

MATTER 8 - HOUSING

**HORSHAM LOCAL
PLAN EXAMINATION**

Horsham Golf and Fitness Village

Hearing Statement by Carter Jonas

On Behalf of Generator Group

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1.0 INTRODUCTION

- 1.1 This Statement has been prepared on behalf of Generator Group, the owner of the Horsham Golf & Fitness Village site. Generator Group has engaged in the Local Plan process to date and has sought to identify its concerns with the legal compliance and soundness of the draft Local Plan from the outset.
- 1.2 Generator Group supports, in-principle, the Plan-led system. In order for a Plan-led system to function it requires Local Plans to be not only legally compliant and sound, but for them also to be deliverable, proportionate and based on clear evidence.
- 1.3 The National Planning Policy Framework ('NPPF' or 'the Framework') confirms that Plans will be sound if they are positively prepared, justified, effective and consistent with national policy. For the reasons identified in the representations, which we will expand on, the Plan accords with none of these requirements.
- 1.4 The site extends to 55.57 hectares and is currently home to Horsham Golf Club, with an 18-hole course, a 9-hole course, driving range, putting greens and short game area alongside a range other ancillary facilities including a cafe and gym. It lies adjacent to the Horsham Football Club and the access onto Worthing Road lies opposite the Horsham Park & Ride, recycling centre and petrol filling station.
- 1.5 An outline planning application for the development of the site for a Sports and Leisure Hub including the provision of communal facilities, nursery and up to 800 dwellings was refused planning permission on 14 May 2024. An appeal against the decision was recently lodged and the public inquiry is anticipated to be held in Q1 2025.
- 1.6 Generator Group has submitted duly made representations to each stage of the Local Plan production process. For clarity, this has included representations to:
 - The consultation on the Local Plan Review – Issues and Options – Employment, Tourism and Sustainable Rural Development in April 2018;
 - The consultation on the Site Selection Criteria in June 2019;
 - The Draft Local Plan (Reg 18), including the Interim Sustainability Appraisal for Strategic Sites and Growth Options and the Site Assessment Report, in February 2020; and
 - The Draft Local Plan (Reg 19) in March 2024.
- 1.7 This Hearing Statement expands on the issues identified within the representations regarding the Councils' failures in relation to the Sustainability Appraisal. It also identifies the failures of the site assessment process in relation to the Horsham Golf & Leisure site in relation to matters of procedural fairness.
- 1.8 It is not possible for these fundamental matters to be resolved and therefore the Plan is incapable of being taken forward to adoption.
- 1.9 In the event the Plan is taken forward, the effects of the decision for the local community would be intolerable and would have a serious deleterious effect on the social, economic and environmental future of Horsham. Whilst it would effectively result in a short-term Plan vacuum this can be remedied in the short-term through the production of a deliverable Plan that meets its identified needs, and addresses wider unmet needs, in a fair and proportionate manner.

2.0 MATTER 8 – HOUSING

Issue 1 – Whether the housing requirement is justified, effective, consistent with national policy and positively prepared?

Q1. Is Strategic Policy 37: Housing Provision sound? a) Is the requirement for 13,212 homes between 2023 and 2040, below the local housing need for the area as determined by the standard method justified? Is it clear how the figure has been calculated and should this be explained more clearly in the justification text?

- 2.1 We are deeply concerned by the Council's alternative approach to housing requirements, which equates to an average delivery rate of 777 homes per year, leading to an unmet need of 2,275 dwellings. This approach is neither adequately evidenced nor in accordance with the requirements of the NPPF.
- 2.2 Paragraph 61 of the NPPF requires that the standard method be used as an advisory starting-point for establishing the minimum housing requirement for the area, except exceptional circumstances exist.
- 2.3 While government guidance does not set out what an 'exceptional circumstance' might be, paragraph 15 of the PPG (Reference ID: 2a-015-20190220) clearly stipulates robust evidence by local authorities to demonstrate the presence of exceptional circumstances, by stating:

“Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination.”

