

28th November 2014

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(Representations submitted via email to planning.policy@adur-worthing.gov.uk)

RE: Adur Local Plan Proposed Submission

Introduction

This letter is in response to the above consultation and provides Gladman Developments' (Gladman) representations. Gladman specialise in the promotion of strategic land for residential development with associated community infrastructure and has considerable experience in the development industry. Gladman understand the need for the planning system to provide local communities with homes and jobs that are required to meet Central Governments objectives and the needs of local communities.

Gladman, who operate on a national basis, have had the opportunity to become involved in a number of local plan preparation processes since the National Planning Policy Framework (the Framework) came into effect including, participation in the Examination stage and have gained significant experience as a result.

Gladman have previously made representations on the Draft Adur Local Plan in November 2013. Through previous representations Gladman raised significant concerns that the Council are not planning to meet its Objectively Assessed Need (OAN) and have failed to satisfactorily undertake the requirements of the Duty-to-Cooperate. Gladman contend that these issues have yet to be addressed and is therefore contrary to the requirements set out in the Framework.

The Framework has been with us for over two years and the industry has had time to get to grips with its application and the need for some fundamental changes in the way in which planning operates. One such change relates to the need to significantly boost the supply of housing and how this fundamental requirement of the Framework should be reflected in the plan making process. The following provides an account of the issues of the Local Plan that is currently being progressed, until these issues are resolved the plan is unlikely to be found sound by an Inspector which will ultimately lead to further issues relating to housing delivery.

Housing Requirement & Assessment of Housing Development Needs Study: Sussex Coast HMA

Gladman have previously expressed concerns over the housing requirement during the Draft Adur Local Plan consultation in November 2013. Gladman note that although this figure has slightly increased, these concerns have not been fully addressed. The housing requirement that the Council has decided to progress with is still lower than the full objectively assessed need and is therefore contrary to paragraph 14 of the Framework.

Adur is recognised as part of the Sussex Coast Housing Market Area (HMA), the HMA includes, Adur, Arun, Brighton and Hove, Chichester, Lewes, Worthing and the South Downs National Park Authority. GL Hearn were commissioned by the HMA to update the demographic projections to provide an assessment of housing need up to 2031.

At present Policy 3: Housing Provision is based on a capacity based housing requirement. Gladman recognise that the Council is constrained by the South Downs National Park, however, by the Councils own account the housing requirement envisaged through the proposed submission version will not meet the full objectively assessed need (OAN) and is therefore inconsistent with paragraph 47 of the Framework. Policy 3 states that over the plan period 2011-2031 a minimum of 3488 – 3638 dwellings will be delivered in Adur, this equates to 174-182 dwellings to be delivered per annum. Upon reviewing the Council's evidence base, it remains apparent that the proposed requirement is arbitrarily low and does not take into account the full OAN for the District. The 2014 Assessment of Housing Development Needs Study revealed a requirement ranging from 180 – 240 dwellings per year within the District, with higher levels of need supporting economic growth forecasts. The lower end of the recommended range (180 dwellings per annum) could restrict economic growth which is counter to the objectives addressed in the Local Plan, more importantly the lower range figure falls short of the OAN and would result in a shortfall of 1,162 – 1,312 dwellings against the full OAN over the plan period. The upper end of the recommended range (240 dwellings per annum) allows for the achievement of the plans objectives based on the delivery of affordable housing provision and employment growth.

Gladman contend that if the Plan is to be found sound, then housing requirement should not be considered as a range, and that the economically led projection, which provides the full OAN should provide the basis for meeting the districts housing and economic needs.

Gladman raise the Council's attention to the Inspectors initial conclusions to the Brighton and Hove City Council Examination. In this instance the identified need was between 16,000 – 20,000 dwellings. The Inspector found that *'Bearing in mind the Frameworks requirements should assess their full housing needs, including affordable housing, my view is that the Plan should indicate that the full objectively assessed need is the higher end of the range i.e. 20,000 new dwellings.* The Inspector also stated that *'The Plan proposes a target for the provision of new housing of 11,300. This represents only 56.5% of the full objectively assessed need. Even if the lower end of the range were to be used (which for the reasons given above, I do not accept is the correct approach), the target would meet only 70.6% of the need. These figures represent a significant shortfall and substantial weight must be given to the consequent failure to meet the social dimension of sustainable development.'* It was therefore considered that the Council must rigorously assess all opportunities to meet the identified need.

