figure can be established and the scale of the abrogation of

³ Submission SDNP LP paragraph 3.123

the NP's housing requirement and responsibility to its communities can clearly be seen. Producing a Plan and policy that is founded on out of date SHMA data and no idea where the unmet OAN for housing would be met is a mark of a seriously flawed and unsound Local Plan.

16. The overall provision for new homes does not meet the OAN for market and affordable housing in the housing market area. The Plan is therefore in conflict with paragraph 47 of the Framework and there is inadequate justification for the undershoot. It is also informative to note that the HEDNA, having settled a housing need over the plan period of 447 units per annum, states at paragraph 11.37 that:

The demographic conclusions of the HEDNA at 447 dpa would support delivery of additional affordable housing and would also ensure that the population and Workforce of the National Park are maintained. As such, housing delivery at this level would meet the National Park's duty to foster the economic and social well-being of local communities within the SDNP" (highlighting is my emphasis).

17. The SDNPA argues that it will not be meeting its statutory purpose - to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park - if it were to seek to fully meet the OAN within the National Park but it fails to consider that it would also not meet the statutory duty under section 62 of the Environment Act to seek to foster the economic and social well-being of local communities within the NP. It also falls back on the Government Vision and Circular for the English National Parks and the Broads (2010) which recognises that NPs are not suitable locations for unrestricted housing and does not therefore provide general housing targets for them. My point is that the OAN for housing is not '*unrestricted housing*' and the OAN figure is not a '*general housing target*'. The OAN figure is a specific target for the SDNP and hiding behind the 2010 Circular is an abrogation of responsibility to plan positively for the social well-being of the NP communities, residents and those needing a home.
18. Whilst the 2010 Circular is a material planning consideration it remains a self-confessed fact on the SDNPA's part that its housing policies have not identified sufficient sustainable housing developments to meet the needs of the NP communities. It is clear that it places far too much weight on conserving and enhancing the landscape at the expense of the economic and social well-being of its communities. It is also a fact in my client's case, that the SDNPA appears little interested in make better use of a site with an implemented extant permission for 14 large dwellings by increasing numbers, reducing dwelling size and keeping within the overall permitted floorspace. The relative impact on the landscape from the latter would not be as significant as that arising from the former.

19. It is therefore considered that the SHLAA applies too much emphasis on the environmental dimension of the National Park, and has assessed too many sites negatively (433 rejected and 108 accepted) which is at the expense of meeting the NP's OAN. The landscape and scenic beauty of the NP is an important consideration but its conservation and enhancement needs to be balanced against the economic and social benefits as well, which are two of the three dimensions of sustainable development in the Framework. There appears to have been little or no acceptance that the landscape of the SDNP varies greatly between an iconic landscape - the Downs - and mundane landscapes - paddocks and under used land adjacent or close to settlements where the built environment has a greater sense of impact than truly rural environments. Likewise there appears to have been little regard to or consideration of the potential opportunities from extant development sites to deliver more housing units.
20. The SDNP has a greater capacity to accept development than is provided for in the submission Plan. But the flawed importance given to '*limited landscape capacity*' has prevented a proactive and positive plan coming forward. The fact that 541 potential housing sites were suggested and then 433 rejected gives rise to a genuine concern that the landscape assessment exercise was applied too liberally and without the rigour required by the Framework. No stone should have been left unturned in pursuit of moving towards achieving a housing figure in line or close to the OAN.
21. The SDNPA should have embraced the advice in the Framework to plan positively. It should have considered how the amount of windfall homes could be delivered and recognised that there are extant development sites that could deliver more housing. Embracing those opportunities would serve a beneficial planning purpose and contribute to the SDNPA being able to move towards the OAN figure for housing.
22. There is a need for the SDNPA to properly consider the balance between the economic, environmental and social dimensions for sustainable development and not hide behind an overzealous application of landscape interest. The SDNPA should be striving to make the best use of land already committed to housing so as to better meet the needs of the local communities wherever possible. The Spatial Strategy should revisit the methodology for assessment of sites for allocation within the Local Plan. It should also not take a 'policy on' approach to meeting OAN as this has created a strategy for the supply of homes that is distorted against the real people who need homes. The overwhelming impression is that the SDNPA falls back on the first NP purpose and has no interest in meaningfully addressing the housing need or to plan positively

23. The strategy within policy SD26 lacks balance and objectivity and it works against achieving sustainable development in the context of all three dimensions of sustainable development. The basis of policy SD26 is the SDNPA HEDNA Report which it is submitted is flawed and unsound. In particular the approach taken has used out of date data and has not robustly tested Housing Market Areas or come up with a sound justified figure for OAN for housing across the NP.
24. In the face of the self-confessed non delivery of the OAN and the absence of any agreed positive steps to deal with the shortfall the Submission Plan should be withdrawn and the strategy in policy SD26 reconsidered. The opportunity of making best use of extant development sites deserves consideration in a revised strategy to move closer to the OAN figure. Especially when the development of such sites can usually be undertaken with little harm to NP objectives and very often result in landscape enhancement. The opportunity to deliver more homes in such a fashion should be embraced as a positive move..
25. Until such time as that the above has been done in association with revisiting and properly undertaking a robust up to date OAN the Submission Plan fails the requirement of paragraph 182 of the Framework to be sound and furthermore it has not been positively prepared and justified and is ineffective and inconsistent with national policy.

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