- 2.4 There is no evidence base work undertaken on exceptional circumstances to justify an alternative approach, making Policy 37 unlikely to be positively prepared or legally compliant.
- 2.5 It is our view that, while the impact of water neutrality issues is understood, this is not an absolute constraint to preclude the delivery of the full local housing need nor an appropriate restriction on the delivery of specific development proposals. There is no requirement to reduce the housing target where there is the capacity to identify allocations with deliverable water neutrality solutions within sustainable locations. The Council has failed to consider the potential for delivery of the reasonable alternatives.
- 2.6 As Policy 9 demonstrates, water neutrality can be achieved either via local authority-led offsetting scheme or a site-specific solution proposed by the developers. Various recent appeals, including the Secretary of State's recovered decision over the Kilnwood Vale appeal (**HDC04**), show that Grampian conditions can effectively secure water neutrality before any development in the affected area comes forward. As such, the Council's justification for a reduced figure based on water neutrality is neither consistent with other policies and consented schemes, nor sufficiently robust.
- 2.7 The housing requirement also fails to incorporate the necessary contingency buffer for the Plan to be robust and effective, as Paragraph 6.8 of the Horsham Housing Delivery Study Update (**H03**) clearly suggested:

“In determining the housing requirement, the Council should be mindful of the comments in Icen's 2020 Report, where we identified that the level of land with capacity over the plan period should be 10% or more above the Plan's minimum housing requirement, to ensure some supply-side flexibility to account for potential site-specific factors which can delay delivery.”

- 2.8 While **HDC03** does include a 20% buffer for years 1-5, there is no evidence why this buffer is no longer considered necessary by the Council for the remainder of the plan period. This view is not supported by any evidence base work undertaken related to supply chain capacity to ensure the deliverability of the anticipated trajectory. Thus, we contend that a minimum of 10% buffer should be required throughout the entire Plan period.

b) Would the adverse impacts of the Plan not providing for objectively assessed housing needs significantly and demonstrably outweigh the benefits of doing so when assessed against the policies in the NPPF taken as a whole? Is the overall housing requirement justified?

- 2.9 We agree that the adverse impacts of the reduced requirement will demonstrably outweigh the benefits.
- 2.10 As noted in our Representations to the Regulation 19 Plan, the Council has continuously been unable to demonstrate a five-year housing land supply, which is crucial to the social and economic stability of Horsham that the new Local Plan needs to correct. The latest housing land supply was only 2.9 years as of April 2022, and this is in steady decline. The significant deficit in supply in the five-year period and the worsening affordability ratio over the last 10-year period (which saw an increase from 10.5 in 2012 to 13.2 in 2022), which was indeed amongst the highest in South East ranking seventh out of 64 local authorities in the region.
- 2.11 Paragraph 10.19 of the Local Plan clearly acknowledges the consequences of this worsening issue, admitting that *“the high cost of housing in the District is a significant barrier to younger people and families being able to work and live in the District.”*
- 2.12 We have major concerns that the under-provision of housing will significantly compound the delivery of affordable housing. Paragraph 1.12 of the Horsham Housing Delivery Study (**H02**) identifies a need for **503 affordable dwellings per annum** over the 20-year period 2019-2039. Higher figures are identified in the Horsham Social Rented Housing and First Homes Study (**H07**), indicating a total need of **894 affordable homes per annum**. Considering the 30% policy requirement for affordable housing under draft Policy 39, the reduced requirement is unlikely to meet the identified need for affordable housing over the plan period, thus failing to be effective, even on any ‘best case’ assumptions about delivery.
- 2.13 It is our view that additional allocations primarily in upper-tier settlements such as Southwater are necessary to address historic under-delivery of affordable housing and wider housing unaffordability. This will ensure a pool of sustainable, reliable sites that can come forward and deliver market and affordable housing growth should the housing trajectory not unfold as anticipated.

c) With reference to evidence, are the stepped annual requirements justified (in principle and scale of the step)?