Adur is located within the same HMA and presents similar issues to the case outlined above. The identified target of the plan only meets 72.5% – 75.7% of the total identified need. In order to meet the requirements of the Framework the Council should identify all possible alternatives to ensure the Plan meets the full OAN.

Gladman note that the SHMA has addressed market signals as set out by Planning Practice Guidance (PPG). Gladman contend that affordability has markedly worsened since 1997 representing a 125% increase.

Regardless of being in line with county levels, this should be addressed at the local level, failure to do so will undoubtedly lead to affordability trends worsening. Therefore, the Council should ensure that affordability is taken into account to deliver the full OAN.

Gladman note that the Council have recognised the need for more employment land to help redress the economic issues effecting the district. Shoreham has been recognised by the 2014 Strategic Economic Partnership (SEP) as an area of economic growth. In order to meet the demands to improve the economic ability of the district and reduce levels of outmigration, the Council should ensure that it fully addresses its housing need so that sufficient housing is provided to house the workforce required to fulfil future jobs within the district.

Gladman believe that further consideration needs to be given in relation to the proposed requirements to ensure that the Local Plan is in line with the process for determining the OAN as outlined in paragraphs 14, 152, 158 and 159 of the Framework. The Council should begin by considering its full objectively assessed housing needs, taking economic forecast into account, then test whether adverse impacts of meeting this need clearly and demonstrably justify a lower plan requirement. The Council need to consider whether any of the development constraint's affecting the District could be addressed or overcome in order to meet its housing needs in full. It should not suppress its housing requirement based on what it considers to be deliverable.

If the Council are not seeking to deliver the full OAN they therefore need to ensure that robust and up to date evidence is provided to demonstrate why they are unable to meet this need in full.

Sustainability Appraisal

The Sustainability Appraisal (SA) undertook four potential alternatives in 2011 following the Locally Generated Housing Needs Study, of which only one alternative exceeds the OAN requirement.

The SA states at paragraph 10.4.4. *'to work towards meeting the objectively assessed development needs of Adur as far as possible, taking into account environmental constraints (most notably flood risk and landscape issues), the capacity of infrastructure and the aim of retaining Local Green Gaps to maintain the character and identify settlements within the district.'* This statement is clearly inconsistent with the Framework, specifically paragraph 14, as Local Plans should meet the full OAN, not work towards meeting the identified requirement.

The Council have failed to take into consideration alternatives for affordable housing or economic growth as it was not deemed necessary or reasonable to do so. Given the identified need through the 2014 Housing Development Needs Study, the Council will need to consider all potential alternatives in order to attempt to meet the OAN before lowering the plan requirement.

Affordable Housing

The provision of affordable housing is a key priority that the Council should seek to achieve through their Local Plan. However the only way to improve affordability is to provide housing. The evidence base suggests that there is an identified need for affordable housing which needs to be addressed through the emerging Local Plan. The Local Plan currently fails to address this identified need which will ultimately lead to the Plans failure and the affordability gap will continue to deteriorate.

Specifically the 2014 Housing Development Needs Study identifies a net need for 514 affordable homes to be delivered over a 5 year period or 318 affordable homes per annum if the backlog need of 564 homes is addressed over a 19 year period. The evidence is clear in either case, that the annual affordable housing need is greater than the total annual housing requirement that the Council have chosen to progress with.

The 2014 Housing Development Needs Study states that, *'meeting this need in full through mixed affordable and market-led developments would likely require overall housing provision in excess of 1,000 homes per annum.'* Local Plan housing requirements should therefore reflect the full identified need for market and affordable housing as required by paragraph 47 of the Framework. In order to deliver affordable housing and reduce the worsening affordability ratio, the Council should increase its housing requirement to exceed the OAN requirements in order to adapt to adverse market signals.

