

South Downs National Park Local Plan Examination

Representor 245: CPRE Sussex

Position Statement re Matter 9: Affordable Housing and Exception Site Housing

Hearing Date: Tuesday 4 December 2018.

Policy SD28: Affordable Housing provision

1. CPRE Sussex recognises the need for affordable housing, especially affordable rural housing, in the South Downs National Park and strongly supports the intentions behind this policy. However, we have some concerns that the policy as written may prove ineffective, indeed in some respects counter-productive.
2. Policies expressed in terms such as SD28(1)(b) are inevitably clunky, as the affordable housing cost to the developer does not increase linearly with development size. If the policy was enforced as written developers would be unlikely to make any applications for developments of 6 or 9 homes, even where that number would make the best use of the available site.
3. More seriously, the policy, taken in conjunction with policy with SD27, is very likely to deliver the wrong type of affordable housing to meet the rural need. CPRE Sussex strongly supports the intention of policy SD27, which seeks to deliver more of the smaller new homes that are most needed rather than the larger executive homes developers find most profitable. However, this policy, when combined with the 50% proportion of affordable homes required, 75% of which are required to be affordable homes for rent, is very likely to have the unintended consequence that developers will minimise the sizes of the affordable units they deliver.
4. The rural reality is that there is currently a serious under-provision of all types of affordable housing and the Local Plan envisages an ongoing under-provision of affordable homes of all types within the National Park. In this situation it is essential to prioritise the most urgent needs. Current experience is that single people wishing to live and work in rural areas can often be accommodated as lodgers in under-occupied homes (of which there are many). This is not an option for families, especially but not exclusively young families, who are driven out of their communities into nearby towns.
5. Family housing should thus take priority in the provision of new rural affordable housing. However, exactly the opposite outcome would result from policy SD28(2), which stresses the importance of maximising the number of new affordable units in the face of the viability constraints. The consequence of this would inevitably be the delivery of primarily very small units, too small for the families whose need is greatest. It is very likely that this would be the (doubtless unintended) consequence of the adoption of this policy, together with the policies outlined in paragraphs 7.64-7.68.
6. The aspiration in paragraph 7.57 that policy SD28 should apply to retirement and assisted living developments is understood, but risks proving counter-productive. Evidence from the 2016-based ONS household projections published in Sep 2018 was that all the net new households projected for England to 2041 will be headed by people aged over 55; almost 90% will be

headed by people aged over retirement age; and a full 25% will be headed by people aged over 85. It is thus essential to deliver the specialist accommodation these older residents will need. However, it is a feature of such accommodation that there are high service charges to cover the services provided. Potential occupiers qualifying for an affordable unit in such a development are likely to be dependent on Pension Credit and Housing Benefit, so may well be unable to cover such a cost. If residents in the market units were required to cover the whole service costs of the establishment the new development would become uncompetitive. A likely consequence of this policy would be to suppress this much needed type of development within the National Park.

7. Policy SD28 is specifically identified as a Strategic Policy, and as such it would, under paragraphs 28-30 of the July 2018 National Planning Policy Framework (or paragraphs 185-187 of the 2012 NPPF), take precedence over relevant policies in adopted Neighbourhood Plans. One size does not fit all, and it is very likely that there will be quite different needs in the different rural and urban communities included within the National Park. Policy SD28 should include a new section to indicate that where a Neighbourhood Plan has conflicting policies based on evidenced local need for that community, the Neighbourhood Plan policies should take precedence.
8. CPRE Sussex welcomes the recognition in paragraphs 7.54 & 7.77 and policy SD28(4) of the increasing importance of Community Land Trusts in delivering affordable housing.
9. The National Park Authority view expressed in paragraph 7.61 appears to be based on a misunderstanding of the way Housing Benefit operates. The crucial requirement is that the affordable rent must be below the Local Housing Allowance. Affordable rents are higher than social rents, and allow social housing providers such as Councils, Housing Associations and Community Land Trusts greater access to capital, which enables them to build more homes. Rents paid by the poorest members of the community are fully covered by Housing Benefit (up to the LHA limit). The principal tenant beneficiaries of social, as opposed to affordable, rents are social housing tenants whose incomes have grown over time to the extent that they are no longer eligible to receive Housing Benefit.