- 2.14 The Council’s stepped approach to housing requirement is neither justified nor sufficiently evidenced.
- 2.15 The PPG (Paragraph: 020 Reference ID: 68-020-20190722) clearly highlights that a stepped requirement should not be used to delay meeting identified needs:

*“... Strategic policy-makers will need to identify the stepped requirement in strategic housing policy, and to set out evidence to support this approach, and not seek to unnecessarily delay meeting identified development needs. Stepped requirements will need to ensure that planned housing requirements are met fully within the plan period. In reviewing and revising policies, **strategic policy-makers should ensure there is not continued delay in meeting identified development needs.**”*

- 2.16 While water neutrality impacts on the distribution of housing requirements are acknowledged, the calculations should aim to meet the District’s full objectively assessed needs, i.e. no less than 15,487 homes.
- 2.17 In fact, paragraph 6.5 of **H03** clearly indicates the feasibility of delivering a higher quantum (i.e. a minimum of 14,783 homes) even when accounting for the additional timescale required to develop SNOWS to unlock sites caught up in water neutrality issues. As such, there is no robust evidence that the stepped approach can only apply to the reduced requirement figures of 13,212 dwellings.
- 2.18 As discussed above, we maintain that water neutrality should not be erroneously regarded as an absolute constraint to housing delivery, given the merits of site-specific water neutrality solution. As such, there is potential for higher thresholds to be set for the stepped approach.
- 2.19 There are also inconsistencies in the housing requirement figures between Policy 37 and the Revised Housing Trajectory (**HDC03**). Policy 37 states 480 dpa from 2023/24 to 2027/28 and 901 dpa thereafter. In contrast, **HDC03** indicates 480 dpa from 2023/24 to 2024/25, 543 dpa from 2025/26 to 2029/30, and 970 dpa onwards. In either case, there is no modelling justification for the proposed threshold and distribution.

	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	36/37	37/38	38/39	39/40	
Total Supply	452	208	537	642	646	721	640	838	1192	1345	1244	1123	958	790	730	701	645	13,412
Target	480	480	436	436	436	436	436	950	950	950	950	950	950	950	950	950	950	
20% Buffer	0	0	87	87	87	87	87	0	0	0	0	0	0	0	0	0	0	
Shortfall for Under Delivery 23/24-24/25	0	0	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	
Total Target	480	480	543	543	543	543	543	970	970	970	970	970	970	970	970	970	970	13,375

d) Is the approach to the shortfall (the Liverpool method) justified?

- 2.20 The Liverpool method is adopted in **HDC03** to spread the shortfall of 300 homes arising from the initial plan years over the entire plan period. The shortfall is based on a reduced housing requirement of 13,212 homes with a stepped approach for the first two years.
- 2.21 As stated above, this combined approach to extend housing backlogs over the entire plan period is neither robustly evidenced nor effective.
- 2.22 Considering the severe impacts of water neutrality, worsening affordability, and historical delays in local plan progress, which have led to a significant supply deficit of 1,888 homes as indicated by the latest Authority Monitoring Report (2022), the Council’s approach would not guarantee the delivery of sufficient homes early enough to counter the worsening housing crisis and would fail to meet the government’s vision to boost housing supply.
- 2.23 The approach also fails to adequately reflect the worsening reality of the housing crisis, as the AMR only indicates a 2.9-year housing land supply, significantly lower than the 5.9 years suggested by the Liverpool method.
- 2.24 Even if the Liverpool method were used, to effectively address unmet housing needs and the historic backlogs, the Plan should at least meet the objectively assessed housing needs of 15,487 homes in full. Additionally, the Council should identify additional sites adjacent to top-tier settlements, including SA754, to ensure a robust delivery pipeline.

Q2. Are main modifications needed to the Plan to clarify the latest position with regard to the Crawley Local Plan and unmet housing need in the housing market area?

- 2.25 No comment.

Q3. Is there any substantive evidence that the Plan should be accommodating unmet need from neighbours, and if so, would it be sound to do so? In any event, should any unmet needs from other relevant areas be clearly identified in the Plan?

