



THAKEHAM

Horsham District Local Plan 2023 – 2040

November 2024

Regulation 19 Response IDs:

1193834

1193829

1193833

Matter 8 – Housing

Matter 8, 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?

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?

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

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

No, Strategic Policy 37: Housing Provision is not sound, as it does not meet the objectively assessed need for housing in the District and there appears to be no justification for this reduction against the Standard Method. Furthermore, the Plan fails to deliver against the unmet needs of neighbouring authorities. Paragraph 11 b) of the NPPF Sept 2023 states:

...“strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

Policy 37 allocates land for 13,212 new homes in the 2023-2040 Plan period (777 dpa) and

acknowledges at part 6 of the policy that there will be an unmet need of 2,275 dwellings against the standard method calculation.

The reason HDC has provided for not meeting the objectively assessed need is 'water neutrality'. It is important to note that water neutrality can be achieved by a number of different means, including the 'Sussex North Offsetting Water Scheme' (SNOWS) which the Council is relying on to deliver the quantum proposed in the submitted Plan or private solutions, a number of which have already come forward or are proposed. We submit therefore that HDC has excluded and not sufficiently accounted for sites which have the ability to demonstrate water neutrality, artificially constraining housing delivery, and therefore, the reduced housing requirement is not justified.

As a result, the constraints relied upon by HDC in their paragraph 11 assessment, can be overcome and there is no justification for failing to meet the needs arising in HDC or indeed wider unmet housing needs. In order to make the policy sound, HDC must as a minimum, seek to meet its own housing needs in full, whilst also contributing towards the wider unmet needs of neighbouring authorities.

Additionally, it is not clear how HDC has arrived at 13,212 / 777dpa as its housing requirement. Whilst it is assumed that this reduction relates to water neutrality, we have not found any evidence in HDC's submission to justify the reduced housing requirement and therefore question its validity.

In summary, the Plan will not meet objectively assessed need arising in Horsham district and will not contribute to meeting unmet need in the wider housing market area and in adjoining areas; and therefore, Strategic Policy 37 is not sound.

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?

Yes. Main modifications are needed to the Plan to significantly increase its supply of housing to:

- 1) Meet the objectively assessed needs of the District; and
- 2) Account for the unmet housing needs of the NWSHMA, which the Statement of Common Ground confirms to be 8,947 homes (Table 3).

Notwithstanding water neutrality (which can be achieved by numerous means), Horsham District is less constrained than its neighbouring authorities, and therefore this needs to be reflected in housing supply. The consequence of not meeting housing needs is that the unmet housing needs in the locality simply continue to rise with no alternative for these needs to be met by other local authorities.

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?

There is substantive evidence that there are unmet needs not only within the NWSHMA but also in neighbouring areas such as Worthing, and Brighton and Hove. As it stands now, unmet needs are:

- a) Crawley: Confirmed unmet need of 7,505 dwellings to 2040.
- b) West Sussex Coastal: due to the constrained nature of the Coastal West Sussex area considerable unmet needs continue to arise, including 10,488 dwellings over the plan period for Worthing and likely significant unmet needs arising from Brighton and Hove.
- c) Neighbouring Green Belt Authorities: Neighbouring Mole Valley BC has an unmet need of circa 1,700 dwellings over its plan period 2020 to 2039 and is heavily constrained by Green Belt. Waverley BC has confirmed it is likely to only be meeting unmet needs of Woking BC.

It is absolutely clear, and has been for some time, that a number of authorities neighbouring HDC will not be able to meet their housing needs. These authorities are also more constrained, with those to the south sandwiched between the coast and SDNP and already being built up to administrative boundaries; and those to the north containing significant areas of Green Belt. Horsham District by comparison is relatively unconstrained with no Green Belt land and comparatively little of the district being within the SDNP or a National Landscape.

Its suitability to accommodate unmet need is demonstrated by its previous willingness to meet some unmet needs in an earlier iteration of the draft plan and as part of the adopted plan, which helped meet needs arising from authorities to the north and south.

The water neutrality issue is not considered a sufficient reason to reduce the housing requirement and it is also not a sufficient reason for refusing to meet unmet housing needs. HDC has provided no evidence justifying a reduction in housing figures, and thus unmet needs from the NWSHMA and local areas must also be considered.

Q4. Should Strategic Policy 37: Housing Provision also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development in line with paragraph 66 of the NPPF?

No comment.

Matter 8, Issue 2 – Whether the overall housing land supply and site selection process is justified, effective, consistent with national policy and positively prepared?

NOTE: - The individual Site Allocations are considered under Matter 9 below.

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?