Therefore CPRE Sussex suggests the following modifications to policy SD28:

- ***The approach to policy SD28(1)(b) should be reconsidered. It could be much fairer and more effective in meeting actual need to express the policy in terms of the numbers of affordable home bedrooms to be provided, as a percentage of bedrooms to be provided in market homes.***
- ***Policy SD28(2) is very likely to deliver the wrong type of affordable homes in rural areas and must be rewritten to prioritise delivery of the most needed types of homes. Paragraph 7.66 should be rewritten to ensure that viability concerns are not mitigated by the provision of smaller homes. These concerns could also be met by expressing the affordable housing requirement in terms of bedrooms rather than homes.***
- ***Paragraph 7.57 should be reconsidered. In this situation a financial contribution may be more appropriate and effective, for the reasons in paragraph 6 above.***
- ***Policy SD28 should be amended to make it clear that these National Park-wide policies should not take precedence over any conflicting policies in adopted Neighbourhood Plans or approved Whole Estate Plans that are based on the specific needs of that Neighbourhood Area or Estate.***
- ***The first sentence of paragraph 7.61 should be omitted.***

Policy SD29: Rural Exception Sites

10. It is recognised that this Local Plan is being examined against the 2012 National Planning Policy Framework [NPPF12] and not against the revised Framework published in July 2018 [NPPF18]. Nevertheless planning applications will be assessed against NPPF18 as well as against this Local Plan, when adopted, so it would be ineffective to include in the Local Plan policies that conflict with NPPF18.
11. NPPF18 paragraph 77 advises Planning Authorities that they should consider whether allowing some market housing on Rural Exception Sites would facilitate their delivery. It is confirmed in the glossary that Rural Exception Sites may, at the Planning Authority's discretion, include a proportion of market homes.
12. Policy SD29(1) requires that new National Park rural exception sites must be 100% affordable housing. This is justified in the following paragraphs 7.78 (which recognises the importance of such sites in meeting rural housing need, a position that CPRE Sussex strongly supports) and 7.79 (which expresses concern that community support will be lost if the inclusion of any market housing is permitted).
13. CPRE Sussex recognises that the successful development of a rural exception site requires the enthusiastic participation of both a landowner with a suitable site and a local community that recognises the importance of the provision of affordable housing to meet local need. However we would argue that the National Park is a special context, where suitable sites whose development would not conflict with the primary purposes of the National Park may be scarce, and where market housing prices are particularly high thus exacerbating affordable housing need. In these circumstances delivery of rural exception sites that can meet that need will be more effective if landowners with suitable sites are incentivised to bring them forward.
14. CPRE Sussex would also suggest that the protection of the special qualities of the National Park, and thus its purposes, must be paramount, and that Policy SD29(1)(b) is ineffective in this respect. This policy, which in effect says that the most suitable site available should be selected, gives priority to the duty of the National Park over its purposes, when the reverse should be the case. Even desirable development, such as the development of a rural exception site, should not be permitted if the consequence is damage to the National Park's key purposes.
15. Finally, CPRE Sussex is aware that even when an entirely suitable site with a willing landowner is identified and its development supported by the majority of the local community, there will nevertheless be individuals within the community who will forcibly oppose the proposal. Because the present policy SD29 is entirely permissive it is only too easy for a parish council, a community land trust or other rural housing enabler to take the path of least resistance and fail to pursue a clear opportunity to meet a clear need. The policy must be more pro-active to be effective in meeting the need. This can best be achieved by the identification of appropriate targets and their inclusion within the policy. Such a target is already included in policy SP2 of the Lewes District Joint Core Strategy (Local Plan Part 1).

Therefore CPRE Sussex suggests the following modifications to policy SD29:

- ***The first sentence of Policy SD29(1) should use the NPPF18 definition of a rural exception site and should not insist on 100% affordable housing.***
- ***Policy SD29(1)(b) should insist that development of sites selected should not damage the special qualities of the National Park.***

- *Policy SD29 should be made more proactive by the inclusion of affordable housing targets for delivery through rural exception sites (or whole estate plans) to meet the identified need for affordable rural housing where it is not to be met by other identified means.*
- *Consequential changes to paragraphs 7.51, 7.78 & 7.79.*