

24 July 2017

Delivered by email

Moira Hayes
Adur District Council
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Dear Ms Hayes,

REPRESENTATION TO AMENDMENTS TO THE SUBMISSION ADUR LOCAL PLAN 2016: INSPECTOR'S MAIN MODIFICATIONS

We are pleased to have this opportunity to comment on the post-submission Main Modification (MM) to the Submission draft of the Adur Local Plan (2016) (ALP) and the associated Sustainability Appraisal. Turley is acting on behalf of Persimmon Homes Thames Valley (including their trading divisions Hillreed Homes, Charles Church and Persimmon Homes) who have an interest in the strategic allocation proposed at West Sompting under Policy 6 of the draft local plan.

Our client has worked with the Council and the local community over a number of years to develop the policy framework for this key site. We continue to support its proposed allocation in the plan and the crucial role that it will play in addressing the housing needs of the District in part.

We have reviewed the MMs and offer the following comments on behalf of our client. These comments update those made to the earlier drafts of the plan in 2013, 2014 and 2016.

Main Modification	Comment
MM1	<p>This modification proposes updating the document with a new 2032 end-date and the latest household projections, OAN and housing supply figures. This is a factual update reflecting the most up to date evidence of housing need, and is therefore supported.</p> <p>The changes effectively increase the housing shortfall. Given the constrained nature of the District, this places greater emphasis on ensuring that the capacity of proposed allocations in the plan are maximised, subject to site specific constraints.</p>

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MM2	<p>This modification will allow for a timely review of the plan in order to consider whether unmet needs in the housing market area (including in Adur itself) can be met within the District.</p> <p>This will provide the opportunity for the Council to reconsider constraints, policy changes (including the proposed national planning policy amendments) and development opportunities. This should include the expansion or increased capacity of existing proposed allocations, where appropriate.</p> <p>The modification is supported, but there should be a clear and explicit trigger mechanism relating to housing where monitoring indicates under delivery against expectations (see MM3 below), or new evidence (for example Local Strategic Statement 3) becomes available. As the text is currently drafted, there is no specific requirement for the Council to review its housing policies.</p>
MM3	<p>This modification includes a reference to where the housing trajectory can be found. The MM is supported as effective monitoring of the local plan will be important to ensure the delivery of housing is in line with expectations. However, where underperformance is evident, this should be an explicit trigger in the plan for a review of the relevant housing policies as part of a review.</p>
MM12	<p>Policy 6 - West Sompting Allocation</p> <p>This modification refers to provision or funding of mitigation to improve (vis-à-vis) A27/Dankton Lane junction. This amendment reflects discussions between Persimmon's transport consultant (i-Transport), West Sussex County Council and Highways England. The final mitigation package is subject to on-going negotiation and will be determined as part of the pending future planning application submission. The MM is therefore supported.</p>
MM13	<p>Policy 6 - West Sompting Allocation</p> <p>This modification inserts reference to a 'minimum' number of dwellings at the West Sompting allocation, and therefore provides the added flexibility in the policy to allow for development above 480 dwellings. This modification is <u>fully supported</u> as it will allow for the West Sompting site's capacity to be maximised, subject to site specific constraints, ensuring the land is efficiently developed, which in turn will assist in reducing the District's housing shortfall. The MM is supported.</p>
MM14	<p>Policy 6 - West Sompting Allocation</p> <p>The modification seeks an extension of the SNIC at the West Sompting site allocation. This amendment has been agreed with Sussex Wildlife Trust following discussions during the local plan examination in public. We do not object to this MM.</p>
MM15	<p>Policy 6 - West Sompting Allocation</p> <p>This modification references the submission of up-to-date ecological data as part of any planning application. Our client has undertaken extensive ecological assessment of the site to date. These studies will be submitted with the</p>