We have set out in detail within our Regulation 19 representations, why we consider HDC has approached site selection in an inconsistent way. The representation IDs are:

- 1193834
- 1193829
- 1193833

For example, in the Site Assessment process, HDC in certain cases has used a site's location immediately outside the built-up area boundary (thus in the countryside) as part of the justification for not being recommended for allocation, despite multiple draft allocations also being currently outside of settlement boundaries. The assessment of sites appears to reflect the Council's suppression of the housing requirement, rather than being a true representation of the availability and deliverability of sites.

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?

No comment.

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?

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?

We have not found any evidence within HDC's submission to justify this windfall allowance, and we contend that additional sites need to be allocated for housing through main modifications to reduce this reliance on windfall sites.

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?

Within the Topic Paper 2: Housing Supply, Appendix 1, HDC has suggested within the first five years of the Plan, a number of sites will deliver housing which are either just draft allocations (with no application submitted), outline planning permissions (without reserved matters approval) and pending

detailed applications (which may be refused). Specific examples of listed sites alleged to deliver homes in the first five years of the Plan are:

- DC/21/1427 – pending reserved matters application - 221 dwellings;
- DC/22/1494 – pending reserved matters application – 170 dwellings;
- DC/24/1158 – pending Section 73 application – 158 dwellings;
- DC/19/2464 – pending detailed application – 80 dwellings;
- DC/23/1694 – pending reserved matters application – 148 dwellings;
- DC/24/0249 – pending reserved matters application – 96 dwellings;
- DC/24/0768 - pending reserved matters application – 83 dwellings;
- DC/23/0290 - pending reserved matters application – 62 dwellings;
- Land East of Billingshurst (HA4) – Draft Local Plan Allocation (no application submitted) – 350 dwellings;
- DC/20/2577 – pending full application – 25 dwellings.

Collectively these add up to a sum of 1,393 dwellings of alleged deliverable (and disputable) housing supply.

These sites fail to meet the definition of “deliverable” in Annex 2 of the NPPF (September 2023):

“Deliverable: To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:

b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.”

This definition requires “**clear evidence**” that housing completions will begin on-site within five years; and HDC has not provided such evidence.

As such, we do not consider it realistic that HDC will be able to maintain a five-year supply of deliverable sites following adoption of the Plan.

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?

No comment.

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?

No comment.

Matter 8, Issue 3 – Whether the other housing policies are justified, effective, consistent with national policy and positively prepared?

Q1. Is Strategic Policy 38: Meeting Local Housing Needs sound? Is it consistent with the relevant evidence, particularly the Strategic Housing Market Assessment?

No comment.

Q2. Is Strategic Policy 39: Affordable Housing sound?

a) Is it consistent with the relevant evidence, particularly the Strategic Housing Market Assessment?

b) Is the approach to First Homes consistent with national policy?

c) Is criterion 5 effective?

d) Would the needs identified be met?

No comment.

Q3. Is Policy 40: Improving Housing Standards in the District sound?

a) Having regard to the PPG1 what is the requirement for accessible and adaptable housing in the District and how would the Council's approach meet it or not?

b) In line with the PPG2, what is the evidence which establishes the need for internal space standards in the District?

No comment.

Q4. Is Policy 41: Rural Exception Homes sound? a) Is it clear what is meant by "In exceptional circumstances" and "smallscale"?

No comment.

Q5. Is Policy 42: Retirement Housing and Specialist Care sound?

No comment.

Q6. Is Policy 44: Rural Workers Accommodation sound?

No comment.

Q7. *Is Policy 45: Replacement Dwellings and House Extensions in the Countryside sound?*

No comment.

Q8. *Is Policy 46: Ancillary Accommodation sound?*

No comment.

Matter 8, Issue 4 – Whether the Plan is positively prepared, justified, effective and consistent with national policy in planning to meet gypsy and traveller accommodation needs?

Q1. *Have the accommodation needs of gypsies, travellers and travelling showpeople been robustly assessed? In the light of the Court of Appeal judgement in Smith v SSLUHC & Ors [2022] EWCA Civ 1391, does the need for gypsy and traveller accommodation need to be revised? Does this have implications for the provision of pitches in the Plan?*

No comment.

Q2. *Is the Plan consistent with national policy for the provision of gypsy and traveller accommodation as set out in the NPPF and Planning Policy for Traveller Sites? Is it positively prepared, justified and effective in doing so?*

No comment.

Q3. *Are the criteria used in Strategic Policy 43: Gypsy and Travellers consistent with the PPTS? Is it clear how any proposals for non-allocated sites will be assessed should they come forward over the plan period?*

No comment.

Q4. *Is Strategic Policy 43: Gypsy and Travellers sound?*

No comment.

Q5. *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?*

No comment.