The Council need to consider adverse market signals as part of the Local Plan, a worsening trend in the housing market will require an upward adjustment to the planned housing numbers compared to those based on household projections. This is set out in the 'Assessment of Housing and Economic Needs' of the Planning Practice Guidance, ID 2a-02 states, *'the more significant the affordability constraints (as reflected in rising prices and rents, and worsening affordability ratio) and the stronger other indicators of high demand (e.g. the differential between land prices), the larger the improvement in affordability needed and, therefore, the larger the additional supply response should be.'*

The need to improve the total housing requirement is also set out in PPG under ID 2A-029 which states that, *'The total affordable housing need should then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered by market housing led developments. **An increase in the total housing figures included in the Local Plan should be considered where it could help deliver the required number of affordable homes.'***

Duty to Cooperate

Gladman are supportive of the Council's approach of working with its neighbouring authorities in the attempt to implement the successful delivery of supplying housing and economic growth across the sub region.

It is important to stress that the process outlined above in relation to determining the full OAN should be taken with full regard to the Duty to Cooperate as set out in paragraph 110 of the Localism Act. This ensures that if the needs of the authority cannot be fully met within the Council's administrative boundaries, the shortfall is then accommodated elsewhere within the HMA.

Gladman are supportive of the Council's approach in widening its area of search due to the inability of the local authorities within the HMA to make provisions to accommodate any of the Councils shortfall. With regards to the two identified authorities, Horsham District Council is still subject to the Inspectors findings following the Plans Examination and remains to be seen if the plan is found sound and East Sussex are only able to accommodate the shortfall pending future evidence. Therefore there remains uncertainty that either Local Planning Authorities will be able to accommodate any of the shortfall. In the event that these authorities are unable to accommodate the unmet need the Council should, as of now, reach out to other authorities outside of the HMA to ensure that any unmet shortfall can be addressed, this will ensure that any unmet shortfall is addressed and would fulfil the national objective to boost the supply of housing.

Countryside Landscape and Local Green Gaps

Gladman note that a significant amount of land within the authority is located within the South Downs National Park resulting in a limited amount of land available for development outside of this location. The emerging Local Plan seeks to impose both Policy 13: Adur's Countryside and Coast and Policy 14: Local Green Gaps, which may constrain otherwise sustainable development coming forward. These designations should not be intended to constrain and restrict otherwise sustainable development from coming forward when there is a demonstrable need for housing.

Gladman would oppose the use of local green gaps if these would serve only to act as an arbitrary tool to prevent sustainable development coming forward. In this instance we submit that new development can

often be located in local gaps without leading to the physical or visual merging of settlements, eroding the sense of separation between them or resulting in the loss of openness and character. Gladman would oppose the use of strategic gaps if these would unnecessarily constrain sustainable development.

The 2012 Landscape and Ecology Study and the 2006 Urban Fringe Study provide the evidence base to the above policies, however the evidence base only assesses the Council's proposed strategic allocations and does not assess the entire landscape character of the district. Gladman therefore query whether these policies have been based on full robust evidence and whether additional allocations could come forward if additional areas are assessed.

Gladman refer again to the Brighton and Hove City Plan Examination, in which the Inspector stated '*I recognise that there are significant constraints to providing land for development, and that there are competing priorities for any land which may be available. However, given the significant shortfall in meeting housing needs, it is important that the Council rigorously assesses all opportunities to meet that need.*' It is therefore vital that in order to find the Local Plan sound, the Council must rigorously assess all opportunities to meet the identified need. The Council should consider the release of additional land from these allocations in order to facilitate future sustainable development. Failure to do so could result in a declining housing market and worsening affordability ratio which will impact not only on the district but the wider HMA. Without an up to date, adopted development plan, these local plan policies carry limited weight and are not in accordance with paragraph 14 of the Framework.

Spatial Distribution

The Council should assess the spatial distribution for housing based on the findings of the evidence base, this should not be a politically driven spatial strategy. If the spatial distribution does not reflect the need and demand identified by the evidence base, then the required housing will not be delivered and the Plan will not be implemented.

Gladman are generally supportive of the Council's approach to directing development to where key services and facilities are located, growth should be distributed to settlements with established facilities, services and infrastructure, this in accordance with the key theme running throughout the Framework of promoting sustainable development. This should not however preclude development in areas that have not been identified by the Council, which could also help to sustain existing facilities and services. As the Council are unable to meet the full OAN identified by the 2014 Housing Development Needs Study, the level of growth directed to each settlement should be reviewed in light of meeting a higher housing requirement in the district and its ability to accommodate sustainable, deliverable development.

Gladman note that the Council is proposing to direct development within the built up area boundaries on previously developed land and two potential strategic sites on the edge of main settlements at New Monks Farm, Lancing and West Sompting.