	<p>application. The provision of this information is a validation / determination requirement of any planning application in any case. Whilst the inclusion of this requirement within the wording of the policy is therefore unnecessary the MM is nonetheless supported.</p>
MM16	<p>Policy 6 - West Sompting Allocation</p> <p>This modification inserts reference to CIL contributions. This would inevitably be a requirement should the Council adopt CIL. The MM is supported.</p>
MM30	<p>This modification acknowledges 10% housing requirement uplifts to reflect market signals (affordability) as required by the NPPF. This MM is supported.</p>
MM32	<p>The NPPG requires LPAs to gather evidence to determine whether there is a need for additional standards in their area, and justify setting appropriate policies in their Local Plans. Paragraph: 001 Reference ID: 56-001-20150327</p> <p>The policy set out that all new building should meet the higher standard M4(2): Accessible and Adaptable dwellings. The NPPG set out a number of evidence requirement local planning should use to demonstrate a need to set higher standards including (our emphasis):</p> <ul style="list-style-type: none"> • the likely future need for housing for older and disabled people (including wheelchair user dwellings). • size, location, type and quality of dwellings needed to meet specifically evidenced needs (for example retirement homes, sheltered homes or care homes). • the accessibility and adaptability of existing housing stock. • how needs vary across different housing tenures. • the overall impact on viability <p>It is noted that the Adur District Council Whole Plan & Community Infrastructure Levy Viability Assessment 2017 considered the impact of the standards on viability but not in relation to need <i>per se</i>.</p> <p>It is our view that this element of the policy should be deleted as currently worded until the evidence to justify it is produced. Or, at the very least, the M4(2) standard should be dependent on an assessment of need at the time of a planning application being submitted and the suitability of the site. Much the same way as Standard M4(3) is applied to affordable housing.</p>
MM33	<p>Planning Practice Guidance (PPG) (Paragraph: 020 Ref ID: 56-020-20150327) requires Councils to provide justification for the use of nationally described space standards (NDSS) in local plans on the basis of three tests:</p> <ul style="list-style-type: none"> • need – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes. • viability – the impact of adopting the space standard should be

considered as part of a plan's viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.

- **timing** – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.

The Council has undertaken a whole plan viability study which appears to have factored in the NDSS. The following section therefore focusses on the tests of need and timing.

Need

The Council have not presented sufficient evidence to demonstrate need for the optional enhanced housing standard above what is established as nationally suitable in Building Regulations. It is our view that an assessment of the units built in the District in the past is required and whether these are so small as to justify the imposition of the NDSS.

Consideration should also be given as to whether there is a need for market intervention given the strong sales rates in the District, and availability of existing (second hand) stock may provide homes for purchases that are larger than the market is currently delivering. When establishing need we would expect ADC to consider market indicators such as quality of life impacts or reduced sales rates with consumer information sighting the inadequacy of housing stock in the local area. We are concerned none of this has been provided to justify application of the enhanced standard and market intervention.

We note that the Council has produced a Good Practice Guidance Note for Internal Space Standards for New Homes in 2009. This on national guidance and good practice (much of which is historic and/or superseded) does not in itself provide the justification for NDSS as required by planning guidance.

Without this evidence we are concerned this element of the policy is **not justified**, and therefore **unsound. It should be deleted.**

Timing

However in the event that it is retained, transitional arrangements must be suitably addressed as required by NPPG.

This is because the land deals which may underpin the identified sites for this plan period will have already been secured and as such the proposed transitional arrangements will not provide adequate time for the cost to be factored in to the contracts for those sites – these standards have been introduced too late in the day.

If the Council is minded to retain the NDSS requirement then we recommend a transitional arrangement of a minimum of 3 years to allow those sites to move

	through the planning system before the requirements are enforced.
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We have reviewed the supporting Addendum to the Sustainability Appraisal (SA) (June 2017) with reference to the main modifications listed above. With the exception of MM13, the report concludes the modifications do not require SA. In the context of MM13 the report appraises the implications of the modification and highlights that it would have no impact on the conclusions of the SA. We would concur with these findings and have no further comments to make in respect of this document.

We trust the above comments are helpful to your further consideration of the plan. If it would assist we would also be happy to further discuss our comments with Officers.

Finally, we would also take this opportunity to advise that our client is currently preparing a planning application for the West Sompting site (Policy 6), subsequent to the Screening Opinion Requests made and responded to earlier this year. It is anticipated that the application will be submitted to Adur District Council later this year. In advance of the application's submission we will be looking to formally engage with Officers to discuss the development proposals.

If you would like any further information at this time please do not hesitate to contact me.

Yours sincerely,



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