2.26 No comment.

Issue 2 – Whether the overall housing land supply and site selection process is justified, effective, consistent with national policy and positively prepared?

Q1. Were the proposed housing allocations selected on the basis of an understanding of what land is suitable, available and achievable for housing in the plan area using an appropriate and proportionate methodology, and are there clear reasons why other land which has not been allocated has been discounted?

- 2.27 As stated in Generator Group's **Matter 2 Hearing Statement**, the site selection process is not appropriately evidenced and robust, and thus fails to reach an accurate and justified decision in relation to the performance of the omitted sites.
- 2.28 Many of the selected sites actually perform worse against the sustainability objectives than those which were removed, including Site SA754. There is no further update to the LUC Sustainability Appraisal (SA) since 2021 and the Site Assessment Report since 2023 which therefore fail to reflect all ongoing discussions and the proposed mitigations for the omitted sites.
- 2.29 We maintain that SA754 should have been considered suitable as part of the site selection process. Specific details as to how SA754 could come forward in a sensitive manor are detailed within our Representations to the Local Plan consultation.

Q2. The NPPF at paragraph 74 states strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period? Is this achieved by Figure 6 of the Plan?

- 2.30 The projected delivery trajectory is overly optimistic and therefore not appropriately evidenced.
- 2.31 While Appendix 2 of **HDC03** indicates that 71 developers were contacted, only less than half of them have responded as shown in Appendix 3, most of which are from smaller sites. There is no Statements of Common Ground being reached with major site developers. Thus, the robustness of the proposed delivery trajectory, especially for those strategic allocations, is questionable.
- 2.32 No non-implementation rate is applied to the delivery trajectory within **HDC03**, which leads to an overly optimistic estimate of the expected delivery rate.

Q3. The Plan does not appear to provide land to accommodate at least 10% of the housing requirement on sites no larger than one hectare as required paragraph 69 a) of the NPPF, why?

- 2.33 No comment.

Q4. Criterion 5 of the Strategic Policy 37: Housing Provision states 1,680 dwellings are anticipated to be delivered over the plan period from windfall sites? What is the compelling evidence this will be a reliable source of supply? Is this windfall allowance realistic and justified?

- 2.34 We consider that the proposed windfall allowance is not robustly evidenced.
- 2.35 Horsham Windfall Study (**H09**) has been prepared to form part of the evidence base for the windfall allowance within Policy 37. There are inconsistencies within **H09** regarding the historic rate of windfall delivery in paragraph 9.2 (which indicates 126 dpa) and Tables 1 and 2 (158 dpa) that requires clarifications.

- 2.36 It is also our concern that the proposed windfall approach is not sufficiently effective to be a reliable source of supply as the draft Local Plan relies heavily (27% of its total minimum target – 3,482 units) on windfall and small sites to deliver its required housing over the plan period.
- 2.37 The draft Local Plan could be more effective and justified if greater flexibility was incorporated into the spatial strategy. This would create a more positive framework for more strategic allocations on land within sustainable locations in proximity to upper-tier settlements, including SA754, to contribute more towards the strategic objectives.

Q5. What is the housing requirement for the first five years following the adoption of the Plan and what buffer should be applied? Would the Plan realistically provide for a five-year supply of deliverable sites on adoption? Is a five-year supply likely to be maintained thereafter?

- 2.38 No comment.

Q6. What is the estimated total supply of developable sites, from each source of supply, for years 6-10 and 11-15? What is the evidence to support this and are the estimates justified?

- 2.39 As discussed above, given the absence of written evidence of agreement in relation to major sites, justifications for expected buildout rates and non-implementation rate applied, the estimated delivery rate for years 6-10 and 11-15 is not justified.

Q7. Is the Council's approach to self-build and custom-built housing consistent with national policy? Is it clear how much of this type of housing will contribute to the overall housing land supply? Where is this addressed in the evidence?

- 2.40 No comment.