The Council should not prioritise brownfield development and use existing settlement boundaries as a mechanism to restrict otherwise sustainable development, if suitable alternatives on greenfield land are available for development. The Council should also be mindful that the use of Sustainable Urban Extensions are often associated with long lead in times and infrastructure requirements. The Council must be realistic in setting the housing trajectory for such sites and should not be used to artificially boost housing delivery rates.

Gladman recognise that the authority is constrained by the South Downs National Park to the north and flood risk to the south. However the Plan should provide sufficient flexibility to address situations where housing does not come forward as expected. It may be necessary to plan for the release of additional housing sites, and earlier in the plan period, to maintain a five year housing land supply. In this regard the Council should consider distributing growth to a broader range of deliverable sites that still support the

Council's strategy but avoid delays that often occur when bringing such large sites forward. The Council should therefore provide a portfolio of sites to help ensure the delivery of housing across the plan period.

Conclusion

What is clear from the Framework, and from the Government's agenda to **boost significantly the supply of housing**, is that the premise of the whole process is the assessment and **delivery of the full objectively assessed need** for housing in an area unless there are adverse impacts that would **significantly and demonstrably outweigh the benefits**. If the process set out in the Framework and highlighted above is not followed then the Council run the real risk of the plan being found unsound and this will create significant delay and uncertainty in the process.

All of our best interests are served by your authority getting a Local Plan found sound at the earliest possible opportunity, rather than us utilising considerable resources on preparing for and attending EIPs, preparing Judicial Reviews etc. This approach will put the authority back in control of planning in their area and will give the Members comfort and certainty over the level and location of development that will take place over the lifetime of the Plan.

If you decide to progress a strategy that is contrary to your evidence base, you will be aware that early on in the process, you will need to provide a Consequences Report. These are necessary to justify any form of departure from the evidence base and to allow everyone to fully understand the consequences of following an alternative strategy.

Gladman have raised significant concerns over the proposed housing requirement, with reference to tests of soundness outlined in paragraph 182 of the Framework. The Local Plan does not provide a positive policy approach in a number of cases. Key areas where Gladman raise significant concern are summarised as follows:

- **Objectively Assessed Need** – The GL Hearn assessment updates the demographic projections of previous studies. The updated Housing Market Area assessment is not compliant with Planning Practice Guidance as it fails to adequately assess market signals for affordability and does not provide an increase in the overall provision, in order to meet the identified need.
- **Housing Requirement** – Gladman are concerned that the proposed housing requirement fails to reflect the true, full objectively assessed needs for the district and that it has been arbitrarily constrained.
- **Affordable Housing** – Gladman note that the Council's proposed housing requirement will significantly constrain the scope for addressing affordable housing needs in Adur. This supports the need for the Council to increase the overall housing requirement to ensure that the affordability gap does not continue to deteriorate.
- **Duty to Cooperate** – The process of determining the Council's objectively assessed need should be undertaken with full regard to the Duty to Cooperate as set out in paragraph 110 of the Localism Act. In consideration that the HMA is unable to meet Adur's needs and only two authorities have identified themselves to facilitate any unmet need, pending future evidence/adoption of their respective plans. If these two authorities cannot accomplish the Duty to Cooperate, the Council as well as the remaining authorities within the HMA should seek to widen their area of search to ensure that unmet need is delivered, in order to meet the national objective to boost significantly the supply of housing.
- **Countryside and Local Green Gaps** – The Council must reconsider Policies 13 and 14 of the Local Plan and ensure that they fully understand all reasonable alternatives that can be provided to ensure that the Council meets its objectively assessed need. This has already been subject to an Inspector's scrutiny with regards to the Brighton and Hove City Council Examination, therefore the

Council must rigorously assess all aspects of these designations as they should not preclude otherwise sustainable development from coming forward.

- **Sustainability Appraisal** – The SA fails to provide a suite of alternatives. The Council have failed to assess reasonable alternatives for affordable housing or economic growth, both are key issues to the soundness of the Plan.

Based on the above, Gladman contend that the plan fails to meet the four tests of soundness stated in paragraph 182 of the Framework, if it continues in its current form it will likely be found unsound by an Inspector.

I hope that you have found these representations constructive, if you require any further information or wish to meet with one of the Gladman team then please do not hesitate to contact me.

Yours Faithfully

John Fleming

Gladman Developments